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University of New Mexico Board of Regents Minutes for October 21, 2020

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**Minutes of the Regular Meeting of
The Board of Regents of the University of New Mexico
October 21, 2020; 9:00 AM
Virtual meeting via Zoom; livestreamed for public viewing**

Members Present

Douglas Brown, President
Kim Sanchez Rael, Vice President
Sandra Begay, Secretary/Treasurer
Melissa Henry
Marron Lee
Robert Schwartz

Members Not Present

Rob Doughty

Administration Present

Garnett S. Stokes, President; James Holloway, Provost and EVP for Academic Affairs; Michael Richards, Interim EVP for Health Sciences Center; Teresa Costantinidis, SVP for Finance and Administration; Loretta Martinez, Chief Legal Counsel; Assata Zerai, VP for Diversity, Equity and Inclusion; Francie Cordova, Chief Compliance Officer; Dorothy Anderson, VP HR; Sanjeev Arora, Director Project ECHO; Kate Becker, CEO, UNM Hospitals; Cheryl Willman, Director and CEO, UNM Comprehensive Cancer Center; Ava Lovell, Sr. Executive Officer for Finance & Administration, HSC; Duane Arruti, CIO; Eddie Nunez, Athletic Director; Cinnamon Blair, Chief University Marketing and Communications Officer; Barbara Damron, Chief Government Relations Officer; Liz Metzger, University Controller; Terry Babbitt, President's Chief of Staff

Advisors Present

Chad Cooper, President, Alumni Association; Kevin Malloy, President, Retiree Association; Randy Velarde, Chair, UNM Foundation Board; Finnie Coleman, Faculty Senate President; Nancy Shane, President, Staff Council; Nikhileshwara 'Nikhil' Reddy Naguru, President, GPSA; Muskan 'Mia' Amin, President, ASUNM

Presenters and Others in Attendance

Angela Catena, Title IX Coordinator; Jeff Todd, Pres. & CEO, UNM Foundation; Randy Velarde, Chair, UNM Foundation Board; Lisa Marbury, Exec. Dir. ISS; Norma Allen, Dir. University Budget Operations; Bill Uher, UNMF VP of Development, HSC; Vojo Deretic, Chair, Molecular Genetics & Microbiology; Bryce Chackerian, Professor, Molecular Genetics & Microbiology; Christine Kasper, Dean, CON; Patricia Ann-Watts Kelley, Professor, CON; Bridget Fahy, Clinician and Professor, Surgical Oncology; Itzhak Nir, Clinician and Asst. Professor, Surgical Oncology; Bill Uher, VP of Development, UNMF; Bruce Cherrin, Chief Procurement Officer; Scot Sauder, Deputy University Counsel

CALL TO ORDER AND CONFIRMATION OF A QUORUM

Regent President Doug Brown called the meeting to order at 9:02 AM and confirmed a quorum with five members attending virtually over Zoom. Regent Marron Lee joined the meeting a couple of minutes after the call to order. Regent Rob Doughty was not in attendance.

VOTE TO ADOPT THE AGENDA

Regent Brown noted one change to the agenda, to place Dr. Arora's ECHO presentation directly after the President's Administrative Report.

The motion to adopt the agenda as modified passed unanimously (1st Rael; 2nd Schwartz; roll call vote – all members voted yes).

APPROVAL OF MINUTES OF THE SEPTEMBER 10, 2020 SPECIAL MEETING

Regent Brown asked if any member had any corrections or changes to the draft minutes. There being none, he asked for a motion to approve.

The motion to approve the minutes of the September 10, 2020 special meeting passed unanimously (1st Rael; 2nd Henry; roll call vote - all members voted yes).

PUBLIC COMMENT

Heidi Honegger Rogers, Family Nurse Practitioner/Advanced Practice Holistic Nurse and Director of Interprofessional Education; also Asst. Prof. in the College of Nursing and Affiliated Faculty member in the UNM Sustainability Studies Program; spoke about the urgency of climate change and submitted a letter to the Board from 28 Health Sciences Center Faculty on the impact this has on the health and well-being of New Mexico Communities. The letter requested that the Regents consider an investment strategy that divests from the fossil fuel industry and invests in energy solutions that will support New Mexican's health for generations to come.

Felina Romero, UNM Leaf (Leaders of Environmental Action & Foresight), spoke in favor of divesting from fossil fuels.

Kineo Memmer, Student affiliated with UNM Leaf, could not attend the meeting because he was in class, so he submitted comments in writing, which were read to the Board. Mr. Memmer addressed climate change and urged UNM to declare a campus-wide climate emergency, divest from fossil fuels, and commit to becoming waste-free by 2030.

Samantha Dicker, Student, Sr. majoring in Earth and Planetary Science, could not attend the meeting because she was in class, so she submitted comments in writing, which were read to the Board. Ms. Dicker addressed the need to care of the environment and protect it for generations to come, and urged UNM as the flagship university to take bold steps in lowering climate impact indirectly by not holding shares in huge companies that burn fossil fuels.

