



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
SPECIAL MEETING
September 19, 2024 at 1:00 PM**

Live Webcast at the following address: <http://regents.nmsu.edu/>

Regents of New Mexico State University

Chair Ammu Devasthali, Vice Chair Christopher T. Saucedo, Secretary/Treasurer Garrett Moseley, Dina Chacón-Reitzel, Deborah Romero

Non-Voting Advisory Members - ASNMSU President Ala Alhalholy, Faculty Senate Chair Vimal Chaitanya, Ph.D., Employee Council Chair Donna Johnson

University Officials - Interim President Mónica Torres, Ph.D., Interim Provost Lakshmi Reddi, Ph.D., General Counsel Lisa Henderson, J.D.

AGENDA

A. Call to Order

- 1. Confirmation of Quorum, Chairwoman Ammu Devasthali**
- 2. Approval of the Agenda, Chairwoman Ammu Devasthali**

B. Approval of Minutes and Confirmation of Prior Closed Sessions

- 1. Regular Meeting Minutes for August 19, 2024**
- 2. Confirmation of Prior Closed Executive Session September 9, 2024**
- 3. Confirmation of Prior Closed Executive Session September 10, 2024**
- 4. Confirmation of Prior Closed Executive Session September 12, 2024**
- 5. Confirmation of Prior Closed Executive Session September 13, 2024**
- 6. Confirmation of Prior Closed Executive Session September 14, 2024**
- 7. Confirmation of Prior Closed Executive Session September 18, 2024**

C. Consent Items

- 1. Honoring naming of the New DACC Creative Media Building at Arrowhead Park "Cholla Hall", NMSU Foundation Vice President of Philanthropy & Alumni Relations, Patrick Stewart**
- 2. Acceptance of New Mexico Higher Education Department (HED) Endowment Grants, NMSU Foundation Chief Executive Officer Sylvia Y. Acosta**
- 3. Inter-governmental Service Agreement Between the City of Sunland Park Police Department and New Mexico State University, NMSU Interim Chief of Police Justin Dunivan**

D. Action Items

1. Executive Session, Chairwoman Ammu Devasthali

- a) **The Regents will convene in executive session to discuss the finalists for President of New Mexico State University. This discussion of finalists will be closed to the public as exempted under NMSA 1978, Section 10-15-1.H(2) (2013).**

2. Reconvene in Open Session, Chairwoman Ammu Devasthali

3. Final Action on Presidential Finalists Discussed in Executive Session, Chairwoman Ammu Devasthali

4. Applied and Agricultural Biology - Doctor of Philosophy, Department Head Ricardo Ramirez

5. Borderlands and Ethnic Studies – Master of Arts, Department Head Dulcinea Lara

6. Engineering Management – Master of Engineering (Online), Department Head Hansuk Sohn

7. Systems Engineering – Master of Engineering (Online), Department Head Hansuk Sohn

8. Repeal Previously Approved NMEDD Soundstage Project Agreement and Memorandum, Arrowhead Park Executive Director Wayne Savage

9. NMEDD Soundstage Revised Project Proposal Agreement and Memorandum, Arrowhead Park Executive Director Wayne Savage

E. Informational Items

- 1. None.**

F. Announcements and Comments, Chairwoman Ammu Devasthali

G. Adjournment, Chairwoman Ammu Devasthali



Board of Regents Meeting
Meeting Date: September 19, 2024
Agenda Item Cover Page

Agenda Item # B-1

- Action Item
- Consent Item
- Informational Item

Presented By: Garrett Moseley
Secretary/Treasurer,
Board of Regents

Agenda Item: Regular Meeting Minutes August 19, 2024

Requested Action of the Board of Regents: Approval of the Regular Meeting Minutes for August 19, 2024 as presented.

Executive Summary:

As required by the New Mexico Open Meetings Act, the board shall keep written minutes of all its meetings. The minutes shall include at a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken that show how each member voted. All minutes are open to public inspection. Draft minutes shall be prepared within ten working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present. Minutes shall not become official until approved by the board.

References:

NM Open Meetings Act §10-15-1 G.

Prior Approvals:

N/A



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
REGULAR MEETING
August 19, 2024 at 9:00 AM**

Regents Room, Educational Services Center,
1780 East University Avenue, Las Cruces, NM and
live-streamed for public viewing at <https://nmsu.zoom.us/j/85790829502>

Regents of New Mexico State University

Chair Ammu Devasthali, Vice Chair Christopher Saucedo, Secretary/Treasurer Garrett Moseley, Dina Chacón-Reitzel, Deborah Romero

Non-Voting Advisory Members - ASNMSU President Ala Alhalholy, Faculty Senate Chair Vimal Chaitanya, Ph.D., Employee Council Chair Donna Johnson

University Officials - Interim President Mónica Torres, Ph.D., Interim Provost Lakshmi Reddi, Ph.D., General Counsel Lisa Henderson, J.D.

Minutes

A. Call to Order, Chairwoman Ammu Devasthali

Chairwoman Devasthali called the August 19, 2024, meeting to order at 9:01 am.

Pledge of Allegiance

Recited by Cadet Javier Sanchez from NMSU ROTC, after he spoke a few words about himself.

1. Introduction of the Media and Elected Officials, Associate Vice President Justin Bannister

Associate Vice President Justin Banister stated that they did not have anyone in that category on that day.

2. Introductions

- a) **Patrick E. Stewart, Vice President of Philanthropy and Alumni Relations at NMSU Foundation,**
Foundation CEO Sylvia Y. Acosta

Foundation CEO Sylvia Acosta stepped up to introduce Patrick Stewart who is joining her team from the University of California, San Diego. He is their new Vice President of Philanthropy and Alumni Relations and came on board on July 29, 2024. She then asks Patrick to say a few words.

Vice President of Philanthropy and Alumni Relations Patrick Stewart states that he is happy to be here and is looking forward to working with the members of the community to generate the resources necessary to improve the university.

- b) **Christian (Chris) M. Kinsley, Interim Vice President of Administration and Finance,**
Interim President Mónica Torres

President Monica Torres states that she is delighted to introduce Chris Kinsley, New Mexico State University's new Interim Vice President for Administration and Finance. She goes on to state that Chris is an experienced administrator with decades of financial leadership in higher education. He joined the executive team earlier in the month on the day before his two-week anniversary. She states that Chris

recently served as CFO and Vice President of Finance and Administration at the new College of Florida and Sarasota. He was a senior campus leader who worked directly with the President and Board of Trustees. She continues by stating that as CFO he was responsible for the daily administrative operations of the new college which is a member of the State University System of Florida. He was responsible for finance, budget, facilities, planning and facilities operations, police space planning and events, and purchasing emergency planning information technology. Previously, he was Assistant Vice Chancellor for finance and facilities for the State University of Florida's Board of Governors. He holds a bachelor's degree in finance and accounting and a Master of Science in accounting from Florida State. He is an active certified public accountant and license holder in Florida. Dr. Torres also thanked the Associate VP of Admin. & Finance D'Anne Stuart, who served as the previous Interim Vice President for Admin and Finance since July.

Dr. Torres stated that D'Anne will return to her previous Associate Vice President role and that the NMSU community appreciates her continued dedicated service to NMSU; Dr. Torres then asked that everyone welcome Chris Kinsley to New Mexico State.

3. Confirmation of Quorum, Chairwoman Ammu Devasthali

Chief of Staff Adam Cavotta took the roll and asked that they state "present" to confirm the Quorum.

Regent Romero stated present.

Regent Chacón-Reitzel stated present.

Regent Moseley stated present.

Regent Saucedo stated present.

Regent Devasthali stated present.

Five members present, including Regent Saucedo via zoom, there is a Quorum.

Chief of Staff Adam Cavotta continued with the NMSU advisory members, calling on them to state "present".

Employee Council Chair Donna Johnson stated present.

Faculty Senate Chair Vimal Chaitanya stated present.

ASNMSU President Ala Alhalholy stated present.

University Officials

General Counsel Lisa Henderson stated present.

Interim Provost Lakshmi Reddi stated present.

Interim President Mónica Torres stated present.

Quorum is confirmed and roll is called.

B. Approval of the Agenda, Chairwoman Ammu Devasthali

Chairwoman Devasthali entertained a motion to approve the agenda as presented.

Regent Chacón-Reitzel made a motion to approve the agenda as presented and Regent Moseley seconded the motion. All were in favor and the motion carried.

C. Approval of Minutes and Confirmation of Prior Closed Sessions

1. Special Meeting on May 29, 2024

Chairwoman Devasthali entertained a motion to approve the May 29th minutes as presented.

Regent Mosley made the motion to approve the May 29th minutes as presented and Regent Romero seconded the motion. All were in favor and the motion passed.

2. Regular Meeting on June 28, 2024

Chairwoman Devasthali entertained a motion to approve the June 28th minutes as presented.

Regent Chacón-Reitzel made the motion to approve the June 28th minutes as presented and Regent Moseley seconded the motion. All were in favor and the motion passed.

3. Confirmation of Prior Closed Executive Session August 7, 2024

Chief of Staff Adam Cavotta confirmed the closed executive sessions.

“The New Mexico State University Board of Regents held a closed meeting at 9:00 am on Wednesday, August 7, 2024. The meeting was called to discuss the candidates for President of New Mexico State University as permitted under NMSA 1978, section 10-15-1 subsection H2. Those board members who are present please certify that only matters of that nature were discussed.”

Regent Romero – Yes	Regent Chacón-Reitzel – Yes	Regent Moseley -Yes
Regent Saucedo – Yes	Regent Devasthali -Yes	

4. Confirmation of Prior Closed Executive Session August 18, 2024

Chief of Staff Adam Cavotta confirmed the closed executive sessions.

“The New Mexico State University Board of Regents held a closed meeting at 8:00 am on Sunday, August 18, 2024. The meeting was called to discuss the candidates for the President of New Mexico State University; and discuss limited personnel matters concerning individual NMSU Personnel as permitted under NMSA 1978, section 10-15-1 subsection H2. Those board members who are present please certify that only matters of that nature were discussed.”

Regent Romero – Yes	Regent Chacón-Reitzel – Yes	Regent Moseley -Yes
Regent Saucedo – Yes	Regent Devasthali -Yes	

D. Regent Committee Reports

1. Real Estate Committee Report, Regent Dina Chacón-Reitzel

Regent Chacón-Reitzel presents her report, “The Real Estate Committee met once since the last Board of Regents meeting. The committee met on August 9, 2024, and heard several capital requests that were heard, approved and are reflected on the consent agenda items H.1 through H.12.

The committee also discussed and approved several easements and right-away agreements, as well as a couple of lease amendments that are reflected as items H.14 through H.19 on today's agenda. The final item that the committee approved for your consideration, is the articles of incorporation of New Mexico Reforestation Center Inc. which you will see as item H.20 on your agenda. The committee also reviewed real estate office revenue and discussed future and potential real estate transactions." That concluded Regent Chacón-Reitzel's report, and she called for any questions.

2. Financial Strategies, Performance and Budget Committee Report, Regent Deborah Romero

Regent Romero presents her report to the Board, "The Financial Strategies, Performance, and Budget Committee has met twice since the last Board of Regents meeting. On August 5th, the committee reviewed and approved twelve capital project requests, listed in today's consent agenda as items H.1 through H.12. Additionally, the committee approved the FY26 Research and Public Service Projects, which is item H.21 on today's agenda.

Another item for Board approval today, which was also approved by the Finance Committee, is the disposition and deletion of property (item H.13). The committee heard a presentation on a proposal for an FY25 Insurance contribution change, where several options were discussed. The committee requested an additional option for consideration and scheduled another meeting to address this.

The committee also approved the FY24, 4th quarter NMHED Financial Certification. As the chair of the Finance Committee, I have been delegated the authority to finalize this certification on behalf of the Board.

On August 5th, the committee received an informational update on the FY24 University's uncollectible and inactive accounts receivable. University Registrar Nancy Ritter reported on delinquent student accounts and ongoing efforts to help students settle their accounts. We also received an update on new Federal regulations from the Department of Education regarding the rules and conditions for withholding transcripts.

There has been a slight change to the proposal for the NMDA budget request since the committee met. I would like to ask Secretary Witte or perhaps Clayton to describe this change to the Board."

Assistant Vice President for Government and Community Relations, Clayton Abbey provides the information requested. "The adjustment in the budget for the NMDA was an increase of \$50,000 for one position. The position is the Agricultural Water Resilience Coordinator, which was originally budgeted for \$125,000. At the request of the governor, the position was adjusted upward to \$175,000. Given the technical nature of the work and the quality of the individual they are seeking, they felt the increase was a more appropriate amount. The amount, when you factor in the fringe and other costs is about \$36,000 in salary and then fringe benefits of \$14,000."

Regent Romero continued with her report, "The committee met again on August 16th to review the updated FY25 insurance contributions change proposal. The committee approved the option provided, and you will hear more about that later today in our action items agenda as Item I.2. I will reserve any discussion of that item when we come to that order of business."

She concluded her report and asked if there were any questions.

E. Affiliated Entity Reports

1. NMSU Foundation Inc. Report, CEO Sylvia Y. Acosta

CEO Sylvia Acosta presented her report to the board, “Thank you, Chairperson and Board of Regents, for allowing us to present today. I’m excited to share our fundraising achievements from the past year. Last year was our second-highest fundraising year in the history of New Mexico State University.

We raised a total of \$28.6 million last year, with approximately \$19.7 million in cash. In comparison, the previous year’s cash donations were about \$11.1 million. Our goal is to increase the amount of cash donations rather than relying solely on deferred gifts. While deferred gifts are valuable, the university needs more immediate cash contributions to meet our goals.

Moving to the next slide, you’ll see that our total fundraising amount of \$28.6 million exceeded our goal of \$18.4 million by about \$10 million. We saw a 153% increase in fundraising and welcomed 1,002 new donors, which is a significant achievement.

It’s important to note that our funding sources include both alumni and friends of the university. Friends are individuals who, although they may not have graduated from New Mexico State, have a vested interest in our institution. The support from both alumni and friends is crucial for our success.

In terms of philanthropic metrics, we experienced a 74% increase in cash raised, a 132% increase in overall visits, and a 66% increase in qualification visits. Qualification visits are essential as they help us identify potential donors and assess their capacity and interest in contributing. This year, we managed to increase our donor base for the first time in several years, reflecting the effectiveness of these efforts.

I would like to conclude by asking if there are any questions.”

There were no questions, just a comment from Regent Chacón-Reitzel thanking them for their work.

Dr. Acosta responded, “Our alumni relations is now fully staffed after being dismantled. We just offered the Assistant Vice President of Alumni Relations to a woman out of UC California where she is currently working for the UC system, managing all of that work. Also, we had a very successful event in DC, we had over 100 people attend, and they are just hungry to participate with the University and we had our first El Paso/Juarez event last month. We did hire a special consultant to work with us as we begin to build our international chapters where we are starting in Mexico, thank you for allowing us to serve.”

F. Advisory Member Reports

1. Associated Students of NMSU Report, President Ala Alhalholy

ASNMSU President Ala Alhalholy, “Thank you madam chair, I have a brief update to share. Yesterday we successfully hosted our first-year walk, welcoming over five hundred incoming freshmen. We are now focusing on our two major upcoming events, homecoming, and the burning of the Lobo. That concludes my report and am happy to answer any questions.”

Chairwoman Devasthali, “How do you feel the move-in event went with the streets closed?”

ASNMSU President Ala Alhalholy, “It went smoothly and after we got the students to the main area the roads were opened back up.”

2. NMSU Faculty Senate Report, Chair Vimal Chaitanya

Faculty Senate Chair Vimal Chaitanya presented his report to the board, “Officially, the Faculty Senate will not have any meetings until the fall semester starts. However, we have been busy, so I’ll briefly provide an update.

Both, the Vice Chair and I have been meeting with the interim President almost every week, thanks to their commitment to shared governance. We also have our Senate Leadership Committee meet regularly, at least once a month.

To keep this brief, these meetings have helped us identify several areas of focus for the 2024 fall semester, extending into the spring semester of 2025. For instance, we plan to take a holistic look at ARP 9.0, which addresses promotion and tenure issues. We would like to establish clear, uniform language in this policy to minimize interpretation issues. This will be assigned to a committee.

We are also collaborating with the President and the Provost’s office to explore more strategic uses of IDC funds. As you know, startup packages have been a significant issue at this university, and we are considering support for other valuable causes, such as the Proposal Development Office.

Additionally, we aim to investigate the possibility of restructuring some of the service offices to reduce duplication and increase efficiency. Ideally, this would be achieved without requiring financial investment, which can be challenging.

Finally, we are examining the alignment of the Faculty Senate's Standing Committees with the LEADS 2025 strategic goals initiated by James McAteer when he was a Senator, and potentially with the Regents' committees as well.

Thank you. That concludes my report. I am open to any questions.”

3. NMSU Employee Council Report, Chair Donna Johnson

NMSU Employee Council Chair Donna Johnson, “The Employee Council held our regular meeting on August 8th. Joyce Rindner, Director of Compensation and Employment, joined us for the first time. We hope she continues to meet with us every month. She was fantastic, providing a clear explanation of many of the changes and challenges facing HR.

It was a very productive meeting, and we discussed the insurance premium tiers. From what I understand, a decision has been made, and we’ll hear more about it shortly, which is great news. You’re going to make a lot of people happy.

The Event Committee will meet tomorrow to start planning the fall employee appreciation picnic. It is anticipated to be held on October 31st again this year, since everyone enjoys dressing up for Halloween.

Thank you so much for the insurance tier change; it is a significant improvement.

I was going to speak more about the insurance tiers, but instead, I want to bring up that December 23rd this year falls on a Monday—the day before the start of the Christmas break. We are all wondering if we could arrange for everyone to have the day off.

That is all I have in my report. I am happy to take any questions.”

G. **Public Comment**, *Associate Vice President Justin Bannister*

No one signed up for public comments.

H. **Consent Items**, *Chairwoman Ammu Devasthali*

Chairwoman Devasthali entertained a motion to approve the consent items as presented.

Regent Chacón-Reitzel made a motion to approve the consent items as presented and Regent Moseley seconded the motion. All were in favor and the motion carried.

1. **NMDA: New Administration Building**, *Associate Vice President Raghu Raghavan*
2. **NMSU Las Cruces: Aggie Innovation Space - Expansion, ECI Addition**, *Associate Vice President Raghu Raghavan*
3. **DACC East Mesa: HVAC Rooftop Unit Replacement**, *Associate Vice President Raghu Raghavan*
4. **NMSU Las Cruces: Neale Hall - Partial Demolition**, *Associate Vice President Raghu Raghavan*
5. **NMSU Las Cruces: Anderson Hall - WB400 Renovation**, *Associate Vice President Raghu Raghavan*
6. **DACC: Doña Ana Community College Gadsden Center - Roof Replacement**, *Associate Vice President Raghu Raghavan*
7. **DACC: Doña Ana Community College East Mesa - Digital Media Roof Replacement**, *Associate Vice President Raghu Raghavan*
8. **NMSU Alamogordo: Reidlinger Science Center Science Center - HVAC Upgrades**, *Associate Vice President Raghu Raghavan*
9. **NMSU Las Cruces: Women’s Soccer Field - Upgrades**, *Associate Vice President Raghu Raghavan*
10. **NMSU Alamogordo: Rohovec Building - Renovations**, *Associate Vice President Raghu Raghavan*
11. **NMSU Las Cruces: Thomas & Brown Hall - Replacement Building**, *Associate Vice President Raghu Raghavan*
12. **NMSU Las Cruces: Hadley Hall – South Suite Renovations**, *Associate Vice President Raghu Raghavan*
13. **Disposition/Deletion of Property**, *Interim Vice President Christian M. Kinsley*
14. **El Paso Electric Easement Renewal – Doña Ana Community College Gadsden Campus**, *Special Assistant to the President Scott Eschenbrenner*
15. **El Paso Electric Easement – Pan Am Plaza Shopping Center**, *Special Assistant to the President Scott Eschenbrenner*
16. **Doña Ana County – Office of Emergency Management 1st Lease Amendment**, *Special Assistant to the President Scott Eschenbrenner*
17. **Alcalde Agriculture Science Center – Ohkay Owingeh Right of Way Renewal**, *Special Assistant to the President Scott Eschenbrenner*

18. EV3 Commercial Electrical Vehicle Charging Station – First Amendment, *Special Assistant to the President Scott Eschenbrenner*

19. Chihuahuan Desert Rangeland Research Center (CDRRC) – CenturyLink Communications, LLC License Renewal, *Special Assistant to the President Scott Eschenbrenner*

20. Articles of Incorporation of New Mexico Reforestation Center, Inc., *Associate Dean Jay Lillywhite*

21. Research and Public Service Projects and Non-Instruction and General Requests for FY26, *Assistant Vice President Clayton Abbey*

I. **Action Items, *Chairwoman Ammu Devasthali***

1. Selection of Finalists for President of New Mexico State University, *Regent Ammu Devasthali*

Chairwoman Devasthali list the five finalist and their credentials and makes a motion to advance the slate of candidates as finalist for the position of President of New Mexico State University. Regent Romero seconded the motion. All were in favor and the motion carried.

Chairwoman Devasthali asked for a roll call vote.

Chief of Staff Adam Cavotta asked the board if they vote yes or no on the slate of five candidates for consideration.

Regent Romero – Yes

Regent Chacón-Reitzel – Yes

Regent Moseley -Yes

Regent Saucedo – Yes

Regent Devasthali -Yes

Chairwoman Devasthali thanked the search committee for their efforts through the entire process. She goes on to explain the next step in the process with the candidate’s visiting campus and the opportunity campus will have to hear from the candidates. She gives the dates of Sept. 9 to the 14th as the anticipated campus visits. When details are finalized, the presidential website will be updated with the details as well as communications going out to the NMSU community and how important the NMSU community feedback is, in the process of making a decision for the future of NMSU.

2. FY25 Insurance Contribution Change, *Chief Budget Officer Kim Rumford*

Chief Budget Officer Kim Rumford explained the process they took to make changes in the benefit tiers, she states that they, with the help from the benefits office, reviewed insurance tiers and employee contributions, factoring in the 10% premium increase on July 1 and the 3% salary raise. The review showed that seventy-three employees took home less pay in July than in June, with some losing up to \$200 per month. These employees earned between \$36,000 and \$45,200, just above the lowest tier.

At the time, NMSU’s contribution levels ended at \$36,000, affecting employees in higher salary ranges after the 3% raise. They also reviewed peer organizations. For example, UNM's lowest tier went up to \$55,000, and the City of Las Cruces offered a flat contribution across all salary levels.

They proposed aligning more with the competitors by raising tier levels and increasing the lowest tier’s contribution from 80/20 to 82/18 and extending the middle tier up to \$80,000. This adjustment would have placed about one-third of employees in each tier, benefiting both faculty and staff.

The total cost was estimated at \$3.5 million annually, which they proposed to cover centrally with one-time funds for FY25, and through fringe benefit rates for FY26 and beyond. The estimated fringe rate increase was 1.42%, with PSL increasing by 1.23%. They consulted key stakeholders, who were supportive, though some planned to request additional funds through the RPSP process.

Dona Ana Community College confirmed they could cover the increase, and they expect to cover Las Cruces' share using leftover funds from previous fringe and compensation changes. She concluded her presentation and asked if there were any questions.

Regent Chacón-Reitzel had a comment on that it is very disappointing that the State insurance does not get the negotiations and rates out in a timely manner for NMSU to make the necessary adjustments. She also comments that she hopes that the NMSU team will take a look at other options for the employees that may be more affordable.

Regent Romero thanked the group for their work and willingness to listen and research for all parties involved.

Chairwoman asked for a motion to approve the tier changes as presented.

Regent Romero made the motion for approval of the tier changes and Regent Moseley seconded the motion, all were in favor and motion carried to approve and move forward with the benefit tier changes.

J. Informational Items, *Chairwoman Ammu Devasthali*

1. None.

K. Report from the New Mexico Department of Agriculture to the Regents of New Mexico State University (Board of Agriculture), *Cabinet Secretary & Director Jeff Witte*

Cabinet Secretary and Director Jeff Witte presented to the board.

He started off by announcing the passing of the former Secretary and Director Frank A Dubois in the position from 1988 to 2003 and mentioned some of his accomplishment and programs and gave the date of his memorial. He moves on to announce Dina Chacón-Reitzel's retirement from the NM Beef Council and congratulated her for her many years of service. He then goes on to his report that he submitted the full report to the regents but there were a few things he wanted to highlight. He mentions the annual Chile roast in Washington, DC and that the Sam Steel society from the ACES College has become a big sponsor for that event. He complimented Foundation CEO and her crew for the great job they did for the Aggie Mixer held Friday night in Washington, DC. He mentions that they have been doing this event for the past 12 to 14 years and now with the Sam Steel Society and NMSU Alumni Foundation, he expects the NMSU presence to grow.

He mentions that they are working on the Agri Future Conference to be held October 14-15, 2024, which is all about the opportunities in production agriculture. It will be held in Las Cruces with part being on campus to highlight some of the research.

He goes on to stat that NMDA is going to host a reception at the New Mexico State Fair on September 12th for participants in the Agrifuture and the sponsors. November 9th will be Ag Day in conjunction with homecoming. The last thing he mentions in his submitted report is that he made an offer to Mr. Les Owen to be the new Deputy Director of the Department of Agriculture who will replace Anthony Parra who recently retired. Mr. Owens will start October 1, 2024. He concludes and stands for any questions.

Regent Chacón-Reitzel did not have a question but a comment and thanking Secretary Witte for his well wishes

and to pay her respects to Frank Debois and list his many accomplishments and his initiative to assist the rodeo team and all he did for them as a student advocate as well as an Ag advocate.

L. **NMSU Academic Report, Interim Provost Lakshmi Reddi**

Interim Provost Lakshmi Reddi presents his report to the board, “As we began the new academic year, it was important to reflect on why we were here—ensuring that our students' academic dreams were fulfilled. This was especially relevant as we welcomed around 2,000 new students, many of them first-generation, with aspirations in fields like civil technology, forensics, and marketing. We were entrusted with their education, and it was our responsibility to see that they succeeded, joining a lineage of alumni who had gone on to become leaders and innovators.

Our students continued to achieve remarkable things, such as the 12-student team that represented Somalia at the UN competition, receiving the Outstanding Delegation Award. Many students had been recognized at national and international levels, securing prestigious fellowships like Fulbright and Rangel. These accomplishments inspired their peers.

In athletics, we also had much to celebrate. For 19 consecutive years, all 16 of our men’s and women’s sports teams maintained a combined GPA of over 3.64, with many student-athletes excelling academically. It was critical that we acknowledged their achievements both on the field and in the classroom.

Our alumni made a significant impact, with one-third staying in New Mexico to work for top employers like Los Alamos, Sandia Labs, and Intel. Many graduates pursued careers in education, becoming teachers and leaders within the state.

We were committed to producing professionals who met workforce demands. Programs like nursing, business administration, and psychology aligned with critical job postings in New Mexico. For example, 79% of marketing graduates in the state came from NMSU, yet we only produced 14% of the nursing graduates—an area where we saw room for growth.

Our academic efforts were grounded in the understanding that we were preparing students for jobs that didn’t yet exist. This dynamic nature required us to continually assess our program offerings and ensure they remained relevant. Committees like UPAC played a crucial role in this ongoing evaluation.

Despite some challenges, including the need for better communication and coordination, we made progress. Enrollment grew, particularly in our graduate programs, and persistence rates improved. 87% of first-year students were expected to return in the spring, a key indicator of our success.

We also recognized the importance of retention. While our four-year graduation rate was 32%, and six-year was 52.2%, we implemented coordinated initiatives to improve these figures.

Looking ahead, we focused on enhancing program relevance, particularly in STEM and interdisciplinary areas, while ensuring our efforts aligned with the evolving workforce needs of New Mexico. We were committed to supporting our students and faculty with data-driven strategies and interdisciplinary collaboration to ensure continued success.” He concluded his report and stood for questions.

Regent Romero only had a comment that this information is eye-opening and appreciates the look into different programs for the needs in the State of NM and how NMSU is meeting those needs. She is interested in the next phase and that this can be a great recruiting tool.

Chairwoman Devasthali commented on how good the presentation was but also on how NMSU needs to work on providing incentives to recruit the students but also faculty and compensate them accordingly and there is still a lot of work to be done.

M. NMSU System Report, Interim President Mónica Torres

President Torres presented to the board and began with the return of the students to campus and the notable activity on campus. She reiterates what Provost Reddi mentioned that enrollment is up especially with NMSU Global and that the community colleges are in good shape and main campus is steady. They expect an increase from the previous fall, but retention is always key. Not just getting students to campus but helping them to graduate.

She goes on to mention that studies showed that making students feel at home is crucial. She mentions that she and VP Kinsley visited several resident halls and met the director and RA's who were extremely welcoming. Staff and volunteers helped students move in quickly, creating a friendly and supportive environment. Our safety team has worked to ensure students, and their families felt safe given the potential challenges this semester due to the election.

She mentions that she, Provost Reddie and VP Scott attended the Freshman Walk and met many thoughtful and engaging student leaders. She also announces that NMSU received a five-year extension for the Innovation and Economic Prosperity Program Designation from the Association of Public Land-Grant Universities (APLU).

She continued by stating that Doña Ana Community College (DACC) had its accreditation reaffirmed by the Higher Learning Commission (HLC) through 2034. She thanked Regents Mosley and Saucedo for representing the board during the process as well as the DACC faculty and staff for their work. DACC also has a team participating in the national seminar series, "Advancing Equity and Student Success," to improve student outcomes.

She goes on to mention that it was a GO bond year and brought awareness to the Ag Science Centers and infrastructure improvements at main campus as well as her visiting three of the ASC with F&S and Government Relations.

NMSU Alamogordo hosted the Capital Outlay Summer Hearings and lastly NMSU participated in the Hazing Preventions Consortium's Annual Summit where they gained valuable insight.

Chairwoman Devasthali had comments after the presentation and stated that there was nothing but positive comments on the move in day. And stated that we need to bring back Aggie Pride.

Regent Chacón-Reitzel thanked the president for taking the time to visit the Ag Science centers and how important the research that they do is and that it impacts the world as well as reiterating that NMSU is a statewide university with all the extension offices and ag experiment stations.

Regent Romero commented that we all need to remember that NMSU is the only university that touches 33 counties with the CES offices and Ag Experiment Stations and reiterated the how important the services they provide are.

N. Announcements and Comments, Chairwoman Ammu Devasthali

1. Good News for NMSU!

Chairwoman Devasthali mentioned, Congratulations to the women's soccer team and how well they are doing. There was a draw with USC Trojans and defeated the Lady Lobos 3 to 1. They are doing well academically as well.

Regent Chacón-Reitzel said she is happy to be a part of the welcoming of 400 student athletes and thanked the NM Beef Council for sponsoring.

Regent Moseley stated that it would be great to have the students back on campus and welcome them.

O. Adjournment, Chairwoman Ammu Devasthali

Regent Mosely moved to adjourn, and Regent Chacón-Reitzel seconded it. All were in favor and the meeting adjourned at 10:42 am.

DRAFT



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
SPECIAL MEETING
September 19, 2024**

Item B-2

Confirmation of Prior Executive Session – September 9, 2024

The New Mexico State University Board of Regents held a closed meeting on Monday, September 9, 2024.

The meeting was called to interview finalists for President of New Mexico State University and the interview was closed to the public as exempted under NMSA 1978, Section 10-15-1.H(2) (2013).

Those board members who were present please certify that only matters of that nature were discussed.

Regent Romero ____

Regent Chacón-Reitzel ____

Regent Moseley ____

Regent Saucedo ____

Regent Devasthali ____



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
SPECIAL MEETING
September 19, 2024**

Item B-3

Confirmation of Prior Executive Session – September 10, 2024

The New Mexico State University Board of Regents held a closed meeting on Tuesday, September 10, 2024.

The meeting was called to interview finalists for President of New Mexico State University and the interview was closed to the public as exempted under NMSA 1978, Section 10-15-1.H(2) (2013).

Those board members who were present please certify that only matters of that nature were discussed.

Regent Romero ____

Regent Chacón-Reitzel ____

Regent Moseley ____

Regent Saucedo ____

Regent Devasthali ____



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
SPECIAL MEETING
September 19, 2024**

Item B-4

Confirmation of Prior Executive Session – September 12, 2024

The New Mexico State University Board of Regents held a closed meeting on Thursday, September 12, 2024.

The meeting was called to interview finalists for President of New Mexico State University and the interview was closed to the public as exempted under NMSA 1978, Section 10-15-1.H(2) (2013).

Those board members who were present please certify that only matters of that nature were discussed.

Regent Romero ____

Regent Chacón-Reitzel ____

Regent Moseley ____

Regent Saucedo ____

Regent Devasthali ____



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
SPECIAL MEETING
September 19, 2024**

Item B-5

Confirmation of Prior Executive Session – September 13, 2024

The New Mexico State University Board of Regents held a closed meeting on Friday, September 13, 2024.

The meeting was called to interview finalists for President of New Mexico State University and the interview was closed to the public as exempted under NMSA 1978, Section 10-15-1.H(2) (2013).

Those board members who were present please certify that only matters of that nature were discussed.

Regent Romero ____

Regent Chacón-Reitzel ____

Regent Moseley ____

Regent Saucedo ____

Regent Devasthali ____



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
SPECIAL MEETING
September 19, 2024**

Item B-6

Confirmation of Prior Executive Session – September 14, 2024

The New Mexico State University Board of Regents held a closed meeting on Saturday, September 14, 2024.

The meeting was called to discuss the finalists for President of New Mexico State University. This discussion of candidates was closed to the public as exempted under NMSA 1978, Section 10-15-1.H(2) (2013).

Those board members who were present please certify that only matters of that nature were discussed.

Regent Romero ____

Regent Chacón-Reitzel ____

Regent Moseley ____

Regent Saucedo ____

Regent Devasthali ____



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
SPECIAL MEETING
September 19, 2024**

Item B-7

Confirmation of Prior Executive Session – September 18, 2024

The New Mexico State University Board of Regents held a closed meeting starting on Wednesday, September 18, 2024.

The meeting was called to discuss the finalists for President of New Mexico State University. This discussion of candidates was closed to the public as exempted under NMSA 1978, Section 10-15-1.H(2) (2013).

Those board members who were present please certify that only matters of that nature were discussed.

Regent Romero ____

Regent Chacón-Reitzel ____

Regent Moseley ____

Regent Saucedo ____

Regent Devasthali ____



Board of Regents Meeting Meeting
Date: September 19, 2024
Agenda Item Cover Page

Agenda Item # C-1

- Action Item
- Consent Item
- Informational Item

Presented By: Patrick Stewart
Vice President of Philanthropy &
Alumni Relations, NMSU Foundation

Agenda Item:

Honorific naming of the New DACC Creative Media Building at Arrowhead Park **“Cholla Hall”**

Requested Action of the Board of Regents:

Approval of naming of the New DACC Creative Media Building at Arrowhead Park **“Cholla Hall”**.

Executive Summary:

The NMSU Foundation in partnership with DACC is seeking approval to establish **“Cholla Hall”** in recognition of the geography and culture of the region as well as the flora and fauna. The naming is in recognition of the Cholla Cactus that is prevalent in the area as well as it is connected to Cholla Road. DACC has also intended the naming of **“Cholla Hall”** to be easily changed should DACC have a gifted naming opportunity.

References:

Please see: Cholla Hall Naming Memo, Cholla Hall Naming Request Form, and DACC Naming Request Memo.

Prior Approvals:

Approved by: Dona Ana Community College, NMSU Naming Committee, and the NMSU Foundation.

Agenda Item Approved By:

Each office may determine required signatures (if any). All items will be routed to the President’s Office

Patrick Stewart
VP of Philanthropy & Alumni Relations, NMSU Foundation

8/28/2024
Date



FOUNDATION

MEMORANDUM

TO: NMSU Board of Regents
From: Patrick Stewart, VP of Philanthropy & Alumni Relations, NMSU Foundation
Date: July 29, 2024
Subject: Honoric Naming of New DACC Creative Mediate Building

The NMSU Foundation in partnership with the Doña Ana Community College is seeking approval to name the new DACC building "**Cholla Hall**" in recognition of the geography and culture of the region as well as the flora and fauna. The naming is in recognition of the Cholla Cactus that is prevalent in the area as well as it is connected to Cholla Road. DACC has also intended the naming of "Cholla Hall" to be easily changed should DACC have a gifted naming opportunity.

The conditions of this naming opportunity have been discussed and approved by DACC and the NMSU Foundation and are outlined in the Naming Opportunity Request Form.

If this naming is approved by the Board of Regents, the naming will be publicly announced at a formal dedication of the building. The Doña Ana Community College and the University Architects office will work on the details of name placement and design.

A handwritten signature in blue ink, appearing to read 'Patrick Stewart', with a date '7.29.24' written below it.



New Mexico State University Naming Opportunity Approval Form

Submitted by: Dr. Andrew J. Burke

Date: 6/24/2024

Description of what is to be named:

New DACC Creative Media Building located at Arrowhead Park at the Creative Campus.
Address will be 4006 Film Street, Las Cruces, NM 88003
Building # will be 671

Proposed name:

Cholla Hall

Justification for naming (select as appropriate):

Gift

In Honor Of

Gift Amount: \$ n/a

Schedule of Payments for Pledge:

n/a

Additional Information:

See attached request.

Approval Signatures

Kelly Brooks

Digitally signed by Kelly Brooks
Date: 2024.06.24 10:10:32 -06'00'

6/24/2024

Dean of requesting unit (if applicable)

Date

Andrew J Burke

Digitally signed by Andrew J Burke
Date: 2024.06.24 19:20:33 -06'00'

6/24/2024

Vice President of requesting office (if applicable)

Date

Please submit naming requests to Matty Burns in the office of University Advancement at
mattyb@nmsufoundation.org



East Mesa Campus
Chaparral Center
Sunland Park Center

Espina Campus
Gadsen Center
Workforce Center

3400 South Espina Street, Las Cruces, NM 88003, (575) 528 - 7000
Toll Free 1 (800) 903 - 7503, Fax (575) 527 - 7515, dacc.nmsu.edu

MEMORANDUM

TO: Ms. Sylvia Acosta, Chief Executive Officer, NMSU Foundation

FROM: Dr. Andrew J Burke, Interim Chancellor, Doña Ana Community College

Andrew J Burke Digitally signed by Andrew J Burke
Date: 2024.06.24 19:23:47 -06'00'

DATE: June 24, 2024

SUBJECT: Honoric Naming of New DACC Building

I am writing to formally request consideration for the naming of our new DACC building located at NMSU Arrowhead Park, as part of the Creative Campus. We are interested to identify a name that not only allows us to clearly identify the building for students, staff, and guests, but also honors the geography and culture of the region. DACC has chosen to name new buildings based on the flora and fauna of our region. This allows for unique naming to assist students with wayfinding, but also allows for us to easily change the name should we have a gifted naming opportunity.

In recognition of the above, we would like to name the building Cholla Hall in recognition of the Cholla Cactus that is so prevalent in this area as well as the fact the road connecting this part of the campus to the community is Cholla Road.

I respectfully request that this proposal be given consideration by the appropriate authorities and decision-makers within the university administration. I am more than willing to provide any additional information or support needed to advance this initiative.



Board of Regents Meeting
Meeting Date: September 19, 2024
Agenda Item Cover Page

Agenda Item # C-2

- Action Item
- Consent Item
- Informational Item

Presented By:

Sylvia Y. Acosta, Ph.D.
NMSU Foundation Chief Executive Officer

Agenda Item:

Acceptance of New Mexico Higher Education Department (HED) Endowment Grants

Requested Action of the Board of Regents:

Approval of Acceptance of New Mexico Higher Education Department (HED) Endowment Grants.

Executive Summary:

In accordance with Section VIII.J of the attached NMSU/Foundation Collaboration Agreement (Exhibit A), the Foundation must obtain approval from the Foundation Board, NMSU, and the applicable governmental agency before accepting any grant from that governmental agency.

The New Mexico HED recently announced four (4) grant awards totaling \$4,308,599 to establish four (4) new endowment funds benefiting NMSU (Exhibit B)

References:


Please see attached memorandum and exhibits

Prior Approvals:

N/A

Agenda Item Approved By:

Each office may determine required signatures (if any). All items should be routed through the President's Office, University General Counsel, or the Secretary of NMDA as appropriate.



 Sylvia Y. Acosta, Ph.D.
 NMSU Foundation Chief Executive Officer



 Date



MEMORANDUM

**TO: NMSU Board of Regents
NMSU Foundation Board of Directors**

**From: Dr. Sylvia Y. Acosta
NMSU Foundation Chief Executive Officer**

**Subject: Acceptance of New Mexico Higher Education Department (HED)
Endowment Grants**

NMSU Regents & Foundation Board Members:

In accordance with Section VIII.J of the attached NMSU/Foundation Collaboration Agreement (Exhibit A), the Foundation must obtain approval from the Foundation Board, NMSU, and the applicable governmental agency before accepting any grant from that governmental agency.

The New Mexico HED recently announced four (4) grant awards totaling \$4,308,599 to establish four new endowment funds benefiting NMSU (Exhibit B).

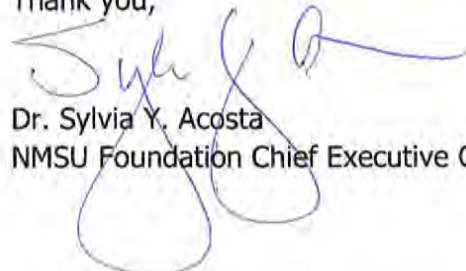
New endowment grant funds:

- | | |
|--|-------------|
| 1. Endowed Nursing Director in Health Sciences Nursing Program | \$500,000 |
| 2. NMSU Endowed Nursing FNP/PMHNP Faculty | \$1,250,000 |
| 3. Nursing Program Endowed Discretionary Fund | \$500,000 |
| 4. Public Health Sciences Department Endowed Fund | \$2,058,599 |

The Foundation is seeking approval from the NMSU Board of Regents and the Foundation Board for the following:

1. The Foundation will receive the funds either directly from HED or via a transfer from NMSU and account for the funds as Assets Held In Trust (AHIT) for NMSU.
2. The Foundation will invest the funds in its Long-Term Investment Pool and provide annual distributions for expenditure by NMSU in accordance with its Investment Policy Statement (Exhibit C).
3. The Foundation will file required annual reports with HED.
4. The University will be responsible for the duties in Section VI.A of the Collaboration Agreement related to ensuring timely and proper use of the funds.

Thank you,



Dr. Sylvia Y. Acosta
NMSU Foundation Chief Executive Officer



BE BOLD. Shape the future.

Resolution Approving the Acceptance of New Mexico Higher Education (HED) Endowment Grants

Duly Pass on 9/09/2024

Approval of Acceptance

WHEREAS, Section VIII.J of the NMSU/Foundation Collaboration Agreement (Exhibit A) states the NMSU Foundation must obtain approval from the NMSU Foundation Board and the NMSU Board of Regents before accepting any grant from a government agency

AND, the HED has announced four grant awards totaling \$4,308,599 to establish four new endowment funds benefiting NMSU:

New endowment grant funds:

1. Endowed Nursing Director in Health Sciences Nursing Program	\$500,000
2. NMSU Endowed Nursing FNP/PMHNP Faculty	\$1,250,000
3. Nursing Program Endowed Discretionary Fund	\$500,000
4. Public Health Sciences Department Endowed Fund	\$2,058,599

BE IT RESOLVED, the funds granted by HED will be managed by the NMSU Foundation in the following manner:

1. The Foundation will receive the funds either directly from HED or via a transfer from NMSU and account for the funds as Assets Held in Trust (AHIT) for NMSU.
2. The Foundation will invest the funds in its Long-Term Investment Pool and provide annual distributions for expenditure by NMSU in accordance with its Investment Policy Statement (Exhibit C).
3. The Foundation will file required annual reports with HED.
4. The University will be responsible for the duties in Section VI.A of the Collaboration Agreement related to ensuring the timely and proper use of the funds.

The undersigned hereby certify that the foregoing resolution was duly passed by the Board of Directors of New Mexico State University Foundation and the Board of Regents of New Mexico State University on the 9th day of September 2024.

Louis A. Vega
Louis A. Vega (Aug 28, 2024 10:33 EDT)

Louis A. Vega, Chair
NMSU Foundation Board

Ammu Devasthali, Chair
Regents of New Mexico State University

EXHIBIT A

Collaboration Agreement

This Agreement between the New Mexico State University Foundation, Inc. ("*Foundation*") and the Regents of New Mexico State University ("*NMSU*") (each, a "*Party*" and collectively, the "*Parties*"), takes effect on February 2, 2021 ("*Effective Date*").

Background

- The Foundation is an independent, nonprofit corporation, as further described in Exhibit A (attached and incorporated into this Agreement).
- NMSU is a public land-grant higher-educational institution that:
 - has generally delegated its authority to its chancellor (the "*Chancellor*");
 - has current operations that include an Office of University Advancement ("*OUA*"); and
 - has the ultimate responsibility for governing NMSU, including responsibility for the employment, compensation, and evaluation of the Chancellor and all other NMSU employees.
- The Foundation recognizes that its role is to seek gift support for the priorities established by NMSU, in consultation with the Foundation, and to further support NMSU as set forth in the Foundation's Articles of Incorporation and Bylaws.
- NMSU desires to engage the Foundation to provide expertise, advice, coordination, assistance, and other services to enhance fundraising and development for all related areas of NMSU, recognizing the many benefits that the Foundation provides to NMSU.
- The Foundation desires under this Agreement to strengthen and clearly define its relationship with NMSU.
- The Parties understand that:
 - it is in their mutual best interest to work closely together to achieve success in securing significant philanthropic support for NMSU;
 - a need exists for competitive compensation to reward sustained fundraising success because of the Foundation's unique challenges in competing in relevant markets for fundraising and administrative talent;
 - NMSU currently assigns certain of its employees to duties on behalf of both the Foundation and the OUA ("*Jointly-Assigned EEs*")
 - a need remains for the Parties further to discuss and clarify their respective roles and duties with respect to any gift whose circumstances the Parties determine to require special handling and disposition.
- The Parties intend under the Agreement to:
 - make formal NMSU's designation of the Foundation as the only organization authorized to seek, receive, and manage gifts on behalf of NMSU;
 - coordinate their mutual activities in a manner that promotes and supports the educational, research, and service missions of NMSU; and

- establish a regionally-competitive compensation arrangement that includes incentive compensation opportunities for key Foundation employees.
- The Parties envision that once the Foundation becomes financially self-sustaining, the Parties will establish a separate transitional arrangement under which – to the extent lawful – some Jointly-Assigned EEs will become employed solely by the Foundation.

Agreement

The Parties agree as follows:

I. Authorization.

A. Definitions.

1. “*Bequest*” means gifts that are made as part of a will, trust, beneficiary designation or other planned giving vehicle.
2. “*Endowment*” means an aggregation of assets invested by the Foundation to support NMSU’s mission in perpetuity.
3. “*Gift*” means a charitable donation of cash, securities, real estate, goods, or services made to a nonprofit organization to help accomplish its mission. Gift includes further any corporate or private grant to which no contractual deliverable applies.

B. Exclusivity. NMSU grants to the Foundation an exclusive right to:

1. seek, receive, and manage all types of Gifts and bequests on behalf of NMSU; and
2. act as an investing agent for any Endowment or bequest to NMSU.

C. NMSU Role. NMSU must take any step or action that is reasonably necessary and appropriate to support the Foundation's role as the exclusive organization authorized to seek, receive, and manage Gifts and bequests on behalf of NMSU.

II. Foundation Duties.

A. Definitions.

1. “*Board*” means the Foundation’s governing board.
2. “*CBA*” means NMSU’s then-current collective bargaining agreement with the American Federation of State, County and Municipal Employees Local 2393 or its successor entity.
3. “*Donation*” means any inter vivos (*between living people*) or testamentary Gift or bequest to NMSU (or any of its divisions, units, colleges, and departments) of cash, securities, real estate or other negotiable instruments received under the Agreement.
4. “*Employment Action*” means hiring, assessment, termination, search, compensation or goal setting respect to an employee.
5. “*Executive Committee*” means the Board’s executive committee.

6. *“Foundation President”* means an individual whom NMSU employs as its own Vice President of University Advancement with duties including, without limitation:
 - a. overseeing NMSU’s alumni association; and
 - b. as Loaned Personnel (defined below), serving as President of the Foundation.
 7. *“Law”* means each applicable state or federal statute, regulation or common-law provision.
 8. *“Loaned Personnel”* means each employee whom NMSU supplies to the Foundation for this Agreement’s purposes.
 9. *“Site”* means a NMSU department, college or unit to which the Foundation has assigned Loaned Personnel.
- B. Personnel Coordination with NMSU. The Parties understand that close working relationships are required between NMSU and Loaned Personnel.
1. *Joint Oversight of Applicable Workforce.* The Parties must ensure that the Chancellor and the Board’s chair and Executive Committee are included as prominent participants in discussion and decision making regarding any Employment Action of:
 - a. the Foundation President; or
 - b. Loaned Personnel whom the Foundation has assigned to a Site.
 2. *Human Resources.* The Foundation has a right to:
 - a. use NMSU’s Human Resources Services office to administer any Employment Action for Loaned Personnel so long as that arrangement is mutually beneficial to both Parties;
 - b. pursue any other human resource management option that the Foundation considers to be more cost efficient or more effective in recruiting and retaining qualified staff, subject to Law; and
 - c. contract directly with any person or entity that the Foundation considers necessary to carry out its functions, such as any fund-raising consultant, accountant, attorney or investment manager.
 3. *Collective Bargaining Aspects.* The Parties reserve a right to renegotiate this Agreement’s Loaned Personnel arrangement upon any significant CBA modification that the Foundation considers negatively to impact this Agreement’s objectives.
- C. Fundraising. The Foundation is responsible for planning and implementing comprehensive fundraising and donor-acquisition programs in support of any opportunity or priority that NMSU identifies. The Foundation must establish appropriate asset allocation, distribution, and spending policies consistent with Law.
- D. Donations. The Foundation must cause any acceptance of a Donation to be evidenced by a deposit or transfer of the Donation proceeds into a Foundation account. The Parties

consider any Donation that the Foundation accepts to have been transferred by NMSU to the Foundation for use consistent with each donor's intent, with no further action or approval required by NMSU.

- E. Policy Compliance. The Foundation must abide by each applicable NMSU regulation relative to fundraising on behalf of NMSU to the extent permitted by Law and the Foundation's governing documents.

III. **Financial Support**. “*Services*” means advancement services that the Foundation provides including, but not limited to, those enumerated in this Agreement.

- A. NMSU Support. As a beneficiary of the Gift funds raised by the Foundation, NMSU acknowledges its responsibility to support the work of the Foundation with both active involvement of NMSU leaders and financial support.

- 1. Compensation. In exchange for Services, NMSU must provide to the Foundation fair and reasonable payment and in-kind support according to an Advancement Services Arrangement as set forth in Exhibit B (attached and incorporated into the Agreement).
- 2. Changed Circumstances. If NMSU’s circumstances require a reduction in NMSU compensation or in-kind support of more than ten percent:
 - a. an additional review between the Parties is justified; and
 - b. NMSU must provide a reasonable period of transition to accommodate any necessary operating or staffing change.

- B. Funds Use. The Foundation has a right to use a reasonable percentage of unrestricted funds, assess fees for services, or assess fees on Gifts, endowed funds, and other investments. The Foundation has a right to earmark a portion of its spendable, unrestricted funds designated for NMSU according to an Unrestricted Gift Allocation as set forth in Exhibit C (attached and incorporated into the Agreement). The Foundation must cause:

- 1. each such expenditure to comply with the IRS 501(c)(3) code and be consistent with the Foundation’s mission; and
- 2. those funds to be audited as part of the Foundation’s annual independent audit.

- C. Advance Planning. The Foundation, in collaboration with NMSU, is responsible for establishing a financial plan to underwrite the cost of each Foundation program, operation and service.

- D. Foundation Resources. The Foundation, at its own expense, must provide servers, computers, databases, email, file storage systems, office supplies, and other such services that are necessary or required to fulfill its responsibilities and obligations. The Foundation owns and must independently control the data and donor records stored on its servers, databases, email, and file storage systems.

- E. Reimbursement to NMSU. The Foundation must reimburse NMSU for all salaries, wages, and fringe benefits of Loaned Personnel.

IV. **Term; Termination.**

A. Definitions.

1. *“Indebtedness”* means all debt incurred by the Foundation on NMSU's behalf including, but not limited to, lease payments, advanced funds, and funds borrowed for specific initiatives.
2. *“Term”* means a period during which the Agreement has effect.

B. Duration. The Term is indefinite, beginning on Effective Date, subject to termination as set forth below.

C. Termination. Termination of the Agreement does not relieve the Parties of their obligation to protect and return any Donor Information (defined below). Each Party has a right to terminate this Agreement:

1. for convenience, upon ninety days' prior written notice to the other Party; or
2. immediately for cause, if the other Party has:
 - a. materially defaulted in the performance of its obligations; and
 - b. failed to cure the default within a reasonable time after receiving written default notice from the nondefaulting Party.

D. Post-Term Rights. If NMSU terminates this Agreement, then the Foundation is entitled to require NMSU to pay Indebtedness to the Foundation no later than 180 days after written notice. If the Foundation terminates this Agreement, then NMSU has a right to require the Foundation to pay any debt that NMSU incurred on behalf of the Foundation in like manner.

V. **Coordination between Parties.** *“Executive Session”* means a special meeting that provides an opportunity for the Board or Executive Committee to meet privately to handle any sensitive, confidential or legal matter of the Foundation.

A. Concurrent Personnel Appointments. Along with the Foundation President, the Parties intend the OUA to be staffed by the same Loaned Personnel as NMSU supplies to the Foundation.

B. Communication. In order to foster open communication between the Parties, NMSU must cause the Chancellor to either:

1. include the Foundation President as a member of the Chancellor's Cabinet; or
2. engage the Foundation on a similar process to facilitate joint communication and planning.

C. NMSU Strategic Planning Representation for the Foundation. NMSU must include the Foundation President as an active and prominent participant in strategic planning for NMSU.

D. NMSU Policy Applicable to Foundation. NMSU must use reasonable efforts to apprise the Foundation of any policy or regulation adopted by NMSU that applies to the Foundation.

NMSU must establish and enforce policies that support the Foundation's ability to respect the privacy and confidentiality of donor records, as defined in Article X of this Agreement.

- E. NMSU Accountability to Foundation Board. NMSU recognizes that:
1. the Foundation is an independent, nonprofit corporation that the Board independently governs; and
 2. any action that NMSU takes concerning Foundation operations or - before being allocated to NMSU - funds, is consequently subject to the Board's approval.
- F. Foundation Executive Committee Representation for NMSU. The Foundation authorizes the Chancellor to represent NMSU as an ex-officio, nonvoting member of the Executive Committee, except when the Executive Committee enters executive session. Staff, attendees, and ex-officio, non-voting members are excluded from Executive Session meetings unless invited to attend.
- G. Periodic Decision-Maker Review. To ensure effective achievement of the Agreement's goals, the Parties must cause certain of their officers and – if Law permits – their respective governing board representatives to:
1. periodically hold meetings to foster and maintain productive relationships and to ensure open and continuing communications and alignment of priorities; and
 2. review the Agreement's progress either:
 - a. every five years to update as necessary;
 - b. after any material change at either Party of its senior executive leadership (*e.g.*, Chancellor of the University, President of the Foundation, *etc.*); or
 - c. upon written notification of a significant concern by either Party.
- H. Foundation Board Participation. The Foundation must update its bylaws to include the following NMSU representatives as *ex-officio*, non-voting members of the Foundation Board:
1. the Chair of NMSU Board of Regents, or a designee from the Board of Regents;
 2. the Chancellor of NMSU;
 3. the President of NMSU;
 4. one Senior Executive appointed by the Chancellor;
 5. one academic Dean appointed by the Chancellor;
 6. the President of the Associated Students of NMSU; and
 7. the President or Chair of each affiliated organization of the Foundation recognized under Article XIV of the Foundation's bylaws.
- VI. **NMSU Duties**. "*Leaders*" means senior NMSU executives, such as the Chancellor, President, Vice Chancellors, Vice Presidents, Provost, Deans, Athletic Director, and Department Heads.

- A. Compliance with Donor Intent. NMSU must:
1. use each Gift or distribution from any Gift donated to the Foundation, and later transferred to NMSU, according to the donor's intent as documented in an applicable Gift document;
 2. cause its colleges or departments (or like units) to provide to the Foundation written reports regarding the use of funds by NMSU during each preceding fiscal year in order to enable the Foundation to:
 - a. provide donor stewardship impact reports; and
 - b. confirm that Gift funds were used according to donor intent;
 3. provide necessary assistance and decision making in selecting scholarship recipients, faculty chairs and programmatic expenditures, consistent with donor criteria; and
 4. upon receiving – and discussing with the Foundation President – the Foundation’s quarterly report of account balances for expenditure:
 - a. review that report and take appropriate action to ensure timely usage of the available funds according to each donor's documented Gift document; and
 - b. resolve any donor's Gift document ambiguity according to Law.
- B. Fundraising Coordination. Because the Foundation has major responsibility for fundraising, NMSU must cause its Leaders, volunteers, boards, and committees to coordinate with Foundation fundraising initiatives including major Gift solicitations.
- C. Private Gift Opportunities. As the beneficiary of Gift funds raised by the Foundation, NMSU understands its responsibility to support Foundation work with active Leaders’ involvement to assist in identifying, cultivating, and soliciting private Gift prospects.
- D. Naming Opportunities. NMSU must assist the Foundation with establishing naming opportunities and follow each established guideline.
- E. Goals Communication. NMSU must cause:
1. the Chancellor (or designee) to provide to the Foundation current written information outlining NMSU's educational, research and service goals and objectives; and
 2. each Leader to provide prioritized philanthropic funding needs that identify annual and future long-term opportunities for which an active fundraising campaign is desired for that Leader’s Site or program.

VII. **NMSU's Name, Trademarks, and Logos.** “NMSU Identity” means NMSU's name, trademarks, service marks, logos, trade dress, verbiage and associated goodwill.

- A. Grant. NMSU grants to the Foundation, consistent with the Foundation's mission, a right to use NMSU Identity in the promotion of the Foundation's business and activities. The Foundation acknowledges that NMSU owns solely all NMSU Identity. Despite the preceding

grant, the Parties must make clear to all parties with whom they are dealing that the Foundation is a separately incorporated entity.

B. Restrictions.

1. *Third-Party Use.* The Foundation must obtain NMSU's written approval before authorizing any third party to use NMSU Identity.
2. *Allowed Uses.* NMSU acknowledges that any current Foundation use of NMSU Identity is acceptable. Upon determining a need for the Foundation (or third party authorized by the Foundation) to discontinue or modify a general or particular use of NMSU Identity use, NMSU must:
 - a. notify the Foundation; and
 - b. attempt in good faith to resolve any issue concerning that use.
3. *Withdrawn Approval.* Other than for those arrangements enumerated above, NMSU retains final authority to withdraw any authorization granted under this Agreement. Any item for resale or promotional product giveaway that bears any NMSU Identity is subject to royalty and NMSU requires that item to be produced by a licensed vendor only.

VIII. **Priorities, Plans, Accomplishments, and Gift Funds.** The Parties must jointly establish Gift acceptance policies, naming policies and provisions for establishing scholarships, chairs, and other endowed purposes. The Foundation must:

- A. cause the Foundation President to provide to NMSU the Foundation's current strategic plan, including annual objectives and goals for securing Gift support;
- B. provide to NMSU quarterly written reports:
 1. of the Foundation's accomplishments in securing philanthropic support for NMSU; and
 2. of funds available for expenditure by NMSU from any unrestricted Gift, restricted Gift or Endowment so that NMSU can budget and expend these funds;
- C. issue Gift receipts applicable to this Agreement;
- D. manage funds in accordance with its fiduciary obligation to NMSU and according to Donor intent, subject to Law and corporate governance;
- E. cause a binding Gift agreement to be:
 1. signed according to Foundation policy for each major Gift; and
 2. coordinated with and signed by each Party for each Gift requiring an obligation on behalf of either Party (*e.g.*, naming right, matching funds, management of illiquid assets, unrelated business income tax, *etc.*);
- F. keep an account of receipts and distributions in connection with applicable funds;
- G. monitor – and provide to NMSU a quarterly report of – account balances available for expenditure;

- H. for any Gift that a donor endows:
 - 1. invest that Gift unless a relevant Gift instrument or Law specifies otherwise; and
 - 2. make available for disbursement a portion of the earnings from the investment under the Foundation's then-current investment policy;
- I. provide to NMSU any necessary binding Gift agreements, written information or instruction so that NMSU can use funds consistent with donor intent; and
- J. obtain approval from the Board, NMSU and an applicable governmental agency before accepting any grant from that governmental agency.

IX. **Foundation Governance.**

A. Definitions.

- 1. *"Donor Information"* means Foundation donor information in any form or medium about any past, current or prospective donor. Donor Information further includes, without limitation: identifying information, giving history, past involvement with NMSU cultivation and solicitation strategy.
- 2. *"Foundation Audit"* means an annual audit of the Foundation's financial and operational records.

B. Audit Collaboration. The Parties jointly must define the scope of - and negotiate an appropriate and acceptable fee for – the Foundation Audit.

C. Required Compliance. The Foundation must:

- 1. maintain its status as a tax-exempt corporation under Section 501(c)(3) of the Internal Revenue Code;
- 2. under NMAC 2.2.2.10.A.C, use the same independent accounting firm as NMSU to conduct each Foundation Audit, unless the Foundation receives an exemption from NMSU and the New Mexico State Auditor;
- 3. provide annually to NMSU:
 - a. a copy of each annual audited financial statement including any management letter; and
 - b. evidence of any insurance coverage that the Foundation then has in effect;
- 4. make available to NMSU for review upon its written request associated work papers of the audit for:
 - a. a three year period after each audit date; or
 - b. any longer period that the state of New Mexico requires;
- 5. maintain a conflict-of-interest policy for its staff and the Board;
- 6. decline any Gift (if not a typical Gift that requires NMSU to select scholarships, administer chairs, etc.) that without the advance written consent of an authorized NMSU-level signer would impose onto NMSU:

- a. an apparent or known liability; or
 - b. unusual obligation;
 - 7. provide, to the Chancellor and NMSU personnel designated by the Chancellor, access to the Foundation's donor information as needed to carry out the mission of NMSU:
 - a. according to the Foundation Policy on Accessing Database Information; and
 - b. as set forth in Article X, below, entitled "Confidentiality;" and
 - 8. from time to time, disclose to NMSU any applicable Donor Information as set forth in this Agreement.
- X. **Confidentiality.** NMSU recognizes that the Foundation is a separate, private corporation with authority to keep confidential all of its records, documents, and data, consistent with Law.
- A. Definitions.
 - 1. "Security Rule" means any policy regarding return of information, restriction on distribution or dissemination, and restriction on printing and returning printed data.
 - 2. "User" means any individual who gains access to any database, document or file under the Agreement that includes donor Information.
 - B. State Law Confidentiality Duty. The Parties acknowledge Section 6-5A-1 of the New Mexico Statutes, and each protection and requirement set out in that Section, which this Agreement incorporates by reference.
 - C. Foundation Discretion to Disclose.
 - 1. *Foundation Reservations.* The communication of Donor Information to NMSU:
 - a. is not required by law;
 - b. is totally subject to the discretion of the Foundation; and
 - c. would not be made by the Foundation if that Donor Information, upon disclosure to NMSU, were to be determined to become:
 - i. property of NMSU; or
 - ii. available for public examination otherwise.
 - 2. *Limited NMSU Right.* Only the Foundation has a right to maintain any Donor Information that has been, or is, disclosed to NMSU. Donor Information remains the proprietary and confidential information, trade secret and property of the Foundation. NMSU's right to use Donor Information is limited to purposes authorized by the Foundation consistent with the Foundation's mission.
 - D. Need for Confidentiality. Preserving the confidentiality of Donor Information is paramount to the effectiveness of the Foundation in carrying out its purposes. The Foundation denies consent to treat as a public record any Donor Information disclosed to NMSU under the Agreement or otherwise, because public or other indiscriminate disclosure of the Donor Information would:

1. violate the need for discretion and confidentiality inherent in the fundraising mission of the Foundation;
2. irreparably damage the Foundation's relationships with past and current contributors; and
3. negatively impact the Foundation's ability to develop new donors.

E. Secrecy Precautions.

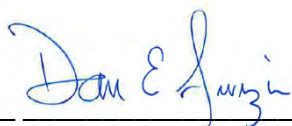
1. *Limited Access.* NMSU must limit donor information access only to any NMSU employee:
 - a. whom a Party authorizes; and
 - b. who has a need to know in order to perform an authorized NMSU function or activity:
 - i. under any written arrangement with the Foundation; and
 - ii. subject to each applicable confidentiality requirement and policy.
2. *User Instructions.*
 - a. Awareness. The Foundation must inform each User of that User's responsibility with respect to use, interpretation, and distribution of data. The Parties desire that individuals be aware that all Foundation provided information is confidential and is to be maintained solely by the Foundation.
 - b. Requirements. The Foundation requires each User to use Donor Information solely for development purposes according to each applicable Security Rule. The Foundation prohibits any User from:
 - i. disclosing Donor Information to any third party or the general public; or
 - ii. using Donor Information for any commercial or political purpose.
3. *Foundation Cybersecurity Compliance.* In the interest of ensuring Donor Information confidentiality, the Foundation must:
 - a. cause its cybersecurity compliance program at least to meet NMSU's minimum data security requirements; and
 - b. promptly notify NMSU's IT Compliance Officer and Chief Privacy Officer of any breach of any Foundation system or data that poses potential reputational damage to NMSU Identity.

- F. Return/Destruction of Information. NMSU must return promptly to Foundation any Donor Information disclosed to NMSU that legally cannot be kept confidential, including either returning or destroying any copy that NMSU has made of that information. NMSU must also return to the Foundation – or with Foundation's permission delete or destroy – all Donor Information or other private information that is disclosed to NMSU upon the sooner of:

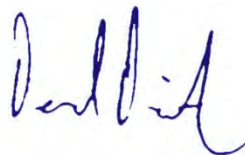
1. the completion of NMSU's use; or
 2. the Foundation's request.
- G. **NMSU Protections**. NMSU must use reasonable efforts to implement practices and procedures to protect the privacy and confidentiality of any donor or Foundation record as set forth in this Agreement.
- XI. **Open Meetings Act; Inspection of Public Records Act**. The Parties understand that the Foundation, not being a public agency or a governing body, is not required to adhere to the New Mexico Open Meetings Act. The Parties must take each step, and this Agreement is to be construed, so as not to subject the Foundation or its activities and records to the New Mexico Open Meetings Act or New Mexico Inspection of Public Records Act. Nothing in this Agreement is considered to be a waiver of the Foundation's exemption from these statutes.
- XII. **Foundation Dissolution**. Consistent with the Foundation's Articles of Incorporation, if the Foundation is dissolved, then the Foundation's assets are to be distributed, paid over, conveyed, and transferred to NMSU to be used for educational or scientific purposes.
- XIII. **Miscellaneous**.
- A. **Amendment**. Each Party has a right to modify or amend this Agreement only upon obtaining a written understanding that both Parties sign.
 - B. **Prohibition against Assignment**. A Party must obtain the other Party's written consent before assigning this Agreement to any third party.
 - C. **Third Parties**. Nothing in this Agreement is considered to create or give rise to any right in any third party or any person other than the Parties.
 - D. **Governing Law**. This Agreement – and any claim relating to or arising out of the Agreement or its breach – is governed by and to be construed according to the laws of the State of New Mexico, excluding that State's choice-of-law principles.
 - E. **Arbitration**. The Parties must resolve any legal dispute that is not resolved through negotiations:
 1. subject to New Mexico state law; and
 2. by final and binding arbitration administered by the American Arbitration Association under its Commercial Arbitration Rules and Mediation Procedures, rather than under any civil lawsuit.
 - F. **Headings**. Any heading of any part of this Agreement is inserted only as a matter of convenience and for reference and in no way defines, limits, or describes the scope or intent of this Agreement.
 - G. **Entire Agreement**. This Agreement:
 1. constitutes an entire understanding between the Parties with respect to its subject matter; and
 2. when fully signed, supersedes and terminates:

- a. the Memorandum of Understanding between the Parties dated July 23, 2007; and
- b. any other prior or existing understanding, whether unwritten or in writing, with respect to that subject matter.

Signed:



Dan Arvizu, Chancellor
Regents of New Mexico State University



Derek Dictson, President
New Mexico State University Foundation, Inc.

Reviewed and Acknowledged:



Dina Chacón-Reitzel, Chair
Regents of New Mexico State University



Bobby Lutz, Chair
New Mexico State University Foundation, Inc.

Exhibit A

About the Foundation (the “Foundation”)

The Foundation is an incorporated 501(c)(3) nonprofit organization that is separate and independent from NMSU, and whose mission is to secure and manage private Gifts to promote the educational, research and service purposes of NMSU. The Foundation exists for the purpose of enhancing both the image and value of NMSU for students, faculty, staff, alumni, and all other friends and members of NMSU community.

The Foundation has been carrying out that mission since it was organized and incorporated on August 27, 1959 and is dedicated to assisting NMSU by engaging alumni, fostering a culture of philanthropy, growing the Endowment, and providing financial and other support for long-term academic and other institutional priorities.

The Board of Directors of the Foundation is responsible for the control and management of all assets of the Foundation, including prudently managing all Gifts and using such funds for the benefit of NMSU and its affiliates, subject to the donor's intent and Law.

The Foundation's Articles of Incorporation and Bylaws, and Law govern the Foundation's operations. The directors and officers of the Foundation exercise their fiduciary responsibilities according to these governance documents, Foundation policies, agreements with NMSU and others and Law.

Exhibit B

Advancement Services Arrangement

The Parties desire to clarify their expectations in continuing Services as set forth in the Agreement.

A. Goals. The Parties must:

1. pursue a ten-year goal of:
 - a. funding the OUA budget equally, reducing the Foundation Endowment management fee to one-and-one-quarter percent; and
 - b. developing an advancement operation that is capable of sustainably doubling annual fundraising from \$15 million to \$30 million; and
2. pursue a joint investment equal to \$59.00 *per* alumnus, adjusted for inflation, based on a study of national best practices and peer benchmarks.

B. Effective Period. “*Services Period*” means a period during which this Exhibit has effect.

- A. *Duration*. The Services Period is ten years, beginning on July 1, 2021, subject to renewal as set forth under the Exhibit.
- B. *Renewal*. The Services Period renews for successive one-year periods unless the Parties in writing either modify or terminate that period.

C. Financial.

1. *Definitions*.
 - a. “*CEOs*” means collectively the NMSU Chancellor and the Foundation President (or their respective designees).
 - b. “*Fee for Service*” means an annual funding amount that NMSU provides to the Foundation under this Exhibit as illustrated in item C.4 of this Exhibit.
 - c. “*Full-Service Lease*” means a lease in which NMSU pays the base rent and all operating costs including, without limitation: property taxes, utilities, insurance, cleaning, landscaping and maintenance.
2. *Compensation*. In exchange for the Services, NMSU must provide to the Foundation:
 - a. a Fee for Service, payable on a quarterly basis, with first payment due July 1, 2021;
 - b. an in-kind Full-Service Lease for office space sufficient to house Foundation staff; and
 - c. a Reimbursement, payable on a quarterly basis by each Site, equal to fifty percent of the salaries, wages, and fringe benefits of the applicable Loaned Personnel.

3. *Replacement.* The above compensation:
 - a. replaces instruction and general funding from NMSU for advancement staff positions and operations; and
 - b. represents a commitment by the Foundation to provide a level of advancement staffing and services that the Parties annually specify as part of the consultation process outlined in the Agreement.

4. *Fee for Service Schedule.*

- a. Increase Purposes. As limited by any reasonable budgeting constraint arising from NMSU's legislative appropriation and other funding circumstances, the Fee is subject to an annual increase necessary to:
 - i. fund the OUA budget equally between the Parties;
 - ii. reduce the Foundation Endowment fee to one-and-one-quarter percent over a ten-year period; and
 - iii. achieve a joint investment equal to \$59.00 per alumnus, adjusted for inflation.

- b. Progression. The Fee for Service increase progresses annually as set forth below:

\$3,000,000	July 1, 2021 to June 30, 2022
\$3,400,000	July 1, 2022 to June 30, 2023
\$3,600,000	July 1, 2023 to June 30, 2024
\$3,800,000	July 1, 2024 to June 30, 2025
\$4,000,000	July 1, 2025 to June 30, 2026
\$4,200,000	July 1, 2026 to June 30, 2027
\$4,300,000	July 1, 2027 to June 30, 2028
\$4,400,000	July 1, 2028 to June 30, 2029
\$4,500,000	July 1, 2029 to June 30, 2030
\$4,600,000	July 1, 2030 to June 30, 2031

5. *Further Negotiation.* The Parties anticipate that a need may exist to transfer from NMSU to the Foundation certain duties that apply to NMSU under this Agreement. Under that circumstance, the Parties must cause the CEOs to negotiate a Fee for Service arrangement that is supplemental to that set forth under this Exhibit for each such transferred duty.

- D. Consultation. The Parties must cause the CEOs to meet as needed, but not less frequently than annually, to review the Services and to determine the performance and scope of the

Services. The Foundation also must hold regular meetings with each Site to:

1. review progress toward fundraising goals;
 2. plan development priorities and goals for the upcoming year;
 3. review the development performance for that Site; and
 4. develop strategies for stewardship and solicitation of Gifts.
- E. Modifications. A Party has a right to modify this Exhibit only by a written document that both Parties have signed as a consequence of the CEOs' consultation process.
- F. OUA Funding Projection. A ten-year OUA funding projection that the Parties annually must review and update is included for illustration purposes in Exhibit D (attached and incorporated into the Agreement).

Exhibit C

Unrestricted Gift Allocation

The Parties desire under this Exhibit to clarify their allocation of any Gift to either Party that the Gift's donor does not designate for any specific unit or use with respect to either of the Parties ("*Unrestricted Gift*").

