

**NORTHERN NEW MEXICO COLLEGE  
BOARD OF REGENTS REGULAR MEETING  
FEBRUARY 26, 2018**

**I. CALL TO ORDER**

A regular meeting of the Board of Regents of Northern New Mexico College was held on Monday, February 26, 2018, in the Boardroom of Northern New Mexico College, Espanola Campus. Regents present: Kevin F. Powers, Damian Martinez, D. Chris Ortega, Dr. Robert Rhodes (Via Conference Call) and Joshua Martinez. Board President Powers called the meeting to order at 8:37AM.

Northern New Mexico College staff present: President Richard J. Bailey, Jr.; Ricky Bejarano, Interim Vice President for Finance & Administration; Dr. Ivan Lopez Hurtado, Provost & Vice President for Academic Affairs; Chris Trujillo, IT, Alex Williams, Business Office, Senior Financial Analyst, Sandy Krolick, Creative Director, Communications & Marketing, Mohammad Ali Mosawi, Staff Writer/Reporter; Jimi Montoya, Director, IT; Sally Martinez, Executive Assistant to the Provost & Vice President for Academic Affairs; David Lindblom, Creative Director of Canal Seis; Tamara Trujillo, Assessment and Accreditation Coordinator; Ryan Cordova, Athletic Director/Men's Basketball Coach; David Lindblom, Creative Director of Canal Seis; Cheryl James, Grants Manager; Lisa Wilson, Student Success Director; Frank Orona, Director, Admissions & Recruitment/Veterans Resource Center; Donna Castro, Director, Human Resources; Carmella Sanchez, Director, Institutional Research; Zeke Parra, Grant Writer; and Amy Pena, Executive Assistant to the President and Board Secretary.

Faculty Present: Joaquin Gallegos, Dr. Lori Baca, Dr. Mario Izaguirre Sierra, Veronica O'Halloran, Dr. Ashis Nandy, Dr. Anna X. Gutierrez-Sisneros,

Others present: Bob Trapp, Rio Grande Sun, Jake Arnold, Tim Crone, Scott Griffith, Karen Kilgore, Esq.

**II. APPROVAL OF AGENDA**

**Regent Damian Martinez moved to approve the final Agenda as published. Second – Regent Joshua Martinez. Motion passed unanimously.**

**III. COMMENTS FROM THE BOARD**

Board President Powers thanked everyone for attending the Board of Regents Meeting and informed Dr. Rhodes it is a full house.

**A. Introduction of New Regents**

Board President Powers stated it has been about two months since the last Regents meeting and in that time period Rosario "Chayo" Garcia resigned from the Board of Regents. Living in Las Cruces she has some family obligations so she resigned and the Governor has appointed D. Chris Ortega. Board President Powers has known Chris for 30 years having worked with him in Los Alamos when he was

running the Los Alamos Utility Department and it is a great situation that Regent Ortega was available and willing to serve on the Board of Regents and the Governor appointed him to the position. Board President Powers introduced Regent Ortega and gave him a couple of minutes to discuss what he has done. Regent Ortega is a long time Northern New Mexico family/resident, been in the community actually has donated some weavings to the Gala over the years, his family has been in the area for a long time and Board President Powers remembers going to a number of benefits for the YMCA that Regent Ortega served on the Board and still serves on the Board. Regent Ortega is an active member of the community.

Regent Ortega stated he is originally from Chimayo and went to NMSU with a degree in Chemical Engineering. Regent Ortega moved to Colorado and learned the utility business there and decided he wanted to do more engineering and so he went to work for an engineering company called Sturge Rodgers and did design engineering for a few years but then Denver got too big and he wanted to come back and found a position with Los Alamos County which turned out to be the best move he ever made and he came back to become the Utilities Manager for 16 plus years until he retired. During that period of time there were various projects with PNM and Gas Company of New Mexico. They went out and built two hydroelectric plants one on El Vado Dam and one on Abiquiu Reservoir Dam, they bought into San Juan Generating Station, they bought power out of state, they put all the contracts together to bring power to Los Alamos County and then they served LANL, they became their partner and this happened during his tenure as the manager and then they acquired the water production system from the Department of Energy and reduced the cost of water to the community by about 40% by us operating it versus the government. Regent Ortega stated he had a great career, so many things a young engineer would never know you could get involved with, you open the door for all that. After Regent Ortega retired he was appointed by the County Council to the Board of Public Utilities and they basically are the regulatory agency for the department. So, he became the boss of the manager, he reported to the five member council, Board of Public Utilities and seven member County Council, reversed rolls. Regent Ortega did this for ten years and they did a lot of good things, they went into partnership with a big consortium of Japanese and built 2 megawatts of solar power on the old abandoned land fill and a 1-megawatt batter storage as part of all that and the Japanese paid for the infrastructure, they provided the land and at the end of five years they gave Los Alamos County all the facilities. So now those 2 megawatts belong to the County, there are all kinds of great things happening that Regent Ortega was involved with. Regent Ortega also works with the YMCA as Board President Powers stated, Regent Ortega has been a member of that Board for fifteen years, he was President and is the Treasurer now. When he was President they opened up the Espanola Teen Center and that has been ten years and it is really doing great, it does a lot of good for a lot of kids in the valley. Regent Ortega has also helped build three houses in Espanola for Habitat for Humanity so he has been involved. Regent Ortega likes to help out wherever he can.