COMMENTS FROM REGENTS

Regent Sandra Begay read a statement, part of which was approved by the UNM Diversity Council in February 2020 and also appears as an acknowledgement of success in President Stokes' accomplishments this year: *"Founded in 1889, the University of New Mexico sits on the traditional homelands of the Pueblo of Sandia. Original peoples of New Mexico, Pueblo, Navajo, and Apache, since time immemorial have deep connections to the land and have made significant contributions to the broader community statewide. We honor the land itself in those who were made stewards of this land throughout the generations and also acknowledge our committed relationship to indigenous peoples. We gratefully recognize this history. Thank you very much."*

PRESIDENT'S ADMINISTRATIVE REPORT

President Stokes organized her report around four "C's": credit, covid, crime, and currency. She opened the credit portion with commendation to Project ECHO for receiving a \$237 million federal award to expand a pilot program to educate nursing homes across the country about COVID-19. President Stokes noted other University successes among faculty as well as sports recognitions. She highlighted recent homecoming activities and Research Grand Challenges accomplishment to date. Another research area of note, the Center for Quantum Information and Control has been selected by the U.S. Department of Energy to play a key role in the new Quantum Systems Accelerator, a 5-year, \$115 million project to create new technological solutions to harness quantum information science. President Stokes congratulated Regent Sandra Begay on her recent AISES (American Indian Science and Engineering Society) Professional of the Year Award - Regent Begay is the 2020 Indigenous

Excellence Award winner! President Stokes also discussed recent Branch updates and gave an overview of UNM leadership positions that have been filled since she became UNM's President, the most recent being the position of EVP for Health Sciences and CEO of Health System, which will be filled by Dr. Douglas Ziedonis MD, MPH, starting December 1. Regarding UNM's enrollment, UNM is a leader in percentage Hispanic and American Indian enrollment as compared to 38 flagship highest research universities. UNM has also taken on understanding why there are achievement gaps among students. A study indicated financial stress to be a significant contributing factor to a disparity in the student experience index. President Stokes thanked the many donors to UNM and highlighted Tom Daulton ('77 UNM), whose parents supported the Presidential Scholars' fund and who himself serves on the UNM Foundation Board and recently made a generous gift for future support of Athletics and the Anderson School of Management.

President Stokes discussed the impact of COVID-19 around the state, at UNM and within the UNM Health System. She commended the work done by UNM leadership, staff and faculty and stressed that UNM continues to make every effort to keep Lobos safe, successful, supported and informed throughout the crisis. Mental health is of primary concern, and the SHAC (Student Health and Counseling) has ramped up its services to meet growing demand. President Stokes discussed the fall semester curriculum. Seventy-seven percent of classes are remote, or online; 19% are a hybrid with face-to-face interaction; and only 4% are 100% face-to-face.

President Stokes reported that crime and campus safety remain a top concern. The addition of approximately 400 cameras in high traffic areas is making a difference, so there are plans to install 375 more. Holding town halls focusing on practices in campus safety and the new Title IX reporting, as well as engaging with law enforcement leaders, are more ways UNM is addressing the area of safety.

President Stokes briefly discussed understanding campus finances. Tuition and fees (T&F) make up only a percentage of total University revenues, and when comparing UNM to its peers, UNM's T&F revenue is only 11% of total revenue, while that percentage is between 33-54% for other universities in the region. For Main Campus only, state appropriations make up the largest part of revenues, followed by grants & contracts, and then T&F. For a consolidated UNM, including the Health System, sales, services and patient care (clinical revenues) make up the lion's share of revenues, followed by grants & contracts, and then state appropriations. Dr. Stokes outlined the 2020-2021 budget approach: 1) it was driven by guiding principles and mission; 2) across-the-board reductions were not given, and reductions ranged from 7-10%; 3) where possible, units with COVID-19 related costs, must fund functions, and smaller units with critical functions were protected; and 4) continuation of support for current strategic priorities including the Research Grand Challenges. President Stokes closed with a reminder that G.O. Bond C on the ballot of the upcoming election pertains to \$51.4 million of funding for higher education projects, including \$8.2 million for branch campus projects, \$13.2 million for academic & research infrastructure upgrades, and \$30 million for a new UNM Colleges of nursing and Population Health building.

The Regents congratulated Regent Begay for her well-deserved honor from AISES and for her contributions, including those to American Indians and to engineering.

The Regents thanked President Stokes for her report, for her outstanding performance goals and successes, and for her leadership during this extraordinary time. There was discussion. Regent Brown said the report was a wonderful record of achievement and to the accomplishments of the President and her talented leadership team. Regent Rob Schwartz thanked President Stokes for including in her report the important issue of educating all on higher education funding.

PROJECT ECHO (information item)

Dr. Sanjeev Arora opened with an overview on ECHO's worldwide presence and talked about how Project ECHO has supported the COVID-19 response in New Mexico. Currently, ECHO addresses over 100 complex issues globally, through 14 ECHO Training Centers (superhubs) and over 384 hubs worldwide in 44 countries. In New Mexico, there are 34 TeleECHO programs offered. In FY2020, 6 new programs were launched specifically to serve New Mexican providers and over 5 new global teleECHO programs specifically to address COVID-19. Dr. Arora discussed why the ECHO model has potential to support emergency preparedness. He discussed the New Mexico Peer Education Project (NMPEP) and its application to COVID response and prisoner health. He discussed the new ECHO for Education program in New Mexico to support and inspire teachers who have to transition to virtual and hybrid classrooms. Dr. Arora gave a brief update on the MacArthur Foundation's 100&Change Competition, for which Project ECHO is a 2021 finalist. Dr. Arora discussed the Agency for Healthcare Research and Quality (AHRQ) ECHO national nursing home COVID-19 Action Network and its approach. Supported by AHRQ and the Institute for Healthcare Improvement (IHI), Project ECHO is launching a National Nursing Home COVID-19 Action Network to advance improvement in COVID-19 preparedness, safety, and infection control. Dr. Arora discussed highlights of the curriculum and why nursing homes should participate. In closing, Dr. Arora thanked the many departments at UNM and others who worked to help support this initiative.