- A. Effective Period. "*UGA Period*" means a period during which this Exhibit has effect.
1. *Duration*. The UGA Period is five years, beginning on July 1, 2021, subject to renewal as set forth under the Exhibit.
 2. *Renewal*. The UGA Period renews for successive one-year periods unless the Parties in writing either modify or terminate that period.
- B. Allocation.
1. *Definitions*.
 - a. "*Percentage*" means an average percentage of the OUA and Foundation operating budget that a respective Party provided during the previous three fiscal years, based on audited financial statements. Percentage includes a fair market value for NMSU's in-kind full-service lease for office space.
 - b. "*QEndowment*" means a quasi-endowment, to be made available for use according to the Foundation's Endowment spending policy.
 - c. "*Share*" means a Party's allocation of an Unrestricted Gift.
 2. *If under \$1,000,000*. The Parties must divide evenly (50/50) any Unrestricted Gift under **\$1,000,000**. The Foundation must deposit its Share as a QEndowment. NMSU has discretion to deposit its Share either into a current-use account or as a QEndowment.
 3. *If at least \$1,000,000*. The Parties must cause:
 - a. any Unrestricted Gift of at least **\$1,000,000** to be invested in the Foundation Endowment pool while the Parties cause a calculation to be performed to determine each Party's Percentage;
 - b. each Party to be allocated a percentage of the Gift equal to that Party's Percentage;
 - c. the Foundation's Share to be deposited as a QEndowment;
 - d. from NMSU's Share:
 - i. at least eighty percent to be deposited as a QEndowment, which percentage is subject to modification upon the Parties' concurrence; and
 - ii. the remainder to be placed into a current use account.
- C. Reduction of University Fee for Service. The Parties desire for the Foundation continually to grow its ability to raise private Gifts for NMSU, and eventually become self-sustaining. As annual earnings from Unrestricted Gifts allocated to the Foundation QEndowment grow, the Parties may negotiate a reduction to NMSU's annual fee for Services until the Foundation is

self-sustaining.

- D. **Consultation.** The Parties must cause the Foundation President and the Chancellor to meet as needed, but not less frequently than annually, to review this Exhibit.
- E. **Illustration.** This illustration presents an example of the Unrestricted Gift allocation calculation that the Parties annually must review and update. The Percentage in the illustration is based on the trailing three-year average for FY18 - FY20. The Foundation’s investment policy defines the annual distribution rate as four percent of a twelve-quarter rolling average of market value.

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 Projected
NMSU I&G Funding	\$ 1,862,671	\$ 2,150,408	\$ 1,807,987	\$ 1,819,791	\$ 2,377,199	\$ 2,224,000
NMSU In-Kind Funding	\$ 210,534	\$ 207,196	\$ 210,319	\$ 166,112	\$ 131,018	\$ 198,949
Foundation Funding	\$ 3,619,286	\$ 3,577,148	\$ 3,437,295	\$ 3,341,191	\$ 3,044,085	\$ 4,361,500
Advancement Total	\$ 5,692,491	\$ 5,934,752	\$ 5,455,601	\$ 5,327,094	\$ 5,552,302	\$ 6,784,449
University %	36%	40%	37%	37%	45%	36%
University 3 yr ave			38%	38%	40%	39%
Foundation %	64%	60%	63%	63%	55%	64%
Foundation 3 yr ave			62%	62%	60%	61%
Unrestricted Gift Allocation Illustration						
\$10,000,000 Gift		FY 18-20 Percentage	Share of Gift	Current Use (20%)	QEndowed (80/100%)	Annual Earnings (4%)
	NMSU	40%	\$ 3,981,626	\$ 796,325	\$ 3,185,301	\$ 127,412
Foundation	60%	\$ 6,018,374	\$ -	\$ 6,018,374	\$ 240,735	
\$1,000,000 Gift		FY 18-20 Percentage	Share of Gift	Current Use (20%)	QEndowed (80/100%)	Annual Earnings (4%)
	NMSU	40%	\$ 398,163	\$ 79,633	\$ 318,530	\$ 12,741
Foundation	60%	\$ 601,837	\$ -	\$ 601,837	\$ 24,073	
\$500,000 Gift		Percentage	Share of Gift	Current Use (100%)	QEndowed (100%)	Annual Earnings (4%)
	NMSU	50%	\$ 250,000	\$ 250,000	\$ -	\$ -
Foundation	50%	\$ 250,000	\$ -	\$ 250,000	\$ 10,000	

Exhibit D

OUA Funding Projection

	FY21		FY22		FY23		FY24		FY25		FY26		FY27		FY28		FY29		FY30		FY31		Total			
NMSU Fee For Service	\$ 2,224,000	34%	\$ 3,000,000	41%	\$ 3,400,000	44%	\$ 3,600,000	45%	\$ 3,800,000	47%	\$ 4,000,000	48%	\$ 4,200,000	50%	\$ 4,300,000	50%	\$ 4,400,000	50%	\$ 4,500,000	50%	\$ 4,600,000	50%	\$ 4,600,000	50%	\$ 42,024,000	47%
Foundation Funding	\$ 4,361,500	66%	\$ 4,400,000	59%	\$ 4,400,000	56%	\$ 4,400,000	55%	\$ 4,350,000	53%	\$ 4,300,000	52%	\$ 4,250,000	50%	\$ 4,300,000	50%	\$ 4,400,000	50%	\$ 4,500,000	50%	\$ 4,600,000	50%	\$ 4,600,000	50%	\$ 48,261,500	53%
Total Cash Funding	\$ 6,585,500		\$ 7,400,000		\$ 7,800,000		\$ 8,000,000		\$ 8,150,000		\$ 8,300,000		\$ 8,450,000		\$ 8,600,000		\$ 8,800,000		\$ 9,000,000		\$ 9,200,000		\$ 9,200,000		\$ 90,285,500	
Total Cash Funding Goal	\$ 7,670,000	86%	\$ 7,823,400	95%	\$ 7,979,868	98%	\$ 8,139,465	98%	\$ 8,302,255	98%	\$ 8,468,300	98%	\$ 8,637,666	98%	\$ 8,810,419	98%	\$ 8,986,627	98%	\$ 9,166,360	98%	\$ 9,349,687	98%	\$ 9,349,687	98%	\$ 93,334,047	97%
Expected Funding Increase			112%		105%		103%		102%		102%		102%		102%		102%		102%		102%		102%			
\$/Alum	\$ 50.66		\$ 56.92		\$ 60.00		\$ 61.54		\$ 62.69		\$ 63.85		\$ 65.00		\$ 66.15		\$ 67.69		\$ 69.23		\$ 70.77		\$ 71.92		\$ 71.92	
\$/Alum Goal (2% inflation)	\$ 59.00	86%	\$ 60.18	95%	\$ 61.38	98%	\$ 62.61	98%	\$ 63.86	98%	\$ 65.14	98%	\$ 66.44	98%	\$ 67.77	98%	\$ 69.13	98%	\$ 70.51	98%	\$ 71.92	98%	\$ 71.92	98%	\$ 71.92	98%
Est. Alumni	130,000		130,000		130,000		130,000		130,000		130,000		130,000		130,000		130,000		130,000		130,000		130,000		130,000	
Est. Gifts & Pledges	\$ 15,000,000		\$ 16,080,000		\$ 17,237,760		\$ 18,478,879		\$ 19,809,358		\$ 21,235,632		\$ 22,764,597		\$ 24,403,648		\$ 26,160,711		\$ 28,044,282		\$ 30,063,470		\$ 30,063,470		\$ 239,278,337	
NMSU ROI	674%		536%		507%		513%		521%		531%		542%		568%		595%		623%		654%		654%		569%	
Total ROI	228%		217%		221%		231%		243%		256%		269%		284%		297%		312%		327%		327%		265%	
Est. Endowment Value (5% annual increase)																										
(2% inflation + 3% gifts)	\$ 185,000,000		\$ 194,250,000		\$ 203,962,500		\$ 214,160,625		\$ 224,868,656		\$ 236,112,089		\$ 247,917,694		\$ 260,313,578		\$ 273,329,257		\$ 286,995,720		\$ 301,345,506		\$ 301,345,506			
Endowment Fee (reduce 0.1% annually)	\$ 3,400,000		\$ 3,510,250		\$ 3,499,275		\$ 3,470,114		\$ 3,429,290		\$ 3,375,707		\$ 3,308,193		\$ 3,225,488		\$ 3,256,502		\$ 3,419,327		\$ 3,590,294		\$ 3,590,294		\$ 37,484,440	
Other Foundation Revenue	\$ 1,000,000		\$ 1,000,000		\$ 1,000,000		\$ 1,000,000		\$ 1,000,000		\$ 1,000,000		\$ 1,000,000		\$ 1,000,000		\$ 1,000,000		\$ 1,000,000		\$ 1,000,000		\$ 1,000,000		\$ 11,000,000	
Est. Foundation Revenue	\$ 4,400,000	101%	\$ 4,510,250	103%	\$ 4,499,275	102%	\$ 4,470,114	102%	\$ 4,429,290	102%	\$ 4,375,707	102%	\$ 4,308,193	101%	\$ 4,225,488	98%	\$ 4,256,502	97%	\$ 4,419,327	98%	\$ 4,590,294	100%	\$ 4,590,294	100%	\$ 48,484,440	100%

EXHIBIT B



June 26, 2024

Dr. Alexa Doig
Director, School of Nursing
New Mexico State University
adoig@nmsu.edu

Subject: HB2 Endowment

Dear Dr. Alexa Doig,

The New Mexico Higher Education Department (HED) is awarding New Mexico State University funding from HB2 appropriated during the 2023 Legislative Session. The language in the legislation is as follows:

Pursuant to Laws 2023, Chapter 210 of the 56th Regular Legislative Session, General Appropriations Act – House Bill 2, Section 5, the New Mexico Higher Education Department (NMHED) is distributing funding of the endowed Director teaching positions in undergraduate and graduate-level nursing programs in New Mexico public and tribal higher education institutions to expand enrollment and the number of graduates able to work as nurses or practitioners.

All awardees will be required, per Section 21-1-27.4 NMSA 1978 Higher Education Program Development Enhancement Fund, to provide an annual endowment activity status report to the Department by September 15th of each year. These annual reports must include the Endowment Fund Certification and Annual Status Summary, which will be provided at a later date.

New Mexico State University Endowment request: \$2,500,000

The agency will be issuing your institution an endowment in the amount of \$1,250,000.

If you have any questions regarding this correspondence, please contact Savana Simbola, Financial Coordinator, Institutional Finance via email at Savana.Simbola@hed.nm.gov

Sincerely,

Taña Martinez

Taña Martinez

Institutional Finance Director

Cc: Savana Simbola, Financial Coordinator, Institutional Finance Division, New Mexico Higher Education Department



June 26, 2024

Dr. Mark P. Cal
Associate Campus Director and Vice President for Academic Affairs
New Mexico State University - Alamogordo
mcal@nmsu.edu

Subject: HB2 Endowment

Dear Dr. Cal,

The New Mexico Higher Education Department (HED) is awarding New Mexico State University - Alamogordo funding from HB2 appropriated during the 2023 Legislative Session. The language in the legislation is as follows:

Pursuant to Laws 2023, Chapter 210 of the 56th Regular Legislative Session, General Appropriations Act – House Bill 2, Section 5, the New Mexico Higher Education Department (NMHED) is distributing funding of the endowed Director teaching positions in undergraduate and graduate-level nursing programs in New Mexico public and tribal higher education institutions to expand enrollment and the number of graduates able to work as nurses or practitioners.

All awardees will be required, per Section 21-1-27.4 NMSA 1978 Higher Education Program Development Enhancement Fund, to provide an annual endowment activity status report to the Department by September 15th of each year. These annual reports must include the Endowment Fund Certification and Annual Status Summary, which will be provided at a later date.

New Mexico State University – Alamogordo Endowment request: \$1,000,000
The agency will be issuing your institution an endowment in the amount of \$500,000.

If you have any questions regarding this correspondence, please contact Savana Simbola, Financial Coordinator, Institutional Finance via email at Savana.Simbola@hed.nm.gov

Sincerely,

Taña Martinez

Taña Martinez

Institutional Finance Director

Cc: Savana Simbola, Financial Coordinator, Institutional Finance Division, New Mexico Higher Education Department

**NEW MEXICO
HIGHER EDUCATION
DEPARTMENT**



Fostering Student Success from Cradle to Career

Michelle Lujan Grisham, Governor
Stephanie M. Rodriguez, Cabinet Secretary
Patricia Trujillo, Ph.D, Deputy Secretary

Becky Ross RN, MSN, Director of Allied Health, bross@nmsu.edu



June 26, 2024

Cynthia Olivas, DNP, RN
Nursing Program Director
New Mexico State University Dona Ana
colivas@dacc.nmsu.edu

Subject: HB2 Endowment

Dear Cynthia Olivas,

The New Mexico Higher Education Department (HED) is awarding New Mexico State University Dona Ana funding from HB2 appropriated during the 2023 Legislative Session. The language in the legislation is as follows:

Pursuant to Laws 2023, Chapter 210 of the 56th Regular Legislative Session, General Appropriations Act – House Bill 2, Section 5, the New Mexico Higher Education Department (NMHED) is distributing funding of the endowed Director teaching positions in undergraduate and graduate-level nursing programs in New Mexico public and tribal higher education institutions to expand enrollment and the number of graduates able to work as nurses or practitioners.

All awardees will be required, per Section 21-1-27.4 NMSA 1978 Higher Education Program Development Enhancement Fund, to provide an annual endowment activity status report to the Department by September 15th of each year. These annual reports must include the Endowment Fund Certification and Annual Status Summary, which will be provided at a later date.

NMSU Dona Ana Endowment request: \$3,000,000

The agency will be issuing your institution an endowment in the amount of \$500,000.

If you have any questions regarding this correspondence, please contact Savana Simbola, Financial Coordinator, Institutional Finance via email at Savana.Simbola@hed.nm.gov

Sincerely,

Taña Martinez

Taña Martinez

Institutional Finance Director

Cc: Savana Simbola, Financial Coordinator, Institutional Finance Division, New Mexico Higher Education Department

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE NEW MEXICO HIGHER EDUCATION DEPARTMENT
AND
THE REGENTS OF NEW MEXICO STATE UNIVERSITY

This Memorandum of Understanding (MOU) is made and entered into by and between the New Mexico Higher Education Department, hereinafter referred to as the "Agency" and the Regents of the New Mexico State University, hereinafter referred to as "NMSU".

WHEREAS, NMSU is a public postsecondary institution with a campus in Las Cruces; and

WHEREAS, the New Mexico legislature has appropriated five million dollars to support public health programs at NMSU and the University of New Mexico; and

WHEREAS, NMSU has submitted to the Agency a plan on the use of the appropriation; and

WHEREAS, the Agency has found the planned uses of the appropriation to be reasonable; and

WHEREAS, the portion of the appropriation for NMSU is \$2,500,000 dollars; and

WHEREAS, the appropriation will flow through the Agency to be distributed to the NMSU.

NOW, THEREFORE, based upon the foregoing and intending to be mutually bound, the parties agree as follows.

Section 1

PURPOSE

The purpose of this MOU is to set forth the agreement whereby the Agency will distribute this appropriation to NMSU.

Section 2

SCOPE OF WORK

NMSU agrees it will:

1. Increase the number of faculty focusing on public health;
2. Increase the number of research staff focusing on public health;
3. Increase the number of student workers focusing on public health;
4. Curriculum development focused on public health;
5. Research enterprise development including capacity building and equipment purchase;
6. Community outreach, engagement and development; and
7. Allied health and public health workforce development.

Section 3

REPORTING AND AGREEMENTS

NMSU agrees to submit any reports and enter into any other agreements required by state and federal law pursuant to the source of this appropriation. NMSU agrees to provide information related to this appropriation and any outcomes related to this MOU by October 1, 2024

Section 4

DURATION

This Agreement shall be in effect from the time all signatures are obtained through June 30, 2025. This agreement may be terminated for any reason or amended at any time by mutual written agreement of the authorized parties.

Section 5

PAYMENT OF THE APPROPRIATION

The Agency shall transfer the appropriation to NMSU in the amount of \$2,500,000 within a reasonable time upon execution of this agreement.

Section 6

NEW MEXICO'S LIMITATION ON LIABILITY

Notwithstanding any other provision of this MOU to the contrary, no term or condition of this MOU shall be construed or interpreted as a waiver, either expressed or implied, of any of the immunities, rights, benefits or protection provided to the either party under the New Mexico Tort Claims Act, 1978 NMSA 41-4-1 et seq. as amended or as may be amended (including, without limitation, any amendments to such statute, or under any similar statute which is subsequently enacted.) The parties hereto understand and agree that liability for claims for injuries to persons or property arising out of the negligence of the State of New Mexico, its departments, agencies, boards, officials, and employees as well as NMSU's, is controlled and limited by the provisions of the New Mexico Tort Claims Act 1978 NMSA 41-4-1 et seq. as amended or may be amended. The parties agree that as among the parties, the Agency's, NMSU's, and the State of New Mexico's liability shall be determined pursuant to said statutes whether claims are based on either party's acts or omissions within New Mexico, or elsewhere.

Section 7

MISCELLANEOUS

The Agreement constitutes the entire agreement between the parties relative to the subject matter and may only be modified or amended by a written agreement signed by both parties. If one or more of the provisions of this agreement will be held to be invalid, illegal, or unenforceable in any

respect, the validity, legality and enforceability of the remaining provisions will not in any way be affected or impaired thereby. This Agreement is non-assignable.

Section 8

NOTICES

All notice to parties under this Agreement shall be in writing and sent to the names and addresses stated below. Either party to the Agreement may change such name and addresses by written notice to the other, and any such change shall take effect immediately upon receipt of such written notice.

Department:

New Mexico Higher Education Department
Gerald Hoehne, Institutional Finance Director
2044 Galisteo, Suite 4
Santa Fe, NM 87505

New Mexico State University:

D’Anne Stuart, Associate Vice President
Finance and Business Services
MSC 3AA, PO Box 30001
Las Cruces, NM 88003

Approved:

Patricia Trujillo, Ph.D., Acting Cabinet Secretary
New Mexico Higher Education Department

Date

D’Anne Stuart Digitally signed by D’Anne Stuart
Date: 2023.11.28 09:20:58 -07’00’

D’Anne Stuart, Associate Vice President
The Regents of New Mexico State University

Date



College of Health, Education and
Social Transformation

MSC 3AC
New Mexico State University
P.O. Box 30001
Las Cruces, NM 88003-8001
575-646-5858
hest.nmsu.edu

Date: August 1st, 2024

To: Dr. Lakshmi Reddi, Provost

From: Dr. Phillip Post, Associate Dean, College of HEST

Subject: Allocation of the 2.5 million Public Health Funds from the NM Legislature

Dear Provost Reddi,

I am writing to propose the allocation of the \$2.5 million in public health funds that New Mexico State University received from the New Mexico State Legislature in FY24. This funding is intended to support the growth of public health professionals in our state and address the state's public health challenges. The College of Health, Education, and Social Transformation (HEST) has developed a budget plan that best utilizes these funds in alignment with these goals and NMSU LEADS 2025.

Proposed Allocation:

1. **Graduate Assistants (GA) for the Health Equity Sciences PhD Program:**
 - **Cost:** \$198,369.00
 - **Fringe:** \$1,110.87
 - **Tuition:** \$48,000.00
 - **Total:** \$247,479.87
 - **Details:** This will cover nine .5 FTE graduate assistantships through Fall 2025.
2. **Visiting Professor Travis Weiss (Public Health Department, Half-Time):**
 - **Cost:** \$29,391.00
 - **Fringe:** \$11,389.01
 - **Total:** \$40,780.01
 - **Details:** This will cover half of Professor Weiss's salary to support his teaching contributions to the Public Health Department through Spring 2025.
3. **Adjunct Teaching Support:**
 - **Cost:** \$92,000.00
 - **Fringe:** \$20,240.00
 - **Total:** \$112,240.00

- **Details:** This will cover adjunct teaching needs to support both undergraduate and graduate teaching within the department through Spring 2026.
4. **Graduate Program Manager (.5 FTE):**
- **Cost:** \$29,478.50
 - **Fringe:** \$11,422.92
 - **Total:** \$ 40,901.42
 - **Details:** This will cover half of the graduate program manager's salary to support our Master of Public Health (MPH) and PhD students' degree completion through Spring 2026.

Total Encumbered Funds: \$441,401.30

The remaining \$2,058,599 will be invested into an endowment through University Foundations. Starting in January 2026, the generated interest of 4% will yield \$82,344 annually, which will be used to assist in covering graduate assistantships for doctoral students and other instructional needs in the Public Health Sciences Department.

Justification:

This budget plan is designed to meet the state's desire to grow public health professionals by addressing immediate teaching needs in the department and providing long-term support for graduate assistantships, along with supporting graduate students with a half-time dedicated staff member assigned to their programs. The funding of graduate assistantships will bolster the department's research efforts to address health inequalities in New Mexico and the border region, and the financing of a .5 FTE Graduate Program Manager will demonstrate our commitment to supported professional preparation for our Master's and Doctoral graduates. Furthermore, this plan aligns with NMSU LEADS 2025 Goal One, enhancing student success and social mobility, and Goal Two, elevating research and creativity.

We believe this strategic allocation of these funds will significantly contribute to the development of a robust public health workforce in New Mexico and support critical research initiatives.

Thank you for considering this proposal. I look forward to your approval and am available to discuss further details and any questions you may have.

Sincerely,

Phillip Post

Phillip Post

CC: Dr. Aida Lopez, D'Anne Stuart, Clayton Abbey, Gabriela Cisneros, Dr. Rebecca Pearson

EXHIBIT C



Investment Policy Statement

Long-Term Investment Pool

Acknowledged by:

A handwritten signature in blue ink, appearing to read "Bobby Lutz", written over a horizontal line.

Signature

Bobby Lutz

Name

Chair, NMSU Foundation Board

Title

Approval Date:

November 17, 2021

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I. OVERVIEW

A. Purpose of this Document

This Investment Policy Statement (“IPS”) has been adopted by the New Mexico State University Foundation (“NMSUF” or “the Foundation”) Board of Directors (“Board”) in order to establish the investment objectives, philosophy, and relevant policies that pertain to management the NMSUF Long-Term Investment Pool (“LTIP”). The IPS describes the degree of overall investment risk that the Board deems appropriate, given prudent investment principles and the goal of preserving the Pool’s purchasing power over multiple generations.

The investment program’s implementation will be guided by the policies and plans articulated in this document. The IPS incorporates the Foundation’s objectives, policies, asset allocation guidelines, and decision-making framework in order to fulfill the Board’s fiduciary obligation to manage the endowment assets “in good faith and with the care an ordinarily prudent person in a like position would exercise under similar circumstances.”¹ It is designed to allow for sufficient flexibility in the management oversight process to capture investment opportunities as they may occur, while setting forth reasonable parameters to ensure prudence and care in the execution of the investment program.

All investment actions and decisions made in accordance with this IPS must be based solely on the best interest of the Foundation. Fiduciaries must provide full and fair disclosure of all material facts regarding any potential conflicts of interest. Members of the Investment Committee and Staff shall adhere to the Conflict of Interest Policy detailed in **Appendix A**.

B. Purpose of the Foundation

New Mexico State University (“NMSU” or “the University”) is New Mexico’s land-grant institution and a comprehensive research university dedicated to teaching, research, and service at all levels. NMSU is the oldest public institution of higher education in the state, and maintains campuses, extension, and research centers in communities within each of New Mexico’s 33 counties.

NMSUF is a separate legal entity incorporated under the laws of New Mexico as a 501(c)(3) nonprofit organization. The Foundation actively fosters long-term relationships with alumni, supporters, and members of the community to secure, manage and protect sustainable sources of private support that help provide scholarships to students, and boost the ability of NMSU to fulfill its land grant mission. NMSUF also aims to enhance both the image and value of the University for students, faculty, staff, alumni and all other friends and members of the University community. Its purpose is to provide financial assistance in the form of private contributions for

¹ Uniform Prudent Management of Institutional Funds Act (“UPMIFA”), as stated in the New Mexico Statutes: *NM Stat § 46-9A-3 (2013)*

the support of the University's teaching, research, public service, and extension education programs. Assets of the Foundation can be used for no other purpose.

C. Purpose of the LTIP

The LTIP functions as a pooled, unitized endowment pool which collectively invests those Foundation assets that provide long-term support to the University. The LTIP seeks to preserve (and hopefully grow) the purchasing power of its corpus over perpetuity while making annual distributions.

The perpetual nature of endowment distributions coupled with the need to evaluate investment results over full market cycles (i.e., 5-10 years) means that policies will be set within the context of a long-term investment horizon and with minimal consideration given to shorter-term market developments aside from how they might affect NMSUF's ability to operate successfully and fulfill its mission.

II. RESPONSIBLE PARTIES AND THEIR DUTIES

Listed below are the key parties that hold responsibility for the investment program along with their specific duties. A matrix summarizing the decision-making responsibilities of all involved parties is attached as **Appendix B**.

A. Duties of the Board of Directors

The New Mexico State University Foundation Board is charged with assuring that all endowment funds within the Foundation are managed pursuant to the provisions of the New Mexico Uniform Prudent Management of Institutional Funds Act, this Investment Policy Statement, and other applicable law, including provisions relating to distributions from endowment funds. Accordingly, the Board will:

- Review relevant reports from the Investment Committee.
- Review and approve any IPS changes recommended by the Committee.
- Communicate with the Committee regarding any changes in the Foundation's financial circumstances and/or goals that may have a bearing on the LTIP's investment objectives, liquidity requirements, or other elements addressed in the IPS.
- Inform the Committee of any anticipated modifications to future distribution requirements, including both spending and administrative expenses.
- From time to time, review and update the Investment Committee Charter.

B. Duties of the Investment Committee

The Investment Committee is appointed by the Board and, in conjunction with the OCIO, has responsibility for implementing this Investment Policy. These responsibilities include the following elements:

- ❑ At its discretion, delegate certain responsibilities, including the flexibility to retain, terminate or replace an investment advisor to serve as an outsourced Chief Investment Officer (“OCIO”).
- ❑ Oversee all aspects of the IPS and its implementation.
- ❑ Review changes to the IPS as recommended by the OCIO and recommend amendments to the NMSUF Board.
- ❑ Approve initial investments into any pooled multi-manager implementation vehicles managed by the OCIO.
- ❑ Monitor and evaluate the portfolio’s investment performance, risk profile, and liquidity on a regular basis (at least quarterly).
- ❑ Review regular reports from the OCIO on various investment matters.
- ❑ Periodically, but no less than once every three years, review the suitability of the asset allocation framework, informed by updated capital market assumptions and the Foundation’s circumstances.
- ❑ Oversee all investment, record keeping, and administrative expenses associated with the investment program.
- ❑ Update the Board of Directors on investment activities as required for the Board to fulfill its supervisory role as described above.
- ❑ Periodically evaluate the OCIO.

C. Duties of Staff

Staff shall serve as the primary liaison between the OCIO and the Investment Committee and will adhere to the following procedures in the management of the investment program:

- ❑ Provide relevant information necessary for the OCIO and Investment Committee to fulfill their responsibilities.
- ❑ Collect and disseminate monthly and quarterly performance updates from the OCIO.
- ❑ Coordinate with the OCIO’s operations team regarding cash flows into and out of the LTIP.
- ❑ Maintain appropriate records of all Investment Committee actions.

D. Duties of the OCIO

The principal role of the OCIO is to provide the Investment Committee with independent advice and oversee implementation of the investment program in accordance with the IPS. The OCIO's primary goals are to help NMSUF achieve its investment objectives and to aid in protecting the overriding interests of the Foundation. If, at any time, the OCIO believes that any policy or guideline has the potential to inhibit investment performance, the OCIO will communicate this view to the Investment Committee. The specific duties of the OCIO shall be as follows:

- ❑ Assist in the development and maintenance of the IPS, including recommendations regarding investment policy, suitable asset classes, strategic asset allocation, and liquidity profile.
- ❑ Implement the policies and procedures detailed in this document by selecting, rebalancing, and/or terminating individual investment funds and underlying managers while complying with all aspects of the IPS.
- ❑ Periodically rebalance the portfolio in a manner consistent with the strategic asset allocation targets and allowable ranges as outlined in Appendix C.
- ❑ Deliver monthly "flash" reports including preliminary performance versus benchmarks and asset allocation versus targets.
- ❑ Prepare comprehensive quarterly performance reports that provide detail on the total portfolio as well as individual asset categories and managers/funds.
- ❑ Monitor and interpret strategy and performance results of individual investment managers, asset categories, and the portfolio as a whole.
- ❑ Communicate regularly regarding investment strategy and outlook.
- ❑ Be accessible to Staff, the Investment Committee, and the Board as needed to address any issues related to the investment program.
- ❑ Act in the best interests of NMSUF, fully disclose potential conflicts of interest, and demonstrate high standards of conduct, care, and loyalty.

III. SPENDING POLICY

A. Annual Distributions

In order to support its mission, NMSUF aims to make annual distributions in accordance with a spending policy established by the Board of Directors. The current policy calls for an annual distribution equal to 4.0% of each endowment's average market value measured over the prior 12 quarters. Each year, following the close of the third quarter (i.e., Sept 30), the Foundation will use this formula to calculate distributions, and these amounts will be provided to the President of the Foundation for either a special Board meeting or electronic vote during the

fourth quarter. Upon approval, the distribution will be made available for spending effective Jan 1.

Distributions that remain unspent by beneficiaries at the end of the calendar year following their distribution shall be added to principal and used to purchase additional units in the LTIP, unless (a) the donor instructs the Foundation in writing, or (b) the President of the Foundation determines that those funds are to be retained as expendable in the following year.

B. Underwater Endowments²

NMSUF strives to balance each donor's desire to fund current program needs with the intent to preserve intergenerational equity. Each year, as part of the annual distribution process described above, Foundation staff will evaluate individual endowment funds to ascertain whether an underwater condition exists, and a distribution should be made to each endowment for spending the following calendar year.

C. Administrative Fees

Each year the Foundation shall assess an administrative fee, which may be drawn on a monthly or quarterly basis, based on a specified administrative fee rate applied to the twelve-quarter rolling average of each endowment fund's market value. The current rate is 1.9%, and over time the Foundation plans to reduce this by 0.1% per year until it reaches approximately 1.25%.

IV. INVESTMENT POLICY

It shall be the policy of NMSUF to:

- ❑ Maintain a well-diversified endowment investment program that utilizes a variety of asset classes to provide return opportunities that are consistent with the Foundation's risk tolerance.
- ❑ Ensure that the investment program complies with applicable state and federal regulations.
- ❑ Manage the assets on a net total return basis that takes into account earnings, growth of principal, and costs of management.
- ❑ Adhere to a strategic asset allocation plan, which balances expected return and risk, and is reviewed periodically.
- ❑ Administer the investment program in a cost-effective manner.
- ❑ Avoid a market timing approach that makes dramatic shifts in asset allocation over short time spans based on emotional or ad hoc decision-making.

² Defined by FASB as "A donor-restricted fund for which the fair value of the fund at the reporting date is less than either the original gift amount or the amount required to be maintained by the donor or by law that extends donor restrictions." (ASU 2016-14)

- ❑ Utilize highly qualified investment managers (including those that within a multi-manager implementation vehicle) that have demonstrated skill in particular asset classes and strategies.
- ❑ Monitor the net-of-fee performance of each investment manager and the total fund relative to the institution's long-term objectives and appropriate benchmarks.

V. INVESTMENT OBJECTIVES

The key long-term goals of NMSUF's investment program are as follows:

- ❑ To earn investment returns that provide for annual distributions in accordance with the spending policies referenced in this IPS.
- ❑ To earn additional returns sufficient to maintain the purchasing power of the endowment's invested assets after distributions, expenses, and inflation.
- ❑ To enhance, if possible, the purchasing power of the invested assets.

NMSUF establishes the following specific investment objectives, both of which relate to the LTIP's total rate of return as measured on an annualized, net-of-fee basis over a full market cycle (typically 5-10 years):

- ❑ Exceed the rate of inflation as measured by the Consumer Price Index (CPI) by an amount greater than or equal to the long-term spending rate (endowment distributions plus administrative fees).
- ❑ Exceed the return of a custom benchmark, comprised of individual asset class benchmarks weighted according to the policy weight for each asset category. **Appendix C** details the current custom benchmark composition.
- ❑ Exceed the median return of a representative peer universe (e.g., Alpha Capital, InvestorForce, NACUBO-TIAA).

VI. ROLE OF ASSET CATEGORIES

The LTIP may utilize the following components to fulfill the asset allocation targets and total fund performance goals established in this document.

- A. Growth** – This segment of the portfolio is expected to be the primary source of return as well as risk for the portfolio. The Growth portfolio may be comprised of different market segments and approaches, including, but not limited to:
 - ❑ *Public Market Equities* – This portfolio element will maintain a global orientation that is broadly diversified with respect to geography, as well as market capitalization and style orientation.

- *Opportunistic Credit* – This part of the portfolio will provide exposure to higher yielding public fixed income securities such as non-investment grade fixed income, emerging markets debt, bank loans, and other similar securities. The portfolio is expected to have higher correlation to equity markets and higher volatility than core investment grade fixed income, along with a higher yield to compensate for the incremental risk.
- *Absolute Return Strategies* – Commonly known as "hedge funds," these strategies typically engage in a wide variety of investment and trading activities seeking to exploit inefficiencies in capital markets while controlling market risk by hedging investments with short-selling techniques. The objective of this asset category is to diversify across a range of complementary hedge fund strategies in order to generate attractive risk-adjusted returns with lower correlation to traditional investment benchmarks and limited downside risk. Such strategies may employ publicly traded as well as privately held equity investments, a broad range of fixed-income securities, commodities, options, futures, and various derivative contracts. These funds generally have higher fees, less liquidity, and reduced transparency compared to traditional public market portfolios, and most strategies employ leverage to some degree.
- *Private Markets* – The Private Markets portfolio will comprise funds that seek returns exceeding those available in the public equity markets by investing in the equity and/or debt securities of private companies. Exposure to these companies increases the endowment's opportunity set and provides diversification that could potentially reduce total portfolio volatility. Private market investments may include the following:
 - Leveraged buyouts, which typically involve a majority interest in a private company.
 - Growth equity, where a manager purchases a minority stake in a growing company at or near profitability.
 - Venture capital, which provides growth capital to companies in early stages of commercial operations.
 - Distressed/special situation/turnaround investments.
 - Private debt investments.
 - Secondary investments, where interests in private equity funds are purchased or sold from other limited partners.
 - Direct co-investments in specific companies, typically made alongside an investment being made by a general partner that manages a fund within the existing Private Markets portfolio.

- Private real estate and other private real assets such as natural resources may also be included on an opportunistic basis.

Investments in private market funds are made via fixed dollar commitments that typically lock up capital for 10 years or longer. Each fund manager has discretion to call capital over time, which means that it usually requires several years before the amount committed is fully invested. Meaningful distributions usually do not occur during the first 3-5 years, which often results in a “J-curve” effect whereby early negative returns (due to fees) are offset by subsequent gains.

The higher expected returns associated with private market investments is partly related to their inherent illiquidity. This requires private market investors to have a longer-term perspective along with an intention to diversify commitments across vintage years.

- *Direct Real Estate* – Through its community involvement, the Foundation may have opportunities to invest in certain commercial real estate projects. Such investments may receive consideration for inclusion in the LTIP provided that due diligence suggests they possess attractive risk-adjusted return prospects in comparison with other opportunities being evaluated within the Private Markets portion of the portfolio.
 - *Private Credit* – This segment of the portfolio will provide exposure to debt investments not readily accessible in the public markets, such as privately-originated loans, high-yield bonds and/or bank loans associated with small or less liquid debt issues, stressed or distressed securities, and other types of private debt financing. Return premiums may exist for investors who accept the illiquid and inefficient characteristics of the private credit market. The performance objective of Private Credit is to achieve an internal rate of return over the life of the investment that is commensurate with the broad marketable debt benchmarks plus a premium for illiquidity and risk.
- B. Liquidity** – The Liquidity Portfolio is intended to provide the portfolio with “downside protection” during periods of economic stress, while also serving as a buffer to meet near-term liquidity needs. This Portfolio may be comprised of different market segments and approaches, including:
- *Fixed Income* – The primary role of this asset class is to provide relatively stable investment returns above the rate of inflation and to generate income while diversifying the overall endowment portfolio. Bonds can suffer losses, particularly during periods of rising interest rates and/or rising inflation, but they tend to be not as severe as those experienced in equity markets. Bond returns tend to be less volatile than those of equities due to the income component, and because bonds have greater priority within a company’s capital structure. Assets within the Fixed Income portfolio will primarily be composed of publicly traded investment grade fixed income securities denominated in U.S. dollars.

- Liquidity Pool – The purpose of the Liquidity Pool is to meet anticipated and unanticipated spending needs. The Liquidity Pool also can be used as a source of funds during a market dislocation. This portfolio will primarily be composed of high quality, investment grade fixed income securities that have a relatively short duration and are denominated in U.S. dollars. The emphasis within this part of the portfolio is capital preservation, with income being a secondary objective.
- Cash – Cash and cash equivalents (e.g., money market funds) shall generally be held at minimal levels other than what may be required to meet the Foundation’s near-term liquidity needs (e.g., funding of capital calls and endowment distributions).

VII. ASSET ALLOCATION

The LTIP will be invested in accordance with an asset allocation framework that encompasses a strategic, long-term perspective of capital markets. This framework identifies the broad asset categories included in the portfolio, along with the target percentages allocated to each. Over time, the consistent and disciplined implementation of this strategic asset allocation plan is likely to be the major determinant of investment performance.

The asset allocation plan shall be predicated on the following:

- The Foundation’s primary objective of preserving the LTIP corpus over a long horizon, after accounting for inflation and distributions.
- A perpetual time horizon.
- Historical and expected capital market risk and return behavior in the long run.
- The perception of future economic conditions, including inflation and interest rate levels.
- The Foundation’s determination of the appropriate degree of investment risk.
- Broad diversification intended to limit the impact that large losses in individual securities could have on total invested assets in a manner that is in keeping with fiduciary standards.

The specific asset allocation policy of the LTIP is summarized in **Appendix C**.

VIII. RISK TOLERANCE

Given the uncertainties and complexities of capital markets, the Investment Committee recognizes the challenges associated with achieving the Foundation’s investment objectives, and it understands that the long-term investment objectives cannot be achieved without taking on investment risk.

To the best of its ability, the Investment Committee has considered the Foundation’s tolerance for short- and intermediate-term variability of the LTIP’s market value. The asset allocation framework summarized in **Appendix C** has been formulated based on the Committee’s

assessment of the institution's capacity to accept potential losses, interim market value fluctuations, and illiquidity in order to enhance the probability of preserving and, if possible, increasing, the purchasing power of endowment assets in order to support NMSUF's mission over future generations.

IX. REBALANCING POLICY

When portfolio weightings approach the specified limits or whenever significant cash flows occur, the OCIO will rebalance the portfolio at its discretion within the allowable ranges detailed in **Appendix C**. All rebalancing activity must remain within these allowable ranges unless a specific exception is authorized in advance by the Investment Committee.

These rebalancing guidelines will not apply to illiquid holdings with the Private Markets and Private Credit portfolios due to the fact that the managers of those investment vehicles have full discretion to draw down capital commitments and make distributions.

X. MISCELLANEOUS POLICIES

A. General Guidelines – Asset allocation within allowable ranges, portfolio structure, manager and fund selection, and the timing of purchases and sales are delegated to the OCIO.

Performance results will be evaluated using comparisons with appropriate market indices and relevant universes of other active investment managers. Interim deposits and withdrawals will be considered when calculating rates of return on investments. Performance results will be presented based on both long-term and short-term returns on a net-of-fee basis.

B. Prohibited Transactions – Acting on behalf of NMSUF, the OCIO will not:

- Borrow or loan money
- Pledge, hypothecate, mortgage, or encumber assets

C. Tax Implications – The portfolio will be managed on the basis that NMSUF is a 501(c)(3) non-profit organization that faces no significant tax implications. All purchases and sales will be made for the purpose of improving total return and/or reducing return volatility, including selling investments and realizing losses, if such action is considered advantageous to longer-term total return maximization. Investments that have the potential to generate unrelated business taxable income ("UBTI") will be considered only if the contribution to the investment portfolio is projected to be sufficient to outweigh the negative tax and accounting implications.

D. Liquidity

NMSUF will advise the OCIO of any anticipated liquidity requirements as such needs become known. The OCIO is to presume no need to maintain liquid reserves in excess of those specified in **Appendix C** or otherwise communicated by the Foundation.

E. Proxy Voting

The responsibility for voting proxies shall be delegated to the individual investment managers and/or the OCIO, as applicable. The Investment Committee expects proxies to be voted vigorously and in the best interest of the Foundation.

APPENDIX A – CONFLICT OF INTEREST POLICY

Each director, officer and employee must avoid any conflict of interest between such director, officer and employee and the Foundation. A "conflict of interest" can occur when a person's personal interest is adverse to or may appear to be adverse to the interests of the Foundation as a whole. A conflict of interest also arises when a person, or a member of his or her immediate family (which shall include a person's spouse, parents, children, siblings, mothers and fathers-in-law, sons and daughters-in-law, brothers and sisters-in-law and anyone sharing such person's home) receives improper personal benefit as a result of his or her position as a director, officer or employee of the Foundation.

Without attempting to describe all possible conflicts of interest which could develop, some common conflicts are as follows:

- *Relationship of Foundation with Third Parties.* Directors, officers, and employees may not engage in any conduct or activities which are inconsistent with the Foundation's best interests or that disrupt or impair the Foundation's relationship with any person or entity with which the Foundation has or proposes to enter into a business or contractual relationship.
- *Gifts.* Directors, officers and employees and their families may not accept gifts from persons or entities who deal with the Foundation if any such gift has a value beyond what is normal and customary courtesy.
- *Personal Use of Foundation Assets.* Directors, officers, and employees may not use Foundation assets or information for personal use unless approved by the Audit Committee (in the instance of a director or officer) or by the President of the Board of Directors (in the instance of an employee).

Any director or officer who has an interest in a contract, a non-passive investment or other transaction presented to the Board of Directors or a committee thereof for authorization, approval or ratification shall make a prompt and full disclosure of his or her interest to the Board of Directors or such committee prior to any action on such contract or transaction by the Board of Directors or such committee.

Any individual who becomes aware of a potential conflict situation involving another director or officer is encouraged to bring such potential conflict to the attention of the Board of Directors (by communication to the Board in session or to a Board member) or the applicable committee (by communication to the chairperson or any other member of the committee), since conflicts of interest may arise in varied contexts and may not be understood as a conflict by the conflicted individual. The body to which such disclosure is made shall thereupon determine, by a vote of two-thirds of the members entitled to vote, whether the disclosure shows a conflict of interest exists or can reasonably be construed to exist. If a conflict is deemed to exist, such person shall not vote on, nor use his or her personal influence on, nor participate in (other than to present factual information or to respond to questions) the discussions or deliberations with respect to such contract or transactions. Such person may be counted in determining whether a quorum is present.

APPENDIX B -- GOVERNANCE MATRIX

	Strategy	Implementation			Operations		Education	
	IPS	Manager Selection and Portfolio Construction	Portfolio Holdings	Rebalancing within IPS Parameters	Investment Operations	Admin. Operations	Reporting on Holdings, Exposures & Performance	Ongoing Fiduciary Education
Board of Directors	Approves							Receives
Investment Committee	Oversees and Endorses Changes	Monitors	Reviews	Reviews			Reviews	Receives
Staff				Monitors	Monitors	Monitors	Reviews	Facilitates
OCIO	Proposes Changes as Warranted	Implements	Monitors and Implements	Implements	Implements	Implements	Implements	Implements
Investment Managers			Implements				Supports	
Custodian					Supports	Supports	Supports	

APPENDIX C – ASSET ALLOCATION

The following asset allocation framework includes guideline percentages of the total endowment assets to be invested in various asset categories. Actual allocations may deviate from guideline percentages at any specific point in time due to market fluctuations.

**New Mexico State University Foundation LTIP Asset Allocation
Targets, Allowable Ranges, and Benchmarks**

Asset Class	Expected Liquidity	Policy Target	Allowable Range	Benchmark
Growth		100%	75-100%	
Global Equity	Monthly	45%	30-60%	MSCI ACWI IMI (Net Dividends, \$US)
Opportunistic Credit	Monthly	20%	0-30%	50% Bloomberg Barclays U.S. Intermediate Corporate & 50% Bloomberg Barclays Global High Yield
Private Markets (including Private Equity and Private Real Assets)	Illiquid	20% ³	2-30%	Actual performance of the Private Markets Portfolio
Private Credit	Illiquid	10% ³	2-15%	50% S&P/LSTA Leveraged Loan Index & 50% ICE BofAML US High Yield Index ("Private Credit Benchmark")
Hedge Funds	Variable ⁴	5%	0-15%	HFRI Fund of Funds Index
Capital Preservation		0%	0-25%	
Fixed Income	Monthly	0%	0-20%	Bloomberg Barclays US Aggregate Index
Liquidity Pool	Daily	0%	0-5%	3-month U.S. Treasury Bills
Cash	Daily	0%	0-5%	N/A
Total Fund		100%		(1) Weighted average of asset class benchmarks (2) CPI + 5.9%

Targets Approved: November 17, 2021

³ As the Private Markets and Private Credit allocations are implemented, the constituent weightings in the Capital Appreciation and Total Fund benchmarks will gravitate toward the policy targets.

⁴ While most hedge funds offer quarterly, semi-annual, or annual redemptions, actual liquidity may be subject to notification requirements, initial lockups, investor- and/or fund-level gates, audit holdbacks, or other restrictions.



Board of Regents Meeting
Meeting Date: September 19, 2024
Agenda Item Cover Page

Agenda Item # C-3

- Action Item
- Consent Item
- Informational Item

Presented By: Justin Dunivan
Interim Chief of Police

Agenda Item: Inter-governmental Service Agreement Between the City of Sunland Park Police Department and New Mexico State University.

Requested Action of the Board of Regents: Approval of the Inter-governmental Service Agreement Between the City of Sunland Park Police Department and New Mexico State University.

Executive Summary

The purpose of this agreement relates to the agreement between New Mexico State University and the City of Sunland Park Police Department (SPPD); and for the SPPD upon request to provide law enforcement assistance and additional security during special events on NMSU property. SPPD is not appropriated sufficient funds to pay overtime expenses accumulated by SPPD officers to assist with an NMSU event and would require compensation/reimbursement for their law enforcement services. This Inter-governmental Service Agreement also outlines responsibilities and release of liability.

References

Please refer to the following attachments for review.

Prior Approvals

University General Counsel

INTER-GOVERNMENTAL SERVICE AGREEMENT
Between the
CITY OF SUNLAND PARK POLICE DEPARTMENT
And the
NEW MEXICO STATE UNIVERSITY

This Inter-Governmental Service Agreement (ISA) is made and entered pursuant to the Joint Powers Agreement Act, Section 11-1-1 et. seq., NMSA 1978 between the **Regents of New Mexico State University (NMSU)** and the **City of Sunland Park Police Department**, hereinafter referred to as the (Cooperating Agency).

INTER-GOVERNMENTAL SERVICE AGREEMENT TO BE EXERCISED:

WHEREAS NMSU is authorized to create and employ such police officers as are necessary to protect lives and property on NMSU lands and facilities pursuant to 29-5-1.1 and 29-5-2, NMSA 1978.

WHEREAS pursuant to 29-7-7, NMSA 1978, the Chief and other members of the Cooperating Agency, who, when duly commissioned and sworn under the provisions of Chapter 29, Article 1, NMSA 1978 will have the following powers and will perform the following duties:

1. Preserve the peace within the stipulated jurisdictions, with full power to apprehend, arrest and bring before the proper court all law violators within the stipulated jurisdictions; and
2. Upon request of any officer or agency of the state, charged with the duty of enforcing any law of the state, which is specific to the New Mexico State University Police Department and/or the Cooperating Agency, perform the duties mentioned above.

COMMON POWER

The common power to be exercised is the protection of life and property within the jurisdiction (the Jurisdiction) of the New Mexico State University Police Department (NMSUPD)

1. PURPOSE OF THE ISA

NMSU and the Cooperating Agency enter into a ISA to provide assistance and additional security during special events on NMSU property. This can also be utilized for requests of additional security from the Cooperating Agency for events within their jurisdiction.

2. **SCOPE OF WORK**

- A. Cooperating Agency agrees to assign available manpower, as requested by NMSUPD and mutually agreed to by both parties, to provide additional assistance and security during special events.
- B. Cooperating Agency agrees to provide the number of officers, supervisors, or both as requested at events held within the Jurisdiction, contingent on available manpower.
- C. NMSU agrees to provide the equipment, office space and necessary parking spaces as mutually agreed by the parties, necessary for the Cooperating Agency to provide the requested assistance and security services during the period above.
- D. Neither party will be responsible for liability incurred as a result of the other party's acts of omissions in the connection with this ISA. Any liability incurred in connection with this ISA is subject to the immunities and limitation of the New Mexico Tort Claims Act, Section 41-4-1, et. seq., NMSA 1978 as amended.

3. **COMPENSATION**

Compensation will be based upon the individual's overtime rate and/or a standardized base rate agreed upon by both entities; payment details will be reviewed on an annual basis by both entities and amended as necessary. Amendments must be in writing and signed by all parties.

Please stipulate the following for the agreed upon compensation option:

- o Standardized Base Rate/Hourly Rate **\$65.00 per hour.**

4. **TERM**

This ISA will become effective on the date of the final signature below. This ISA will terminate upon thirty (30) days written notice of either party.

5. **RECORDS AND AUDIT**

The Cooperating Agency must permit an authorized representative of NMSU's Department of Finance and Administration or State Auditor to inspect and audit all data and records of Cooperating Agency relating to its performance under this ISA until the expiration of three (3) years after termination of the ISA.

The periods of access and examination described above, for records which relate to 1) litigation of the settlement of claims arising out of the performance of this ISA; or 2) costs and expenses of this ISA as to which exception has been taken by the authorized representative, will continue until such appeals, litigation, claims, or exceptions have been eliminated.

6. **TERMS AND CONDITIONS**

This ISA requires strict accountability of all receipts and disbursements.

7. **TORT CLAIMS ACT; PRIVILEGES AND IMMUNITIES, EXEMPTIONS, BENEFITS**

By entering into this ISA, neither party will be responsible for liability incurred as a result of the other party's acts or omissions in connection with this ISA. Any liability incurred in connection with this ISA is subject to the immunities and limitations of the New Mexico Tort Claims Act, Sections 41-4-1, et seq., NMSA 1978, as amended. This paragraph is intended only to define the liabilities between the parties hereto and it is not intended to modify, in any way, the parties' liabilities as governed by federal, state, local or common law and the New Mexico Tort Claims Act. The department, the coordinating agency and its "public employees" as defined in the New Mexico Tort Claims Act, do not waive sovereign immunity, do not waive any defense and/or do not waive any limitation of liability pursuant to law. No provision in this ISA modifies and/or waives any provision of the New Mexico Tort Claims Act.

All of the privileges and immunities from liability, exemptions from laws, ordinances and rules, all pension, relief, disability, workmen's compensation and other benefits which apply to the activity of officers, agents or employees of any such public agency when performing their respective functions within the territorial limits of their respective public agencies, must apply to them to the same extent while engaged in the performance of any of their functions and duties extraterritorially under the provisions of the Joint Powers Agreements Act, Sections 11-1-1 to 11-1-7, NMSA 1978.

8. **CONFIDENTIALITY**

Any confidential information provided to or developed by the Cooperating Agency in the performance of this ISA must be kept confidential and must not be made available to any individual or organization, except as provided by the New Mexico Inspection of Public Records Act or otherwise required by law or valid court order.

9. **AMENDMENT**

This ISA incorporates all the agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into this written ISA. No prior agreement or understanding, verbal or otherwise, or the parties or their agents will be valid or enforceable unless embodied in this ISA. All amendments to the ISA must be in writing and signed by both parties.

10. **APPLICABLE LAW**

This ISA will be governed by the laws of the State of New Mexico. The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and criminal misdemeanor penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

11. **EQUAL OPPORTUNITY COMPLIANCE**

The Cooperating Agency agrees to abide by all federal and state laws and rules and regulations pertaining to equal opportunity. In accordance with these laws and regulations issued pursuant thereto, the NMDPS agrees to assure that no person in the United States will, on the grounds of race, color, national origin, sex, age or handicap, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this contract. If the Cooperating Agency is found to not be in compliance with these requirements during the life of this ISA, Cooperating Agency agrees to take appropriate steps to correct these deficiencies.

12. **INDEPENDENT CONTRACTOR STATUS**

Each party will be considered to be an independent party and will not be construed to be an agent or representative of the other party, and therefore, has no liability for the act or omissions of the other party. In addition, neither party, nor any of its employees, agents or subcontractors, will be entitled to compensation, worker's compensation, or employee benefits of the other party by virtue of this ISA.

13. **SEVERABILITY**

If any provision of this ISA is held invalid or unenforceable, the remaining provisions will continue valid and enforceable to the full extent permitted by law.

14. **FORCE MAJEURE**

No party will be liable or be deemed in breach of this ISA for any failure or delay or performance, which results, directly or indirectly, from acts of God, civil or military authority, public disturbance, accidents, fires, or any other cause beyond the reasonable control of either party.

15. ASSIGNMENT

Neither NMSU nor the Cooperating Agency may assign or transfer any rights, duties, or obligations under this ISA, in whole or in part, without prior written consent of the other party. This ISA will inure to the benefit of and be binding upon the parties hereto and their respective heirs, representatives, successor and permitted assigns.

16. THIRD-PARTY BENEFICIARY

This ISA is for the benefit of parties only. No rights or benefits are conferred to any third-party by or through this ISA.

17. NON-WAIVER

The waiver of a breach of any term of this ISA will in no way be construed as a waiver of any other term or waiver of such breach on any other occasion.

18. NON-EXCLUSIVITY

Each party will have the right to enter into similar agreements with other parties.

19. AUTHORITY

The individuals signing this ISA on behalf of the parties represent and warrant that they have the power and authority to bind the Parties for whom he or she is signing, and that no further action, resolution, or approval from the parties is necessary to enter into a binding contract.

IN WITNESS WHEREOF, the foregoing Inter-Governmental Service Agreement between New Mexico State University and the Cooperating Agency is approved:

REGENTS OF NEW MEXICO STATE UNIVERSITY

Date

Reviewed as to form and legal sufficiency

Lisa Henderson

Lisa Henderson
General Counsel
New Mexico State University

09/04/2024

Date

City of Sunland Park Police Department (Agency-Cooperating Agency)

[Signature]

Chief Eric Lopez

08-13-2024

Date

New Mexico State University Police Department

[Signature]

Chief Andrew Bowen

8/14/2024

Date



Board of Regents Meeting
Meeting Date: September 19, 2024
Agenda Item Cover Page

Agenda Item # D-4

- Action Item
- Consent Item
- Informational Item

Presented By:

Ricardo Ramirez, Ph.D.
Professor and Department Head
Erik Lehnhoff, Ph.D.
Associate Professor

Agenda Item:

Applied and Agricultural Biology – Doctor of Philosophy

Requested Action of the Board of Regents:

Approval of the Applied and Agricultural Biology – Doctor of Philosophy program proposal as presented.

Executive Summary:

The faculty of the Department of Entomology, Plant Pathology, and Weed Science (EPPWS) developed a Ph.D. program proposal entitled Applied and Agricultural Biology. To support a rising population, agricultural productivity must increase 50-70% over 25 years, a goal made especially challenging by new pest and disease outbreaks. State, regional, and national needs exist for expertise to respond to these issues. Over 40% of the food supply is lost to pests and disease pre-harvest (Savary et al. 2019), and 8-70% of the remainder is lost post-harvest (Mason 2003). Federal agencies report a shortage of the required expertise at the national level (AFRI Education and Workforce Development Program). Letters of support from federal agencies speak to the need for trained professionals in the disciplines housed in our department (Entomology, Plant Pathology, and Weed Science). USDA-ARS (see USDA ARS-Dr. Joseph Rich) reported 469 related PhD-level positions in our region and 2,336 nationally with 20% of the workforce eligible to retire. The USDA-Forest Service described a need for Ph.D. scientists in these disciplines to support forestry (see USDA Forest Service-Rick Cooksey). Owing to short supply of qualified applicants, the Centers for Disease Control is severely understaffed in entomology, necessitating recruitment of temporary assistance from academic scientists to handle its Zika response (Sifferlin 2018).

The proposed program supports Sustainable and Value-Added Agriculture, one of New Mexico's nine economic priority sectors. In addition to training a workforce for this sector, the program supports our agricultural economy through research in each student's dissertation. Such research will address protection from harmful organisms that decrease crop yields or negatively impact rangelands; support human health and environment (including pollinator health); provide alternatives to synthetic pesticides. Potential positive impact on New Mexico growers is significant. Chile producers face up to 100% crop loss to soil-borne disease and \$34M lost profit to weeds. Tree nut producers also need new tools, such as an invention to detect aflatoxin, saving processing costs. As invasive pests, like pecan

weevil, expand their ranges, demand will increase for trained personnel to meet these challenges.

EPPWS' multidisciplinary composition allows us to address issues single-discipline departments cannot. Interactions in life cycles of insects, weeds, animals, and pathogens form pest/disease complexes in which arthropods transmit diseases from wildlife to domestic animals (and humans) or from weeds to crops. Few universities are structured to promote collaboration among disciplines that study these complexes. New Mexico State University and Colorado State University are the only Land Grant universities housing entomology, plant pathology, and weed science in the same department. As the CSU program doesn't integrate disciplines at the Ph.D. level, the proposed program will be unique in cross-training PhD students for the pest and disease challenges we face in the future.

The proposed Ph.D. program certainly fills a regional workforce need, and we have had numerous conversations with regional stakeholders and potential employers (see letters of support). Chemical (i.e., insecticide, fungicide, nematicide and herbicide) development companies hire Ph.D. scientists as product development managers and need a pipeline of Ph.D.'s for their continued growth. Similarly agricultural consulting companies often rely on Ph.D.'s for providing expert advice and recommendations for growers. Regional specialty crop organizations such the Western Pecan Grower's Association have stated they need a Ph.D. program focusing on understanding pest management issues in New Mexico and the western region. Also, locally and within the broader region, stakeholders such as the USDA Agricultural Research Service (ARS) have noted the demand for Ph.D. scientists trained in areas of entomology, plant pathology and weed science. The USDA ARS Jornada Experimental Range supports 20 permanent Ph.D. scientists, but these positions are generally filled from outside of New Mexico because of lack of qualified local candidates. Our program could help fill this void. Likewise, our Ph.D. program could contribute to filling 93 Ph.D. level agricultural science position vacancies within the regional USDA ARS system.

In addition to filling workforce needs after graduation, the role of Ph.D. students during their studies within EPPWS should be noted. Students will spend on average 4-5 years completing their degrees. During this time, they will often work with local and regional stakeholders on pressing issues within their disciplines, providing critical information for the agricultural sector and the people of New Mexico. Thus, even if graduates move out of the region, as is common for Ph.D.'s who seek employment on the national or international market, they will provide a tremendous benefit during their research tenure at NMSU.

We have developed a curriculum for a new Ph.D. program to meet these needs. Our program has gained approval from EPPWS, the College of ACES, UPAC and recently gained approval at the Regents Student Success Committee. We seek to gain approval from the Board of Regents for the new Applied and Agricultural Biology Ph.D. program.

References:

The need for a Ph.D. program in our department has long been recognized. In the fall of 2019, EPPWS underwent an external review. One of the recommendations from that review was that the department should have a Ph.D. program. All faculty agreed to this need (see letter of support) and have had input in the planning process.

The PhD proposal in Applied and Agricultural Biology has been submitted to and is available through the PIM system. We provide a presentation and fact sheet on our PhD program proposal.

Prior Approvals:

The Applied and Agricultural Biology – Doctor of Philosophy proposal has achieved prior approvals (PIM approval path) including:

Student Records Office (Gabrielle Martinez)-July 1, 2024

ACES Academic Dean (Donald Conner)- July 17, 2024

Graduate Dean (Ranjit Koodali)- July 17, 2024

University Program Approval Committee(UPAC) (Joe Lakey)- August 29, 2024

McAteer approved for Provost- August 29, 2024

Regents Student Success Committee-September 5, 2024

Lydia Duran approved for President- September 9, 2024

Agenda Item Approved By:

Each office may determine required signatures (if any). All items should be routed through the President’s Office, University General Counsel, or the Secretary of NMDA as appropriate.

Name, Ph.D.
Title

Date

Proposal: Applied and Agricultural Biology PhD Program

Department: Entomology, Plant Pathology, and Weed Science (EPPWS)

College: ACES

A multi-disciplinary advanced degree program critical to understanding plant and animal health, plant protection, food security, and human health. The program evaluates outbreaks of organisms, develops tools to suppress harmful organisms and to conserve beneficial species, with an investigation from molecular to landscape scales.

Careers: 2.1 job postings per graduate (West Market Scorecard)

Position type	Entity
State Dept of Ag Specialist	NMDA
Extension Specialist	Land-grant Institution
Industry Rep/Researcher	Valent (<i>see support letter</i>), Corteva, BASF, Bayer
Federal Research Scientist	USDA (APHIS, NIFA, ARS, NRCS)
Research/Instruction Professor	Higher Education

Data: CIP 26.0305 Plant Pathology/Phytopathology

National Market Scorecard

Competitive Salaries: >\$83K and \$109K for Entry Level and Post Entry Median Salary, respectively.



Degree Completions Offered



Graduation/Completion Trend



Completions at PhD level



Enrollment Volume YoY of 60%

West Market Scorecard

Potential for growth: Only 4 universities have graduates in the West.

New student enrollment volume increased 9 to 24 units.

1 of 2 institutions cross-training PhDs in EPPWS disciplines.



New Student Enrollment Volume

Enrollment Projections:

Student Type	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
New Students	2	2	2	2	2
Continuing Students	0	2	4	6	6
Graduates	0	0	0	0	2

Projected Costs: No additional costs needed for the PhD Program.



Department of Entomology, Plant Pathology & Weed Science (EPPWS)

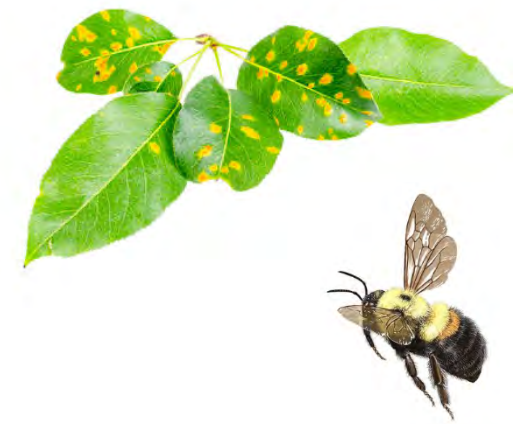
Ph.D. in Applied and Agricultural Biology Proposal

Ricardo Ramirez, Erik Lehnhoff, Rebecca Creamer, Gerald Sims, Scott Bundy, Jennifer Randall, Soum Sanogo, Brian Schutte, Steve Hanson, Kristen Bowers, Jane Pierce, Joanie King, Leslie Beck, Abdel Mesbah

Regents Student Success Committee

Applied and Agricultural Biology

- Multi-disciplinary degree encompassing EPPWS. These disciplines are critical to understanding plant and animal health, plant protection, food security, and human health.
- The program evaluates outbreaks of organisms, develops tools to suppress harmful organisms and conserve beneficial species, with investigation from molecular to landscape scales.



Careers in Applied and Agricultural Biology

- State Department of Agriculture
- Extension Specialist
- Industry
 - Chemical Company
 - Professional Consulting
- Federal Research Scientist
 - USDA (APHIS, NIFA, ARS, etc.)
 - NRCS
- Higher Education
 - (Research/Instruction)
- Income
 - Competitive with other STEM degrees and Higher than the National Market
 - Entry level salary: \$83,542
 - Median salary: \$109,569
 - Job postings/graduate: ratio of 2.1



Overview of CIP 26.0305 (Classification of Instructional Programs) Data

- National degree completions offered at 22 universities
- Graduation/completion trend is in the 87th percentile
- 48% Completions at Ph.D. level
- Enrollment Volume YoY of 60%, ranking in the 89th percentile
- Potential for growth:
 - Only 4 universities have graduates in the West market.
 - New Student Enrollment Volume increased by 9 units to 24, ranking 85th percentile.

PhD. Program Coursework

Students are required to take the following:

Prefix	Title	Credits
EPWS 525	Advanced Scientific Writing (OR EPWS 613)	3
EPWS 613	Scientific Writing (OR EPWS 525)	3
EPWS 690	Doctoral Seminar	3
EPWS 6991	Doctoral Research	3 (maximum of 6 count toward degree)
EPWS 7000	Doctoral Dissertation	18
BIOL 540	Science and Ethics	3

Students will take at least 12 credits from the following

EPWS 525 or EPWS 613	Advanced Scientific Writing Scientific Writing	3
EPWS 640	Tropical Insect Ecology	3
EPWS 660	Ecology and Management of Invasive Plant Species	3
EPWS 662	Parasitology	3
EPWS 675	Urban Entomology	3
EPWS 6996	Advanced Topics	1-6

Students are required to take at least 6 credits from the following:
A ST, BIOL, BCHE, PLEN, ANSC, RNCS, GEOG, MOLB (>500, 6000 level)

- **Students with M.S. degree require 48 credits for completion**

- Complete a minimum of 6 semesters, with at least two occurring after the comprehensive exam.
- Complete a minimum of 30 credits of graduate work plus 18 credits of dissertation (EPWS 7000 Doctoral Dissertation).
- At least 15 credits must be in courses numbered 500 or above.
- At least 15 credits must be from the EPWS program.
- No more than 6 credits of EPWS 6991 Doctoral Research may apply toward graduation.
- At least 3 credits of EPWS 690 Doctoral Seminar.
- Complete a minimum of 9 hours of course work numbered above 600, exclusive of research and dissertation credit.

Must pass a Qualifying Exam, Comprehensive Exam, and Final Dissertation Defense

- **Student with B.S. degree require 60 credits for completion**

Enrollment Projections

Student Type	Year 1	Year 2	Year 3	Year 4	Year 5
New Students	2	2	2	2	2
Continuing Students*	0	2	4	6	6
Graduates	0	0	0	0	2

*Does not account for current PhD students with EPPWS major advisors that may transfer in the initial term. EPPWS faculty advise a range of 6-12 PhDs without a program.

Importance to New Mexico

- Supports Sustainable and Value-Added Agriculture, 1 of 9 priority sectors.
- Each student's dissertation research supports agricultural economy.
- Attract NM students and expertise stays in NM.
- Stakeholders at all levels have expressed a need for the program.
- Strengthens collaboration with PES, ANRS, Biology, FWCE, HRTM, AG-ECON, MOLB.
- Faculty recruitment and retention
 - Competitive with other institutions

One of two universities integrating EPPWS but we are the only ones cross-training Ph.D. students for future challenges unique to the region.

Faculty and Existing Facilities, Equipment, & Tech Resources

- Skeen Hall
 - Microscopy Lab
 - Chemical Analysis and Instrumentation Lab
 - Quarantine Facility
 - NMSU Arthropod Collection
- Gordon Watts Laboratory
- Nematology and Seed Laboratory
- AES Field Research Sites and Greenhouses
- Future vivarium (Biomed facility)



- Faculty Resources
 - 9 Faculty (Research/Instruction)
 - 2 Faculty (Extension/Research)
 - 2 Faculty (Ag Science Center)
 - 4 Research Scientists
- Strong National and International Collaborations
- Strong Research Potential
 - Grants Awarded 2023: \$875K/FTE
 - Faculty with Ph.D. students
 - Quality peer reviewed publications 6.3/FTE

Projected Costs

- No additional costs needed for the Program.
- Faculty are in place for the Program.
- Library resources are in place for the Program.
- Facilities, Equipment & Tech resources are in place for the Program.
- Graduate Assistantships
 - Support comes from internal and external grants and contracts
 - USDA; USDA-HSI; NMDA; BLM; NM Chile Assoc.
 - EPPWS faculty support Ph.D. students as major advisors



Thank you



Ricardo Ramirez
ricarami@nmsu.edu
575-646-3154



Coursework for students with Bachelor of Science Degree: 60 credits for completion

Additional Coursework for students with only a B.S. degree:

EPWS 511	Introduction to Weed Science (f)	4
EPWS 502	General Entomology	4
EPWS 551	Special Topics	1-4
EPWS 505	Advanced Integrated Pest Management	3
EPWS 551	Special Topics	1-4
Additional 3 credits from experimental design/statistical analyses.		3

Students with a B.S. degree must have at least an additional 12 credits, for a total of 60 credits beyond the B.S. degree.

Qualifying exam – Students with a B.S. degree will take the qualifying exam at the end of the second year and after completion of at least 18 course credits.

- Complete annual Student Progress Report.
- Successfully complete a qualifying exam, comprehensive exam, and dissertation defense.

Ph.D. candidates are recommended to do the following:

- Gain experience as a teaching assistant for at least two semesters.
- Present research at least once in a poster or oral format at a regional, national, or international conference.
- Submit at least one manuscript as first author for publication in a peer-reviewed journal.

1028: APPLIED AND AGRICULTURAL BIOLOGY - DOCTOR OF PHILOSOPHY

In Workflow

1. Student Records Office - Programs (gdmart@nmsu.edu)
2. AG Academic Dean (deconner@nmsu.edu)
3. Graduate Dean (rkoodali@nmsu.edu)
4. UPAC - Chair (jlakey@nmsu.edu)
5. Provost (mcateer@nmsu.edu; bgamillo@nmsu.edu)
6. President (lbduran@nmsu.edu)
7. Board of Regents (cavotta@nmsu.edu)
8. Graduate School - Council of Deans (rkoodali@nmsu.edu)
9. Student Records Office - HED (gdmart@nmsu.edu)
10. Student Records Office - CIP (gdmart@nmsu.edu)
11. MA HLC (bgamillo@nmsu.edu)
12. Student Records Office (gdmart@nmsu.edu)

Approval Path

1. Mon, 01 Jul 2024 22:42:05 GMT
Gabrielle Martinez (gdmart): Approved for Student Records Office - Programs
2. Mon, 08 Jul 2024 22:32:41 GMT
Donald Conner (deconner): Rollback to Initiator
3. Mon, 15 Jul 2024 15:50:16 GMT
Gabrielle Martinez (gdmart): Approved for Student Records Office - Programs
4. Wed, 17 Jul 2024 14:16:03 GMT
Donald Conner (deconner): Approved for AG Academic Dean
5. Wed, 17 Jul 2024 17:22:11 GMT
Ranjit Koodali (rkoodali): Approved for Graduate Dean
6. Thu, 29 Aug 2024 18:47:41 GMT
Joe Lakey (jlakey): Approved for UPAC - Chair
7. Thu, 29 Aug 2024 18:49:31 GMT
James Mcateer (mcateer): Approved for Provost
8. Mon, 09 Sep 2024 18:05:34 GMT
Lydia Duran (lbduran): Approved for President

New Program Proposal

Date Submitted: Mon, 15 Jul 2024 14:48:00 GMT

Viewing: 1028 : Applied and Agricultural Biology - Doctor of Philosophy

Last edit: Mon, 15 Jul 2024 14:47:57 GMT

Changes proposed by: Arthur Kindig (arthurk)

Submission Information

The Degree Type will factor into the level and the submissions that must occur for HED and HLC.

- Community College Types: Applied Associate Degree, Associate Degree, Certificate, Concentration
- Main/Global Campus Undergrad Types: Bachelor's Degree, Concentration, Minor
- Main/Global Campus Graduate Types: Master's Degree, Doctoral Degree, Certificate, Concentration, Minor

Degree Type

Doctoral Degree

The Degree Title dropdown has all existing degree titles in Banner, if you do not see the one you are looking for you will select "Other" then in the New Degree Title box you will type out the official title of the degree (as you would want it to appear on a students record, transcript, and/or diploma).

Degree Title

Doctor of Philosophy

Academic Level

Graduate

The Catalog Title will be what is displayed in the catalog page. The standard format is Major (Concentration) - Degree Title. (I.e., Mathematics (Secondary Education) - Bachelor of Science. Note: If there is no concentration you would just list the Major - Degree.

Catalog Title

Applied and Agricultural Biology - Doctor of Philosophy

College

Agricult/Consumer/Environ Sci

Campus

Main Campus

Department

Entomology/Plant Path/Weed Sci

Effective Catalog

2025-2026

If opting for a Global program, specify "Global Campus" under campus type. You must have a Program Proposal on file with Global Campus prior to submission of a new Global program. Contact Global Campus for more information.

Program Teaching Modality

Traditional-Face to Face

CIP Code

260305 - Plant Pathology/Phytopathology.

Normal or typical length of time for students to complete the program (in years)

4.5

Curriculum Information

Program Learning Outcomes

Learning Outcomes	
Outcome 1	Graduates will be able to formulate hypotheses, conduct research, and synthesize conclusions as demonstrated through production of a dissertation: 1) Performance in qualifying exam, 2) Defendable dissertation.
Outcome 2	Graduates will effectively communicate scientific information verbally and in written form: Manuscripts submitted to peer-reviewed journals prior to graduation, 2) Performance in departmental seminars, 3) Performance in writing class, 4) Quality of writing in dissertation
Outcome 3	Graduates will demonstrate proficiency in experimental design and quantitative analysis of research data: Performance in statistics classes, 2) Quality of analyses in dissertation, 3) Performance in qualifying exam.
Outcome 4	Students will understand how to conduct scholarly and professional activities in an ethical manner: 1) Performance in ethics class, 2) Frequency of student attendance and participation in professional society functions.
Outcome 5	Graduates will demonstrate thorough knowledge of their chosen discipline within entomology, plant pathology or weed science. Possible assessment: 1) Performance in disciplinary courses, 2) Knowledge of discipline in comprehensive exam, 3) Depth of disciplinary information in dissertation.