Board President Powers thanked Regent Ortega and he stated the College has a little solar project going on. Regent Ortega stated he and President Bailey have already talked about it. Board President Powers stated he is sure Regent Ortega will be keeping an eye on it with great interest and he thinks Regent Ortega's background and expertise will be very much appreciated on the Board of Regent. It is a great fit and Board President Powers stated he appreciated Regent Ortega agreeing to serve on the Board of Regents. Regent Ortega thanked Board President Powers for inviting him.

Board President Powers stated he thinks he needs to say something given the addition of Chris, the Board of Regents is an all-male Board not necessarily by design but circumstances. He is sure the next opportunities that arise for Board openings, whatever Governor is in power at that time will be looking at those positions and hopefully some women will be on the governing body. Board President Powers mentioned this to someone and they said it may be all males but a woman appointed them. There are some great women involved in the College at high levels, in fact, some might argue that we have a woman running the College – Amy. Because pretty much everything that gets done around here Amy has a hand in and the Board certainly appreciates this and the Board will do their best to run the College in the best interest of the College.

#### B. Reorganization of the Board of Regents

Board President Powers stated with the addition of Regent Ortega, there needs to be a little reorganization of the Board of Regents. Regent Garcia was the Vice President and this position will need to be filled. Board President Powers stated he would recognize a motion to elect a new Vice President of the Board of Regents and asked for nominations.

**Regent Damian Martinez moved to nominate Regent Rhodes for position of Vice of Board of Regents. Regent Joshua Martinez stated he would like to nominate Regent Ortega as Vice President of the Board of Regents.**

Board President Powers stated there is a first nomination of Regent Rhodes and it was seconded by Regent Ortega. Board President Powers stated there is a motion and second to elect Regent Rhodes as Vice President. Board President Powers asked for further comment or comments from Regent Rhodes. Regent Rhodes stated that this just proves if you are not at the meeting you get elected. Board President Powers stated Regent Rhodes would make an excellent Vice President and he certainly has the background in education and has been involved with education at the State level at a number of different institutions. Board President Powers asked for further discussion and asked for a vote.

**Board President asked for all those in favor of the motion to elect Regent Rhodes as Vice President. Board President stated on a vote of 4-0 with Regent Rhodes abstaining, Regent Rhodes is the Vice President of the Board of Regents.**

#### C. Board of Regents Committees

Board President Powers stated the Board of Regents currently has three committees, three standing committees, two Board Members on each committee. The Audit/Finance/Facilities Committee is Board President Powers and Regent Damian Martinez, the Academic/Student Affairs Committee is Regent Rhodes and Regent Joshua Martinez, the Executive Committee was Board President Powers and Regent Garcia and Board President Powers stated the Audit/Finance/Facilities Committee and Academic/Student Affairs Committee seem to be operating well now as constituted so he would prefer not to do anything there to change the membership of those committees and he would like to recommend that Regent Ortega become a member of the Executive Committee with Board President Powers. The Board of Regents may be doing some work to amend the charter of those committees in

the coming months so there may be some movement in terms of what the Board of Regents does at each of those committees but as of right now this would be the best way to handle it with the least amount of shuffling. Board President Powers asked if action was needed and he stated the Board of Regents needs to approve the Committee assignments.

**Board President Powers moved to assign members of the Board of Regents to each committee as discussed. Second – Regent Damian Martinez. Motion passed unanimously. Motion carried 5-0**

#### D. Board of Regents Meeting Dates

Board President Powers stated the hardest part of the Agenda would be a date for future Board of Regents meetings. The Board of Regents has discussed this at meetings and the Board of Regents has been meeting the fourth Monday of the month and Board President Powers stated there are a number of reasons but this was to accommodate the folks that travel they can travel Sunday afternoon and return Monday afternoon and do it with the least amount of disruption. Board President Powers asked if there is any reason any Board Member cannot make the Monday morning meetings. Regent Martinez asked if the fourth week works for staff. Mr. Bejarano stated as long it is not too close to the beginning of the month. Regent Joshua Martinez stated one of his challenges for Monday would be his classes which start at 9:30AM. Board President Powers asked if this meeting could start at 8:00AM instead of 8:30AM. Board President Powers stated if it was moved to 8:00AM it would give the Board of Regents an hour and a half. President Bailey stated perhaps for action required those items could be moved to the beginning of the Agenda. Regent Damian Martinez stated perhaps if there is a heavy agenda, he is fine with moving the meeting. Regent Joshua Martinez stated on Tuesday and Thursday his classes start at 12:30PM. Board President Powers stated the other option was Friday. Regent Joshua Martinez stated on Friday he goes to Los Alamos for his internship Regent Damian Martinez stated there is only two more months in the semester and asked Regent Joshua Martinez when he graduates. Regent Joshua Martinez stated Associates this year and Bachelor's in a year and half. Regent Damian Martinez stated this will only be an issue for the next couple of months.

Board President Powers stated if it works for everyone, the meeting will be moved to 8:00AM and the Board will review the Agenda prior to the meeting and if it looks like the meeting will take more than an 1 ½ hour the Board will look at moving it to another date but it will be Monday at 8:00AM. The next meeting will be at 8:00AM, March 26, 2018.

Regent Damian Martinez asked if the April Meeting will be the 23<sup>rd</sup>. Regent Damian Martinez will not be able to attend the April meeting because he has a 7-day trial. Board President Powers stated the April meeting will take place on the 24<sup>th</sup> at 8:00AM.