The Regents thanked Dr. Arora for Project ECHO's important work. Regent Kim Sanchez Rael added that ECHO makes UNM and New Mexico proud.

UPDATES ON TITLE IX REGULATIONS (information item)

Francie Cordova opened the presentation and Angela Catena presented more details. In January of this year, UNM was released from DOJ oversight after working long and hard to comport with what the Department of Education was indicating as best practices at the time. On May 6, 2020, changes to Title IX were issued and institutions were given 100 days to comply. Of course, this was right in the middle of the COVID crises, and this has probably been a reason that many universities are barely starting to grapple with the changes, but because UNM was so nimble from already having worked with the DOJ, it was able to pivot quickly to try to comply with the new federal regulations which went into effect in August. Ms. Cordova said the regulations are pretty different from what was in place before, and she asked Ms. Catena to discuss some of the changes in more detail before addressing hearing officer provisions.

Ms. Catena said there were many changes to the Title IX regulations, all focusing on sexual harassment. The jurisdiction has been narrowed to mirror more closely the Clery geography, so the office will now not be able to address something under Title IX that happens off-campus. She discussed why case numbers are likely going to reduce, not only due to the limited geography, but also because the University now cannot move forward without the complainant filing a formal complaint and of the likelihood the investigation will end in a live hearing. Both parties will also be required to have an advisor, each of whom would do the cross-examination of the parties on the other side. Ms. Catena addressed the need for the University to hire a hearing officer and potentially a hearing coordinator. The office has also been working on ways to continue to be able to provide support to impacted individuals, even if the matter does not fall under Title IX anymore, and she discussed some of the details to provide individualized services and resource accommodations so that impacted individuals can continue to be successful in their learning and working environments. The new regulations were 2083 pages long and UNM was able to update its policies and get them approved by the August 14 deadline, which was something that many institutions were not able to do.

Documentation and websites have been updated, re-trainings have been in effect, and a town hall was hosted on August 21 to inform the community of the recent changes.

Francie Cordova introduced UNM's new hearing officer, Elizabeth 'Beth' Williams, who is a UNM alum and has an administrative law background. She has acted as a hearing officer and arbitrator and has been an administrator also, and she will hire the hearing coordinator.

Regent Marron Lee congratulated Ms. Cordova on all the yeoman's work her office has done. She also inquired about the prospects of remote hearings and provisions for cases where a party does not want to come forward, or face the other party, or do a cross-examination. Ms. Cordova said there are provisions in the regulations for modified cross-examinations and for remote hearings if the parties request.

Student Regent Melissa Henry inquired what happens when a person does not want to move forward with a formal investigation. Ms. Catena responded that if it does not fall under Title IX, formal reports can still help identify trends and patterns. There are options for an alternative to a hearing or to address concerns informally. Ms. Cordova added that with partners like the Women's Resource Center and the LGBTQ Resource Center, good supportive measures have been developed for students, but there is still the need to develop similar effective resources for staff and faculty.

UNM FOUNDATION FY20 YEAR-END UPDATE AND STRATEGIC PLAN OVERVIEW (information item)

Jeff Todd and Randy Velarde presented the item. Mr. Todd reported that FY2020 was the second best fundraising year, having raised \$94.5 million. The University's fundraising efforts represent teamwork in the truest sense, and Mr. Todd added that he was grateful for the active engagement of the University's leaders, faculty members, and so many others across UNM who engage with and support the work of the UNM Foundation team. The Changing Worlds Campaign came to a successful conclusion on June 30th with 77,749 donors giving \$1.16 billion in gifts supporting student success and opportunity, faculty support and research programs, and capital projects and facilities. During the campaign, donors created more than 800 new endowments, including 60 new endowed chairs and professorships. The consolidated investment fund ended the fiscal year at \$444.6 million and it distributed a record \$16.5 million of endowment spending to UNM, over half of which was designated for scholarships.

Randy Velarde presented an overview of the Foundation's strategic plan 2020-2025. Mr. Velarde discussed the steering committee members, of which Regent Brown and President Stokes were members, and the timeline to the plan approval in July 2020. He discussed the adopted vision and mission and performance goals.

Regent Rael said, in light of the Regents' ad hoc Governance Committee's subcommittee addressing affiliated entities, she was excited to hear of the long-term interest in having collaborative and aligned efforts between the Foundation's efforts and all of UNM affiliated entities and that she looked forward to working with the Foundation on that.

Regent Brown said he wanted to point out that collaboration is already built between the Foundation and UNM Rainforest Innovations team in the area of seed funding, utilizing a fund set aside and with formal process in place.

The Regents thanked Mr. Todd and Mr. Velarde for the report.

