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### University of New Mexico Board of Regents Minutes for December 12, 2017

University of New Mexico Board of Regents

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**Minutes of the Regular Meeting of the Board of Regents of the University of New Mexico**

**December 12, 2017**

**Student Union Building (SUB) – Main Campus**

**Open Session - Ballroom C**

**Executive Session – Cherry Silver Room**

**Members present**

Robert M. Doughty, President; Marron Lee, Vice President; Tom Clifford, Secretary Treasurer; Suzanne Quillen; Alex O. Romero; Garrett Adcock

**Members not present**

Brad Hosmer

**Administration present**

Chaouki Abdallah, Interim President; Paul Roth, Chancellor for Health Sciences; Craig White, Interim Provost and EVP for Academic Affairs; David Harris, EVP for Administration, COO, CFO; Richard Larson, Executive Vice Chancellor for Health Sciences Center; Gabriel Lopez, VP Research and Economic Development; Dana Allen, VP Alumni Relations; Eliseo 'Cheo' Torres, VP Student Affairs; Elizabeth 'Libby' Washburn, President's Chief of Staff; Liz Metzger, Controller; Pamina Deutsch, Director Policy Office; Eddie Nuñez, Athletics Director; Elsa Cole, University Counsel; Dorothy Anderson, VP HR; Ava Lovell, HSC Sr. Exec. Officer of Finance and Administration

**Regents' Advisors present**

Pamela Pyle, Faculty Senate; Donna Smith, Retiree Association; Danelle Callan, Staff Council; Noah Brooks, ASUNM

**Presenters in attendance**

Richard Schuetz, Interim Director, UNM Press; Chris Vallejos, AVP ISS; Lisa Marbury, Executive Project Manager, ISS; Jerry Dominguez, former Interim CEO for UNM Gallup; Bill Sabatini, Lead Design Principal for Dekker/Perich/Sabatini

**Others in attendance**

Members of administration, faculty, staff, students, the media and others.

**CONFIRMATION OF PRIOR SPECIAL MEETING IN EXECUTIVE SESSION – NOVEMBER 20, 2017 SPECIAL MEETING**

The Board of Regents met in closed session on November 20, 2017 from 2:00 to 2:40 PM in the Roberts Room, number 204, of Scholes Hall on Main Campus. A quorum of members were present. Members present in person were the following: Marron Lee, Garrett Adcock, and Alex O. Romero. Members present telephonically were the following: Suzanne Quillen, Tom Clifford, and Brad Hosmer. Rob Doughty was not present. University Counsel was present. Regent Marron Lee presided the meeting. The meeting was held in closed session under the Open Meeting Act (NMSA 1978) exception, discussion and determination where appropriate of threatened or pending litigation as permitted by Section 10-15-1H(7), NMSA (1978). During the meeting, action was taken upon one item.

**The motion to approve settling a case under litigation for an amount not to be disclosed to the public passed by a unanimous vote (1<sup>st</sup> Adcock; 2<sup>nd</sup> Hosmer).**

**CALL TO ORDER, CONFIRMATION OF A QUORUM, ADOPTION OF THE AGENDA**

Regent President Rob Doughty called the December 12, 2017 meeting to order at 8:10 AM and confirmed a quorum. Before approval of the agenda, Regent Lee announced one modification to the agenda: The Finance and Facilities Committee item 4., UNM Foundation Regent Advisor Report, would not be presented, the material was included in the agenda eBook for information.

**The motion to adopt the agenda as modified passed with a unanimous vote (1<sup>st</sup> Lee; 2<sup>nd</sup> Clifford).**

**VOTE TO CLOSE THE MEETING AND PROCEED IN EXECUTIVE SESSION**

The vote to close the meeting passed unanimously (1<sup>st</sup> Quillen; 2<sup>nd</sup> Adcock). The meeting closed at 8:10 AM. Members of administration and University Counsel were also present for discussion subject to attorney-client privilege pertaining to threatened or pending litigation as permitted by Section 10-15-1(7), NMSA (1978).