Board President Powers stated the meeting will be at 8:00AM on March 26 and 8:00AM on April 24. President Bailey would like to put on the Agenda for the April meeting to consider holding the meeting on the campus in El Rito.

Regent Damian Martinez would like the May meeting the week of graduation. May 12<sup>th</sup> is commencement, the Board of Regents meeting will take place Friday, May 11, 2018. Board President Powers stated it would not have to be first thing in the morning. The Board Meeting would take place take place Friday afternoon. Regent Damian Martinez asked if the Board Meeting could take place on Thursday. President Bailey stated if the Board Meeting was done on Thursday afternoon, then HEP and Nurses Pinning on Friday. Board President Powers stated the meeting will take place, Thursday, May 10, 2018 at 1:00PM in El Rito.

Board President Powers stated he would entertaining a motion to set the Board Meeting dates as follows:

8:00AM – March 26, 2018  
8:00AM – April 24, 2018  
1:00PM – May 10, 2018 in El Rito

**Regent Ortega moved to approve the Board of Regents Meeting dates as discussed. Second by Regent Rhodes. Motion passed unanimously.**

Regent Damian Martinez asked when Regent Joshua Martinez registers for the fall. Regent Joshua Martinez stated he would register by April 10. Regent Damian Martinez stated the dates for the Board of Regents Meetings should be revisited in May after Regent Joshua Martinez prepares his class schedule.

#### E. HERC Update

Board President stated HERC met during legislative session and it was quite a meeting. For the first time, they met in conjunction with the Council of University Presidents (CUP). The Regents and the Presidents group met to discuss issues that affect Higher Education and to talk about what can be done to better serve the students of the State. It was a highly productive meeting and there is a new spirit of cooperation between the two groups and Board President Powers believes they are going to attempt to do some combined training and education with the CUP group when CUP has its annual retreat in July. It was a great meeting, they are making great progress working through issues. This meeting actually coincided with the legislative session and they did some work on the legislative issues that affected everyone including the Lottery Scholarship. It was a good meeting and they look forward to hearing what the President has to say from the CUP perspective.

#### IV. APPROVAL OF MINUTES

**Board President Powers entertained a motion to approve the minutes. Regent Joshua Martinez moved to approve the minutes as submitted. Second – Regent Damian Martinez. Motion passed unanimously. Regent Ortega abstained because he was not in attendance at the meeting.**

#### V. STUDENT SENATE PRESIDENT'S REPORT

None.

## **VI. FACULTY SENATE REPORT**

None.

## **VII. PRESIDENT'S REPORT AND ANNOUNCEMENT**

### **A. Celebrate Northern**

President Bailey stated there are some great things to celebrate:

1. President Bailey stated he would like to echo the sentiments of the Board President. The administration of NNMC is all males as well. He thinks the way forward is to encourage strong female voices as part of this dialogue and the Board of Regents and the College welcome it. There are some very strong female deans and directors who are not shy about telling him what he should be doing. The more there are strong, robust female voices, it is better for the College. Both the Board of Regents and the Administration are very sensitive to it and understand how important it is.
2. After the events in Parkland Florida, this is latest of unspeakable tragedies. No faculty, staff or student should ever feel or have to live work and learn where there is a fear of any violence. There is a National School Walkout on March 17<sup>th</sup> for 17 minutes to come forward for prayer, reflection and meditation to honor victims of Parkland, Sandy Hook and Columbine. President Bailey has asked Frank Orona find a time when everyone can meet in the Rotunda to do something similar after Spring Break. The College has policies in place for active shooter and not everyone is aware and ready for it. The College is going to have to do some drills and be ready for this. It is unfortunate but it is the world we live in. Regent Damian Martinez stated an active shooter drill was done at Highlands with the police department and asked if the College could reach out to the local police, city and state department to work with the College on this. A College situation is probably better than maybe an elementary. He asked that President Bailey speak with the other police departments to get involved with this drill. President Bailey stated he has a meeting with the Espanola Police Chief to lay this out and they are very interested and he imagines the County Sheriff would like to be involved. President Bailey stated he would like to echo the words of Karen Petersen, "Faculty member, students have the right to teach, work and learn in an environment free from gun violence of any kind." This is the College's mantra for this, so let us fight to embrace that future.

Board President Powers stated during the legislative session, the legislature passed a piece of legislation that helped public schools address security infrastructure issues, he believes it is \$10M a year for the next four years through the PSCOC. Board President Powers believe it is with the Governor's office for signature, he does not know if there is a program like that for higher education but if there are things that need to be done from a facilities standpoint to secure the campus, the College should relay this to HED to see if the College can get some help to address those issues. Now may be the time, if there is a time that these issues have been elevated in everybody's mind, maybe there is something the College can do. President Bailey stated the General Obligation Bond had something to do with safety and security so there is money, part of this is being used for an alarm system but the time is right for the College as an institution to do more of this.