APPROVAL OF CONSENT DOCKET

Regent Brown addressed the docket and asked if any members wished to remove any item for discussion and a separate vote; there being no requests to remove any item, Regent Brown asked for a motion to approve all items on the docket.

- A. [ASAR]* Approval: Summer 2020 Degree Candidates
- B. [F&F]* Approval of Disposition of Surplus Property for July/Aug.2020
- C. [F&F] Approval of Project Construction:
 - a. UNM Reserve Officer Training Corps (ROTC) Renovation
 - b. UNM Popejoy Hall Artist Support Spaces Phase 2 Renovations
 - c. Lomas Chiller #3 Replacement
 - d. Hibben Center for Archaeology Research-Smoke Control Upgrade Project
 - e. Natural History Science Center Re-Approval
 - f. Innovation Discovery & Training Center (IDTC) Roof Replacement
 - g. Artificial Turf Replacement, University Stadium
 - h. UNM Los Alamos Library Renovation
 - i. UNM Valencia Campus Workforce Training Center
- D. [F&F] Approval of Lobo Development Corporation Board of Directors Reappointments of Louis Abruzzo, Stephen Ciepiela, Maria Griego-Raby, and Rick Siegel
- E. [F&F] Approval of Lobo Energy, Incorporated-Revised Management Services Agreement effective November 1, 2020
- F. [HSCC]* Approval of Contract: Elekta Inc. for the Service Maintenance and Repair of Linear Accelerators-Dept. of Radiation Oncology at the UNM Comprehensive Cancer Center
- G. [HSCC] Approval of Capital Project to Renovate an Area in the Med-2 Building for School of Medicine Education Administration
- H. [HSCC] Approval of UNM Hospital Items:
 1. Agreement with Kronos Corporation, \$6,983,759
 2. Capital Project – BBRP-Radiology-X-Ray Replacement, \$400,000
 3. Capital Project – Former Galles Saturn Building Renovation & Site Drainage Improvements, \$2,700,000
 4. Capital Project – UH Main – Kewanee Boiler Replacement, \$1,000,000
 5. Capital Project – UNMH-BBRP-3 West–Fan Wall HVAC System, \$1,200,000
 6. Capital Project – Carrie Tingley Hospital – General X-Ray Room 1 – Equipment Replacement, \$400,000
 7. Capital Project – Carrie Tingley Hospital-Radiology – EOS Imaging system Project, \$1,500,000
 8. Capital Project – UPC-Replacement Boilers, \$700,000

* [ASAR] Academic/Student Affairs & Research Committee; [A&C] Audit & Compliance Committee; [F&F] Finance & Facilities Committee; [HSCC] Health Sciences Center Committee

The motion to approve the items on the consent docket passed with a unanimous vote in favor (1st Rael; 2nd Schwartz; roll call vote - all members voted yes).

HEALTH SCIENCES CENTER COMMITTEE**APPROVAL OF RE-APPOINTMENT OF MR. TERRY HORN TO THE UNM HOSPITAL BOARD OF TRUSTEES**

Kate Becker presented the item. As a member of the UNM Hospitals Board of Trustees, this would be Mr. Horn's second term, and it would go through June 30, 2023. Mr. Horn is a wonderful member of the community and has been an outstanding board member. He retired from PNM about five years ago and he has devoted a lot of energy to helping with quality and safety work and overall administration of the hospital.

The motion to approve the re-appointment of Terry Horn to the UNMH Board of Trustees passed with a unanimous vote in favor (1st Rael; 2nd Schwartz; roll call vote - all members voted yes).

APPROVAL OF NAMING ITEMS (6 Items):

1. Creation of the Jeffrey Michael Gorvetzian Endowed Professorship of Biomedical Research Excellence
2. Name Bryce Chackerian, PhD, as the First Holder of the Jeffrey Michael Gorvetzian Endowed Professorship of Biomedical Research Excellence

Bill Uher asked Dr. Vojo Deretic to present the items, as Martha McGrew, Int. Dean of the School of Medicine could not be in attendance. Dr. Deretic, Chair of Molecular Genetics and Microbiology Department and Director of the Center of Biomedical Research Excellence, thanked Dr. Nancy Croker and Dr. Joseph Gorvetzian for their generous gift of an endowed professorship in memory of Joe's only brother, Jeffrey Michael Gorvetzian. Dr. Croker and Dr. Gorvetzian are long-time residents of New Mexico and have always been generous and supportive of the UNM School of Medicine. Dr. Deretic introduced Dr. Bryce Chackerian, who is nominated to be the first named professor of this endowment, and he spoke of his many accolades. Dr. Chackerian, a full professor and Vice Chair of the department, is an outstanding scholar, elected to the National Academy of Mentors and this year was named a 2019 Fellow of the National Academy of Inventors. Dr. Chackerian has been awarded multiple research fundings and is repeatedly brought up as an exemplary colleague, teacher, and mentor.

The motion to approve the creation of the Jeffrey Michael Gorvetzian Endowed Professorship of Biomedical Research Excellence and the Naming of Bryce Chackerian, PhD, as the first holder of the Jeffrey Michael Gorvetzian Endowed Professorship of Biomedical Research Excellence passed with a unanimous vote in favor (1st Schwartz; 2nd Lee; roll call vote - all members voted yes).

Regent Brown thanked the donors for the enduring legacy they have created.