List of academic departments/units and or institutions involved in the delivery of courses

Department/Unit
Applied Statistics; Biology; Computer Science; Geography; Entomology, Plant Pathology and Weed Science; Molecular Biology; Plant and Environmental Sciences; Animal and Range Sciences

The Course Requirements, need to be in the standard format for the catalog because this piece of the form will be imported directly onto the catalog page. See the Student Records Website for a guide. The total number of credits at the bottom of the course list will be the "official" total for the degree. Please make sure it adds up correctly.

Course Requirements

Course Work

Students are required to take the following:

Prefix	Title	Credits
EPWS 525	Advanced Scientific Writing (OR EPWS 613)	3
EPWS 613	Scientific Writing (OR EPWS 525)	3
EPWS 690	Doctoral Seminar	3
EPWS 6991	Doctoral Research	3 (maximum of 6 count toward degree)
EPWS 7000	Doctoral Dissertation	18
BIOL 540	Science and Ethics	3
Students will take at least 12 credits from the following		12
EPWS 525	Advanced Scientific Writing	3
or EPWS 613	Scientific Writing	
EPWS 640	Tropical Insect Ecology	3
EPWS 660	Ecology and Management of Invasive Plant Species	3
EPWS 662	Parasitology	3
EPWS 675	Urban Entomology	3
EPWS 6996	Advanced Topics	1-6
Students are required to take at least 6 credits from the following:		6
A ST 503	SAS Basics	3
A ST 504	Statistical Software Applications	1
A ST 505	Statistical Inference I	4
A ST 506	Statistical Inference II	0,3
A ST 509	Statistical Models for Complex Data Structures	3
A ST 511	Statistical Methods for Data Analytics	3
A ST 515	Statistical Analysis with R	3
A ST 540	Predictive Analytics	3
BIOL 562	Advanced Genomics Technology	3
BIOL 566	Advanced Bioinformatics and NCBI Database	3
C S 482	Database Management Systems I	3
PLEN 6425	Biometrical Genetics and Plant Breeding	3
PLEN 6610	Introduction to Environmental and Ecological Modeling	4
<i>Courses, including special topics, can be substituted with advisor's approval. Additionally, new approved graduate level courses may be submitted with advisor's approval. Students can take a combination of the following to complete their degree:</i>		
AGRO 516	Molecular Analysis of Complex Traits	3
PLEN 6110	Arid Land Water Resources	0,3
PLEN 6120	Instrumentation in Agronomy	3
PLEN 6320	Advanced Soil Physics	3
PLEN 6415	Breeding for Plant Disease Resistance	3
PLEN 6420	Advanced Crop Breeding	0,4
ANSC 602	Advanced Reproductive Physiology (fo)	3
ANSC 621	Metabolic Functions and Dysfunctions (fe)	3
BCHE 546	Biochemistry II	3
BCHE 647	Physical Biochemistry	3
BIOL 527	Symbiosis	3
BIOL 536	Advanced Disease Vector Biology	3
BIOL 568	Communities and Ecosystems	3
BIOL 582	Advanced Plant Signalling and Development	3
BIOL 587	Behavioral and Evolutionary Ecology	3
GEOG 542	Programming for GIS	3
GEOG 552	Landscape Ecology	0,4
GEOG 572	Geodatabase Design	3
GEOG 573	Introduction to Remote Sensing	0,4
GEOG 578	Fundamentals of GIS	0,4
GEOG 585	Spatial Analysis and Modeling	3
MOLB 520	Molecular Cell Biology	3
MOLB 545	Molecular and Biochemical Genetics	3
MOLB 542	Biochemistry I	3
RGSC 509	Approaches to Rangeland Research	3
RGSC 513	Advanced Rangeland Ecology	3
RGSC 516	Arid Land Management	3
RGSC 518	Watershed Methods and Management	3
RGSC 520	Arid Land Plant Herbivore Interactions	3
RGSC 575	Climate Studies, Water and Society	3

Additional Coursework for students with only a B.S. degree:

EPWS 511	Introduction to Weed Science (f)	4
EPWS 502	General Entomology	4
EPWS 551	Special Topics	1-4
EPWS 505	Advanced Integrated Pest Management	3
EPWS 551	Special Topics	1-4
Additional 3 credits from experimental design/statistical analyses.		3

The Road Map, need to be in the standard format for the catalog because this piece of the form will be imported directly onto the catalog page. See the Student Records Website for a guide. All courses and the total number of credits at the bottom of the roadmap should match the Course Requirements list.

Road Map

Candidates are accepted into the department to work with a specific faculty member that serves as their major advisor and committee chair. They will develop a dissertation committee in collaboration with their advisor that includes at least two other members of the graduate faculty, at least one of which must be from the same department, and a Dean's representative who must come from outside the department. The committee should be established during the second semester of study.

Students will select classes with the help of their major advisor based on background and interests. Students with a M.S. degree are expected to complete their degree in 3-4 years, but may be allowed up to 7 years to complete the requirements if they begin with a B.S.

For students with a M.S. degree, a minimum of 30 credits of graduate course work plus 18 credits of dissertation (7000) is required to graduate. This is 48 credits to graduate. Students with a B.S. degree must have at least an additional 12 credits, for a total of 60 credits beyond the B.S. degree.

Ph.D. students must do the following:

- Complete a minimum of 6 semesters, with at least two occurring after the comprehensive exam.
- Complete a minimum of 30 credits of graduate work plus 18 credits of dissertation (EPWS 7000 Doctoral Dissertation).
- At least 15 credits must be in courses numbered 500 or above.
- At least 15 credits must be from the EPWS program.
- No more than 6 credits of EPWS 6991 Doctoral Research may apply toward graduation.
- At least 3 credits of EPWS 690 Doctoral Seminar.
- Complete a minimum of 9 hours of course work numbered above 600, exclusive of research and dissertation credit.
- Maintain a minimum grade point average of 3.0.
- Complete the degree within 7 years of admission.
- Enroll in at least 1 credit/semester or 9 credits if full time.
 - Full time students may petition to enroll for only 1 credit during their final semester if all other credit requirements have been fulfilled.
- Enroll in seminar classes and present at least 3 seminars.
- Complete annual Student Progress Report.
- Successfully complete a qualifying exam, comprehensive exam, and dissertation defense. (see below)

Ph.D. candidates are recommended to do the following:

- Gain experience as a teaching assistant for at least two semesters.
- Present research at least once in a poster or oral format at a regional, national, or international conference.
- Submit at least one manuscript as first author for publication in a peer-reviewed journal.

Exams

Qualifying exam – Students with a M.S. degree will take the qualifying exam at the end of the first year and after completion of at least 12 course credits. Students with a B.S. degree will take the qualifying exam at the end of the second year and after completion of at least 18 course credits. The qualifying exam will consist of a short proposal or a list of curated questions, and an oral exam in coordination with the students committee. There will be no additional qualifying exam requirements for students with B.S. degrees. If a student does not pass the qualifying exam, they will have the opportunity to continue their research and pursue a M.S. degree. For M.S. degree holding students, note options below.

Comprehensive exam – This exam covers all phases of the major and minor fields of study and is given after completion of the agreed-upon course work, and when sufficient progress has been made toward fulfilling agreed upon research goals. The examination must contain both written and oral portions. The written portion may be in the form of a proposal or it may consist of questions presented by individual committee members. The student must satisfy the graduate committee's expectation on the written portion before moving on to the oral portion. If a student does not meet the committee's expectation on the written or oral portion, they may be required to re-take a portion or the entire exam. Students must pass the examination within 36 months of passing the qualifying exam and may not register for 7000 level courses until both parts of the comprehensive have been passed. If a student does not pass the comprehensive exam, they will have the opportunity to continue their research and pursue a M.S. degree. For M.S. degree holding students note options below.

Final dissertation defense – this is taken after completing all other degree requirements. The student will complete 18 credits of doctoral dissertation prior to the defense. There is a minimum of one year between the comprehensive exam and the defense. If a student does not pass the final defense, they may be given the opportunity to convert their dissertation into a thesis and pursue a M.S. degree. For M.S. degree holding students note options below.

Note that for each of the exam stages (i.e., qualifying exam, comprehensive exam, and dissertation defense), when an M.S. degree holding student does not pass they may not be allowed to continue in the program. Such a case will be dealt with on an individual basis with active participation from the graduate dean.

Students should consult the Graduate School website for specific information regarding the completion of the degree and submission of the dissertation.

The admission requirements are needed if the program has a specialized admission process that exceeds the campus requirements for either the Undergraduate or Graduate admission standards.

• For graduate programs, the Graduate School asks for the following information (Provide a summary of the documents and specific information each student will need to provide to be considered for the program): Description, Statement of Purpose/Letter of Interest; Specialty Letter of Interest; Resume; Writing Sample; GRE; GMAT; Special Questions (if yes, what questions need to be answered); Letters of Recommendation (how many are required); NMSU Faculty Representative (if yes, how many); Foreign Language; WES Evaluation; Special License or Verifications (what license/verification)

Admission Requirements

In addition to the requirements of the NMSU graduate school, applicants must have:

- GPA of 3.2/4.0 or above from most recent degree
- A letter of intent describing the applicant's goal for academic and professional development and proposed major advisor.
- Three letters of recommendation from academic or professional sources.

Students without a M.S. degree or equivalent are normally admitted to a M.S. degree program first. After one year, eligible students may apply to be admitted to the Ph.D. program without completion of the M.S. degree. The request for such an admit will be made jointly by the student and their major advisor(s) with endorsement of the student's graduate committee to the Department Head. The request for admittance (through the Graduate School) to Ph.D. program will normally be made after at least one year of M.S. study - when the student's scholastic performance and research potential have been clearly established.

Does this program lead to licensure, yes or no?

No

Is credit for prior learning built into the program, if yes explain?

Students from within EPPWS or other closely related M.S. programs at NMSU may transfer up to 30 credits from their M.S. program into the Ph.D. program, as approved by their major advisor. Students from other programs or from outside of NMSU may transfer up to 9 credits, as approved by their major advisor, and as per Graduate School policy. Regardless of credit transfer, students must meet all other credit and course requirements.

Faculty Members Employed to Teach in the Program

Existing Personnel

Erik A. Lehnhoff

FTE

0.2

Course load and courses they will teach in the proposed program

EPWS 560 Ecology and Management of Invasive Plants
EPWS 590 Graduate Seminar

Courses taught in other programs currently offered

EPWS 1110G and 1110L Introduction to Applied Biology; EPWS 560 Invasive Plant Ecology and Management

Description of academic qualifications

Ph.D. Montana State University, Ecology and Environmental Science, 2008
MS, Tennessee Technological University, Civil and Environmental Engineering, 1994

Prior instructional responsibility and other experiences relevant to assigned courses

In addition to the courses currently taught, I have taught numerous related courses. At Montana State University, I taught:
Introduction to Soil Science Lab
Sustainable Food and Bioenergy
Weed Science (and lab)
Plant Ecology

For graduate programs, document scholarship and research capability

Research on agronomic weed control and invasive plant management in arid and semi-arid systems. Twenty four peer reviewed publications in the past 5 years.

For doctoral programs, document faculty experience in directing student research

Advisor to 2 PhD students and 7 MS students since 2016. Served as committee member on numerous other PhD and MS committees.

Existing Personnel

Scott Bundy

FTE

0.2

Course load and courses they will teach in the proposed program

EPWS 640 Tropical Insect Ecology

Courses taught in other programs currently offered

EPWS 302/502 General Entomology; EPWS 325V Insects, Humans, and the Environment; EPWS 440 Tropical Insect Ecology

Description of academic qualifications

Ph.D. University of Georgia, Entomology, 1999
M.S. Southern Illinois University, Zoology, 1996
B.S. Southern Illinois University, Biological Sciences, 1993

Prior instructional responsibility and other experiences relevant to assigned courses

In addition to the classes I currently teach, I previously taught the following courses at NMSU:
Advanced Integrated Pest Management
Advanced Insect Morphology and Taxonomy
Economic Entomology (and Lab)
Introduction to Pest Management (and Lab)
Departmental Seminar
Special Problems in Entomology

For graduate programs, document scholarship and research capability

My research foci are 1) the bionomics and morphology of the Heteroptera and other insect taxa, and 2) the integrated pest management of arthropods impacting field crops in New Mexico. I have nearly 40 peer reviewed articles and 9 published book chapters or monographs.

For doctoral programs, document faculty experience in directing student research

Advisor or Co-advisor to 3 MS students in the last 4 years. Served as committee member on numerous Ph.D. and M.S. committees.

Existing Personnel

Joanie King

FTE

0.2

Course load and courses they will teach in the proposed program

N/A - Extension Research appointment

Courses taught in other programs currently offered

N/A

Description of academic qualifications

Ph.D., Entomology, Texas A&M University, 2022. M.Sc., Entomology, University of Georgia, 2017. B.Sc., Biology, University of Central Florida, 2013.

Prior instructional responsibility and other experiences relevant to assigned courses

Fall 2017 - Fall 2022 Graduate Research Assistant, Department of Entomology, Texas A&M University, College Station, TX
Summer 2015 - Summer 2017 Graduate Teaching Assistant, Department of Entomology, University of Georgia, Athens, GA

Fall 2014 - Spring 2015 Graduate Teaching Assistant, Department of Biology, University of Georgia, Athens, GA
 May 2017 Lead Graduate Teaching Assistant for Animals and Insects of Ecuador and the Galapagos Islands. Department of Entomology, University of Georgia

For graduate programs, document scholarship and research capability

Research in entomology. 5 peer reviewed publications in the past 5 years.

For doctoral programs, document faculty experience in directing student research

Adviser to 1 MSc student. Serving as a committee member to 2 MSc students.

Existing Personnel

Abdur Rashid

FTE

0.1

Course load and courses they will teach in the proposed program

Will supervise students enrolled in Ph.D. programs in the following areas: Weed, plant, and herbicide physiology; Plant molecular biology/genetics.

Courses taught in other programs currently offered

Introductory plant biology, Plant breeding.

Description of academic qualifications

Ph.D. University of Alberta, Edmonton, Alberta, Canada, Plant biology, 2010; Ph.D. Jozsef Attila University, Szeged, Hungary, Plant Physiology, 1984.

Prior instructional responsibility and other experiences relevant to assigned courses

Taught different courses in botany at the University of Chittagong, Chittagong, Bangladesh.

For graduate programs, document scholarship and research capability

Published 46 articles in high quality journals in the field of plant physiology; plant molecular biology; weed science.

For doctoral programs, document faculty experience in directing student research

Served as a committee member of a Ph.D. student at the NMSU.

Existing Personnel

Brian Schutte

FTE

0.2

Course load and courses they will teach in the proposed program

EPWS 525 Scientific Writing, EPWS 511 Weed Science, EPWS 514 Plant Physiology

Courses taught in other programs currently offered

EPWS/AGRO 311 Introduction to Weed Science, EPWS/BIOL 314 Plant Physiology

Description of academic qualifications

Ph.D., Horticulture and Crop Science, The Ohio State University, 2007
 M.S., Horticulture and Crop Science, The Ohio State University, 2002
 B.A., Botany, B.A., Political Science, Miami University, 1999

Prior instructional responsibility and other experiences relevant to assigned courses

Previous courses taught at New Mexico State University include EPWS 200 Weeds and Society and EPWS 100L Introduction to Pest Management Laboratory.

Co-instructor for CPSC 418 Crop Physiology at the University of Illinois

Teaching fellow in the NSF Faculty Institute for Reforming Science Teaching from 2011-2013

For graduate programs, document scholarship and research capability

25 peer-reviewed publications from 2019 through 2024.

64 peer-reviewed publications in total

For doctoral programs, document faculty experience in directing student research

Advisor to 3 PhD students and 8 MS students since 2012. In addition, served on graduate committees for 12 PhD students, 32 MS students

Existing Personnel

Jane Pierce

FTE

0.1

Course load and courses they will teach in the proposed program

Possibly IPM or economic entomology

Courses taught in other programs currently offered

N/A

Description of academic qualifications

MS Texas A & M University – Entomology

Prior instructional responsibility and other experiences relevant to assigned courses

Agriculture and the Environment Rutgers University
TA Economic Entomology Texas A & M University

For graduate programs, document scholarship and research capability

1311 Citations of 78 research papers. Current research on integrated pest management of insect pests in NM, fungal endophytes in turn grasses and Kissing bugs that vector Chagas disease. Emphasis on biological control and host plant resistance and impact of microclimate on insect pests and beneficials.

For doctoral programs, document faculty experience in directing student research

Advisor to 2 M.S. students in last 10 years, numerous committees and one post doc.

Existing Personnel

Soum Sanogo

FTE

0.3

Course load and courses they will teach in the proposed program

EPWS 492 Diagnosing Plant Disorders
EPWS 373/573 Fungal Biology

Courses taught in other programs currently offered

EPWS 1110 Introduction to Applied Biology EPWS 505 Advanced Integrated Pest Management EPWS 506 Biological Control EPWS 481 Nematology

Description of academic qualifications

PhD The Pennsylvania State University, Plant Pathology, 1995

Prior instructional responsibility and other experiences relevant to assigned courses

Co-Instructor for Plant Health Biology, Iowa State University
Teaching Assistant, Plant Disease Diagnosis, Pennsylvania State University

For graduate programs, document scholarship and research capability

Research focuses on foliar and soilborne diseases of field crops, ornamentals, fruit, and vegetables, with over 20 years working on research projects in the area of plant health in Pennsylvania, Connecticut, Iowa, Maryland, Brazil, Philippines, and New Mexico. Twenty-eight peer-reviewed publications in the past 5 years.

For doctoral programs, document faculty experience in directing student research

Co-advisor to 3 PhD students. Member of more than 20 PhD committees.

Existing Personnel

Rebecca Creamer

FTE

0.1

Course load and courses they will teach in the proposed program

EPWS 690 Doctoral Seminar
EPWS 6991 Doctoral Research
EPWS 6996 Advanced Topics

Courses taught in other programs currently offered

EPWS 310 and 310H – Plant Pathology; EPWS 486 – Plant Virology; EPWS 455 and 505 – Advanced Integrated Pest Management

Description of academic qualifications

Ph.D. Plant Pathology, University of California, Davis

Prior instructional responsibility and other experiences relevant to assigned courses

Previously taught classes in Plant Disease Epidemiology, Graduate seminar in plant Pathology, Plant Virology, Virus/Insect Vector Interactions.

For graduate programs, document scholarship and research capability

Published more than 63 papers and 7 book chapters in the past 23 years. Manage three multistate projects.

For doctoral programs, document faculty experience in directing student research

Have graduated 14 Ph.D. students and 10 M.S. students. Currently advising 2 Ph.D. students. Served on many graduate committees. Member (and former director) of the Molecular Biology and Life Sciences graduate program.

Existing Personnel

Steve Hanson

FTE

0.4

Course load and courses they will teach in the proposed program

EPWS-549, 551

Courses taught in other programs currently offered

Previously taught MolBio grad courses, MOLB 545 and others

Description of academic qualifications

Ph.D. UW-Madison

NMSU faculty member since 2003 (EPPWS and Mol Bio Program)
Current rank = Associate Professor.

NMSU Grad Faculty status = Restricted

Prior instructional responsibility and other experiences relevant to assigned courses

N/A

For graduate programs, document scholarship and research capability

Recognized expert in biotechnology, GMO food issues, biocontrol of plant diseases, plant virology and plant pathology.

For doctoral programs, document faculty experience in directing student research

Successfully graduated 3 Ph.D. students
Served on committees for 20+ Ph.D. students in Mol Bio program.

Existing Personnel

Ricardo Ramirez

FTE

0.1

Course load and courses they will teach in the proposed program

EPWS 6991 Doctoral Research
EPWS 6996 Advanced Topics
EPWS 7000 Dissertation Research
EPWS 506 Biological Control

Courses taught in other programs currently offered

N/A

Description of academic qualifications

Ph.D. Washington State University, Entomology, 2008

Prior instructional responsibility and other experiences relevant to assigned courses

Currently a major advisor for 2 Ph.D. students and 1 master's student. Prior to NMSU, graduated 5 and 6 Ph.D. and M.S. students, respectively as major advisor and supervised post-doctoral research associates at Utah State University.

For graduate programs, document scholarship and research capability

Research focused on agroecology and integrated pest management. Assessing the impacts of climate change on insect outbreaks and on the conservation of beneficial insects. Developing tools to improve pest suppression and the use of alternative management strategies. Forty-six peer reviewed publications.

For doctoral programs, document faculty experience in directing student research

Over 15 years of experience with directing graduate and undergraduate students through grant and contract funded support. Twenty-seven peer-reviewed articles with graduate and undergraduate co-authors and nearly all graduate students having at least one peer-reviewed article. Effective leadership in research and extension programming and budget management

Existing Personnel

Gerald Sims

FTE

0.1

Course load and courses they will teach in the proposed program

EPWS 520 Environmental Behavior of Pesticides
Other courses currently taught:
EPWS 420 Environmental Behavior of Pesticides

Courses taught in other programs currently offered

New Mexico State University –Applied Biology EPWS 100 (now EPWS 1110G), Internship (EPWS 390). University of Illinois - ACES Freshman Discovery, Graduate Group Studies, Graduate Seminar (NRES Dept.), Graduate Seminar (CRPS Dept.), Special Problems, Soil Microbiology, Senior Thesis in Microbiology, Special Problems in Microbiology. Ohio State University - Environmental Microbiology, Soil Microbiology, Anaerobic Processes in Soils, Graduate Seminar, Graduate Colloquium, Undergraduate Colloquium.

Description of academic qualifications

B.S., McNeese State University, 1978; M.S., Louisiana State University, 1981; Ph.D., Purdue University, 1985; Mediator Training, Dept. Health and Human Services, 1994; Congressional Briefing, Georgetown University, 2004; Leadership Laboratory, Growth Dynamics, 2005; Advancing Leaders, NMSU, 2014; Lead21, 2015.

Prior instructional responsibility and other experiences relevant to assigned courses

Research on environmental microbiology, microbial ecology; > 100 peer reviewed publications; > 6,000 citations (H index = 40); 4 type strains.

For graduate programs, document scholarship and research capability

Advisor to >30 graduate students, of which 15 serve either as university faculty (including one physician) or lead PIs at national labs; advisor to 6 postdoctoral fellows (5 of which serve as university faculty). Mentored ~ 6 junior faculty (including one elected to NAS and one fellow of AAAS). Oversight of graduate program (as department head) 11 years.

For doctoral programs, document faculty experience in directing student research

N/A

Existing Personnel

Jennifer Randall

FTE

0.1

Course load and courses they will teach in the proposed program

EPPWS 447/590 (Seminar)
EPPWS 591 (Special topic Grant writing)
EPPWS 448 Special topics in Molecular Biology
EPPWS 451 Special topics in Molecular Biology tools for Agriculture Biology
EPPWS 550 Special topics in Genomics
EPPWS 599 Thesis

Courses taught in other programs currently offered

GENE 110 (Experimental systems in genetics) MOLB 590 (Molecular Biology Seminar) MOLB 545 (Molecular and Biochemical Genetics) MOLB 550 Special topics in microscopy MOLB 550 Special topics in Bioinformatics MOLB 550 Special topics in Grant Writing MOLB 597 Molecular Biology Rotation MOLB 599 MS Thesis Research MOLB 600 Thesis Research MOLB 700 Doctoral dissertation Research

Description of academic qualifications

Ph.D. Molecular Biology—NMSU 2005
M.S. Molecular Biology
B.S. Biochemistry

Prior instructional responsibility and other experiences relevant to assigned courses

In 2010-2011 she taught Plant Physiology (EPPWS 314/514); Scientific Ethics for the RISE program, and has guest lectured for numerous courses.

For graduate programs, document scholarship and research capability

Dr. Randall's research program focuses on plant genetics, plant development, plant diseases, and plant microbe interactions and is nationally and internationally recognized. She has mentored numerous Ph.D. students, M.S. students, and more than 30 undergraduate students in research. Dr. Randall is a patent holder and has published more than 40 peer reviewed manuscripts and secured nearly 17 million dollars in grants and contracts for research. She serves on USDA grant panels and routinely serves as an ad-hoc reviewer for multiple journals. She has been recognized by NMSU for research excellence.

2013 Research Excellence Award—New Mexico State University
2015 Research Excellence Award—New Mexico State University
2017 Research Discovery Award—New Mexico State University
2017 Plant Health Response Team Award
2019 Inducted into Aztec Hall of Honor
2020 Outstanding Alumni Award (ACES), New Mexico State University
2021 Invited Plenary Presentation at Research and Creativity Week
2023 Recognized as 'Woman Inventor' NMSU Panorama
2024 NMSU faculty nomination for CUSA faculty of the year award

For doctoral programs, document faculty experience in directing student research

Dr. Randall is a Professor in EPPWS and is the current Director of the Molecular Biology and Interdisciplinary Life Sciences (MBIL) Graduate Program at NMSU. In addition, to being director she also is the academic advisor for the MBIL graduate student organization. She also holds affiliate status at Texas A&M University, and the University of Georgia as she serves on graduate committees for students in other universities.

PROFESSIONAL EXPERIENCE

2021 - Professor, New Mexico State University
Director of Molecular Biology and Interdisciplinary Life Sciences Graduate Program
2019 – 2021 Research Professor, New Mexico State University
Director of Molecular Biology Graduate Program

2012 – 2019 Research Associate Professor, New Mexico State University

2005 – 2012 Agriculture Research Scientist and Graduate Faculty Professor, EPPWS and Molecular Biology, NMSU

Existing Personnel

Abdel O. Mesbah

FTE

0.1

Course load and courses they will teach in the proposed program

None

Courses taught in other programs currently offered

EPWS 599 Master's Thesis.

Description of academic qualifications

Ph.D. Agronomy/Weed Science and Technology, University of Wyoming, December 1993. M.S. Agronomy/Seed Science and Technology, University of Wyoming, May 1990. B.S. Crop Sciences: Ecole Nationale D'Agriculture at Mekness, Morocco, July 1982. Previous experience as research faculty at the University of Wyoming (15 years)

Prior instructional responsibility and other experiences relevant to assigned courses

Crop-4790, Seed Science and Technology (fundamental principles of seed production, processing, and marketing). Upper division/graduate course, 3 credits, offered biennially through the University of Wyoming-Department of Plant Sciences and Northwest College 3rd Year Agroecology Program). 2000-2002

For graduate programs, document scholarship and research capability

Has directed research on variety testing to evaluate performance (yield and quality) of agronomic, horticultural, and alternative crops. Developed sustainable weed management systems involving cultural practices, tillage, and herbicides for agronomic, horticultural, alternative, and selected pulse crops. Graduate advising experience: Has prior experience as Research Leader, Powell Research & Extension Center, University of Wyoming and Director Powell Research & Extension Center, University of Wyoming. Has published 20 peer-reviewed journal articles and 10 extension publications.

For doctoral programs, document faculty experience in directing student research

Advisor to >9 graduate students (6 M.S. and 2 Ph.D.) at University of Wyoming and New Mexico State University. Has served on Graduate Admission Committee, EPPWS, NMSU.

Existing Personnel

Leslie Beck

FTE

0.1

Course load and courses they will teach in the proposed program

N/A - Extension Research appointment

Courses taught in other programs currently offered

N/A

Description of academic qualifications

Ph.D. Texas Tech University, Plant and Soil Science, 2012
M.S., Tarleton State University, Agriculture, 2009

Prior instructional responsibility and other experiences relevant to assigned courses

N/A - Extension Plant Science

For graduate programs, document scholarship and research capability

Experience with experimental design and greenhouse/field research projects. Numerous publications in peer-reviewed journals.

For doctoral programs, document faculty experience in directing student research

Served on committees of numerous M.S. students in EPPWS.

Existing Personnel

Kristen Bowers

FTE

0.15

Course load and courses they will teach in the proposed program

EPWS 551 Special Topics, EPWS 599 Thesis/Dissertation Credit, EPWS 590 Seminar

Courses taught in other programs currently offered

EPWS 110G and 1110 L Introduction to Applied Biology, Biological Control, EPWS 303 Economic Entomology

Description of academic qualifications

Ph.D. University of Florida Department of Entomology and Nematology, 2021

Prior instructional responsibility and other experiences relevant to assigned courses

Guest lectures on biological control.

For graduate programs, document scholarship and research capability

Research topics include classical biological control of weeds, conservation biological control in agricultural and natural ecosystems, economics of biological control.

For doctoral programs, document faculty experience in directing student research

Graduate Faculty status, able to chair graduate committees.

Documentation of department faculty support

DH letter of support for EPPWS PhD program.pdf

EPPWS Faculty Support.pdf

Curriculum Committee Approval

Curriculum committee memo.pdf

Curriculum Committee ACES-Applied and Agricultural Biology PhD support memo.pdf

Gray Associates Data

Grays_26 0305-2024-phd.pdf

NM Higher Education Department**Describe your institution's plan for periodic evaluation of program effectiveness. Include criteria that will be used to determine effectiveness.**

Program effectiveness will be determined based on retention, time-to-degree, placement of students completing the program, research products, documented impact of the research, and completion of student learning outcomes assessments. Evaluation will take place 5 years after program inception and then every three years afterward. Data will be accumulated on a running 3-year basis.

The proposed program must meet one or more specified needs within the state or region. Clear and convincing evidence must be provided of the reality and extent of such need.

To support a rising population, agricultural productivity must increase 50-70% over 25 years, a goal made especially challenging by new pest and disease outbreaks. State, regional, and national needs exist for expertise to respond to these issues. Over 40% of the food supply is lost to pests and disease pre-harvest (Savary et al. 2019), and 8-70% of the remainder is lost post-harvest (Mason 2003). Federal agencies report a shortage of the required expertise at the national level (AFRI Education and Workforce Development Program). Letters of support from federal agencies speak to the need for trained professionals in the disciplines housed in our department (Entomology, Plant Pathology, and Weed Science). USDA-ARS (see USDA ARS-Dr. Joseph Rich) reported 469 related PhD-level positions in our region and 2,336 nationally with 20% of the workforce eligible to retire. The USDA-Forest Service described a need for Ph.D. scientists in these disciplines to support forestry (see USDA Forest Service-Rick Cooksey). Owing to short supply of qualified applicants, the Centers for Disease Control is severely understaffed in entomology, necessitating recruitment of temporary assistance from academic scientists to handle its Zika response (Sifferlin 2018).

The proposed program supports Sustainable and Value-Added Agriculture, one of New Mexico's nine economic priority sectors. In addition to training a workforce for this sector, the program supports our agricultural economy through research in each student's dissertation. Such research will address protection from harmful organisms that decrease crop yields or negatively impact

rangelands; support human health and environment (including pollinator health); provide alternatives to synthetic pesticides. Potential positive impact on New Mexico growers is significant. Chile producers face up to 100% crop loss to soil-borne disease and \$34M lost profit to weeds. Tree nut producers also need new tools, such as an invention to detect aflatoxin, saving processing costs. As invasive pests, like pecan weevil, expand their ranges, demand will increase for trained personnel to meet these challenges.

EPPWS' multidisciplinary composition allows us to address issues single-discipline departments cannot. Interactions in life cycles of insects, weeds, animals, and pathogens form pest/disease complexes in which arthropods transmit diseases from wildlife to domestic animals (and humans) or from weeds to crops. Few universities are structured to promote collaboration among disciplines that study these complexes. The attached report entitled "Survey of Western Graduate Programs", reveals these disciplines are usually housed in separate departments. New Mexico State University and Colorado State University are the only Land Grant universities housing entomology, plant pathology, and weed science in the same department. As the CSU program doesn't integrate disciplines at the Ph.D. level, the proposed program will be unique in cross-training PhD students for the pest and disease challenges we face in the future.

References:

Mason, L. 2003. Insects and Mites. In Food Plant Sanitation; Hui, Y.H., et al., Eds.; Marcel Dekker, New York, NY, USA; pp. 293–316.

Savary, S., et al. 2019. The global burden of pathogens and pests on major food crops. *Nature Ecology & Evolution*. 10.1038/s41559-018-0793-y, doi:10.1038/s41559-018-0793-y.

Link to Sifferlin article:

<https://time.com/5144257/fewer-scientists-studying-insects-entomology/>

If the program fills a regional workforce need, describe collaboration between your institution and regional employers in the program development.

The proposed Ph.D. program certainly fills a regional workforce need, and we have had numerous conversations with regional stakeholders and potential employers (see letters of support). Chemical (i.e., insecticide, fungicide, nematicide and herbicide) development companies hire Ph.D. scientists as product development managers and need a pipeline of Ph.D.'s for their continued growth. Similarly agricultural consulting companies often rely on Ph.D.'s for providing expert advice and recommendations for growers. Regional specialty crop organizations such as the Western Pecan Grower's Association have stated they need a Ph.D. program focusing on understanding pest management issues in New Mexico and the western region. Also, locally and within the broader region, stakeholders such as the USDA Agricultural Research Service (ARS) have noted the demand for Ph.D. scientists trained in areas of entomology, plant pathology and weed science. The USDA ARS Jornada Experimental Range supports 20 permanent Ph.D. scientists, but these positions are generally filled from outside of New Mexico because of lack of qualified local candidates. Our program could help fill this void. Likewise, our Ph.D. program could contribute to filling 93 Ph.D. level agricultural science position vacancies within the regional USDA ARS system.

In addition to filling workforce needs after graduation, the role of Ph.D. students during their studies within EPPWS should be noted. Students will spend on average 4-5 years completing their degrees. During this time, they will often work with local and regional stakeholders on pressing issues within their disciplines, providing critical information for the agricultural sector and the people of New Mexico. Thus, even if graduates move out of the region, as is common for Ph.D.'s who seek employment on the national or international market, they will provide a tremendous benefit during their research tenure at NMSU.

Identify where similar degree programs are offered by other public higher education institutions in New Mexico.

There are no similar degree programs in New Mexico.

If similar programs are offered at other public higher education institutions in New Mexico, provide a rationale for offering an additional program.

N/A

Enrollment and Graduation Projections

Student Type	Year 1	Year 2	Year 3	Year 4	Year 5
New Students	2	2	2	2	2
Continuing Students	0	2	4	6	6
Graduates	0	0	0	0	2

Annual Retention Rate Target (%)

100

Target 100% Graduation Rate (%)

100

Target Job Placement Rate (%)

100

Describe the faculty resources that are needed to initiate the program. Will any additional faculty be needed?

We will not require additional faculty resources. The necessary faculty are on-board to support the program. The curriculum for the bulk of the program is based on existing courses from the M.S. program and existing courses in other units. Research and dissertation courses will be handled by student advisors. A redistribution of workload will allow the rest of the Ph.D.-level courses to be taught by available faculty. The faculty identified above will provide guidance and pursue funding to support doctoral students in the program. The faculty in the department are established investigators with a track record of securing extramural funding. Currently, faculty in the department have secured \$661,333 per research FTE (6.9 total) of grants in force with \$875,568 per research FTE in new awards in the past year.

Grant funding comes from diverse sources, with USDA-NIFA (United States Department of Agriculture – National Institute of Food and Agriculture) contributing the largest dollar amount. A partial list of current funding sources includes:

National Science Foundation (NSF)

USDA-NIFA

USDA-NRCS (National Resources Conservation Service)

Research Foundation-Flanders (Belgium)

International Arid Lands Consortium

Weed Science Society of America

New Mexico Chile Association

Southwestern Integrated Pest Management

NMDA (New Mexico Department of Agriculture)

Texas A&M

University of Florida

University of California

University of Energy and Natural Resources (Ghana)

NMSU-CESFAS (Center of Excellence in Sustainable Food and Agricultural Systems)

NMSU-AES (Agricultural Experiment Station)

Industry partners

Describe the library and other academic support resources that are needed to initiate the program. What, if any, additional resources will be needed?

The library provides adequate support for the initial needs of this program. The library provides access to the Digital Library, which supports many journals in multiple disciplines of the department and Applied and Agricultural Biology program. No additional resources are needed. The library has prepared a report in response to the College of Agricultural, Consumer, and Environmental Sciences' new program proposal for a PhD in Applied and Agricultural Biology in the Department of Entomology, Plant Pathology, and Weed Science. This report assesses the Library's ability to support the program (see attached Library Report). We will continue to work with the library to identify essential resources needed to support the Ph.D. program in subsequent years.

Describe the physical facilities of the institution that will be used for the first five years of the program. Will additional space or modifications of existing space be required within the first five years of program operation.

The facilities available to the department are adequate to support the proposed Ph.D. program. No additional facilities are needed for this program. The facilities offer training for students at the graduate and undergraduate levels for careers in entomology, plant pathology, weed science and related fields. The following is a specific breakdown of facilities:

-two teaching laboratories (Skeen W129, W139) and adjacent prep rooms (W131, W135)

-multiple classrooms for lecture (Skeen Hall, Gerald Thomas Hall, Hardman Jacobs Learning Center, etc.)

-Quarantine and Nematode Containment Facility (Skeen W159)

-NMSU Arthropod Collection (Skeen W168)

-Skeen Hall Teaching Greenhouses

-Watts Laboratory

-Nematology Building has an autoclave, -80 C freezer, and deep freezers for cold storage, chemical assay lab with fume hood, and field supplies and tools.

-EPPWS Weed Science Field Laboratory (Leyendecker PSC)

Describe the institution's equipment and technological resources needed for the first five years of the program? What, if any, additional equipment will be needed?

The program has no immediate needs for additional equipment.

Existing equipment available for the program includes teaching dissecting and compound microscopes, fume hoods, centrifuges, bio-safety cabinets, autoclaves, etc.

The Quarantine and Nematode Facility has a dedicated plant tissue culture facility and greenhouses for plant cultivation, semi-automated elutriator, mist chamber, incubators, laminar flow hood, gel rigs, etc. The Arthropod Collection has an extensive entomology teaching collection (several thousand specimens) and a Leica M205C Imaging System. The department also has a large teaching collection of preserved plant pathogen specimens and a teaching weed herbarium and access to multiple greenhouses. The Watts laboratory is equipped with dissecting microscopes, incubators, gas chromatography/mass spectrometry with electroantennographic detection and extensive entomological laboratory and field collection supplies. The Nematology Building has an autoclave, -80 C freezer, and deep freezers for cold storage, chemical assay lab with fume hood, semi-automatic elutriator, mist chamber (currently under construction), 14 C incubator, low-speed floor centrifuge, an array of specialized sieves for extracting nematodes, inverted compound microscope with digital camera, pressure chamber, drying ovens, desiccators, and field supplies and soil sampling tools. The Weed Science Field Laboratory has plant drying ovens, greenhouse facilities, field collecting equipment, etc.

Other resources:

Microscopic Imaging Core Suite (MICS) located in Skeen Hall is available for use by the Ph.D. program and includes a TCS SP5 II confocal microscope, a H-7650 transmission electron microscope (TEM), a TM 1000 tabletop scanning electron microscope (SEM), a S-3400NII SEM, a FastScan TM atomic force microscope, and a Leica M165FC Fluorescence Stereomicroscope. In addition, there is a sequencing facility with an ABI 3100 for sanger sequencing or marker analyses, quantitative real time thermocyclers, Bio-AFM, and an instrumentation core facility with analytical instrumentation such as Mass Spectrometers, HPLC, LC-MS, etc.

Access to field facilities at NMSU Agricultural Science Centers (e.g., Leyendecker PSC) including hundreds of field acres for experiments, a soils laboratory, etc.

Describe the institution's equipment and technological resources needed for the first five years of the program? What, if any, additional equipment will be needed?

No additional equipment or technological resources needed.

Describe any other operating resources needed to initiate the program.

None

Are there existing external facilities that will be used? Have agreements been established to ensure use of the those facilities?

None

Provide a clear analysis of the projected cost of the proposed program and the sources of funding that will support it for the first five years that the program will be offered. Include a discussion how any of the needed resources discussed in your attachment. This should be completed in collaboration with your institution's financial office.

Summary of Costs and Benefits.pdf

Letters of Support

Biology Dept NMSU - Dr Charles Shuster.pdf
Western Pecan Growers Assoc - John White.pdf
Valent USA - Dr Kenneth Seebold.docx
USDA NIFA AFRI - Dr Ray Ali.pdf
USDA Forest Service - Rick Cooksey.docx
USDA ARS Jornada Exp Range - Dr Brandon Bestelmeyer.pdf
USDA ARS - Dr Joseph Rich.pdf
Plant and Environ Sci ACES NMSU - Dr Islam.pdf
Montana State Univ - Dr Tracy Sterling.pdf
Marathon Consulting - Dr Phil Banks.pdf
Library Impact Statement Entomology Plant Pathology and Weed Science.pdf
FWCE Dept NMSU - Dr Martha Desmond.pdf
Entomological Society of America - Dr Jennifer Henke.pdf
Cooperative Extension NMSU - Dr Jon Boren.pdf
Graduate School Letter of Support.pdf
Colorado State U Dept Ag Biology - Dr Charkowski.docx
NMDA Jeff Witte.pdf
NMSU Animal and Range Science Dept - Dr Shanna Ivey.pdf
ACES NMSU Dean Rolando Flores.pdf

Accreditation

Is the program seeking specialized accreditation?

No

Is specialized accreditation required for licensure or practice in the program?

No

Has the program already obtained the appropriate specialized accreditation? If so, attach a copy of the letter from the agency granting accreditation?

No

If the program has not yet obtained accreditation but has begun the process of seeking or plans to seek specialized accreditation, specify the name of the agency and provide the time-line for completing the process.

N/A

If the program does not plan to seek specialized accreditation, provide a rational for not-seeking accreditation here. (if there is not a specialized accrediting organization for this program, indicate so as your rationale).

There is no accrediting organization for this program.

If the program includes any of the following, explain how it will ensure that student work and levels of knowledge competencies achieved will be comparable to those achieved through traditional formats: (Award credit for prior learning; use of compressed time frames; use of on-line deliver; inclusion of accelerated formats; or other approaches to learning.)

Students may transfer up to 30 credits from their M.S. program into the Ph.D. program, as approved by their major advisor. Otherwise, there will be no compressed time frames and no on-line content delivery.

Will the program be part of a contractual or consortial arrangement (yes/no, explain)?

No

If the program is planning any involvement by external organizations (other than from accredited higher education institutions) in the key operations as identified below, provide the information as requested.

Type of Involvement	Name of External Organization	Percent of Involvement
Direct instruction and oversight	n/a	n/a

Briefly describe the planning process for determining the need for this new program, including the role of faculty in the planning and approval process.

The need for a Ph.D. program in our department has long been recognized. In the fall of 2019, EPPWS underwent an external review. One of the recommendations from that review was that the department should have a Ph.D. program. All faculty agreed to this need (see letter of support) and have had input in the planning process.

Describe the process for assessing and improving student learning in the proposed program.

Program effectiveness will be determined based on retention, time-to-degree, placement of students completing the program, research products, documented impact of the research, and completion of student learning outcomes assessments. Evaluation will take place 5 years after program inception and then every three years afterward. Data will be accumulated on a running 3-year basis.

Describe the process for assessing and improving student persistence and completion, in the new program.

Retention will be tracked annually. All students in the program will be provided with advising and mentoring on a regular basis by their committee chair. This regular communication will ensure a clear path to completion including coursework and research.

If any of the institution's accreditation relationship (including other regional, specialized, or national accrediting agencies) are currently under or recommended for a negative status or action (e.g., withdrawal, probation, sanction, warning, show-cause, etc.)

N/A

If the institution is undergoing or facing substantial monitoring, special review or financial restrictions from the U.S. Department of Education or other federal or state government agencies.

N/A

If the institution's senior leadership or board membership has experienced substantial resignations or removals in the past year.

Our College leadership has been stable, including the Dean and Academic Dean. NMSU currently has an interim Provost and is conducting a search for a new President.

If the institution is experiencing financial difficulty through conditions, such as, a currently declared state of exigency, a deficit of 10% or more, a default or failure to make payroll during the past year, or consecutive deficits in the two most recent years.

N/A

Institution Specific Information Area

Primary target audience for the program (e.g., full#time, part#time, traditional college age, working adults, transfer students, military personnel, or particular ethnic group)

The target audience will be students who have recently graduated with a B.S. or M.S. degrees in agricultural sciences, biology, entomology, ecology, plant pathology, weed science, or a related discipline. Non-traditional students already employed in these areas, and wanting to advance in their fields, will also be recruited.

How does the proposed program align with the department, college and university mission?

The proposed Ph.D. program will support the strategic goals outlined in NMSU LEADS 2025. In particular:

GOAL 1: Enhance student success and social mobility

Objective 1.1- Diversify, optimize, and increase system-wide enrollment by differentiating and targeting recruitment, marketing and pricing strategies.

NMSU LEADS 1.1.1: As highlighted in the proposed Ph.D. program proposal, the program will be accessible to diverse audiences, including underserved populations in New Mexico. Grant proposals will be submitted for funding to support underrepresented students. Our department currently leads a USDA HSI ENHANCEMENT supporting diverse students.

GOAL 2: Elevate research & creativity

Objective 2.3- Amplify impact of research findings by addressing local needs that align with global challenges.

NMSU LEADS 2.3.1: The proposed Ph.D. program will develop a research program in sustainable agriculture to serve as drivers for economic development throughout New Mexico.

NMSU LEADS 2.3.3: The proposed program will promote student and faculty connections with universities like Universidad Autonoma de Chihuahua, Ciudad Juarez that currently have an MOU with faculty in the department. The collaboration will result in co-authored publications and grant proposals.

NMSU LEADS 2.3.5: The Ph.D. program which is multidisciplinary in nature provides the opportunity to work interdisciplinary with other departments in the Colleges of ACES, Engineering, and Art and Sciences. The Ph.D. program students and faculty will also work with other national and international institutions to work on large research grants.

Objective 2.4- Amplify impact of research on society and the economy and promote international collaboration by accelerating technology and knowledge transfer.

NMSU LEADS 2.4.3: The faculty in the Ph.D. program have existing collaborations, such as the Dimensions US-China project on heritable plant-fungus symbioses and the Imogene project with the Research Foundation – Flanders in Belgium and collaborations in development with others, such as the project to strengthen food safety research in Ghana and multiple relationships with Mexico. Long-term relationships with scientists in Japan, Vietnam, Belgium, and China are expected to continue into the future. As in the past, faculty will work with other national and international institutions to develop large research and training grants.

The proposed Ph.D. directly supports Food and Fiber Production and Marketing, Environmental Stewardship, two of the four Pillars of ACES. The program also indirectly supports the other two pillars: Water Use and Conservation as it relates to drought impact on pest outbreaks and water-efficient crop technologies connection to pest management; and Family Development and Health of New Mexicans as it relates to urban pest issues such as bed bugs and cockroaches.

Discuss how admissions criteria and strategies will recruit a diverse student body?

The proposed admissions criteria are consistent with expectations for successful completion of the doctoral program. The graduate program coordinator and members of the admissions committee will assess the pool of applicants and consider diversity in admission decisions.

What controls are in place to ensure that the information presented to all constituencies in advertising, brochures, and other communications will be accurate?

The program leadership will work with the College of ACES to ensure compliance with NMSU's / ACES branding standards and ADA compliance, and all communications will be approved by the Dean's office. NMSU office of Marketing and Communications will also be consulted on brand application guidelines and standards.

Student Records Office Uploads

HLC wants CIP Code information that is currently being offered at both the institutional and degree level for 4-digit and 2-digit CIP codes for all new programs. This information will be provided by the University Student Records office and added to the form during the HED submissions workflow step.

Reviewer Comments

Donald Conner (deconner) (Mon, 08 Jul 2024 22:32:41 GMT): Rollback: I have rolled back to the Department to allow them to make needed changes as suggested by the ACES Curriculum Committee.

Key: 1028



College of Agricultural, Consumer and Environmental Sciences

Office of the Dean and Chief Administrative Officer
MSC 3AG
New Mexico State University
P.O. Box 30003
Las Cruces, NM 88003-8003
575-646-3748, fax: 575-646-5975
agdean@nmsu.edu

June 24, 2024

To Whom It May Concern,

I enthusiastically support the proposed new doctoral program in Applied and Agricultural Biology - Doctor of Philosophy at New Mexico State University's Department of Entomology, Plant Pathology, and Weed Science (EPPWS). As Dean and Chief Administrative Officer of the College of Agricultural, Consumer, and Environmental Sciences (ACES), I have thoroughly reviewed the program proposal and firmly believe in its potential to significantly enhance our academic community and the field of biological sciences in benefit of NMSU and New Mexico.

This program addresses a crucial gap by focusing on applied and agricultural biology, vital for tackling contemporary environmental and agricultural challenges. Its emphasis on integrating biological research with practical applications meets current needs in agriculture, environmental sustainability, and food security; issues exacerbated by global warming. The proposed Ph.D. program in Applied and Agricultural Biology plays a critical role in training students to tackle some of the most pressing issues facing New Mexicans, particularly when it comes to food security and human health.

The proposed program features a rigorous curriculum and comprehensive examination requirements, ensuring graduates are well-prepared for independent research and advancement in their fields. Courses in experimental design, statistical analysis, and research ethics underscore a commitment to producing skilled scholars capable of addressing complex scientific issues competently and ethically. Through their research and training, Ph.D. students will be directly involved in developing solutions and tools for plant protection, managing harmful organisms of plants and animals, and conserving beneficial species in semi-arid and arid environments. A Ph.D. in Applied and Agricultural Biology will provide extensive research-based training to support careers in academia and the public and private sectors. This is achieved by a multidisciplinary team of faculty in EPPWS and their collaborative nature with diverse entities to engage students.

I commend the program's focus on enhancing communication skills, essential for effectively disseminating scientific knowledge and influencing policy and practice. By introducing this doctoral program, our Department of Entomology, Plant Pathology, and Weed Science will further solidify its reputation for research excellence and contribute to the intellectual vitality of our campus through interdisciplinary collaborations and attracting top-tier students at no additional costs to NMSU.

In conclusion, I fully endorse the establishment of the Applied and Agricultural Biology - Doctor of Philosophy program. Its innovative curriculum, alignment with current research priorities, and

potential to produce graduates capable of addressing real-world challenges make it a compelling addition to our institution.

Thank you for considering this proposal. I am confident that this program will thrive and leave a lasting impact on both our institution and the field of applied biology.

Rolando A. Flores Galarza
Dean & Chief Administrative Officer

A handwritten signature in black ink, consisting of several fluid, overlapping loops and a long horizontal stroke extending to the right.

COLLEGE OF ARTS AND SCIENCES

Department of Biology, MSC 3AF
New Mexico State University
P.O. Box 30001
Las Cruces, NM 88003-8001

Telephone: (575) 646-3611
Fax: (575) 646-5665



Dear Dr. Sims,

June 12, 2024

I am writing to lend support for the Department of Entomology Plant Pathology and Weed Science's efforts to initiate a new doctoral program in Applied and Agricultural Biology. The Department of Biology's graduate program is quite broadly focused, with students tackling questions ranging from the molecular/cellular to ecosystem levels. However, with a few notable exceptions, the overarching themes are focused on basic mechanisms of life on earth. Therefore, proposed doctoral program will have little or no overlap with Biology's graduate program, and if anything, the two programs will nicely complement each other.

We thank you for your leadership on this important effort and look forward to assisting in any way possible with its approval.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Shuster".

Charles B. Shuster
Professor and Department Head
Co-Director, G-RISE at New Mexico State University
Department of Biology
New Mexico State University

March 2nd, 2024

Ricardo Ramirez, Department Head
Entomology, Plant Pathology, and Weed Science
945 College Drive
Skeen Hall N-141
New Mexico State University
Las Cruces, New Mexico 88003-8003

Dear Dr. Ramirez,

I am writing to provide support for your proposal for the Department of Entomology, Plant Pathology, and Weed Sciences at New Mexico State University to provide a Ph.D. program that serves the disciplines in your department.

From 2016-2023, I served as department head for Agricultural Biology at Colorado State University, which houses the same disciplines as your department. We receive daily inquiries from interested graduate students and receive frequent inquiries from potential employers, especially from agricultural industries. In 2020, I tracked down all our graduate student alumni from the past 6 years for a department review and found that all of them were employed in fields related to their degrees. There is a shortage of trained people in the applied aspects of our disciplines, so this high employment rate was not a surprise. I am confident that if your department developed a Ph.D. program, that your students would be sought after, especially if their training prepares them for careers that could include government or industry research.

Because your department does not currently have a Ph.D. department, we have been discussing a recruitment strategy for CSU that targets students from NMSU. If you do develop a program, we would be pleased to collaborate with you on curriculum development or related efforts. There is much to do in agricultural research and very few of us who work in this area, so we would be pleased to have another partner institution with a Ph.D. program.

Sincerely,



Amy Charkowski
Research Associate Dean and Interim Executive Associate Dean
College of Agricultural Sciences



College of Agricultural, Consumer and Environmental Sciences

Cooperative Extension Service
Office of the Associate Dean and Director
MSC 3AE
New Mexico State University
P.O. Box 30003
Las Cruces, NM 88003-8003
575-646-3015, fax: 575-646-7042

March 14, 2024

Dear Review Panel:

The New Mexico Cooperative Extension Service has a mission to deliver practical, research-based knowledge and programs that improve New Mexicans' quality of life. Extension is represented in all 33 counties and many Tribal areas in New Mexico, and collaborates with more than 1,000 organizations, state, and federal agencies, other universities, and 10,000 volunteers. The impact of organisms harmful to agriculture, human health, and the health of the environment and natural resources, and conservation of beneficial species is of particular interest to our clientele and stakeholders. Several of our Extension Specialists hold joint appointments in the department of Entomology, Plant Pathology, and Weed Science. These faculty respond to the needs and concerns related to insects, diseases, and weeds. Their efforts are major highlights in Extension and recognized in several programs including pesticide applicators training, plant disease diagnostics, and several integrated pest management programs across the state. These complement the research efforts in the Department of Entomology, Plant Pathology, and Weed Science and reflect the continued need in this multidisciplinary field.

The New Mexico Cooperative Extension Service fully supports the proposed PhD program in the department of Entomology, Plant Pathology, and Weed Science. Through this PhD program the department can provide a pipeline of trained professionals with expertise to tackle some of the most pressing needs, such as plant disease, invasive weeds and insects, through the development of tools for integrated pest management. Moreover, these PhD students would also have a strong understanding of the unique aspects of researching pest organisms and conserving beneficial species, like predatory insects and pollinators, in a semi-arid environment. Extension Specialist positions require a PhD because of the specific expertise and an expectation to manage an Extension and complementary research program. We also are beginning to see a competitive advantage for PhDs at the county level and agricultural science center positions. Some of the challenges for Extension in any state including New Mexico is having local expertise and keeping qualified individuals to stay long term. New Mexico Cooperative Extension Service has some notable examples from recent hires of how this can be a possibility by establishing the pipeline of these qualified PhDs. A PhD degree program in the department of Entomology, Plant Pathology, and Weed Science would be an asset to the New Mexico Cooperative Extension Service, facilitating the ability of our Extension Specialists jointly appointed in that unit to mentor the next generation of Extension professionals in New Mexico.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jon Boren'.


Jon Boren
Associate Dean and Director
Cooperative Extension Service



College of Agricultural, Consumer
and Environmental Sciences

MSC 3AG
New Mexico State University
P.O. Box 30003
Las Cruces, NM 88003-8003
575-646-3748, fax: 575-646-5975

MEMORANDUM

DATE: July 1, 2024
TO: Whom It May Concern
FROM: Dr. Donald E. Conner, Associate Dean and Director of Academic Programs 
RE: Support for New PhD Degree Program in Applied and Agricultural Applied Biology


The Curriculum Committee of the College of Agricultural, Consumer and Environmental Sciences met on July 1, 2024 to discuss the merits of a new doctoral program in Applied and Agricultural Biology. This program proposal has been developed by the Department of Entomology, Plant Pathology and Weed Science in the College.

After discussions, the Curriculum Committee unanimously supported this proposal for submission into the NMSU system for full approval. In brief, the Committee feels there is both need and demand for a doctoral program in this area and that this program supports the University's mission and strategic goals. Additionally, the Department has developed a solid proposal and plan to implement a successful and sustainable PhD program. Lastly, the Committee believes needed departmental, College and University resources are available to support this new endeavor. The College of ACES looks forward to the addition of this new degree program to its academic portfolio.

June 3, 2024

To: Ricardo Ramirez, Dept Head Entomology, Plant Pathology, and Weed Science
From: EPPWS Curriculum Committee
RE: PhD Curriculum


We the members of the EPPWS Curriculum Committee vote 3 for, 0 against to accept the Coursework, Program Learning Outcomes and Road map for the Proposed PhD Program in Applied and Agricultural Biology as presented in the attached documents.



Rebecca Creamer



Brian Schutte



Scott Bundy



College of Agricultural, Consumer
and Environmental Sciences

Department of Entomology, Plant Pathology, and Weed Science
MSC 3BE
New Mexico State University
P.O. Box 30003
Las Cruces, NM 88003-8003
575-646-3225, fax: 575-646-8087
eppwsdep@nmsu.edu

June 10, 2024

To: Graduate School

From: Dr. Ricardo Ramirez, Professor and Department Head

A handwritten signature in black ink, appearing to read 'Ricardo Ramirez', enclosed in a thin black rectangular border.

Subject: Ph.D. program in Entomology, Plant Pathology & Weed Science

The Department of Entomology, Plant Pathology, and Weed Science (EPPWS) in the College of ACES at NMSU fully supports the proposed Ph.D. program in Applied and Agricultural Biology. The proposed graduate program is vital to the state's agricultural community, natural resources, and human health to develop educational training and programs that provide support and maintain the sustainability of New Mexico's agricultural and urban centers.

The proposed Ph.D. program in Applied and Agricultural Biology is set to be facilitated by highly qualified faculty who possess extensive experience in teaching and conducting research at the graduate level. Moreover, faculty engage graduate students in Extension outreach efforts. The faculty within our department, as well as those participating in this proposed program, boast a strong track record of publication and grant support, with a particular emphasis on graduate student involvement. Additionally, our faculty have a rich history of collaboration with industry and academia, both regionally and internationally, as well as with state and federal agencies.

One of the key strengths of the program is its focus on allowing professionals to advance their studies through in-depth investigation. Graduates of the program will emerge with a solid expertise in one or more disciplines, including entomology, plant pathology, or weed science. PhD graduates will be involved in a variety of problem solving from assessing how environmental factors like climate change impact harmful organisms, testing and developing tools to alleviate damage caused by pest organisms, to conserving beneficial organisms that aid in important ecosystem services. As highlighted by USDA, there is a need to focus on *'developing the next generation of research, education, and extension professionals in agricultural sciences'*, particularly in light of *'projected shortfalls of qualified graduates in the agricultural sectors of the U.S. economy'*. The proposed Ph.D. program in Applied and Agricultural Biology addresses this need in a timely and critical manner, particularly in the realm of plant protection and the management of pests harmful to crops, natural resources, human health and in developing tools to aid New Mexican's in maintaining healthy crops and lives. New Mexico's agricultural crops, urban pest management, forestry, and conservation efforts among others face unprecedented challenges with



College of Agricultural, Consumer and Environmental Sciences

Department of Entomology, Plant Pathology, and Weed Science
MSC 3BE
New Mexico State University
P.O. Box 30003
Las Cruces, NM 88003-8003
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eppwsdep@nmsu.edu

implementing plant, environment, and animal protection tools. Therefore, establishing an effective Ph.D. program in this field is not only beneficial but imperative for the future success and long-term viability of New Mexico's agricultural and urban industries.

In conclusion, I believe that this program will play a crucial role in addressing the current and future challenges facing New Mexicans, and the department stands ready to contribute to its success in any way possible.



**ENTOMOLOGICAL
SOCIETY OF AMERICA**
SHARING INSECT SCIENCE GLOBALLY

170 Jennifer Road, Suite 230
Annapolis, MD 21401 USA
Phone: 1-301-731-4535
esa@entsoc.org
entsoc.org

March 26, 2024

To Whom It May Concern:

On behalf of the Entomological Society of America, the largest society in the world dedicated to supporting individuals in the profession of entomology, I am writing to offer our support for the establishment of a new graduate program in the Department of Entomology, Plant Pathology, and Weed Science at New Mexico State University. Entomology, the study of insects, is a crucial field with far-reaching implications for agriculture, ecology, public health, and beyond. New Mexico's unique ecological landscape, characterized by diverse ecosystems and rich biodiversity, presents an exceptional opportunity for pioneering research and education in this field.

A doctoral program including entomology would address the growing need for expertise in insect-related issues, particularly in agriculture. Insects play a significant role in crop pollination, pest management, and soil health, all of which are vital for sustaining agricultural productivity. As the global population burgeons and environmental pressures intensify, the demand for skilled entomologists has never been greater. By fostering research and education in entomology, we can equip future generations of scientists with the knowledge and skills necessary to tackle emerging challenges in food security and sustainable agriculture. Additionally, the establishment of this department aligns with NMSU's commitment to interdisciplinary collaboration and community engagement, as detailed in the *NMSU LEADS 2025 Strategic Planning Framework*.

Career opportunities in entomology extend across diverse sectors, including academia, government agencies, non-profit organizations, and industry. Graduates equipped with advanced degrees in entomology are poised to lead research initiatives, shape policy decisions, and drive innovation in fields such as integrated pest management, conservation biology, and biotechnology. Moreover, the projected retirement of senior entomologists coupled with the expanding scope of insect-related challenges underscores the urgent need for a robust pipeline of Ph.D. graduates in the field. Investing in the training and mentorship of future generations of entomologists is essential for sustaining scientific progress and addressing emerging societal needs in the realm of insect science.

In conclusion, the creation of a Department of Entomology at New Mexico State University holds immense potential for advancing scientific knowledge, addressing pressing societal challenges, and enriching the academic experience of students. I urge you to consider this proposal seriously and support the establishment of this graduate program for the betterment of NMSU and the broader New Mexico community.

Best Regards,

Jennifer A. Henke, BCE
2024 President, Entomological Society of America



College of Agricultural, Consumer
and Environmental Sciences
Department of Entomology, Plant Pathology, and Weed Science
MSC 3BE
New Mexico State University
P.O. Box 30003
Las Cruces, NM 88003-8003
575-646-3225, fax: 575-646-8087
eppwsdep@nmsu.edu

June 11, 2023

To: Dr. Ricardo Ramirez, Department Head

Entomology Plant Pathology and Weed Science

Subject: Support for the development of a PhD program within the department

We the undersigned faculty of the Department of Entomology Plant Pathology and Weed Science are pleased to express our support for the development of a Ph.D. degree program within the department, which has been provisionally named "Applied and Agricultural Biology". We furthermore support the curriculum for this degree program as approved by the EPPWS Curriculum Committee on 3-June-2024. This name and curriculum express our desire for a program that represents the entire faculty and their diverse interests. Finally, we support the Department Head in submitting a proposal on or before July 1, 2024 to request approval of this program.

Dr. Scott Bundy, Professor

Dr. Rebecca Creamer Professor

Dr. Leslie Beck, Associate Professor

Dr. Steve Hanson, Associate Professor

Dr. Joanie King, Assistant Professor

Dr. Erik Lehnhoff, Associate Professor

Dr. Abdel O. Mesbah, Associate Professor

Dr. Jane Pierce, Associate Professor

Dr. Jennifer Randall, Professor

Dr. Alvaro Romero, Associate Professor

Dr. Soum Sanogo, Professor

Dr. Brian Schutte, Associate Professor

Dr. Gerald Sims, Professor



**College of Agricultural, Consumer
and Environmental Sciences**

Department of Fish, Wildlife and Conservation
Ecology MSC 4901
New Mexico State
University P.O. Box 30003
Las Cruces, NM 88003-8003
575-646-1544, fax: 575-646-1281
aces.nmsu.edu/academics.fws
fwce@nmsu.edu

13 June 2024

Dear Dr. Sims,

The Department of Fish, Wildlife and Conservation Ecology supports the efforts of the Department of Entomology Plant Pathology and Weed Science to initiate a new doctoral program in Applied and Agricultural Biology. We currently mentor PhD students through several programs on campus but see no overlap between PhD students focused on Wildlife and Fisheries Ecology and the program that your department is proposing.

We are excited to hear about your proposed program and the opportunities it will create for your faculty. If we can be of any assistance as you move through the approval process, please do not hesitate to reach out.

Sincerely,

Martha Desmond
Interim Department Head and Regents Professor



BE BOLD. Shape the Future.®
Graduate School

June 23, 2024

Dr. Ricardo Ramirez
Professor and Department Head
Entomology Plant Pathology and Weed Science
MSC 3BE, Skeen Hall N141
New Mexico State University
Las Cruces, New Mexico 88003

To whom it may concern:

The Graduate School is fully supportive of the new Interdisciplinary Ph.D. program in Applied and Agricultural Biology. The mission of the Graduate School is to *“provide affordable access to high-quality educational experiences, new modes of graduate education, and works with dedicated faculty to help students from diverse cultural and economic backgrounds reach graduate school success. Our vision is to empower students to succeed and excel while pursuing a meaningful education. In doing so, we cultivate the collaboration of academic, professional and personal skills while helping students graduate in a timely manner.”*

This mission is supported by a dedicated team of professional staff in the Graduate School that helps with marketing and recruitment, admissions, enrollment and registration, and culminating in degree certification. The Graduate School also partners with several units on campus to provide professional development activities for graduate students, thus enriching the academic experiences of students.

The new Ph.D. program is aligned with the current Strategic Goal, LEADS 2025 of NMSU. Goal 2 is to elevate research and creativity. The Department of Entomology, Plant Pathology, and Weed Science (EPPWS) consists of faculty with multi-disciplinary expertise insects, microorganisms, and weedy plant species, as well as their interactions with host organisms (crops or animals). The new Ph.D. program in Applied and Agricultural Biology will facilitate enhanced collaborations with faculty in the Colleges of Agriculture, Environmental and Consumer Sciences, College of Arts and Sciences, and College of Engineering. Thus, graduate students in the new Ph.D. program will have a breadth of Graduate Faculty within NMSU to choose from, to serve as Dissertation Committee members. Students in this new program will acquire specialized knowledge in entomology, plant pathology, and weed science that supports sustainable and value-Added Agriculture, one of New Mexico’s nine economic priority sectors.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ranjit T. Koodali', with a long horizontal flourish extending to the right.

Ranjit T. Koodali, Ph.D., ACS Fellow, FRSC
Dean of the Graduate School and Associate Provost for International Affairs
New Mexico State University



University Library

Office of the Dean
MSC 3475
New Mexico State University
P. O. Box 30006
Las Cruces, NM 88003-8006

LIBRARY IMPACT STATEMENT (New Program Proposal PhD in Entomology, Plant Pathology and Weeds Science)

LIBRARIAN'S ASSESSMENT

The Collections Coordinator along with the Department Head of Reference and Research Services will complete this form as requested, assessing library materials and collections as detailed below, returning.

Program: New Program Proposal PhD Entomology, Plant Pathology and Weeds Science

Department, College: Entomology, Plant Pathology, and Weeds Science

Faculty Member: Ricardo Ramirez

Date returned to Faculty: May 20, 2024

Librarian Completing Assessment: Kevin Comerford, Interim DH RSS & Dean of NMSU Library

Collection Management Officer: Mariaelena De la Rosa

Assessment of:

- Suitability of existing library resources;
- New library resources required to support the program;
- Information skills education required by the students; and
- Funds needed for library materials and services.

Please include:

1. See below for the chart of the NMSU Library's holdings for Entomology, Plant Pathology, and Weed Sciences Related Subjects. Total holdings are 24,595.

Table 1
NMSU Library Holdings for Entomology, Plant Pathology, and Weed Sciences Related Subjects

Division	Category	NMSU Holdings
Agriculture	General Agriculture <i>including</i> Deserts, Arid Lands & Regions, Irrigation; History & Conditions; Research, Experimentation; Soils, and Soil Conservation and Protection	6,103
	Conservation of Natural Resources, Land Conservation	226
	Forestry <i>including</i> Forest Exploitation & Utilization; Forest Reserves; Forestry Communication, Ed., Research & Special Topics; History of Forestry and Conditions	1,240
	Plant Culture – <i>including</i> Entomology; Floriculture; Food Crops; Greenhouse Production; Horticulture; Lawns & Turf; Nursery Production; Propagation; and Weeds	7,623
Biological Sciences	Botany <i>including</i> Classification; Edible Plants; History; Systematics & Taxonomy; Cryptogams; Fungi; and Seed Plants	4,048
	Ecology <i>including</i> Adaptations; Biological Diversity; Ecology by Type of Environment; Influence of Special Factors in the Environment; and Remote Sensing	1,692
Geography & Earth Sciences	Genetics <i>including</i> Ecological Genetics; General Plant Genetics; Genetic Engineering, Cloning; Mutations, Experimental Organisms; Recombination Mechanism	1,178
	Environmental Sciences – <i>including</i> Environmental Conditions; Environmental Management and Policy; Environmentalism, Green Movement; Environmental Ethics	1,241
	Hydrology <i>including</i> Bodies of Water; Groundwater; Regional Hydrology – North America	1,244
TOTAL		24,595

Data from OCLC WORLDSHARE

For this program, there are 14 databases that provide scholarly research content to support the research needs of the students. See table on next page.

EPPW Databases	Provider
AgEcon Search	Open Access
Agriculture & Environmental Science Collection	ProQuest
Environment Abstracts	ProQuest
Environment Complete	EBSCO
Environmental Engineering Abstracts	ProQuest
Food and Agriculture Organization of the United Nations	Open Access
GreenFILE	EBSCO
Gymnosperm Database	Open Access
National Agricultural Library Digital Collections (NALDC)	Open Access
Plant Health Exchange	Open Access
PLANTS Database	Open Access
PubAg	Open Access
SEARCH (U.S. National Agricultural Library)	Open Access
Sustainability Science Abstracts	ProQuest

2. NMSU Library provides access to the following core journals (see below) that support the curriculum and the research needs of students and faculty in this program.

Journal Titles
Annals of the Entomological Society of America
Environmental Science Collection (online)
Environmental entomology
Range
Rangeland journal
Weed science
Wildlife & ecology studies worldwide online

3. What new resources are required to support the program (including media, electronic, or other non-print materials)?

No new resources are indicated to support this new program proposal. Additionally, we offer Information Delivery Services (IDS) that provides access to research content whether owned by NMSU Library or another library/organization. IDS also provides electronic or home delivery to distance education students and faculty. Statistics are provided (see next page) of how we currently support the Entomology, Plant Pathology and Weeds Science. Upon review of the statistics, it appears that the faculty and graduate students utilize these services more than staff and undergraduates.

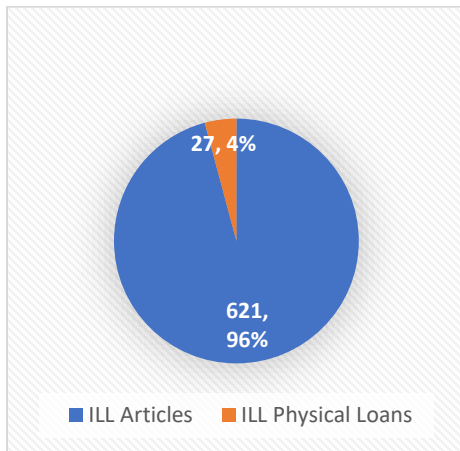
Statistics for Document Delivery & ILL Requests from 2020 to May 9, 2024

Stats	Faculty	Graduate	PhD	Staff	Undergraduates	Totals
2020 Doc Del	6	4	0	1	0	11
2020 ILL	11	7	0	0	0	18
2021 Doc Del	57	27	1	0	0	85
2021 ILL	131	48	11	2	0	192
2022 Doc Del	108	14	4	4	2	132
2022 ILL	188	50	9	1	6	254
2023 Doc Del	17	5	7	0	0	29
2023 ILL	90	18	14	0	0	122
2024 Doc Del*	17	16	1	0	0	34
2024 ILL*	39	12	10	1	0	62
Total	664	201	57	9	8	939

*end date of 5/9 for stats reporting for this report.

From 2020-May 9, 2024

This chart for those in this program shows the percentage of electronic delivery of ILL article loans (96%) and the smaller percentage of physical ILL loans (4%)



4. What information mastery sessions will be required for the students?

Faculty members teaching in this program may submit requests for information literacy sessions to be held by a faculty librarian. The primary libguide for [Entomology, Plant Pathology and Weeds Science](#) has been accessed 18 times in 2023 and 76 times in 2024.

5. No new resources are indicated for this new program proposal. For additional resources, faculty in this department may suggest purchases of new materials that will support the program. Larger purchase proposals can be submitted to the library’s collection development team when funds allow.



To: Dr. Ricardo Ramirez, Department Head EPPWS

From: Phil Banks, Ph.D. in Weed Science and President of Marathon-Agricultural & Environmental Consulting, Inc.

Re: Support for establishing a Ph.D. degree in the EPPWS Department at New Mexico State University

Dr. Ramirez,

It is my pleasure to support the establishment of a Ph.D. degree within the disciplines of Weed Science, Entomology, and Plant Pathology in the EPPWS Department. It is my understanding that students who want to pursue a Ph.D. at NMSU and major in one of these disciplines currently must do so through other associated Departments that currently have Ph.D. programs.

Briefly, here is my background and experience. I earned degrees in Agronomy (B.S.), Weed Science (M.S.) at Oklahoma State University and Weed Science (Ph.D.) at Texas A&M University. I was employed by the University of Georgia for twelve years and conducted Weed Science research and teaching. I supervised over 28 graduate students, many of whom were pursuing a Ph.D. In 1990, I established a contract research and consulting firm (Marathon-Agricultural & Environmental Consulting, Inc.) here in New Mexico. I provided research services to over 20 agricultural companies, such as Monsanto, Dupont, Syngenta, Dow and BASF as well as others. I have employed numerous students and graduates from the EPPWS Department over the past 30 years. The quality of these students was outstanding.

In my work with the University of Georgia and Marathon Consulting, I had contact with new and experienced employees and was aware of the need for Ph.D. Weed Science employees for jobs at the State and Federal level as well as in Private Practice and with large agricultural companies. The EPPWS department at NMSU is as good as any University I've been associated with. The faculty are innovative and well recognized in their professional Societies. By establishing a Ph.D. degree within EPPWS, these faculty would attract quality students from other universities and retain high quality M.S. students that have graduated from NMSU. This in turn would increase outside grant funds to the Department and to NMSU. These Alumni would spread the praise of the Department and be supportive financially to the goals of the department. The current situation is a handicap for the faculty in attracting the best students that desire to pursue a Ph.D. in one of the disciplines that are housed in EPPWS.