3. UNM Students – There are some UNM Architecture Students who have been working with Espanola City Planners. They are looking at Espanola on the City Comprehensive planning way and are working on design initiatives. What is also important is they are working on the housing issue which is not only College but also City. President Bailey will share this near the end of the semester. They are also helping the College and City address the housing issue.
4. Work continues on the El Rito Campus. The College is moving forward to getting equipment for the revitalization of the telescope.
5. NNMC hosted Kit Carson's Board Meeting last week and they are now interested in perhaps moving to a 1.5-megawatt system instead of a 1 megawatt system which would be more revenue for the College in terms of the land use.
6. Stephanie Amadeo Marquez, Chairperson for Humanities and Social Science was invited to participate in a project for the Department of Homeland Security Meeting.
7. Members from the US DOE met with the College to help with Title IV. President Bailey thanked Jacob Pacheco and all staff in Financial Aid. It was very productive meeting and they gave the College some recommendations to help the processes moving forward.
8. When President Bailey first arrived in fall of 2016 there were a lot of strained relationships with local farmers and this is not to point blame to anyone before. The College fought hard to bring those agencies back to the College and there was a meeting a few weeks ago and everyone showed up. President Bailey is happy to report that La Cosecha is back on campus using the cold storage as a central point to sell organic produce to the local school systems. President Bailey thanked Joaquin Gallegos for his leadership and the College is excited about that development.
9. Over the weekend the men's basketball team participated in the Aii conference tournament. The quarter final game was broadcast in the gym over the weekend. The team progressed to the semifinals and fell to the top seeded team. President Bailey congratulated to Ryan Cordova for their success at the tournament.
10. President Bailey stated there was a short documentary film co-directed by NNMC students called "She Did It Her Way" and it was chosen for the Santa Fe Film Festival. President Bailey stated as someone outside the realm of FDMA and the film world, this is a big deal. They did not shop the film festival; the film festival came to them. Kudos to the students and David Lindblom for this.
11. During the legislative session there was an SBDC event and they celebrate star clients around the State. NNMC's SBDC won five State awards including job creator of the year and SBDC center of the year.
12. Students held a Winter Ball – faculty, staff and students were all there. It was really well done.
13. Congratulations to Jessie Atkinson and Charles Knight who developed some sculptures and they have just been requested to be placed at the Harvard Museum. They will let the College know when those are in place at the center.
14. Dr. Ricoy got notice from the Grass Foundation to receive 300,000 in equipment from the Einstein College of Medicine.
15. NNMC was on the front page of the Santa Fe New Mexican for the movie Black Panther. The College bought out a theatre at the local cinema as a part of Black History Month. It was a wonderful event and kudos to Dr. Patricia Trujillo.

## **B. Energy Audit**

President Bailey stated discussions have been held regarding what the Energy Audit can do for the College. The concept is that these companies that have already been vetted through the Energy Minerals and Natural Resource Department look at both campuses, they look at utility usage and determine infrastructure improvements that can drive down utility costs and they guarantee savings based on those infrastructure improvements and those savings end up going back over time to pay back the loan in a partnership with a financial institution. President Bailey wanted to recognize Scott Griffith who was in attendance at the Board Meeting who is with Year Out. Year Out was one of the companies vying for the bid and they are doing some good work with Rio Arriba County. The College sent out a questionnaire to the companies, things that facilities staff had questions on and rated them and then had the top four companies come for interviews. At the end of all of it, the company that rated highest both in the written responses and interview session is a company called Ameresco. They did some work with NMSU and what was given to the Board of Regents was examples of what they have done and the concept. President Bailey stated the College is asking for approval to move forward with the investment grade audit, the fees for that will be built into the energy audit infrastructure improvement, the College is not out of pocket to do it, the only way the College will come out of pocket is if after the IGA the College decides not to do any infrastructure improvements at all which President Bailey stated is highly doubtful.

Chris Ortega asked who interviewed the finalists. President Bailey stated the following participated: President Bailey, Vice President for Finance & Administration Ricky Bejarano, Director of Facilities Andy Romero and key members of facilities staff.

Board President stated a quick point of information, this is a program that is administered through the New Mexico Energy, Minerals and Natural Resources Department. They have done a lot of work on the structure of these agreements and the structure of the borrowings and paybacks. The guarantee mechanism in terms of how they actually work. The College is kind of doing, there has been a lot of there have been a lot of trailblazers to do this so the College is not the first to do this. Board President asked the Board of Regents for comments or questions about the process or the recommendation to the Board of Regents for this agreement. The Board of Regents is basically approving Ameresco to conduct the investment grade audit both on the Espanola Campus and El Rito Campus and the Board of Regents is not agreeing to go forward with an actual agreement to do any upgrades at this point, they are just doing the audit to see what can be done and what the estimate of what projects would be and the savings that would generate with those improvements. President Bailey stated if the Board of Regents gives approval, the IGA will be done in the next 2-3 months. President Bailey will come to the Board of Regents with recommendations, timing and payback on timing and savings and costs. Before anything is done the Board of Regents will approve. Board President Powers asked if there were a lot of good candidates the College could pay back the agreement in a shorter time. President Bailey stated it also depends on the scope of the projects. Because of the College's financial position, the College will be conservative of what it does, it will not be used to open a dorm, it will be used to see how the College uses utilities and energy and drive those costs down and put the College on a



fiscally sound footing. Board President Powers stated these times of improvements are lighting, water conservation, etc. President Bailey stated there are two different goals. The goal in Espanola is to drive utilities down so day to day operations are more affordable which frees the College to spend money where it needs to spend money. In El Rito driving those costs down then opens the doors to restarting educational programs to reopen the College.

Regent Rhodes asked if what President Bailey is saying the College will be offered somewhat of a cafeteria plan and the College would be able to accept what is feasible. President Bailey stated the Board of Regents will be presented with all the options on the table and give a recommendation on the time of the payback and where the most savings can be earned and what will be best for the College.