Dr. Chackerian thanked the donors for establishing the professorship and for their passion and support for doing basic biomedical research. He thanked Dr. Deretic for nominating him to the position.

3. Name Dr. Patricia Ann Watts Kelley as the Holder of the Dr. Patricia Higgins Professorship in Nursing

Christine Kasper presented the item. Dr. Patricia Ann Watts Kelley recently joined the faculty as a tenured professor in the College of Nursing and is now the Associate Dean for Research & Scholarship. She is an internationally known researcher in the area of the care of wounded veterans and their caregivers. She holds a PhD from Catholic University of America, and uniquely for a research scientist, she also is an active clinician where she is a primary care

nurse practitioner and gerontology nurse practitioner. Dr. Kelley retired at the rank of captain for the U.S. Navy where she was serving a number of research leadership positions, including the Deputy Director of Naval Medical Research. Dr. Kelley's joining UNM is valuable to the College of Nursing and will assist it to further increase its national research footprint and promote UNM on the way, as well as strengthen the integration of nursing research into other medical and healthcare research at UNM.

The motion to approve the Naming of Dr. Patricia Ann Watts Kelley as the holder of the Dr. Patricia Higgins Professorship in Nursing passed with a unanimous vote in favor (1st Schwartz; 2nd Lee; roll call vote - all members voted yes).

Dr. Kelley thanked Patricia Higgins for her endowment and thanked Dean Kasper for nominating her. She said her focus is to work with the junior, mid-level, and senior investigators to increase the research portfolio to address the pressing healthcare needs of New Mexicans and others nationally and work with the clinical professors to increase their interdisciplinary scholarship across the organization.

4. Appointment of Dr. Bridget N. Fahy as the Victor and Ruby Hansen Surface Endowed Professor of Complex Surgical Oncology

Cheryl Willman presented the item and opened with acknowledgments to the donor, Victor and Ruby Hansen Surface and imparted some history of the family's generosity starting in 2008 and 2009 when the Surface family gave to UNM, and at the time it was the first and largest gift from a single individual donor of approximately \$10 million, which was really critical for the Cancer Center. Dr. Willman introduced Dr. Bridget Fahy, who is one of the few surgeons in the U.S. to hold three sets of boards - she is boarded in complex surgery, surgical oncology, and in palliative care. Dr. Fahy is the new Chief of the Division of Surgical Oncology, and she has been recognized as an outstanding surgeon, outstanding leader, and outstanding educator.

The motion to approve the appointment of the Dr. Bridget N. Fahy as the Victor and Ruby Hansen Surface Endowed Professor of Complex Surgical Oncology passed with a unanimous vote in favor (1st Schwartz; 2nd Henry; roll call vote - all members voted yes).

Regent Schwartz congratulated Dr. Fahy and thanked the Surface family for their generosity to UNM.

5. Creation of the Elsie P. Barry / Cowboys for Cancer Research Endowed Professor in Hepato-Pancreatico-Biliary & Oncology Surgery
6. Name Dr. Itzhak Nir as the First Holder of the Elsie P. Barry / Cowboys for Cancer Research Endowed Professor in Hepato-Pancreatico-Biliary & Oncology Surgery

Cheryl Willman presented the items. The Cowboys for Cancer Research started 28 years ago in Las Cruces, New Mexico, when a wonderful woman, Mrs. Jackson, was diagnosed with breast cancer and became a Cancer Center patient, and the ranchers and bankers and community members of Las Cruces decided to raise money for cancer. They are now one of the single biggest community fundraising organizations in the state and all funds that are raised are split between UNM Cancer Center and NMSU. Currently, the Cowboys for Cancer Research have raised \$3.5 million over these years, doing team roping events in Las Cruces, and \$2.8 million of those dollars have been endowed. Elise P. Barry was a member of the Cowboys for Cancer team; she made the phenomenal breakfast burritos that one could have if they went to enjoy the roping events. These are the first two endowed chairs established

with the funds; there will ultimately be a second Elise P. Barry chair when the individual to be endowed with the position is identified, but this is the first one, and with Regents' approval, will be going to Dr. Itzhak Nir to be the first holder of the endowed professorship. Dr. Nir is a phenomenal surgical oncologist who is originally from Israel and was trained at the world renowned Hadassah University Hospital in Jerusalem, Israel. He then trained at Mr. Sinai Medical Center in New York and subsequently completed a Surgical Oncology Fellowship at the Memorial Sloan Kettering Cancer Center in New York. Since joining the Division of Surgical Oncology at UNM in 2010, Dr. Nir has been instrumental in building an outstanding clinical program in hepatobiliary and pancreatic diseases, making the UNM Comprehensive Cancer Center the major referral center in the state for these complex surgeries. Dr. Willman spoke of the many ways Dr. Nir has served both within the state and nationally with his special clinical leadership and surgical care in this field.

The motion to approve the creation of the Elsie P. Barry / Cowboys for Cancer Research Endowed Professor in Hepato-Pancreatico-Biliary & Oncology Surgery and the Naming of Dr. Itzhak Nir as the first holder of the endowed professorship passed with a unanimous vote in favor (1st Schwartz; 2nd Lee; roll call vote - all members voted yes).

The Regents expressed appreciation for the endowment and congratulated Dr. Nir.