**VOTE TO REOPEN THE MEETING AND CERTIFICATION THAT ONLY THOSE MATTERS DESCRIBED IN AGENDA ITEM II. WERE DISCUSSED IN CLOSED SESSION AND IF NECESSARY, FINAL ACTION WITH REGARD TO THOSE MATTERS WILL BE TAKEN IN OPEN SESSION**

The vote to reopen the meeting passed unanimously (1<sup>st</sup> Lee; 2<sup>nd</sup> Clifford). The meeting reopened at 9:06 AM.

There was certification that only those matters described in the closed session agenda were discussed and there were no items upon which action was taken.

**APPROVAL OF MINUTES**

**The motion to approve the minutes of the November 14, 2017 regular meeting of the Board of Regents passed with a unanimous vote (1<sup>st</sup> Lee; 2<sup>nd</sup> Adcock).**

**PUBLIC COMMENT** (No comments)

**REGENT ADVISORS COMMENTS** (No comments)

**COMMENTS FROM REGENTS**

Regent Alex O. Romero recognized and congratulated President Abdallah, recipient of the 2017 Spirit of New Mexico Award. The annual awards, given by the Greater Albuquerque Chamber of Commerce and the Albuquerque Journal, recognize people in the community who have given of their own time and efforts to make a difference. Additionally, Regent Romero recognized Ray Bradbury, coach of the UNM Women's Basketball Team, for the team's impressive 11-0 record so far in the season. Regent Romero also brought attention to the day's news that the National Academy of Inventors named Dr. Cheryl L. Willman and Plamen B. Atanassov as 2017 Fellows, distinguishing them as some of the most-impactful researchers among some 250 universities and research institutions worldwide. That is something for everyone to be proud of.

Regent Suzanne Quillen requested a report to the full board with an update of the Health Sciences Center budget, financials and operations, including Hospital diversions and daily census. She requested the report for the January or February Board of Regents' meeting.

Regent Doughty recognized and thanked Craig White for his leadership and the accomplishments achieved while serving as Interim Provost during 2017. At the beginning of the 2018, Craig will return to the Anderson School, as its Dean.

**THE PRESIDENT'S ADMINISTRATIVE REPORT**

President Abdallah briefed the Board on an opportunity for collaboration with the City of Santa Fe regarding the property currently in use by the Santa Fe University of Art & Design, which will close in spring of 2018. The City facilitated an introduction to Raffles Education Corporation, a Singapore-based for-profit education company. Currently, an exploratory committee comprised of representation across UNM, in conjunction with the Santa Fe mayor's office, is gauging interest in pursuing a collaboration. UNM administration is not interested in maintaining a campus in Santa Fe, given the current State discussion regarding reduction rather than expansion, and the current financial climate. However, the opportunity exists to offer academic degrees in conjunction with a financing entity that also provides students. In essence, the exploratory committee is investigating if opportunity exists to develop a new model offering courses or degrees benefitting both the City and UNM, without UNM committing financial resources. President Abdallah cited Purdue University's purchase of Kaplan University as an example of developing a non-traditional model. He reiterated the current status is exploratory only, and stated no agreement will be entered into without Board approval.

Regent Tom Clifford indicated that there exists a need for professional education in Santa Fe, particularly for the state government workforce. He has spoken with Provost White about the need for governmental accounting and public administration education, in general. Regent Clifford also agreed it is important to explore opportunity while remaining sensitive to issues with campus proliferation. President Abdallah concurred, and added this exploration is not viewed as a real estate deal, but an opportunity to offer courses or degrees attractive to the Santa Fe population and others, including the possibility of shorter-term executive programs.

Next, President Abdallah focused on recent research achievements. Professor Tobias Fisher, of Earth and Planetary Sciences, published an article about deep earth carbon dioxide and climate evolution that is receiving notoriety in the scientific community. Although President Abdallah could not yet announce detailed information, he indicated that at least two new National Science Foundation career awards have been granted to UNM faculty. These prestigious awards (with an approximate .5% award rate) support researchers at the beginning of their careers. One of these awards is especially exciting due to the collaborative research it supports between the College of Education, Organizational Learning and Instructional Technology, and the School of Engineering. Drs. Cheryl Wilman and Plamen Atanassov were elected into the National Academy of Inventors, a national academy akin to those for the arts, sciences, and engineering, with a focus on the success of research in the commercial spheres as translated to such things as patents and companies.