In summary, the establishment of the Ph.D. degree within the EPPWS department would be a great benefit not only to the department but would also benefit the University as a whole. I fully support this effort and am willing to assist in any way possible for this to happen. Feel free to contact me if you have any questions or if I can be of any further assistance.

Best regards,

A handwritten signature in black ink, appearing to read "Phil O. Banks".

Phil Banks, President

Marathon-Agricultural & Environmental Consulting, Inc.



February 29, 2024

Ricardo Ramirez, Department Head
Entomology, Plant Pathology, and Weed Science
945 College Drive
Skeen Hall N-141
New Mexico State University
Las Cruces, New Mexico 88003-8003

Dear Ricardo,

I am writing to express my support for your Entomology, Plant Pathology, and Weed Science Department's proposed Ph.D. program. I was an external reviewer for the department's review in Fall of 2019 in which our report supported such a program. I have led a Department as disciplinarily diverse as EPPWS for 13 years here at Montana State University in which we host 25 PhD students annually, preparing graduates for careers in the Environmental Sciences across academia, industry, non-profits and government agencies. I now direct our Professional MS in Environmental Sciences in which we enroll 120 MS students online, graduating 40 annually who work across these areas as well.

Your faculty members encompass a broad distribution of disciplines related to insects, plants, and microorganisms, brought together to achieve an integrated multi-scale and multi-disciplinary approach for understanding and managing agro-ecosystems. This Agricultural Biology focus for the proposed Ph.D. will be attractive to prospective students and funding agencies. It is also critical for training our next generation of agricultural scientists. EPPWS is positioned well to continue this vision for higher education. I am excited to see this important work going forward.

Please let me know if you have any questions.

Sincerely, Tracy

Tracy M. Sterling
Professor and Director, LRES Professional MS
<https://landresources.montana.edu/grad/online/index.html>
Past LRES Department Head, 2009-2022
Reviewer EPPWS External Review, 2019
tracy.sterling@montana.edu

Land Resources and
Environmental
Sciences

334 Leon Johnson Hall
P.O. Box 173120
Bozeman, MT 59717-3120

Tel (406) 994-7060
Fax (406) 994-3933
landresources.montana.edu



NEW MEXICO DEPARTMENT OF AGRICULTURE
Office of the Director/Secretary
MSC 3189
New Mexico State University
P.O. Box 30005
Las Cruces, NM 88003-8005
Phone: (575) 646-3007

May 2, 2024

The Graduate School
New Mexico State University
1780 E. University, Edu. Serv. Bldg. Suite 301
Las Cruces, NM 88003

To Whom It May Concern:

RE: Ph.D. Program in the Department of Entomology, Plant Pathology, and Weed Science

New Mexico Department of Agriculture is in full support of the proposed Ph.D. program in the Department of Entomology, Plant Pathology, and Weed Science.

The Department of Entomology, Plant Pathology and Weed Science has a successful history of graduating individuals at the BS and MS levels that are in demand and have successfully competed for positions with New Mexico Department of Agriculture, New Mexico Environment Department, USDA-Animal Plant and Health Inspection Service, Environmental Protection Agency and countless corporate and other state and federal entities. The increasing complexities in developing and managing plant pest programs has, for many years, dictated that state and federal agency as well as corporate entities increase employment opportunities for individuals with pest management skills at the Ph.D. level.

Surrounding states that have developed Ph.D. programs (specializations) in one or more related pest management disciplines include Colorado State University -*Plant Pathology, Entomology*; Texas A&M University -*Entomology, Plant Pathology*; University of Arizona - *Plant Pathology*; and Oklahoma State University - *Entomology, Plant Pathology*.

The addition of a Ph.D. program in the Entomology, Plant Pathology and Weed Science Department is a logical step forward in providing additional employment opportunities for New Mexico State University students, helping fulfill the need for Ph.D. graduates with pest management related degrees, contributing to student retention, attracting new students, and supporting ongoing efforts to publicize the benefits of enrolling in the Department of Entomology, Plant Pathology and Weed Science at New Mexico State University.

A Ph.D. program in the Department of Entomology, Plant Pathology, and Weed Science appears to be warranted for many reasons.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JM Witte', written over a horizontal line.

Jeff M. Witte



College of Agricultural, Consumer & Environmental Sciences

Animal and Range Sciences
New Mexico State University
P.O. Box 30003 MSC-3-I
Las Cruces, NM 88003-8003
575-646-1750, fax: 575-646-5441

June 25, 2024

To Whom It May Concern,

The Department of Animal and Range Sciences at New Mexico State University has reviewed the proposed PhD program that is being crafted by the Department of Entomology Plant Pathology and Weed Science in Applied and Agricultural Biology. The two departments have a history of collaboration, particularly with our range science faculty. The new proposed PhD program includes range science courses as options for students in the curriculum. This will be beneficial and synergistic to the students and faculty. Rangelands in New Mexico are infested with weeds and shrubs that may or not be toxic to wildlife and livestock, insects have proven to be effective in controlling invasive shrubs and weeds on rangelands and forests. The training of students in this program will produce a workforce with expertise to assist stakeholders in New Mexico and the region. Additionally, our lands in the Southwest are classified as arid or semi-arid which matches the majority of the landscape globally. Opportunities for training in entomology, plant pathology and weed science have global implications and will provide a work force ready to improve extensive landscapes for future generations.

We believe this will strengthen the programming in our college and support the efforts of Entomology, Plant Pathology, and Weed Science to move this program forward.

Kind regards,

A handwritten signature in blue ink that reads "Shanna Ivey".

Dr. Shanna Ivey
Shanna Ivey, PhD
Department Head and Professor
Animal and Range Sciences and Extension Animal Sciences and Natural Resources



College of Agricultural, Consumer
and Environmental Sciences

Department of Plant and Environmental Sciences
MSC 3Q
New Mexico State University
P.O. Box 30003
Las Cruces, NM 88003-8003
575-646-3405, fax: 575-646-6041

Date: April 30, 2024

To Whom It May Concern

I express my strong support for the proposed Ph.D. program in the Department of Entomology, Plant Pathology, and Weed Science (EPPWS). The development of such a Ph.D. program will be of great value to the agricultural community in New Mexico, regionally, and beyond, and will foster additional collaborative opportunities between Department of EPPWS and Department of Plant and Environmental Sciences (PES) and Department of Extension Plant Sciences (EPS). Understanding how 1) pests harm agricultural crops and produces, 2) the environment impacts pest outbreaks, and 3) to manage pests by improving and developing various tools, are distinct contributions of EPPWS training that are needed in New Mexico and that complement the EPS and PES Departments, of which I serve as the Head of the Department.

Two Extension Specialists in EPS hold joint appointments in EPPWS and are currently only able to advise M.S. students in the latter department. Development of a Ph.D. degree program in EPPWS would expand the opportunities for these faculty to advise Ph.D. students. A third position, currently in the process of hiring, in urban/small farms integrated pest management would also benefit from advising Ph.D. students. In our search for recent hires, I have observed firsthand how EPPWS has trained qualified individuals with specialized and needed expertise to be competitive in Ph.D. level positions for Extension. A Ph.D. degree program in EPPWS would be an asset to New Mexico, for Extension, for PES, and strengthen the research programs of Extension faculty jointly appointed in EPPWS.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anowar Islam'.

Anowar Islam

Department Head and Professor
Department of Plant and Environmental Sciences and Extension Plant Sciences



United States Department of Agriculture

Research, Education, and Economics
Agricultural Research Service

February 29, 2024

Professor Ricardo Ramirez, Department Head
Entomology, Plant Pathology, and Weed Science
945 College Drive
Skeen Hall N-141
New Mexico State University
Las Cruces, New Mexico 88003-8003

Dear Professor Ramirez:

I understand from Dr. Gerald Sims that New Mexico State University (NMSU) is considering establishing a PhD program in the Department of Entomology, Plant Pathology and Weed Science. As you are aware, the Agricultural Research Service (ARS) has had a long and productive collaboration with NMSU, especially with our Range Management and Cotton Ginning Research Units that are in Las Cruces.

The Plains Area (PA) is one of five administrative regions of the ARS, the in-house research arm for the U.S. Department of Agriculture. ARS researchers, including those in the PA, are charged with conducting research on agricultural problems of high national priority to:

- Ensure high-quality safe food and other agricultural products
- Assess the nutritional needs of Americans
- Sustain a competitive agricultural economy
- Enhance the natural resource base and the environment
- Provide economic opportunities for rural citizens, communities, and society as a whole.

Over 400 PA scientists at our 19 research locations in 10 states, including New Mexico, are addressing these goals through over 100 agricultural and nutritional research programs. Beyond the Plains Area, ARS has over 2,300 PhD scientists and postdoctoral researchers working on research programs across the spectrum of Agriculture.

While ARS does not track Plant Pathology and Weed Science *per se*, these disciplines make up a significant portion of the Plant Bioscience and Plant Health peer groups in ARS. You'll note in the table below that the PA and ARS employs many scientists in the fields of Entomology, Plant Pathology and Weed Science. The ARS and the Plains Area currently have 406 and 93 vacant PhD scientist positions, respectively. ARS also has a total of 107 vacant postdoctoral research positions, including 11 in the PA. In addition, the Plains Area and ARS each have over 20% of the PhD scientist workforce eligible to retire. Therefore, we expect that ARS will have ongoing needs for PhD researchers in these fields.

Area	Discipline (Peer Group)	PhD Scientists	Postdoctoral Researchers
		Positions	Positions
Plains Area	Entomology	40	na ¹
	Plant Bioscience	81	na
	Plant Health	14	na
	Total ²	417	52
ARS	Entomology	192	na
	Plant Bioscience	394	na
	Plant Health	149	na
	Total ²	2,035	301

¹ data not available by discipline for postdoc positions

² all disciplines

Please let me know if you have any questions.

Best regards,



Joseph O. Rich, PhD
Associate Director, Plains Area

Cc: Dr. Larry Chandler, Director, Plains Area
Dr. Gerald Sims, Professor
Mr. Arthur Kindig, Administrative Assistant



United States Department of Agriculture

Research, Education, and Economics
Agricultural Research Service

4 April 2024

As Director of the USDA Jornada Experimental Range, I write to support the efforts of the Department of Entomology, Plant Pathology and Weed Science to create a Ph.D program at New Mexico State University. The Jornada unit supports 20 Ph.D level permanent scientists and postdocs, including some recruits from NMSU. Programs including the USDA Southwest Climate Hub, Long-Term Ecological Research program, and Long-Term Agroecosystem Research program in addition to numerous agency-funded projects are poised for expansion, yet the number of disciplinarily-appropriate recent Ph.D graduates from NMSU often leads to few local applicants. EPPWS could increase the number of such graduates that would compete well for these and other positions within the USDA Agricultural Research Service.

Best regards,

A handwritten signature in black ink, appearing to read "Brandon T. Bestelmeyer".

Dr. Brandon T. Bestelmeyer
Supervisory Research Ecologist, USDA-ARS Jornada Experimental Range



Rick Cooksey, Director
Forest Health Protection
State, Private and Tribal Forestry
Richard.Cooksey@usda.gov

March 5, 2024

Jerry Sims, Professor
Entomology Plant Pathology and Weed Science
New Mexico State University

Dr. Sims,

The USDA Forest Service has a broad spectrum of responsibilities for managing 174 National Forests and Grasslands, and in assisting with State, private and Tribal forests across the nation. Science is the basis of our land management decisions. The Forest Service employs PhD-level scientists across the agency filling roles in our State, Private, and Tribal Forestry; Research and Development; and the National Forest Systems branches. Our scientists' work helps to protect and restore forests, grasslands, and watersheds. Considering the expanding environmental challenges and pressure on our natural resources, we anticipate a growing need for informed and trained scientists as essential to meeting these demands.

Forest Health Protection, part of State, Private and Tribal Forestry, employs expertise in specialties including entomology, pathology, weed science, botany, pesticide use management, invasive species, forestry, geospatial technologies, and more. These scientists fill positions across the United States providing local, regional, and national expertise. They provide technical assistance and support to land managers on the identification, effects, and management of forest issues. They gather data important to describe forest health and condition and they help develop new technologies for field operations. They focus on technical assistance, monitoring, training, and technology transfer working closely with forest health team members as well as silviculturists, ecologists, recreation staff and other resource specialists.

Many of these scientists are active in professional societies including the Entomological Society of America, Society of American Foresters, and American Phytopathological Society through which they engage in technology transfer, build robust partnerships with academic institution, non-profit organizations, and other federal and state agencies, and act as mentors to students and early career professionals.

The USDA Forest Service also supports the on-going professional development of its scientists' supporting opportunities in skill development and advancement. These investments in Forest Service employees improve the services delivered to our clients and partners and provide opportunities for career advancement. The USDA Forest Service is an employer that believes in service, the interdependence of all things, diversity, safety, and conservation. We value our scientists for supporting our mission to sustain the health, diversity and productivity of the Nation's forests and grasslands to meet the needs of present and future generations.

Richard Cooksey
Director, Forest Health Protection, State, Private and Tribal Forestry

Dr. Ricardo Ramirez, Professor and Department Head
Entomology Plant Pathology and Weed Science
MSC 3BE, Skeen Hall N141
New Mexico State University
Las Cruces, New Mexico 88003

Re: Pest Management Disciplines

1 April 2024

Dear Dr. Ramirez,

Greetings. This letter is in response to your e-mail dated March 4, 2024, requesting information pertaining to USDA/NIFA programs that support graduate students in the above referenced areas.

The National Needs Fellowships Program provides funding to support graduate student training and the completion of masters' and/or doctoral degree programs in identified national need areas within the food and agricultural sciences. Targeted Expertise Shortage Areas include plant production, agricultural biosecurity, and climate-smart agriculture. Approximately 40-50 students across the food and agricultural sciences disciplines are supported per annum through these fellowships.

The Agriculture and Food Research Initiative (AFRI), NIFA's flagship competitive grants program, through the Education and Workforce Development component, supports predoctoral students and postdoctoral scholars through its respective Fellowships Programs. The aim of these fellowships is to train new scientists and professionals to enter research, education, and/or extension fields in the food and agricultural sciences within the private sector, government, or academia. Plant health, production, and plant products is a priority area of AFRI. Per annum, over 100 fellows within the food and agricultural sciences ecosystem are supported.

The aforementioned Fellowship programs provide opportunities for a continuum of graduate and post-graduate support in disciplines related to pest management (e.g. Entomology, Plant Pathology, and Weed Science). NIFA provides other opportunities for the pest management disciplines through its Hatch and Smith-Lever formula funding, and other grant programs.

In addition to the above, the USDA is also an employer of graduates in the pest management disciplines. For the past few years, the Department has hired approximately a couple of dozen employees within the Entomology and Plant Pathology job series.

Please note that this letter should not be construed as a guarantee of funding for any proposal to either the USDA or NIFA. Should you have any further questions, please do not hesitate to contact me via e-mail at ray.ali@usda.gov, or via phone at (202) 570-871.

Sincerely,



Ray A. Ali, Ed.D.
National Program Leader

1400 Independence Avenue, SW, MS 2201 | Washington, DC | 20250-2201

4600 Norris Canyon Road
San Ramon, CA 94583
(925) 256-2700



Dr. Ricardo Ramirez
Professor & Department Head
Entomology, Plant Pathology, and Weed Science
MSC 3BE, Skeen Hall N141
New Mexico State University
Las Cruces, New Mexico 88003

March 29, 2024

I'm writing to you in support of the Ph.D. program that you are working to establish at NMSU's Entomology, Plant Pathology & Weed Science Department. As you may know Valent USA LLC is a wholly owned subsidiary of Sumitomo Chemical Co., Ltd., a global leader in developing innovative, sustainable solutions in plant and health sciences. For over a century, Sumitomo Chemical mission has been to contribute to solving problems that face the global community and also to contribute to the quality of life for people around the world.

Sumitomo and Valent rely heavily partnerships with universities around the world to help achieve our goals. Valent has maintained productive and valuable working and collaborative relationships with universities in the United States, including New Mexico State University, to seek solutions to weeds, pests, and diseases that harm agricultural production, public health, and forest health. Universities are also a pipeline for trained talent that we seek to bring into our company. Having a pipeline of trained Ph.D.s from an entomology, plant pathology, and weed science program will of major importance moving into the future. I manage Valent's Field Technology team, and we currently employ 11 Ph.D.-level scientists (representing weed science, entomology, and plant pathology) in our group of 42. They serve as lab & field scientists, and also on our team of product development specialists. Notably, our general requirement for higher-level positions in Field Technology, such as product development manager, is a Ph.D. in a relevant agricultural field and thus the value of a pipeline of qualified Ph.D.-trained scientists is crucial to our future growth. We therefore support your efforts in establishing a Ph.D. program in the department of Entomology, Plant Pathology, and Weed Science and look forward to working with you in the future. Please feel free to contact me with any questions you may have.

Sincerely,

A handwritten signature in black ink that reads "Kenneth W. Seebold". The signature is fluid and cursive, with a prominent initial "K".

Kenneth Seebold, Ph.D.
Senior Director
Field Research and Development
Valent U.S.A. LLC
Lexington, KY 40511
Email : Kenneth.Seebold@valent.com
Mobile : (859) 940-5184

WESTERN PECAN GROWERS ASSOCIATION

P.O. Box 1298 • Mesilla Park, NM 88047

April 1, 2024

Dr. Ricardo Ramirez
Academic Department Head
NMSU Entomology, Plant Pathology and
Weed Science Department (EPPWS)
Box BE, Skeen Hall
Las Cruces, New Mexico, 88003

Dear Dr. Ramirez:

The Western Pecan Growers Association (WPGA) would like to offer this letter of support for the PhD degree proposal package in Entomology, Plant Pathology, and Weed Science (EPPWS) at New Mexico State University (NMSU). The WPGA feels it would benefit from NMSU offering a PhD degree program where the disciplines in the EPPWS department overlap with developing tools, tackling major pest and disease issues, and conserving beneficial species related to pecan production. Training PhD students here at NMSU would create a pipeline of young professionals that will better understand pecan pest management issues in New Mexico and the western pecan growing region.

Please feel free to contact me anytime if you have further questions or need further support of this exciting new degree program.

Sincerely,



John M. White
WPGA Executive Director



WESTERN PECAN GROWERS ASSOCIATION

P.O. Box 1298 • Mesilla Park, NM 88047

April 1, 2024

Dr. Ricardo Ramírez
Academic Department Head
NMSU Entomology, Plant Pathology and
Weed Science Department (EPPWS)
Box BE, Skeen Hall
Las Cruces, New Mexico, 88003

To Who It May Concern:

The Western Pecan Growers Association (WPGA) would like to offer this letter of support for the PhD degree proposal package in Entomology, Plant Pathology, and Weed Science (EPPWS) at New Mexico State University (NMSU). The WPGA feels it would benefit from NMSU offering a PhD degree program where the disciplines in the EPPWS department overlap with developing tools, tackling major pest and disease issues, and conserving beneficial species related to pecan production. Training PhD students here at NMSU would create a pipeline of young professionals that will better understand pecan pest management issues in New Mexico and the western pecan growing region.

Please feel free to contact me anytime if you have further questions or need further support of this exciting new degree program.

Sincerely,



John M. White
WPGA Executive Director





Board of Regents Meeting
Meeting Date: September 19, 2024
Agenda Item Cover Page

Agenda Item # D-5

- Action Item
- Consent Item
- Informational Item

Presented By:
Dulcinea Lara, Ph.D.
Professor and Department Head
Borderlands and Ethnic Studies

Agenda Item: Borderlands and Ethnic Studies – Master of Arts

Requested Action of the Board of Regents:

Approval of the Borderlands and Ethnic Studies – Master of Arts proposal as presented.

Executive Summary:

The Borderlands and Ethnic Studies Department faculty propose the creation of a Master of Arts in Borderlands and Ethnic Studies. This degree will support state-wide legislation and initiatives to infuse culturally and linguistically-relevant curricula and pedagogy into the K-12 and College settings. Additionally, the degree will provide the state’s current and future workforce with place-based content and historical awareness that will enhance and sustain relationships across communities, industries, and education broadly. This degree gives students analytical tools to identify root causes for societal issues so that graduates have an advantage when trouble-shooting and identifying appropriate approaches to addressing problems, while being in reciprocal relationship with those most impacted.

References:

Empirical research/data and state and regional paradigm shifts demonstrate the need for an educated cadre of professionals with place-based, culturally-relevant, agile-thinking skills who can problem solve in sustainable ways related to New Mexico’s unique societal challenges such as: entrenched poverty, increasing crime rates, low educational attainment, mental health, and food insecurity- to name a few. Interdisciplinary degrees prepare students in applied ways with confidence to utilize multiple and varied disciplines to have high impact.

Prior Approvals:

UPAC
Regents Student Success Committee

Agenda Item Approved By:

Each office may determine required signatures (if any). All items should be routed through the President’s Office, University General Counsel, or the Secretary of NMDA as appropriate.

Name, Ph.D. Title

Date



Borderlands & Ethnic Studies

Master of Arts in Borderlands and Ethnic Studies (BEST)

Presentation for New Mexico State University Board of Regents

Sept 19, 2024

An MA in BEST fosters holistic student success.

Personal
Academic
Professional
Civic/Community



Strengths

Inter/trans-disciplinary MA

Centers LEADS Goals 1, 2, 3, 6

Responds to local, state-level policy

LCPS tuition reimbursement- ES Bill

Only MA program in NM of its kind



Supports in place

Borderlands and Ethnic Studies Research Center

Sustained, meaningful community partnerships

Strong campus-wide partnerships

Courses in:

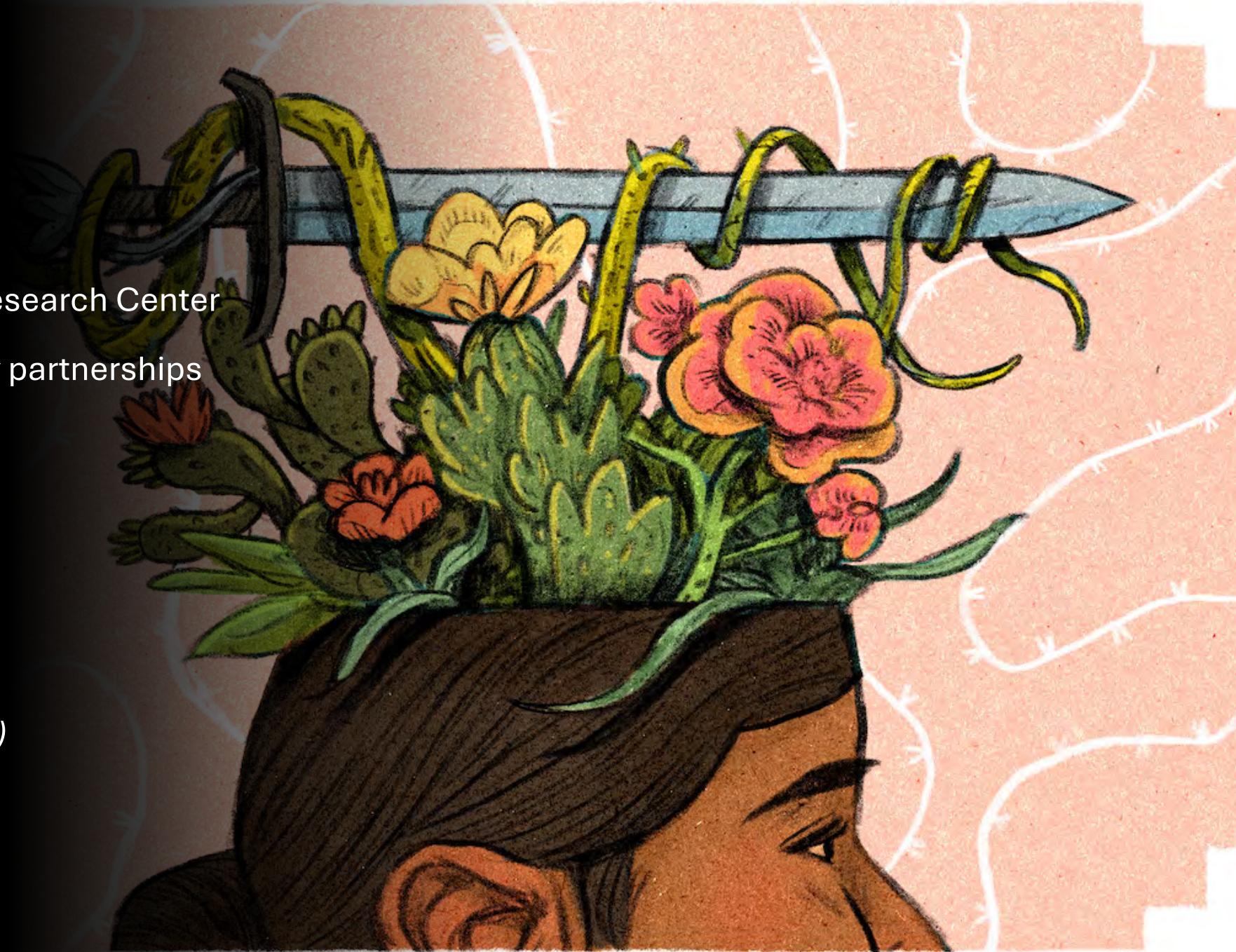
Decolonial Research

Native American Studies

Chicana/o Studies

Relational BEST

Africana Studies (support)



Statewide

2018 “Yazzie/Martinez” NM Supreme Court ruling
Culturally and Linguistically Relevant education legally mandated
BEST faculty working with NM school districts
Legislation advancing to mandate ES in NM



Lt. Governor Howie Morales

Nov. 2021 Op Ed: Social studies standards tell the whole story

“Including ethnic, cultural and identity studies means students will learn that people who look like them helped make this country what it is today.”

Our educators need to be prepared for this shift, BEST meets the demand.

Policy shifting work to infuse Ethnic Studies into pre- and in-service K-12 teachers is underway.

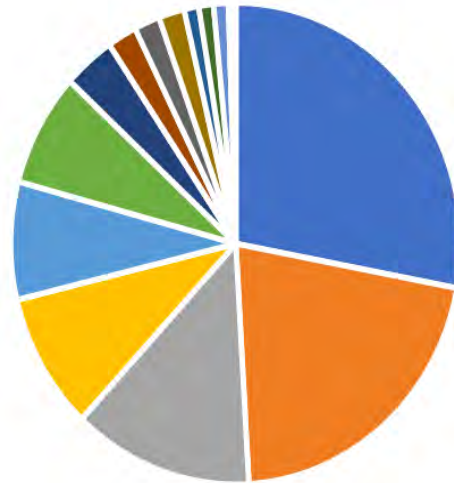


National Need/Opportunity



- California ES requirement
- National education reform
- National CJ reform
- Professional DEI training
- Cultural and linguistic complexity
- Local and global competency

Supporters



- | | | | |
|-----------------|--------------------|------------------------|---------------------|
| ■ NMSU students | ■ Non-NMSU faculty | ■ NMSU faculty | ■ Community |
| ■ Educators | ■ NMSU alumni | ■ NMSU staff | ■ Parents |
| ■ K-12 Admins | ■ Students, other | ■ School Board members | ■ Elected officials |
| ■ Professionals | ■ Grand parent | ■ NMPED | |

- | | |
|-----|----------------------|
| 106 | Students |
| 80 | Non-NMSU faculty |
| 49 | NMSU faculty |
| 35 | Community members |
| 30 | Educators |
| 29 | NMSU alumni |
| 14 | NMSU staff |
| 8 | Parents |
| 7 | K-12 administrators |
| 7 | Students, Other |
| 4 | School Board members |
| 4 | Elected Officials |
| 4 | Professionals |
| 1 | Grand parent |
| 1 | NMPED staff |

Evidence-based research on the benefits and positive impact of Ethnic Studies for ALL students

Dr. Christine Sleeter, Expert Witness in *Yazzie/Martinez*; Hosted at NMSU by President Flores in November 2021

METHODS: Working with several graduate students in at NMSU and UNM, analyzed 26 of the most common textbooks used in New Mexico classrooms and conducted survey of over 1,000 teachers.

FINDINGS: [E]ven though New Mexico is a “majority minority” state, the textbooks are still white-dominant. I noted much lip service given to “culturally responsive pedagogy,” but based on a survey of over 1000 teachers, I found that teachers still tended to interpret their students of color from deficit perspectives. While I noted interest in Ethnic Studies among some teachers, discussion of it was still marginal to documents structuring curriculum and school improvement.

IMPACT: The research on the impact of Ethnic Studies on students found overwhelming convergence in findings of its positive impact on student academic learning, student sense of self and sense of empowerment, and White students’ attitudes about people racially different from themselves.



BE BOLD. Shape the Future.

Efficacy

BEST courses are

- Locally and globally relevant
- Cutting edge and contemporary
- Responsive to increasing societal complexity
- Designed for community engagement
- In tune with NM student/community sustained and changing values
- Effective at enrolling and retaining students from all backgrounds
- Foundational for all fields of study

Ethnic Studies programs

- Attract faculty who resonate with ES
- Retain faculty who affiliate with ES
- Serve as liaisons for local communities
- Attract grant funding related to Land Grant, HSI and MSI designations
- Foster applied research opportunities
- Are agile in responding to community needs
- Strengthen NMSU's Borderlands and NM Tribal/Sovereign Nation ties



New Mexico Social Studies Standards



February 2022

Ethnic, Cultural, and Identity Studies	
Anchor Standard <i>The student demonstrates an understanding of:</i>	Performance Standard <i>Therefore, the student is able to:</i>
Ethnic, Cultural, and Identity Studies 20. Diversity and Identity	<ul style="list-style-type: none"> 9-12.ECI.13. Recognize and value my group identities without perceiving or treating others as inferior. 9-12.ECI.14. Identify and analyze cultural, differently abled, ethnic, gender, sexual orientation, national, political, racial, and religious identities and related perceptions and behaviors by society of these identities. 9-12.ECI.15. Identify and explore how current traditions, rites, and norms of identity groups have changed or are changing over time. 9-12.ECI.16. Assess how social policies and economic forces offer various identity groups privilege or systemic inequity in accessing social, political, and economic opportunity regarding education, government, healthcare, industry, and law enforcement.
Ethnic, Cultural, and Identity Studies 21. Identity in History	<ul style="list-style-type: none"> 9-12.ECI.17. Compare and contrast the various origins (indigenous, forced, voluntary) of identity groups in the United States. 9-12.ECI.18. Examine the impact of historical cultural, economic, political, religious, and social factors that resulted in unequal power relations among identity groups. 9-12.ECI.19. Examine the role assimilation plays in the loss of cultural, ethnic, racial, and religious identities and language.
Ethnic, Cultural, and Identity Studies 22. Community Equity Building	<ul style="list-style-type: none"> 9-12.ECI.20. Examine historical and contemporary cultural, economic, intellectual, political, and social contributions to society by individuals or groups within an identity group. 9-12.ECI.21. Investigate how identity groups and society address systemic inequity and transformational change through individual actions, individual champions, social movements, and local community, national, and global advocacy. 9-12.ECI.22. Evaluate the role of racial social constructs in the structures and functions of 21st-century U.S. society.

Ethnic, Cultural, and Identity Studies

Inquiry	
Anchor Standard <i>The student demonstrates an understanding of:</i>	Performance Standard <i>Therefore, the student is able to:</i>
Inquiry 23. Construct Compelling and Supporting Questions	<ul style="list-style-type: none"> 9-12.ECI.1. Create compelling questions representing key ideas within the disciplines. 9-12.ECI.2. Develop supporting questions that contribute to an inquiry and demonstrate how, through engaging source work, new compelling and supporting questions emerge.
Inquiry 24. Gather and Evaluate Sources	<ul style="list-style-type: none"> 9-12.ECI.3. Gather relevant information from multiple sources representing a wide range of views while using the origin, authority, structure, context, and corroborative value of the sources to guide the selection. 9-12.ECI.4. Evaluate the credibility of a source by examining how experts value the source.
Inquiry 25. Develop Claims	<ul style="list-style-type: none"> 9-12.ECI.5. Identify evidence that draws information directly and substantively from multiple sources to detect inconsistencies in evidence in order to revise or strengthen claims. 9-12.ECI.6. Refine claims and counterclaims attending to precision, significance, and knowledge conveyed through the claim while pointing out the strengths and limitations of both.
Inquiry 26. Communicate and Critique Conclusions	<ul style="list-style-type: none"> 9-12.ECI.7. Construct arguments using precise and knowledgeable claims, with evidence from multiple sources (while acknowledging counterclaims and evidentiary weaknesses). 9-12.ECI.8. Construct explanations using reasoning, correct sequence, examples, and details with significant and pertinent information and data, while acknowledging the strengths and weaknesses of the explanations given their purpose. 9-12.ECI.9. Present adaptations of arguments and explanations that feature evocative ideas and perspectives on issues and topics to reach a range of audiences and venues outside the classroom using print and oral technologies and digital technologies. 9-12.ECI.10. Critique the use of claims and evidence in arguments for credibility.
Inquiry 27. Take Informed Action	<ul style="list-style-type: none"> 9-12.ECI.11. Use disciplinary and interdisciplinary lenses to understand the characteristics and causes of local, regional, and global problems; instances of such problems in multiple contexts; and challenges and opportunities faced by those trying to address these problems over time and place. 9-12.ECI.12. Apply a range of deliberative and democratic strategies and procedures to make decisions and take action in their classrooms, schools, and out-of-school contexts.

Employment

Most MA students seek *enhancement* for their existing/current careers

BEST GC graduates are employed locally by:

Non-profit orgs (La Semilla, NM CAFé, FOMDP)

School districts (LCPS, GISD, SFP)

Law enforcement agencies (LCPD, APD), SFPS)

Higher education (NMSU)

Skills gained

Cultural and linguistic knowledge and agility

Critical thinking in historically-contextual ways

Place-based, grounded analysis

Solutions-oriented, project-based application

ES majors, nationwide, have careers in

-Education

-Counseling

-Law

-Journalism

-Marketing

-Community and Housing Development

-Radio and Television

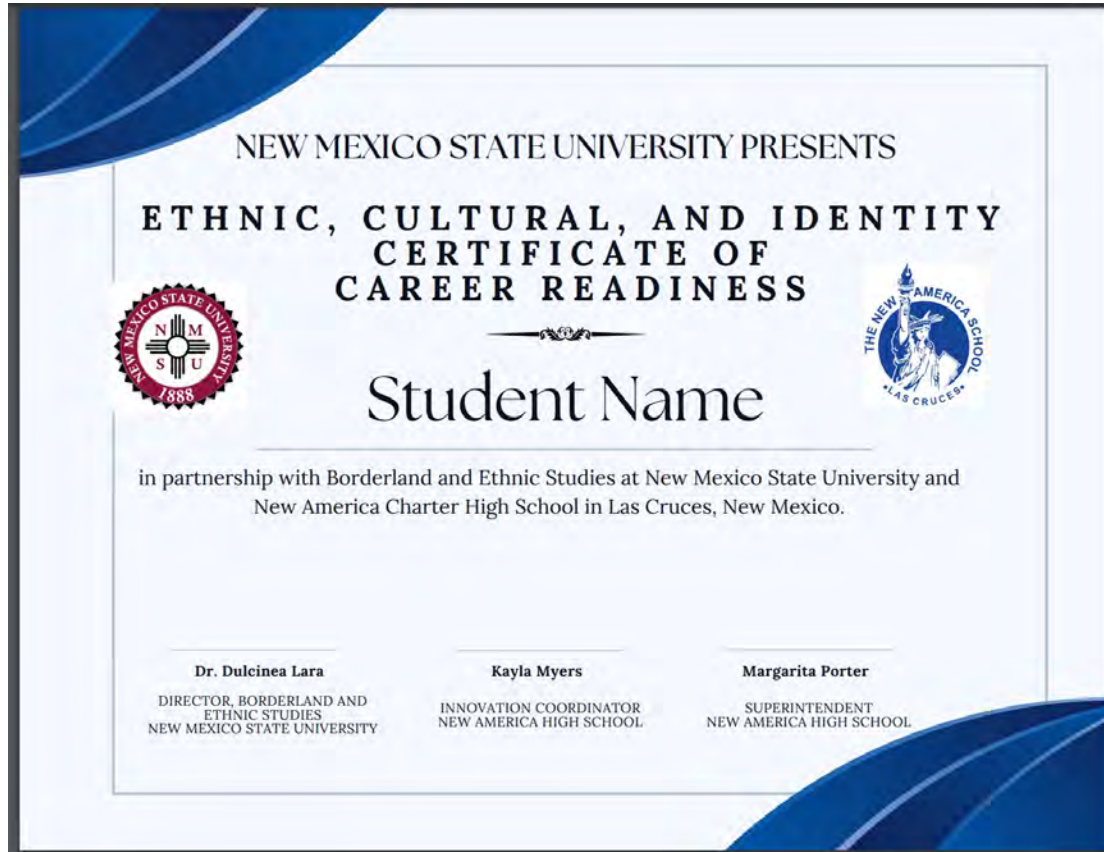
-Community and labor organizing

-Social Work and Public Health

-Local, State, Federal government



Collaboration with New America High School



ETHNIC, CULTURAL, AND IDENTITY CERTIFICATE OF CAREER READINESS

This is a credential of widely applicable foundational employability skills. This student has demonstrated skill mastery through practical, hands-on application of the skills in their school and wider community contexts. With these certified skills, students are able to benefit more readily from on-the-job training, obtain new knowledge and skills more easily, communicate effectively with diverse teams, and become a solution-oriented contributor to their workplace.

- Experience in Participatory Action Research
- Contribute novel solutions to practical problems
- Think from multiple perspectives
- Advocate for self and others
- Use dialogue to solve conflict
- Understanding of the importance of lived experiences
- Critical reading and thinking
- History of place and space in New Mexico
- Growth mindset and self-reflection
- Ability to transfer skills across contexts
- Cultivate community relationships
- Recognize and value group identities without seeing others as inferior
- Assess how policies affect diverse partners, stakeholders, and the spaces they inhabit
- Examine power dynamics and the impact that they have within various contexts
- Participate in and drive transformational change
- Investigate how to address inequality
- Knowledge of technical terms in Diversity and Equity
- Active listening skills

Grays Data

- Lacking as no other universities in NM offer this MA
- In U.S. market, there are 1.6 job postings per graduate in ES
- 2022: 22 new job listings and 14 completions
- 2022: 4 Universities reported completions in ES MA
- NMSU's aim is to be among the Universities offering ES MA



Resources

- Five T/T faculty running 3 programs with minors and certificates, now MA
- GA support is paramount, we have 2 full-time GAs currently
- Grants in BEST Research Center currently \$800K
 - Private, Local, State, Federal (CDS \$170K latest, \$480K additional possible)
 - Applied research with state-wide impact, addressing state and local policies
- Community partners, commitment to paradigm shift in state

Regional Competition

- None
- Engaged with NMSU Global last year, committed to pursue that avenue
- Local schools needing in-person MA for now, need NMSU support for tuition MOUs



M.A. in Borderlands and Ethnic Studies

- Supports holistic student success and mobility
- Addresses local, state, national policies
- Prepares students for complex and shifting society
- Diversifies local organizations, agencies, school districts
- Decolonizes/re-humanizes research for place-based solutions thinking/doing



1043: BORDERLANDS AND ETHNIC STUDIES - MASTER OF ARTS

In Workflow

1. Student Records Office - Programs (gdmart@nmsu.edu)
2. HE Academic Dean (ppost@nmsu.edu; rpalacio@nmsu.edu)
3. Graduate Dean (rkoodali@nmsu.edu)
4. UPAC - Chair (jlakey@nmsu.edu)
5. Provost (mcateer@nmsu.edu; bgamillo@nmsu.edu)
6. President (lbduran@nmsu.edu)
7. Board of Regents (cavotta@nmsu.edu)
8. Graduate School - Council of Deans (rkoodali@nmsu.edu)
9. Student Records Office - HED (gdmart@nmsu.edu)
10. Student Records Office - CIP (gdmart@nmsu.edu)
11. MA HLC (bgamillo@nmsu.edu)
12. Student Records Office (gdmart@nmsu.edu)

Approval Path

1. Mon, 01 Jul 2024 14:54:56 GMT
Gabrielle Martinez (gdmart): Rollback to Initiator
2. Tue, 02 Jul 2024 19:11:07 GMT
Gabrielle Martinez (gdmart): Approved for Student Records Office - Programs
3. Tue, 16 Jul 2024 16:40:18 GMT
Phillip Post (ppost): Rollback to Initiator
4. Wed, 17 Jul 2024 17:25:56 GMT
Gabrielle Martinez (gdmart): Approved for Student Records Office - Programs
5. Sat, 20 Jul 2024 02:46:31 GMT
Phillip Post (ppost): Approved for HE Academic Dean
6. Sun, 21 Jul 2024 05:36:04 GMT
Ranjit Koodali (rkoodali): Approved for Graduate Dean
7. Thu, 29 Aug 2024 18:47:52 GMT
Joe Lakey (jlakey): Approved for UPAC - Chair
8. Thu, 29 Aug 2024 18:49:39 GMT
James Mcateer (mcateer): Approved for Provost
9. Mon, 09 Sep 2024 18:05:39 GMT
Lydia Duran (lbduran): Approved for President

New Program Proposal

Date Submitted: Tue, 16 Jul 2024 21:46:37 GMT

Viewing: 1043 : Borderlands and Ethnic Studies - Master of Arts

Last edit: Fri, 16 Aug 2024 16:47:26 GMT

Changes proposed by: Dulcinea Lara (dulcinea)

Submission Information

The Degree Type will factor into the level and the submissions that must occur for HED and HLC.

- Community College Types: Applied Associate Degree, Associate Degree, Certificate, Concentration
- Main/Global Campus Undergrad Types: Bachelor's Degree, Concentration, Minor
- Main/Global Campus Graduate Types: Master's Degree, Doctoral Degree, Certificate, Concentration, Minor

Degree Type

Master's Degree

The Degree Title dropdown has all existing degree titles in Banner, if you do not see the one you are looking for you will select "Other" then in the New Degree Title box you will type out the official title of the degree (as you would want it to appear on a students record, transcript, and/or diploma).

Degree Title

Master of Arts

Academic Level

Graduate

The Catalog Title will be what is displayed in the catalog page. The standard format is Major (Concentration) - Degree Title. (I.e., Mathematics (Secondary Education) - Bachelor of Science. Note: If there is no concentration you would just list the Major - Degree.

Catalog Title

Borderlands and Ethnic Studies - Master of Arts

College

Health/Education/Social Transformation

Campus

Main Campus

Department

Borderlands and Ethnic Studies

Effective Catalog

2025-2026

If opting for a Global program, specify "Global Campus" under campus type. You must have a Program Proposal on file with Global Campus prior to submission of a new Global program. Contact Global Campus for more information.

Program Teaching ModalityEvening
Traditional-Face to Face**Thesis and Non-Thesis Format**Non-Thesis
Thesis**CIP Code**

050200 - Ethnic Studies.

Normal or typical length of time for students to complete the program (in years)

2

Curriculum Information**Program Learning Outcomes**

Learning Outcomes	
Outcome 1	1. Identify, compare, and contrast broad histories of social struggles, social movements, and human relationships through engagement with Borderlands and Ethnic Studies canon.
Outcome 2	2. Articulate observations in "everyday life" using key terms, theories, and concepts in Borderlands and Ethnic Studies.
Outcome 3	3. Demonstrate mindful and constructive ways to engage peers about sometimes "difficult" topics like race, power, and privilege.
Outcome 4	4. Explain how race and ethnicity have been socially constructed in the U.S. and how these contribute to social control and power differentials.
Outcome 5	5. Explain how producing research is connected to producing knowledge.

List of academic departments/units and or institutions involved in the delivery of courses

Department/Unit
Borderlands and Ethnic Studies

The Course Requirements, need to be in the standard format for the catalog because this piece of the form will be imported directly onto the catalog page. See the Student Records Website for a guide. The total number of credits at the bottom of the course list will be the "official" total for the degree. Please make sure it adds up correctly.

Course Requirements

The Master of Borderlands and Ethnic Studies offers two pathways: a Master Thesis Option and a Non-Thesis Capstone Project. Both comprise a minimum of 36 credits, including 21-15 required core credits (depending on which option a student elects) and 15-21

elective credits (depending on which option a student selects). Some classes are offered as 16-week courses; some are offered as 8-week mini-semester courses.

- The Core Courses (21 credits for Thesis, 15 for Non-Thesis) are designed to give a solid common foundation in Borderlands and Ethnic Studies as well as Decolonial Research and applications relevant to today's Ethnic Studies and Diversity, Equity, and Inclusion professionals.

Course Requirements: Thesis Option (21 credits)

Prefix	Title	Credits
<i>Core Required Courses</i>		
BEST 5105	Foundations in Borderlands & Ethnic Studies	3
BEST 5110	Decolonial Research I: Overview	3
BEST 5120	Theories in Borderlands and Ethnic Studies	3
BEST 5125	Decolonial Research II: Methodologies	3
BEST 5135	Decolonial Research III: Data Analysis and Publication	3
BEST 5510	Advanced Special Topics in Borderlands and Ethnic Studies	6
<i>Choose two BEST courses from this list:</i>		6
BEST 5750	Advanced Introduction to Palestine Studies: History, Land, Resistance, and Justice	3
BEST 5760	Advanced Narratives and Representations of Palestinians: Media, Music, Film, and Art	3
BEST 4550	Borderlands Representations	3
BEST 4710	Literary Explorations of Race & Justice	3
CCST 5110	Introduction to Chicana/o Studies	3
CCST 5120	Advanced Chicana/o Genders and Sexualities	3
CCST 5130	Advanced Chicana/o Education	3
CCST 5140	Advanced Chicana/o History	3
NATV 5110	Advanced Indigenizing Methodologies in Native American Studies	3
NATV 5210	Advanced Native American Education	3
NATV 5220	Advanced Native American Visual Cultures	3
<i>Choose three electives outside BEST in consultation with advisor.</i>		9
Total Credits		36

Course Requirements: Non-Thesis Option (15 credits)

Prefix	Title	Credits
<i>Core Required Courses</i>		
BEST 5105	Foundations in Borderlands & Ethnic Studies	3
BEST 5110	Decolonial Research I: Overview	3
BEST 5120	Theories in Borderlands and Ethnic Studies	3
BEST 5999	Capstone in Borderlands and Ethnic Studies	6
<i>Choose four BEST courses from this list:</i>		12
BEST 5750	Advanced Introduction to Palestine Studies: History, Land, Resistance, and Justice	3
BEST 5760	Advanced Narratives and Representations of Palestinians: Media, Music, Film, and Art	3
BEST 4550	Borderlands Representations	3
BEST 4710	Literary Explorations of Race & Justice	3
CCST 5110	Introduction to Chicana/o Studies	3
CCST 5120	Advanced Chicana/o Genders and Sexualities	3
CCST 5130	Advanced Chicana/o Education	3
CCST 5140	Advanced Chicana/o History	3
NATV 5110	Advanced Indigenizing Methodologies in Native American Studies	3
NATV 5210	Advanced Native American Education	3
NATV 5220	Advanced Native American Visual Cultures	3
<i>Choose three electives outside BEST in consultation with advisor.</i>		9
Total Credits		36

- Students already proficient in areas covered by one or more of these core courses (e.g., due to prior academic experience) may substitute them into their program (up to 6 credits).
- The elective courses within the Borderlands and Ethnic Studies Department (6 credits thesis/12 credits non-thesis) give a more well-rounded base in Ethnic Studies within Native American Studies, Chicana/o Studies, and Palestine Studies.
- The Elective Courses external to Borderlands and Ethnic Studies (9 credits) allow students to develop specialized knowledge and skills in their additional areas of interest/career paths.
- The Capstone Project (non-thesis) is designed to culminate the Master's Degree by summarizing knowledge and experience garnered in coursework via a tangible community-based project. Students will be asked to write a reflective essay at the start of the course that highlights 1) materials and ideas that have most impacted the student throughout the core courses, 2) discuss how the elective course complemented and expanded materials and ideas from BEST core classes, 3) what materials and ideas remain challenging to grasp, and 4) what kind of culminating project the student would like to complete. This essay will be the

foundational document to carry the student through the semester, along with close guidance provided by the instructor and peer feedback. Students will work closely with a community partner (identified with a faculty advisor) to develop and carry out a project that has a meaningful impact. A final presentation will be made that details the experience, impact, and future steps.

- The Thesis Option requires students to work with a faculty Chair and committee and develop a research project, questions, and plan. Faculty will guide students in all stages of the Thesis project, including writing and defending according to NMSU guidelines, timelines, and policies.

The Road Map, need to be in the standard format for the catalog because this piece of the form will be imported directly onto the catalog page. See the Student Records Website for a guide. All courses and the total number of credits at the bottom of the roadmap should match the Course Requirements list.

Road Map

Thesis Track

First Year

		Credits
Fall		
BEST 5105	Foundations in Borderlands & Ethnic Studies	3
BEST 5110	Decolonial Research I: Overview	3
BEST 5999	Capstone in Borderlands and Ethnic Studies	3
	Credits	9
Spring		
BEST 5120	Theories in Borderlands and Ethnic Studies	3
BEST 5125	Decolonial Research II: Methodologies	3
Elective in BEST		3
	Credits	9
Summer		
Elective Outside of BEST		3
	Credits	3
Second Year		
Fall		
BEST 5135	Decolonial Research III: Data Analysis and Publication	3
Elective Outside of BEST		3
	Credits	6
Spring		
BEST 550	Advanced Special Topics in Borderlands and Ethnic Studies	3
Elective Outside of BEST		3
Elective in BEST		3
	Credits	9
	Total Credits	36

Non-Thesis Track

First Year

		Credits
Fall		
BEST 5105	Foundations in Borderlands & Ethnic Studies	3
BEST 5110	Decolonial Research I: Overview	3
	Credits	6
Spring		
BEST 5120	Theories in Borderlands and Ethnic Studies	3
Elective in BEST		3
Elective in BEST		3
	Credits	9
Summer		
Elective Outside of BEST		3
	Credits	3
Second Year		
Fall		
BEST 5999	Capstone in Borderlands and Ethnic Studies	3
Elective in BEST		3
Elective Outside of BEST		3
	Credits	9
Spring		
BEST 5999	Capstone in Borderlands and Ethnic Studies	3
Elective Outside of BEST		3

Elective in BEST	3
Credits	9
Total Credits	36

Will this Master's degree program have a Master's Accelerate Program (MAP) option and roadmap?

No

The admission requirements are needed if the program has a specialized admission process that exceeds the campus requirements for either the Undergraduate or Graduate admission standards.

• For graduate programs, the Graduate School asks for the following information (Provide a summary of the documents and specific information each student will need to provide to be considered for the program): Description, Statement of Purpose/Letter of Interest; Specialty Letter of Interest; Resume; Writing Sample; GRE; GMAT; Special Questions (if yes, what questions need to be answered); Letters of Recommendation (how many are required); NMSU Faculty Representative (if yes, how many); Foreign Language; WES Evaluation; Special License or Verifications (what license/verification)

Admission Requirements

Bachelor's degree from an accredited university with a GPA of 3.0 or higher (on a 4.0 scale). Students with a cumulative undergraduate GPA of 2.5-3.0 may be admitted on a provisional basis if they have significant experience within the field. Students who are admitted provisionally must complete the first three courses with a minimum GPA of 3.0. Provisional students who do not meet this requirement are subject to dismissal.

Students who have earned the Graduate Minor in Native American Studies or the Graduate Certificate in Borderlands & Ethnic Studies with a GPA of 3.0 or higher may transfer credits from the minor and partially fulfill the requirements of the proposed Master of Arts program in Borderlands & Ethnic Studies.

To apply for graduate study in our department, students must first apply to the NMSU Graduate School (https://app.applyyourself.com/AYApplicantLogin/fl_ApplicantConnectLogin.asp?id=nmsugrad) and must be prepared to include the following application materials:

- Official Transcripts
- Current Resume or Vita
- Letter of Interest
- Two letters of recommendation

Does this program lead to licensure, yes or no?

No

Is credit for prior learning built into the program, if yes explain?

N/A

Faculty Members Employed to Teach in the Program

Existing Personnel

Dr. Dulcinea Lara, Professor and Department Head

FTE

1.0

Course load and courses they will teach in the proposed program

2 courses: Foundations in Borderlands and Ethnic Studies (BEST 5105), Capstone in Borderlands and Ethnic Studies (BEST 5999)

Courses taught in other programs currently offered

2 courses: Foundations in Borderlands and Ethnic Studies (BEST 5105), Capstone in Borderlands and Ethnic Studies (BEST 5999)

Description of academic qualifications

Dulcinea Lara, Ph.D. is Department head and a Professor of Borderlands and Ethnic Studies in the Department of Borderlands and Ethnic Studies. Lara has a Ph.D. in Comparative Ethnic Studies from University of California-Berkeley.

Prior instructional responsibility and other experiences relevant to assigned courses

Lara has been a professor at NMSU for close to 18 years, with appointments in the History Department and Criminal Justice Department before building the Borderlands and Ethnic Studies Department in 2022.

For graduate programs, document scholarship and research capability

Lara's research and public-facing work is multi-faceted and trans-disciplinary. It includes the co-creation of an Ethnic Studies museum exhibition, Pasos Ajenos; K-12 Ethnic Studies curriculum development in partnership with educators, students, and the New Mexico Public Education Department; a Peoples of New Mexico film series; and most recently a piece co-authored with her colleague, Manal Hamzeh, titled "Struggle on Struggle: Rooting in Ancestral Fugitive Resistance Victories to Build an Ethnic Studies Sumud Movement

in New Mexico” a reflection work that builds land-based solidarity between Palestinians and New Mexicans in shared struggle. Lara’s areas of interest include visual cultural studies, decolonial studies in service to understanding Borderlands colonias, and museum and representation studies.

Existing Personnel

Dr. Manal Hamzeh, Director of BEST Research Center

FTE

1.0

Course load and courses they will teach in the proposed program

2 courses per semester. BEST 5110 (Decolonial Research 1: Overview), BEST 5125 (Decolonial Research 2: Methodologies), BEST 5135 (Decolonial Research 3: Data Analysis and Publication), BEST 2750 (Palestine Studies)

Courses taught in other programs currently offered

BEST 5110: BEST Graduate Certificate

Description of academic qualifications

Professor Hamzeh’s Ph.D. in Curriculum and Instruction makes her qualified to instruct these courses.

Prior instructional responsibility and other experiences relevant to assigned courses

Professor Hamzeh has been faculty at NMSU for over 17 years in Gender and Sexualities Studies. Her pedagogical expertise comes from her ontological experience as a Palestinian woman as well as from her Ph.D. in Curriculum and Instruction. She is a Professor who attracts students from across campus for her methodological approach to research.

For graduate programs, document scholarship and research capability

Manal is the sole author of *Women Resisting Sexual Violence and the Egyptian Revolution: Arab Feminist Testimonies* (2020) and *Pedagogies of DeVeiling* (2012). Manal and Jamil Khoury, theater director/writer and producer of *Silk Road Rising*, are co-authors of the short animation film, *The Four Hijabs* (2016). Manal led the artistic creation of *Three Women of Tahrir: Stories from the Egyptian Revolution—a graphic documentary book* (2022). She was a co-editor of the *Journal of Chicana/Latina Studies: The Journal of Mujeres Activas en Letras y Cambio Social* (2022-2023).

Existing Personnel

Dr. R. Joyce Garay, Director of Chicana/o Studies

FTE

1.0

Course load and courses they will teach in the proposed program

Dr. Garay teaches 2 courses per semester including: BEST 5120 (Theories in BEST), BEST 550 (BEST Thesis), BEST 5999 (BEST Capstone), and graduate level versions of: Chicana/o History, Chicana/o Education, and Chicana/o Genders and Sexualities which are electives in the program.

Courses taught in other programs currently offered

Dr. Garay also teaches undergraduate courses in Chicana/o Studies as well as the undergraduate introductory course, BEST 1110G.

Description of academic qualifications

With a Ph.D. from Arizona State University’s English Department complemented by immersion in the interdisciplinarity of the Transborder Studies Department, she is a first-generation scholar and currently an associate professor in her nineteenth year of service and commitment.

Prior instructional responsibility and other experiences relevant to assigned courses

Dr. Garay has been a scholar/educator at NMSU for over 19 years. She receives strong student course evaluations and continues to mentor her students even after they leave her classes. She has been teaching in the areas of Ethnic Studies long before she even joined the department of BEST.

For graduate programs, document scholarship and research capability

Her areas of teaching and research include the plurality of voices within U.S. literary and cultural production, with particular focus upon Chicana, Latina, Black, multiethnic, borderlands, and intersectional feminist traditions, innovations, and interventions.

Existing Personnel

Dr. Georgina Badoni, Director of Native American Studies

FTE

1.0

Course load and courses they will teach in the proposed program

Dr. Badoni teaches 2 courses per semester, including: electives in Native American Studies that can be chosen as part of the Masters Program. She will also rotate teaching the BEST Capstone and BEST Thesis course with other faculty in BEST.

Courses taught in other programs currently offered

Dr. Badoni teaches courses in Native American Studies for the undergraduate minor.

Description of academic qualifications

Dr. Badoni holds a Ph.D. in Native American Studies from the University of Arizona.

Prior instructional responsibility and other experiences relevant to assigned courses

Dr. Badoni is in her fifth year as an Assistant Professor at NMSU. She has taught courses in Native American Studies in the Department of Anthropology and now in the Native American Studies program in BEST.

For graduate programs, document scholarship and research capability

Her teaching and scholarly activities focus on Native American visual culture, Native American education, and Native American women's studies. Dr. Badoni formally worked for Seattle Public School as a Native Education Consulting teacher for the Native Education Program. Before shifting to higher education, she taught K12 in Arizona and Washington State for fifteen years. Dr. Badoni is collaborating with Southern New Mexico schools to meet Culturally Linguistically Responsive education. Dr. Badoni participated in the book, American Indian Studies: Native PhD Graduates Gift Their Stories, where she shared advice on navigating college as an Indigenous person, and was a contributing author to the book, The Yazzie Case. She was a co-editor of the Journal of Chicana/Latina Studies: The Journal of Mujeres Activas en Letras y Cambio Social (2022-2023). Dr. Badoni serves as an Equity Council member for charter and public schools in southern New Mexico.

Documentation of department faculty support

BEST faculty support Memo MA.pdf

Gray Associates Data

BEST Gray Assoc Data 2024.pdf

NM Higher Education Department**Is there a certificate embedded in the degree program? If so, list certificates and courses required?**

Yes, if on the thesis track, students will complete BEST 5105 (Foundations in Ethnic Studies), BEST 5110 (Decolonial Research 1: Overview), BEST 5120 (Theories in Borderlands & Ethnic Studies), and 6 credits of BEST 550 (Thesis) to qualify for a Graduate Certificate in Borderlands & Ethnic Studies.

The students would also qualify for a Graduate Minor in Decolonial Research- once approved- by taking BEST 5120 (Decolonial Research II) and BEST 5135 (Decolonial Research III).

If on the non-thesis track, students will complete BEST 5105 (Foundations in Ethnic Studies), BEST 5110 (Decolonial Research 1: Overview), BEST 5120 (Theories in Borderlands & Ethnic Studies), and 6 credits of BEST 5999 (Capstone) to qualify for a Graduate Certificate in Borderlands & Ethnic Studies.

Students in either track can also qualify for a graduate minor if they chose to take NATV 5110 (Advanced Indigenizing Methodologies in Native American Studies), NATV 4130 (Indigenous Ways of Knowing) and a third NATV course as determined in consultation with the Director of Native Studies.

Does the master's level degree articulate to a doctoral program, yes or no?

No

Describe your institution's plan for periodic evaluation of program effectiveness. Include criteria that will be used to determine effectiveness.

NMSU has a well-documented policy concerning the effectiveness of academic programs, and departments perform annual assessments of the outcomes of these programs. With respect to graduate programs, these assessments examine both the ability of students completing graduate degrees to analyze and interpret complex issues critically and also their mastery of subject matter knowledge. Borderlands and Ethnic Studies is developing an assessment plan for both its undergraduate and graduate courses that involves both quantitative and qualitative measurements to gauge student learning. Our courses are designed to teach students about creating meaningful and sustainable change in a place-based way. The capstone course: BEST 5999 (Capstone) requires students to culminate their learning from all courses into a project that involves direct engagement with community members, leaders, and/or organizations to develop an initiative or knowledge product that has a positive impact on the community- for example. This will be a course that will be part of the assessment process.

The proposed program must meet one or more specified needs within the state or region. Clear and convincing evidence must be provided of the reality and extent of such need.

The Borderlands and Ethnic Studies Masters responds most directly to three local and state needs in education. 1) The 2017 Las Cruces Public Schools Ethnic Studies Resolution states that Ethnic Studies curriculum will be developed and implemented in the schools, 2) The 2018 Martinez/Yazzie legal ruling mandates the New Mexico Public Education Department to offer culturally and linguistically sustaining curriculum to students who have been disadvantaged by the state's public schools over time, and 3) The 2022 Social Studies standard ushered in by the NMPED require a new strand to be offered called, "Ethnic and Cultural Identities." These are specific resolutions and legal mandates that indicate the need for Ethnic Studies locally and statewide. The BEST MA has been asked for by pre-service and in-service educators who know that they need unique education and training to fulfill these new requirements. Within the BEST Research Center, BEST faculty have been developing these content areas within curricular materials (Units/Lessons, films, games, and professional development) toward addressing these state and local needs.

If the program fills a regional workforce need, describe collaboration between your institution and regional employers in the program development.

Generally, educators in K-12 are going to benefit most from this Masters program. Students who have earned our graduate certificate, which was established five years ago, are working in: the non-profit sector, sustainable agriculture, LGBTQ+ and reproductive rights education, criminal justice, and other areas. Current students in our graduate certificate program are in Social Work, Public Health, Communications, Astronomy, History, and other areas.

Identify where similar degree programs are offered by other public higher education institutions in New Mexico.

N/A. No other higher education institutions in New Mexico offer a Masters Degree in Ethnic Studies.

If similar programs are offered at other public higher education institutions in New Mexico, provide a rationale for offering an additional program.

N/A. No other higher education institutions in New Mexico offer a Masters Degree in Ethnic Studies.

List any nearby non-New Mexico institutions of higher learning where the program is being planned or offered, particularly WICHE member institutions.

Throughout WICHE member institutions, New Mexico State will stand with only two others who offer Master's Degrees in Ethnic Studies, California State University – San Francisco and the University of Oregon.

Enrollment and Graduation Projections

Student Type	Year 1	Year 2	Year 3	Year 4	Year 5
New Students	10	10	12	12	15
Continuing Students	9	9	10	10	12
Graduates	9	9	10	10	12

Annual Retention Rate Target (%)

90

Target 100% Graduation Rate (%)

90

Target Job Placement Rate (%)

100

Describe the faculty resources that are needed to initiate the program. Will any additional faculty be needed?

Faculty in the Department of Borderlands & Ethnic Studies, a two year old department that will house the M.A. program, typically teach a 2:2 course load since they are building a new department and the only one in the state. The Department employs 3 full-time tenure-track faculty with an additional fourth member to start in AY24, as well as a Department Head whose teaching load is reduced to build the foundation for (1) a new department as of 2022 and (2) a new research center as of 2024. We are currently able to carry the teaching load for a graduate certificate in Borderlands and Ethnic Studies, (1) graduate minor in Native American Studies, (1)

undergraduate minor in Native American Studies, (1) undergraduate minor in Borderlands and Ethnic Studies, and (1) undergraduate minor in Chicana/o Studies.

As enrollment increases at the rate expected, a re-evaluation of capacity will be needed. At this, time, the existing faculty can cover courses and advising for this degree.

Describe the library and other academic support resources that are needed to initiate the program. What, if any, additional resources will be needed?

Borderlands and Ethnic Studies is fortunate to work with the new Ethnic Studies/Outreach Librarian, a colleague in NMSU's Library system. The Borderlands and Ethnic Studies Department has received a grant from the W.K. Kellogg Foundation to build an Ethnic Studies research and resource center that now houses a collection of Ethnic Studies books and materials for NMSU students, faculty, and staff as well as for children who visit the center. Though this grant, books and technology for online instruction and meetings were purchased.

At this time, additional resources are not required and need will be assessed as the program progresses.

Describe the physical facilities of the institution that will be used for the first five years of the program. Will additional space or modifications of existing space be required within the first five years of program operation.

The department currently uses centrally owned classrooms for classes that exceed 12 students. For seminar classes with 8 or fewer students, the department utilizes a conference space located within the department in Garcia Center. Tours of the research center and space are often incorporated as part of BEST courses, this will apply to the MA courses.

Additional space is not required at this time.

Describe the institution's equipment and technological resources needed for the first five years of the program? What, if any, additional equipment will be needed?

Grants to the BEST Research Center have been used to purchase technology required for BEST faculty to teach in hybrid ways that accommodate students' needs. BEST has just received \$170,000 in Congressional Directed Spending. Part of these funds will be used to set up a sound recording studio for courses so students can record podcasts and produce audio recordings pertinent to their assignments, many which are applied to real life experiences- and that can be shared broadly on available platforms.

Describe any other operating resources needed to initiate the program.

No other resources are needed at this time to launch the program.

Are there existing external facilities that will be used? Have agreements been established to ensure use of the those facilities?

N/A.

Provide a clear analysis of the projected cost of the proposed program and the sources of funding that will support it for the first five years that the program will be offered. Include a discussion how any of the needed resources discussed in your attachment. This should be completed in collaboration with your institution's financial office.

Cost Analysis for BEST MA 2024.xlsx

Letters of Support

B Pearson Letter- Support BEST MA.docx
 LCPS Ethnic Studies Resolution.pdf
 NMPED A Romero Letter- Support BEST MA.pdf
 E Arroyos Letter- Support BEST MA and DRM.pdf
 R Marlatt Letter- Support BEST MA.pdf
 NMPED E Wheeler Letter- Support BEST MA.pdf
 R Lozano Letter- Support BEST MA.pdf
 R Flores Letter- Support BEST MA.pdf
 N Harvey Letter- Support BEST MA.pdf

Accreditation

Is the program seeking specialized accreditation?

No

Is specialized accreditation required for licensure or practice in the program?

No

Has the program already obtained the appropriate specialized accreditation? If so, attach a copy of the letter from the agency granting accreditation?

No

If the program has not yet obtained accreditation but has begun the process of seeking or plans to seek specialized accreditation, specify the name of the agency and provide the time-line for completing the process.

N/A

If the program does not plan to seek specialized accreditation, provide a rationale for not-seeking accreditation here. (if there is not a specialized accrediting organization for this program, indicate so as your rationale).

N/A- there is not an accrediting body for this degree.

If the program includes any of the following, explain how it will ensure that student work and levels of knowledge competencies achieved will be comparable to those achieved through traditional formats: (Award credit for prior learning; use of compressed time frames; use of on-line deliver; inclusion of accelerated formats; or other approaches to learning.)

N/A

Will the program be part of a contractual or consortial arrangement (yes/no, explain)?

No.

If the program is planning any involvement by external organizations (other than from accredited higher education institutions) in the key operations as identified below, provide the information as requested.

Type of Involvement	Name of External Organization	Percent of Involvement
Recruitment and admissions of students	New Mexico School districts	10

Briefly describe the planning process for determining the need for this new program, including the role of faculty in the planning and approval process.

Three relatively recent moments in education: 2017 Ethnic Studies Resolution (attachment in "Letters of Support") and Las Cruces Public Schools, 2018 Martinez/Yazzie Legal Ruling at State level, and 3) the New Mexico Public Education's addition of a sixth required strand in Social Studies, "Ethnic and Cultural Identities" has impelled NMSU to develop a department and now we are developing the Masters degree to service potentially hundreds of educators who require Ethnic Studies education to fulfill these mandates. All faculty in BEST (4) have been working directly and indirectly with local and state partners to assess needs in these areas and develop materials and professional development related to those needs. Meetings with stakeholders to discuss these needs, policy development, narrative shift, and implementation have been attended by and hosted by BEST faculty over many years leading up to this MA program's development.

Describe the process for assessing and improving student learning in the proposed program.

As a new department, the BEST faculty are developing assessment tools to look at how program and student learning outcomes are being realized. One example of activity taken to develop internal tools is working with colleagues in the Geography Department who have a tool to assess Thesis Defense performance tied to their program's overall objectives.

Final projects in individual classes as well as the Capstone course will be complementary to the above metrics by encouraging and supporting decolonial approaches to students' learning, deep reflection, and expression of their learning, growth, and ideas for application of skills and ideas to their personal and professional realms.

Much of our program involves education that is tied intentionally to community partners in state agencies, local agencies, non-profits, community organizations, etc... assessing student learning that is outside the classroom is a key component in our classes and for the MA degree. As relationships develop further with those community partners, they will be involved in helping us shape assessment in a way that also demonstrates efficacy in applying course learning to the lived environment.

Describe the process for assessing and improving student persistence and completion, in the new program.

As with all programs, BEST faculty and administration will create and maintain a database containing data on students' progress on several key milestones towards degree completion, including but not limited to admission dates, course completion dates and grades, and degree completion dates. This database will allow us to analyze student persistence and degree completion in a quantitative manner. It will also enable us to identify students who may need additional assistance to make adequate progress toward degree completion. In addition, we will conduct exit surveys to obtain quantitative and qualitative data on student satisfaction, including their perception of how easy it was to stay engaged with the program and complete it.

If any of the institution's accreditation relationship (including other regional, specialized, or national accrediting agencies) are currently under or recommended for a negative status or action (e.g., withdrawal, probation, sanction, warning, show-cause, etc.)

N/A

If the institution is undergoing or facing substantial monitoring, special review or financial restrictions from the U.S. Department of Education or other federal or state government agencies.

N/A

If the institution's senior leadership or board membership has experienced substantial resignations or removals in the past year.

Leadership in the College of Health, Education, and Social Transformation has been stable with the appointment of a new dean in 2022, with longstanding Associate Deans within the College. NMSU has an Interim President and an Interim Provost with searches ongoing for each position. A new Graduate Dean was appointed in 2024. (Chart)

If the institution is experiencing financial difficulty through conditions, such as, a currently declared state of exigency, a deficit of 10% or more, a default or failure to make payroll during the past year, or consecutive deficits in the two most recent years.

None exist, NMSU's financial situation is stable.

Institution Specific Information Area

Primary target audience for the program (e.g., full#time, part#time, traditional college age, working adults, transfer students, military personnel, or particular ethnic group)

Full-time students, traditional and non-traditional college age, working adults, and likely a disproportionate percentage of students of color and those who live and wish to stay and work in New Mexico.

How does the proposed program align with the department, college and university mission?

New Mexico State University's Mission is to serve the diverse needs of the state through comprehensive programs of education, research, extension and outreach, and public service. As the state's land-grant and space-grant university and as a Hispanic-serving institution, NMSU fosters learning, inquiry, diversity and inclusion, social mobility, and service to the broader community.

The College of Health, Education, and Social Transformation's Mission is to pursue social change and transformation through education, research, and outreach.

The Borderlands and Ethnic Studies Department's Mission is to co-create knowledges rooted in place-based and Borderlands histories to generate practices of justice, love, relationality, and liberation.

BEST programs engage students with pedagogies and knowledges that heighten their awareness of local and global histories and systems of power. In BEST, students are guided to see their value, to deepen their sense of belonging while on campus, and to carry forward knowledges into their areas of study. These pedagogies and knowledges facilitate students' capacity and will to envision and build dignifying, equitable, vibrant, and pluralistic rather than individualistic futures.

The Department Vision is to aspire to expand ways of critical knowing, learning/unlearning, and relating to/with peoples and places in loving, kind, equitable ways while building harmonious, joyful lives with generosity and abundance.

We have examined how the proposed program would support NMSU's long term strategic plan, LEADS 2025 (see <https://leads2025.nmsu.edu/> for details), and we note the following:

- The proposed Master of Borderlands & Ethnic Studies will help our department, our college, and the university attract a large number of students across diverse and marginalized populations. This will support efforts to increase student enrollment and success at NMSU (LEADS 2025, Goal 1, Objective 1).
- The proposed curriculum will combine emerging theories, methods, and applications, hands-on training to solve real-world problems, and diverse professional development activities that leverage our partnerships with the private, public, and non-profit sectors. This unique blend of program components support us developing a workforce who can help meet ever-changing and complex needs in society by instilling a confidence about the true history of this region and the ways people have been historically and contemporarily disenfranchised so that they can build new systems that amplify and elevate life quality for all peoples. (LEADS 2025, Goal 1, Objective 2) and lead to improved social mobility and enhanced academic and career outcomes (LEADS 2025, Goal 1, Objective 4).
- The program aligns with the university's strategic plan (LEADS 2025, Goal 6, Objective 1) by embedding equity, inclusion, diversity, and intersectionality throughout our curriculum. Additionally, the program embeds EID-related outcomes, assessments, and research.
- Our program, as developed, will center LEADS 2025, Goal 6, Objective 3 by providing students with courses and curriculum that support not only their sense of belonging on campus, but in the community. We will recruit locally from school districts, non-profits and rely on word of mouth recruitment from trusted graduates with the BEST graduate certificate.
- Students in the Non-Thesis strand of the program program will complete a capstone research project in collaboration with our private, public, and non-profit partners to address actual problems of interest to our partners. In this manner, our program will facilitate the convergence of research to address real-world challenges integrated with graduate student education (LEADS 2025, Goal 2, Objective 1) and meet local and regional needs that align with global challenges (LEADS 2025, Goal 2, Objective 3).

As regards the linkage between the proposed program and departmental goals, the proposed program will help us meet our goals to grow the graduate program in the department and capitalize on the existing strengths of our faculty. By doing so, we will train the next generation of experts in Ethnic Studies who can help the State of New Mexico meet the considerable challenges it faces in areas such as poverty, hunger, increasing crime, violence, illiteracy, etc... by teaching students about historical systemic inequities and new ways to shift paradigms in our state and region toward healthier outcomes.

Discuss how admissions criteria and strategies will recruit a diverse student body?

Admissions criteria, namely the letter of interest, will support a diverse student body as faculty will look for intentionality in letters that connect to serving communities. Our department has a growing positive reputation in the region and locally for serving working class, minoritized students and their communities. We will continue to be close to those communities and continue strengthening relationships of trust so that students come to our program knowing they will be cared for.