Dr. Nir thanked Dr. Willman, the Regents, and donors for the great honor and recognition, and said he would continue providing the community with this unique clinical service with excellence and dedication to deserve this prize. Regent Schwartz thanked Dr. Nir.

APPROVAL TO APPOINT DR. BRAD CUSHNYR TO THE BOARD OF DIRECTORS, UNM SANDOVAL REGIONAL MEDICAL CENTER, INC.
(see following item for approval)

APPROVAL TO APPOINT HON. LOUIS P. MCDONALD TO THE BOARD OF DIRECTORS, UNM SANDOVAL REGIONAL MEDICAL CENTER, INC.

Scot Sauder presented both items. The bylaws of the SRMC Board of Directors provides for the Chief of Staff of the medical staff to be a member of the board. Dr. Brad Cushnyr is the current sitting chief of the medical staff, and part of the bylaws are requesting approval for Dr. Cushnyr to be appointed to a Class C director with term ending December 31, 2021. Judge McDonald, is a member of the Sandoval County Community. A number of community members serve on that SRMC board per its bylaws which helps to provide accountability to the community. Judge McDonald has been very involved in the behavioral health issues in the county. The SRMC board is recommending to the Regents that Judge McDonald be appointed to the SRMC Board of Directors as a Class A director with term ending December 31, 2022.

The motion to approve the appointments of Dr. Brad Cushnyr and the Hon. Louis P. McDonald to the SRMC Board of Directors passed with a unanimous vote in favor (1st Schwartz; 2nd Lee; roll call vote - all members voted yes).

CATEGORIZATION OF RESERVES REPORT – FY2020 HSC [PURSUANT TO UAP 7000]
(information item)

Ava Lovell presented the item and referred to slides that were provided in the eBook. Ms. Lovell explained what reserves are and their importance. The HSC Academic unit has about \$100 million in operating reserves and capital initiative reserves of \$28 million. The reserves are largely committed, but a healthy balance of reserves is necessary in order to be able to operate in a volatile environment. Ms. Lovell discussed the target level of operating reserves minimums and the current levels. Currently, the academic reserves are at 14% of total

operating expenses. The total Health System has operating reserves in the amount of \$368 million, which is 23% of operating expenses. Total reserves for HSC are \$774.582 million. This includes the Hospital Capital Initiatives reserve in the amount of \$196.283 million. Ms. Lovell discussed in more detail the categories of reserves and the hospital capital initiatives.

FINANCE AND FACILITIES COMMITTEE

CATEGORIZATION OF RESERVES REPORT – FY2020 MAIN & BRANCH CAMPUSES [PURSUANT TO UAP 7000] (information item)

Norma Allen presented the item and referred to slides that were provided in the eBook. This is to report reserve balances as of end of the fiscal year 2020 (June 30). Ms. Allen discussed the importance of university reserves and the categorization of reserves process. The reserve categories are, committed, dedicated, and discretionary. Operations and plant fund reserves for Main and Branch Campuses totaled \$496.239 million, a 3.28% decrease from prior year. The target for operating reserves as a % of expenditures is between 16% and 50%. Main Campus is at 19% and the branches are at 56%. Ms. Allen discussed the breakdown of reserve categories. Total discretionary reserves are \$22.950 million.

UNM FOUNDATION FUNDRAISING AND FINANCIAL REPORT FOR FY2020/4TH-QTR
(information item) This item was not presented; documentation was provided for information only.

APPROVAL OF CONTRACT: ATHLETICS DEPARTMENT – NIKE ALL-SPORT AGREEMENT

Bruce Cherrin presented the item. This is an all-sports agreement with Nike for all the sports and athletics, other than golf. This was posted on the state portal as a sole source to enter into a new Nike All-Sport Agreement for a new three-year term. Other Mountain West School agreements were used as a benchmark.

The motion to approve the Nike All-Sport Agreement passed with a unanimous vote in favor (1st Lee; 2nd Henry; roll call vote - all members voted yes).

APPROVAL OF 1ST-QTR FINANCIAL ACTIONS REPORT AND CERTIFICATION THROUGH SEPT.30 2020; AND 4TH-QTR INFORMATIONAL FINANCIAL REPORT THROUGH JUNE 30, 2020

UNM Controller, Liz Metzger, presented the University's quarterly financial certification report for the first quarter of fiscal year 2021, which ended September 30, 2020. As is required by the Higher Education Department, the report consists of six questions that are essentially related to the University's ability to meet its cash obligations, and there is one question regarding the University's current financial situation as it compares to the original budget and any submitted budget adjustment requests for fiscal year 2021. Answers to the first five questions were a 'no', as in there have been no failures to meet cash obligations, and the answer to the sixth question was a 'yes' due to the unknown impact to the budget that the COVID crisis will have on all auxiliary and athletics budget. Ms. Metzger ensured this will be monitored throughout the fiscal year.

Regarding the informational item, the financial reports are for consolidated financials as of the end of the fiscal year, June 30, 2020. Ms. Metzger said that with regard to the external audit status, the auditors have been underway with the audit but the auditors cannot complete the audit until the federal government provides the compliance audit guidelines for the CARES Act funds that the University and the hospital received. The guidelines are not expected until mid-November, so the usual timeline for completion of the audit, the exit conference and submission to the State Auditor will be extended. Ms. Metzger discussed an overview of the financials in the report.

