



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
SPECIAL MEETING AGENDA
March 2, 2021 at 8:00am**

Regents of New Mexico State University

Chair Dina Chacón-Reitzel, Vice Chair Ammu Devasthali, Secretary/Treasurer Luke Sanchez, Debra Hicks, Arsenio Romero

Non-Voting Advisory Members - ASNMSU President Mathew Madrid, Faculty Senate Chair Julia Parra, Employee Council Chair Letty Gallegos

University Officials - Chancellor Dan E. Arvizu, Ph.D., President John D. Floros, Ph.D., Provost Carol Parker, J.D., Vice Chancellor Ruth A. Johnston, Ph.D., Senior Vice President Andrew Burke, Ed.D., General Counsel Roy Collins III, J.D.

MINUTES

A. **Call to Order**, *Chairwoman Dina Chacón-Reitzel*

1. **Confirmation of Quorum and Roll Call**

Chairwoman Chacón-Reitzel called the meeting to order at 8:01am

The Chief of Staff took the roll.

Regent Romero – Present

Regent Hicks – Present

Regent Sanchez – Present

Regent Devasthali – Present

Regent Chacón-Reitzel – Present

Chancellor Arvizu – Present

President Floros – Present

Vice President Burke – Present

General Counsel Collins – Present

B. **Approval of Agenda**, *Chairwoman Dina Chacón-Reitzel*

Chairwoman Chacón-Reitzel entertained a motion to approve the agenda as presented.

Regent Devasthali made a motion to approve.

Regent Hicks seconded the motion.

The Chief of Staff took the roll call vote.

Regent Romero – Yes

Regent Hicks – Yes

Regent Sanchez – Yes

Regent Devasthali – Yes

Regent Chacón-Reitzel – Yes

The Chief Staff confirmed the motion passed.

C. Consent Items

1. **Appointment of NMSU Labor Management Relations Board Member, General Counsel Roy Collins III, J.D.**

Chairwoman Chacón-Reitzel entertained a motion to approve the Consent Agenda as presented.

Regent Sanchez made a motion to approve the Consent Agenda as presented.

Regent Romero seconded the motion.

The Chief of Staff took the roll call vote.

Regent Romero – Yes

Regent Hicks – Yes

Regent Sanchez – Yes

Regent Devasthali – Yes

Regent Chacón-Reitzel – Yes

The Chief of Staff confirmed the motion passed.

D. Action Items

1. **Amendments to Board of Regents Bylaws and Regent Committee Charters, Chairwoman Dina Chacón-Reitzel**

Chairwoman Chacón-Reitzel gave a recap of the action item presented, “Today, the proposed revisions to the Regents’ bylaws and Regents’ committee charters presented for your approval were discussed by the Board at our November 2 work session and subsequently reviewed by the University General Counsel and Board of Regents staff. The amendments established the use of and limitations for the consent agenda for the board special and regular meetings. In addition, changes to the membership and meetings section of the Regents committee charters for each of our Board of Regent standing committees are intended to provide uniform support for meetings and standardize the process for developing committee agendas. An update to the membership section of the Regent Student Success committee is also now proposed to include formal representation from all the Community colleges. Other minor stylistic changes were also made, such as removing the word ‘shall,’ which often leads to difficult interpretations. Members of the Board, you have been provided with the red line version and clean version of the proposed changes in advance, which does include some changes that were made after our board discussion on November 2.”

Regent Hicks requested that the changes that have been made since their last meeting be verbalized.

The Chief of Staff proceeded to report the changes. Page #2 of the revision there are several grammatical changes. In Article 3, it previously read “officers,” but now reads “officers and official documents” because it contextualizes further the information contained therein. In Article 3.4 and 3.6 a phrase was added to clarify regarding the signatures on the degrees or diplomas. It reads, “along with the signatures of other members of the board.” On page three there is clarifying language that goes beyond the use of the word ‘shall.’ It clarifies approval or disapproval language. Page 4 and 5 is all of the ‘shalls’ and clarifying language with respect to grammatical structure. On page 6 there is a substantive update to the agenda item process. In Article 6.3, it establishes the consent agenda as a practice that the Board will use in the drafting of their agendas. It stipulates that the consent agenda can be used, provided that an approval of the agenda is on the agenda so that Regents can decide whether or not the consent item can stay on consent. The other matter is in reference to three particular financial approvals that are listed there, that is, the approval of tuition fees approval of the operating budgets and approval of budget adjustment requests. All of those three fiscal related items are prohibited from being on the consent agenda per this bylaw. Furthermore, if a BAR is brought forward it stipulates in here the type of backup documentation that