What controls are in place to ensure that the information presented to all constituencies in advertising, brochures, and other communications will be accurate?

NMSU's marketing staff are responsible for developing all promotional materials, which includes working with the departmental faculty to confirm that all data included in the materials are accurate. Departmental faculty will review the promotional materials regularly as needed to confirm that marketing materials are accurate and work with NMSU staff to develop a timeline for deployment. Plus, we work with local artists and graphic designers to develop our own advertising and marketing materials that are culturally and linguistically sustaining of Brown, Indigenous, and other marginalized communities and students.

Student Records Office Uploads

HLC wants CIP Code information that is currently being offered at both the institutional and degree level for 4-digit and 2-digit CIP codes for all new programs. This information will be provided by the University Student Records office and added to the form during the HED submissions workflow step.

Reviewer Comments

Gabrielle Martinez (gdmart) (Mon, 01 Jul 2024 14:54:56 GMT): Rollback: Dulcinea, will you please check the requirements. The credits are totaling 33 but the text mentions 36 credits. Please review and submit back into workflow. Is this program a Master of Arts or Master of Science degree with a Major in Borderlands and Ethnic Studies. Please review the Enrollment and Graduation Projections there are no graduation numbers listed in this table, NMHED will want this information.

Phillip Post (ppost) (Tue, 16 Jul 2024 16:40:18 GMT): Rollback: Hello Dulcinea, I just sent you an email. But ensure your core requirement credits align with the courses listed under each degree option "thesis vs. non-thesis." Please use sub-headings "core-requirements" and "elective requirements" to highlight the required coursework.

Key: 1043



Department of Public Health Sciences
College of Health, Education, and Social Transformation
New Mexico State University
P.O. Box 30001
Las Cruces, NM 88003-8001
Phone: (575) 646-4300
publichealth.nmsu.edu

19 June 2024

From: Becky Pearson, PhD
Department Head, Public Health Sciences

To: Dulcinea Lara, PhD
Department Head, Borderlands & Ethnic Studies
Re: Letter of support for development of an MA degree in Borderlands & Ethnic Studies

Dear Dr. Lara,

I am pleased to submit this letter of support on behalf of the proposed MA degree in Borderlands & Ethnic Studies (BEST). Currently BEST graduate courses enroll students from across campus, including our Public Health students. As a critically focused academic in public health, an inherently progressive discipline, I view this program as a next step for NMSU; our graduate students are focused on a professional realm that centers social change, and they will value this new opportunity to emphasize, and build their knowledge of, regionally relevant issues and discourse.

In addition to serving our students and others, the proposed program offers a home for social transformation-focused cross-disciplinary research and grantseeking. Our BEST colleagues share our aim of improving lives and possibilities while using a distinct but adjacent lens, and I know that Public Health Sciences faculty will welcome new ties to this faculty collective.

Finally, a graduate program in Borderlands & Ethnic Studies will provide fertile common ground for local, bi-directional, engagement and leadership. Students and faculty alike will find they want to hear and express new thinking in our community, and partners will likewise value the new connections.

Again, as both a public health academic and head of Public Health Sciences at NMSU, I am fully in support of the proposed program. Please feel welcome to reach out to talk further or to let me know how my colleagues and I can support your efforts.

Warmly,

Becky

A handwritten signature in black ink, appearing to read 'Becky Pearson', written over a white background.

Becky Pearson, PhD, MPH

Department Head, Public Health Sciences
CHSS Building, Rm 326F, x8194
bpearson@nmsu.edu
College of Health, Education, and Social Transformation
New Mexico State University



Borderlands and Ethnic Studies Department

College of Health, Education, and Social Transformation

New Mexico State University

best.nmsu.edu

5/2024

The undersigned faculty of the Borderlands and Ethnic Studies Department support the development of a Masters in Borderlands and Ethnic Studies. This decision came after multiple meetings and consultations with NMSU administrators as well as by assessing current faculty capacity, student request for in-person courses, and our department's future growth.

Dulcinea Lara, Dept. Head

Manal Hamzeh, Professor

R. Joyce Garay, Associate Professor

Georgina Badoni, Assistant Professor



College of Health, Education and Social Transformation

Counseling & Educational Psychology
MSC 3CEP
New Mexico State University
P.O. Box 30001
Las Cruces, NM 88003-8001
575-646-2121
cep.nmsu.edu

June 28, 2024

Dulcinea M. Lara, Ph.D.
Academic Department Head
Professor of Borderlands & Ethnic Studies (BEST)
College of Health, Education, and Social Transformation

Dear Dr. Lara,

The Department of Counseling & Educational Psychology (CEP) supports the creation of a Masters Degree in Borderlands and Ethnic Studies (BEST) as well as a Decolonial Research Minor (a 9-credit graduate minor).

Our students in the Masters Clinical Mental Health Counseling and Counseling Psychology (CP) Ph.D. programs have taken classes in the Borderlands and Ethnic Studies graduate certificate program over the years as elective courses in their programs of study. Additionally, at present, two students in our CP Ph.D. program are collaborating with BEST faculty to invite colleagues from Decolonial Counseling programs to offer workshops on novel research ways such as playwrighting, filmmaking, and other interactive approaches.

Being in the Borderlands region of New Mexico in a state that is home to over 23 Pueblo Nations, Navajo Nation, and three Apache Tribes, minor programs such as the one being proposed are powerful opportunities for our students as complementary to existing degrees. Our CEP students are always looking for opportunities to gain knowledge regarding knowledge and practice that supports social justice efforts and BEST can offer such an opportunity.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Elsa C. Arroyos'.

Elsa C. Arroyos, Ph.D., NCSP
Interim Department Head
Counseling & Educational Psychology
College of Health, Education, & Social Transformation



Resolution Supporting Ethnic Studies in the Las Cruces Public Schools

WHEREAS, school leaders today are embracing ethnic-studies courses to expand and diversify classroom content that more appropriately reflects the diversity of our communities; and

WHEREAS, Stanford University researchers found positive effects on attendance rates, graduation rates, and overall increases in grade-point for students enrolled in an ethnic-studies curriculum for struggling, at-risk students in San Francisco high schools from 2010-2014; and

WHEREAS, Camille Z. Charles, a professor of sociology, African American Studies and Education at the University of Pennsylvania, concludes that there are distinct advantages to all students taking ethnic studies, regardless of whether they are academically at-risk; and

WHEREAS, Professor Charles further asserts that "the way we teach our history and culture...the way that we exclude and minimize certain groups and their experiences, while privileging others, feeds prejudice and negative stereotypes; and

WHEREAS, members of the Providence Student Union, a youth action group dedicated to addressing a lack of representation of the district's primarily Latino, Black, Southeast Asian, and American Indian population in the school system's curricula, completed an analysis of American history text books used in Providence and found that out of 1, 192 pages, only 55 pages were dedicated to people of color, less than 5 percent of the history curriculum; and

WHEREAS, the National Education Association meta-analysis concluded that considerable research evidence shows that well-taught ethnic studies curricula have positive academic and social outcomes for students of color and White students; and

WHEREAS, Ethnic Studies can encompass a wide range of studies such as Asian American, Latino, African-American, Native American studies; and

WHEREAS, Women's Studies offer a serious examination of the American experience from a woman's perspective and whose goals include the enhancement of the woman's sense of self, the elimination of sexism, appreciation for women centered values, a deepening awareness of the effects of gender for both sexes, and an increased respect among women and between men and women; and

WHEREAS, the research on student outcomes associated with the careful implementation of well-designed and delivered ethnic studies programs is promising; and

WHEREAS, the Board of Educaiton has an adopted policy on sexual harassment and contemporary research points out the obligantion of public institutitons to intervene in and prevent bullying at school, we must teach studetns that gender comes in all shapes and sizes and engage students in a discussion of how to stop the problem at its roots; and

WHEREAS, the Las Cruces Pubic Schools Board of Education has a history of supporting and encouraging innovative options and opportunities to enhance the learning outcomes of all students in a safe, respectful and challenging environment leading to increased college and career readiness, closing of the achievement gap, reducing student truancy, increasing student enrollment, reducing drop-out rates, and increasing graduation rates.

NOW THEREFORE BE IT RESOLVED, that the Las Cruces Schools Board of Education requests that the Superintendent create an Ethnic, Gender, and Women's Studies Task Force whose membership is comprised of students, parents, high school teachers and principals whose membership reflects the diversity found in our community, guidance counselors, and ethnic studies/social justice/women's studies scholars from NMSU to advise, assist, and make policy recommendations, through the Superintendent of Schools, to the Board of Education about programs and courses that reflect the diversity of the LCPS student population, professional development, curriculum, and the impact of adding an Ethnic, Gender, and Women Studies graduation requirements for high school students; and

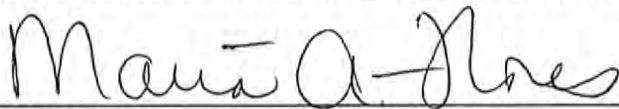
BE IT FURTHER RESOLVED, that the Ethnic, Gender, and Women's Studies Task Force be convened for SY 2017-18 with progress reports provided to the Board of Education monthly on the progress of the task force; and

BE IT FURTHER RESOLVED, that the Board of Education requests that the ethnic, gender, and women studies curriculum be designed to engage students and add relevancy for underserved and at-risk populations; and

BE IT FURTHER RESOLVED, that the Las Cruces Board of Education also supports and encourages the expansion of ethnic-specific elective courses and the infusion of multiethnic and multiculturalism throughout the middle grades curriculum as a foundation for Ethnic Studies in high schools; and

BE IT FURTHER RESOLVED, that the Las Cruces Board of Education supports efforts in recruiting and retaining teachers who have relevant experience and educational background in the study and/or teaching of Ethnic, Gender, and Women's Studies.

Submitted for consideration this 16 day of May 2017.



Maria A. Flores
President



College of Arts and Sciences

Department of Government
MSC 3BN
New Mexico State University
P.O. Box 30001
Las Cruces, NM 88003-8001
575-646-4935, fax: 575-646-2052
<http://deptofgov.nmsu.edu>

June 21, 2024

Dear Colleagues,

I am writing in support of the proposed MA in Borderlands and Ethnic Studies at NMSU. This program will offer students a timely and regionally significant opportunity to explore key issues that impact borderlands communities and for which NMSU is uniquely placed.

During the past several years, Government Department graduate students have taken the graduate certificate in Borderlands and Ethnic Studies and has also offered classes such as POLS 578 Seminar in US-Mexico Border Politics that are of interest to students across campus. The proposed MA would also provide a good pathway for students considering enrollment in the new interdisciplinary Ph.D. in Transborder and Global Human Dynamics at NMSU. This latter program already includes some graduate courses offered by faculty of the Department of Borderlands and Ethnic Studies, particularly in the focus area of Power, Inequality and Racial Justice.

The proposed MA will also encourage strong collaborations across academic disciplines as well as productive areas of community engagement and service of benefit to the people of New Mexico and the borderlands more generally.

I would be happy to provide more information if requested.

Sincerely,

A handwritten signature in cursive script that reads 'Neil Harvey'.

Dr. Neil Harvey

Professor and Academic Department Head

Department of Government

Acting Coordinator, MA Government and

Member of the Steering Committee of the Ph.D. in Transborder and Global Human Dynamics

nharvey@nmsu.edu

Tel: 575-646-4935



**STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR AVE.
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us**

ARSENIO ROMERO, PHD
SECRETARY OF PUBLIC EDUCATION

MICHELLE LUJAN GRISHAM
GOVERNOR

Dr. Arsenio Romero
Secretary – Public Education
New Mexico Public Education Department
300 Don Gaspar Ave, Santa Fe, NM 87501

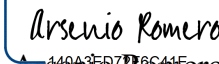
June 19, 2024

Honorable Regents, President Torres and Provost Reddi,
I am writing you this morning to offer my support to the proposed Masters Degree in Borderlands and Ethnic Studies at New Mexico State University.

In February of 2022, the New Mexico Public Education Department adopted a new set of social studies standards that incorporate ethnic, cultural, and identity studies. The proposed Master's degree is a vital addition in preparing our teacher workforce to meet the challenge of these standards in empowering students to develop pride in their identity, history, culture, and region by incorporating a community-based approach while preparing students to be a part of a global environment.

I have worked closely with Dr. Dulcinea Lara and her team over the years and have every confidence in their ability to put together a robust and rigorous program. They have developed culturally responsive and sustaining curriculum that is already in use in New Mexico classrooms and look forward to the work they will do in equipping the state's nearly 22,000 teachers with the tools they need to help our students.

Sincerely,
DocuSigned by:


Arsenio Romero, PhD
Secretary – Public Education
New Mexico Public Education Department

Master's Degree in Borderlands and Ethics Studies

June 19, 2024

Page 2 of 2



**STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR AVE.
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us**

ARSENIO ROMERO, PHD
SECRETARY OF PUBLIC EDUCATION

MICHELLE LUJAN GRISHAM
GOVERNOR

June 21, 2024

NMSU Leadership and Curriculum Committee
New Mexico State University
1780 E University Avenue
Las Cruces, NM 88003

Dear NMSU Leadership and Curriculum Committee:

Please accept this letter as an endorsement of the proposed development of a master's degree in Borderlands and Ethnic Studies at New Mexico State University. Such a program would serve the needs of current and future students who are seeking to understand global socio-political histories and their influence on local and Borderlands communities, which is particularly relevant to professionals who work with local and statewide communities.

In my role as the Humanities Program Specialist at the New Mexico Public Education Department, I help oversee the implementation of the newly rewritten New Mexico Social Studies Standards (NMSSS), which now include the Ethnic, Cultural, and Identity Studies (ECI) standards. In the year since the NMSSS has been implemented by districts and charter schools, educators with all levels of classroom experience have requested support with implementing the ECI strand of the standards. In particular, educators are seeking support with learning about the content, and they are requesting instructional materials with which to teach this content: Currently, there are no adopted instructional materials for the teaching and learning of the ECI standards.

NMPED has partnered with faculty members in the Borderlands & Ethnic Studies (BEST) department at NMSU to develop and deliver professional learning sessions that support educators in understanding the need for and the content of the Ethnic, Cultural, and Identity Studies standards. These sessions have been well attended and highly regarded. In these sessions, educators from across the state had the opportunity to unpack the ECI standards and learn about lessons that teams of faculty and students at NMSU created that align with the ECI standards.

A master's degree in Borderlands and Ethnic Studies at NMSU would provide future educators, among other professionals, with a deep understanding of the historical context of the lived experiences of local and Borderlands communities, and the faculty in the BEST department at NMSU are experts in this field of study. I wholeheartedly endorse this project as the time is right and the expertise is in place at NMSU.

If you have any questions, feel free to contact me at (505) 551-2179.

Best regards,

Sincerely,

A handwritten signature in cursive script that reads "Erica Wheeler".

Erica Wheeler
Humanities Program Specialist



College of Agricultural, Consumer
and Environmental Sciences

Office of the Dean and Chief Administrative Officer
MSC 3AG
New Mexico State University
P.O. Box 30003
Las Cruces, NM 88003-8003
575-646-3748, fax: 575-646-5975
agdean@nmsu.edu

June 7, 2024

To whom it may concern,

In Support of a Master of Arts in Borderlands and Ethnic Studies:

I am writing to express my enthusiastic support for the creation of a Master of Arts degree program in Borderlands and Ethnic Studies (BEST) within the Department of Borderlands and Ethnic Studies at New Mexico State University (NMSU).

This program promises to be a transformative force within our university community, state, and region. By equipping students with essential cultural competencies, such as a deep understanding of global socio-political histories and the intersectional realities of marginalized communities, the BEST program will empower graduates to effect meaningful change in society. Moreover, its emphasis on both theoretical knowledge and applied critical thinking skills ensures that students will be well-prepared to address the complex challenges facing our world today.

Furthermore, the interdisciplinary nature of the BEST program fosters collaboration across various departments within NMSU, reflecting the university's commitment to holistic education. This collaboration extends to the School of Teacher Preparation, Administration, and Leadership (TPAL), where there is already synergy between our faculty and students and BEST in areas such as educator preparation and professional development.

The establishment of a Master of Arts program in BEST aligns perfectly with NMSU's mission as a Land-Grant, Hispanic-Serving, Minority-Serving Institution. It not only meets the needs of our diverse student body but also contributes to the university's broader goals of equity, inclusion, and social transformation.

Thank you for considering this important proposal. Should you require any further information, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rolando A. Flores Galarza', written over a horizontal line.

Rolando A. Flores Galarza
Dean and Chief Administrative Officer



June 11, 2024

BOARD OF EDUCATION

Teresa Tenorio, President

Pamela Cort, Vice
President

Robert Wofford, Secretary

Ed Frank, Member

Patrick Nolan, Member

Ignacio Ruiz
Superintendent



OUR MISSION

The Las Cruces Public Schools provides a safe, caring, equitable and student-centered learning environment that cultivates civic and community engagement, promotes excellence, and honors diversity.

505 S. Main St., Suite 249
Las Cruces, NM 88001
575.527.5800
www.lcps.net

To the Administration,
New Mexico State University
P.O. Box 30001
Las Cruces, NM 88003-8001

Dear Members of the Administration,

On behalf of Las Cruces Public Schools (LCPS), I am pleased to express our strong support for the development of a master's degree in Borderlands and Ethnic Studies at New Mexico State University. This program, encompassing Chicana/o Studies, Native American Studies, and Borderlands and Ethnic Studies, aligns with our district's commitment to culturally relevant and linguistically responsive education.

LCPS serves over 24,000 diverse students, and this master's program will enhance our educators' professional development by equipping them with critical thinking skills necessary to understand and address the rich histories impacting our communities. Our 2017 Board Resolution and Policy JBC, Equity and Excellence for All Students, underscore our dedication to high-quality ethnic studies, and this degree program directly supports these initiatives.

The proposed program is essential in addressing educational deficiencies highlighted by the Martinez/Yazzie vs. State of New Mexico case. Research shows that ethnic studies curricula lead to positive academic and social outcomes, and we believe this program will significantly benefit our educators and students.

LCPS is proud to support the MA in Borderlands and Ethnic Studies and looks forward to its successful implementation. Please keep us informed as the proposal progresses.

Sincerely,

Ignacio Ruiz
Superintendent
Las Cruces Public Schools
575-527-5809



College of Health, Education, and Social Transformation
School of Teacher Preparation, Administration, and Leadership
MSC 3TPAL
Las Cruces, NM 88003-8001
575-646-2290

June 6, 2024

In Support of a Master of Arts in Borderlands and Ethnic Studies:

On behalf of the School of Teacher Preparation, Administration, and Leadership (TPAL) within the College of Health, Education, and Social Transformation at New Mexico State University (NMSU), I respectfully write to express the strongest possible sentiment of support for the Department of Borderlands and Ethnic Studies (BEST) as they seek to create a Master of Arts degree, which would provide tremendous impact for the university community, state, and region.

Programmatic outcomes for BEST would feature the development of vital cultural competencies such as authentic knowledge of global socio-political histories and their influence on local and Borderlands communities, essential centering of the lived and intersectional realities of marginalized and racialized peoples; and a balanced development of both the theoretical and applied critical thinking skills necessary for graduate students who are committed to uplifting the livelihoods of people and the futures of societies. Further, the notion of master-level programming in BEST presents an opportunity to capitalize on existing interdisciplinary connections with departments across campus. For instance, BEST currently enrolls students in their graduate courses from programs representing each academic college, including TPAL, Social Work, Public Health, Counseling and Education Psychology, Geography, English, Agricultural Extension, Criminal Justice, Astronomy, and others. Current enrollment of both master's and doctoral students at NMSU demonstrates considerable demand for additional graduate opportunities in BEST. BEST's Master of Arts proposal is culturally representative of the unique needs and contexts of the students and communities served by NMSU.

TPAL, in particular, is supportive of BEST's proposal as our faculty and students already collaborate with BEST across natural areas of alignment in educator preparation and professional development including culturally and linguistically sustaining curricula; bilingual and multicultural education; critical pedagogies; recruitment and retention of historically underrepresented faculty, staff, and students; and more. Moreover, BEST is positioned to intersect with TPAL's emerging Africana Studies program, a collaboration which holds significant potential for amplifying justice-oriented objectives within NMSU Leads 2025 Goal 6: Build, Elevate, and Strengthen Sustainable Systemwide Equity, Inclusion, and Diversity Practices. As New Mexico's Land-Grant, Hispanic-Serving, Minority-Serving Institution, NMSU would benefit substantially from a Master of Arts in BEST and its contribution to enrollment and initiatives of social transformation in the Southwest Borderlands and beyond.

Thank you very much for your time and consideration. Please do not hesitate to reach out if I can provide additional insights or information which may be helpful to your review process.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Marlatt".

Rick Marlatt, Ph.D., M.F.A

Director, School of Teacher Preparation, Administration, and Leadership

New Mexico State University

rmarlatt@nmsu.edu



Board of Regents Meeting
Meeting Date: September 19, 2024
Agenda Item Cover Page

Agenda Item # D-6

- Action Item
- Consent Item
- Informational Item

Presented By:

David Jauregui, College of Engineering Interim Dean, with support from the following personnel:

Dr. Hansuk Sohn, Industrial Engineering Department Head
Dr. Salvador Rodriguez, Industrial Engineering Department faculty member
Dr. Carlo Mora-Monge, College of Business Assoc Dean for Research & Graduate Programs
Dr. Carol Flinchbaugh, Management Department Head
Dr. Don Fuqua, College of Business faculty member
Mr. Sashidhar Chintalapati, College of Engineering Data Specialist
Dr. Beth Apodaca, NMSU Global Vice Chancellor

Agenda Item:

Engineering Management – Master of Engineering (Online)

Requested Action of the Board of Regents:

Approval of Engineering Management – Master of Engineering (Online) proposal as presented.

Executive Summary:

The College of Engineering and College of Business at New Mexico State University propose an online Master of Engineering in Engineering Management graduate degree program. The proposed program aligns with NMSU's mission, addresses an important state need, and offers excellent career prospects for graduates. This innovative interdisciplinary program fills a crucial gap for highly skilled engineering managers, supports NMSU's commitment to serving the state's diverse population, and capitalizes on the university's existing strengths to ensure long-term success and impact.

By integrating engineering and business principles, the Master of Engineering in Engineering Management graduate degree offers a comprehensive education tailored to a diverse audience, including new graduates seeking to stand out in the job market, and experienced professionals looking to advance their managerial and technical expertise. The proposed program directly addresses the growing demand for engineering managers in New Mexico and surrounding areas. Employers face challenges in attracting and retaining highly qualified professionals with advanced degrees, particularly in national sectors such as government, defense, and aerospace, as well as in regional industries like the Borderplex manufacturing and production maquiladoras. This online program offers accessible, industry-relevant

education, drawing New Mexico residents seeking career advancement and meeting the needs of employers seeking skilled local talent.

The program's market potential is clearly evident in the outstanding ratings in the Gray Associates Scorecard. High scores in student demand, competitive intensity, and employment outcomes indicate strong appeal and excellent career prospects. Furthermore, the U.S. Bureau of Labor Statistics projects significant growth in the engineering management field, reinforcing the program's relevance and long-term value.

The program's interdisciplinary approach, blending the strengths of the engineering and business faculties from multiple departments, provides students with an essential skill set that aligns with both student interests and the evolving needs of today's employers. The initial launch of this proposed program will require no additional resources since it will leverage existing faculty from the College of Engineering and College of Business with funding support from NMSU Global. This strategic collaboration not only maximizes resources but also ensures that graduates are well-prepared to manage complex engineering projects, drive innovation, and confidently lead teams in a highly competitive market.

Given these compelling benefits, we respectfully request the approval of the Board of Regents to establish this program, advancing NMSU as a leader in engineering education while contributing to the state's economic growth and workforce development.

References:

Please refer to attached slide set that includes brief presentation (slides 1-3) and supporting materials (slides 4-end).

Prior Approvals:

The Master of Engineering in Engineering Management graduate degree program is proposed in accordance with NMSU ARP 4.81 – Las Cruces Campus Approval Sequence for New Programs. The process was initiated in Summer 2023 in response to the increasing market demand in the area of Engineering Management. The approval bodies and respective approval dates are summarized below:

Departmental Faculty, August 2023

Department Head, August 2023

College Curriculum Committee, October 2023

Academic Dean, February 8, 2024

Graduate Dean, August 15, 2024

University Program Academic Committee (UPAC), August 15, 2024

Board of Regents Student Success Committee, September 5, 2024

Provost, September 5, 2024

President, September 5, 2024

Agenda Item Approved By:

Each office may determine required signatures (if any). All items should be routed through the President's Office, University General Counsel, or the Secretary of NMDA as appropriate.

Online Master of Engineering in Engineering Management

David Jauregui
Dean of College of Engineering

Hansuk Sohn, Salvador Rodriguez, Sashi Chintalapati
College of Engineering

Carlo Mora-Monge, Carol Flinchbaugh, Don Fuqua
College of Business



Beth Apodaca
NMSU Global

BE BOLD. Shape the Future.

Employment Demand

- **Gray Associates Scorecard**
 - Student Demand – 98 percentile
 - Competitive Intensity – 96 percentile
 - Employment – 98 percentile

- **Bureau of Labor Statistics**
 - Projected growth of 6% from 2023-2033 (average = 4% all occupations)

Resources

- **Collaboration with College of Business and NMSU Global**
- **Builds on Nationally Recognized Master's in Industrial Engineering**
- **MAP and New Mexico STEM Graduate Scholarship**
- **Arrowhead Center (Studio G)**

Regional Competition

- **New Mexico Tech, U of A, ASU**



Supporting Material for Online Master of Engineering in Engineering Management

David Jauregui
Dean of College of Engineering

Hansuk Sohn, Salvador Rodriguez, Sashi Chintalapati
College of Engineering

Carlo Mora-Monge, Carol Flinchbaugh, Don Fuqua
College of Business

Beth Apodaca
NMSU Global



BE BOLD. Shape the Future.

NMSU IE Department Future State Masters Program

From the Bureau of Labor & Statistics – 2022 Report: the A) Average Salary for an Engineer with a Bachelors is \$102,859; and) with a Master's in Engineering Management jumps to on Average \$159,920

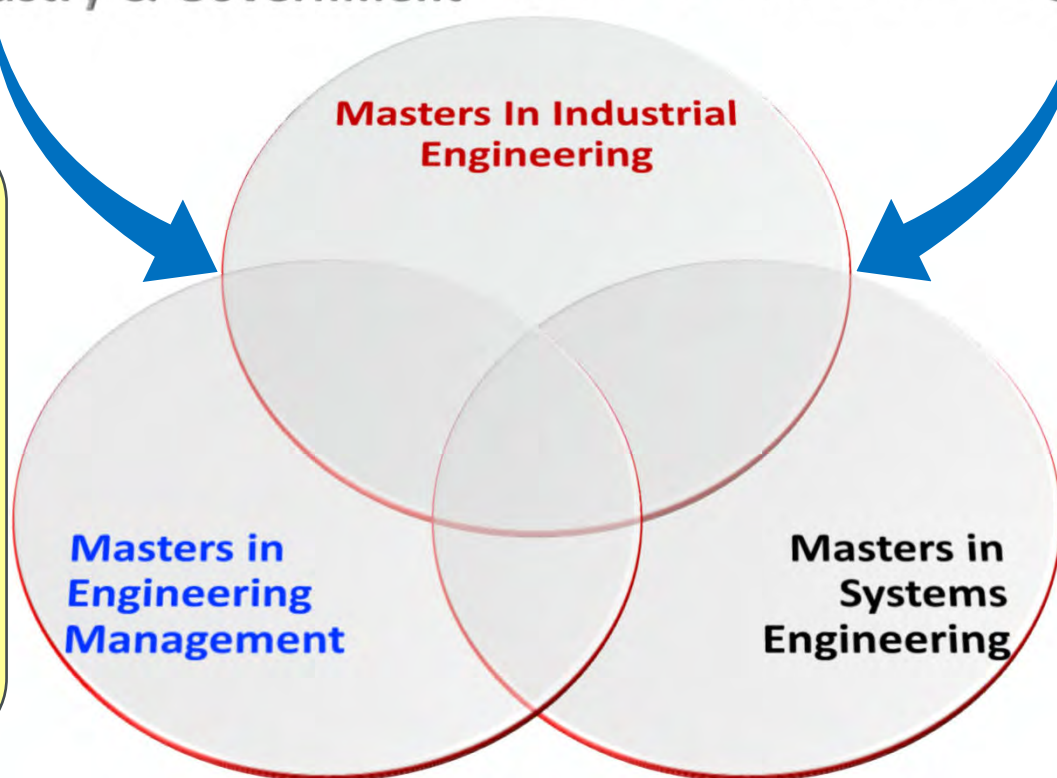


Working Professionals
Industry & Government



Various Undergraduate
STEM & Non-STEM Programs

- Sample List of Major Employers**
- Los Alamos & Sandia National Laboratory - DoE
 - White Sands Missile Range Enterprise (DoD, NASA, Industry, PSL-NMSU, ... 40+ different agencies)
 - El Paso Electric
 - City of Las Cruces
 - El Paso Airport Airlines



- Scholastic Programs**
- Masters Accelerated Program
 - Graduate Fellows Programs
 - All Programs from the College of Engineering
 - The Business College
 - The Math and Science College
 - The College of Agriculture



BE BOLD. Shape the Future.

Compelling Need for an Online Master's in Engineering Management at NMSU

This program addresses critical needs by:

- **Fulfilling State Workforce Demands** – It aligns with NMSU's mission to serve New Mexico's workforce by providing a degree in rapidly growing field
- **Enhancing Student Opportunities** – The online format offers flexibility for working professionals seeking career advancement
- **Equipping Graduates for Successes** – The program equips graduates with the necessary knowledge and skills for engineering professionals with strong management skills to lead complex projects across industries.

The Gray Associates Scorecard shows that this program's total market score is among the top 2% of similar programs nationally:

- **Exceptional student demand** (98th percentile)
- **Competitive intensity** (96th percentile)
- **Exceptional employment outcomes** (98th percentile)

Neighboring institutions have launched master's programs in Engineering Management. This creates a risk of losing students. **It is urgent for NMSU to launch the Engineering Management Master's program**



Gray Associates Scorecard

CIP: 15.1501 Engineering/ Industrial Mgmt Market: National Award Level: Masters Select Program Export PDF Support

CIP: 15.1501 Engineering/ Industrial Mgmt **Market: National** **Total Score: 55** **Percentile: 98**

Student Demand

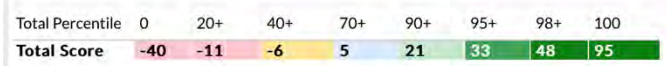
Score: 36 Percentile: 98

Category	Pctl	Criterion	Value	Score
Size	72	Google Search Volume (3 Months)*	22,000	5
	98	International Page Views (12 Months)	8,400	2
	97	New Student Enrollment Volume (12 Mo.)	5,000	4
	96	Un-ground Completions at In-Market Institutions	2,400	8
	97	Online Completions by In-Market Students	1,200	9
96	Sum of On-ground and Online Completions	3,600	NS	
Gr...	70	Google Search YoY Change (Units)*	260	1
	99	New Student Enrollment Vol. YoY Change (1 Index)	377	3
	97	Completion Volume YoY Change (Units)	273	3
	60	Google Search YoY Change (%)	1%	0
	81	New Student Enrollment Vol. YoY Change (%)	8%	1
64	Completion Volume YoY Change (%)	8%	0	

Competitive Intensity

Score: 11 Percentile: 96

Category	Pctl	Criterion	Value	Score
Volume of In-Market Compe...	95	Campuses with Graduates**	114	3
	85	Campuses with Grads YoY Change (Units)**	1	-1
	97	Institutions with Online In-Market Students**	57	NS
In-Market Program Sizes	88	Average Program Completions	21	0
	91	Median Program Completions	14	2
	70	YoY Median Prog. Compl. Change (Units)	0	0
In-Market Saturat...	70	YoY Median Prog. Compl. Change (%)	0	0
	94	Google Search * Cost per Click**	\$21	-3
National Online Compe...	94	Google Competition Index**	0.76	-1
	98	National Online Institutions (Units)**	69	4
	93	Nat'l Online % of Institutions	51%	3
	72	Nat'l Online % of Completions	34%	4



Employment*

Score: 13 Percentile: 97

Category	Pctl	Criterion	Value	Score
Size: Direct Prep	82	Job Postings Total (12 Months)*	12,000	1
	80	BLS Current Employment*	82,000	1
	72	BLS Annual Job Openings*	5,300	0
Size: ACS Bach. Outcomes	85	Job Postings Total (12 Months)*	8,200	0
	83	BLS Current Employment*	35,000	1
Growth (Direct Prep)	69	BLS 1-Year Historical Growth*	7.3%	0
	72	BLS 3-Year Historic Growth (CAGR)*	3.0%	1
Saturation (Direct Prep)	33	BLS 10-Year Future Growth (CAGR)*	0.4%	NS
	69	Job Postings per Graduate*	2.1	0
Wages (Direct Prep)	55	BLS Job Openings per Graduate*	0.9	0
	98	BLS 10th-Percentile Wages*	\$7,000	3
National American Community Survey	97	BLS Mean Wages*	\$1,000	NS
	90	Wages (Age < 30)	\$5,000	5
	88	Wages (Age 30-60)	\$1,000	3
	45	% with Any Graduate Degree	33%	NS
	60	% with Masters	29%	NS
	23	% with Doct/Prof Degree	4%	NS
	65	% Unemp. (Age <30)**	3%	-1
Bachelor's Degree Outcomes	73	% Unemp. (Age 30-60)**	2%	-1
	58	% in Direct Prep Jobs	9%	NS

CIP Description:
 A program that focuses on the application of engineering principles to the planning and operational management of industrial and manufacturing operations, and prepares individuals to plan and manage such operations. Includes instruction in accounting, engineering economy, financial management, industrial and human resources management, industrial psychology, management information systems, mathematical modeling and optimization, quality control, operations research, safety and health issues, and environmental program management.



Degree Fit:

Score: -5 Percentile: 6

Category	Pctl	Criterion	Value	Score
NHEBI Nat'l 2 Year		Cost Index** Student: Faculty Index	NA	NS
			NA	NS

National Completions by Level

Score: -5

Award Level	Completions (National)	Completions (Market)	Enrollment (Market)
Certificate	0%	0%	0%
Associates	1%	1%	1%
Bachelors	23%	23%	13%
Postbaccalaureate Certificate	10%	10%	3%
Masters	63%	63%	76%
Post-masters Certificate	0%	0%	4%
Doctoral	2%	2%	3%
Unknown	0%	0%	0%

National Workforce Ed. Attainment

Score: 0

Award Level	BLS Educational Attainment
No College	10%
Some College	11%
Associates	7%
Bachelors	45%
Masters	23%
Doctoral	4%

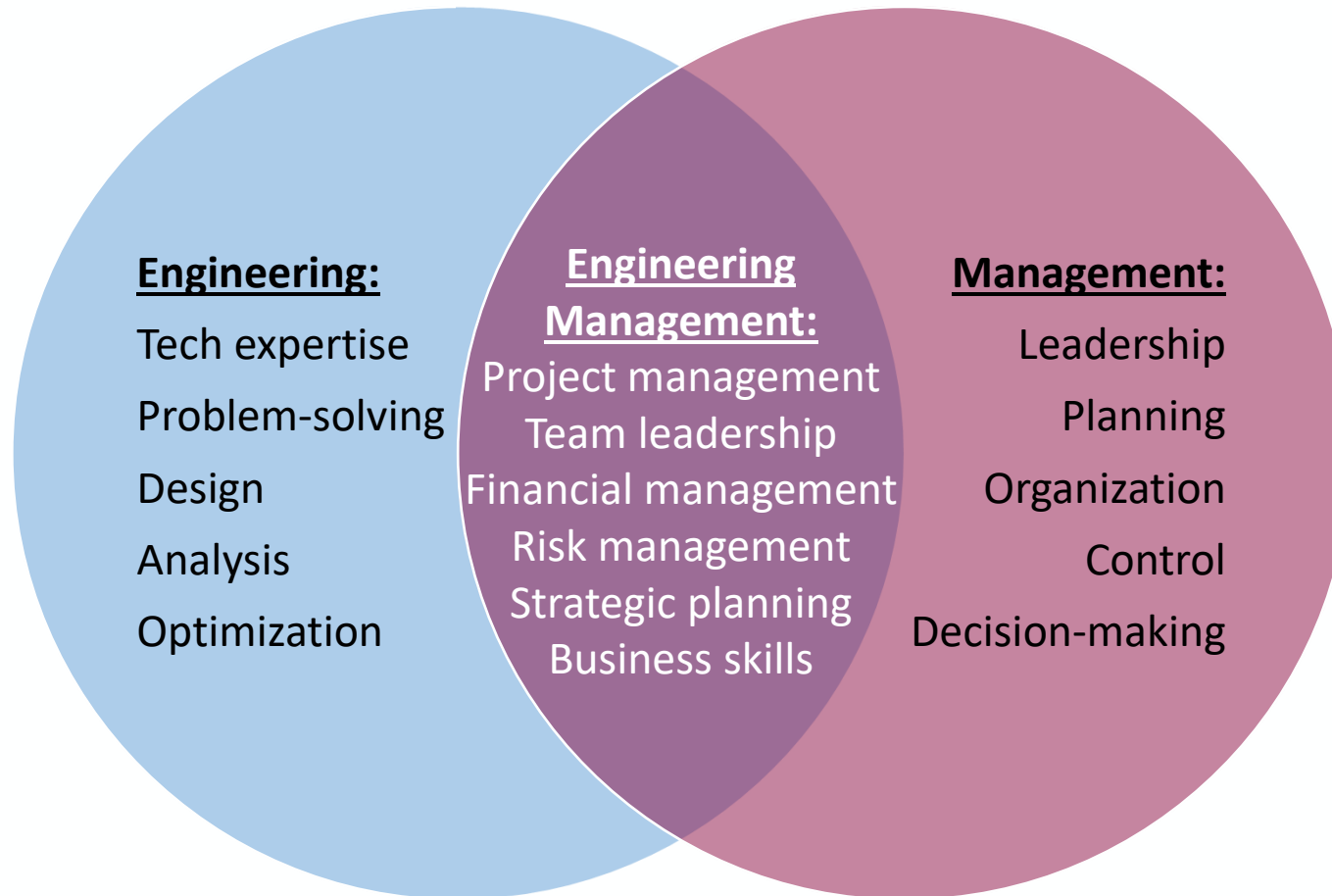
* - Google search, employment data and Jobs Per Grad Ratio do not filter by award level.
 ** - Color scale in reverse.
 NA - No data available/not currently tracked.
 NS - Not Scored in Rubrics (values = 0).
 2-YR - Associates & certificate programs only.
 PCTL - Percentile



BE BOLD. Shape the Future.

What is Engineering Management?

Bridging Engineering and Business



Engr Mgmt in NM & surrounding region

New Mexico Institute of Mining and Technology (New Mexico Tech) Management Department offers a Master of Engineering Management degree:

- Leaning heavily toward technology management with energy markets and tech entrepreneurship
- Strong focus on the mining and defense sectors

NMSU offers a unique Engineering Management program combining Engineering and Business:

- Leverage the strength of both departments offering a comprehensive curriculum
- Providing a balanced perspective between engineering operations and business strategies
- Focus on Southern New Mexico, West Texas, and Ciudad Juarez to address regional talent shortage.
- NMSU's proximity to the Borderplex region offers students unique opportunities for networking and research collaborations with businesses in Mexico and the United States.
- Builds on successful online Industrial Engineering program.
- Offers competitive advantage over ASU and U of A programs.

NMSU Industrial Engineering: Nationally Ranked Master's Programs



Ranked #1 in the Best Master's in Industrial Engineering Degree Programs of 2023 ([intelligent.com](https://www.intelligent.com)) <https://www.intelligent.com/best-masters-in-industrial-engineering-degree-programs/>



Ranked #1 in the Best Master's in Industrial Engineering Degree Programs in 2023-2024 ([bestvalueschools.org](https://www.bestvalueschools.org)) <https://www.bestvalueschools.org/masters-in-industrial-engineering/>



Ranked #1 in the Top Most Affordable Master's in Industrial Engineering Online Programs ([bestcollegesonline.org](https://www.bestcollegesonline.org)) <https://www.bestcollegesonline.org/most-affordable/masters-industrial-engineering-online/>

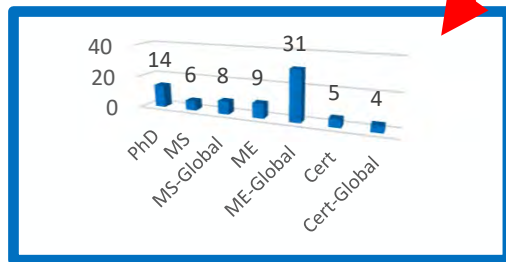
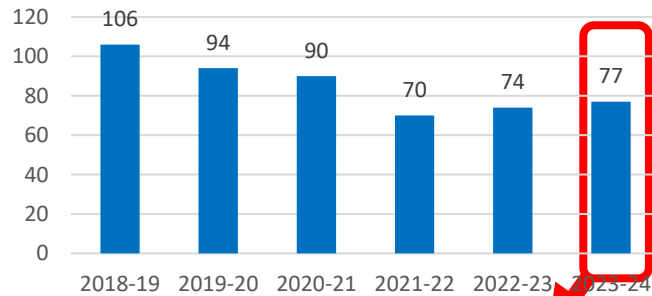


Ranked #1 in the Most Affordable Online Master's Degrees in Industrial Engineering ([onlineu.com](https://www.onlineu.com)) <https://www.onlineu.com/most-affordable-colleges/industrial-engineering-masters-degrees>

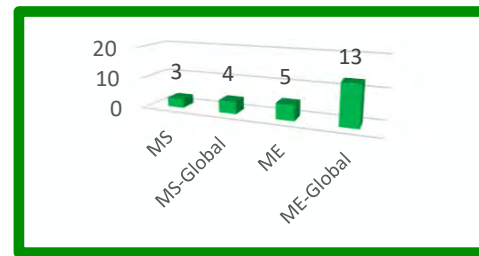
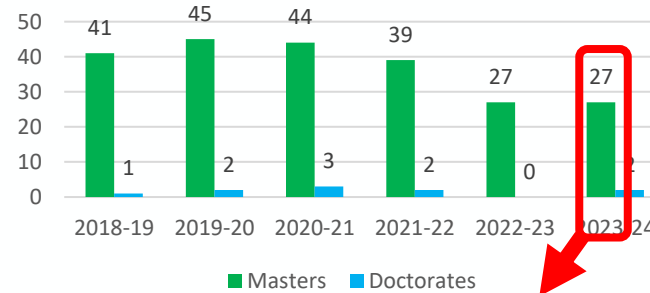


BE BOLD. Shape the Future.

Enrollment



Graduation



The George Washington University Sponsored

GW: Earn Your Online Master's

TOP-RANKED BY U.S. NEWS

Earn Your Online Master's Degree in:

- Electrical Engineering
- Systems Engineering
- Engineering Management

Engineering [Learn More](#)

getinfo-online.engineering.gwu.edu [Learn more](#)

GW Online Engineering Master's

Graduate Enrollment Initiatives:

- **Proposing the Introducing of Two New Masters Programs in Engineering Management and Systems Engineering** – The Graduate student body enrollment is still pretty robust, **BUT** we must continue to stay relevant by expanding our products and services. Therefore establishing these two new masters programs will help keep and maintain the NMSU IE Dept relevant to the needs of New Mexico, and keeping pace with other Universities that are also introducing similar programs at their respective State Universities, and avoid losing potential enrollees to other State Universities --- **Train, Educate and Retain our New Mexico Talent for today and future generations.**



BE BOLD. Shape the Future.

Projected Enrollment & Costs

Student Type	Year 1	Year 2	Year 3	Year 4	Year 5
New Students	10	15	20	25	30
Continuing Students	0	10	15	20	25
Graduates	0	0	10	15	20

- No immediate need for additional **faculty**. Additional **faculty** lines will be allocated based on the program's growth.
- COE will use existing staffs to cover the administrative **staffing** for Engineering Management
- The current IE Department level **advising** will cover the program's needs
- No additional **library resources** needed for the Program
- No additional **space** or modifications of existing space required
- No additional **facilities, equipment** and **technological resources** needed

Program and Course Requirements

The program of study leading to the Masters in Engineering Management (M.E.M.) consists of 30 credits. At least 50% of the course work must be taken from the Approved IE Department Course List. This means that students can take up to five electives from engineering disciplines outside the department and/or other areas of interest outside the college.

30 Credit Required Courses:

Prefix	Title	Credits
Industrial Engineering Program-Specific Courses (6 credits)		
I E 456/537	Large Scale Systems Engineering	3
I E 571	Advanced Quality Control	3
Business Program-Specific Courses (6 credits)		
MGMT 503	Organizational Behavior	3
ACCT 503	Accounting	3
Core Requirements (12 credits from the following):		
IE 524 or MGMT 502 or MGMT 470	Advanced Production and Inventory Control Operations Management Project Management	3 3 3
IE 451/523 or FIN 503	Engineering Economy Financial Management	3 3
IE 460 or AST 512	Evaluation of Engineering Data Quantitative Analysis for Business Decisions	3 3
IE 563 or MGMT 590	Topics in Engineering Administration Strategic Management	3 3
Optional Electives		
A 500-level course in the designated field, subject to the consent of your advisor and the course instructor: IE, EE, ME, AE, ET, CE, CHME, ACCT, BCIS, BFIN, MGMT, ECON, CS, AST, and STAT		3
Capstone Project (3 credits from the following)		
IE 490/590 or MGMT 490 or BCIS 590	Selected Topics Selected Topics Selected Topics	3 3 3
Total Credits		30

A suggested road map for program completion

Below is a recommended roadmap tailored for full-time students, considering enrollment in three courses per semester. It's important to highlight that the suggested degree program is flexible and can be pursued by part-time students taking one or two courses per semester, including summer sessions, based on individual preferences. For alternative plans of study and additional details, feel free to reach out to the program director or faculty advisor.

First Year		Credits
Fall		
I E 456/537	Large Scale Systems Engineering	3
I E 571	Advanced Quality Control	3
MGMT 503	Organizational Behavior and Management Processes	3
Credits		9
Spring		
I E 523 or FIN 503	Advanced Engineering Economy Financial Management	3 3
I E 524 or MGMT 502 or MGMT 470	Advanced Production and Inventory Control Operations Management Project Management in Organizations	3 3 3
I E 460 or A ST 512	Evaluation of Engineering Data Quantitative Analysis for Business Decisions	3 3
Credits		9
Second Year		
Fall		
I E 490 / 590 or MGMT 490 or BCIS 590	Selected Topics - Capstone Project Selected Topics – Capstone Project Selected Topics – Capstone Project	3 3 3
I E 563 or MGMT 590	Topics in Engineering Administration Strategic Management	3 3
ACCT 503	Accounting for Managers	3
Credits		9
Spring		
Elective	From the Approved Elective List *	3
Credits		3
Total Credits		30

* The optional courses outside the department and/or the college should be previously approved by the academic advisor. See your advisor for more detailed information about selecting elective courses.



LEADS 2025 Alignment

- **Goal 1: Enhance Student Success and Social Mobility**
 - Enhances student success by fulfilling a need for education in engineering management
 - Meets market demand expressed by employers and alumni
- **Goal 2: Elevate Research and Creativity**
 - Supports applied research by exposure to a broad engineering management arena
 - Contributes to economic development
- **Goal 3: Amplify Extension and Outreach**
 - Provides professional development to a variety of STEM disciplines
 - Well-suited for the New Mexico – West Texas – Northern Mexico industrial environment
- **Goal 5: Build an Online Global Campus**
 - Education from instructors with specialized professional experience and in-demand skill sets are easily made available to the NMSU Global students





1st Place Award: for best Student Chapter Video at this year's 2024 International Conference of the Institute of Industrial & Systems Engineers (IISE)

NMSU Global: Key Pillar Element to help with the Successful Launch of these Two Proposed Masters Programs.
Availability, Accessibility, & Inclusivity



BE BOLD. Shape the Future.

Conclusion

- **NMSU's Engineering Management master's program is positioned for Success with Strong Demand and Minimal Competition**
- **The program is poised for sustainable growth utilizing existing faculty, with funding already secured to support future expansion.**
- **The program offers a competitive advantage over neighboring institutions through its comprehensive curriculum and established track record of online success.**

1046: ENGINEERING MANAGEMENT - MASTER OF ENGINEERING (ONLINE)

In Workflow

1. Student Records Office - Programs (gdmart@nmsu.edu)
2. EG Academic Dean (gabegarc@nmsu.edu)
3. Graduate Dean (rkoodali@nmsu.edu)
4. UPAC - Chair (jlakey@nmsu.edu)
5. Provost (mcateer@nmsu.edu; bgamillo@nmsu.edu)
6. President (lbduran@nmsu.edu)
7. Board of Regents (cavotta@nmsu.edu)
8. Graduate School - Council of Deans (rkoodali@nmsu.edu)
9. Student Records Office - HED (gdmart@nmsu.edu)
10. Student Records Office - CIP (gdmart@nmsu.edu)
11. UO HLC (UO HLC@nmsu.edu)
12. Student Records Office (gdmart@nmsu.edu)

Approval Path

1. Tue, 02 Jul 2024 20:52:17 GMT
Gabrielle Martinez (gdmart): Approved for Student Records Office - Programs
2. Sat, 06 Jul 2024 12:47:04 GMT
Gabe Garcia (gabegarc): Approved for EG Academic Dean
3. Sat, 06 Jul 2024 17:19:36 GMT
Ranjit Koodali (rkoodali): Rollback to EG Academic Dean for Graduate Dean
4. Mon, 08 Jul 2024 17:59:04 GMT
Gabe Garcia (gabegarc): Rollback to Student Records Office - Programs for EG Academic Dean
5. Mon, 08 Jul 2024 18:19:33 GMT
Gabrielle Martinez (gdmart): Approved for Student Records Office - Programs
6. Mon, 08 Jul 2024 20:49:56 GMT
Gabe Garcia (gabegarc): Rollback to Initiator
7. Tue, 16 Jul 2024 14:31:43 GMT
Gabrielle Martinez (gdmart): Approved for Student Records Office - Programs
8. Thu, 18 Jul 2024 00:11:34 GMT
Gabe Garcia (gabegarc): Approved for EG Academic Dean
9. Thu, 18 Jul 2024 04:51:10 GMT
Ranjit Koodali (rkoodali): Approved for Graduate Dean
10. Thu, 29 Aug 2024 18:47:49 GMT
Joe Lakey (jlakey): Approved for UPAC - Chair
11. Thu, 29 Aug 2024 18:49:44 GMT
James Mcateer (mcateer): Approved for Provost
12. Mon, 09 Sep 2024 18:05:49 GMT
Lydia Duran (lbduran): Approved for President

New Program Proposal

Date Submitted: Tue, 16 Jul 2024 14:30:09 GMT

Viewing: 1046 : Engineering Management - Master of Engineering (Online)

Last edit: Wed, 04 Sep 2024 21:30:41 GMT

Changes proposed by: Hansuk Sohn (hsohn)

Submission Information

The Degree Type will factor into the level and the submissions that must occur for HED and HLC.

- Community College Types: Applied Associate Degree, Associate Degree, Certificate, Concentration
- Main/Global Campus Undergrad Types: Bachelor's Degree, Concentration, Minor
- Main/Global Campus Graduate Types: Master's Degree, Doctoral Degree, Certificate, Concentration, Minor

Degree Type

Master's Degree

The Degree Title dropdown has all existing degree titles in Banner, if you do not see the one you are looking for you will select "Other" then in the New Degree Title box you will type out the official title of the degree (as you would want it to appear on a students record, transcript, and/or diploma).

Degree Title

Other

New Degree Title

Master of Engineering in Engineering Management

Academic Level

Graduate

The Catalog Title will be what is displayed in the catalog page. The standard format is Major (Concentration) - Degree Title. (I.e., Mathematics (Secondary Education) - Bachelor of Science. Note: If there is no concentration you would just list the Major - Degree.

Catalog Title

Engineering Management - Master of Engineering (Online)

College

Engineering

Campus

Global Campus

Division

No Division for this Campus

Department

Industrial Engineering

Effective Catalog

2025-2026

If opting for a Global program, specify "Global Campus" under campus type. You must have a Program Proposal on file with Global Campus prior to submission of a new Global program. Contact Global Campus for more information.

Program Teaching Modality

Online

Thesis and Non-Thesis Format

Non-Thesis

CIP Code

151501 - Engineering/Industrial Management.

Normal or typical length of time for students to complete the program (in years)

1.5 – 2 years

Curriculum Information

Program Learning Outcomes

Learning Outcomes	
Outcome 1	Engineering Management Knowledge and Skills. Identify, analyze, design, and solve complex engineering problems by applying principles of engineering management.
Outcome 2	Communication Skills. Communicate effectively both verbally and in writing, with a range of audiences
Outcome 3	Collaboration and Teamwork. Function effectively on a team whose members together provide leadership, create a collaborative and inclusive environment, establish goals, plan tasks, and meet objectives.

List of academic departments/units and or institutions involved in the delivery of courses

Department/Unit
Management (MGMT)

The Course Requirements, need to be in the standard format for the catalog because this piece of the form will be imported directly onto the catalog page. See the Student Records Website for a guide. The total number of credits at the bottom of the course list will be the "official" total for the degree. Please make sure it adds up correctly.

Course Requirements

Prefix	Title	Credits
Industrial Engineering Program-Specific Courses		6
I E 456	Large Scale Systems Engineering ¹	3
I E 571	Advanced Quality Control ¹	3
Business Program-Specific Courses		6
MGMT 503	Organizational Behavior and Management Processes ¹	3
ACCT 503	Accounting for Managers ¹	3
Core Requirements ^{1,2}		12
I E 524 or MGMT 502 or MGMT 470	Advanced Production and Inventory Control Operations Management Project Management in Organizations	3
I E 451 or BFIN 503	Engineering Economy Financial Management	3
I E 460 or A ST 512	Evaluation of Engineering Data Quantitative Analysis for Business Decisions	3
I E 563 or MGMT 590	Topics in Engineering Administration Strategic Management	3
Optional Electives ³		3
A 500-level course in the designated field, subject to the consent of your advisor and the course instructor: IE, EE, ME, AE, ET, CE, CHME, ACCT, BCIS, BFIN, MGMT, ECON, CS, AST, and STAT		
Capstone Project (3 credits from the following) ^{1,3}		3
I E 490	Selected Topics	1-3
B A 590	Professional Paper/Presentation	3
BCIS 590	Special Topics	1-3
Total Credits		30

¹ Masters of Engineering Management required course.

² Only One Course May Be Applied to the Masters of Engineering Management.

³ The optional courses outside the department and/or the college should be previously approved by the academic advisor. See you advisor for more detailed information about selecting elective courses.

The Road Map, need to be in the standard format for the catalog because this piece of the form will be imported directly onto the catalog page. See the Student Records Website for a guide. All courses and the total number of credits at the bottom of the roadmap should match the Course Requirements list.

Road Map

Below is a recommended roadmap tailored for full-time students, considering enrollment in three courses per semester. It's important to highlight that the suggested degree program is flexible and can be pursued by part-time students taking one or two courses per semester, including summer sessions, based on individual preferences. For alternative plans of study and additional details, feel free to reach out to the program director or faculty advisor.

First Year

Fall	Credits
I E 456	Large Scale Systems Engineering
I E 571	Advanced Quality Control
MGMT 503	Organizational Behavior and Management Processes
Credits	
9	
Spring	Credits
I E 451 or BFIN 503	Engineering Economy or Financial Management
ACCT 503	Accounting for Managers
I E 460 or A ST 512	Evaluation of Engineering Data or Quantitative Analysis for Business Decisions
Credits	
9	

Second Year

Fall	Credits
I E 490 or B A 590 or BCIS 590	Selected Topics or Professional Paper/Presentation or Special Topics
Credits	
3	

IE 563 or MGMT 590	Topics in Engineering Administration or Strategic Management	3
IE 524 or MGMT 502 or MGMT 470	Advanced Production and Inventory Control or Operations Management or Project Management in Organizations	3
Credits		9
Spring		
Elective from the Approved Elective List ¹		3
Credits		3
Total Credits		30

¹ The optional courses outside the department and/or the college should be previously approved by the academic advisor. See your advisor for more detailed information about selecting elective courses.

Will this Master's degree program have a Master's Accelerate Program (MAP) option and roadmap?

Yes

MAP Requirements

- The Master's Accelerated Program (MAP) option offers academically qualified undergraduate students the opportunity to start pursuing a master's degree during their junior and senior years.
- Prior approval from the department head is required before beginning the MAP, and eligibility is limited to students who have not yet completed a bachelor's degree.
- Undergraduates can apply for acceptance into the MAP after completing 60 semester hours of coursework, including at least 25 credit hours at NMSU, with a GPA of 2.75 or higher.
- Applicants must also satisfy additional program-specific requirements.
- MAP participants can apply up to 12 credits of NMSU coursework at the 450 level or higher toward their master's program, provided they earn a grade of B or higher in each course applied toward the graduate degree.

MAP Roadmap

Master's Accelerated Program (MAP) participants can apply up to 12 credits of NMSU coursework toward their master's program, allowing them to complete the required coursework within two regular semesters. Below is a recommended roadmap tailored for full-time students, considering enrollment in three courses per semester. It's important to highlight that the suggested degree program is flexible and can be pursued by part-time students taking one or two courses per semester, including summer sessions, based on individual preferences. For alternative plans of study and additional details, feel free to reach out to the program director or faculty advisor.

First Year

		Credits
Fall		
IE 456	Large Scale Systems Engineering	3
IE 571	Advanced Quality Control	3
MGMT 503	Organizational Behavior and Management Processes	3
Credits		9
Spring		
IE 451	Engineering Economy	3
ACCT 503	Accounting for Managers	3
IE 490	Selected Topics	3
Credits		9
Total Credits		18

The admission requirements are needed if the program has a specialized admission process that exceeds the campus requirements for either the Undergraduate or Graduate admission standards.

• For graduate programs, the Graduate School asks for the following information (Provide a summary of the documents and specific information each student will need to provide to be considered for the program): Description, Statement of Purpose/Letter of Interest; Specialty Letter of Interest; Resume; Writing Sample; GRE; GMAT; Special Questions (if yes, what questions need to be answered); Letters of Recommendation (how many are required); NMSU Faculty Representative (if yes, how many); Foreign Language; WES Evaluation; Special License or Verifications (what license/verification)

Admission Requirements

Students seeking regular admission to graduate study in Engineering Management Master of Engineering must meet departmental admission requirements in addition to those of the Graduate School (<https://catalogs.nmsu.edu/nmsu/graduate-school/>). The departmental requirements are listed below:

• Applicants should hold a bachelor's degree in engineering or related fields from an accredited university. All applicants are expected to have college-level proficiency in English (reading and writing) and mathematics.

• A letter of intent should be written providing the department with information about why the student wants to pursue a graduate degree, and professional and academic plans/goals.

Note that up to 15 credits may be transferred if the student was enrolled in an approved graduate program. An applicant should meet or correspond directly with the IE graduate faculty as a first step in determining his or her specific admission status.

Does this program lead to licensure, yes or no?

No

Faculty Members Employed to Teach in the Program

Existing Personnel

Hansuk Sohn

FTE

1

Course load and courses they will teach in the proposed program

Course load: 1+2,

Courses in Engineering Management: IE451, IE490, IE524

Courses taught in other programs currently offered

IE413, IE423, IE451, IE490, IE515, IE533, IE535, IE590

Description of academic qualifications

Dr. Hansuk Sohn earned M.S. and Ph.D. degrees in Industrial Engineering from the University of Iowa, Iowa City, USA in 1995 and 2004, respectively. He has led the development and implementation of three new undergraduate minors: Systems Engineering, Supply Chain and Operations Research Analytics, and Lean Manufacturing and Analytics. Dr. Sohn has dedicated significant efforts to enhancing the visibility and prestige of the online IE master's program as a valuable career advancement pathway. Dr. Sohn's commitment to excellence with his department faculty is evidenced by four No.1 rankings in 2023 from US College Assessment organizations.

Prior instructional responsibility and other experiences relevant to assigned courses

Bringing 24 years of teaching experience, Dr. Sohn specializes in Operations Research and its application in large-scale computational science and engineering, particularly within the realms of engineering management and systems engineering.

For graduate programs, document scholarship and research capability

Dr. Sohn is the author of over 45 peer-reviewed publications and has secured more than \$2.3 million in research grants as both Principal Investigator (PI) and Co-Principal Investigator (Co-PI). Dr. Sohn has graduated 11 PhD students and 16 master's students.

Existing Personnel

John Mullen

FTE

1

Course load and courses they will teach in the proposed program

Course load: 3+3

Courses in Engineering Management: IE 460, IE 524, IE 563, IE 571, IE 490

Courses taught in other programs currently offered

IE311, IE411, IE 460, IE 522, IE524, IE 525, IE 534, IE561, IE 563, IE 571

Description of academic qualifications

Dr. John Mullen earned a B.S. degree in Mathematics from the University of Pennsylvania in 1968, and M.S. and Ph.D. degrees in Industrial Engineering from Iowa State University in 1984 and 1994, respectively

Prior instructional responsibility and other experiences relevant to assigned courses

Dr. Mullen brings over 45 years of teaching experience with expertise in stochastic optimization problems relevant to engineering management and systems engineering.

For graduate programs, document scholarship and research capability

Dr. Mullen is a former consultant for the U.S. Army TRADOC Analysis Center at WSMR and a former supervisor for the Salvage and Rework Department at Presto Products, Inc.

Existing Personnel

Chaitanya Mahajan

FTE

1

Course load and courses they will teach in the proposed program

Course load: 1+1

Courses in Engineering Management: IE 451, IE 490

Courses taught in other programs currently offered

IE217, IE316

Description of academic qualifications

Dr. Chaitanya Mahajan earned a Master of Science degree in Industrial & Systems Engineering in 2014, and PhD in Engineering in 2019. Both degrees are from the Rochester Institute of Technology.

Prior instructional responsibility and other experiences relevant to assigned courses

Before joining NMSU's Industrial Engineering department, Dr. Mahajan was a lecturer in Industrial and Manufacturing Engineering at Kettering University and a postdoctoral associate in the Department of Industrial & Systems Engineering at Rochester Institute of Technology.

For graduate programs, document scholarship and research capability

Dr. Mahajan has authored six peer-reviewed journal publications. He recently received a \$200,000 research grant from NSF CMMI.

Existing Personnel

Manuel Ivan Rodriguez Borbon

FTE

1

Course load and courses they will teach in the proposed program

Course load: 3+3

Courses in Engineering Management: IE 451, IE 524, IE 571, IE 490

Courses taught in other programs currently offered

IE316, IE351, IE365, IE413, IE423, IE424, IE451, IE 466, IE467, IE478

Description of academic qualifications

Dr. Manuel Ivan Rodriguez earned a Master of Science degree in Statistics from UTEP in 2007, and a PhD in Industrial Engineering from NMSU in 2011.

Prior instructional responsibility and other experiences relevant to assigned courses

With 10 years of industry experience complementing 19 years of teaching experience, Dr. Rodriguez will offer invaluable real-world best practices, particularly in engineering management and systems engineering.

For graduate programs, document scholarship and research capability

Dr. Rodriguez has authored over 30 peer-reviewed publications and has been actively collaborating with professors from ACES and Business Colleges.

Existing Personnel

Salvador Rodriguez

FTE

1

Course load and courses they will teach in the proposed program

Course load: 2+2

Courses in Engineering Management: IE 451, IE 456, IE 490

Courses taught in other programs currently offered

IE 451, IE 456

Description of academic qualifications

Prof. Salvador Rodriguez earned a Master of Science degree in Industrial Engineering from NMSU in 2005. He is currently pursuing his PhD degree in Industrial Engineering at NMSU.

Prior instructional responsibility and other experiences relevant to assigned courses

Prof. Rodriguez brings his extensive experience from 28 years at the U.S. Department of Defense in systems engineering and engineering management to NMSU. This translates into invaluable industry knowledge and real-world best practices that he'll share with students.

For graduate programs, document scholarship and research capability

Prof. Rodriguez recently submitted a research grant proposal to NSF for the EPSCoR Research Infrastructure Improvement program.

Existing Personnel

Edward Kennedy

FTE

1

Course load and courses they will teach in the proposed program

Course load: 2+2

Courses in Engineering Management: IE 524, IE 490, IE456

Courses taught in other programs currently offered

IE 151, IE 351, IE 524, IE 590

Description of academic qualifications

Dr. Edward Kennedy earned a Master of Science degree in Electrical Engineering in 1991, and a PhD in Industrial Engineering in 2023. Both degrees are from NMSU.

Prior instructional responsibility and other experiences relevant to assigned courses

Before joining NMSU, Dr. Kennedy served the U.S. Department of Defense for 33 years in the field of systems engineering and engineering management. He will offer students direct access to invaluable industry knowledge and real-world best practices.

For graduate programs, document scholarship and research capability

Dr. Edward Kennedy has authored two peer-reviewed journal publications. He is a former president of the WSMR Historical Foundation and a recipient of both the Global War on Terrorism Medal (with a \$5,000 award from Headquarters) and the Department of Defense Achievement Medal for Civilian Service.

Existing Personnel

Carol Flinchbaugh

FTE

1

Course load and courses they will teach in the proposed program

Course load: 1+1,

Course in Organizational Behavior: MGMT 503

Courses taught in other programs currently offered

MGMT 332, MGMT 451, MGMT 460, MGMT 465

Description of academic qualifications

Dr. Carol Flinchbaugh holds a PhD in Organizational Behavior from the University of Kansas, earned in 2013. She has experience in the development and approval of five new graduate programs during her time in the NMSU Graduate School. Dr. Flinchbaugh has dedicated significant efforts to mentoring graduate students in the field of organizational behavior and human resource management.

Dr. Flinchbaugh's commitment to the academy is evidenced by her current role as the Management Department Head and President of the Western Academy of Management.

Prior instructional responsibility and other experiences relevant to assigned courses

With 16 years of teaching experience, Dr. Flinchbaugh specializes in Organizational Behavior and Human Resources Management Research and the application of understanding how human resources processes impact employee experiences and performance in the workplace

For graduate programs, document scholarship and research capability

Dr. Flinchbaugh is the author of 24 peer-reviewed publications with over 10 NMSU doctoral students and has placed six former doctoral advisees in tenure-track assistant professor positions.

Existing Personnel

James Bishop

FTE

1

Course load and courses they will teach in the proposed program

Course load: 2+3,
Courses in Organizational Behavior and Strategic Management: MGMT 503, MGMT 590

Courses taught in other programs currently offered

MGMT 309, MGMT 347

Description of academic qualifications

Dr. James Bishop holds a PhD in Organizational Behavior from Virginia Polytechnic Institute and State University, earned in 1995. He has led the development and instruction of one new doctoral-level research class. Dr. Bishop has maintained coordination of CARMA to enhance the analytical capabilities of our Management doctoral students. Dr. Bishop's commitment to excellence, along with other College of Business graduate faculty is evidenced by the "Best Online MBA Program" from 2022-24 by the U.S. News and World Report.

Prior instructional responsibility and other experiences relevant to assigned courses

With 32 years of teaching experience, Dr. Bishop specializes in Organizational Behavior Research and its application to management functions and processes, with an emphasis on employee commitment.

For graduate programs, document scholarship and research capability

Dr. Bishop is the author of over 35 peer-reviewed publications and has served on more than 15 doctoral student dissertation committees, two as the chair.

Existing Personnel

Michaela Driver

FTE

1

Course load and courses they will teach in the proposed program

Course load: 4+3,
Courses in Management: MGMT 503, BA 590

Courses taught in other programs currently offered

MGMT 309, MGMT 388, MGMT 332

Description of academic qualifications

Dr. Michaela Driver holds a PhD in Organizational Behavior from the University of Alabama, earned in 1997. She is fluent in four languages and has international experience in teaching and service on doctoral student dissertations. Dr. Driver's commitment to excellence, along with other College of Business graduate faculty is evidenced by "Best Online MBA Program" from 2022-24 by the U.S. News and World Report.

Prior instructional responsibility and other experiences relevant to assigned courses

With 25 years of teaching experience, Dr. Driver specializes in micro-level issues and its application to employee ethical decisions and attitudes.

For graduate programs, document scholarship and research capability

Dr. Driver is the author of over 35 peer-reviewed publications.

Existing Personnel

Rebecca Scott

FTE

1

Course load and courses they will teach in the proposed program

Course load: 3+2

Courses in Operations Management and Product Management: MGMT 502, MGMT 470

Courses taught in other programs currently offered

MGMT 351, MGMT 344, MGMT 345

Description of academic qualifications

Dr. Rebecca Scott holds a PhD in Logistics and Supply Chain Management from University of North Texas, earned in 2015. Her research and teaching draws on her more than 20 years in the United States Navy, where she has been promoted to her current Commander role (O5) where she is the Operations Officer and Logistics Readiness Center Director for Command Seventh Fleet. Dr. Scott's commitment to excellence, along with other College of Business graduate faculty is evidenced by "Best Online MBA Program" from 2022-24 by the U.S. News and World Report.

Prior instructional responsibility and other experiences relevant to assigned courses

Dr. Scott has 11 years of teaching in Logistics, Supply Chain, and Business Analytics.

For graduate programs, document scholarship and research capability

Dr. Scott is the author of 14 peer-reviewed publications and is currently the faculty advisor of one doctoral student.

Existing Personnel

Maria E. de Boyrie

FTE

1

Course load and courses they will teach in the proposed program

1 course (BFIN 503) in Spring

Courses taught in other programs currently offered

IB 475

Description of academic qualifications

Dr. Maria E. de Boyrie earned the M.S. and Ph.D. degrees in Finance from Florida International University (FIU) in 1991 and 1995, respectively. She has taught a variety of finance courses at the undergraduate and graduate level, in class, and online, for traditional students as well as for executives and professionals working for governmental institutions such as White Sand Missile Range, Sandia National Laboratories, and Los Alamos National Laboratories. She has taught PhD courses at Thammasat University in Bangkok, Thailand, and taught a semester abroad in Italy.

Prior instructional responsibility and other experiences relevant to assigned courses

Bringing 29 years of teaching experience, Dr. de Boyrie specializes in International and Corporate Finance. After graduation, she taught at FIU for seven years as an assistant professor. In 2002, she was hired at New Mexico State University's (NMSU) College of Business as an assistant professor of Finance. In 2005 she was promoted to associate professor and in 2014 to full professor.

For graduate programs, document scholarship and research capability

Dr. de Boyrie is the author of over 35 peer-reviewed publications. She has served on seven dissertation committees and has supervised one honors thesis and seven independent studies.

Existing Personnel

John Dawson

FTE

1

Course load and courses they will teach in the proposed program

Course load: 2+2

Course taught required in Engineering Management: AST 512

Courses taught in other programs currently offered

Applied Statistics Program; A ST 512

Description of academic qualifications

Dr. Dawson earned his Ph.D. in Statistics with a Biostatistics option from the University of Wisconsin-Madison, Madison, WI in 2012, and conducted his postdoctoral study at the Office of Energetics/Section on Statistical Genetics, University of Alabama at Birmingham, Birmingham, AL, between 2012 and 2014. Dr. Dawson started his academic career as an Assistant Professor at Texas Tech University, Lubbock, TX, in 2014, and joined NMSU at the Department of Economics, Applied Statistics, and International Business in August 2022. Over his career, he has built a profound and productive research record including publishing more than 120 peer-reviewed (majority) and non-peer-reviewed journal articles, and acquired around \$1 million funded research and grants. As a dedicated researcher, Dr. Dawson has his expertise and contribution in applied statistics across most fields, especially in the areas of health and nutrition. He is also a caring instructor in class, devoted to student education and success. Even if being relatively new to NMSU, Dr. Dawson has been a great colleague and team member to his department, actively involved in teaching and research, and being a main task force in the newly created Ph.D. program in Applied Statistics, mentoring students' learning and research.

Prior instructional responsibility and other experiences relevant to assigned courses

As shown in his research record, Dr. Dawson is excellent in data and statistical analysis and application. His assignment of teaching A ST 512 (Quantitative Analysis for Business Decision) is appropriate to promote student learning in business.

For graduate programs, document scholarship and research capability

With a rich research agenda, Dr. Dawson has published more than 120 peer-reviewed (majority) and non-peer-reviewed journal articles and acquired around \$1 million funded research and grants as both Principal Investigator (PI) and Co-Principal Investigator (Co-PI).

Existing Personnel

Jung Eun Park

FTE

1

Course load and courses they will teach in the proposed program

2+2

ACCT 503

Courses taught in other programs currently offered

ACCT 503, ACCT 456, ACCT 2120

Description of academic qualifications

Ph.D. in Accounting

Prior instructional responsibility and other experiences relevant to assigned courses

Dr. Park has taught at NMSU for 4 years and has taught ACCT 503 for the past 4 years.

For graduate programs, document scholarship and research capability

Dr. Park has published 5 journal articles in her 4 years while at NMSU. This includes publications in 3 top 15 accounting journals.

Documentation of department faculty support

Support letters from IE & Business for ENGR MGMT.pdf

Gray Associates Data

Engineering Management Score Card.pdf

NM Higher Education Department**Is there a certificate embedded in the degree program? If so, list certificates and courses required?**

NO

Does the master's level degree articulate to a doctoral program, yes or no?

Yes

If yes, to which Doctoral Program?

Doctor of Philosophy in Engineering (Specialization in Industrial Engineering)

Describe your institution's plan for periodic evaluation of program effectiveness. Include criteria that will be used to determine effectiveness.

Per NMSU policy, the program will be subject to the Annual Academic Departmental Assessment (AADA). See <https://assessment.nmsu.edu/annual-departmental-assessment/index.html> for more details. Specifically, this process involves

1. Direct measurement of student proficiency in one or more program-level learning objectives.
2. Analysis of assessment findings, including evaluation of its relevance for curricular decision-making.
3. Planning and implementing change in response to findings and analysis.
4. Substantial engagement of program faculty and others as appropriate in steps 1 and 2.
5. Reassessment of learning following changes made in prior years' assessments.