**Regent Rhodes moved to go forward with the Investment Grade Audit on both campuses conducted by Ameresco. Second - Chris Ortega. Motion passed unanimously.**

Regent Ortega stated he has experienced some of these before and you do find ways to save significant money, you have to invest money but the pay back is pretty quick. It is a good thing. Board President Powers stated the actually borrowing on this, it would not be a College borrowing it would be EMNR who would borrow and it would be at a favorable interest rate. All savings would be guaranteed and there would not be any exposure if the College should so desire to do the project.

### C. Legislative Update

President Bailey stated when he remembers meeting with the Rio Grande Sun at the start of the session and at the start of the session based on the outlook and recommendations given from DFA and LFC, the College was looking at another \$250,000 cut over FY18 levels, which was problematic for the College, no question. The legislative session continued to progress in this institutions favor, every day in that legislature, people fought for the College, the word got out, people understood how important this institution was not only to the community but to the state and there was a lot of good news to share. President Bailey stated Ricky Bejarano, Julianna Barbee, Ivan Lopez, Ryan Cordova, Terry Mulert, Sandy Krolick, Mohammad Ali, without any of these people the College would not have had the successful session the College did. President Bailey also gave kudos to Board President Powers. One of the things he said at the beginning of the session is the College should find a way to capture the best things about this College and get that word out to state legislators. This led to a highlight sheet and the idea is that state legislators have 20 seconds to think about this College and what in those twenty seconds do we want to tell them. Sandy and Mohammad Ali put a document together (attached) and they were all good news stories. President Bailey and Ricky Bejarano snuck down and put one in every legislator's mailbox at the round house. Representative Carl Trujillo fought for the College for Capital Outlay. Representative Salazar fought to add money to the base budget, the only College in the State that got that. Senator Richard Martinez who stood up and fought for RPSF for Athletics because it was completely unfair compared to what the other Colleges were getting. President Bailey stated nothing is official until the Governor signs the budget and she has until the first week of March to do so but without question the College is in a far better position than it was at the start of the session. The College is in a position where it is asking for lists of what departments want more if there is additional money. The College is having discussions with the union and the College is sensitive to the fact that it has been a long time since people have had raises. These are all things that are on the table and they are on the table because the State has confidence in this

College and this institution. With that comes great responsibility because the College needs to make sure it is doing all the cleanup that the College is doing on the business side of the house and the College is very thoughtful with taxpayer money and take these things the College is celebrating and continue to thrive. The lesson learned from the session is the College is done playing defense and the College needs to be on offense and share good news stories because faculty, staff and students are doing things that are absolutely remarkable and worth this State noticing. This is our goal moving forward.

Board President Powers stated the sheets put together for the legislature were outstanding and Sandy and Mohammad Ali deserve a big round of applause, they were just what was needed. Board President Powers has been around the legislature a good bit of his history in the State and he really started to hear a lot of positive comments this year about the College and that is not what was heard in the past. We not only heard positive comments out of their mouths but got positive results from their work. Board President Powers stated his hat is off to the work, the College does not have the masses that ascend on the legislature or the lobbyists but the folks doing it were doing so effectively and it shows.

President Bailey thanked Board President Powers and stated the College also as an institution has to continue to fight for ways so they are not so dependent on State funding. As soon as Regent Ortega joined the Board of Regents, he formulated the idea that the land in El Vado, can the College become energy wholesalers, can the College look at ways to generate revenue outside the State. The College is looking at student businesses, manufacturing things with EMNRD. The College is always going to want and be dependent on State Funding but let's find other sources of revenue and diversify our economy.

#### D. CUP Report

President Bailey stated the CUP was pretty strong in this legislative session. President Bailey stated on a personal note, there was one event the group when they were not speaking as one. The CUP is strongest when all seven institutions are speaking as one voice. With Chancellor Carruthers stepping down and new President at UNM, the dynamics are changing and the organization has to fight hard work together because that is when they are strongest.

#### E. Foundation Update

President Bailey stated the last time the College met discussion was held regarding the Gala. Terry Mulert apologized for not being at the Board Meeting but he had funeral services to attend. The finances of the Foundation are strong and the fundraising is on track to beat the record and November 10th is the date for the Gala.

#### F. Policy on Policies

President Bailey stated a lot of changes have been made at the College and in order to fix it, the process improvements that are made have to be done in the policy. President Bailey presented Amended Policy 1100 which is the Policy on Policies and it is the policy that allows the College to make recommendations and changes. The old version was also provided to the Board of Regents (attached).

One change which is a good one that the review time has been moved from 30 to 15 days. They are posted on the website and there is plenty of time for those reviews. The College is looking for approval to begin those reviews.

Board President Powers would like a two-minute-high level fly over of the changes made for the Board of Regents as well as the audience. President Bailey asked Donna Castro, Director of Human Resources to address this. Ms. Castro stated the main change is that before there was a Policy Committee and it was a standing committee and people would send policy revisions and this committee was responsible for working on the policy and disseminating them. The changes that the College is making is the director that is responsible for the policies in their area, they would put a group together of the subject matter experts. The major change is that every policy committee will change depending on what policy the College is going to look at. Regent Damian Martinez asked if this is going to be done with all policies. When Regent Damian Martinez was first on the Board of Regents they put a policy in front of the Board of Regents that never got legal review. Regent Damian Martinez asked if everything was going to be revamped. President Bailey stated yes. Regent Ortega asked if legal review is done before it goes to the Board of Regents. Ms. Castro stated it will actually get legal review before it is sent out to the employees for comment. Then based on those comments, the College will sit down with the Executive Committee to see if they want to incorporate any of these changes.