President Abdallah commended student athletes at UNM for their achievements and also discussed the state auditor's report status. Notably, four UNM athletes were named Academic All-American in 2017. Also, for 11 consecutive semesters, UNM student athletes have achieved at least a 3.2 GPA, and female student athletes achieved a 3.59 GPA in spring 2017. This marked the eighth straight year female athletes have achieved at least a 3.5 GPA. For the second time in three years, the Women's Cross-Country Team won the national championship and the women's basketball team is currently 11-0. University administration has convened a task force with working groups to address the state audit findings individually, with assigned tasks and dates of completion. President Abdallah will update the Board through monthly reports and will keep incoming President Stokes informed as well.

President Abdallah presented a high level overview of the budget process, and indicated that in subsequent reports he will provide more detailed information for single areas. He provided an overview of the Budget Leadership Team (BLT) process. The BLT consists of representatives from the faculty, administration, staff, and students, who act as conduits to all campus constituencies and are charged with making recommendations to the president for consideration as the administration develops the budget. The BLT evaluates new initiatives and scenarios to recommend reductions or increases in areas. The BLT communicate budget details and the nuances of state funding to individual areas, and takes input from faculty, students and staff to inform the president. The BLT also take direction from the F&F and ASAR committees. President Abdallah demonstrated an interactive chart showing the current budget and how funding flows into campus areas at a high level (<http://static-dashboards.unm.cool/budget-flow>). President Abdallah displayed the current budget schedule, indicating BLT meetings are interlaced with state legislative session or Board meetings and laid out the timeline from departmental mid-year projections in January to the request for Board approval in May.

Regent Clifford expressed appreciation for the high-level summary and calendar and requested to review more detailed reports from budget units to learn how priorities are set and managed each level. David Harris, Executive Vice President, noted that Regent Clifford has been to a BLT meeting and other regents will be invited to subsequent meetings. Craig White, Interim Provost, stated he held a Deans' retreat where budget priorities were discussed, with composing a subsequent memorandum listing priorities for consideration by the President, the BLT, and the Board. Regent Clifford expressed he would like to review information regarding how units self-evaluate to ensure achievement, optimally through quantifiable measures. He noted that at a previous Board meeting, President Doughty requested follow-up information on reserve categorization, to ensure analysis and planning for reserves, and he reiterated the request for that information as part of the budget cycle. Regent Clifford also noted the State's budget situation has improved.

## **REGENT COMMITTEE REPORTS**

### **CONSENT DOCKET**

Regent Doughty addressed the following consent docket and asked for a motion to approve.

1. Academic/Student Affairs and Research Committee (ASAR) Consent Items
  - a. Program Deletion: Certificate in Construction Technology, Electrical Trades
2. Health Sciences Center Committee (HSC) Consent Items
  - a. Approval of the UNM Hospitals Contracts with Eco-Tex Healthcare Linen Service Corp.
  - b. Approval of the UNM Health Sciences Center Fall 2017 Graduates
3. Finance and Facilities Committee (F&F) Consent Items
  - a. Approval of Disposition of Surplus Property for Main Campus for November 2017

**The motion to approve the items on the consent docket as presented pass by a unanimous vote (1<sup>st</sup> Lee; 2<sup>nd</sup> Romero).**

## **ACADEMIC/STUDENT AFFAIRS AND RESEARCH COMMITTEE**

### **Approval of Fall Degree Candidates**

Faculty Senate President, Pamela Pyle presented the item and requested the board's approval.

**The motion to approve the Fall Degree Candidates passed with a unanimous vote (1<sup>st</sup> Lee; 2<sup>nd</sup> Adcock).**

### **UNM Press Update**

UNM Press Interim Director, Richard Schuetz, presented the item and referred to slides that were included in the agenda eBook. The Press is doing everything it can to reduce the amount of support it receives from the University. This year was budgeted a \$600K deficit, which is about the average for presses of same size as reported by the Association for American University Presses. UNM Press is a Group II press, a group that has sales between \$1.5 - \$3.0 million, and the average university support for those presses is about \$600K. So that is what was budgeted, but to get to that number, UNM Press had to right-size, and it did so in two areas: reduce the number of titles printed each year from about 75 to 50, and with fewer titles, a smaller staff was needed, so reduced FTEs from 29 to 22. That saved about \$300K. On the revenue side,