Measurement of student proficiency will be carried out through course examinations, in-class student projects, and assignments from the practicum course, depending on the learning objective being assessed.

The proposed program will participate in the Academic Program Review (APR) on the six-year rotation cycle established by the university. The proposed program will not be subject to external accreditation. See <https://inside.nmsu.edu/adpr/> for more details.

The proposed program must meet one or more specified needs within the state or region. Clear and convincing evidence must be provided of the reality and extent of such need.

The Departments of the Industrial Engineering and Business Management programs at New Mexico State University propose to offer a fully online new master's degree in the field of Engineering Management. The degree, if approved, will meet the needs of the state's major employers in an occupation that is rapidly growing in demand. Students from New Mexico, who often have the desire to stay within the state after graduation, will be attracted to the program for the high salary that a career in engineering management offers and the local job opportunities in this field. The program will fulfill the mission of New Mexico State University's Colleges of Engineering and Business to serve the diverse needs of the state through comprehensive programs of education as well as the mission of the University to promote social mobility for the state's diverse student populations.

The proposed Master of Engineering degree program in Engineering Management is designed to provide graduates with the knowledge of a range of applied engineering management methods, both basic and advanced, sufficient to independently solve complex problems in a collaborative technical environment, to teach these methods at the undergraduate level, and to contribute substantively to the development of grant proposals and applied technical and research publications. The proposed program augments those currently offered in the state of New Mexico, to increase availability to the students and working professional population that lives in Southern New Mexico, with a focus on the application of engineering management, for students who do not have extensive training in engineering management methodology, and its emphasis on training people to work in industry, government, and public sector.

Engineering/Industrial Management program scores very highly on the Gray Associates Scorecard, with a total market score of 58 and a percentile of 98, indicating this program is among the top 2% of similar programs nationally.

- Exceptional student demand and competitiveness: This program boasts strong scores in both student demand (score 35, percentile 98) and competitive intensity (score 11, percentile 96), suggesting high attractiveness to prospective students and diverse applicant pools. This could indicate promising career prospects.
- Exceptional employment outcomes: The score of 16 (percentile 98) in employment highlights an exceptional success rate in helping graduates find jobs in their field. This suggests strong value from employers and potential for good earning potential.

According to the U.S. Bureau of Labor and Statistics – 2022 Report, the demand for engineering managers is projected to grow by 4% over the next ten years, which equates to 13,600 jobs over the next ten years (2022-to-2032). The average salary for engineers with bachelor's degrees is \$102,859 (ranging from \$82,840 to \$126,880) increasing to \$159,920 (ranging from \$102,450 to \$221,550) for engineering managers with master's degrees in engineering management. New Mexico's main employers for engineering managers are: 1) The Department of Defense (White Sands Missile Range, NM / Kirtland Air Force Base, NM / Holloman Air Force Base, NM); 2) The Department of Energy (Sandia National Laboratory, NM / Los Alamos Laboratory,

If the program fills a regional workforce need, describe collaboration between your institution and regional employers in the program development.

Top Employers:

- Government Agencies: In New Mexico, key employers for Engineering Managers include: 1) The Department of Defense (White Sands Missile Range (TRAC-WSMR), NM / Kirtland Air Force Base, NM / Holloman Air Force Base, NM); 2) The Department of Energy (Sandia National Laboratory (Sandia lab), NM / Los Alamos National Laboratory (LANL), NM); and 3) National Aeronautical and Space Agency (NASA at White Sands Missile Range and NASA at White Sands Test Facility).
- All actively seek Master's-level Systems Engineers locally. These employers consistently face challenges in attracting and retaining Engineering Managers with master's degrees from outside of the state, expressing ongoing interest in hiring locally from the community and regional NM State Colleges and Universities.

Connecting with Employers:

- Career Fairs: TRAC-WSMR, LANL, Sandia lab, and NASA organize multiple career fairs annually, where they recruit for a variety of positions, including numerous opportunities within NMSU engineering. NMUS Career Services also hosts career fairs and employer information sessions throughout the year, featuring participation from TRAC-WSMR, LANL, Sandia Lab, and NASA. Moreover, they offer a variety of internship opportunities for both our undergraduate and graduate students in engineering fields.
- Master's Programs: The Master's degree in Industrial Engineering has gained significant popularity among high-tech workforces within the US Defense sector. A substantial portion of our master's program clientele comprises employees from key defense employers, including TRAC-WSMR, Sandia Lab, and LANL.

Identify where similar degree programs are offered by other public higher education institutions in New Mexico.

We identified one other degree program in New Mexico that might be considered similar to the program we are proposing: the Masters in Engineering Management offered by the Management Department at the New Mexico Institute of Mining and Technology (New Mexico Tech).

If similar programs are offered at other public higher education institutions in New Mexico, provide a rationale for offering an additional program.

The NMSU Engineering Management Master's Program is a collaborative effort between the Industrial Engineering Department and the Management Department. This joint degree provides a distinct educational experience that cannot be found in standalone engineering or business programs. This interdisciplinary approach leverages the strengths of both departments, offering a comprehensive curriculum that integrates technical engineering skills with essential management and leadership competencies.

Furthermore, the online format of our program significantly increases accessibility for target audiences and key employers across New Mexico, particularly in the Southern region, West Texas, and Ciudad Juarez, Chihuahua, Mexico.

List any nearby non-New Mexico institutions of higher learning where the program is being planned or offered, particularly WICHE member institutions.

The below lists master's programs in Engineering Management and related fields currently offered by NMSU's peer institutions. Most are specifically designed for engineers, scientists, and technologists holding bachelor's degrees in respective fields, and housed in Departments of Engineering. The uniqueness or "niche" that our program will help address is to increase access and availability to retain and sustain this skill mix within the Southern New Mexico population who seek to stay in the area while being a direct feed to the major employers in the area mentioned in this proposal. Also, given the breadth of the collaborative research experience of our faculty, our program can be tailored to any number of areas of application.

Master in Engineering Management Programs Offered by Peer Institutions
 University of Arizona (Master of Science in Engineering Management)
 Arizona State University (Master of Engineering in Engineering Management)
 University of Alabama - Birmingham (Master of Engineering Management)
 Ohio University (Master of Engineering Management)
 University of Maryland (Master of Engineering Management)
 Washington State University (Master of Science in Engineering – Technology Management)
 Pennsylvania State University (Master of Engineering Management)
 George Washington University (Master of Engineering Management)

Enrollment and Graduation Projections

Student Type	Year 1	Year 2	Year 3	Year 4	Year 5
New Students	10	20	30	40	50
Continuing Students	0	10	20	30	40
Graduates	0	0	10	20	30

Annual Retention Rate Target (%)

80

Target 100% Graduation Rate (%)

80

Target Job Placement Rate (%)

100

Describe the faculty resources that are needed to initiate the program. Will any additional faculty be needed?

In addition to utilizing existing faculty resources to support the proposed master's degree, which involves reallocating some current teaching assignments to graduate courses and directing faculty advising from other disciplines toward Engineering Management master's students, the proposed program will be enhanced by the inclusion of two tenure-track faculty members joining in years two and four. This addition will ensure ongoing excellence in research and scholarship, thereby raising the program's national profile and facilitating further program development and sustainability. Furthermore, the program will benefit from the inclusion of two Professors of Practice, starting in years one and three, who will provide students with direct access to invaluable industry knowledge and real-world best practices. With this expert faculty team in place, the program will be able to offer a broader range of specialized courses tailored to meet diverse student needs and address evolving industry trends. This, in turn, will attract more students and enhance the program's reputation. These dedicated faculty members will also offer enhanced advising, mentorship, and career guidance to students, thereby fostering greater student success and satisfaction with the program. It's worth noting that funding support for these new faculty positions has already been secured from NMSU Global.

Describe the library and other academic support resources that are needed to initiate the program. What, if any, additional resources will be needed?

We expect that the existing resources in the main campus library will be sufficient for launching the proposed new online Engineering Management Master's program. This is due to the fact that the library resource requirements for this new online degree align completely with the needs of the current Industrial Engineering and other engineering departments that provide specialization courses. Therefore, there is no need for additional library resources.

Describe the physical facilities of the institution that will be used for the first five years of the program. Will additional space or modifications of existing space be required within the first five years of program operation.

The existing office space allocated for faculty is expected to be adequate during the first five years of the proposed Engineering Management master's degree program operation. While we are confident that the initial teaching requirements can be accommodated with the current faculty and space, it's important to note that future adjustments might be necessary as the program expands. The growth of the program may require additional space to accommodate new faculty members in the coming years.

Describe the institution's equipment and technological resources needed for the first five years of the program? What, if any, additional equipment will be needed?

We expect that existing technological resources will be adequate for the first five years of the master's program. Faculty offices are equipped with desktop computers and printers. Faculty also have access to NMSU's High-Performance Computer (HPC) Cluster. The computer lab in NMSU's Industrial Engineering houses 16 Windows-based computers. A variety of software is available including MS Office, RStudio, MATLAB, Minitab, Arena, SIMIO, FICO Xpress, and LINDO. The NMSU Instructional Media Services have in place technology to support the asynchronous delivery of courses. Resources include Adobe Connect and Zoom for presenting and recording lectures and a "smart interactive monitor" that can capture the instructor's writing and show it simultaneously to in-person and remote participants.

Describe any other operating resources needed to initiate the program.

No initial additional resources are foreseen to be needed to initiate the Master in Engineering Management program.

Are there existing external facilities that will be used? Have agreements been established to ensure use of those facilities?

We do not anticipate use of external facilities except as required for the administration of examinations to students attending classes remotely. These resources are available through NMSU Global or through private services such as ProctorU.

Provide a clear analysis of the projected cost of the proposed program and the sources of funding that will support it for the first five years that the program will be offered. Include a discussion how any of the needed resources discussed in your attachment. This should be completed in collaboration with your institution's financial office.

Projected Cost and Institutional Readiness - Engr Mgmt.pdf

Letters of Support

Support letters for ENGR MGMT 9-4-24.pdf

Accreditation**Is the program seeking specialized accreditation?**

No

Is specialized accreditation required for licensure or practice in the program?

No

Has the program already obtained the appropriate specialized accreditation? If so, attach a copy of the letter from the agency granting accreditation?

No

If the program has not yet obtained accreditation but has begun the process of seeking or plans to seek specialized accreditation, specify the name of the agency and provide the time-line for completing the process.

N/A

If the program does not plan to seek specialized accreditation, provide a rationale for not-seeking accreditation here. (if there is not a specialized accrediting organization for this program, indicate so as your rationale).

NMSU is regionally accredited by the Higher Learning Commission (HLC), and the Academic Program Review (APR) is an annual requirement and supports our HLC accreditation. The proposed Engineering Management Master's program will participate in the APR on the six-year rotation cycle established by the university.

If the program includes any of the following, explain how it will ensure that student work and levels of knowledge competencies achieved will be comparable to those achieved through traditional formats: (Award credit for prior learning; use of compressed time frames; use of on-line deliver; inclusion of accelerated formats; or other approaches to learning.)

Award Credit for Prior Learning: The program will utilize rigorous assessment mechanisms, encompassing industry certifications and project demonstrations, to evaluate and award credit for demonstrably equivalent prior learning. This ensures that students receive appropriate recognition for their existing knowledge and skills, aligning with the standards established in traditional formats.

Use of Online Delivery: Leveraging online delivery, the program will employ advanced instructional technologies, interactive modules, and continuous assessment methods. This ensures that students' work and knowledge competencies are not compromised and remain equivalent to those achieved in traditional formats.

Inclusion of Accelerated Formats: Through the Masters Accelerated Program (MAP), students have an opportunity to take up to 12 graduate credits during their undergraduate program that can apply toward the proposed Systems Engineering master's degree. Other accelerated formats within the proposed program can be carefully designed to prioritize intensive learning without sacrificing educational rigor. However, robust assessments and quality assurance measures need to be in place to guarantee that student achievements align with or surpass those in traditional formats.

Will the program be part of a contractual or consortial arrangement (yes/no, explain)?

NO

If the program is planning any involvement by external organizations (other than from accredited higher education institutions) in the key operations as identified below, provide the information as requested.

Type of Involvement	Name of External Organization	Percent of Involvement
Course placement and advising of students	N/A	N/A
Design and oversight of curriculum	N/A	N/A
Direct instruction and oversight	N/A	N/A
Other support for delivery of instruction	N/A	N/A
Recruitment and admissions of students	N/A	N/A

Briefly describe the planning process for determining the need for this new program, including the role of faculty in the planning and approval process.

The Industrial Engineering department engaged department faculty members to conduct an extensive needs assessment. Input from alumni, industry professionals, and potential employers was collected to identify specific skills and knowledge gaps. The College Dean's office provided market research data to identify the potential target audience for the proposed online master's program. Additionally, a thorough analysis of competition was carried out, including the identification of similar programs from other institutions and an assessment of their strengths and weaknesses. A curriculum development committee, consisting of department faculty members specializing in Engineering Management, alongside the College of Business Associate Dean for the Graduate Program, was established to collaboratively design a curriculum in line with industry standards and tailored to the needs identified during the assessment. Faculty members were assigned the task of creating a comprehensive proposal for the new program, and they also assumed a key role in reviewing and refining the proposal.

Describe the process for assessing and improving student learning in the proposed program.

Mentoring of Students

Upon admission to the master's program, each student will be paired with a faculty mentor. In addition to advising the student regarding his or her academic coursework, the mentor will serve as the focal point for communication between the student and the program faculty. The graduate program director, who will oversee admissions to the master's program and the allocation of graduate assistantships with input from a committee of faculty, will also be available to meet with students to discuss their progress and any challenges that they may be facing.

Assessment of Student Learning

We will assess student learning at both the individual and the program levels. We will develop assessment instruments that measure student learning against the program's learning objectives. Instruments will be administered during course examinations, depending on the learning objective that is being assessed. Changes will be made to the curriculum as program-level deficiencies are identified (see Periodic Program Evaluation).

Describe the process for assessing and improving student persistence and completion, in the new program.

To ensure a high completion rate, we'll utilize a data-driven approach to continually assess and improve the student experience.

Tracking Progress: We'll gather data on key metrics like enrollment, retention rates, time to completion, and course completion rates. Additionally, student engagement through login frequency and participation will be monitored. Finally, exit surveys from departing students will provide valuable insights into their reasons for leaving.

Identifying Challenges: By analyzing this data, we'll pinpoint areas where students face hurdles. This could involve specific courses with high withdrawal rates, program drop-off points, or student demographics correlated with lower completion rates.

Targeted Interventions: Based on the identified challenges, we'll develop targeted interventions to support student success. Offering academic support services like online tutoring and writing assistance would further empower students. Building a sense of community through online forums and virtual events can combat feelings of isolation. Furthermore, faculty training on engaging online teaching practices and flexible learning options can enhance the online learning experience. Finally, early intervention programs to identify and support at-risk students can make a significant impact.

Continuous Improvement: The effectiveness of these interventions will be regularly evaluated by analyzing updated data on student persistence and completion. This ongoing cycle of assessment, intervention, and evaluation ensures that the program adapts to student needs, leading to a thriving online learning environment with consistently high completion rates.

If any of the institution's accreditation relationship (including other regional, specialized, or national accrediting agencies) are currently under or recommended for a negative status or action (e.g., withdrawal, probation, sanction, warning, show-cause, etc.)

N/A

If the institution is undergoing or facing substantial monitoring, special review or financial restrictions from the U.S. Department of Education or other federal or state government agencies.

N/A

If the institution's senior leadership or board membership has experienced substantial resignations or removals in the past year.

N/A

If the institution is experiencing financial difficulty through conditions, such as, a currently declared state of exigency, a deficit of 10% or more, a default or failure to make payroll during the past year, or consecutive deficits in the two most recent years.

N/A

Institution Specific Information Area

Primary target audience for the program (e.g., full#time, part#time, traditional college age, working adults, transfer students, military personnel, or particular ethnic group)

We have identified two target audiences for the Masters in Engineering Management Program: 1) students and working professionals who do not currently hold a master's degree, with a bachelor's in engineering and 2) students and working professionals who hold a bachelor's degree in a closely related field and wish to pursue a master's degree to increase their opportunities for advancement.

We expect that students from both 1 and 2 groups will find a Masters in Engineering Management very relevant and beneficial to their professional career paths due to its broad application in industry, government, and public sectors. As the reputation of the master's program grows, we also expect more outside admissions of students, including students who recently earned their undergraduate degrees at other universities in the region. We also expect students in both groups 1 and 2 who are seeking an opportunity for a Master in Engineering Management in the greater Las Cruces Area to be more accessible from a geographic perspective. We will also offer Synchronous delivery of courses that will allow students in both groups who reside outside of the Las Cruces area and/or are full-time working professionals to complete the required coursework remotely.

How does the proposed program align with the department, college and university mission?

The mission of the College of Business is to serve the diverse needs of the state through comprehensive programs of education, research, extension and outreach, and public service. The proposed Master's in Engineering Management will meet the needs of the state's major employers in an occupation that must retain and sustain its current demand and be postured to respond to its growing demand.

Part of the vision of NMSU is to excel in promoting social mobility for the state's diverse student populations. For New Mexico students earning a degree from the program, a career in Engineering Management offers considerable social mobility, as evidenced

by the high starting salaries and potential for managerial positions in industry. These economic gains will be achieved regardless of whether students find positions inside or outside of New Mexico.

Discuss how admissions criteria and strategies will recruit a diverse student body?

To ensure the recruitment of a diverse student body for the new online Engineering Management Master's degree, we will extend our evaluation beyond traditional metrics. We recognize that different people may come from diverse backgrounds and experiences, so we will also consider factors like socioeconomic background, first-generation status, ethnicity, gender, and military service as part of our comprehensive admissions evaluation. This ensures that underrepresented groups have a fair chance to be recognized for their potential and contributions.

In recent years, the majority of our international students have come from developing nations, including Nigeria, Ghana, Bangladesh, Egypt, and Iran. Additionally, the program has recruited several Hispanic students from southern New Mexico and El Paso. The asynchronous delivery of the master's program will allow us to attract working professionals from within the state of New Mexico and beyond.

Recognizing the importance of diversity in STEM, several Industrial Engineering faculty members have recently become involved with maximizing access to the Engineering and Science Careers program at NMSU. We leverage alumni and current students as ambassadors to share their positive experiences. Moreover, we are committed to establishing feedback mechanisms to continually assess and improve our diversity recruitment strategies.

What controls are in place to ensure that the information presented to all constituencies in advertising, brochures, and other communications will be accurate?

We'll establish a review and approval process for all promotional materials, involving relevant stakeholders including faculty, program director, administrators, and marketing director, in the review process to catch inaccuracies. We'll also establish a schedule for regular updates of program information to reflect any changes accurately.

Student Records Office Uploads

HLC wants CIP Code information that is currently being offered at both the institutional and degree level for 4-digit and 2-digit CIP codes for all new programs. This information will be provided by the University Student Records office and added to the form during the HED submissions workflow step.

Reviewer Comments

Ranjit Koodali (rkoodali) (Sat, 06 Jul 2024 17:19:36 GMT): Rollback: In the Course requirements, MGMT 490, the number of credits should be 1-3. In the Road Map, under First Year, Spring, it is best to list IE 451 (assuming it is offered in spring semesters) instead of IE 523.

Gabe Garcia (gabegarc) (Mon, 08 Jul 2024 17:59:04 GMT): Rollback: In the core requirements you have IE 451 or BFIN 503. In the roadmap you have IE 523 or BFIN 503. So you either need to change it to IE 523 in the core requirements or IE 451 in the roadmap.

Gabe Garcia (gabegarc) (Mon, 08 Jul 2024 20:49:56 GMT): Rollback: Hello Hansuk, in the roadmap you have ET 523, in the core requirements you have ET 451. Which course should it be.

Key: 1046



NMSU Global Campus
New Mexico State University
P.O. Box 30001
Las Cruces, NM 88003-8001
575-646-1650

Memorandum

From: Dr. Beth Apodaca, Vice Chancellor of Learning Science and Assessment, NMSU Global Campus

To: Dr. Hansuk Sohn, Department Head of Industrial Engineering, NMSU Las Cruces Campus

RE: Endorsement Supporting the Initiative to Create Two Online Master of Engineering Programs, in Engineering Management and Systems Engineering

Dear Dr. Sohn:

I am pleased to write this letter in support of the establishment of two new Master of Engineering programs in Systems Engineering and Engineering Management at New Mexico State University. As a leading institution dedicated to providing top-tier education and fostering innovative research, NMSU Global strongly endorses these proposed programs.

The evolving landscape of engineering necessitates the development of advanced educational programs that equip students with the necessary skills to tackle complex challenges in a rapidly changing world. The proposed Master of Engineering programs in Systems Engineering and Engineering Management are designed to meet this demand by offering comprehensive, interdisciplinary curricula that blend technical knowledge with essential management skills. The introduction of these programs will significantly enhance NMSU's academic portfolio, attract a diverse group of students, and contribute to the university's mission of fostering educational excellence and innovation.

NMSU Global is committed to supporting these two new programs by providing targeted resources for launching and growing them to sustainability. Our 100% online modality will ensure that students from diverse geographical locations within New Mexico and beyond have access to a high-quality education and can engage with experienced faculty members. Additionally, our collaborations with industry partners will provide students with real-world insights and opportunities to apply their learning in practical settings.

We are excited to support the launch and growth of these programs and look forward to contributing to their success. Please feel free to reach out if you require any further information or assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Beth Apodaca'.

Beth Apodaca, PhD
Vice Chancellor, Learning Science and Assessment
New Mexico State University Global Campus
Email: bapodaca@nmsu.edu
Phone: (719) 588-1414



College of Engineering

Office of the Dean
MSC 3449
New Mexico State University
P.O. Box 30001
Las Cruces, NM 88003-8001
575-646-2573, fax: 575-646-3549

MEMORANDUM OF AGREEMENT Engineering Management

February 8, 2024

1. The Department Heads and founding faculty members will keep all of their faculty well informed about the development and implementation of the Engineering Management program to ensure faculty buy-in. A permanent steering committee composed of the Department Heads of Industrial Engineering (IE) and Management (MGMT) and representative faculty members from the two units will be assembled to guide the program development and to coordinate communication and activities.
2. Faculty hiring proposals and advertisements will occur after all internal approvals are completed on campus, which are expected to be in Spring '24.
3. Faculty hired as part of Engineering Management program will be joint appointees in both IE and MGMT. They will retain their tenure in the home departments that hired them. Existing and evolving policies/practices on annual evaluations and P&T assessments will guide them. A MoU will be developed to clarify the expectations of the faculty members hired with respect to the joint appointment, to support the development and growth of the Engineering Management program, and to clarify processes to be followed pertaining evaluations, tenure, promotions, and allocation of effort.
4. The search committee to hire new faculty for Engineering Management will consist of members from both IE and MGMT departments, with majority coming from the home department.
5. Engineering and Business will jointly take responsibility for ABET (Engineering) and AACSB (Business) accreditation assessments and documentation; however, as the initiating college, Engineering will take the responsibility of appointing a single faculty member or administrator to coordinate the process with both departments.

Hansuk
Sohn
Digitally signed by
Hansuk Sohn
Date: 2024.02.08
12:30:59 -07'00'
 Hansuk Sohn
 Dept Head, Industrial Engineering

Carlo Mora-Monge
Digitally signed by
Carlo A. Mora-Monge
Date: 2024.02.12
09:08:47 -07'00'
 Carlo Mora-Monge
 Associate Dean for Research and
 Graduate Programs

Lakshmi Reddi
 Lakshmi Reddi
 Dean, College of Engineering

Bryan
 Ashenbaum
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Bryan Ashenbaum
Date: 2024.02.12
19:17:29 -07'00'
 Bryan Ashenbaum
 Dean, College of Business



Adele Doser, Ph.D.

NM Universities Campus Partnership Manager

June 18th, 2024

To: Dr. Hansuk Sohn, Department Head of Industrial Engineering, New Mexico State University.

Subject: Endorsement Supporting the Initiative to Create Two Online Master of Engineering Programs, in Engineering Management and Systems Engineering.

Dear Dr. Sohn:

It is with great pleasure and appreciation that I submit this letter of support endorsing the initiative and vision in the establishment of the two NMSU online Master of Engineering Programs, one in Engineering Management and the other in Systems Engineering. As a long-standing supporter of the NMSU Industrial Engineering Department and its Graduate Programs and Certificates, Sandia acknowledges the addition of these two new programs will continue to serve our current and future employees and enhance their STEM professional development and contributions to our organization. It is vital for Academia and the Private Sector, be it Industry and/or Government, to have strong relationships to ensure that STEM professionals obtain a high-quality graduate level experience. Your proposed new master programs are needed in the State of New Mexico.

The programs will produce, enhance, and maintain a talented labor pool within the state by “home growing” the labor market. The Sandia point of contact for this potential collaboration is Dr. Adele Doser, New Mexico Universities Campus Partnership Manager, Sandia National Laboratories, P.O. Box 5800, Albuquerque, New Mexico 87185, MS 1432.

Sandia is a government-owned-contractor-operated facility operated by NTESS for U.S. DOE and NNSA under M&O Contract DE-NA0003525. NTESS is obligated to offer unique services to entities that wish to acquire these services using DOE agreement mechanisms. Providing these services is subject to DOE review and approval in accordance with policies / regulations. Services may be acquired under bilateral contract with Sandia post award.

Sincerely,

Adele Doser, Ph.D.

NM Universities Campus Partnership Manager

Sandia National Laboratories

P.O. Box 5800, MS 1432

Albuquerque, NM 87185

Phone: 505-284-5945

Email: abdoser@sandia.gov



David L. Clark
Laboratory Fellow
Los Alamos National Laboratory
Los Alamos, NM 87544
June 23, 2024

Dear Professor Sohn,

I am pleased to support the initiative and vision to establish two new online Master of Engineering Programs, in Engineering Management and in Systems Engineering at NMSU. These programs will continue to serve LANL's current and future employees by offering opportunities to enhance their professional development as they contribute to our national security mission needs.

Approximately 40% the Laboratory's technical staff identify as having received degrees in engineering. Online engineering master's courses from NMSU will open up new opportunities for LANL staff to continue their professional development through in-state programs within New Mexico. This opportunity is clearly of benefit to the laboratory.

My office is happy to help advertise the program to our staff.

Sincerely,

A handwritten signature in black ink, appearing to read "DL Clark".

David L. Clark, Laboratory Fellow
Director, National Security Education Center (NSEC)
dlclark@lanl.gov

Memorandum for Record

July 12, 2024

From: Troy Gammill, Chief Engineer – Naval Surface Warfare Center Port Hueneme Division, White Sands Missile Range (NSWCPHDWS)

To: Dr. Hansuk Sohn, Department Head of Industrial Engineering, NMSU

Subj: Endorsement Supporting the Initiative to Create Two Online Master of Engineering Programs, in Engineering Management and Systems Engineering

Dear Dr. Sohn:

It is with great pleasure and appreciation, to submit this letter endorsing the initiative and vision in the establishment of the two online Master of Engineering Programs, in Engineering Management and in Systems Engineering. As a long-standing supporter of the NMSU Industrial Engineering Department and its Graduate Programs and Certificates, the addition of these two new programs, will continue to serve our current and future employees to obtain and enhance their STEM professional development and contributions to our organization.

It is vital for Academia and the Private Sector, be it Industry and/or Government to have strong relationships in order to ensure that our STEM professionals obtain a high-quality graduate level experience. Your proposed two new master programs are needed today, locally to Las Cruces, in the surrounding regions and in the State of New Mexico. The two new programs will produce, enhance and maintain our talented labor pool within the State of New Mexico, by “home growing” if you will, our labor market within New Mexico.

Please, reach out anytime for any assistance we may be able to bring to help make these two online Master Programs available as soon as possible. We definitely need the STEM professionals to acquire these much-needed skill sets now, with the additional motivation to hire within the State of New Mexico. For any questions regarding this subject, please feel free to reach out via phone call or email, to the undersigned.

Sincerely,

GAMMILL.TROY
.D.1292187650

Digitally signed by
GAMMILL.TROY.D.1292187650
Date: 2024.07.12 08:13:35
-06'00'

Troy Gammill
NSWCPHDWS W01 Chief Engineer
Troy.D.Gammill.Civ@US.Navy.Mil
phone: 575- 635-8102

Memorandum

From: John C. Winstead, Senior Technical Director, Naval Surface Warfare Center Port Hueneme WS
To: Dr. Hansuk Sohn, Department Head of Industrial Engineering, NMSU
Subj: Endorsement Supporting the Initiative to Create Two Online Master of Engineering Programs, in Engineering Management and Systems Engineering

Dear Dr. Sohn:

It is with all sincerity I submit this endorsement regarding the initiative and vision in the establishment of the two online Master of Engineering Programs, in Engineering Management and in Systems Engineering. As a long beneficiary and supporter of the NMSU Industrial Engineering Department and its Graduate Programs and Certificates, the addition of these two new programs, will continue to serve our current and future employees to obtain and enhance their STEM professional development and contributions to our organization.

Strong relationships are in order to ensure that our STEM professionals obtain a high-quality graduate level experience. Your proposed two new master programs are needed today, locally to Las Cruces, in the surrounding regions and in the State of New Mexico. The two new programs will produce, enhance and maintain our talented labor pool within the State of New Mexico, by taking advantage of locality and personnel interested in the Southwest ties that bind. It materially supports a technical labor / and community of users market within New Mexico.

Please, feel free to discuss and foster dialog that assists to make these two online Master Programs possible. It is not an exaggeration to state the bulk of our technical workforce comes from local sources such as this initiative. STEM professionals are needed to acquire these skill sets now, with the additional motivation to hire within the State of New Mexico. For any questions regarding this subject, please feel free to reach out via phone call or email, to the undersigned.

Sincerely,

John C. Winstead

A handwritten signature in cursive script that reads "John Winstead".

John Winstead
NSWC PHD Det. WS
email: John.c.winstead.civ@us.navy.mil
phone: 575-993-0814



COLLEGE OF BUSINESS
Office of the Dean
MSC 3AD
New Mexico State University
P.O. Box 30001
Las Cruces, NM 88003-8001
Phone: 575-646-4083
business.nmsu.edu

July 9, 2024

Dr. Hansuk Sohn
Department Head
Industrial Engineering
New Mexico State University

Dear Dr. Sohn,

The purpose of this letter is to express my enthusiastic support for the Online Master of Engineering in Engineering Management proposal at New Mexico State University. In my roles as Associate Dean of Research and Graduate Programs and former Head of the Management Department in the College of Business at New Mexico State University, I worked closely with Dr. Sohn on developing this proposal. My academic background (BSc in Industrial Engineering, MSc. and Ph.D. in Manufacturing Management and Engineering) gives me a unique perspective in evaluating the potential value of this program. I firmly believe that this proposed program will help address a critical need to prepare professionals to effectively bridge the gap between engineering and management in New Mexico and beyond.

In today's complex and dynamic business landscape, engineering professionals must navigate multifaceted challenges that require not only deep technical knowledge but also strong leadership, strategic thinking, and project management capabilities. The proposed Master's program is well-positioned to equip students with these essential skills, ensuring they are prepared to lead in their respective fields, as evidenced by the program's learning outcomes, including mastery of engineering management knowledge and skills,

communication, collaboration, and teamwork skills. The proposed comprehensive curriculum blends core engineering principles with management strategies. Required courses in both IE (e.g., Large Scale Systems Engineering, Quality Control) and Business (e.g., Organizational Behavior, Accounting for Managers), as well as elective courses (e.g., project management, financial management, systems engineering, and strategic management, among others), provide a well-rounded education that is both rigorous and relevant to current industry needs. This comprehensive yet flexible curriculum aligns with other top engineering management master's programs nationwide and positions NMSU as the state's leader. Moreover, the College of Business faculty teaching the courses in the proposal have extensive academic experience and have taught in graduate programs for many years, including our nationally-ranked MBA program. Their expertise and insights will ensure that the education provided is of the highest quality and aligned with the latest industry trends.

In conclusion, I strongly endorse the proposal for the Online Master of Engineering in Engineering Management at NMSU. This program will undoubtedly fill a significant gap in higher education in New Mexico and provide students with the skills and knowledge required to excel in the ever-evolving engineering field. I am confident that graduates of this program will make substantial contributions to the state and beyond and emerge as leaders who can effectively tackle the challenges of the future.



Dr. Carlo A. Mora-Monge
Associate Dean of Research
& Graduate Programs

College of Business
New Mexico State University
Business Complex, 133
cmora@nmsu.edu



College of Business

Department of Management
MSC 3DJ
New Mexico State University
P. O. Box 30001
Las Cruces, NM 88003-8001
575-646-1201, fax: 575-646-1372
business.nmsu.edu/management-gb

Dr. Hansuk Sohn
Industrial Engineering Department Head
New Mexico State University

June 21, 2024

Dear Dr. Sohn,

I am writing to express my keen support for the proposed Online Masters of Engineering in Engineer Management at New Mexico State University (NMSU). As Professor and Interim Department Head in the NMSU Department of Management, I have had the opportunity to teach graduate courses and serve on graduate committees of former engineering students. I recognize the value of students' concurrent engagement and learning in engineering and business-related skills. The proposed Engineering Management degree will equip NMSU students for industry roles where they will advance their knowledge in engineering methodologies, solve complex problems, and develop the necessary interpersonal skills to contribute to the region's economic vibrancy.

The Department of Management as part of the NMSU College of Business (CoB) is well-positioned to support the Masters in Engineering Management program. The CoB faculty have over a decade of experience teaching in the online Masters of Business Administration (MBA) program and their expertise and experience have been recognized as a "Best Online MBA Program" from 2022-24 by the U.S. News and World Report. The proposed Online Masters of Engineering Management course curriculum includes the same graduate courses in management, finance, accounting, information systems, and applied statistics that allow students flexibility to tailor their curriculum to broaden their professional career path. Importantly, the proposed CoB courses are currently offered online throughout the academic year and over the summer months, enabling full-time professionals to complete the program remotely from various locations across the state.

As a collaborating partner with the Masters in Engineering Management program, in my role as the Management Department Head, I agree to assist in several areas. Firstly, I will serve in the program's steering committee and keep faculty members well-informed about the development and implementation of the new program. Secondly, I will work with you in your Industrial Engineering Department Head role to hire, advise, and evaluate new faculty members serving as joint appointees in the degree program. Lastly, I will assist with accreditation assessment and documentation, as requested.

In sum, I firmly believe that the proposed Online Master of Engineering Management program at NMSU will provide New Mexico students with the requisite educational resources to further develop skills and expertise. The program's comprehensive curriculum and expert faculty will

advance students' aspirations to make meaningful contributions to NMSU and the State of New Mexico.

I look forward to collaborating with you and the College of Engineering in this new program capacity.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carol Flinchbaugh', written in a cursive style.

Carol Flinchbaugh
Professor and Interim Department Head
Department of Management
New Mexico State University

**NMSU – Department of Industrial Engineering (IE)
Endorsement Memorandum for the Masters in Engineering – Engineering Management Program**

Date: 5 February, 2024, Revision 1

To: Dr. Hansuk Sohn – IE Department Head, NMSU College of Engineering
From: Prof. Salvador Rodriguez – Professor of Practice, IE Department, NMSU College of Engineering

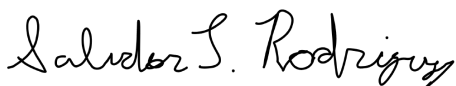
Endorsement: This memorandum serves to provide **My Endorsement**, in the proposed Masters in Engineering – Engineering Management (MEM) Program, under the Industrial Engineering Department. This program will enhance the current curricula of the IE Department, by making available this critical skill set to our graduate level student body, as they continue to promote within the private, public and government employment sectors. Also, from a geographical perspective, within a 350-mile radius, only New Mexico Tech offers a similar Master Level Program and its approximately 180 miles apart from NMSU. I believe that the MEM Program from NMSU will offer a significant augmentation to enhance access and availability in the State of New Mexico, to the key student audience groups and key employers, within the region with a focus in the Southern New Mexico area, West Texas, and Ciudad Juarez, Chihuahua, Mexico. The proposed program augments those currently offered in the state of New Mexico, to increase the availability to the students and working professionals’ population that live in Southern New Mexico, with a focus on the application of engineering management, for students who do not have extensive training in engineering management methodology, and its emphasis on training people to work in industry, government, and public sectors.

Also, New Mexico's main employers for engineering managers are: 1) The Department of Defense (White Sands Missile Range, NM / Kirtland Air Force Base, NM / Holloman Air Force Base, NM); 2) The Department of Energy (Sandia National Laboratory, NM / Los Alamos Laboratory, NM); 3) National Aeronautical and Space Agency (NASA at White Sands Missile Range and NASA at White Sands Test Facility); and 4) City of Las Cruces and Surrounding Municipalities and Townships. These **main employers** continue to expressed difficulty **in attracting and retaining** engineering managers with master level degrees from outside of the state, therefore they **continue to express interest in being able to hire from the local community and regional NM State Colleges and Universities.**

This program also helps to address the forecasted national need for this skill set. According to the U.S. Bureau of Labor and Statistics – 2022 Report, demand for engineering managers is projected to grow by 4% over the next ten years, that equates to 13,600 jobs over the next ten-years (2022-to-2032). This MEM Program will also have a direct benefit to the local and regional economies. Engineering Managers is the 3rd highest paid salary profession in the State of New Mexico (behind Medical Doctors and Airline Pilots), with an average yearly salary of \$159,920.

Finally, but Certainly Not Least, the proposed MEM program traces to all **6 Goals of the NMSU Leads 2025 Strategic Plan**, that is currently being updated for a Projected Release in 2025.

For the reasons mentioned in this endorsement memorandum, I am fully committed to assist in any Way, Form and Fashion, in the establishment of this MEM Program. It will help in Maintaining NMSU’s STEM Academic and Professional Members on the Cutting Edge, and Leaning Forward for the Challenges of Today and Tomorrow.



Sincerely,
Salvador Rodriguez, Professor of Practice – IE Department, NMSU College of Engineering

Hansuk Sohn, Ph.D.
Department Head
Industrial Engineering
New Mexico State University
EC III, Room 201A, MSC 4230
P.O. Box 30001
1060 Frenger Mall
Las Cruces, NM 88003-8001

Dear Dr. Sohn;

I wholeheartedly endorse both the new Online Master of Engineering degrees in Systems Engineering and Engineering Management. As a working engineer who had participated in NMSU's online Systems Engineering certificate program, I can attest to the fact that online access is not a luxury but a necessity for the practicing engineer. The certificate program kept my skill set current and relevant; the availability of these new programs, now at the Master's level, will amplify the return on investment for the online student. As the pace of technological advancement increases, the demand for the course offerings outlined in the degree programs will surely increase as well. Finally, as a former electrical engineer, I am particularly pleased at the interdisciplinary flexibility outside of IE that is offered by both programs.

Best wishes on the success of these exciting new programs.



Edward Kennedy, Ph.D.
Professor of Practice
Department of Industrial Engineering
New Mexico State University

Dear Dr. Hansuk Sohn
Department Head
Department of Industrial Engineering
New Mexico State University

February, 02, 2024

I express my full support for the proposed new Online Master of Engineering degree programs, one in Systems Engineering and the other in Engineering Management. These initiatives represent a significant step forward for our department and align with our goals and objectives.

The efforts undertaken by the IE department, have been commendable.

In endorsing these programs, I wish to highlight several key points:

1. Both the Systems Engineering and Engineering Management programs align with our department's mission to provide high-quality education, foster innovation, and meet the evolving needs of the industry.
2. The proposed programs address a clear demand in the market for trained professionals in systems engineering and engineering management.
3. The shift towards online learning presents a unique opportunity for us to reach a larger audience and enhance accessibility to our programs.
4. The interdisciplinary nature of these programs fosters collaboration across various fields and disciplines.

I am confident that implementing these Online Master of Engineering degree programs will significantly enhance the reputation and standing of our department while providing immense value to our students and industry partners.

I fully support these two Master of Engineering degree programs.

Please do not hesitate to reach out if you require any further information or assistance.

Sincerely,



Dr. Manuel Ivan Rodriguez Borbon
Professor of Practice
Department of Industrial Engineering
New Mexico State University

Hansuk Sohn

From: John P Mullen
Sent: Tuesday, February 6, 2024 6:00 PM
To: Hansuk Sohn
Subject: RE: Request for IE Faculty Support: Online Master of Engineering Degree Proposals

Hi Hansuk,

Regarding Systems Engineering

I support the proposed Systems Engineering program because the current manufacturing environment is very dynamic due to new products, new materials, and innovations in manufacturing methods. Adapting to this dynamic situation is best made through a multifaceted approach considering facility location and design, supply chain design, and the economic impact of necessary decisions. The Systems Engineering program seeks to provide a engineering graduate student with the necessary tools to deal with this challenge as well as providing options that are consistent with the students' long-term goals.

Regarding Engineering Management

Although engineers often are hired into staff positions, many times they eventually enter line positions and may achieve positions in upper management. I support the Engineering Management program because it is designed to provide engineering graduate students with the management tools they might need to qualify for management positions. This program builds on the knowledge and experience such students may have, allowing a more technical approach then a management program for other majors.

Please let me know if you need anything further.

John Mullen

Hansuk Sohn

From: Chaitanya Mahajan
Sent: Monday, February 5, 2024 10:25 AM
To: Hansuk Sohn
Subject: Re: Request for IE Faculty Support: Online Master of Engineering Degree Proposals

Categories: Orange Category

Hello Dr. Sohn,

I am writing to strongly endorse the proposal for an Online Master of Engineering degree - one in Systems Engineering and the other in Engineering Management. This program will advance the IE department's goals to provide high-quality education and research in the field of IE, and to prepare students for leadership roles in industry, academia, and government. The program will also establish strong partnerships with industry leaders and organizations and provide students with access to industry mentors, internships, and job opportunities.

Thank you,
Chaitanya



Board of Regents Meeting
Meeting Date: September 19, 2024
Agenda Item Cover Page

Agenda Item # D-7

- Action Item
- Consent Item
- Informational Item

Presented By:

Dr. David Jauregui, College of Engineering Interim Dean, with support from the following individuals:

Dr. Hansuk Sohn, Industrial Engineering Department Head
Dr. Salvador Rodriguez, Industrial Engineering Department faculty
Dr. Steve Stochaj, Electrical and Computer Engineering Department Head
Mr. Sashidhar Chintalapati, College of Engineering Data Specialist
Dr. Beth Apodaca, NMSU Global Vice Chancellor

Agenda Item:

Systems Engineering – Master of Engineering (Online)

Requested Action of the Board of Regents:

Approval of Systems Engineering – Master of Engineering (Online) proposal as presented.

Executive Summary:

The College of Engineering at New Mexico State University proposes an online Master of Engineering in Systems Engineering graduate degree program. This program aligns with NMSU's mission to meet the diverse needs of the state and offers strong career opportunities for recent graduates and professionals. It addresses a critical workforce demand, both nationally and in the crucial Borderplex region, where economic development has led to significant growth in sectors like manufacturing and transportation, driving the need for Systems Engineers. Designed with accessibility in mind, the program will attract students from New Mexico, El Paso, Texas and Juarez, Mexico, preparing them for high-paying local jobs. By equipping local talent with essential skills, the degree promotes social mobility and contributes to the region's economic growth and competitiveness.

Furthermore, as systems engineering divisions within organizations like Sandia National Lab and Los Alamos National Lab continue to expand, the need for professionals skilled in optimizing complex systems and processes is rapidly increasing. This program is specifically designed to address this demand, appealing to a range of industries including manufacturing, defense, healthcare, and transportation, all of which require systems thinking and integration expertise. Major employers such as the Borderplex manufacturing and production maquiladoras, the Department of Defense, the Department of Energy, and NASA consistently seek locally trained Systems Engineers, underscoring the program's vital role in meeting the evolving needs of key industries within the state and region.

Highlighted by the Gray Associates Scorecard, the Systems Engineering program ranks at the top 4% nationally, with strong indicators of student demand, competitive intensity, and employment prospects. The U.S. Bureau of Labor Statistics also projects substantial growth in the systems engineering field, further reinforcing the program's relevance and long-term value. With increasing demand for Systems Engineers and highly favorable salary prospects, this program offers graduates not only a path to lucrative careers but also the opportunity to address critical industry needs.

The initial launch of this proposed program will not require any additional resources, as it will leverage existing faculty from the College of Engineering and funding support from NMSU Global. By aligning with industry needs and regional economic priorities, the proposed Master of Engineering in Systems Engineering will empower local talent, foster innovation, and play a significantly role in the economic growth of New Mexico.

Given these compelling benefits, we respectfully request the approval of the Board of Regents to establish this program, advancing NMSU as a leader in engineering education while contributing to the state's economic growth and workforce development.

References:

Please refer to attached slide set that includes brief presentation (slides 1-3) and supporting materials (slides 4-end).

Prior Approvals:

The Master of Engineering in Systems Engineering graduate degree program is proposed in accordance with NMSU ARP 4.81 – Las Cruces Campus Approval Sequence for New Programs. The process was initiated in Summer 2023 in response to the increasing market demand in the area of Systems Engineering. The approval bodies and respective approval dates are summarized below:

Departmental Faculty, August 2023

Department Head, August 2023

College Curriculum Committee, October 2023

Academic Dean, February 8, 2024

Graduate Dean, August 15, 2024

University Program Academic Committee (UPAC), August 15, 2024

Board of Regents Student Success Committee, September 5, 2024

Provost, September 5, 2024

President, September 5, 2024

Agenda Item Approved By:

Each office may determine required signatures (if any). All items should be routed through the President's Office, University General Counsel, or the Secretary of NMDA as appropriate.

Online Master of Engineering in Systems Engineering

David Jauregui
Dean of College of Engineering

Hansuk Sohn, Salvador Rodriguez, Steve Stochaj, Sashidhar Chintalapati
College of Engineering

Beth Apodaca
NMSU Global



BE BOLD. Shape the Future.

Employment Demand

- **Gray Associates Scorecard**

- Student Demand – 95 percentile
- Competitive Intensity – 91 percentile
- Employment – 98 percentile

- **Bureau of Labor Statistics**

- Projected growth of 12% from 2023-2033 (average = 4% all occupations and 9% engineers)

Resources

- **Aggie Innovation Space**
- **Research Areas and Faculty Expertise**
- **Collaboration with NMSU Global**
- **Builds on Undergraduate Minor, Graduate Certificate, and Nationally Recognized Master's in Industrial Engineering**
- **MAP and New Mexico STEM Graduate Scholarship**

Regional Competition

- **UNM, U of A, ASU, UTEP**



Supporting Material for Online Master of Engineering in Systems Engineering

David Jauregui
Dean of College of Engineering

Hansuk Sohn, Salvador Rodriguez, Steve Stochaj, Sashidhar Chintalapati
College of Engineering



Beth Apodaca
NMSU Global

BE BOLD. Shape the Future.

NMSU IE Department Future State Masters Program

From the Bureau of Labor & Statistics – 2022 Report: the A) Average Salary for a SE with a Bachelors is \$102,859; and B) with a Master's in SE jumps to on Average \$124,014

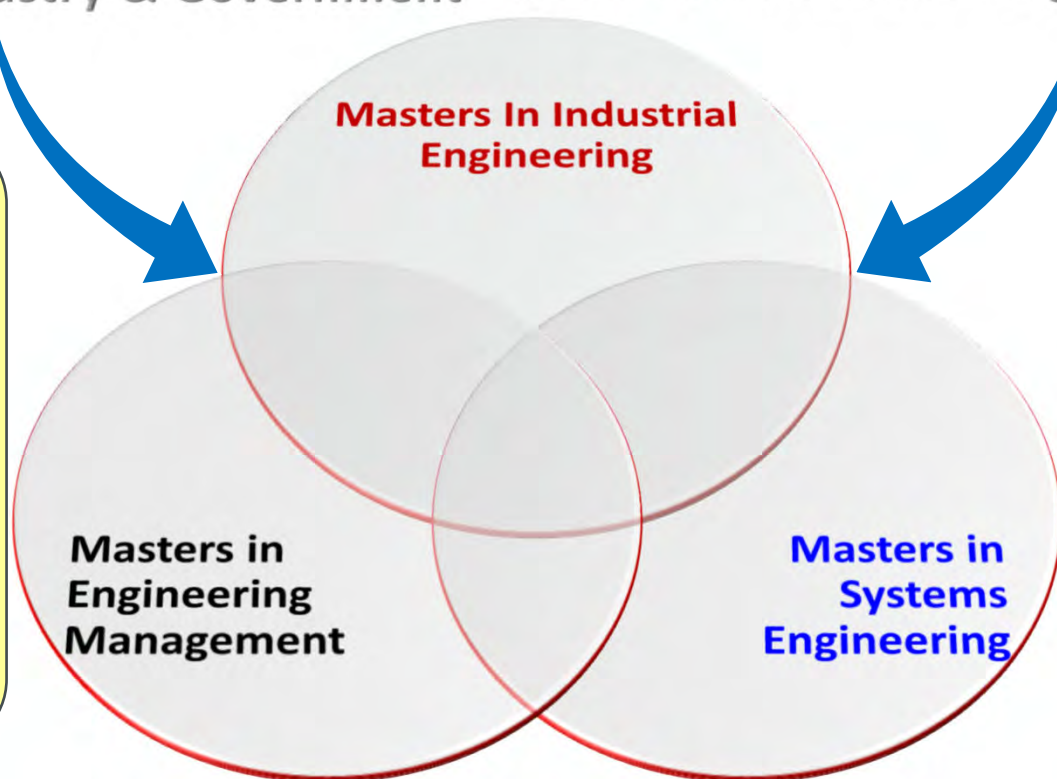


Working Professionals
Industry & Government



Various Undergraduate
STEM & Non-STEM Programs

- Sample List of Major Employers**
- Los Alamos & Sandia National Laboratory - DoE
 - White Sands Missile Range Enterprise (DoD, NASA, Industry, PSL-NMSU, ... 40+ different agencies)
 - El Paso Electric
 - City of Las Cruces
 - El Paso Airport Airlines



- Scholastic Programs**
- Masters Accelerated Program
 - Graduate Fellows Programs
 - All Programs from the College of Engineering
 - The Business College
 - The Math and Science College
 - The College of Agriculture



BE BOLD. Shape the Future.

Compelling Need for an Online Master of Engineering in Sys Eng at NMSU

This program addresses critical needs by:

- **Fulfilling State Workforce Demands**
- **Enhancing Student Opportunities**
- **Equipping Graduates for Successes**

The Gray Associates Scorecard shows that this program's total market score is among the top 4% of similar programs nationally:

- **High in student demand** (95th percentile)
- **Competitive intensity** (91st percentile)
- **Excellent employment outcomes** (98th percentile)

From the Bureau of Labor & Statistics – 2022 Report: the A) Average Salary for a SE with a Bachelors is \$102,859; and B) with a Master's in SE jumps to on Average \$124,014



Gray Associates Scorecard

CIP: 14.2701 Systems Engineering Market: National Award Level: Masters Select Program Export PDF Support

CIP: 14.2701 Systems Engineering Market: National Total Score: 40 Percentile: 96

Student Demand
Score: 24 Percentile: 95

Category	Pctl	Criterion	Value	Score
Size	69	Google Search Volume (3 Months)*	19...	5
	0	International Page Views (12 Months)	0	0
	94	New Student Enrollment Volume (12 Mo.)	2.2...	2
	94	Un-ground Completions at In-Market Institutions	1.3...	6
	95	Online Completions by In-Market Students	759	9
Gr...	95	Sum of On-ground and Online Completions	2.1...	NS
	30	Google Search YoY Change (Units)*	-447	0
	4	New Student Enrollment Vol. YoY Change (%)	-342	-1
	96	Completion Volume YoY Change (Units)	139	3
	50	Google Search YoY Change (%)*	-2%	0
46	New Student Enrollment Vol. YoY Change (%)	-1...	0	
62	Completion Volume YoY Change (%)	7%	0	

Competitive Intensity
Score: 7 Percentile: 91

Category	Pctl	Criterion	Value	Score
Volume of In-Market Compete...	92	Campuses with Graduates**	66	1
	98	Campuses with Grads YoY Change (Units)**	7	-3
	96	Institutions with Online In-Market Students**	31	NS
In-Market Program Sizes	88	Average Program Completions	21	0
	81	Median Program Completions	10	0
	70	YoY Median Prog. Compl. Change (Units)	0	0
	70	YoY Median Prog. Compl. Change (%)	0	0
In-Market Saturat...	59	Google Search * Cost per Click**	\$5	-1
	70	Google Competition Index**	0.41	0
National Online Comple...	96	National Online Institutions (Units)**	33	3
	87	Nat'l Online % of Institutions	43%	3
74	Nat'l Online % of Completions	35%	4	

Total Percentile	0	20+	40+	70+	90+	95+	98+	100
Total Score	-40	-11	-6	5	21	33	48	95

Employment*
Score: 14 Percentile: 98

Category	Pctl	Criterion	Value	Score
Size: Direct Prep	70	Job Postings Total (12 Months)*	3.7...	1
	80	BLS Current Employment*	79...	1
	87	BLS Annual Job Openings*	27...	0
Size: ACS Bach. Outcomes	65	Job Postings Total (12 Months)*	2.2...	0
	62	BLS Current Employment*	9.4...	0
Growth (Direct Prep)	67	BLS 1-Year Historical Growth*	7.0%	0
	67	BLS 3-Year Historic Growth (CAGR)*	2.4%	0
	91	BLS 10-Year Future Growth (CAGR)*	13...	NS
Saturation (Direct Prep)	54	Job Postings per Graduate*	1.0	0
	81	BLS Job Openings per Graduate*	7.2	2
Wages (Direct Prep)	92	BLS 10th-Percentile Wages*	\$6...	3
	86	BLS Mean Wages*	\$9...	NS
National American Community Survey Bachelor's Degree Outcomes	94	Wages (Age < 30)	\$6...	5
	86	Wages (Age 30-60)	\$1...	3
	39	% with Any Graduate Degree	31%	NS
	48	% with Masters	25%	NS
	41	% with Doct/Prof Degree	6%	NS
	30	% Unemp. (Age < 30)**	2%	0
	73	% Unemp. (Age 30-60)**	2%	-1
74	% in Direct Prep Jobs	17%	NS	

CIP Description:
A program that prepares individuals to apply mathematical and scientific principles to the design, development and operational evaluation of total systems solutions to a wide variety of engineering problems, including the integration of human, physical, energy, communications, management, and information requirements as needed, and the application of requisite analytical methods to specific situations.



Degree Fit:
Score: -5 Percentile: 6

Category	Pctl	Criterion	Value	Score
NHBEI Natl 2 Year		Cost Index** Student: Faculty Index	NA	NS
			NA	NS

National Completions by Level
Score: -5

Award Level	Completions (National)	Completions (Market)	Enrollment (Market)
Certificate	1%	1%	0%
Associates	0%	0%	0%
Bachelors	20%	20%	13%
Postbaccalaureate Certificate	19%	19%	1%
Masters	56%	56%	66%
Post-masters Certificate	1%	1%	11%
Doctoral	3%	3%	9%
Unknown	0%	0%	0%

National Workforce Ed. Attainment
Score: 0

Award Level	BLS Educational Attainment
No College	5%
Some College	8%
Associates	6%
Bachelors	50%
Masters	26%
Doctoral	6%

* - Google search, employment data and Jobs Per Grad Ratio do not filter by award level.
 ** - Color scale in reverse.
 NA - No data available/not currently tracked.
 NS - Not Scored in Rubrics (values = 0).
 2Yr - Associates & certificate programs only.
 PCTL - Percentile



What is Systems Engineering?

Systems Engineering: A Powerful Approach to Complex Challenges:



- **In-Demand Skillset – Across Various Government & Private Industry Sectors: such as Local, Regional, Federal (DoD, DoE, NASA), Aerospace, Healthcare, Airlines, Energy, Automotive, Transportation, Communication Networks – Agencies & Industries That Exist in New Mexico and Hire Systems Engineers**

Systems Engineering in NM and surrounding region



NMSU Systems Engineering: Beyond Space, Serving the Region

- UNM offers a Master of Science in Electrical Engineering with a concentration in Space Systems Engineering.
- The proposed NMSU Systems Engineering Master's Program will offer a broader perspective beyond space systems.
- The NMSU program will have a regional emphasis on attracting students and employers from Southern New Mexico, West Texas, and Ciudad Juarez, Mexico.

NMSU's Online Systems Engineering: A Proven Formula for Success

- Our existing online Master's in Industrial Engineering is nationally recognized (#1 by four US College assessment organizations) for flexibility, affordability, and course quality.
- Neighboring institutions such as ASU, U of A, and UTEP offer similar systems engineering programs, but NMSU's online format provides greater accessibility for New Mexico residents



BE BOLD. Shape the Future.

Current NMSU Systems Engineering

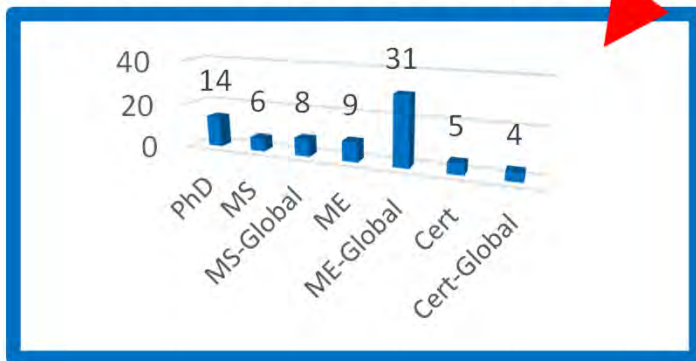
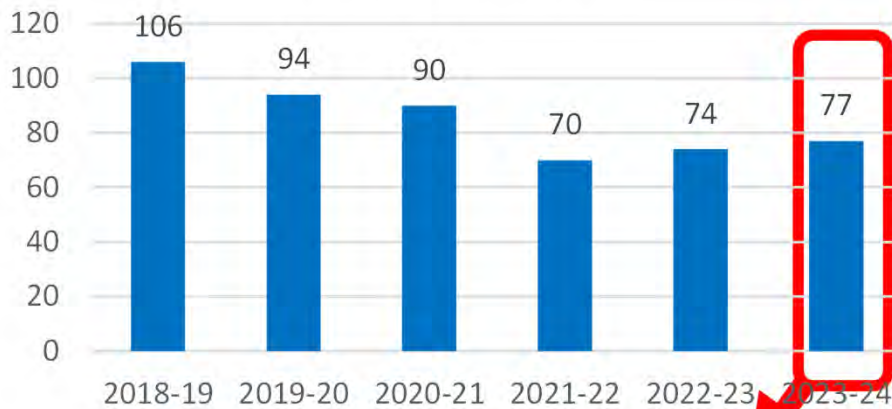
- **Existing Program:** Graduate Certificate in Systems Engineering (established in 2006)
- **Program Strengths:**
 - Online delivery for regional accessibility (12 credit hours)
 - Serves as a pathway to a graduate degree or career change
 - Developed with industry collaboration (General Dynamics & Sandia National Labs)
- **Market Demand:** Need for a Master's degree program in Systems Engineering due to:
 - Popularity of the certificate program
 - Neighboring universities offering Master's programs
 - Risk of losing students and failing to meet employer needs in New Mexico
- **Urgency:** Launching a Master's program is crucial to retain students and address the growing demand in the state.

The screenshot shows a sponsored advertisement for The George Washington University (GW). At the top, it features the GW logo and the text "The George Washington University" with a verified checkmark and "Sponsored" with a globe icon. Below this, the headline reads "GW: Earn Your Online Master's". The main image shows a person working at a computer workstation with multiple monitors displaying data. Below the image, it states "TOP-RANKED BY U.S. NEWS" and "Earn Your Online Master's Degree in:". The program offerings are listed as:

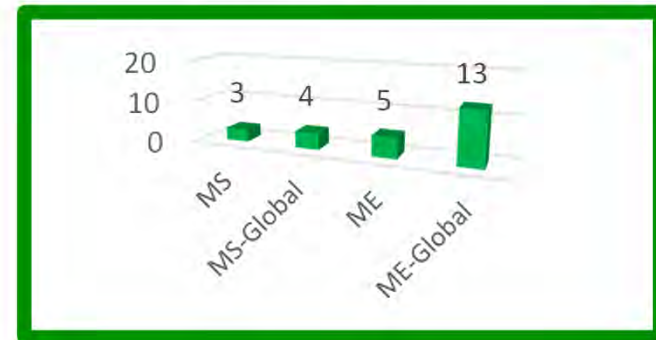
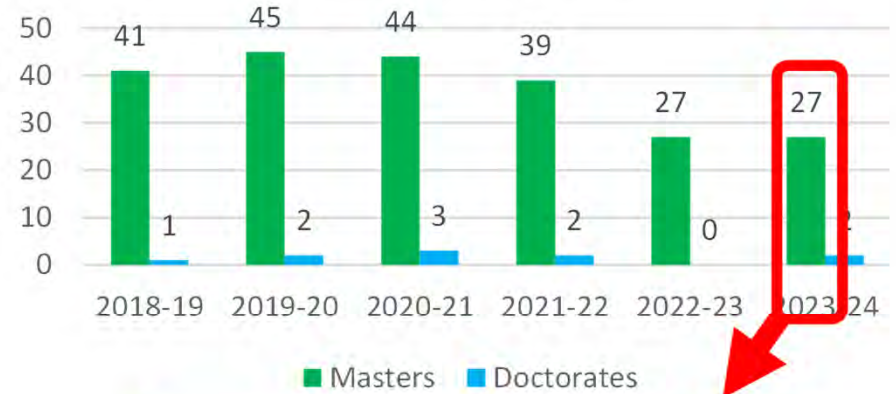
- Electrical Engineering
- Systems Engineering
- Engineering Management

The GW logo and the word "Engineering" are displayed below the list. A "Learn More" button is in the bottom right corner. At the very bottom, the URL "getinfo-online.engineering.gwu.edu" and "GW Online Engineering Master's" are shown, with another "Learn more" button.

Enrollment



Graduation



The Graduate enrollment student body make-up includes undergraduates from Civil, Aerospace, Mechanical, Electrical, Engineering Technology, Mathematics, Physics & Chemistry. Along with over 75% of the enrollees also being working professionals.

Projected Enrollment & Costs

Student Type	Year 1	Year 2	Year 3	Year 4	Year 5
New Students	10	15	20	25	30
Continuing Students	0	10	15	20	25
Graduates	0	0	10	15	20

- No immediate need for additional **faculty**. Additional **faculty** lines will be allocated based on the program's growth.
- COE will use existing staffs to cover the administrative **staffing** for Systems Engineering
- The current IE Department level **advising** will cover the program's needs
- No additional **library resources** needed for the Program
- No additional **space** or modifications of existing space required
- No additional **facilities, equipment** and **technological resources** needed

Program and Course Requirements

The program of study leading to the Master of Engineering in Systems Engineering consists of 30 credits. At least 50% of the coursework must be taken from the Approved IE Department Course List. This means that students can take up to five electives from engineering disciplines outside the department and/or other areas of interest outside the college.

30 Credit Required Courses:

Prefix	Title	Credits
Systems Engineering Program-Specific Courses (18 credits)		18
IE 456/537	Large Scale Systems Engineering *	3
IE 590	Selected Topics (Systems Engineering) *	3
IE 451/523	Advanced Engineering Economy *	3
IE 466	Reliability *	3
IE 571	Advanced Quality Control *	3
IE 563	Topics in Engineering Administration *	3
Electives (12 credits from the following):		12
Track 1 – Modeling, Simulation & Decisions		
IE 533	Linear Programming	3
IE 535	Discrete Optimization	3
IE 567	Design and Implementation of Discrete-Event Simulation	3
Track 2 – Systems Analysis		
IE 515	Stochastic Process Modeling	3
IE 522	Queueing Systems	3
IE 524	Advanced Production and Inventory Control	3
Track 3 – Data Analysis and Design		
IE 460	Evaluation of Engineering Data	3
IE 525	Systems Synthesis and Design	3
IE 545	Characterizing Time-Dependent Engineering Data	3
Track 4 – Electrical Engineering Applications		
EE 460	Space System Mission Design and Analysis	3
EE 585	Telemetry Systems	3
EE 590	Selected Topics	3
Optional Electives **		3

A 500-level course in the designated field, subject to the consent of your advisor and the course instructor: IE, EE, ME, AE, ET, CE, CHME, ACCT, BCIS, BFIN, MGMT, ECON, CS, AST, and STAT

Total Credits **30**

* Masters of Systems Engineering required course

** The optional courses outside the department and/or the college should be previously approved by the academic advisor. See your advisor for more detailed information about selecting elective courses.

A suggested road map for program completion

Below is a recommended roadmap tailored for full-time students, considering enrollment in three courses per semester. It's important to highlight that the suggested degree program is flexible and can be pursued by part-time students taking one or two courses per semester, including summer sessions, based on individual preferences. For alternative plans of study and additional details, feel free to reach out to the program director or faculty advisor.

First Year		Credits
Fall		
IE 456/537	Large Scale Systems Engineering	3
IE 567	Design and Implementation of Discrete-Event Simulation	3
IE 571	Advanced Quality Control	3
Credits		9
Spring		
IE 451/523	Advanced Engineering Economy	3
IE 533	Linear Programming	3
IE 563	Topics in Engineering Administration	3
Credits		9
Second Year		
Fall		
IE 466	Reliability	3
IE 535	Discrete Optimization	3
IE 590	Selected Topics (Systems Engineering)	3
Credits		9
Spring		
Elective	From the Approved Elective List *	3
Credits		3
Total Credits		30

* The optional courses outside the department and/or the college should be previously approved by the academic advisor. See your advisor for more detailed information about selecting elective courses.



LEADS 2025 Alignment

- **Goal 1: Enhance Student Success and Social Mobility**
 - Enhances student success by fulfilling a need for education in systems engineering
 - Meets market demand expressed by employers and alumni
- **Goal 2: Elevate Research and Creativity**
 - Supports applied research by exposure to a broad systems engineering arena
 - Contributes to economic development
- **Goal 3: Amplify Extension and Outreach**
 - Provides professional development to a variety of STEM disciplines
 - Well-suited for the New Mexico – West Texas – Northern Mexico industrial environment
- **Goal 5: Build an Online Global Campus**
 - Education from instructors with specialized professional experience and in-demand skill sets are easily made available to the NMSU Global students



Conclusion

- **NMSU's Systems Engineering master's program is positioned for Success with Strong Demand and Minimal Competition**
- **The program is poised for sustainable growth utilizing existing faculty, with funding already secured to support future expansion.**
- **The program offers a competitive advantage over neighboring institutions through its comprehensive curriculum and established track record of online success.**

1044: SYSTEMS ENGINEERING - MASTER OF ENGINEERING (ONLINE)

In Workflow

1. Student Records Office - Programs (gdmart@nmsu.edu)
2. EG Academic Dean (gabegarc@nmsu.edu)
3. Graduate Dean (rkoodali@nmsu.edu)
4. UPAC - Chair (jlakey@nmsu.edu)
5. Provost (mcateer@nmsu.edu; bgamillo@nmsu.edu)
6. President (lbduran@nmsu.edu)
7. Board of Regents (cavotta@nmsu.edu)
8. Graduate School - Council of Deans (rkoodali@nmsu.edu)
9. Student Records Office - HED (gdmart@nmsu.edu)
10. Student Records Office - CIP (gdmart@nmsu.edu)
11. UO HLC (UO HLC@nmsu.edu)
12. Student Records Office (gdmart@nmsu.edu)

Approval Path

1. Fri, 05 Jul 2024 22:45:51 GMT
Gabrielle Martinez (gdmart): Approved for Student Records Office - Programs
2. Sat, 06 Jul 2024 12:58:31 GMT
Gabe Garcia (gabegarc): Approved for EG Academic Dean
3. Sat, 06 Jul 2024 16:39:47 GMT
Ranjit Koodali (rkoodali): Approved for Graduate Dean
4. Thu, 29 Aug 2024 18:47:30 GMT
Joe Lakey (jlakey): Approved for UPAC - Chair
5. Thu, 29 Aug 2024 18:49:42 GMT
James Mcateer (mcateer): Approved for Provost
6. Mon, 09 Sep 2024 18:05:45 GMT
Lydia Duran (lbduran): Approved for President

New Program Proposal

Date Submitted: Tue, 02 Jul 2024 05:31:43 GMT

Viewing: 1044 : Systems Engineering - Master of Engineering (Online)

Last edit: Wed, 04 Sep 2024 21:29:05 GMT

Changes proposed by: Hansuk Sohn (hsohn)

Submission Information

The Degree Type will factor into the level and the submissions that must occur for HED and HLC.

- Community College Types: Applied Associate Degree, Associate Degree, Certificate, Concentration
- Main/Global Campus Undergrad Types: Bachelor's Degree, Concentration, Minor
- Main/Global Campus Graduate Types: Master's Degree, Doctoral Degree, Certificate, Concentration, Minor

Degree Type

Master's Degree

The Degree Title dropdown has all existing degree titles in Banner, if you do not see the one you are looking for you will select "Other" then in the New Degree Title box you will type out the official title of the degree (as you would want it to appear on a students record, transcript, and/or diploma).

Degree Title

Other

New Degree Title

Master of Engineering in Systems Engineering

Academic Level

Graduate

The Catalog Title will be what is displayed in the catalog page. The standard format is Major (Concentration) - Degree Title. (I.e., Mathematics (Secondary Education) - Bachelor of Science. Note: If there is no concentration you would just list the Major - Degree.

Catalog Title

Systems Engineering - Master of Engineering (Online)

College

Graduate

Campus

Global Campus

Division

No Division for this Campus

Department

Industrial Engineering

Effective Catalog

2025-2026

If opting for a Global program, specify "Global Campus" under campus type. You must have a Program Proposal on file with Global Campus prior to submission of a new Global program. Contact Global Campus for more information.

Program Teaching Modality

Online

Thesis and Non-Thesis Format

Non-Thesis

CIP Code

142701 - Systems Engineering.

Normal or typical length of time for students to complete the program (in years)

1.5 - 2 years

Curriculum Information**Program Learning Outcomes**

Learning Outcomes	
Outcome 1	Systems Engineering Knowledge and Skills. Identify, analyze, design, and solve complex engineering problems by applying systems engineering principles.
Outcome 2	Communication Skills. Communicate effectively both verbally and in writing, with a range of audiences
Outcome 3	: Collaboration and Teamwork. Function effectively on a team whose members together provide leadership, create a collaborative and inclusive environment, establish goals, plan tasks, and meet objectives.

List of academic departments/units and or institutions involved in the delivery of courses

Department/Unit
Electrical and Computer Engineering (ECE)

The Course Requirements, need to be in the standard format for the catalog because this piece of the form will be imported directly onto the catalog page. See the Student Records Website for a guide. The total number of credits at the bottom of the course list will be the "official" total for the degree. Please make sure it adds up correctly.

Course Requirements

Prefix	Title	Credits
<i>Systems Engineering Program-Specific Courses</i> ¹		18
I E 456	Large Scale Systems Engineering	3
I E 459	Systems Thinking and Decision Making	3
I E 451	Engineering Economy	3
I E 466	Reliability	3
I E 561	Advanced Safety Engineering	3

I E 563	Topics in Engineering Administration	3
<i>Electives (12 credits from the following)</i>		12
Track 1 – Modeling, Simulation & Decision		
I E 533	Linear Programming	3
I E 535	Discrete Optimization	3
I E 567	Design and Implementation of Discrete-Event Simulation	3
Track 2 – Systems Analysis		
I E 515	Stochastic Processes Modeling	3
I E 522	Queuing Systems	3
I E 524	Advanced Production and Inventory Control	3
Track 3 – Data Analysis and Design		
I E 460	Evaluation of Engineering Data	3
I E 525	Systems Synthesis and Design	3
I E 545	Characterizing Time-Dependent Engineering Data	3
Track 4 – Electrical Engineering Applications		
E E 460	Space System Mission Design and Analysis	3
E E 590	Selected Topics	1-9
<i>Optional Electives (3 credits)²</i>		
A 500-level course in the designated field, subject to the consent of your advisor and the course instructor. IE, EE, ME, AE, ET, CE, CHME, ACCT, BCIS, BFIN, MGMT, ECON, CS, AST, and STAT		
Total Credits		30

¹ Masters of Systems Engineering required course.

² The optional courses outside the department and/or the college should be previously approved by the academic advisor. See your advisor for more detailed information about selecting elective courses.

The Road Map, need to be in the standard format for the catalog because this piece of the form will be imported directly onto the catalog page. See the Student Records Website for a guide. All courses and the total number of credits at the bottom of the roadmap should match the Course Requirements list.

Road Map

Below is a recommended roadmap tailored for full-time students, considering enrollment in three courses per semester. It's important to highlight that the suggested degree program is flexible and can be pursued by part-time students taking one or two courses per semester, including summer sessions, based on individual preferences. For alternative plans of study and additional details, feel free to reach out to the program director or faculty advisor.

First Year

		Credits
Fall		
I E 456	Large Scale Systems Engineering	3
I E 459	Systems Thinking and Decision Making	3
I E 561	Advanced Safety Engineering	3
Credits		9
Spring		
I E 451	Engineering Economy	3
I E 466	Reliability	3
I E 563	Topics in Engineering Administration	3
Credits		9

Second Year

Fall		
I E 533	Linear Programming	3
I E 535	Discrete Optimization	3
I E 567	Design and Implementation of Discrete-Event Simulation	3
Credits		9
Spring		
Elective from the Approved Elective List ¹		3
Credits		3
Total Credits		30

¹ The optional courses outside the department and/or the college should be previously approved by the academic advisor. See your advisor for more detailed information about selecting elective courses.

Will this Master's degree program have a Master's Accelerate Program (MAP) option and roadmap?

Yes

MAP Requirements

- The Master's Accelerated Program (MAP) option offers academically qualified undergraduate students the opportunity to start pursuing a master's degree during their junior and senior years.
- Prior approval from the department head is required before beginning the MAP, and eligibility is limited to students who have not yet completed a bachelor's degree.
- Undergraduates can apply for acceptance into the MAP after completing 60 semester hours of coursework, including at least 25 credit hours at NMSU, with a GPA of 2.75 or higher.
- Applicants must also satisfy additional program-specific requirements.
- MAP participants can apply up to 12 credits of NMSU coursework at the 450 level or higher toward their master's program, provided they earn a grade of B or higher in each course applied toward the graduate degree.