must be submitted in conjunction with that BAR. Page 7 is clarifying grammatical language. In 7.2 although it is intended to be clarifying language, there is a phrase that is inserted, in their capacity as a Regent as to say that members of the board are not compensated for their services for being Regents. The other portion comes within the Regents by-laws. For each of the meetings sections, for all of the charters, it is currently that the co-chairs determine the agenda. That has been changed to the Regent chair of the committee. There is also a change that Board staff call for agenda items from all members or the Board and the Chancellor or Chancellor's designee and that the Board staff are responsible for compiling, distributing it and taking any notes. Previously that was a distributed function through various different departments throughout the university depending on the committee. That is a consistent change through all of the different meeting sections for all of the charters. There is one more change to the charters. It's in the charter for the Regent Student Success committee, which is on page 14 of the red line version. The Regent Student Success membership now includes a representative from each of the community college campuses. There is no language that provides for any representation from Community colleges, but past practices has always been to have a single representative from the Community colleges. This provides that there is a representative from each of the Community colleges.

Chairwoman Chacón-Reitzel entertained a motion to approve the amendments to the Board of Regents bylaws and the committee charters, as presented. Regent Hicks made a motion to approve the amendments as presented. Regent Sanchez seconded the motion.

The Chief of Staff took the roll call vote.

Regent Romero – Yes

Regent Hicks – Yes

Regent Sanchez – Yes

Regent Devasthali – Yes

Regent Chacón-Reitzel – Yes

The Chief of Staff confirmed the motion passed.

E. Closed (Executive) Session

Chairwoman Chacón-Reitzel entertained a motion to go into closed session the Board of Regents go into close meeting for the discussion to discuss threatened and pending litigation in accordance with an NMSA Section 10-15-1, H(7) of the New Mexico Open Meetings Act.

Regent Hicks made a motion to go into closed session the Board of Regents go into close meeting for the discussion to discuss threatened and pending litigation in accordance with an NMSA Section 10-15-1, H(7) of the New Mexico Open Meetings Act.

Regent Sanchez seconded the motion.

The Chief of Staff took the roll call vote.

Regent Romero – Yes

Regent Hicks – Yes

Regent Sanchez – Yes

Regent Devasthali – Yes

Regent Chacón-Reitzel – Yes

The Chief of Staff confirmed the motion passed and began the process of putting everyone in the breakout room. The Board went into closed session at 8:20am.

1. Close meeting to discuss threatened litigation, in accordance with NMSA Section 10-15-1 H(7) of

the New Mexico Open Meetings Act.

- 2. Reconvene in open session and take final action, if any, on such matters which shall be acted upon in open session following conclusion of the closed session.**

Chairwoman Chacón-Reitzel called the meeting back into order at 9:25am. The Chief of Staff confirmed the closed meeting, "This is a confirmation of prior closed executive session for today March 2, 2021. The Board of Regents met in closed executive session at 8:20am on Tuesday March 2 2021 this was held virtually via zoom. The closed executive session meeting was held to discuss threatened and pending litigation in accordance with NMSA section 10-15-1 Subsection H(7) of the New Mexico Open Meetings Act. Those Members who were present, please certify that only matters of that nature were discussed."

Regent Romero – Yes

Regent Hicks – Yes

Regent Sanchez – Yes

Regent Devasthali – Yes

Regent Chacón-Reitzel – Yes

The Chief of Staff certified the closed executive session.

F. Announcements and Comments

Chairwoman Chacón-Reitzel appreciates the NMSU Albuquerque Learning Center hosting her.

Regent Romero thanked NMSU and NMSU community for supporting the family of Dr. Karen Trujillo, who passed away this week. She was Regent Romero's friend and long time colleague. Regent Romero appreciates NMSU and everyone involved to set up the scholarship fund in her name. Chairwoman Chacón-Reitzel said to extend their condolences from the Board of Regents and she herself has known her and the family.

G. Adjournment, Chairwoman Dina Chacón-Reitzel

Chairwoman Chacón-Reitzel entertained a motion to adjourn.

Regent Hicks made a motion to adjourn.

Regent Sanchez seconded the motion.

The meeting adjourned at 9:28am.



Ammu Devasthali
Board of Regents Chair



Arsenio Romero
Board of Regents Secretary/Treasurer