prices on the roughly 1,200 title backlist were looked at, and prices on about 150, or 12% of the list, were raised \$3.50 each which has generated about \$45K in increased revenue for the year. UNM Press is one of about 13 presses that have in-house order fulfillment, and this is largely a fixed cost. About \$540K was budgeted for that which includes the warehouse cost plus labor and a few supplies. This represents about 11-12% of net sales. There is an ongoing analysis of the cost effectiveness of outsourcing this, currently evaluating proposals for an RFP put out in November. A similar analysis made in 2010 determined outsourcing was not cost effective; however, fees look to have gone down since then. UNM Press also distributes for about 40 other local and regional publishers, and that generates about \$200K per year in commissions from the sale of those books. Regarding reorganization, there is a plan proposal to move the Press under the Library. There are about 30 university presses that report to libraries. There are potential operating cost synergies that may be realized in this type of structure.

Regent Suzanne Quillen thanked President Abdallah and Mr. Schuetz for this very good report. This has been a big issue and it's clear that administration has spent a lot of time on this to drive efficiencies. President Abdallah added the sale of particular books are doing very well. Mr. Schuetz responded there are about half dozen titles that drive the backlist sales, and are about 75% of annual sales, compared to other presses with about 66%.

Provost White added his thanks to Mr. Schuetz and recognized others who worked hard on the UNM Press budget, including, Melanie Sparks, Melissa Vargas, and Nicole Dopson.

Regent Clifford added this is a great report and inquired with regard to the process of reducing the number of titles published each year and how those decisions are made. Mr. Schuetz responded it is about a 2-year process to acquire a title and discussed the role of an acquisitions editor. He added the Press is on track with the addition of a little more than 50 titles this year.

#### FINANCE AND FACILITIES COMMITTEE

##### Approval of the UNM-Gallup Physical Plant Facility

Chris Vallejos, Lisa Marbury and Dr. Gerry Dominguez presented the item requesting project approval for a \$2 million physical plant facility at the UNM Gallup campus. \$1.5 million of the budget will come from 2016 general obligation bonds and \$500K from 2012 McKinley County bonds, for a 7300 square foot physical plant supporting 300K square feet of physical space on the campus.

Regent Clifford information on the backfill plan for the old facility in committee. Gerry Dominguez responded UNM Gallup has a childcare center adjacent to the building that was suspended and closed in May, but re-opening the childcare center is under consideration due to need. Use for the remaining square footage has not been decided upon. Regent Clifford inquired when the childcare facility was built, but Mr. Dominguez was unsure of the date. He confirmed the childcare facility is primarily for students, but was also utilized by staff and faculty due to need.

President Doughty inquired about whether any of the funding was coming from UNM. Chris Vallejos responded the \$500K match was coming from McKinley County bonds that flow through UNM Gallup. He explained that the partnership is with the County at the Branch level. Branches use various sources as their 25% match for projects - sometimes this funding comes from reserves, sometimes it comes from a mil levy specified for education, and sometimes it comes from county bonds. UNM Gallup has elected to use county bonds as their 25% required match on this project. President Doughty sought to clarify that funds were not from UNM Main Campus, but Branch funds. Mr. Vallejos confirmed.

Regent Clifford inquired about enrollment. Mr. Dominguez responded UNM Gallup enrollment declined 10% in the fall semester and that administration is working with consultants on improving recruitment, noting the decline is due to multiple factors, including finances, a decline in high school graduates, and the fact that 84% of students come from the reservation and have hardship and distance factors, among others. Regent Clifford expressed that outreach to native communities is an extremely important component of UNM's mission and indicated he would appreciate more information about elementary and secondary education and what is occurring in terms of the student pipeline. He also requested information about enrollment by program. Mr. Dominguez noted that the new CEO, Dr. James Malm, is reviewing programs and considering new programs, such as media & technology. He is also working with regional economic development leaders and examining opportunities with the Navajo Nation, particularly in construction management, commercial licensing, and heavy-duty equipment operations.

Regent Clifford requested that Dr. Malm present to the Board regarding opportunities with the Navajo Nation when appropriate. President Doughty reiterated the request that Dr. Malm present to the Board.