MAP Roadmap

MAP participants can apply up to 12 credits of NMSU coursework toward their master's program, allowing them to complete the required coursework within two regular semesters. Below is a recommended roadmap tailored for full-time students, considering enrollment in three courses per semester. It's important to highlight that the suggested degree program is flexible and can be pursued by part-time students taking one or two courses per semester, including summer sessions, based on individual preferences. For alternative plans of study and additional details, feel free to reach out to the program director or faculty advisor.

First Year

Fall		Credits
IE 456	Large Scale Systems Engineering	3
IE 459	Systems Thinking and Decision Making	3
IE 561	Advanced Safety Engineering	3
Credits		9
Spring		
IE 451	Engineering Economy	3
IE 466	Reliability	3
IE 563	Topics in Engineering Administration	3
Credits		9
Total Credits		18

The admission requirements are needed if the program has a specialized admission process that exceeds the campus requirements for either the Undergraduate or Graduate admission standards.

- For graduate programs, the Graduate School asks for the following information (Provide a summary of the documents and specific information each student will need to provide to be considered for the program): Description, Statement of Purpose/Letter of Interest; Specialty Letter of Interest; Resume; Writing Sample; GRE; GMAT; Special Questions (if yes, what questions need to be answered); Letters of Recommendation (how many are required); NMSU Faculty Representative (if yes, how many); Foreign Language; WES Evaluation; Special License or Verifications (what license/verification)

Admission Requirements

Admission Requirements

Students seeking regular admission to graduate study in Systems Engineering Master of Engineering must meet departmental admission requirements in addition to those of the Graduate School (<https://catalogs.nmsu.edu/nmsu/graduate-school/>). The departmental requirements are listed below:

- Applicants should hold a bachelor's degree in engineering or related fields from an accredited university. All applicants are expected to have college-level proficiency in English (reading and writing) and mathematics.
- A letter of intent should be written providing the department with information about why the student wants to pursue a graduate degree, and professional and academic plans/goals.

Note that up to 15 credits may be transferred if the student was enrolled in an approved graduate program. An applicant should meet or correspond directly with the IE graduate faculty as a first step in determining his or her specific admission status.

Does this program lead to licensure, yes or no?

No

Faculty Members Employed to Teach in the Program

Existing Personnel

Hansuk Sohn

FTE

1

Course load and courses they will teach in the proposed program

Course load: 1+2,
Courses in Systems Engineering: IE515, IE533, IE535

Courses taught in other programs currently offered

IE413, IE423, IE451, IE490, IE515, IE533, IE535, IE590

Description of academic qualifications

Dr. Hansuk Sohn holds a PhD in Industrial Engineering from the University of Iowa, earned in 2004. He has led the development and implementation of three new undergraduate minors: Systems Engineering, Supply Chain and Operations Research Analytics, and Lean Manufacturing and Analytics. Dr. Sohn has dedicated significant efforts to enhancing the visibility and prestige of the online IE master's program as a valuable career advancement pathway. Dr. Sohn's commitment to excellence with his department faculty is evidenced by four No.1 rankings in 2023 from US College Assessment organizations.

Prior instructional responsibility and other experiences relevant to assigned courses

Bringing 24 years of teaching experience, Dr. Sohn specializes in Operations Research and its application in large-scale computational science and engineering, particularly within the realms of engineering management and systems engineering.

For graduate programs, document scholarship and research capability

Dr. Sohn is the author of over 45 peer-reviewed publications and has secured more than \$2.3 million in research grants as both Principal Investigator (PI) and Co-Principal Investigator (Co-PI). Dr. Sohn has graduated 11 PhD students and 16 master's students.

Existing Personnel

John Mullen

FTE

1

Course load and courses they will teach in the proposed program

Course load: 3+3
Courses in Systems Engineering: IE 460, IE 522, IE 525, IE 545, IE 561

Courses taught in other programs currently offered

IE311, IE411, IE 460, IE 522, IE524, IE 525, IE 534, IE561, IE 563, IE 571

Description of academic qualifications

Dr. John Mullen earned a B.S. degree in Mathematics from the University of Pennsylvania in 1968, and M.S. and Ph.D. degrees in Industrial Engineering from Iowa State University in 1984 and 1994, respectively

Prior instructional responsibility and other experiences relevant to assigned courses

Dr. Mullen brings over 45 years of teaching experience with expertise in stochastic optimization problems relevant to engineering management and systems engineering.

For graduate programs, document scholarship and research capability

Dr. Mullen is a former consultant for the U.S. Army TRADOC Analysis Center at WSMR and a former supervisor for the Salvage and Rework Department at Presto Products, Inc.

Existing Personnel

Manuel Ivan Rodriguez

FTE

1

Course load and courses they will teach in the proposed program

Course load: 3+3
Courses in Systems Engineering: IE 466, IE 451, IE 563, IE459

Courses taught in other programs currently offered

IE316, IE351, IE365, IE413, IE423, IE424, IE451, IE 466, IE467, IE478

Description of academic qualifications

Dr. Manuel Ivan Rodriguez earned a Master of Science degree in Statistics from UTEP in 2007, and a PhD in Industrial Engineering from NMSU in 2011.

Prior instructional responsibility and other experiences relevant to assigned courses

With 10 years of industry experience complementing 19 years of teaching experience, Dr. Rodriguez will offer invaluable real-world best practices, particularly in engineering management and systems engineering.

For graduate programs, document scholarship and research capability

Dr. Rodriguez has authored over 30 peer-reviewed publications and has been actively collaborating with professors from ACES and Business Colleges.

Existing Personnel

Edward Kennedy

FTE

1

Course load and courses they will teach in the proposed program

Course load: 2+2
Courses in Systems Engineering: IE 524, IE456, IE459

Courses taught in other programs currently offered

IE151, IE351, IE 524, IE590

Description of academic qualifications

Dr. Edward Kennedy earned a Master of Science degree in Electrical Engineering in 1991, and a PhD in Industrial Engineering in 2023. Both degrees are from NMSU.

Prior instructional responsibility and other experiences relevant to assigned courses

Before joining NMSU, Dr. Kennedy served the U.S. Department of Defense for 33 years in the field of systems engineering and engineering management. He will offer students direct access to invaluable industry knowledge and real-world best practices.

For graduate programs, document scholarship and research capability

Dr. Edward Kennedy has authored two peer-reviewed journal publications. He is a former president of the WSMR Historical Foundation and a recipient of both the Global War on Terrorism Medal (with a \$5,000 award from Headquarters) and the Department of Defense Achievement Medal for Civilian Service.

Existing Personnel

Chaitanya Mahajan

FTE

1

Course load and courses they will teach in the proposed program

Course load: 1+1
Courses in Systems Engineering: IE 451

Courses taught in other programs currently offered

IE217, IE316

Description of academic qualifications

Dr. Chaitanya Mahajan earned a Master of Science degree in Industrial & Systems Engineering in 2014, and PhD in Engineering in 2019. Both degrees are from the Rochester Institute of Technology.

Prior instructional responsibility and other experiences relevant to assigned courses

Before joining NMSU's Industrial Engineering department, Dr. Mahajan was a lecturer in Industrial and Manufacturing Engineering at Kettering University and a postdoctoral associate in the Department of Industrial & Systems Engineering at Rochester Institute of Technology.

For graduate programs, document scholarship and research capability

Dr. Mahajan has authored six peer-reviewed journal publications. He recently received a \$200,000 research grant from NSF CMMI.

Existing Personnel

Salvador Rodriguez

FTE

1

Course load and courses they will teach in the proposed program

Course load: 2+2

Courses in Systems Engineering: IE 451, IE 456, IE 459

Courses taught in other programs currently offered

IE 451, IE 456, IE 459

Description of academic qualifications

Prof. Salvador Rodriguez earned a Master of Science degree in Industrial Engineering from NMSU in 2005. He is currently pursuing his PhD degree in Industrial Engineering at NMSU.

Prior instructional responsibility and other experiences relevant to assigned courses

Prof. Rodriguez brings his extensive experience from 28 years at the U.S. Department of Defense in systems engineering and engineering management to NMSU. This translates into invaluable industry knowledge and real-world best practices that he'll share with students.

For graduate programs, document scholarship and research capability

Prof. Rodriguez recently submitted a research grant proposal to NSF for the EPSCoR Research Infrastructure Improvement program.

Existing Personnel

Steve Stochaj

FTE

1

Course load and courses they will teach in the proposed program

Course load: 1+1,

Courses in Systems Engineering: EE 401, EE 460

Courses taught in other programs currently offered

EE 401, EE 460

Description of academic qualifications

Dr. Stochaj holds a PhD from the University of Maryland in Physics. His research area is astrophysics and space systems.

Prior instructional responsibility and other experiences relevant to assigned courses

Dr. Stochaj has worked on NASA and AFRL space projects for over 35 years.

For graduate programs, document scholarship and research capability

Dr. Stochaj has graduated 12 PhD students and 45 master's students. He has 85 journal publications and has led 35 funded research projects.

Gray Associates Data

Systems Engineering Scorecard.pdf

NM Higher Education Department

Is there a certificate embedded in the degree program? If so, list certificates and courses required?

No

Does the master's level degree articulate to a doctoral program, yes or no?

Yes

If yes, to which Doctoral Program?

Doctor of Philosophy in Engineering (Specialization in Industrial Engineering)

Describe your institution's plan for periodic evaluation of program effectiveness. Include criteria that will be used to determine effectiveness.

Evaluation of Program Effectiveness

Per NMSU policy, the program will be subject to the Annual Academic Departmental Assessment (AADA). See <https://assessment.nmsu.edu/annual-departmental-assessment/index.html> for more details. Specifically, this process involves

1. Direct measurement of student proficiency in one or more program-level learning objectives.
2. Analysis of assessment findings, including evaluation of its relevance for curricular decision-making.
3. Planning and implementing change in response to findings and analysis.
4. Substantial engagement of program faculty and others as appropriate in steps 1 and 2.
5. Reassessment of learning following changes made in prior years' assessments.

Measurement of student proficiency will be carried out through course examinations, in-class student projects, and assignments from the practicum course, depending on the learning objective being assessed.

The proposed program will participate in the Academic Program Review (APR) on the six-year rotation cycle established by the university. The proposed program will not be subject to external accreditation. See <https://inside.nmsu.edu/adpr/> for more details.

The proposed program must meet one or more specified needs within the state or region. Clear and convincing evidence must be provided of the reality and extent of such need.

The Department of Industrial Engineering at New Mexico State University proposes to offer a fully online new master's degree in the field of Systems Engineering. The degree, if approved, will meet the needs of the state's major employers in an occupation that is rapidly growing in demand. Students from New Mexico, who often have the desire to stay within the state after graduation, will be attracted to the program for the high salary that a career in systems engineering offers and the local job opportunities in this field. The program will fulfill the mission of New Mexico State University's Colleges of Engineering to serve the diverse needs of the state through comprehensive programs of education as well as the mission of the University to promote social mobility for the state's diverse student populations.

The proposed master's degree program in Systems Engineering aims to equip graduates with the necessary knowledge for an interdisciplinary field of engineering and engineering management, concentrating on the design, integration, and management of complex systems throughout their life cycles. The core focus of the Systems Engineering graduate involves applying systems thinking principles to effectively organize this knowledge. This proficiency enables them to independently address intricate problems within a collaborative technical environment, instruct these methods at the undergraduate level, and actively contribute to the development of grant proposals and the creation of applied technical and research publications. This program augments those currently offered in the state of New Mexico, intending to broaden accessibility for students and working professionals residing in Southern New Mexico. It particularly emphasizes the application of systems engineering for individuals without extensive training in this methodology, preparing them for roles in industry, government, and the public sector.

The Systems Engineering program scores very highly on the Gray Associates Scorecard, with a total market score of 40 and a percentile of 96, indicating this program is among the top 4% of similar programs nationally.

- High student demand: This program scores well in student demand (score 24, percentile 95). It means this program is in higher demand than 95% of similar programs nationwide, suggesting strong interest from prospective students.
- Competitive intensity: The program has a competitive score of 7 (percentile 91) for competitive intensity, meaning it attracts students from various backgrounds and experiences.
- Excellent employment outcomes: The score of 14 (percentile 98) in employment highlights that graduates of this program are successful in finding jobs in their field compared to 98% of similar programs.

According to the 2022 report from the U.S. Bureau of Labor and Statistics, the demand for Systems Engineers is projected to grow by 12% over the next decade, translating to 22,800 jobs from 2022 to 2032. Engineers with bachelor's degrees earn an average salary of \$96,350 (ranging from \$62,730 to \$134,990). For Systems Engineers holding master's degrees in Systems Engineering, the average salary increases to \$124,014 (ranging from \$95,000 to \$163,000). In New Mexico, key employers for Systems Engineers include: 1) The Department of Defense (White Sands

If the program fills a regional workforce need, describe collaboration between your institution and regional employers in the program development.

Top Employers:

- Government Agencies: In New Mexico, key employers for Systems Engineers include: 1) The Department of Defense (White Sands Missile Range (TRAC-WSMR), NM / Kirtland Air Force Base, NM / Holloman Air Force Base, NM); 2) The Department of Energy (Sandia National Laboratory (Sandia lab), NM / Los Alamos National Laboratory (LANL), NM); and 3) National Aeronautical and Space Agency (NASA at White Sands Missile Range and NASA at White Sands Test Facility).
- All actively seek Master's-level Systems Engineers locally. These employers consistently face challenges in attracting and retaining Systems Engineers with master's degrees from outside of the state, expressing ongoing interest in hiring locally from the community and regional NM State Colleges and Universities.

Connecting with Employers:

- Career Fairs: TRAC-WSMR, LANL, Sandia lab, and NASA organize multiple career fairs annually, where they recruit for a variety of positions, including numerous opportunities within NMSU engineering. NMUS Career Services also hosts career fairs and employer information sessions throughout the year, featuring participation from TRAC-WSMR, LANL, Sandia Lab, and NASA. Moreover, they offer a variety of internship opportunities for both our undergraduate and graduate students in engineering fields.
- Master's Programs and Systems Engineering Certificate: The Master's degree in Industrial Engineering and Systems Engineering Graduate Certificate have gained significant popularity among high-tech workforces within the US Defense sector. A substantial portion of our master's program clientele comprises employees from key defense employers, including TRAC-WSMR, Sandia Lab, and LANL. Note that, within the NMSU Department of Industrial Engineering, the Graduate Certificate in Systems Engineering was created in 2006 to address a known and growing market need for advanced education in complex adaptive socio-technical systems. It is based online for easy access for regional professionals including 12 credits of graduate coursework. Additionally, it is marketed as a path of entry to a graduate engineering degree program or a career change for working professionals. It was developed through a collaboration between Industrial Engineering and Klipsch School of Electrical and Computer Engineering with the aid of staff from General Dynamics and Sandia National Labs.

Identify where similar degree programs are offered by other public higher education institutions in New Mexico.

We have identified another degree program in New Mexico that could be considered similar to the one we are proposing: the master's program in Space Systems Engineering, leading to a Master of Science in Electrical Engineering at the University of New Mexico.

If similar programs are offered at other public higher education institutions in New Mexico, provide a rationale for offering an additional program.

The NMSU Systems Engineering Master's Program will provide a broader perspective, not solely focusing on space systems but encompassing a more comprehensive range of engineering disciplines and their applications. This approach aims to significantly enhance access and availability in the State of New Mexico for the key audience groups and employers outlined in this proposal, with a regional emphasis on Southern New Mexico, West Texas, and Ciudad Juarez, Chihuahua, Mexico.

List any nearby non-New Mexico institutions of higher learning where the program is being planned or offered, particularly WICHE member institutions.

Duplication at non-New Mexico Institutions (WICHE)

The table below lists master's programs in Systems Engineering and related fields currently offered by 3 of NMSU's peer institutions. Most are specifically designed for engineers, scientists, and technologists holding bachelor's degrees in respective fields, and housed in Departments of Engineering. The uniqueness or "niche" that our program will help address is to increase access and availability to retain and sustain this skill mix within the Southern New Mexico population who seek to stay in the area while being a direct feed to the major employers in the area mentioned in this proposal. Also, given the breadth of the collaborative research experience of our faculty, our program can be tailored to any number of areas of application.

Master in Engineering Management Programs Offered by Peer Institutions
 University of Arizona Master of Science in Systems Engineering
 Arizona State University Master of Engineering in Systems Engineering
 University of Texas – El Paso Master of Science in Systems Engineering

Enrollment and Graduation Projections

Student Type	Year 1	Year 2	Year 3	Year 4	Year 5
New Students	10	20	30	40	50
Continuing Students	0	10	20	30	40
Graduates	0	0	10	20	30

Annual Retention Rate Target (%)

80

Target 100% Graduation Rate (%)

80

Target Job Placement Rate (%)

100

Describe the faculty resources that are needed to initiate the program. Will any additional faculty be needed?

Faculty Resources (Initiation)

In addition to utilizing existing faculty resources to support the proposed master's degree, which involves reallocating some current teaching assignments to graduate courses and directing faculty advising from other disciplines toward Systems Engineering master's students, the proposed program will be enhanced by the inclusion of a tenure-track faculty member joining in year two. This addition will ensure ongoing excellence in research and scholarship, thereby raising the program's national profile and facilitating further program development and sustainability. Furthermore, the program will benefit from the inclusion of two Professors of Practice, starting in years one and five, who will provide students with direct access to invaluable industry knowledge and real-world best practices. With this expert faculty team in place, the program will be able to offer a broader range of specialized courses tailored to meet diverse student needs and address evolving industry trends. This, in turn, will attract more students and enhance the program's reputation. These dedicated faculty members will also offer enhanced advising, mentorship, and career guidance to students, thereby fostering greater student success and satisfaction with the program. It's worth noting that funding support for these new faculty positions has already been secured from NMSU Global.

Existing Personnel

Hansuk Sohn, Ph.D., IE Department Head and Associate Professor
 John Milled, Ph.D., IE Associate Professor
 Chaitanya Mahajan, Ph.D., IE Assistant Professor
 Manuel Ivan Rodriguez Borbon, Ph.D., Professor of Practices
 Salvador Rodriguez, MS, Professor of Practices
 Edward Kennedy, Ph.D., Professor of Practices

Describe the library and other academic support resources that are needed to initiate the program. What, if any, additional resources will be needed?

We expect that the existing resources in the main campus library will be sufficient for launching the proposed new online Systems Engineering Master's program. This is due to the fact that the library resource requirements for this new online degree align completely with the needs of the current Industrial Engineering and other engineering departments that provide specialization courses. Therefore, there is no need for additional library resources.

Describe the physical facilities of the institution that will be used for the first five years of the program. Will additional space or modifications of existing space be required within the first five years of program operation.

The existing office space allocated for faculty is expected to be adequate during the first five years of the proposed Systems Engineering master's degree program operation. While we are confident that the initial teaching requirements can be accommodated with the current faculty and space, it's important to note that future adjustments might be necessary as the program expands. The growth of the program may require additional space to accommodate new faculty members in the coming years.

Describe the institution's equipment and technological resources needed for the first five years of the program? What, if any, additional equipment will be needed?

We expect that existing technological resources will be adequate for the first five years of the master's program. Faculty offices are equipped with desktop computers and printers. Faculty also have access to NMSU's High-Performance Computer (HPC) Cluster. The computer lab in NMSU's Industrial Engineering houses 16 Windows-based computers. A variety of software is available including MS Office, RStudio, MATLAB, Minitab, Arena, SIMIO, FICO Xpress, and LINDO. The NMSU Instructional Media Services have in place technology to support the asynchronous delivery of courses. Resources include Adobe Connect and Zoom for presenting and recording lectures and a "smart interactive monitor" that can capture the instructor's writing and show it simultaneously to in-person and remote participants.

Describe any other operating resources needed to initiate the program.

No initial additional resources are foreseen to be needed to initiate the Systems Engineering Master's program.

Are there existing external facilities that will be used? Have agreements been established to ensure use of the those facilities?

We do not anticipate the use of external facilities except as required for the administration of examinations to students attending classes remotely. These resources are available through NMSU Online or through private services such as ProctorU.

Provide a clear analysis of the projected cost of the proposed program and the sources of funding that will support it for the first five years that the program will be offered. Include a discussion how any of the needed resources discussed in your attachment. This should be completed in collaboration with your institution's financial office.

Projected Cost and Institutional Readiness - Sys Eng.pdf

Letters of Support

Support letters for ENGR MGMT 9-4-24.pdf

Accreditation

Is the program seeking specialized accreditation?

No

Is specialized accreditation required for licensure or practice in the program?

No

Has the program already obtained the appropriate specialized accreditation? If so, attach a copy of the letter from the agency granting accreditation?

No

If the program has not yet obtained accreditation but has begun the process of seeking or plans to seek specialized accreditation, specify the name of the agency and provide the time-line for completing the process.

N/A

If the program does not plan to seek specialized accreditation, provide a rationale for not-seeking accreditation here. (if there is not a specialized accrediting organization for this program, indicate so as your rationale).

NMSU is regionally accredited by the Higher Learning Commission (HLC), and the Academic Program Review (APR) is an annual requirement and supports our HLC accreditation. The proposed Systems Engineering Master's program will participate in the APR on the six-year rotation cycle established by the university.

If the program includes any of the following, explain how it will ensure that student work and levels of knowledge competencies achieved will be comparable to those achieved through traditional formats: (Award credit for prior learning; use of compressed time frames; use of on-line deliver; inclusion of accelerated formats; or other approaches to learning.)

Award Credit for Prior Learning: The program will utilize rigorous assessment mechanisms, encompassing industry certifications and project demonstrations, to evaluate and award credit for demonstrably equivalent prior learning. This ensures that students receive appropriate recognition for their existing knowledge and skills, aligning with the standards established in traditional formats.

Use of Online Delivery: Leveraging online delivery, the program will employ advanced instructional technologies, interactive modules, and continuous assessment methods. This ensures that students' work and knowledge competencies are not compromised and remain equivalent to those achieved in traditional formats.

Inclusion of Accelerated Formats: Through the Masters Accelerated Program (MAP), students have an opportunity to take up to 12 graduate credits during their undergraduate program that can apply toward the proposed Systems Engineering master's degree. Other accelerated formats within the proposed program can be carefully designed to prioritize intensive learning without sacrificing educational rigor. However, robust assessments and quality assurance measures need to be in place to guarantee that student achievements align with or surpass those in traditional formats.

Will the program be part of a contractual or consortial arrangement (yes/no, explain)?

NO

If the program is planning any involvement by external organizations (other than from accredited higher education institutions) in the key operations as identified below, provide the information as requested.

Type of Involvement	Name of External Organization	Percent of Involvement
Course placement and advising of students	N/A	N/A
Design and oversight of curriculum	N/A	N/A
Direct instruction and oversight	N/A	N/A
Other support for delivery of instruction	N/A	N/A
Recruitment and admissions of students	N/A	N/A

Briefly describe the planning process for determining the need for this new program, including the role of faculty in the planning and approval process.

The Industrial Engineering department engaged department faculty members to conduct an extensive needs assessment. Input from alumni, industry professionals, and potential employers was collected to identify specific skills and knowledge gaps. The College Dean's office provided market research data to identify the potential target audience for the proposed online master's program. Additionally, a thorough analysis of competition was carried out, including the identification of similar programs from other institutions and an assessment of their strengths and weaknesses. A curriculum development committee, consisting of department faculty members specializing in Systems Engineering, was established to collaboratively design a curriculum in line with industry standards and tailored to the needs identified during the assessment. Faculty members were assigned the task of creating a comprehensive proposal for the new program, and they also assumed a key role in reviewing and refining the proposal.

Describe the process for assessing and improving student learning in the proposed program.

Mentoring of Students:

Upon admission to the master's program, each student will be paired with a faculty mentor. In addition to advising the student regarding his or her academic coursework, the mentor will serve as the focal point for communication between the student and the program faculty. The graduate program director, who will oversee admissions to the master's program and the allocation of graduate assistantships with input from a committee of faculty, will also be available to meet with students to discuss their progress and any challenges that they may be facing.

Assessment of Student Learning:

We will assess student learning at both the individual and the program levels. We will develop assessment instruments that measure student learning against the program's learning objectives. Instruments will be administered during course examinations, depending on the learning objective that is being assessed. Changes will be made to the curriculum as program-level deficiencies are identified (see Periodic Program Evaluation).

Describe the process for assessing and improving student persistence and completion, in the new program.

To ensure a high completion rate, we'll utilize a data-driven approach to continually assess and improve the student experience.

Tracking Progress: We'll gather data on key metrics like enrollment, retention rates, time to completion, and course completion rates. Additionally, student engagement through login frequency and participation will be monitored. Finally, exit surveys from departing students will provide valuable insights into their reasons for leaving.

Identifying Challenges: By analyzing this data, we'll pinpoint areas where students face hurdles. This could involve specific courses with high withdrawal rates, program drop-off points, or student demographics correlated with lower completion rates.

Targeted Interventions: Based on the identified challenges, we'll develop targeted interventions to support student success. Offering academic support services like online tutoring and writing assistance would further empower students. Building a sense of community through online forums and virtual events can combat feelings of isolation. Furthermore, faculty training on engaging online teaching practices and flexible learning options can enhance the online learning experience. Finally, early intervention programs to identify and support at-risk students can make a significant impact.

Continuous Improvement: The effectiveness of these interventions will be regularly evaluated by analyzing updated data on student persistence and completion. This ongoing cycle of assessment, intervention, and evaluation ensures that the program adapts to student needs, leading to a thriving online learning environment with consistently high completion rates.

If any of the institution's accreditation relationship (including other regional, specialized, or national accrediting agencies) are currently under or recommended for a negative status or action (e.g., withdrawal, probation, sanction, warning, show-cause, etc.)

N/A

If the institution is undergoing or facing substantial monitoring, special review or financial restrictions from the U.S. Department of Education or other federal or state government agencies.

N/A

If the institution's senior leadership or board membership has experienced substantial resignations or removals in the past year.

N/A

If the institution is experiencing financial difficulty through conditions, such as, a currently declared state of exigency, a deficit of 10% or more, a default or failure to make payroll during the past year, or consecutive deficits in the two most recent years.

N/A

Institution Specific Information Area

Primary target audience for the program (e.g., full#time, part#time, traditional college age, working adults, transfer students, military personnel, or particular ethnic group)

We have identified two groups of target audiences for the Systems Engineering Master's Program: 1) students who hold a bachelor's degree in engineering or a related discipline looking to specialize in systems engineering for career entry or advancement; 2) working professionals who do not currently hold a master's degree-seeking to enhance their skills and advance their careers without interrupting their work commitments. This also includes military professionals interested in acquiring expertise in systems engineering, especially given the relevance of the field in defense and aerospace, leveraging the flexibility of an online program.

We expect that individuals from both 1 and 2 groups will find the Systems Engineering Master's program very relevant and beneficial to their professional career paths due to its broad application in industry, government, and public sectors. As the reputation of our IE master's program grows, we also expect more outside admissions of students, including students who recently earned their undergraduate degrees at other universities in the region. We also expect individuals in both groups 1 and 2 who are seeking an opportunity for a Master in Systems Engineering in the greater Las Cruces Area to be more accessible from a geographic perspective.

The asynchronous delivery of courses will allow individuals in both groups who reside outside of the Las Cruces area and/or are full-time working professionals to complete the required coursework remotely.

How does the proposed program align with the department, college and university mission?

The mission of the College of Engineering is to serve the diverse needs of the state through comprehensive programs of education, research, extension and outreach, and public service. The proposed online Systems Engineering Master's program will meet the needs of the state's major employers in an occupation that must retain and sustain its current demand and be postured to respond to its growing demand.

Part of the vision of NMSU is to excel in promoting social mobility for the state's diverse student populations. For New Mexico students earning a degree from the program, a career in Systems Engineering offers considerable social mobility, as evidenced by the high starting salaries and potential for managerial positions in industry. These economic gains will be achieved regardless of whether students find positions inside or outside of New Mexico.

Discuss how admissions criteria and strategies will recruit a diverse student body?

To ensure the recruitment of a diverse student body for the new online Systems Engineering Master's degree, we will extend our evaluation beyond traditional metrics. We recognize that different people may come from diverse backgrounds and experiences, so we will also consider factors like socioeconomic background, first-generation status, ethnicity, gender, and military service as part of our comprehensive admissions evaluation. This ensures that underrepresented groups have a fair chance to be recognized for their potential and contributions.

In recent years, the majority of our international students have come from developing nations, including Nigeria, Ghana, Bangladesh, Egypt, and Iran. Additionally, the program has recruited several Hispanic students from southern New Mexico and El Paso. The asynchronous delivery of the master's program will allow us to attract working professionals from within the state of New Mexico and beyond.

Recognizing the importance of diversity in STEM, several Industrial Engineering faculty members have recently become involved with maximizing access to the Engineering and Science Careers program at NMSU. We leverage alumni and current students as ambassadors to share their positive experiences. Moreover, we are committed to establishing feedback mechanisms to continually assess and improve our diversity recruitment strategies.

What controls are in place to ensure that the information presented to all constituencies in advertising, brochures, and other communications will be accurate?

We'll establish a review and approval process for all promotional materials, involving relevant stakeholders including faculty, program director, administrators, and marketing director, in the review process to catch inaccuracies. We'll also establish a schedule for regular updates of program information to reflect any changes accurately.

Student Records Office Uploads

HLC wants CIP Code information that is currently being offered at both the institutional and degree level for 4-digit and 2-digit CIP codes for all new programs. This information will be provided by the University Student Records office and added to the form during the HED submissions workflow step.

Key: 1044



NMSU Global Campus
New Mexico State University
P.O. Box 30001
Las Cruces, NM 88003-8001
575-646-1650

Memorandum

From: Dr. Beth Apodaca, Vice Chancellor of Learning Science and Assessment, NMSU Global Campus

To: Dr. Hansuk Sohn, Department Head of Industrial Engineering, NMSU Las Cruces Campus

RE: Endorsement Supporting the Initiative to Create Two Online Master of Engineering Programs, in Engineering Management and Systems Engineering

Dear Dr. Sohn:

I am pleased to write this letter in support of the establishment of two new Master of Engineering programs in Systems Engineering and Engineering Management at New Mexico State University. As a leading institution dedicated to providing top-tier education and fostering innovative research, NMSU Global strongly endorses these proposed programs.

The evolving landscape of engineering necessitates the development of advanced educational programs that equip students with the necessary skills to tackle complex challenges in a rapidly changing world. The proposed Master of Engineering programs in Systems Engineering and Engineering Management are designed to meet this demand by offering comprehensive, interdisciplinary curricula that blend technical knowledge with essential management skills. The introduction of these programs will significantly enhance NMSU's academic portfolio, attract a diverse group of students, and contribute to the university's mission of fostering educational excellence and innovation.

NMSU Global is committed to supporting these two new programs by providing targeted resources for launching and growing them to sustainability. Our 100% online modality will ensure that students from diverse geographical locations within New Mexico and beyond have access to a high-quality education and can engage with experienced faculty members. Additionally, our collaborations with industry partners will provide students with real-world insights and opportunities to apply their learning in practical settings.

We are excited to support the launch and growth of these programs and look forward to contributing to their success. Please feel free to reach out if you require any further information or assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Beth Apodaca'.

Beth Apodaca, PhD
Vice Chancellor, Learning Science and Assessment
New Mexico State University Global Campus
Email: bapodaca@nmsu.edu
Phone: (719) 588-1414



College of Engineering

Office of the Dean
MSC 3449
New Mexico State University
P.O. Box 30001
Las Cruces, NM 88003-8001
575-646-2573, fax: 575-646-3549

MEMORANDUM OF AGREEMENT Engineering Management

February 8, 2024

1. The Department Heads and founding faculty members will keep all of their faculty well informed about the development and implementation of the Engineering Management program to ensure faculty buy-in. A permanent steering committee composed of the Department Heads of Industrial Engineering (IE) and Management (MGMT) and representative faculty members from the two units will be assembled to guide the program development and to coordinate communication and activities.
2. Faculty hiring proposals and advertisements will occur after all internal approvals are completed on campus, which are expected to be in Spring '24.
3. Faculty hired as part of Engineering Management program will be joint appointees in both IE and MGMT. They will retain their tenure in the home departments that hired them. Existing and evolving policies/practices on annual evaluations and P&T assessments will guide them. A MoU will be developed to clarify the expectations of the faculty members hired with respect to the joint appointment, to support the development and growth of the Engineering Management program, and to clarify processes to be followed pertaining evaluations, tenure, promotions, and allocation of effort.
4. The search committee to hire new faculty for Engineering Management will consist of members from both IE and MGMT departments, with majority coming from the home department.
5. Engineering and Business will jointly take responsibility for ABET (Engineering) and AACSB (Business) accreditation assessments and documentation; however, as the initiating college, Engineering will take the responsibility of appointing a single faculty member or administrator to coordinate the process with both departments.

Hansuk
Sohn
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Hansuk Sohn
Date: 2024.02.08
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 Hansuk Sohn
 Dept Head, Industrial Engineering

Carlo Mora-Monge
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Carlo A. Mora-Monge
Date: 2024.02.12
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 Carlo Mora-Monge
 Associate Dean for Research and
 Graduate Programs

Lakshmi Reddi
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Date: 2024.02.12
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 Lakshmi Reddi
 Dean, College of Engineering

Bryan Ashenbaum
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Bryan Ashenbaum
Date: 2024.02.12
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 Bryan Ashenbaum
 Dean, College of Business



Adele Doser, Ph.D.

NM Universities Campus Partnership Manager

June 18th, 2024

To: Dr. Hansuk Sohn, Department Head of Industrial Engineering, New Mexico State University.

Subject: Endorsement Supporting the Initiative to Create Two Online Master of Engineering Programs, in Engineering Management and Systems Engineering.

Dear Dr. Sohn:

It is with great pleasure and appreciation that I submit this letter of support endorsing the initiative and vision in the establishment of the two NMSU online Master of Engineering Programs, one in Engineering Management and the other in Systems Engineering. As a long-standing supporter of the NMSU Industrial Engineering Department and its Graduate Programs and Certificates, Sandia acknowledges the addition of these two new programs will continue to serve our current and future employees and enhance their STEM professional development and contributions to our organization. It is vital for Academia and the Private Sector, be it Industry and/or Government, to have strong relationships to ensure that STEM professionals obtain a high-quality graduate level experience. Your proposed new master programs are needed in the State of New Mexico.

The programs will produce, enhance, and maintain a talented labor pool within the state by “home growing” the labor market. The Sandia point of contact for this potential collaboration is Dr. Adele Doser, New Mexico Universities Campus Partnership Manager, Sandia National Laboratories, P.O. Box 5800, Albuquerque, New Mexico 87185, MS 1432.

Sandia is a government-owned-contractor-operated facility operated by NTESS for U.S. DOE and NNSA under M&O Contract DE-NA0003525. NTESS is obligated to offer unique services to entities that wish to acquire these services using DOE agreement mechanisms. Providing these services is subject to DOE review and approval in accordance with policies / regulations. Services may be acquired under bilateral contract with Sandia post award.

Sincerely,

Adele Doser, Ph.D.

NM Universities Campus Partnership Manager

Sandia National Laboratories

P.O. Box 5800, MS 1432

Albuquerque, NM 87185

Phone: 505-284-5945

Email: abdoser@sandia.gov



David L. Clark
Laboratory Fellow
Los Alamos National Laboratory
Los Alamos, NM 87544
June 23, 2024

Dear Professor Sohn,

I am pleased to support the initiative and vision to establish two new online Master of Engineering Programs, in Engineering Management and in Systems Engineering at NMSU. These programs will continue to serve LANL's current and future employees by offering opportunities to enhance their professional development as they contribute to our national security mission needs.

Approximately 40% the Laboratory's technical staff identify as having received degrees in engineering. Online engineering master's courses from NMSU will open up new opportunities for LANL staff to continue their professional development through in-state programs within New Mexico. This opportunity is clearly of benefit to the laboratory.

My office is happy to help advertise the program to our staff.

Sincerely,

David L. Clark, Laboratory Fellow
Director, National Security Education Center (NSEC)
dlclark@lanl.gov

Memorandum for Record

July 12, 2024

From: Troy Gammill, Chief Engineer – Naval Surface Warfare Center Port Hueneme Division, White Sands Missile Range (NSWCPHDWS)

To: Dr. Hansuk Sohn, Department Head of Industrial Engineering, NMSU

Subj: Endorsement Supporting the Initiative to Create Two Online Master of Engineering Programs, in Engineering Management and Systems Engineering

Dear Dr. Sohn:

It is with great pleasure and appreciation, to submit this letter endorsing the initiative and vision in the establishment of the two online Master of Engineering Programs, in Engineering Management and in Systems Engineering. As a long-standing supporter of the NMSU Industrial Engineering Department and its Graduate Programs and Certificates, the addition of these two new programs, will continue to serve our current and future employees to obtain and enhance their STEM professional development and contributions to our organization.

It is vital for Academia and the Private Sector, be it Industry and/or Government to have strong relationships in order to ensure that our STEM professionals obtain a high-quality graduate level experience. Your proposed two new master programs are needed today, locally to Las Cruces, in the surrounding regions and in the State of New Mexico. The two new programs will produce, enhance and maintain our talented labor pool within the State of New Mexico, by “home growing” if you will, our labor market within New Mexico.

Please, reach out anytime for any assistance we may be able to bring to help make these two online Master Programs available as soon as possible. We definitely need the STEM professionals to acquire these much-needed skill sets now, with the additional motivation to hire within the State of New Mexico. For any questions regarding this subject, please feel free to reach out via phone call or email, to the undersigned.

Sincerely,

GAMMILL.TROY
.D.1292187650

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Date: 2024.07.12 08:13:35
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Troy Gammill
NSWCPHDWS W01 Chief Engineer
Troy.D.Gammill.Civ@US.Navy.Mil
phone: 575- 635-8102

Memorandum

From: John C. Winstead, Senior Technical Director, Naval Surface Warfare Center Port Hueneme WS
To: Dr. Hansuk Sohn, Department Head of Industrial Engineering, NMSU
Subj: Endorsement Supporting the Initiative to Create Two Online Master of Engineering Programs, in Engineering Management and Systems Engineering

Dear Dr. Sohn:

It is with all sincerity I submit this endorsement regarding the initiative and vision in the establishment of the two online Master of Engineering Programs, in Engineering Management and in Systems Engineering. As a long beneficiary and supporter of the NMSU Industrial Engineering Department and its Graduate Programs and Certificates, the addition of these two new programs, will continue to serve our current and future employees to obtain and enhance their STEM professional development and contributions to our organization.

Strong relationships are in order to ensure that our STEM professionals obtain a high-quality graduate level experience. Your proposed two new master programs are needed today, locally to Las Cruces, in the surrounding regions and in the State of New Mexico. The two new programs will produce, enhance and maintain our talented labor pool within the State of New Mexico, by taking advantage of locality and personnel interested in the Southwest ties that bind. It materially supports a technical labor / and community of users market within New Mexico.

Please, feel free to discuss and foster dialog that assists to make these two online Master Programs possible. It is not an exaggeration to state the bulk of our technical workforce comes from local sources such as this initiative. STEM professionals are needed to acquire these skill sets now, with the additional motivation to hire within the State of New Mexico. For any questions regarding this subject, please feel free to reach out via phone call or email, to the undersigned.

Sincerely,

John C. Winstead

A handwritten signature in cursive script that reads "John Winstead".

John Winstead
NSWC PHD Det. WS
email: John.c.winstead.civ@us.navy.mil
phone: 575-993-0814



Board of Regents Meeting
Meeting Date: September 19, 2024
Agenda Item Cover Page

Agenda Item # D-8

- Action Item
- Consent Item
- Informational Item

Presented By:

Wayne L. Savage
Executive Director, Arrowhead Park

Agenda Item:

Repeal Previously Approved NMEDD Soundstage Project Agreement and Memorandum

Requested Action of the Board of Regents:

Action to void the June 28 Regents approved Soundstage Agreement and Memorandum of Agreement documents

Executive Summary:

NMEDD, NMSU, and Arrowhead Center Inc. (ACI) have been collaborating to develop a Soundstage Complex at Arrowhead Park. After the June 28, 2024, approval of the Soundstage Project by the NMSU Board of Regents, it was determined by the NM Department of Finance and Administration (DFA) that the project funds could not be transferred directly to ACI. A meeting with NM HED Secretary Rodriguez, President Torres, and Clayton Abbey on August 27, 2024 clarified the requirement, with a determination that project funds could transfer directly to ACI if NMSU was not a party to the Soundstage Agreement.

The Soundstage Agreement and the Memorandum of Agreement have been edited to reflect the new requirements, and approved by NMSU President Torres and General Counsel Lisa Henderson. Before review and approval of the revised documents, the originally approved agreement must be voided.

References:

Previous versions of these documents were approved by the Regents on June 28, 2024.

SOUNDSTAGE DEVELOPMENT AGREEMENT

This Soundstage Development Agreement (Agreement) is entered into by and between the Regents of New Mexico State University (NMSU), Arrowhead Center, Inc. (ACI), and the State of New Mexico Economic Development Department (NMEDD) (collectively, the Parties).

Background

The Parties recognize the film industry as a target industry for development and support in the State of New Mexico, as well as student training and educational opportunities arising therefrom. Therefore, the Parties have agreed to work collaboratively to support the state training initiative for the film industry in New Mexico led by the New Mexico Media Arts Collective (NMMAC).

NMEDD requested support from NMSU and ACI with the establishment of a film soundstage complex (the Soundstage), as the southern hub of the NMMAC, at Arrowhead Park. NMSU supports the economic development and educational goals of NMEDD and the NMMAC with the development of the Soundstage.

NMMAC and NMSU's film production, post-production, and digital media programs will connect students with training and job opportunities with high quality film, television and media productions.

In consideration of the foregoing and with the intent of being legally bound, the Parties agree to the following terms and conditions:

Article I. Term of Agreement

Term.

The term of this Agreement will be twelve (12) years from the Effective Date of this Agreement. The first two years after the Effective Date will be the Development Phase as defined in Article II of the Agreement. Years three through twelve (12) of the Agreement will be the Operational Phase as defined in Article III of the Agreement. This Agreement will expire upon the completion of year 10 of the Operation Phase. NMSU will own the Soundstage improvements developed hereunder at the earlier of the expiration of the Operation Phase or termination of this Agreement as further set forth herein.

ARTICLE II. Development Phase

Scope

ACI will provide the services in the scope of work (Project), which is attached as **Exhibit 1 –Scope of Services** and incorporated herein by reference. Should it be determined by any of the Parties that the Project cannot be delivered within budget, on time, or both, the Parties agree to work in good faith to agree, in writing, to a revised Project that allows for completion of the revised Project within budget on or before December 31, 2026.

A. Project Budget

The expected cost of development of the Project is \$15,000,000 (the Project Budget).

B. Funding

1. NMEDD will provide funding to ACI in the amount of the Project Budget (Development Funds) within fifteen (15) days of final approval of this Agreement. If the entire amount of the Development Funds is not received in accordance with this timetable, any additional costs incurred for delays to the Project (penalties, change orders, etc.) will be the sole responsibility of NMEDD.
2. The total amount of the monies payable to ACI by NMEDD during the Development Phase will not exceed the Project Budget.
3. For services provided during the Development Phase, ACI will be paid a fee of \$84,000 from the Development Funds. ACI will be paid the fee in four equal installments during the Development Phase.

Article III Operation Phase

A. Scope

At the completion of the Development Phase, NMSU, or its designee, will lease the Soundstage to a commercial operator. NMSU's or its designee's right to lease the Soundstage will continue throughout the Operational Phase of this Agreement. NMSU will own the Soundstage improvements developed hereunder upon the earlier of the expiration or termination of this Agreement.

B. Operating Cost

Should the operating revenue of the Soundstage be less than the operating cost, the parties agree to meet and discuss how to invigorate interest and promote the Soundstage and attendant funding matters.

C. Operational Priorities

The Soundstage must be operated in accordance with the following operational priorities:

1. promote film production industry in Southern New Mexico;
2. provide production-funded internships and experiential learning opportunities to NMSU and DACC students at the Soundstage related to production skills; and
3. support scheduling of NMMAC training classes.

Article IV. Termination

A. Termination for Lack of Economic Interest

If at any point during the Operational Phase of the Agreement, the Soundstage is not leased by NMSU or designee for commercial production for a minimum of 11 months over any contiguous three-year period, NMSU may terminate the Agreement.

B. Termination for change in law or Film Industry

If at any point during the Term of the Agreement, changes to Federal or State law, or changes within the film industry, make the Soundstage no longer economically viable, NMSU or designee may terminate the Agreement.

C. Termination for Material Breach

1. Grounds. The Parties may terminate this Agreement based upon a Party's uncured, material breach of this Agreement.
2. Notice; Opportunity to Cure
 - a. Terminating Party must give the other Party written notice of termination (Notice of Intent to Terminate) specifying the nature of the default, at least thirty (30) days prior to the intended date of termination (Termination Date).
 - b. The breaching Party will have 30 days from receipt of written Notice of Intent to Terminate to cure the material breach (Period to Cure). If more time is reasonably required to cure the material breach, the breaching Party must notify the non-breaching Party in writing of its proposed schedule for performance and commence performance within the Period to Cure; thereafter, the breaching Party must diligently proceed to completion.
 - c. If the breaching Party fails to cure or to commence cure within the Period to Cure, then the non-breaching Party has the right to terminate this Agreement immediately by serving the breaching Party with final written notice of termination.
3. Responsibilities of Each Party Upon Termination
 - a. If NMSU or ACI commit a material breach during the Development Phase that is not cured within the Period to Cure, NMEDD has the right of completion of the Soundstage development or to terminate the Project. If NMSU or designee commits a material breach during the Operation Phase, NMEDD may pursue an

action for specific performance of this Agreement for the remainder of the Term, or NMEDD may choose to terminate this Agreement. Upon any termination of this Agreement for any reason, ownership of the Soundstage will reside in NMSU.

b. If NMEDD commits a material breach during the Development Phase that is not cured within the Period to Cure, NMSU has the right to terminate this Agreement. If NMEDD commits a material breach during the Operation Phase that is not cured within the Period to Cure, ownership of the Soundstage will reside in NMSU.

c. In the event of termination for any reason, NMSU will own the Soundstage improvements and may continue to operate the Soundstage, convert it to academic or other use, dispose of it, or take any other action that is necessary or prudent, in the sole discretion of NMSU.

ARTICLE VI. Funds Accountability and ARPA

A. Funds Accountability

The Parties will provide for strict accountability of all monies made subject to this Agreement. ACI, as the development services provider, must maintain fiscal records, follow generally accepted accounting principles, and account for all receipts and disbursements of funds transferred to ACI pursuant to this Agreement.

B. ARPA

If any American Rescue Plan Act (ARPA) funds are provided by NMEDD for use in the Development Phase, NMEDD, and ACI agree to comply with all federal reporting requirements as stated in the U.S. Treasury Coronavirus State and Local Fiscal Recovery Fund (CSLFRF) Sub-award template as attached and incorporated hereto as Exhibit 2.

ARTICLE VII. Maintenance of Records

ACI must maintain detailed expenditure records that indicate the date, nature and cost of services rendered during Development Phase and effect and retain them for a period of three (3) years from the date of completion of the Development Phase under this Agreement. The records will be subject to inspection by NMEDD, the New Mexico Department of Finance and Administration, and the New Mexico State Auditor.

ARTICLE VIII. Confidentiality

Any confidential information exchanged by the Parties in the performance of this Agreement must be kept confidential and will not be made available to any individual or organization by NMSU unless required by law including, but not limited to, New Mexico's Inspection of Public Records Act.

ARTICLE IX. Amendments

This Agreement may not be altered, changed or amended except by instrument in writing executed by the Parties hereto and all other required signatories.

ARTICLE X. Applicable Law NMSU, ACI, and NMEDD acknowledge and agree to the exclusive jurisdiction of the courts of the State of New Mexico over any and all lawsuits arising under or out of any term of this Agreement.

ARTICLE XI. Acquisition of Property

The Parties agree that neither Party may acquire any real property as the result of this Agreement, unless approved by NMEDD or defined in the scope of work.

ARTICLE XII. Liability

Each Party will be solely responsible for fiscal or other sanctions occasioned as a result of its own violation or alleged violation of requirements applicable to the performance of the Agreement. Each Party will be liable for its actions according to this Agreement subject to the immunities and limitations of the New Mexico Tort Claims Act, Sections 41-4-1, et. seq., NMSA 1978, as amended.

ARTICLE XIII. Execution of Documents

The Parties agree to execute any document(s) necessary to implement the terms of this Agreement.

ARTICLE XIV. Equal Opportunity Compliance

NMSU agrees to abide by all federal and state laws, rules and regulations, and executive orders of the Governor of the State of New Mexico, pertaining to equal employment opportunity. In accordance with all such laws of the State of New Mexico, NMSU assures that no person in the United States will, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Agreement. If NMSU fails to comply with these requirements during the life of this Agreement, NMSU agrees to take appropriate steps to correct these deficiencies.

ARTICLE XV. Workers' Compensation

NMSU agrees to comply with state laws and rules applicable to workers' compensation benefits for its employees. If NMSU fails to comply with the Workers' Compensation Act and applicable rules when required to do so, this Agreement may be terminated by NMEDD.

ARTICLE XVI. Notices

All notices, consents, approvals and other communications that may be or are required to be given by either party under this Agreement will be properly given only if made in writing and sent by (a) hand delivery, or (b) certified mail, return receipt requested, or (c) nationally recognized overnight delivery service (such as Federal Express, UPS Next Day Air, Purolator Courier or Airborne Express), designated for next business day delivery with all postage and delivery charges paid by the sender and addressed to the recipient at the address set forth below, or at such other address as each may subsequently designate in writing. Such notices delivered by hand, or overnight delivery service will be deemed received upon the earlier of actual receipt or the next general business day. Such notices sent by certified mail will be deemed received five (5) business days after the date of mailing.

Any notice or communication with reference to this Agreement addressed to NMSU must be addressed to:

New Mexico State University General Counsel
MSC 3UGC
P.O. Box 30001
Las Cruces, New Mexico 88003-8001

With copy to:

CEO of Arrowhead Center, Inc.
P.O. Box 30001, MSC 700
Las Cruces, New Mexico 88003

Any notice or communication with reference to this Agreement addressed to NMEDD must be addressed to:

New Mexico Economic Development Department

Office of the Secretary
P.O. Box 20003
Santa Fe, NM 87504-5003

ARTICLE XVII. Lobbying Certification (for federal contracts, grants, loans or cooperative agreements)

NMSU, by signing below, certifies to the best of his/her knowledge and belief, that:


No federal appropriated funds have been paid or will be paid by or on the behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement. If any funds other than Federal

appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned must complete and submit a Standard Form LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions. The undersigned must require that the language of this certification be included in the award document for sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients must certify and disclose accordingly. This certification is a material representation of facts upon which reliance is placed when this transaction is made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S.C. (United States Code). Any person who fails to file the required certification will be subject to a civil penalty of not less than \$10,000.00 and not more than \$100,000.00 for each such failure.

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IN WITNESS WHEREOF, NMEDD, NMSU, and ACI have caused this Agreement to be executed, to become effective on the latest date of any signature provided below.

Regents of New Mexico State University



Monica Torres
President

Date: 7/1/2024

Arrowhead Center, Inc.

Kathryn R. Hansen

Kathryn Hansen
President & CEO

Digitally signed by Kathryn R. Hansen
Date: 2024.07.01 12:43:42 -06'00'

Date: 7/1/2024

New Mexico Economic Development Department



Secretary or Designee, NMEDD

Date: 7.1.24



Chief Financial Officer, NMEDD

Date: 7/1/2024

Approved as to legal form and sufficiency.



Office of General Counsel, NMEDD

Date: 7/1/2024

Exhibit 1

NMSU Scope of Services

A. Scope of Services – Development Phase

Arrowhead Center, Inc. will provide the following services for the delivery of a film soundstage complex at Arrowhead Park:

- approximate 20,000 sq ft soundstage;
- approximate 10,000 sq ft of associated mill, production support, storage, and crew spaces;
- approximate 5,000 sq ft equipment warehouse facility; and
- required site prep and utility development to support the project development and operation.

Development Services to be provided for execution of the project will include:

- construction management services;
- procurement of design and general contractor services;
- design reviews and budget consultations with NMEDD and NMSU at 30%, 60%, 90%, and final Construction Documents stages of design;
- construction services through receipt of Certificate of Occupancy for the Soundstage and final project closeout; and

NMSU, or its designee, will lease the Soundstage to a commercial operator.

B. Scope of Services – Operation Phase

NMSU or its designee agrees once development and construction are complete, to perform the following services:

- operate the Soundstage;
- leasing to soundstage operators or film and media production companies;
- maintenance of the Soundstage;
- support for NMSU, DACC, and NMEDD NMMAC student internship opportunities in leasing transactions for the Soundstage; and
- provide reasonable access to NMSU, DACC, and NMMAC students for training purposes

Exhibit 2

U.S. Treasury CSLFRF Sub-award Template

Exhibit 2

SUBAWARD BETWEEN THE NEW MEXICO DEPARTMENT OF ECONOMIC DEVELOPMENT, AND ARROWHEAD CENTER, INC.

THIS AGREEMENT is hereby made and entered into this 28th day of June, 2024 by and between the New Mexico Department of Economic Development, hereinafter referred to as GRANTEE, and Arrowhead Center, Inc., hereinafter referred to as "SUB RECIPIENT."

WHEREAS, the U.S. Department of Treasury (hereinafter referred to as "GRANTOR") has made federal funds available to the GRANTEE under the Coronavirus State and Local Fiscal Recovery Fund (CSLFRF) Program (Assistance Listing Number (ALN) 21.027);

WHEREAS, Recipients under the CSLFRF Program are the eligible entities identified in sections 602 and 603 of the Social Security Act as added by section 9901 of the American Rescue Plan Act of 2021 that receive a CSLFRF award. Subrecipients under the CSLFRF Program are entities that receive a subaward from a recipient to carry out the purposes (program or project) of the CSLFRF award on behalf of the recipient;

WHEREAS, Recipients are accountable to Treasury for oversight of their subrecipients, including ensuring their subrecipients comply with the CSLFRF statute, CSLFRF Award Terms and Conditions, Treasury's Interim Final Rule, and reporting requirements, as applicable; and,

WHEREAS, this agreement addresses the flow of funds from the GRANTOR above to the GRANTEE who will then provide the same referenced subaward funds to the SUB RECIPIENT, as legally allowed by the relevant law and regulations, for any approved scope of work as further discussed in Section 1 of this agreement;

NOW THEREFORE, the GRANTEE and the SUB RECIPIENT do mutually agree to the following terms and conditions of this agreement:

1. Scope of Work

The GRANTOR has provided funds, through its CSLFRF Program, to the GRANTEE who is then providing this same funding to the SUB RECIPIENT. Information related to the federal award is attached as Exhibit A. The SUB RECIPIENT shall perform the necessary tasks required in order to accomplish the objectives of the GRANTOR'S Program which have been agreed to by the GRANTEE. This includes complying with all applicable federal, state or local laws, regulations and administrative policies as they relate to the SUB RECIPIENT'S specific approved project including but are not limited to the references above as well as the following:

Exhibit 2

- (a) SUB RECIPIENT will comply with 31 CFR Part 35 Subpart A – Coronavirus State and Local Fiscal Recovery Funds.
- (b) SUB RECIPIENT will comply with Title 2, Subtitle A, Chapter II, Part 200- Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards as well as any specific federal departmental grant requirement in other sections of the CFR.
- (c) SUB RECIPIENT will adhere to both the Federal Procurement Laws contained in 2 CFR Part 200.317 to 200.326 as well as the State Procurement Laws for Political Subdivisions contained in ENTER STATUTES.
- (d) SUB RECIPIENT will adhere to the requirements of the GRANTOR'S CSLFRF Program.
- (e) SUB RECIPIENT will adhere to the Scope of Work and Budget in Exhibit B.
- (f) SUB RECIPIENT will comply with the Assurances for Non-Construction Programs as outlined in Standard Form 424B (Rev. 7-97) where applicable.
- (g) SUB RECIPIENT will comply with the Not (Rev. 7-97) where applicable.
- (h) SUB RECIPIENT will incorporate, where applicable, the contractual provision requirements outlined in 2 CFR Part 200.326 which is further discussed in Section 6 of this agreement.
- (i) SUB RECIPIENT will comply, when applicable, with any applicable National Policy Requirements for federal grants which is further discussed in Section 6 of this agreement.
- (j) SUB RECIPIENT will not pay any contractor who is listed by the federal government as debarred and/or suspended which is further discussed in Section 6 of this agreement. SUB RECIPIENT agrees to alert the GRANTEE immediately if a contractor working for the SUB RECIPIENT becomes debarred or suspended.
- (k) SUB RECIPIENT will fully cooperate at all times with the GRANTEE as the project manager who is ultimately accountable to the GRANTOR for all funds related to this project.

Pursuant to information submitted to the GRANTEE for inclusion in the GRANTOR'S CSLFRF Program, the SUB RECIPIENT shall perform the following tasks:

Properly procure and complete the project as described in Exhibit B, Scope of Work and Budget. Any and all expenses associated with the project are the sole responsibility of the SUB RECIPIENT. The ownership of any property furnished hereunder will be the property of the SUB RECIPIENT. The SUB RECIPIENT shall have the sole responsibility to maintain possession of the said property, maintain the property, repair the property when needed and maintain any applicable insurance amounts. Any future costs related to these requirements remain the sole responsibility of the SUB RECIPIENT.

In compliance with the above, the SUB RECIPIENT agrees to notify the GRANTEE and GRANTOR, in writing, and request the preferred method of disposition for any property or equipment purchased with federal funds if said property or equipment is no longer of use to

Exhibit 2

the SUB RECIPIENT. In addition, if an annual inventory is requested by the GRANTEE then the SUB RECIPIENT will provide prompt access to all inventory records.

2. Term of Agreement

The terms of this agreement shall become effective upon execution of this agreement and shall continue for a period of five (5) years after closeout of the grant program. All funds must be obligated by the SUB RECIPIENT by December 31, 2024, and all funds must be expended and reimbursement requested by the SUB RECIPIENT to the GRANTEE by December 31, 2026.

3. Payment Terms of Grant Funding

The maximum budget for the scope of work identified in Section 1 above:

\$15,000,000.00

Advancement of funds, under this agreement, is contingent upon the SUB RECIPIENT complying with all of the requirements for allowable uses for funds under the CSLFRF Program and providing sufficient documentation to the GRANTEE as determined by the GRANTEE. The SUB RECIPIENT is responsible for payment to its vendors unless otherwise specifically approved by the GRANTEE. The SUB RECIPIENT will provide copies of all related financial documentation to the GRANTEE with the first quarterly report, supplying sufficient documentation to meet the reporting requirements of the CSLFRF Program.

Any questioned costs which may occur at any point in this process (including the five-year period after grant closeout by the federal GRANTOR) will be the sole responsibility of the SUB RECIPIENT with respect to any activity covered by this agreement.

If this agreement extends beyond the current fiscal year and notwithstanding anything to the contrary and when applicable, both parties acknowledge and agree that pursuant to the applicable state law, this agreement is subject to an annual appropriation dependency requirement to the effect that the renewal of this agreement is contingent upon the appropriation of funds by either party to fulfill any future payment requirements of this agreement. If either party fails to appropriate sufficient monies to provide for any future payment requirements under this agreement, this agreement shall terminate on the last day of the last fiscal year for which funds were appropriated.

4. Monitoring and Review

The SUB RECIPIENT is required to participate in monitoring and review activities necessary to assess the work performed under the Subaward and determine whether the SUB RECIPIENT has timely achieved the Scope of Work stated in Exhibit B to this Subaward. The ongoing monitoring of the SUB RECIPIENT will reflect its assessed risk and include

Exhibit 2

monitoring, identification of deficiencies, and follow-up to ensure appropriate remediation.

The risk assessment may include factors such as prior experience in managing Federal funds, previous audits, personnel, and policies or procedures for award execution and oversight. Monitoring and review activities will be detailed in a Monitoring Plan based on the GRANTEE'S risk assessment of the SUB RECIPIENT and will be provided to the SUB RECIPIENT. The Monitoring Plan may include, but not be limited to, the SUB RECIPIENT'S technical progress compared to the intended milestones and deliverables; the SUB RECIPIENT'S actual expenditures compared to the approved budget, review of SUB RECIPIENT'S reimbursement requests including detailed backup documentation, or other subject matter specified by the GRANTEE.

5. Amendments and Assignments

If there is a need to review and/or revise this agreement, the requesting party shall submit a written amendment to the other party, with the understanding that no amendment to this agreement shall be valid unless it is agreed and signed by both parties. This agreement shall not be assignable by either party without written consent of the other, except for assignment resulting from merger, consolidation, or reorganization of the assigning party.

6. Records, Audits, and Other Grant Compliance Issues

It is understood that this agreement may be utilized as part of the American Rescue Plan Act (Coronavirus State and Local Fiscal Relief Fund – ALN 21.027) and therefore both parties agree to maintain accounts and records, including personnel, property, and financial records, adequately to identify and account for all costs pertaining to this agreement and to ensure full compliance with the requirements of the above program. The SUB RECIPIENT will comply with all applicable federal law, regulations, executive orders, grant policies, procedures, and directives. Even though federal funding may be available, the Federal Government is not a party to this agreement and is not subject to any obligations or liabilities to the GRANTEE, SUB RECIPIENT, or any other party pertaining to any matter resulting from the agreement.

The SUB RECIPIENT may receive from the GRANTEE work product information that the GRANTEE utilizes. The SUB RECIPIENT assumes sole responsibility for verification of the accuracy of all information and for legal compliance with all rules and instructions required herein. The SUB RECIPIENT further acknowledges that the GRANTEE makes and assumes no representations or warranties with regard to the work product information. Work product information may include, but is not limited to, procurement policies, procurement forms, contractor insurance requirements, various standard contracts, specific grant program forms or other relevant documents.

With respect to the SUB RECIPIENT'S use of any work product transmitted by or originally created by the GRANTEE, the SUB RECIPIENT acknowledges it is the SUB RECIPIENT'S decision to act accordingly. The SUB RECIPIENT has the option to either adopt such product as the SUB RECIPIENT'S own or the SUB RECIPIENT may utilize the following other

Exhibit 2

options available to the SUB RECIPIENT:

- (1) modify the GRANTEE'S work product appropriate to the SUB RECIPIENT'S own needs;
- (2) create and adopt the SUB RECIPIENT'S own work product separate from the GRANTEE'S work products; or,
- (3) adopt a work product created by other State or Federal agencies when applicable to the SUB RECIPIENT'S needs.

If the SUB RECIPIENT utilizes any of the GRANTEE'S work products in any way then the SUB RECIPIENT acknowledges that the GRANTEE makes no representations or warranties with regard to the same.

For audit purposes, all records will be made available by both parties to any authorized representative of either party and said records will be maintained and retained for five (5) years after closeout of the grant program. If any confidential information is obtained during the course of this agreement, both parties agree not to release that information without the approval of the other party unless instructed otherwise by court order, grantor, auditor, public information request or as required by law.

The GRANTEE and SUB RECIPIENT agree that all records shall be made available to either party at no additional charge for such information. The SUB RECIPIENT also agrees to provide the GRANTEE, the Government Accountability Office (GAO), the Treasury's Office of Inspector General (OIG), Pandemic Relief Accountability Committee (PRAC), or any of their authorized representatives access to any books, documents, papers, and records of the SUB RECIPIENT which are directly pertinent to this agreement for the purposes of making audits, examinations, excerpts, and transcriptions. The SUB RECIPIENT agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed at no additional charge.

In compliance with grantor and national policy requirements, including the above referenced federal grant requirements, both parties agree to adhere to the following regulations, where applicable:

(a) Federally Required Contractual Provisions:

- (1) **Administrative, Contractual or Legal Remedies** are required in all contracts in excess of the simplified acquisition threshold amount that are funded with federal funds and are addressed in various sections of this agreement;
- (2) **Termination Provision** requires all contracts in excess of \$10,000 to contain a provision for termination of the contract for cause or convenience and this provision is addressed in Section 8 of this agreement;

Exhibit 2

- (3) For all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3, **Equal Employment Opportunity**, including Executive Order 11246 which was further amended by Executive Order 11375, which requires equal opportunity for all persons, without regard to race, color, religion, sex or national origin, employed or seeking employment with government contractors or with contractors performing under federally assisted construction contracts (See Exhibit C);
- (4) For all applicable contracts in excess of \$100,000 that involve the employment of mechanics or laborers, **Contract Work Hours and Safety Standards Act** which prohibits certain unsanitary, hazardous or dangerous working conditions and requires that wages of every mechanic and laborer to be on the basis of a standard work week of forty hours with any work in excess of forty hours per week to be compensated at a rate of not less than one and one-half times the basic rate of pay (See Exhibit C);
- (5) For all contracts that meet the definition of “funding agreement” under 37 CFR Part 401.2(a) and involve a contract with a small business firm or nonprofit organization regarding the assignment or performance of experimental, developmental or research work must comply with the **Rights to Inventions Made Under a Contract or Agreement** contained in 37 CFR Part 401 (See Exhibit C);
- (6) All contracts, subcontracts and sub-grants in excess of \$150,000 must contain a provision which requires compliance with all applicable standards, orders or regulations issued pursuant to the **Clean Air Act** and the **Federal Water Pollution Control Act** (See Exhibit C);
- (7) **Debarment and Suspension (Executive Orders 12549 and 12689 and 2 CFR Part 180)** which prohibit the contracting with any party listed on the “System for Award Management” (SAM), formerly identified as the “Excluded Parties List System” (EPLS.gov), which identifies all parties that have active exclusions (i.e., suspensions, debarments) imposed by a federal agency (See Exhibit C);
- (8) **Byrd Anti-Lobbying Prohibition (31 U.S.C. 1352)** prohibits the use of federal funds to pay any person or organization for influencing or attempting to influence anyone with any federal contract, grant or other award covered by 31 U.S.C. 1352 and also requires that Contractors that apply or bid for an award exceeding \$100,000 where federal funds are used must file the required certification stating that the parties will not and have not used federal funds to pay any person or organization for influencing or attempting to influence anyone with any federal contract, grant, or other award covered by 31 U.S.C. 1352 (See Exhibit C);
- (9) For all construction contracts in excess of \$2,000 and required by federal grant regulations, the **Davis Bacon Act** which requires payments of wages for laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor and said wage payments will be made at least weekly (See Exhibit D);
- (10) **Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment** wherein 2 CFR Part 200.216 prohibits use of federal grant or loan funds to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component

Exhibit 2

of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);

- (11) **Domestic Preferences for Procurements** for when federal funds are utilized, and where appropriate and to the extent consistent with other laws and regulations, 2 CFR Part 200.322 allows a federal award to provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products); and,
- (12) **Procurement of Recovered Materials** as required by 2 CFR Part 200.323 which requires procurements in excess of \$10,000 to contain the highest percentage of recovered materials practicable while consistent with maintaining a satisfactory level of competition.

(b) National Policy Requirements:

- (1) **Civil Rights Act of 1964**, including Title VI, which states that no person shall on the grounds of race, color or national origin shall be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance;
- (2) **Age Discrimination Act of 1975** which prohibits discrimination based on age in programs or activities receiving federal financial assistance;
- (3) **Americans with Disabilities Act of 1990**, with respect to building construction or alteration, prohibits discrimination based on a disability defined as a physical or mental impairment that substantially limits a major life activity;
- (4) **Section 504 of the Rehabilitation Act of 1973**, if specifically required by the federal agency, which prohibits the exclusion of an otherwise qualified individual because of a disability in programs receiving federal financial assistance including program accessibility, accessible new construction and alterations, reasonable accommodations and effective communication with hearing and visually disabled (this requirement may vary with each federal agency);
- (5) For all construction or repair contracts, **Copeland “Anti-Kickback” Act** which requires all contracts and sub-grants for construction or repair to contain a provision that prohibits a contractor or sub-contractor from inducing, by any means, any person employed in the construction, completion or repairs of public work to give up any part of the compensation to which he is otherwise entitled;
- (6) **National Environmental Policy Act and National Historic Preservation Act** which prohibit any activities that will have an adverse impact on the environment and regulate activity on property or structures that are deemed historic;
- (7) **Energy Policy and Conservation Act** which require the contractors to comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan;

Exhibit 2

- (8) **Reporting Provision** requires that all contracts should include a requirement that the SUB RECIPIENT assist the GRANTEE, when applicable, with any awarding agency requirements and regulations pertaining to reporting;
- (9) **Record Retention Provision** requires that any contract executed must include a provision that all required records will be maintained by the contractor/firm for a minimum period of three years after the GRANTEE formally closes out each federal program (GRANTEE and SUB RECIPIENT grant managers should verify the three-year record retention period with each respective grant agency to ensure that a longer period is not required);
- (10) **2013 National Defense Authorization Act (41 United States Code (U.S.C.) 4712, Pilot Program for Enhancement of Recipient and Subrecipient Employee Whistleblower Protection)** subjects any subawards and contracts over the federal simplified acquisition threshold to the provisions of the above act regarding rights and remedies for employee whistleblower protections;
- (11) **National Flood Insurance Act of 1968 and Flood Disaster Protection Act of 1973** which require recipients of federal grants that are acquiring, constructing or repairing property in a special flood hazard area, and with an estimated cost in excess of \$10,000, to purchase flood insurance;
- (12) **Wild and Scenic Rivers Act of 1968** which protects components or potential components of the national wild and scenic rivers system;
- (13) **Resource Conservation and Recovery Act** which requires proper handling and disposal of solid waste;
- (14) **Toxic Substance Control Act** which places restrictions on chemicals that pose unreasonable risks, such as surfaces that could be covered with lead-based paint;
- (15) **Federal Agency Seal(s), Logos, Crests, or Reproductions of Flags or Likeness of Federal Agency Officials** are prohibited from being utilized without specific federal agency pre-approval;
- (16) **False Claims Act and 32 U.S.C. Chapter 38 (Administrative Remedies)** which prohibits the submission of false or fraudulent claims for payment to the federal government identifying administrative remedies for false claims and statements made which the CONTRACTOR herein acknowledges; and,
- (17) **Section 603 Title VI of the Social Security Act** which establishes the Coronavirus State and Local Fiscal Recovery Fund and identifies eligible and ineligible uses for the Fund monies (See Exhibit E).

In compliance with Section 6(a)(8) above, the SUB RECIPIENT agrees to verify that all contractors or subcontractors employed are not parties listed as active exclusions (i.e., suspensions, debarments) on the "System for Award Management" (SAM) for parties debarred, suspended or otherwise excluded from contracting on any projects involving federal funds. SUB RECIPIENT agrees to require the contractor to provide immediate notice, but in no case later than three (3) business days, after being notified that the contractor, or any subcontractor, has been added to the SAM or otherwise been debarred from contracting on any projects involving federal funds.

In no event shall the SUB RECIPIENT allow any contractor to utilize a subcontractor at any

Exhibit 2

time during the duration of this agreement who has been debarred from contracting on any projects involving federal funds. If the contractor is prohibited in any way from contracting on any projects involving federal funds at any time during the duration of this agreement, then both the SUB RECIPIENT and GRANTEE must be notified. GRANTEE may, at its sole discretion, immediately implement the termination provisions discussed in Section 8 below if the SUB RECIPIENT decides to continue with the project using a “debarred” or “active exclusion” contractor or subcontractor.

7. Liability, Indemnity, and Insurance

The SUB RECIPIENT is responsible for the maintenance, upkeep and insurance requirements related to the scope of work. All related costs associated with this requirement are the sole responsibility of the SUB RECIPIENT.

This agreement is intended for the benefit of the GRANTEE and the SUB RECIPIENT and does not confer any rights upon any other third parties. All rights by and between the GRANTEE and the SUB RECIPIENT are limited to the actions outlined in the applicable local, state and federal laws, regulations and policies.

The SUB RECIPIENT will indemnify, defend, and hold harmless the GRANTEE, including the GRANTEE’S employees and agents, from and against any and all claims or liabilities arising from the fault of the SUB RECIPIENT, its employees or agents in carrying out the SUB RECIPIENT’S duties and obligations under the terms of this agreement. The GRANTEE will indemnify, defend, and hold harmless the SUB RECIPIENT, including the SUB RECIPIENT’S employees and agents, from and against any and all claims or liabilities arising from the fault of the GRANTEE, its employees or agents in carrying out the GRANTEE’S duties and obligations under the terms of this agreement. This section will survive the termination of this agreement. In the event that either party takes any action to enforce this mutual indemnity provision, the prevailing party shall be entitled to recover reasonable attorney’s fees and costs arising as a result thereof.

8. Termination of Agreement and Dispute Resolution

While both parties agree to negotiate all contractual disputes in good faith, the GRANTEE reserves the right to terminate this agreement at any time upon written notice of termination or if the SUB RECIPIENT has failed to comply with the terms of this agreement, the grant itself or any applicable law and regulation. All questioned costs are the sole responsibility of the SUB RECIPIENT.

If the parties are unable to independently and satisfactorily resolve any disagreement, then both parties agree that any contractual disagreement will be resolved under the jurisdiction of the State of New Mexico. In the event that court action is necessary then the parties agree that whoever prevails in the litigation is entitled to reasonable attorney’s fees and costs as fixed by the Court.

Exhibit 2

9. Severability, Entire Agreement and Captions

This agreement shall be governed by and construed in accordance with the laws of the State of New Mexico. If any provision of this agreement is held invalid, void or unenforceable under any law or regulation or by a court of competent jurisdiction, such provision will be deemed amended in a manner which renders it valid, or if it cannot be so amended, it will be deemed to be deleted. Such amendment or deletion will not affect the validity of any other provision of this agreement. This agreement, any CSLRF Grant Program documentation, any attached documents, and any referenced documents represent the entire agreement between the GRANTEE and the SUB RECIPIENT and supersede all prior negotiations, representations or agreements, either written or oral. In the event of a conflict between this agreement and other documents, the terms of this agreement shall control.