Board President Powers stated this is the first step in that direction of going through and redoing everything. Board President Powers is hoping to get this accomplished this year. Regent Damian Martinez asked if there is a timeline. President Bailey stated he does not want to force it, it is probably a year and a half, that would be his guess. There are policies that are more than a decade old the College is doing things that are so completely inconsistent and they need to be revamped. Regent Damian Martinez asked if a review could be done to see which ones need to be done first and based on that you do a roll out on how it is going to be done rather than go about it willy nilly, the College figures out how it is going to be rolled out. President Bailey stated the College will put together a recommended order of priority. Obviously, no matter what this is the first one. Board President Powers stated it would be great to have this at the next meeting.

**Regent Ortega moved to approve to amend policy 1100. Second – Regent Damian Martinez. Motion passed unanimously.**

Regent Rhodes stated one of the things he loves in looking it over is obviously a lot of policies need to be reviewed and changed. He likes the ability to make minor changes without it being a big policy. Regent Rhodes in reviewing the draft versus the existing document, it is a little more readable and understandable. Sometimes they get wound up in legalities and he likes where the College is headed just in the language. It is going to be a major boost to do things at the College. It is a good deal and it needs to be done right. Board President Powers stated it has been a bit of a challenge to how it is done and along with cleaning up the policy side of the house and cleaning up the policy side of the house. If they can be accomplished in the near future it will be great.

## VIII. STAFF REPORTS

### A. Vice President for Finance & Administration

#### 1. Audit(s) Update

Ricky Bejarano stated the forensic review is finally coming to a close and that is months later and over \$100,000 spent in the interest of transparency the College has gotten some good information from the forensic reviewers including the recommendation report and some will require staff changes and it is now issued and available for public consumption. The College has a very healthy fund balance but with the forensic review it is going to be costly to implement the changes and Mr. Bejarano wanted to warn the Board ahead of time.

Mr. Bejarano stated the College is also on the tail end of the forensic review and REDW is doing the regular audit. The reality is Mr. Bejarano does not believe this institution has not been thoroughly audited in approximately least 10 years. There will be additional findings and refining of findings. They are looking at everything and are pulling big samples, in some cases over 100. The findings will be different and some will be collapsed from last year. There will be others as well and one of the things discovered is that some areas have not been audited, for example Title IV and the Foundation is being audited to a greater extent than in the past. Mr. Bejarano wanted to alert the Board of Regents on this.

Board President Powers thanked Mr. Bejarano and Jimi Montoya, IT Director for the Chart provided regarding and it helps to see at a glance what items are present and some require long term work and others more short term. There are a lot of areas completely taken care of which is great. The detail is also very good and allows the Board of Regents to monitor all the work that is being done.

President Bailey stated for the room and Jimi deserves a lot of credit for this. What the College did last year is build a matrix of every finding from last year's audit (37) and the College wanted monthly updates of what the College was doing as an institution to clean things up. Mr. Montoya was able to take what Mr. Bejarano does and make it a visual. What the College is going to do now and it is there are some opportunities and some challenges, the opportunities are that the College has cleaned so many things up now that it sees other things to clean up, the College was not in a position before and the College is not blaming past auditors, but there were a lot of things that were not looked at before and now they are looking at them and now they have the ability to look at them. What the College is going to do for the Board of Regents is to take any of the findings that are repeats and add them to the list. The College will take everything from the forensic audit, a lot of that will be folded into REDW's audit and this will be an ongoing process and everyone gets this from the Board of Regents to HED. There are seventeen of these sent out and the College will make sure it is transparent so everyone knows what it is doing.

Regent Rhodes stated one of the things he heard from those aware of the NNMC situation over the years was how pleased they were with the actions being taken and they are going to point to President Bailey and Mr. Bejarano but they really like where the College is headed because that is not what was heard previously at the legislature. That continues kudos to people who are not necessarily seen or heard from but they are important to the institution.

Mr. Bejarano stated the College is moving to a TQM model process and improvement. The College is getting plenty from both sets of auditors to improve the policies and processes. In terms of policies, what the auditors are finding, is the policies may not contradict, they muddy them up. Usually you have for example the procurement code and institutional policy and procedures and it gets cleaned up as it goes along and it gets more specific as how you want to act as an institution and then very specific procedurally. They are saying it is the other way around. They are saying the policies are muddying up the waters as it is the other way around. Once they are cleaned up and institute the procedures, it is an automatic cleanup. The Board of Regents will also see policy clean up when it comes to the financials.

Board President Powers stated Mr. Bejarano mentioned that the College has a fairly healthy fund balance but a lot of these issues being uncovered are going to probably require money to fix. Not just one-time money but recurring money. Mr. Bejarano stated this is correct. Board President Powers stated from his perspective, the budget process is going to be one of the more detailed critical budget processes the College has had in the last five years because the College pretty much has to start from scratch in a lot of areas, not just academic areas but in the business areas, the College has to look at every position and rebuild with the knowledge that the College has gained from the audit reports that have been quite detailed and helpful.