**This item was tabled. The motion to table the item passed unanimously (1<sup>st</sup> Doughty; 2<sup>nd</sup> Clifford).**

Approval of Repurposing Plan for the Biology Annex

Craig White and Bill Sabatini presented the item. Provost White indicated that a committee charged with exploring options for repurposing the biology annex recommended it be used as an interdisciplinary teaching and learning lab for Earth and Planetary Sciences, Museum Studies, and Biology, and specifically the Museum of Southwestern Biology. Reasons for the recommendation included area strengths, proximity of the current museum, and a strong fit both size-wise and in terms of lighting and other architectural features.

Regent Clifford commended Interim Provost White on a concise report and the breadth and depth of committee work in surveying various constituents, including explaining rejected options thoroughly. He commended the interdisciplinary aspect of the recommendation, and inquired about next steps. Provost White indicated that after Board approval, the next step is to develop a more detailed program plan and budgeting. Regent Clifford inquired about the bonds that will be used, and EVP David Harris responded that there are no risks of arbitrage problems. The bonds will be reconfigured to meet the new purpose, once the budget is established and is brought for approval to the Board.

Regent Marron Lee thanked Mr. Sabatini for his work on the project plan.

**The motion to approve the repurposing plan for the Biology Annex passed with a unanimous vote (1<sup>st</sup> Clifford; 2<sup>nd</sup> Adcock).**

Monthly Consolidated Financial Report (information item)

Liz Metzger presented the item. The report depicts the fiscal year-to-date balances as of October, which is a third of the way to fiscal yearend. The report was included in the agenda eBook. Ms. Metzger discussed Main Campus I&G with 52% of tuition and fees revenue having already been recognized for the fiscal year. With regard to the athletic budget, as of October 31, athletics has a \$1.352 million net deficit due to year-to-date operations deficit of \$835.6K, debt service of \$582.5K, both slightly offset by \$66K from the endowed spending account. At the November Board of Regents, the Regents approved \$1.352 million use of reserves to offset the current year shortfall. An unknown factor this fiscal year is estimating final ticket revenue, which may dictate further spending cuts, the magnitude of which is unclear. Basketball revenue and a guaranteed amount of near \$1 million in revenue from a football game has not been recognized. Ms. Metzger said administration will be coming back at the next Finance and Facilities and full Board meeting with a more detailed budget projection of where athletics will end the year. With regard to the \$582.5K athletics debt service obligations, athletics is charged monthly for 1/12 of the total debt service for the year, but much of the revenue to offset the debt service has not yet been recognized: eg. donations with the suite sales, club seats, a portion of the basketball concessions.

Regent Clifford commented he appreciated the update on athletics. He is receiving lots and lots of questions about the athletics budget these days. It is being expected of the regents that they are paying attention to these things. Some very important steps have been made, bringing in Director Nuñez and his CFO who will be starting at the beginning of the year. The regents are monitoring this issue very carefully and taking appropriate steps at their level which is to put the right people in place to help address these problems. But regents need information about it and so this report is helpful and more detail going forward would be appreciated.

PUBLIC COMMENT

Mark Narvaez, PNMGC Graduate Student; Edith Sanchez, PNMGC Lead Project Assistant; Theresah Napetey, PNMGC Project Graduate Assistant; Omkulthoom Kassem, of PNMGC; and Andrea Abeita, Graduate Student in PNMGC, gave public comment on behalf of PNMGC (Project for New Mexico Graduates of Color) to notify the Regents that the Student Fee Review Board's student fee allocation recommendation for the PNMGC program for this next budget cycle is a 50% decrease from last year's, representing a 90% decrease over the previous six years. They urged the Board to reconsider the SFRB's recommendation and added the SFRB protocols need to be reviewed and reworked. PNMGC serves hundreds of students of color; it is a student-led program working to retain students of color through ongoing peer mentoring that provides academic, social, cultural and emotional support. A hard-copy report was also provided to the Regents.

Regent Doughty commented that last year's funding for PNMGC was fully restored by President Abdallah's discretionary fund. He also clarified the Regents have not yet seen the SFRB recommendations and have therefore not yet considered what has been recommended. President Abdallah confirmed the next step in the budget process is for the recommendation to go to the Budget Leadership Team, before coming to the full Board.