Each paragraph of this agreement has been supplied with a caption to serve only as a guide to the contents. The caption does not control the meaning of any paragraph or in any way determine its interpretation.

Exhibit 2

IN WITNESS WHEREOF, the Grantee and the Grantor do hereby execute this Agreement as of the date of signature by the Grantor below.

THIS GRANT AGREEMENT has been approved by:

ARROWHEAD CENTER, INC.

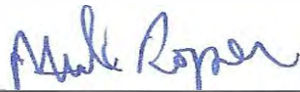
Kathryn R. Hansen

Digitally signed by Kathryn R. Hansen
Date: 2024.07.01 12:48:02 -06'00'

Kathryn R. Hansen, Chief Executive Officer

Date

NEW MEXICO DEPARTMENT OF ECONOMIC DEVELOPMENT



Mark Roper, Acting Cabinet Secretary

7.1.24

Date

FEDERAL AWARD INFORMATION

In accordance with the Code of Federal Regulations (CFR), 2 CFR Section 200.331 requires that the following information be provided to any Subrecipient of a federal award:

Federal Award Identification: Coronavirus State and Local Fiscal Recovery Funds

Subrecipient Name: **Arrowhead Center, Inc.**

Subrecipient Unique Identification (ID) Number: **PXV3LBECAKC4**

Federal Award Identification Number: Coronavirus State and Local Fiscal Recovery Funds

Subaward Period of Performance (Start and End Date): Effective Date of this Agreement and October 31, 2026

Amount of Federal Funds Obligated to Subrecipient: **\$15,000,000**

Federal Award Project Description (in accordance with Federal Funding Accountability and Transparency Act (FFATA): Coronavirus State and Local Fiscal Recovery Funds

Name of Federal Awarding Agency: U.S. Department of the Treasury

Name of Pass-Through Entity and Contact Information:

NM Economic Development Department

Mark Roper, Acting Cabinet Secretary

Assistance Listing Number (ALN): 21.027

SCOPE OF WORK AND BUDGET

□

Significant Changes to Scope of Work

The SUB RECIPIENT is required to notify and seek written approval of the GRANTEE in advance of any proposed changes to the scope of work under this Subaward (i.e., significant changes to the statement of project objectives or the schedule of technical milestones and deliverables). Such changes may require the GRANTEE to re-evaluate the eligibility of the work under this Subaward.

CONTRACT PROVISIONS FOR NON-FEDERAL ENTITY CONTRACTS
UNDER FEDERAL AWARDS

Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 19641965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR section 401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

Clean Air Act and the Federal Water Pollution Control Act. Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 74017671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

Exhibit 2

Debarment and Suspension (Executive Orders 12549 and 12689). A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

Byrd Anti-Lobbying Amendment (31 U.S.C. 1352). Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

DAVIS-BACON ACT REQUIREMENTS
(IF APPLICABLE)

Overview

Section 1606 of the American Recovery and Reinvestment Act (ARRA) of 2009, Pub. L. No. 111-5, 123 Stat. 115 (Feb. 17, 2009) (the “Recovery Act”), requires grant award recipients, subrecipients, contractors, and subcontractors to comply with the wage requirements of the Davis-Bacon Act (40 U.S.C. 3141 *et seq.*) and related acts, stating:

Notwithstanding any other provision of law and in a manner consistent with other provisions in this Act, all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to this Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

Scope of the Davis-Bacon Act The Davis-Bacon Act prevailing wage requirements apply to laborers and mechanics employed under contracts or subcontracts in excess of \$2,000 for construction, alteration, or repair activities (including but not limited to painting and decorating) that are funded, in whole or in part, under BTOP grant awards. In general:

- Laborers and mechanics – Are workers whose duties are manual or physical in nature, including apprentices, trainees and helpers, but do not include workers whose duties are primarily managerial, administrative, executive, or clerical. See 29 C.F.R. section 5.2(m).
- The \$2,000 threshold – Pertains to the amount of the prime construction contract, not to the amount of individual subcontracts. Accordingly, if the prime construction contract exceeds \$2,000, all construction work on the project (including subcontracts) is covered by the Davis-Bacon Act. See 29 C.F.R. section 5.5(a)(6).
- Construction, alteration, or repair activities – Are those occurring at the “site of the work” that involve the alteration, remodeling, or installation of items fabricated off-site; painting and decorating; manufacturing or furnishing of materials, articles, supplies, or equipment on the site of the building or work; and, in certain cases, transportation between the site of the work and other points. See 29 C.F.R. section 5.2(j).

Exhibit 2

- Site of the work – Is the physical place or places where the building or work called for in the contract will remain, and any other site where a significant portion of the building or work is constructed, provided that such site is established specifically for the performance of the contract or project, and includes job headquarters, tool yards, batch plants, borrow pits, etc., if they are dedicated exclusively, or nearly so, to performance of the contract or project, and are adjacent or virtually adjacent to the site of the work. The site of the work does not include permanent home offices, branch plant establishments, fabrication plants, tool yards, etc., of a contractor or subcontractor whose location and continued operation are determined wholly without regard to a particular Federal or Federally assisted contract or project. See 29 C.F.R. section 5.2(l).
- Application to Governmental Agencies - Governmental agencies, such as states or their political subdivisions, are not subject to the Davis Bacon Act requirements when construction work is being performed by their own employees on a “force account” basis. See 29 C.F.R. section 5.2(h).

Davis-Bacon Act prevailing wage requirements are likely to apply to construction and related activities undertaken in connection with Infrastructure Round 1 and Comprehensive Community Infrastructure (CCI) Round 2 projects. In many cases, Davis-Bacon Act prevailing wage requirements will also apply to activities under BTOP grants for Sustainable Broadband Adoption (SBA) and Public Computer Centers (PCC), when construction and related activities (including minor renovation of facilities) can be segregated from the other work contemplated by the grant. See 29 C.F.R. section 4.116; F.A.R. section 22.402(b).

Davis-Bacon Act Requirements

Required contract provisions (appearing at 29 C.F.R. section 5.5) and the applicable wage determination(s) for the activities contemplated by a construction project must be included in any contract or subcontract to which the Davis-Bacon Act applies providing, among other items, that:

- Laborers and mechanics must be paid the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) at least once a week;
- No paycheck deductions or rebates are permitted, except as permitted under Department of Labor (DOL) regulations (29 C.F.R. sections 3.5-3.6);
- Wage and fringe benefit rates must be no less than those contained in DOL wage determination for the labor classification for the work actually performed.

The recipient is responsible for ensuring that the required contract provisions appear in all contracts and subcontracts entered into by recipients, subrecipients, contractors, and subcontractors for construction, alteration and repair activities covered by the Davis-Bacon

Exhibit 2

Act and related acts. Applicable wage determinations included in the contract must be verified by the recipient within 10 days of the contract date.

In cases where state wage rates (determined under state statutes often called “Mini-Davis-Bacon Acts”) are higher than the Federal wage rates, the state wage rates take precedence and should be included in contracts in lieu of the lower, Federal wage rates. In cases of construction projects on tribal lands, the recipient should contact its assigned Federal Program Officer (FPO) for guidance on the interplay among the Davis-Bacon Act, state Mini-Davis-Bacon acts, and the Tribal Employment Rights Ordinance (TERO).

Contracts for amounts over \$100,000 that are covered by the Davis-Bacon Act must include additional standard clauses (also appearing in 29 C.F.R. section 5.5) providing, among other things, that overtime for laborers and mechanics must be paid at a rate 1.5 times the basic rate of pay for time worked in excess of 40 hours per week.

In addition, the DOL Davis-Bacon poster (WH-1321) must be prominently posted at the site of the work. Refer to: (www.dol.gov/whd/regs/compliance/posters/fedprojc.pdf 1321).

Davis-Bacon Wage Rate Determinations

DOL conducts statewide surveys seeking payment data on wage and fringe benefit rates from construction contractors and other interested parties, such as labor unions. Wage determinations are issued by locality, typically on a county-by-county basis. Davis-Bacon Act wage determinations are published on DOL’s Wage Determinations OnLine (WDOL) website accessible at: www.wdol.gov. The Davis-Bacon Act prevailing wages are determined by DOL based on wages paid to various classes of laborers and mechanics employed on specific types of construction projects in an area.

If DOL has not published a wage determination for work that is needed to complete a BTOP construction project, the recipient may seek a Conformance. The recipient must submit a Conformance request using Standard Form (SF) 1444. Please go to www.wdol.gov/library.aspx to obtain a copy of the form and instructions.

To complete the form, the recipient must describe the work to be done (identified with a classification that is used in the subject area in the construction industry) and propose a wage rate that bears a reasonable relationship to existing wage determinations. Typically, the rate must not be less than the wage determination for an unskilled laborer and, for a skilled craft, must be at least equal to the lowest wage determination for any other skilled craft.

Infrastructure and CCI recipients should submit the completed SF-1444 through Grants Online as an “Other Action Request.” The SF1444 will be routed to the National Oceanic and Atmospheric Administration (NOAA) Grants Officer and transmitted to the DOL Wage and Hour Division for review and approval. The Wage and Hour Division has committed to act on Conformance requests within 30 days.

Exhibit 2

SBA and PCC recipients should submit completed SF-1444 Conformance requests through the Post-Award Monitoring (PAM) System. To do so, the recipient should create a report package of the type “POR: PAM Other Request.” After filling out and attaching the Request Template, recipient should attach the completed SF-1444 form using the “Add File” button. The SF-1444 will be routed to the National Institute of Standards and Technology (NIST) Grants Officer and transmitted to the DOL Wage and Hour Division for review and approval. The Wage and Hour Division has committed to act on Conformance requests within 30 days.

Recordkeeping and Monitoring Obligations

Recipients, subrecipients, contractors, and subcontractors must prepare weekly certified payroll documentation using Form WH347 (available at: www.dol.gov/whd/forms/wh347.pdf), properly completed for laborers and mechanics performing activities covered by the Davis-Bacon Act requirements of the Recovery Act. Subrecipients, contractors, and subcontractors must submit this information to the BTOP grant award recipient on a weekly basis within seven days of the regular payment date of the subrecipient’s, contractor’s or subcontractor’s payroll period.

A recipient must review the weekly certified payroll documentation it receives from its subrecipients, contractors and subcontractors on an ongoing basis. See 29 C.F.R. sections 3.3-3.4. If a subrecipient receives the original payroll documents, the subrecipient should review these documents and forward the original documents to the recipient on a weekly basis within the time period described above.

The recipient must maintain in its files the original Davis-Bacon Act payroll records it prepares for itself, as well as those prepared by subrecipients, contractors, and subcontractors. The recipient is not required to submit any of the payroll documents to the BTOP Grants Office unless the assigned Grants Officer makes a request for such records. The payroll records must be maintained so as to be easily accessed by BTOP Grants Officers and by other duly authorized officials. The recipient must retain these records as provided in the Department of Commerce (DOC) Uniform Administrative Requirements for Grants and Cooperative Agreements, 15 C.F.R. section 14.53 or 24.42, as applicable, generally for the later of three years after closeout of the award, or until any litigation, claim, or audit is resolved.

Enforcement and Penalties

Violation of the requirements of Section 1606 of the Recovery Act and the Davis-Bacon Act and related acts is a serious offense. Compliance is subject to audit during OMB Circular A-133 audits (including program-specific audits) of BTOP grant recipients and subrecipients, as well as audits and investigations by the DOC Office of Inspector General, the Government Accountability Office (GAO), the DOL Wage and Hour Division, and other duly authorized officials. A violation of the Davis-Bacon Act wage requirements may lead NTIA to impose appropriate enforcement action in connection with a BTOP grant award, up to and including suspension or termination of the award. In addition, contracting parties are subject to payment of back wages, and suspension or debarment from future contracts for a period of up to three

Exhibit 2

years. Monetary damages may also apply. Falsification of certified payroll records or the required kickback of wages may subject a violator to civil or criminal prosecution, the penalty for which may include fines and/or imprisonment.

ELIGIBLE AND RESTRICTED USES OF CSLFRF FUNDS

As described in the CSLFRF statute and summarized above, there are four enumerated eligible uses of CSLFRF award funds. As a recipient of an award under the CSLFRF program, your organization is responsible for complying with requirements for the use of funds. In addition to determining a given project's eligibility, recipients are also responsible for determining subrecipient's or beneficiaries' eligibility and must monitor use of CSLFRF award funds.

To help recipients build a greater understanding of eligible uses, Treasury's Interim Final Rule establishes a framework for determining whether a specific project would be eligible under the CSLFRF program, including some helpful definitions. For example, Treasury's Interim Final Rule establishes:

- A framework for determining whether a project “responds to” a “negative economic impact” caused by the COVID-19 public health emergency;
- Definitions of “eligible employers”, “essential work,” “eligible workers”, and “premium pay” for cases where premium pay is an eligible use;
- A definition of “general revenue” and a formula for calculating revenue lost due to the COVID-19 public health emergency;
- A framework for eligible water and sewer infrastructure projects that aligns eligible uses with projects that are eligible under the Environmental Protection Agency's Drinking Water and Clean Water State Revolving Funds; and,
- A framework for eligible broadband projects designed to provide service to unserved or underserved households, or businesses at speeds sufficient to enable users to generally meet household needs, including the ability to support the simultaneous use of work, education, and health applications, and also sufficiently robust to meet increasing household demands for bandwidth.

Treasury's Interim Final Rule also provides more information on four important restrictions on use of CSLFRF award funds: recipients may not deposit CSLFRF funds into a pension fund; recipients that are States or territories may not use CSLFRF funds to offset a reduction in net tax revenue caused by the recipient's change in law, regulation, or administrative interpretation; and, recipients may not use CSLFRF funds as non-Federal match where prohibited. In addition, the Interim Final Rule clarifies certain uses of CSLFRF funds outside the scope of eligible uses, including that recipients generally may not use CSLFRF funds directly to service debt, satisfy a judgment or settlement, or contribute to a “rainy day” fund. Recipients should refer to Treasury's Interim Final Rule for more information on these restrictions.

Memorandum: Proposed Terms for Lease of Soundstage Complex to NMSU

This Memo of Proposed Terms (the Memo) between Arrowhead Center, Inc. (ACI) and the Regents of New Mexico State University (NMSU), (collectively, the Parties) outlines principal terms to be further considered and potentially agreed to, all subject to obtaining all required approvals from the Parties' respective boards.

All references herein to the Soundstage Development Agreement (Development Agreement) mean the proposed agreement between the Economic Development Department (EDD), ACI, and NMSU, a draft of which is incorporated herein.

Subject to the required approvals above, NMSU and ACI agree in principle to the below terms.

1. At the commencement of the Operational Phase of the Development Agreement, ACI will lease the Soundstage Complex Improvements (depicted in Attachment 1) to NMSU (the ACI Lease) for one dollar per year for the duration of the Operational Phase or until ownership of the Soundstage Complex is transferred to NMSU or designee.
2. NMSU will engage in commercially reasonable efforts to sublease the Soundstage Complex Improvements to a commercial operator for film and television productions. Upon securing a sublease with a commercial operator, NMSU will be entitled to receive all rents and profits from lease of the Soundstage Complex Improvements.
3. NMSU will develop commercially reasonable reserves taken from the lease rental payments received from the sublease of the Soundstage Complex Improvements to maintain, operate, and repair the Soundstage Complex Improvements.
4. When the Soundstage Complex Improvements are leased to a commercial operator, ACI shall receive ground lease rent payments from the commercial operator in the amount of \$6,750 per month. No ground rent of any kind will be due when the Soundstage is not leased to a commercial operator. Ground rent will be paid pro rata for any leases of partial months.
5. Under the ACI Lease, NMSU will:
 - a. Take responsibility for all expenses related to the Soundstage Complex, including utilities, maintenance and repairs.
 - b. Pay rent of \$1.00 per year for the Soundstage Complex Improvements. No rent of any kind will be due when the Soundstage is not leased to a commercial operator.
 - c. Take full responsibility for daily operations and maintenance of the Soundstage Complex.
 - d. Place utilities for the Soundstage Complex in the name of NMSU.
 - e. Pay any taxes or assessments that may become legally due from ACI resulting from ownership of the Soundstage Complex.
 - f. Request ACI Lease amendment if more car or truck parking spaces are required.
 - g. Be responsible for any additions or upgrades to the Soundstage Complex, unless funding is provided directly to ACI.
 - h. Comply with all EPCRA reporting requirements for hazardous substances. NMSU will provide annual reports to ACI of chemicals on hand, along with copies of applicable MSDS sheets.
 - i. Not create or suffer to be created any liens against the Land or Building and Improvements.
6. Upon a transfer of ownership of the Soundstage Complex, the ACI Lease will terminate, and ACI will enter into a Park Operations and Maintenance agreement with the owner.

This Memo represents the proposed principle terms for agreement between ACI and NMSU to be incorporated into an ACI Lease for submission and approval by the Parties' respective boards. Lease to be entered before ACI receives a Certificate of Occupancy for the Soundstage.

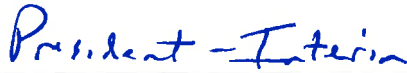
This Memo is effective as of the date of the final signature below.



Regents of New Mexico State University



Name



Title

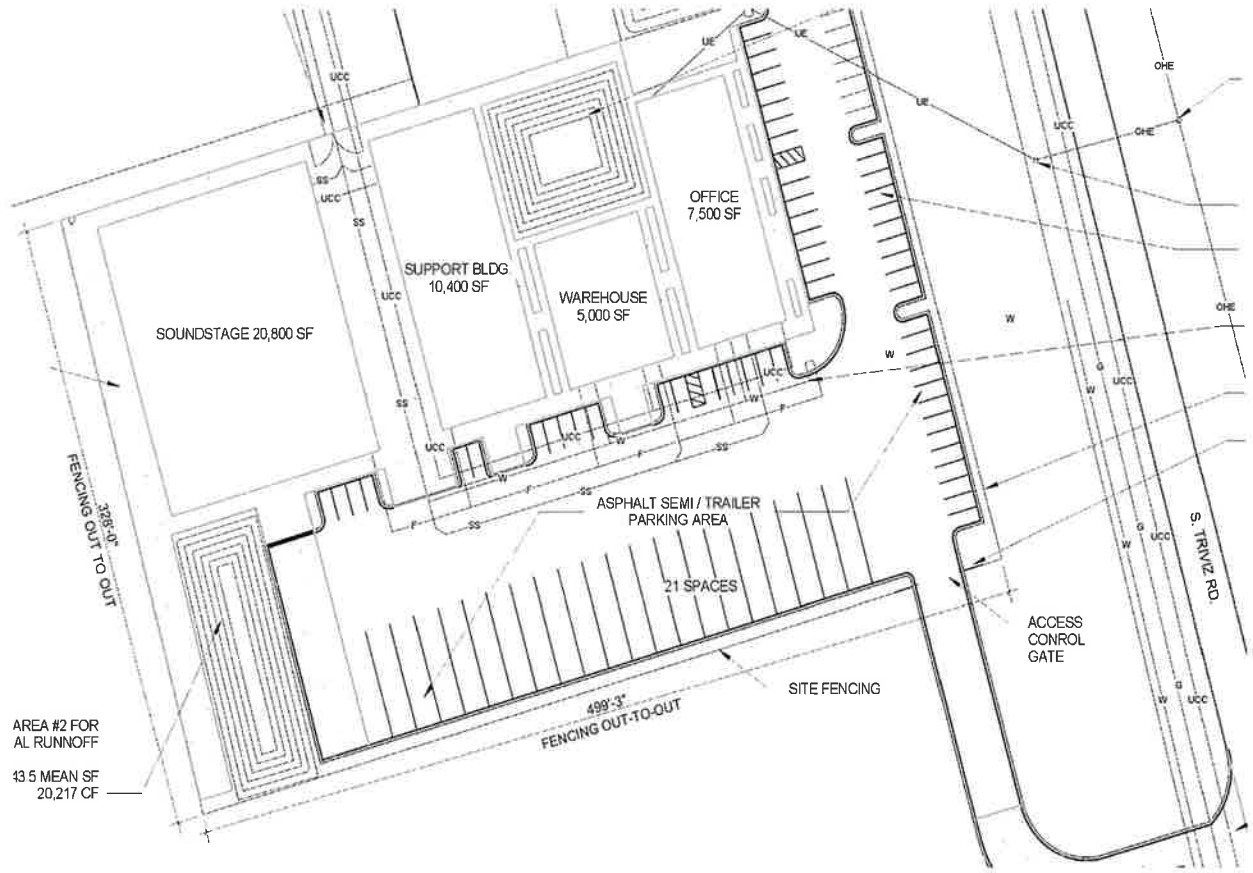
Arrowhead Center, Inc.

Kathryn R. Hansen

Name

Chief Executive Officer

Title





Board of Regents Meeting
Meeting Date: September 19, 2024
Agenda Item Cover Page

Agenda Item # D-9

- Action Item
- Consent Item
- Informational Item

Presented By:

Wayne L. Savage
Executive Director, Arrowhead Park

Agenda Item:

NMEDD Soundstage Revised Project Proposal Agreement and Memorandum

Requested Action of the Board of Regents:

Approval of the Revised Soundstage Agreement and Memorandum of Agreement documents

Executive Summary:

NMEDD, NMSU, and Arrowhead Center Inc. (ACI) have been collaborating to develop a Soundstage Complex at Arrowhead Park. After the June 28, 2024 approval of the Soundstage Project by the NMSU Board of Regents, it was determined by the NM Department of Finance and Administration (DFA) that the project funds could not be transferred directly to ACI. A meeting with NM HED Secretary Rodriguez, President Torres, and Clayton Abbey on August 27, 2024 clarified the requirement, with a determination that project funds could transfer directly to ACI if NMSU was not a party to the Soundstage Agreement.

The Soundstage Agreement and the Memorandum of Agreement presented today have been edited to reflect the new requirements, and approved by NMSU President Torres and General Counsel Lisa Henderson. NMSU will not be party to the Soundstage Agreement, but will retain the same responsibilities for operations, maintenance, and leasing of the Soundstage through their inclusion in the Memorandum of Agreement.

In addition to the documents for approval, a Summary of Substantive Changes to the Soundstage Agreement and the Memorandum of Agreement has also been included in the packet and presentation.

References:

Previous versions of these documents were approved by the Regents on June 28, 2024

Prior Approvals:

Arrowhead Center Inc. Board of Directors Sept. 17, 2024



Arrowhead Center, Inc.

PO Box 30001, MSC 700

Las Cruces, NM 88003-8001

Phone (575) 646-6120, FAX (575) 646-7037

Summary of Substantive Changes to Soundstage Agreements Since NMSU (6/28/24) and ACI Board (6/21/24) Approvals

Soundstage Agreement

- Removal of NMSU as a Party to the Agreement per guidance from NM DFA in order for funds to transfer directly to ACI.
- With NMSU no longer a Party to the Agreement, Article III A is changed to “ACI, or its designee, will lease the Soundstage to a commercial operator”. The ACI designee for this responsibility will be NMSU per the Memorandum of Agreement.
- The Exhibit 1B for Scope of Services – Operation Phase is modified in the same way with ACI or its designee to be responsible for the services noted. The ACI designee for this responsibility will be NMSU per the Memorandum of Agreement.

Exhibit 2 Subrecipient Agreement (exhibit to Soundstage Agreement)

- In Section 2, changed the date for expenditure of funds from 10/31/26 to December 31, 2026, which correctly ties to the requirements of the funding program in 31 CFR Part 35 Pandemic Relief Programs.
- In Exhibit B to the Subrecipient Agreement, detail has been added for the Scope of Work and Budget that was not included in the previously approved version. Scope of Work and Budget detail is taken directly from the Soundstage Agreement.
- With further review of the language in the document, ACI will own the Soundstage Improvements for the “term” of the Subrecipient Agreement. This term is defined as “a period of five years after closeout of the grant program”. We interpret “closeout of the grant program” to be the given date of December 31, 2026. At the end of this five-year period, December 31, 2031, ownership can be transferred to NMSU or its designee. ACI will maintain all records related to funding, expenses, and management of the Soundstage project through the end of the five-year term.

Memorandum of Agreement (MOA)

- Changing “Memo” to “Memorandum of Agreement”
- ACI requesting Parties enter into the lease by December 31, 2024, as opposed to “commencement of the Operational Phase”. It is ACI standard practice to have the lease signed before any project breaks ground.
- As NMSU is now to be removed from the Soundstage Agreement, item #2 ties NMSU responsibility to lease the Soundstage Complex to an operator to Article III A of the Soundstage Agreement.
- Item 5j adds the Operational Priorities of the Soundstage Agreement to the MOA.

SOUNDSTAGE AGREEMENT

This Soundstage Agreement (Agreement), dated as of the ____ day of _____ 2024 (the Effective Date), is entered into by and between Arrowhead Center, Inc. (ACI), and the State of New Mexico Economic Development Department (NMEDD) (collectively, the Parties).

Background

The Parties recognize the film industry as a target industry for development and support in the State of New Mexico, as well as student training and educational opportunities arising therefrom. Therefore, the Parties have agreed to work collaboratively to support the state training initiative for the film industry in New Mexico led by the New Mexico Media Arts Collective (NMMAC).

NMEDD requested support from ACI with the establishment of a film soundstage complex (the Soundstage), as the southern hub of the NMMAC, at Arrowhead Park.

The Soundstage and NMMAC programs will connect NMSU and Dona Ana Community College students with training and job opportunities with high quality film, television and media productions.

In consideration of the foregoing and with the intent of being legally bound, the Parties agree to the following terms and conditions:

Article I. Term of Agreement

A. Term.

1. The term of this Agreement will be twelve (12) years from the Effective Date of this Agreement. The first two years after the Effective Date will be the Development Phase as defined in Article II of the Agreement. Years three through twelve (12) of the Agreement will be the Operational Phase as defined in Article III of the Agreement.

ARTICLE II. Development Phase

A. Scope

ACI will provide the services in the scope of work (Project) which is attached as **Exhibit A –Scope of Services** and incorporated herein by reference. Should it be determined by any of the Parties that the

Project cannot be delivered within budget, on time, or both, the Parties agree to work in good faith to agree, in writing, to a revised Project that allows for completion of the revised Project within budget on or before December 31, 2026.

B. Project Budget

The expected cost of development of the Project is \$15,000,000 (the Project Budget).

C. Funding

1. NMEDD will provide funding to ACI in the amount of the Project Budget (Development Funds) within fifteen (15) days of final approval of this Agreement. If the entire amount of the Development Funds is not received in accordance with this timetable, any additional costs incurred for delays to the Project (penalties, change orders, etc.) will be the sole responsibility of NMEDD.
2. The total amount of the monies payable to ACI by NMEDD during the Development Phase will not exceed the Project Budget.
3. For services provided during the Development Phase, ACI will be paid a fee of \$84,000 from the Development Funds. ACI will be paid the fee in four equal installments during the Development Phase.

Article III Operation Phase

A. Scope

At or before the completion of the Development Phase, ACI, or its designee, will lease the Soundstage to a commercial operator. ACI's or its designee's right to lease the Soundstage shall continue throughout the Term of this Agreement.

B. Operating Cost

Should the operating revenue of the Soundstage be less than the operating cost, the parties agree to meet and discuss how to invigorate interest and promote the Soundstage and attendant funding matters.

C. Operational Priorities

The Soundstage must be operated in accordance with the following operational priorities:

1. promote film production industry in Southern New Mexico;
2. provide production-funded internships and experiential learning opportunities to NMSU and DACC students at the Soundstage related to production skills; and
3. support scheduling of NMMAC training classes.

Article IV. Termination

A. Termination for Lack of Economic Interest

If any at any point during Operational Phase of the Agreement, the Soundstage is not leased for commercial production for a minimum of 11 months over any contiguous three-year period, ACI may terminate the Agreement.

B. Termination for change in law or Film Industry

If at any point during the Term of the Agreement, changes to Federal or State law, or changes within the film industry, make the Soundstage no longer economically viable, ACI may terminate the Agreement.

C. Termination for Material Breach

1. Grounds. The Parties may terminate this Agreement based upon a Party's uncured, material breach of this Agreement.
2. Notice; Opportunity to Cure
 - a. Terminating Party must give the other Party written notice of termination (Notice of Intent to Terminate) specifying the nature of the default, at least thirty (30) days prior to the intended date of termination (Termination Date).
 - b. The breaching Party will have 30 days from receipt of written Notice of Intent to Terminate to cure the material breach (Period to Cure). If more time is reasonably required to cure the material breach, the breaching Party must notify the non-breaching Party in writing of its proposed schedule for performance and commence performance within the Period to Cure; thereafter, the breaching Party must diligently proceed to completion.
 - c. If the breaching Party fails to cure or to commence cure within the Period to Cure, then the non-breaching Party has the right to terminate this Agreement immediately by serving the breaching Party with final written notice of termination.
3. Responsibilities of Each Party Upon Termination
 - a. If ACI commits a material breach during the Development Phase that is not cured within the Period to Cure, NMEDD has the right of completion of the Soundstage development or to terminate the Project. If ACI or designee commits a material breach during the Operation Phase, NMEDD may pursue an action for specific performance of this Agreement for the remainder of the Term, or NMEDD may choose to terminate this Agreement. Upon any termination of this Agreement for any reason, ownership of the Soundstage will reside in ACI.
 - b. If NMEDD commits a material breach during the Development Phase that is not cured within the Period to Cure, ACI has the right to terminate this Agreement. If NMEDD commits a material breach during the Operation Phase that is not cured within the Period to Cure, ownership of the Soundstage will reside in ACI.

c. In the event of termination for any reason, ACI may continue to operate the Soundstage, convert it to academic or other use, dispose of it, or take any other action that is necessary or prudent, in the sole discretion of ACI.

ARTICLE VI. Funds Accountability and ARPA

A. Funds Accountability

The Parties will provide for strict accountability of all monies made subject to this Agreement. ACI, as the development services provider, must maintain fiscal records, follow generally accepted accounting principles, and account for all receipts and disbursements of funds transferred to ACI pursuant to this Agreement.

B. ARPA

If any American Rescue Plan Act (ARPA) funds are provided by NMEDD for use in the Development Phase, NMEDD and ACI agree to comply with all federal reporting requirements as stated in the U.S. Treasury Coronavirus State and Local Fiscal Recovery Fund (CSLFRF) Sub-award template as attached and incorporated hereto as Exhibit 2.

ARTICLE VII. Maintenance of Records

1. ACI must maintain detailed expenditure records that indicate the date, nature and cost of services rendered during Development Phase and effect and retain them for a period of five (5) years from the date of completion of the Development Phase under this Agreement. The records will be subject to inspection by NMEDD, the New Mexico Department of Finance and Administration, and the New Mexico State Auditor.

ARTICLE VIII. Confidentiality

Any confidential information exchanged by the Parties in the performance of this Agreement must be kept confidential and will not be made available to any individual or organization by ACI unless required by law including, but not limited to, New Mexico's Inspection of Public Records Act.

ARTICLE IX. Amendments

This Agreement may not be altered, changed or amended except by instrument in writing executed by the Parties hereto and all other required signatories.

ARTICLE X. Applicable Law

The laws of the State of New Mexico will govern this Agreement, without giving effect to its choice of law provisions. Venue will be proper only in a New Mexico court of competent jurisdiction in accordance with Section 38-3-1 (G) NMSA 1978. By execution of this Agreement,

ACI and NMEDD acknowledge and agree to the exclusive jurisdiction of the courts of the State of New Mexico over any and all lawsuits arising under or out of any term of this Agreement.

ARTICLE XI. Acquisition of Property

The Parties agree that neither Party may acquire any real property as the result of this Agreement, unless approved by NMEDD or defined in the scope of work.

ARTICLE XII. Liability

Each Party will be solely responsible for fiscal or other sanctions occasioned as a result of its own violation or alleged violation of requirements applicable to the performance of the Agreement. Each Party will be liable for its actions according to this Agreement subject to the immunities and limitations of the New Mexico Tort Claims Act, Sections 41-4-1, et. seq., NMSA 1978, as amended.

ARTICLE XIII. Execution of Documents

The Parties agree to execute any document(s) necessary to implement the terms of this Agreement.

ARTICLE XIV. Equal Opportunity Compliance

ACI agrees to abide by all federal and state laws, rules and regulations, and executive orders of the Governor of the State of New Mexico, pertaining to equal employment opportunity. In accordance with all such laws of the State of New Mexico, ACI assures that no person in the United States will, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Agreement. If ACI fails to comply with these requirements during the life of this Agreement, ACI agrees to take appropriate steps to correct these deficiencies.

ARTICLE XV. Workers' Compensation

ACI agrees to comply with state laws and rules applicable to workers' compensation benefits for its employees. If ACI fails to comply with the Workers' Compensation Act and applicable rules when required to do so, this Agreement may be terminated by NMEDD.

ARTICLE XVI. Notices

All notices, consents, approvals and other communications that may be or are required to be given by either party under this Agreement will be properly given only if made in writing and sent by (a) hand delivery, or (b) certified mail, return receipt requested, or (c) nationally recognized overnight delivery service (such as Federal Express, UPS Next Day Air, Purolator

Courier or Airborne Express), designated for next business day delivery with all postage and delivery charges paid by the sender and addressed to the recipient at the address set forth below, or at such other address as each may subsequently designate in writing. Such notices delivered by hand, or overnight delivery service will be deemed received upon the earlier of actual receipt or the next general business day. Such notices sent by certified mail will be deemed received five (5) business days after the date of mailing.

Any notice or communication with reference to this Agreement addressed to NMSU must be addressed to:

CEO of Arrowhead Center, Inc.
P.O. Box 30001, MSC 700
Las Cruces, New Mexico 88003

With copy to:

New Mexico State University General Counsel
MSC 3UGC
P.O. Box 30001
Las Cruces, New Mexico 88003-8001

Any notice or communication with reference to this Agreement addressed to NMEDD must be addressed to:

New Mexico Economic Development Department
Office of the Secretary
P.O. Box 20003
Santa Fe, NM 87504-5003

ARTICLE XVII. Lobbying Certification (for federal contracts, grants, loans or cooperative agreements)

ACI, by signing below, certifies to the best of his/her knowledge and belief, that:

No federal appropriated funds have been paid or will be paid by or on the behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned must complete and submit a Standard

Form LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions. The undersigned must require that the language of this certification be included in the award document for sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients must certify and disclose accordingly. This certification is a material representation of facts upon which reliance is placed when this transaction is made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S.C. (United States Code). Any person who fails to file the required certification will be subject to a civil penalty of not less than \$10,000.00 and not more than \$100,000.00 for each such failure.

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IN WITNESS WHEREOF, NMEDD and ACI have caused this Agreement to be executed, to become effective on the latest date of any signature provided below.

Arrowhead Center, Inc.

Kathryn R. Hansen
Chief Executive Officer

Date: _____

New Mexico Economic Development Department

Secretary or Designee, NMEDD

Date: _____

Chief Financial Officer, NMEDD

Date: _____

Approved as to legal form and sufficiency.

Office of General Counsel, NMEDD

Date: _____

Exhibit 1

Scope of Services

A. Scope of Services – Development Phase

Arrowhead Center, Inc. will provide the following services for the delivery of a film soundstage complex at Arrowhead Park:

- approximate 20,000 sq ft soundstage;
- approximate 10,000 sq ft of associated mill, production support, storage, and crew spaces;
- approximate 5,000 sq ft equipment warehouse facility; and
- required site prep and utility development to support the project development and operation.

Development Services to be provided for execution of the project will include:

- construction management services;
- procurement of design and general contractor services;
- design reviews and budget consultations with NMEDD and NMSU at 30%, 60%, 90%, and final Construction Documents stages of design;
- construction services through receipt of Certificate of Occupancy for the Soundstage and final project closeout.

B. Scope of Services – Operation Phase

ACI or its designee agree, once development and construction are complete, to perform the following services:

- operate the Soundstage;
- leasing to soundstage operators, or film and media production companies;
- maintenance of the Soundstage;
- support for NMSU, DACC and NMMAC student internship opportunities in leasing transactions for the Soundstage; and
- provide reasonable access to NMSU, DACC, and NMMAC students for training purposes

SUBAWARD BETWEEN
THE NEW MEXICO DEPARTMENT OF ECONOMIC DEVELOPMENT,
AND
ARROWHEAD CENTER, INC.

THIS AGREEMENT is hereby made and entered into as of the dates below by and between the New Mexico Department of Economic Development, hereinafter referred to as GRANTEE, and Arrowhead Center, Inc., hereinafter referred to as “SUB RECIPIENT.”

WHEREAS, the U.S. Department of Treasury (hereinafter referred to as “GRANTOR”) has made federal funds available to the GRANTEE under the Coronavirus State and Local Fiscal Recovery Fund (CSLFRF) Program (Assistance Listing Number (ALN) 21.027);

WHEREAS, Recipients under the CSLFRF Program are the eligible entities identified in sections 602 and 603 of the Social Security Act as added by section 9901 of the American Rescue Plan Act of 2021 that receive a CSLFRF award. Subrecipients under the CSLFRF Program are entities that receive a subaward from a recipient to carry out the purposes (program or project) of the CSLFRF award on behalf of the recipient;

WHEREAS, Recipients are accountable to Treasury for oversight of their subrecipients, including ensuring their subrecipients comply with the CSLFRF statute, CSLFRF Award Terms and Conditions, Treasury’s Interim Final Rule, and reporting requirements, as applicable; and,

WHEREAS, this agreement addresses the flow of funds from the GRANTOR above to the GRANTEE who will then provide the same referenced subaward funds to the SUB RECIPIENT, as legally allowed by the relevant law and regulations, for any approved scope of work as further discussed in Section 1 of this agreement;

NOW THEREFORE, the GRANTEE and the SUB RECIPIENT do mutually agree to the following terms and conditions of this agreement:

1. Scope of Work

The GRANTOR has provided funds, through its CSLFRF Program, to the GRANTEE who is then providing this same funding to the SUB RECIPIENT. Information related to the federal award is attached as Exhibit A. The SUB RECIPIENT shall perform the necessary tasks required in order to accomplish the objectives of the GRANTOR'S Program which have been agreed to by the GRANTEE. This includes complying with all applicable federal, state or local laws, regulations and administrative policies as they relate to the SUB RECIPIENT'S specific approved project including but are not limited to the references above as well as the following:

- (a) SUB RECIPIENT will comply with 31 CFR Part 35 Subpart A – Coronavirus State and Local Fiscal Recovery Funds.
- (b) SUB RECIPIENT will comply with Title 2, Subtitle A, Chapter II, Part 200- Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards as well as any specific federal departmental grant requirement in other sections of the CFR.
- (c) SUB RECIPIENT will adhere to both the Federal Procurement Laws contained in 2 CFR Part 200.317 to 200.326 as well as the State Procurement Laws for Political Subdivisions contained in ENTER STATUTES.
- (d) SUB RECIPIENT will adhere to the requirements of the GRANTOR'S CSLFRF Program.
- (e) SUB RECIPIENT will adhere to the Scope of Work and Budget in Exhibit B.
- (f) SUB RECIPIENT will comply with the Assurances for Non-Construction Programs as outlined in Standard Form 424B (Rev. 7-97) where applicable.
- (g) SUB RECIPIENT will comply with the Not (Rev. 7-97) where applicable.
- (h) SUB RECIPIENT will incorporate, where applicable, the contractual provision requirements outlined in 2 CFR Part 200.326 which is further discussed in Section 6 of this agreement.
- (i) SUB RECIPIENT will comply, when applicable, with any applicable National Policy Requirements for federal grants which is further discussed in Section 6 of this agreement.
- (j) SUB RECIPIENT will not pay any contractor who is listed by the federal government as debarred and/or suspended which is further discussed in Section 6 of this agreement. SUB RECIPIENT agrees to alert the GRANTEE immediately if a contractor working for the SUB RECIPIENT becomes debarred or suspended.

- (k) SUB RECIPIENT will fully cooperate at all times with the GRANTEE as the project manager who is ultimately accountable to the GRANTOR for all funds related to this project.

Pursuant to information submitted to the GRANTEE for inclusion in the GRANTOR'S CSLFRF Program, the SUB RECIPIENT shall perform the following tasks:

Properly procure and complete the project as described in Exhibit B, Scope of Work and Budget. Any and all expenses associated with the project are the sole responsibility of the SUB RECIPIENT. The ownership of any property furnished hereunder will be the property of the SUB RECIPIENT. The SUB RECIPIENT shall have the sole responsibility to maintain possession of the said property, maintain the property, repair the property when needed and maintain any applicable insurance amounts. Any future costs related to these requirements remain the sole responsibility of the SUB RECIPIENT.

In compliance with the above, the SUB RECIPIENT agrees to notify the GRANTEE and GRANTOR, in writing, and request the preferred method of disposition for any property or equipment purchased with federal funds if said property or equipment is no longer of use to the SUB RECIPIENT. In addition, if an annual inventory is requested by the GRANTEE then the SUB RECIPIENT will provide prompt access to all inventory records.

2. Term of Agreement

The terms of this agreement shall become effective upon execution of this agreement and shall continue for a period of five (5) years after closeout of the grant program. All funds must be obligated by the SUB RECIPIENT by December 31, 2024, and all funds must be expended and reimbursement requested by the SUB RECIPIENT to the GRANTEE by December 31, 2026.

3. Payment Terms of Grant Funding

The maximum budget for the scope of work identified in Section 1 above:

\$15,000,000.00

Advancement of funds, under this agreement, is contingent upon the SUB RECIPIENT complying with all of the requirements for allowable uses for funds under the CSLFRF Program and providing sufficient documentation to the GRANTEE as determined by the GRANTEE. The SUB RECIPIENT is responsible for payment to its vendors unless otherwise specifically approved by the GRANTEE. The SUB RECIPIENT will provide copies of all related financial documentation to the GRANTEE with the first quarterly report, supplying sufficient documentation to meet the reporting requirements of the CSLFRF Program.

Any questioned costs which may occur at any point in this process (including the five-year period after grant closeout by the federal GRANTOR) will be the sole responsibility of the SUB RECIPIENT with respect to any activity covered by this agreement.

If this agreement extends beyond the current fiscal year and notwithstanding anything to the contrary and when applicable, both parties acknowledge and agree that pursuant to the applicable state law, this agreement is subject to an annual appropriation dependency requirement to the effect that the renewal of this agreement is contingent upon the appropriation of funds by either party to fulfill any future payment requirements of this agreement. If either party fails to appropriate sufficient monies to provide for any future payment requirements under this agreement, this agreement shall terminate on the last day of the last fiscal year for which funds were appropriated.

4. Monitoring and Review

The SUB RECIPIENT is required to participate in monitoring and review activities necessary to assess the work performed under the Subaward and determine whether the SUB RECIPIENT has timely achieved the Scope of Work stated in Exhibit B to this Subaward. The ongoing monitoring of the SUB RECIPIENT will reflect its assessed risk and include monitoring, identification of deficiencies, and follow-up to ensure appropriate remediation.

The risk assessment may include factors such as prior experience in managing Federal funds, previous audits, personnel, and policies or procedures for award execution and oversight. Monitoring and review activities will be detailed in a Monitoring Plan based on the GRANTEE'S risk assessment of the SUB RECIPIENT and will be provided to the SUB RECIPIENT. The Monitoring Plan may include, but not be limited to, the SUB RECIPIENT'S technical progress compared to the intended milestones and deliverables; the SUB RECIPIENT'S actual expenditures compared to the approved budget, review of SUB

RECIPIENT'S reimbursement requests including detailed backup documentation, or other subject matter specified by the GRANTEE.

5. Amendments and Assignments

If there is a need to review and/or revise this agreement, the requesting party shall submit a written amendment to the other party, with the understanding that no amendment to this agreement shall be valid unless it is agreed and signed by both parties. This agreement shall not be assignable by either party without written consent of the other, except for assignment resulting from merger, consolidation, or reorganization of the assigning party.

6. Records, Audits, and Other Grant Compliance Issues

It is understood that this agreement may be utilized as part of the American Rescue Plan Act (Coronavirus State and Local Fiscal Relief Fund – ALN 21.027) and therefore both parties agree to maintain accounts and records, including personnel, property, and financial records, adequately to identify and account for all costs pertaining to this agreement and to ensure full compliance with the requirements of the above program. The SUB RECIPIENT will comply with all applicable federal law, regulations, executive orders, grant policies, procedures, and directives. Even though federal funding may be available, the Federal Government is not a party to this agreement and is not subject to any obligations or liabilities to the GRANTEE, SUB RECIPIENT, or any other party pertaining to any matter resulting from the agreement.

The SUB RECIPIENT may receive from the GRANTEE work product information that the GRANTEE utilizes. The SUB RECIPIENT assumes sole responsibility for verification of the accuracy of all information and for legal compliance with all rules and instructions required herein. The SUB RECIPIENT further acknowledges that the GRANTEE makes and assumes no representations or warranties with regard to the work product information. Work product information may include, but is not limited to, procurement policies, procurement forms, contractor insurance requirements, various standard contracts, specific grant program forms or other relevant documents.

With respect to the SUB RECIPIENT'S use of any work product transmitted by or originally created by the GRANTEE, the SUB RECIPIENT acknowledges it is the SUB RECIPIENT'S decision to act accordingly. The SUB RECIPIENT has the option to either adopt such product as the SUB RECIPIENT'S own or the SUB RECIPIENT may utilize the following other options available to the SUB RECIPIENT:

(1) modify the GRANTEE'S work product appropriate to the SUB RECIPIENT'S own needs;

(2) create and adopt the SUB RECIPIENT'S own work product separate from the GRANTEE'S work products; or,

(3) adopt a work product created by other State or Federal agencies when applicable to the SUB RECIPIENT'S needs.

If the SUB RECIPIENT utilizes any of the GRANTEE'S work products in any way then the SUB RECIPIENT acknowledges that the GRANTEE makes no representations or warranties with regard to the same.

For audit purposes, all records will be made available by both parties to any authorized representative of either party and said records will be maintained and retained for five (5) years after closeout of the grant program. If any confidential information is obtained during the course of this agreement, both parties agree not to release that information without the approval of the other party unless instructed otherwise by court order, grantor, auditor, public information request or as required by law.

The GRANTEE and SUB RECIPIENT agree that all records shall be made available to either party at no additional charge for such information. The SUB RECIPIENT also agrees to provide the GRANTEE, the Government Accountability Office (GAO), the Treasury's Office of Inspector General (OIG), Pandemic Relief Accountability Committee (PRAC), or any of their authorized representatives access to any books, documents, papers, and records of the SUB RECIPIENT which are directly pertinent to this agreement for the purposes of making audits, examinations, excerpts, and transcriptions. The SUB RECIPIENT agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed at no additional charge.

In compliance with grantor and national policy requirements, including the above referenced federal grant requirements, both parties agree to adhere to the following regulations, where applicable:

(a) Federally Required Contractual Provisions:

- (1) **Administrative, Contractual or Legal Remedies** are required in all contracts in excess of the simplified acquisition threshold amount that are funded with federal funds and are addressed in various sections of this agreement;
- (2) **Termination Provision** requires all contracts in excess of \$10,000 to contain a provision for termination of the contract for cause or convenience and this provision is addressed in Section 8 of this agreement;
- (3) For all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3, **Equal Employment Opportunity**, including Executive Order 11246 which was further amended by Executive Order 11375, which requires equal opportunity for all persons, without regard to race, color, religion, sex or national origin, employed or seeking employment with government contractors or with contractors performing under federally assisted construction contracts (See Exhibit C);
- (4) For all applicable contracts in excess of \$100,000 that involve the employment of mechanics or laborers, **Contract Work Hours and Safety Standards Act** which prohibits certain unsanitary, hazardous or dangerous working conditions and requires that wages of every mechanic and laborer to be on the basis of a standard work week of forty hours with any work in excess of forty hours per week to be compensated at a rate of not less than one and one-half times the basic rate of pay (See Exhibit C);
- (5) For all contracts that meet the definition of “funding agreement” under 37 CFR Part 401.2(a) and involve a contract with a small business firm or nonprofit organization regarding the assignment or performance of experimental, developmental or research work must comply with the **Rights to Inventions Made Under a Contract or Agreement** contained in 37 CFR Part 401 (See Exhibit C);
- (6) All contracts, subcontracts and sub-grants in excess of \$150,000 must contain a provision which requires compliance with all applicable standards, orders or regulations issued pursuant to the **Clean Air Act** and the **Federal Water Pollution Control Act** (See Exhibit C);
- (7) **Debarment and Suspension (Executive Orders 12549 and 12689 and 2 CFR Part 180)** which prohibit the contracting with any party listed on the “System for Award Management” (SAM), formerly identified as the “Excluded Parties List System” (EPLS.gov), which identifies all parties that have active exclusions (i.e., suspensions, debarments) imposed by a federal agency (See Exhibit C);
- (8) **Byrd Anti-Lobbying Prohibition (31 U.S.C. 1352)** prohibits the use of federal funds to pay any person or organization for influencing or attempting to influence anyone with any federal contract, grant or other award covered by 31 U.S.C. 1352 and also requires that Contractors that apply or bid for an award exceeding \$100,000 where federal funds are used must file the required certification stating that the parties will not and have not used federal funds to pay any person or organization for influencing or attempting to influence anyone with any federal contract, grant, or other award covered by 31 U.S.C. 1352 (See Exhibit C);

- (9) For all construction contracts in excess of \$2,000 and required by federal grant regulations, the **Davis Bacon Act** which requires payments of wages for laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor and said wage payments will be made at least weekly (See Exhibit D);
- (10) **Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment** wherein 2 CFR Part 200.216 prohibits use of federal grant or loan funds to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);
- (11) **Domestic Preferences for Procurements** for when federal funds are utilized, and where appropriate and to the extent consistent with other laws and regulations, 2 CFR Part 200.322 allows a federal award to provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products); and,
- (12) **Procurement of Recovered Materials** as required by 2 CFR Part 200.323 which requires procurements in excess of \$10,000 to contain the highest percentage of recovered materials practicable while consistent with maintaining a satisfactory level of competition.

(b) National Policy Requirements:

- (1) **Civil Rights Act of 1964**, including Title VI, which states that no person shall on the grounds of race, color or national origin shall be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance;
- (2) **Age Discrimination Act of 1975** which prohibits discrimination based on age in programs or activities receiving federal financial assistance;
- (3) **Americans with Disabilities Act of 1990**, with respect to building construction or alteration, prohibits discrimination based on a disability defined as a physical or mental impairment that substantially limits a major life activity;
- (4) **Section 504 of the Rehabilitation Act of 1973**, if specifically required by the federal agency, which prohibits the exclusion of an otherwise qualified individual because of a disability in programs receiving federal financial assistance including program accessibility, accessible new construction and alterations, reasonable accommodations and effective communication with hearing and visually disabled (this requirement may vary with each federal agency);
- (5) For all construction or repair contracts, **Copeland “Anti-Kickback” Act** which requires all contracts and sub-grants for construction or repair to contain a provision that prohibits a contractor or sub-contractor from inducing, by any means, any

- person employed in the construction, completion or repairs of public work to give up any part of the compensation to which he is otherwise entitled;
- (6) **National Environmental Policy Act and National Historic Preservation Act** which prohibit any activities that will have an adverse impact on the environment and regulate activity on property or structures that are deemed historic;
 - (7) **Energy Policy and Conservation Act** which require the contractors to comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan;
 - (8) **Reporting Provision** requires that all contracts should include a requirement that the SUB RECIPIENT assist the GRANTEE, when applicable, with any awarding agency requirements and regulations pertaining to reporting;
 - (9) **Record Retention Provision** requires that any contract executed must include a provision that all required records will be maintained by the contractor/firm for a minimum period of three years after the GRANTEE formally closes out each federal program (GRANTEE and SUB RECIPIENT grant managers should verify the three-year record retention period with each respective grant agency to ensure that a longer period is not required);
 - (10) **2013 National Defense Authorization Act (41 United States Code (U.S.C.) 4712, Pilot Program for Enhancement of Recipient and Subrecipient Employee Whistleblower Protection)** subjects any subawards and contracts over the federal simplified acquisition threshold to the provisions of the above act regarding rights and remedies for employee whistleblower protections;
 - (11) **National Flood Insurance Act of 1968 and Flood Disaster Protection Act of 1973** which require recipients of federal grants that are acquiring, constructing or repairing property in a special flood hazard area, and with an estimated cost in excess of \$10,000, to purchase flood insurance;
 - (12) **Wild and Scenic Rivers Act of 1968** which protects components or potential components of the national wild and scenic rivers system;
 - (13) **Resource Conservation and Recovery Act** which requires proper handling and disposal of solid waste;
 - (14) **Toxic Substance Control Act** which places restrictions on chemicals that pose unreasonable risks, such as surfaces that could be covered with lead-based paint;
 - (15) **Federal Agency Seal(s), Logos, Crests, or Reproductions of Flags or Likeness of Federal Agency Officials** are prohibited from being utilized without specific federal agency pre-approval;
 - (16) **False Claims Act and 32 U.S.C. Chapter 38 (Administrative Remedies)** which prohibits the submission of false or fraudulent claims for payment to the federal government identifying administrative remedies for false claims and statements made which the CONTRACTOR herein acknowledges; and,
 - (17) **Section 603 Title VI of the Social Security Act** which establishes the Coronavirus State and Local Fiscal Recovery Fund and identifies eligible and ineligible uses for the Fund monies (See Exhibit E).

In compliance with Section 6(a)(8) above, the SUB RECIPIENT agrees to verify that all contractors or subcontractors employed are not parties listed as active exclusions (i.e., suspensions, debarments) on the “System for Award Management” (SAM) for parties debarred, suspended or otherwise excluded from contracting on any projects involving federal funds. SUB RECIPIENT agrees to require the contractor to provide immediate notice, but in no case later than three (3) business days, after being notified that the contractor, or any subcontractor, has been added to the SAM or otherwise been debarred from contracting on any projects involving federal funds.

In no event shall the SUB RECIPIENT allow any contractor to utilize a subcontractor at any time during the duration of this agreement who has been debarred from contracting on any projects involving federal funds. If the contractor is prohibited in any way from contracting on any projects involving federal funds at any time during the duration of this agreement, then both the SUB RECIPIENT and GRANTEE must be notified. GRANTEE may, at its sole discretion, immediately implement the termination provisions discussed in Section 8 below if the SUB RECIPIENT decides to continue with the project using a “debarred” or “active exclusion” contractor or subcontractor.

7. Liability, Indemnity, and Insurance

The SUB RECIPIENT is responsible for the maintenance, upkeep and insurance requirements related to the scope of work. All related costs associated with this requirement are the sole responsibility of the SUB RECIPIENT.

This agreement is intended for the benefit of the GRANTEE and the SUB RECIPIENT and does not confer any rights upon any other third parties. All rights by and between the GRANTEE and the SUB RECIPIENT are limited to the actions outlined in the applicable local, state and federal laws, regulations and policies.

The SUB RECIPIENT will indemnify, defend, and hold harmless the GRANTEE, including the GRANTEE’S employees and agents, from and against any and all claims or liabilities arising from the fault of the SUB RECIPIENT, its employees or agents in carrying out the SUB RECIPIENT’S duties and obligations under the terms of this agreement. The GRANTEE will indemnify, defend, and hold harmless the SUB RECIPIENT, including the SUB RECIPIENT’S employees and agents, from and against any and all claims or liabilities arising from the fault of the GRANTEE, its employees or agents in carrying out the GRANTEE’S duties and obligations under the terms of this agreement. This section will survive the

termination of this agreement. In the event that either party takes any action to enforce this mutual indemnity provision, the prevailing party shall be entitled to recover reasonable attorney's fees and costs arising as a result thereof.

8. Termination of Agreement and Dispute Resolution

While both parties agree to negotiate all contractual disputes in good faith, the GRANTEE reserves the right to terminate this agreement at any time upon written notice of termination or if the SUB RECIPIENT has failed to comply with the terms of this agreement, the grant itself or any applicable law and regulation. All questioned costs are the sole responsibility of the SUB RECIPIENT.

If the parties are unable to independently and satisfactorily resolve any disagreement, then both parties agree that any contractual disagreement will be resolved under the jurisdiction of the State of New Mexico. In the event that court action is necessary then the parties agree that whoever prevails in the litigation is entitled to reasonable attorney's fees and costs as fixed by the Court.

9. Severability, Entire Agreement and Captions

This agreement shall be governed by and construed in accordance with the laws of the State of New Mexico. If any provision of this agreement is held invalid, void or unenforceable under any law or regulation or by a court of competent jurisdiction, such provision will be deemed amended in a manner which renders it valid, or if it cannot be so amended, it will be deemed to be deleted. Such amendment or deletion will not affect the validity of any other provision of this agreement. This agreement, any CSLRF Grant Program documentation, any attached documents, and any referenced documents represent the entire agreement between the GRANTEE and the SUB RECIPIENT and supersede all prior negotiations, representations or agreements, either written or oral. In the event of a conflict between this agreement and other documents, the terms of this agreement shall control.

Each paragraph of this agreement has been supplied with a caption to serve only as a guide to the contents. The caption does not control the meaning of any paragraph or in any way determine its interpretation.

IN WITNESS WHEREOF, the Grantee and the Grantor do hereby execute this Agreement as of the date of signature by the Grantor below.

THIS GRANT AGREEMENT has been approved by:

ARROWHEAD CENTER, INC.

Date

Kathryn R. Hansen, Chief Executive Officer

NEW MEXICO DEPARTMENT OF ECONOMIC DEVELOPMENT

Mark Roper, Acting Cabinet Secretary

Date

EXHIBIT 2-A

FEDERAL AWARD INFORMATION

In accordance with the Code of Federal Regulations (CFR), 2 CFR Section 200.331 requires that the following information be provided to any Subrecipient of a federal award:

Federal Award Identification: Coronavirus State and Local Fiscal Recovery Funds

Subrecipient Name: **Arrowhead Center, Inc.**

Subrecipient Unique Identification (ID) Number: **PXV3LBECAKC4**

Federal Award Identification Number: Coronavirus State and Local Fiscal Recovery Funds

Subaward Period of Performance (Start and End Date): Effective Date of this Agreement and October 31, 2026

Amount of Federal Funds Obligated to Subrecipient: **\$15,000,000**

Federal Award Project Description (in accordance with Federal Funding Accountability and Transparency Act (FFATA): Coronavirus State and Local Fiscal Recovery Funds

Name of Federal Awarding Agency: U.S. Department of the Treasury

Name of Pass-Through Entity and Contact Information:

NM Economic Development Department

Mark Roper, Acting Cabinet Secretary

Assistance Listing Number (ALN): 21.027

EXHIBIT 2-B

SCOPE OF WORK AND BUDGET

Arrowhead Center, Inc. will provide the following for a film soundstage complex at Arrowhead Park:

- approximate 20,000 sq ft soundstage;
- approximate 10,000 sq ft of associated mill, production support, storage, and crew spaces;
- approximate 5,000 sq ft equipment warehouse facility; and
- required site prep and utility development to support the project development and operation.

Budget for the above scope of work is \$15,000,000.

Significant Changes to Scope of Work

The SUB RECIPIENT is required to notify and seek written approval of the GRANTEE in advance of any proposed changes to the scope of work under this Subaward (i.e., significant changes to the statement of project objectives or the schedule of technical milestones and deliverables). Such changes may require the GRANTEE to re-evaluate the eligibility of the work under this Subaward.

EXHIBIT 2-C

CONTRACT PROVISIONS FOR NON-FEDERAL ENTITY CONTRACTS UNDER FEDERAL AWARDS

Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 19641965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR section 401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

Clean Air Act and the Federal Water Pollution Control Act. Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 74017671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

Debarment and Suspension (Executive Orders 12549 and 12689). A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

Byrd Anti-Lobbying Amendment (31 U.S.C. 1352). Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

EXHIBIT 2-D

DAVIS-BACON ACT REQUIREMENTS

(IF APPLICABLE)

Overview

Section 1606 of the American Recovery and Reinvestment Act (ARRA) of 2009, Pub. L. No. 111-5, 123 Stat. 115 (Feb. 17, 2009) (the “Recovery Act”), requires grant award recipients, subrecipients, contractors, and subcontractors to comply with the wage requirements of the Davis-Bacon Act (40 U.S.C. 3141 *et seq.*) and related acts, stating:

Notwithstanding any other provision of law and in a manner consistent with other provisions in this Act, all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to this Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

Scope of the Davis-Bacon Act The Davis-Bacon Act prevailing wage requirements apply to laborers and mechanics employed under contracts or subcontracts in excess of \$2,000 for construction, alteration, or repair activities (including but not limited to painting and decorating) that are funded, in whole or in part, under BTOP grant awards. In general:

- Laborers and mechanics – Are workers whose duties are manual or physical in nature, including apprentices, trainees and helpers, but do not include workers whose duties are primarily managerial, administrative, executive, or clerical. See 29 C.F.R. section 5.2(m).
- The \$2,000 threshold – Pertains to the amount of the prime construction contract, not to the amount of individual subcontracts. Accordingly, if the prime construction

contract exceeds \$2,000, all construction work on the project (including subcontracts) is covered by the Davis-Bacon Act. See 29 C.F.R. section 5.5(a)(6).

- Construction, alteration, or repair activities – Are those occurring at the “site of the work” that involve the alteration, remodeling, or installation of items fabricated off-site; painting and decorating; manufacturing or furnishing of materials, articles, supplies, or equipment on the site of the building or work; and, in certain cases, transportation between the site of the work and other points. See 29 C.F.R. section 5.2(j).
- Site of the work – Is the physical place or places where the building or work called for in the contract will remain, and any other site where a significant portion of the building or work is constructed, provided that such site is established specifically for the performance of the contract or project, and includes job headquarters, tool yards, batch plants, borrow pits, etc., if they are dedicated exclusively, or nearly so, to performance of the contract or project, and are adjacent or virtually adjacent to the site of the work. The site of the work does not include permanent home offices, branch plant establishments, fabrication plants, tool yards, etc., of a contractor or subcontractor whose location and continued operation are determined wholly without regard to a particular Federal or Federally assisted contract or project. See 29 C.F.R. section 5.2(l).
- Application to Governmental Agencies - Governmental agencies, such as states or their political subdivisions, are not subject to the Davis Bacon Act requirements when construction work is being performed by their own employees on a “force account” basis. See 29 C.F.R. section 5.2(h).

Davis-Bacon Act prevailing wage requirements are likely to apply to construction and related activities undertaken in connection with Infrastructure Round 1 and Comprehensive Community Infrastructure (CCI) Round 2 projects. In many cases, Davis-Bacon Act prevailing wage requirements will also apply to activities under BTOP grants for Sustainable Broadband Adoption (SBA) and Public Computer Centers (PCC), when construction and related activities (including minor renovation of facilities) can be segregated from the other work contemplated by the grant. See 29 C.F.R. section 4.116; F.A.R. section 22.402(b).

Davis-Bacon Act Requirements

Required contract provisions (appearing at 29 C.F.R. section 5.5) and the applicable wage determination(s) for the activities contemplated by a construction project must be included in any contract or subcontract to which the Davis-Bacon Act applies providing, among other items, that:

- Laborers and mechanics must be paid the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) at least once a week;
- No paycheck deductions or rebates are permitted, except as permitted under Department of Labor (DOL) regulations (29 C.F.R. sections 3.5-3.6);
- Wage and fringe benefit rates must be no less than those contained in DOL wage determination for the labor classification for the work actually performed.

The recipient is responsible for ensuring that the required contract provisions appear in all contracts and subcontracts entered into by recipients, subrecipients, contractors, and subcontractors for construction, alteration and repair activities covered by the Davis-Bacon Act and related acts. Applicable wage determinations included in the contract must be verified by the recipient within 10 days of the contract date.

In cases where state wage rates (determined under state statutes often called “Mini-Davis-Bacon Acts”) are higher than the Federal wage rates, the state wage rates take precedence and should be included in contracts in lieu of the lower, Federal wage rates. In cases of construction projects on tribal lands, the recipient should contact its assigned Federal Program Officer (FPO) for guidance on the interplay among the Davis-Bacon Act, state Mini-Davis-Bacon acts, and the Tribal Employment Rights Ordinance (TERO).

Contracts for amounts over \$100,000 that are covered by the Davis-Bacon Act must include additional standard clauses (also appearing in 29 C.F.R. section 5.5) providing, among other things, that overtime for laborers and mechanics must be paid at a rate 1.5 times the basic rate of pay for time worked in excess of 40 hours per week.

In addition, the DOL Davis-Bacon poster (WH-1321) must be prominently posted at the site of the work. Refer to: (www.dol.gov/whd/regs/compliance/posters/fedprojc.pdf 1321).

Davis-Bacon Wage Rate Determinations

DOL conducts statewide surveys seeking payment data on wage and fringe benefit rates from construction contractors and other interested parties, such as labor unions. Wage

determinations are issued by locality, typically on a county-by-county basis. Davis-Bacon Act wage determinations are published on DOL's Wage Determinations OnLine (WDOL) website accessible at: www.wdol.gov. The Davis-Bacon Act prevailing wages are determined by DOL based on wages paid to various classes of laborers and mechanics employed on specific types of construction projects in an area.

If DOL has not published a wage determination for work that is needed to complete a BTOP construction project, the recipient may seek a Conformance. The recipient must submit a Conformance request using Standard Form (SF) 1444. Please go to www.wdol.gov/library.aspx to obtain a copy of the form and instructions.

To complete the form, the recipient must describe the work to be done (identified with a classification that is used in the subject area in the construction industry) and propose a wage rate that bears a reasonable relationship to existing wage determinations. Typically, the rate must not be less than the wage determination for an unskilled laborer and, for a skilled craft, must be at least equal to the lowest wage determination for any other skilled craft.

Infrastructure and CCI recipients should submit the completed SF-1444 through Grants Online as an "Other Action Request." The SF1444 will be routed to the National Oceanic and Atmospheric Administration (NOAA) Grants Officer and transmitted to the DOL Wage and Hour Division for review and approval. The Wage and Hour Division has committed to act on Conformance requests within 30 days.

SBA and PCC recipients should submit completed SF-1444 Conformance requests through the Post-Award Monitoring (PAM) System. To do so, the recipient should create a report package of the type "POR: PAM Other Request." After filling out and attaching the Request Template, recipient should attach the completed SF-1444 form using the "Add File" button. The SF-1444 will be routed to the National Institute of Standards and Technology (NIST) Grants Officer and transmitted to the DOL Wage and Hour Division for review and approval. The Wage and Hour Division has committed to act on Conformance requests within 30 days.

Recordkeeping and Monitoring Obligations

Recipients, subrecipients, contractors, and subcontractors must prepare weekly certified payroll documentation using Form WH347 (available at:

www.dol.gov/whd/forms/wh347.pdf), properly completed for laborers and mechanics performing activities covered by the Davis-Bacon Act requirements of the Recovery Act. Subrecipients, contractors, and subcontractors must submit this information to the BTOP grant award recipient on a weekly basis within seven days of the regular payment date of the subrecipient's, contractor's or subcontractor's payroll period.

A recipient must review the weekly certified payroll documentation it receives from its subrecipients, contractors and subcontractors on an ongoing basis. See 29 C.F.R. sections 3.3-3.4. If a subrecipient receives the original payroll documents, the subrecipient should review these documents and forward the original documents to the recipient on a weekly basis within the time period described above.

The recipient must maintain in its files the original Davis-Bacon Act payroll records it prepares for itself, as well as those prepared by subrecipients, contractors, and subcontractors. The recipient is not required to submit any of the payroll documents to the BTOP Grants Office unless the assigned Grants Officer makes a request for such records. The payroll records must be maintained so as to be easily accessed by BTOP Grants Officers and by other duly authorized officials. The recipient must retain these records as provided in the Department of Commerce (DOC) Uniform Administrative Requirements for Grants and Cooperative Agreements, 15 C.F.R. section 14.53 or 24.42, as applicable, generally for the later of three years after closeout of the award, or until any litigation, claim, or audit is resolved.

Enforcement and Penalties

Violation of the requirements of Section 1606 of the Recovery Act and the Davis-Bacon Act and related acts is a serious offense. Compliance is subject to audit during OMB Circular A-133 audits (including program-specific audits) of BTOP grant recipients and subrecipients, as well as audits and investigations by the DOC Office of Inspector General, the Government Accountability Office (GAO), the DOL Wage and Hour Division, and other duly authorized officials. A violation of the Davis-Bacon Act wage requirements may lead NTIA to impose appropriate enforcement action in connection with a BTOP grant award, up to and including suspension or termination of the award. In addition, contracting parties are subject to payment of back wages, and suspension or debarment from future contracts for a period of up to three years. Monetary damages may also apply. Falsification of certified payroll records or the required kickback of wages may subject a violator to civil or criminal prosecution, the penalty for which may include fines and/or imprisonment.

EXHIBIT 2-E

ELIGIBLE AND RESTRICTED USES OF CSLFRF FUNDS

As described in the CSLFRF statute and summarized above, there are four enumerated eligible uses of CSLFRF award funds. As a recipient of an award under the CSLFRF program, your organization is responsible for complying with requirements for the use of funds. In addition to determining a given project's eligibility, recipients are also responsible for determining subrecipient's or beneficiaries' eligibility and must monitor use of CSLFRF award funds.

To help recipients build a greater understanding of eligible uses, Treasury's Interim Final Rule establishes a framework for determining whether a specific project would be eligible under the CSLFRF program, including some helpful definitions. For example, Treasury's Interim Final Rule establishes:

- A framework for determining whether a project “responds to” a “negative economic impact” caused by the COVID-19 public health emergency;
- Definitions of “eligible employers”, “essential work,” “eligible workers”, and “premium pay” for cases where premium pay is an eligible use;
- A definition of “general revenue” and a formula for calculating revenue lost due to the COVID-19 public health emergency;
- A framework for eligible water and sewer infrastructure projects that aligns eligible uses with projects that are eligible under the Environmental Protection Agency's Drinking Water and Clean Water State Revolving Funds; and,
- A framework for eligible broadband projects designed to provide service to unserved or underserved households, or businesses at speeds sufficient to enable users to generally meet household needs, including the ability to support the simultaneous use of work, education, and health applications, and also sufficiently robust to meet increasing household demands for bandwidth.

Treasury's Interim Final Rule also provides more information on four important restrictions on use of CSLFRF award funds: recipients may not deposit CSLFRF funds into a pension fund; recipients that are States or territories may not use CSLFRF funds to offset a reduction in net tax revenue caused by the recipient's change in law, regulation, or administrative interpretation; and, recipients may not use CSLFRF funds as non-Federal match where

prohibited. In addition, the Interim Final Rule clarifies certain uses of CSLFRF funds outside the scope of eligible uses, including that recipients generally may not use CSLFRF funds directly to service debt, satisfy a judgment or settlement, or contribute to a “rainy day” fund. Recipients should refer to Treasury’s Interim Final Rule for more information on these restrictions.

Memorandum of Agreement: Proposed Terms for Lease of Soundstage Complex to NMSU

This Memorandum of Agreement of Proposed Terms (the MOA) for lease of a Soundstage Complex between Arrowhead Center, Inc. (ACI) and the Regents of New Mexico State University (NMSU), (collectively, the Parties) outlines principal terms to be included in a lease between the Parties for the Soundstage Complex, all subject to obtaining all required approvals from the Parties' respective boards.

All references herein to the Soundstage Agreement (Agreement) mean the agreement between the New Mexico Economic Development Department (NMEDD) and ACI, a copy of which is incorporated herein as Exhibit A.

Subject to the required approvals above, NMSU and ACI agree in principle to the terms below.

1. ACI will lease the Soundstage Complex Improvements (depicted in Exhibit B) to NMSU (the ACI Lease) for one dollar (\$1.00) per year for the duration of the Operational Phase or until ownership of the Soundstage Complex is transferred to NMSU or designee.
2. As ACI's designee for performance of Article III A of the Soundstage Agreement, NMSU will engage in commercially reasonable efforts to sublease the Soundstage Complex Improvements to a commercial operator for film and television productions. Upon securing a sublease with a commercial operator, NMSU will be entitled to receive all rents and profits from lease of the Soundstage Complex Improvements.
3. NMSU will develop commercially reasonable reserves taken from the lease rental payments received from the sublease of the Soundstage Complex Improvements to maintain, operate, and repair the Soundstage Complex Improvements.
4. When the Soundstage Complex Improvements are leased to a commercial operator, ACI shall receive ground lease rent payments from the commercial operator in the amount of \$6,750 per month. No ground rent of any kind will be due when the Soundstage is not leased to a commercial operator. Ground rent will be paid pro rata for any leases of partial months.
5. Under the ACI Lease, NMSU will:
 - a. Take responsibility for all expenses related to the Soundstage Complex, including, but not limited to, insurance, utilities, maintenance, and repairs.
 - b. Pay rent of \$1.00 per year for the Soundstage Complex Improvements.
 - c. Take full responsibility for daily operations and maintenance of the Soundstage Complex.
 - d. Place utilities for the Soundstage Complex in the name of NMSU.
 - e. Pay any taxes or assessments that may become legally due from ACI resulting from ownership of the Soundstage Complex.
 - f. Request ACI Lease amendment if additional car or truck parking spaces are required.
 - g. Take full responsibility for any additions or upgrades to the Soundstage Complex, unless funding is provided directly to ACI.
 - h. Comply with all EPCRA reporting requirements for hazardous substances. NMSU will provide annual reports to ACI of chemicals on hand, along with copies of applicable MSDS sheets.
 - i. Not create, or suffer to be created, any liens against the Land or Building and Improvements.
 - j. Commit to supporting the Operational Priorities of the Soundstage Agreement, through its lease agreement with an operator, which are:
 - Promote film production industry in Southern New Mexico;
 - Provide production-funded internships and experiential learning opportunities to NMSU and DACC students at the Soundstage related to production skills; and
 - Support scheduling of NMMAC training classes.



This Memorandum of Agreement represents the proposed principal terms for agreement between ACI and NMSU to be incorporated into an ACI Lease for submission and approval by the Parties' respective boards. Lease to be entered into between the Parties on or before December 31, 2024.

This Memorandum of Agreement is effective as of the date of the final signature below.

Regents of New Mexico State University

Arrowhead Center, Inc.

Name

Name

Interim President, NMSU

Chief Executive Officer

Title

Title

Date

Date

Exhibit A Soundstage Agreement



(delivered separately)

Exhibit B Soundstage Complex Improvements