President Bailey stated the College had a budget workshop a few weeks ago in a couple of key areas. There were some good things that came out of it and some bad things that came out of it and President Bailey will take responsibility for it. What the College needs to do is if you take money from them this is how you can benefit from it. The College needs to really change that mindset and really thing about how it works together to solve some of these problems. On the academic side there was a budget retreat about a week and a half ago but what has not been done, is it has not been done on the staff side of the house or direct reports to the President. On March 9th President Bailey will host a small workshop for the staff and direct reports side of the house to do a lot of the things Dr. Lopez did on the academic side of the house. The College will then be armed to set up an institution wide workshop with the Board of Regents and the more it can be refined, the more that time will be useful when the College meets with the Board of Regents. The clock is ticking, the budget has to be approved by May 1, the College expects the Governor hopefully to sign the budget in the next ten days so the College needs to get its act together and start to crystalize a recommendation for the budget. Mr. Bejarano stated along those lines, in those discussions with USDE, the College is working with their post audit group very closely and Mr. Bejarano will have to report to them sometime today. The McCard recommendations, the forensic reviewers, those are non-negotiable. Sometimes you can delay, the McCard review recommendations are nonnegotiable or the College will be in trouble with the Department of Education and probably HED and the College may have some play on whatever spits out on the REDW audit. Essentially what Mr. Bejarano has asked REDW to do is collapse as many of the McCard findings into the regular audit findings and maybe expound on them but not create new findings based on the McCard.

2. Fiscal Watch
3. Monthly Budget Adjustment Requests

The Fiscal Watch Report is a requirement of the oversight agencies and it gives the College some good financial statements. This is not the forum to go into detail but if the new Board Members would like a one on one, staff can do so. Regent Damian Martinez asked for highlights. Mr. Bejarano stated the College has a very healthy fund balance right now that the College will start using. The College started with a healthier fund balance than anticipated in the last fiscal year. Those two factors have helped but not filling positions is not sustainable. On the business side, the College was waiting for the Forensic Review to needed to be done. Regent Damian Martinez asked if it is in Mr. Bejarano's department and he said yes and staff at a higher level will need to be added. The College may have to expend on intensive training for Banner. It is on an Oracle database. For this kind of thing, before implementation there should have been a baseline Oracle training and now this is happening and there will then be an area by area changing. The other thing you do in the institutions Mr. Bejarano has worked with is you start having champions, you would have for example the general ledger champion and that person for all intents and purposes owns the general ledger and works closely with IT on the functional side. You have an accounts receivable champion, accounts payable champion, procurement champion. The College needs a lot of work on procurement but it will get there. One of the things the McCard review pointed out is that the College is not at all even at base line functionally with the system and the College is also not utilizing the system to the extent that it can help as an institution. It is a very powerful system, it is a proven system because it has been around forever. Like a lot of institutions, it was not a good implementation and the College is at a reimplementation place. This might be costly. The training will be costly. One of the McCard recommendations is a full-blown security review by position. Ex., whatever access Mr. Bejarano has to be reviewed to see if it appropriate and that is on an individual basis for all users. Most of the staff and faculty use Banner.

Regent Martinez asked if this so that no one person has the keys to the financial kingdom. Mr. Bejarano stated so that what happened does not happen again or at least the College has put enough in place that it would be difficult, the idea behind internal controls is you have enough people involved. Government intentionally is insufficient because it is not our money so when people complain about having two or three signatures on a piece of paper to get something done. That is intentional because it would take those two, three, four or five people in cahoots to steal money. That was not our situation before where one person could have access to everything.

Regent Ortega asked what the difference is between the blue highlight and the yellow documents. Mr. Bejarano stated the yellow is the current budgetary. Board President stated the yellow takes into account all the BARs that have been submitted to HED. Mr. Bejarano stated he will add the BARs are down to 113 and last year at this time they were at least double. One of the things that is likely to change and it is recommended in one of the reports, the College budgets at the line item level and most institutions budget at the category. This is what creates all the budget adjustments.

Board President stated both months of financial statements were reviewed at the Audit Finance Facilities Committees.

**Regent Damian Martinez moved for approval of January and February Fiscal Watch Reports and BARs. Second – Regent Rhodes. Motion passed unanimously.** Board President asked to finish the BARs before taking a break. Regent Damian Martinez stated this was done in the motion.

Board President asked that the Board of Regents take a break before moving on to the Provost & Vice President for Academic Affairs Report. **The Board of Regents recessed at 10:08 AM and returned at 10:30AM.**

B. Provost & Vice President for Academic Affairs

1. Consideration for Tenure

Dr. Ivan Lopez Hurtado, Provost and Vice President for Academic Affairs thanked the Board of Regents for this opportunity because for him this is the first time he has had the opportunity to make this recommendation. There are two star faculty members at the Board meeting, Dr. Mario Izaguirre Sierra and Dr. Ashis Nandy and Dr. Lopez stated his recommendation today after their dossier for tenure has been reviewed by the tenure council, the Provost and the President, Dr. Lopez is delighted to recommend that the Board of Regents approve their tenure. These individuals have outstanding reviews in the four areas where the College expects faculty to be great: faculty, student advisement, service and scholarly activities. Both of these individuals have done extensive student advisement, they have run programs with the high schools and programs with the College to promote their fields of expertise. They have excellent evaluations from their students and in terms of scholarly activities they have been very active on grants. Each one of these individuals has brought in terms of funding for this institution five, six and even ten times their annual salary. Dr. Lopez stated it is his privilege to recommend them for tenure and he told them to be short but he wanted to give them an opportunity to speak.

Dr. Izaguirre Sierra stated it has been a five-year journey of ups and down. His son was born in New Mexico so there is a lot he has in this land. Since Dr. Izaguirre Sierra was an undergrad and in 2016 he had his first publication with the College so that was great. He is about to submit two other publications with nine other graduates and this is pretty good. Dr. Izaguirre is happy to be at the College and very proud of everything that has happened at this institution under all these people he shares everything with every day. Dr. Izaguirre Sierra was just nominated to receive an excellence in academic award last week. He is very happy to be here.