The motion to approve the 1st Quarter Financial Actions Report and Certification passed with a unanimous vote in favor (1st Begay; 2nd Schwartz; roll call vote - all members voted yes).

APPROVAL OF 4TH-QTR ATHLETICS' ENHANCED FISCAL OVERSIGHT PROGRAM REPORT AND CERTIFICATION THROUGH JUNE 30, 2020; AND 4TH-QTR INFORMATION ON ATHLETICS' REPORT BY SPORT THROUGH JUNE 30, 2020

Eddie Nuñez, presented the report, which was included in the eBook. The request is for the Regents to approve the 4th quarter financials. Mr. Nuñez gave a brief recap of the total year financials for athletics. There was discussion.

The motion to approve the 4th Quarter Athletics' Enhanced Fiscal Oversight Program Report and Certification passed with a unanimous vote in favor (1st Begay; 2nd Lee; roll call vote - all members voted yes).

- Regent Brown announced a 5-minute meeting break.

ACADEMIC/STUDENT AFFAIRS AND RESEARCH COMMITTEE

APPROVAL OF UNM SEAL

Regent Kim Sanchez Rael introduced the item. She thanked the seal committee for their great and hard and long work on this topic. Terry Babbitt opened the presentation. Dr. Assata Zerai did an incredible amount of work, leading the seal committee which was a very inclusive effort. The use of the seal is specifically defined in Regents' Policy 2.7, for use only on diplomas, academic transcripts, enrollment certifications or other official university documents; therefore, it is not a logo. The charge of the committee was to replace the seal, and with the concerns of insensitivity on many factors that have been addressed in prior meetings, the aim was to be inclusive, aspirational, honoring diversity, and defining UNM as an institution of higher education. The committee came forward with recommendations of five design alternatives to the ASAR Committee. The design presented is the recommendation that came out of ASAR Committee as the selection. The Committee asked that University Communications and Marketing (UCAM) modify the design, if needed, so that it could be suitable for the needs of the seal. UCAM came up with 3 designs with slight modifications for functionality that could support embroidery, embossing and so the appearance would appear neatly on documents. VP DEI, Assata Zerai, clarified that the Regents could choose from the 3 modifications put forth by UCAM. Cinnamon Blair, confirmed that the three were the simplest and best options that preserved the detail and smaller elements of the design.

Regent Rael motioned to approve the UCAM modification on the upper-right of the three shown, as the final seal. [see ATTACHMENT A]

There was discussion before the vote.

Student Regent Henry said she wanted to point out that ASAR Committee came to the decision to move forward this design. There were five original seal designs, and the seal committee recommended design A. She said she had concerns about the process and that she had received feedback from students who were upset about how the decision was made. Regent Henry said that it was important to acknowledge that design A was the popular vote and was what the seal committee originally put forward.

There was discussion about the polls and the numbers of people who gave input on the original 5 designs. Regent Rael said it was a poll of the population and it was incumbent upon the Regents to choose in their judgment what they think is the best design for the University

going forward. Regent Brown said his concern was that the designs met the test of being ethnically sensitive, representing in a graphic representation, the University. He said that all of the designs met that criteria, but the seal is going to be presented in very small dimensions in most places, like on documents, so a busy, congested graphic would not do.

Regent Begay commented she thought the process was trying to be inclusive of everybody's voice and that a popular vote was a marker, but she thought it was never said that it would be a winner. It was input, because the decision of the seal is for the Regents to decide. And she agreed with Regent Brown about the importance of the scale and sizeability of the seal on a piece of paper, and then on a robe. She thanked everybody for their hard work for years and years on this.

There was further discussion before the vote.

The motion to approve the UNM Seal design at the upper-right of the three modifications suggested as most functional by UCAM passed with a vote of 3-1-1; Regents Begay, Brown, and Rael voted in favor; Regent Henry voted no; Regent Schwartz abstained (1st Rael; 2nd Brown).

- Regent Lee had to leave the meeting briefly and was not able to vote on this item.

AUDIT AND COMPLIANCE COMMITTEE

MEETING SUMMARY REPORTS – AUG.13 & OCT.16 MEETINGS (information item)

Regent Brown addressed the meeting summaries - the Committee approved several internal audits which were listed on the report that was included in the eBook.

ADVISORS' COMMENTS

Chad Cooper spoke about recent Alumni Association's activities, including honoring the tradition of homecoming, raising funds for student scholarships, and involvement is making campus safer. The Association is also working on a strategic plans, a career initiative to connect alumni around the country, and plans for a virtual Veteran's Day celebration and remembrance event.

Kevin Malloy gave special thanks and recognition to Beverly Kloeppel, the Retiree Association's past president who still serves as the interim co-director of UNM Student Health and Counseling. Dr. Kloeppel has led the establishment of the COVID healthcare policies and procedures, protecting UNM students, and she is one example of the many UNM retirees who continue to support UNM through volunteering or part-time employment.

Nancy Shane spoke in support climate change awareness and said Staff Council passed a climate change is global problem resolution in May. Other recent activities of the Council include passage of an anti-racism resolution; addressing questions regarding policing on campus; staff appreciation week; and efforts to deepen relationships with branch faculty and staff. Dr. Shane recognized HR for initiatives to support employees during COVID.