ADVISORS' REPORTS

Daniel Parea, Parent Association, reported on recent Parent Association activities including the availability of the 10<sup>th</sup> annual collectible Holiday Ornament, this year featuring the Centennial Engineering building, sold to raise funds for the Parent Association's Scholarship Fund. Mr. Parea presented an ornament to each of the Regents.

Sally Barker, GPSA Grants Chair, presented a resolution recently passed by GPSA not in support of the Federal HR1 Tax Cut and Jobs Act that is currently in committee. The bill proposes classifying tuition waivers and reduction as taxable income and would therefore affect many at UNM including graduate assistants and teacher assistants.

President Abdallah responded The University has been advocating this through multiple organizations and also with the support of many other universities, and this continues to be closely monitored.

Noah Brooks, ASUNM, reported ASUNM will advocate restoration of Lottery Scholarship funding to NM Legislators during the upcoming legislative session, and they hope to take 10 students, recipients of the Lottery Scholarship, to present for UNM Day the undergraduate research they are doing at UNM. Additionally, results of polling students on campus issues, safety was of most concern, so ASUNM will push for funding for lighting in 'R' lot and 'A' lot, Mr. Books gave the Regents a packet of this year's ASUNM Resolutions. The most recent, Resolution 8F, states ASUNM supports all students' viewpoints and the dialogue that can occur on a college campus, and will allow and enhance freedom of speech, as long as it is safe for students.

Pamela Pyle, Faculty Senate, thanked Regent Quillen for attending the last Faculty Senate meeting and also thanked Craig White for his work as Provost. Ms. Pyle is working with Senator Ortiz Y Pino to create a network of faculty researchers to connect them with legislators with same work and priorities. The senator also attended the last Faculty Senate meeting. Ms. Pyle recently met with Athletic Director, Eddie Nuñez, to discuss the Athletic Council's exit interview process. The council is run by one of the Faculty Senate committees, and the Faculty Senate believes, for the sake of transparency, this process should continue to go through the Faculty Senate.

#### VOTE TO CLOSE THE MEETING AND PROCEED IN EXECUTIVE SESSION

The vote to close the meeting passed unanimously (1<sup>st</sup> Lee; 2<sup>nd</sup> Clifford). The meeting closed at 10:55 AM.

1. Discussion and determination where appropriate of limited personnel matters as permitted by Section 10-15-1(2), NMSA (1978)
2. Discussions of personally identifiable information about an individual student as permitted by Section 10-15-1(4), NMSA (1978)
3. Discussions subject to attorney-client privilege pertaining to threatened or pending litigation as permitted by Section 10-15-1(7), NMSA (1978)
4. Discussion of strategic or long-range business plans of public hospitals as permitted by Section 10-15-1(8), NMSA (1978)

#### VOTE TO RE-OPEN THE MEETING AND CERTIFICATION THAT ONLY THOSE MATTERS DESCRIBED IN THE CLOSED SESSION AGENDA WERE DISCUSSED DURING CLOSED SESSION

The vote to reopen the meeting passed unanimously (1<sup>st</sup> Lee; 2<sup>nd</sup> Adcock). The meeting reopened at 12:38 PM.

There was certification that only those matters described in the closed session agenda were discussed and there was one item upon which action was taken.

**The motion to deny the request for the Board of Regents to accept an academic appeal from a former College of Pharmacy student passed with a unanimous vote (1<sup>st</sup> Lee; 2<sup>nd</sup> Adcock).**

#### ADJOURN

**The motion to adjourn passed unanimously. (1<sup>st</sup> Lee; 2<sup>nd</sup> Clifford).**

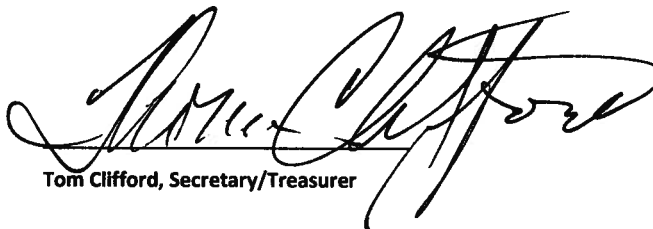
**The meeting adjourned at 12:38 PM.**

**Approved:**

**Attest:**



**Robert M. Doughty III, President**



**Tom Clifford, Secretary/Treasurer**