Nikhil Naguru spoke about recent GPSA activities.

Finnie Coleman spoke about recent Faculty Senate activities, including efforts to offer a body of suggestions to address the carbon footprints on all of UNM's campuses; he also expressed appreciation for colleagues who are working to organize the union.

Mia Amin spoke about recent ASUNM activities, including homecoming, participation in community service work, and addressing long-term solutions for funding Lottery Scholarships.

VOTE TO CLOSE THE MEETING AND PROCEED IN EXECUTIVE SESSION

Before closing the meeting, Regent Brown noted items D. and E. on the closed session agenda were removed from the agenda and would not be addressed. (1st Rael ; 2nd Schwartz; all members voted in favor to close the meeting) The meeting closed at 12:59 PM.

- A. Discussion of "limited personnel matters" as defined in and permitted by Section 10-15-1.H(2), NMSA (1978) – regarding: President Stokes' Performance Evaluation
- B. Discussions of bargaining strategy preliminary to collective bargaining and collective bargaining between a policymaking body and an employee bargaining unit, as permitted by Section 10-15-1.H(5), NMSA (1978)
- C. Discussions, and where appropriate determination, of matters subject to attorney-client privilege pertaining to threatened or pending litigation, as permitted by Section 10-15-1(7), NMSA (1978)
- D. Discussion of potential acquisition of real property rights by the University, as permitted by Section 10-15-1(8), NMSA (1978)
- E. Discussion, and where appropriate determination, relative to strategic and long-range business plans or trade secrets of public hospitals, as permitted by Section 10-15-1(9), NMSA (1978)

VOTE TO RE-OPEN THE MEETING AND CERTIFICATION THAT ONLY THOSE MATTERS DESCRIBED IN THE CLOSED SESSION AGENDA WERE DISCUSSED IN CLOSED SESSION, AND IF NECESSARY, FINAL ACTION WITH REGARD TO CERTAIN MATTERS WILL BE TAKEN IN OPEN SESSION

The meeting re-opened at 1:56PM.

Regent Brown certified that closed session discussions were limited to only those matters described in the closed session agenda. He announced the Board would take action in open session regarding President Stokes' compensation.

Regent Brown announced the Board's decisions on the President's compensation would be back dated to July 1, 2020, from that point going forward. With respect to base salary, in concert with the rest of the University, there would be no change and therefore no action would be required to produce that result. With respect to performance bonus, the enumerated categories added to a total of \$50,000 potential amount, only one metric was missed, and that was only by a little; therefore on those matters, an award of \$49,000 is proposed. Additionally, if there had been any idea at the outset that there would be this challenge of COVID, there certainly would have been a crisis management element, so the proposal is to add a crisis management component with a \$10K bonus, and this would bring the total to a \$59,000 bonus.

The motion to award President Stokes a \$49,000 performance bonus and a \$10,000 payment for crisis management, effective July 1, 2020 passed with a unanimous vote in favor (1st Lee; 2nd Henry; roll call vote - all members voted yes).

Regent Brown said that regarding the matter of deferred compensation, the proposal is to award a total of \$100,000. There was discussion.

Regent Schwartz said he would support the motion, but also expressed his concerns for the decision to pay more to the University's executive officers and not pay any more for faculty or staff. He commended President Stokes for the extraordinary work she has done during the most difficult of circumstances. She is grossly underpaid by national and New Mexico

standards and so deserving of a great deal more, as are most of the faculty at the University, most of whom went another year without a compensation increase, in spite of it being more difficult to teach virtual classes and the effort involved in figuring out how to be an effective teacher over zoom. He reiterated his concern for the message that is being sent to the impressive faculty and staff of the University.

The motion to award President Stokes' deferred compensation in the amount of \$100,000, effective July 1, 2020 passed with a unanimous vote in favor (1st Rael; 2nd Lee; roll call vote - all members voted yes).

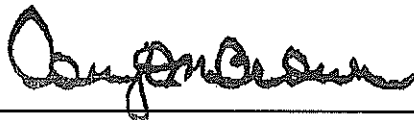
Regent Brown said this reflects the high degree of confidence the Regents have in President Stokes and the high degree of approval in her actions, both inside and outside of the University, especially at a time of daunting challenges. To President Stokes, he said this is a very strong validation for the job she is doing and for everything she has accomplished, and the Regents have confidence in what she will do in the future.

President Stokes thanked the Regents.

ADJOURN

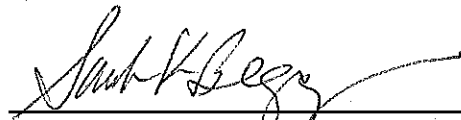
There being no further business, Regent Brown asked for a motion to adjourn: Regent Lee motioned; Regent Henry seconded; all members voted in favor; the meeting adjourned at 2:06 PM.

Approved:



Douglas M. Brown, President

Attest:



Sandra K. Begay, Secretary/Treasurer

ATTACHMENT A attachment to the minutes of the Oct.21, 2020 Board of Regents



UCAM HAS WORKED WITH SEVERAL
ROUNDS OF MODIFICATIONS. THESE ARE
THE MOST FUNCTIONAL

Given alteration from original design, Regents may wish
to decide which of these modifications they would
prefer.