Dr. Ashis Nandy thanked the Board of Regents for the opportunity to speak to them. He has been at the College for six years now and he believes (inaudible). He is Co-PI with Dr. Lopez on grants, he received a grant for \$300,000. Regarding publications he has been publishing in journals. He has also published in the Journal of Electromechanical (inaudible). He has also published various articles in Southwest Emerging Technology with the University of Texas at El Paso. He has also spoken at the New Mexico Public Education Conference. Unless the Board of Regents has anything else, he would like to thank the Board of Regents.

Board President Powers stated he assumes these tenure requests were heard at the Academic Affairs Committee Level. Dr. Lopez stated they were not discussed. Regent Damian Martinez asked if they were vetted through the faculty. Dr. Lopez stated yes, the only way he submits anything to the Board of Regents is if it is the faculty senate, the tenure council approved these tenures.

President Bailey stated from his vantage point, these two candidates have the full confidence not only of the faculty senate so their peers but their academic leadership, the Provost and the President. The College is honored and blessed to have these two scholars on our team and are worthy of this distinction.

**Regent Damian Martinez moved for tenure for Dr. Sierra and tenure for Dr. Nandy.** Board President stated there is a motion and a second for tenure for both of our distinguished faculty members. Board President asked for any further discussion. No discussion. **Motion passed unanimously.** Board President congratulated Dr. Sierra and Dr. Nandy.

## 2. Academic Calendar

Dr. Lopez presented the Academic Calendar for the next two academic years 2018-2019 and 2019-2020. This calendar was vetted by the Faculty Senate, the Union and Student Services and it went back and forth, dean's council. Dr. Lopez is asking the Board of Regents approve the Academic Calendar. Regent Damian Martinez asked if Veteran's Day is an approved holiday on the Academic Calendar. Dr. Lopez stated it is. Board President asked if this has been run through all the proper channels. Dr. Lopez stated it has and everyone is happy. Board President stated he likes when everyone is happy.

Board President entertained a motion to approve the Academic Calendar. **Regent Chris Ortega moved to approve the Academic Calendar 2018-2019 and 2019-2020 as presented. Second - Regent Damian Martinez. Motion passed unanimously.**

## 3. Report on Tuition Promise

Dr. Lopez presented the document (attached) at the request of President Powers. Dr. Lopez stated he was going to go through the general details on retention rates. Before tuition promise, the College selected some years 2009-2010 and 2011-2012 and what was happening with tuition back then. The retention all those years was around 50's, a little bit above the 50's. You already see when the tuition was increased from the lower division it started going down the following year. Typically, any changes done in tuition, it takes time, it is a social system and elasticity tells the College that students, it takes time for them to find a different place to go. Regent Damian Martinez asked with respect to this 9-13 time frame, is this during the period programs were getting cut at the College. Dr. Lopez stated most of the programs got cut in 2014. Many programs actually started going down after the College increased tuition in 2011-2012 because the College took lower division tuition and matched it with upper division tuition.



Dr. Lopez reviewed figure 1 (attached) and this is where tuition promise was implemented. What the Regents see is in the first year 2015-2016, those students who were on the Tuition Promise, the retention was 75%. Those students who signed tuition promise, one year later, there is 75%. For the cohort that same year that were not in tuition promise, the retention was only 38.5%. The following year, 2016-2017, the students who were on tuition promise, the College retained 58% and from those students who were not on tuition promise, the College retained 48%. Basically, in those two years and that is all the College has in terms of data, the two cases, Tuition Promise has a better retention than the students who did not participate. Dr. Lopez stated he is not claiming Tuition Promise is not what caused this. At this point this is just correlation. There are many variables that the College did not control because this was not settled as an experiment so the College did not have a controlled group. Many variables changed in these years, new programs got national accreditation, there were changes in administration that actually influenced the perception in terms of reputation of the institution and many other things that were not accounted for in this report.

Dr. Lopez stated when these big numbers were seen, the College questioned if there was something else the College can learn. The College started classifying the students by different variables that the College typically uses for other types of analysis. The first is there any influence on GPA, when reviewing the tables (attached), you will see the retention is always higher for the students on the Tuition Promise compared to the ones in the non-Tuition Promise. The same happened the following year. That is not the piece that is important hear. When you read this vertically, this is students that did not participate in Tuition Promise. When you eliminate the rows that have very few students, basically this is telling the College that the retention is always the 40's despite the GPA. That means the College is losing students that are high, medium and low GPA almost at the same level. However, when you pay attention to the column with students participating in Tuition Promise, you are going to see it is growing, that means that Tuition Promise seems to help the College to retain even better those students with very good GPAs which is something the College wants. This is what the College wants, you want to keep the best students here and not going somewhere else. That is a big difference and the same happened in the other years. This is growing if you eliminate the lines that are not significant. This is an observation.

Dr. Lopez stated the College then asked what happens if you classify the students by the number of credits they have earned. This means is the College keeping the students at the better rate when they have many credits earned or very few and when you compare horizontally again, when you go one by one, the College has a better retention when you have tuition promise compared to the ones that did not participate. Again, this is the scenario seen before.

Dr. Lopez stated when you compare vertically, if you see all the non-Tuition Promise, all of them are around the 70's, which means the number of earned credits is not influencing, it is the same. You do not see the trend you see with GPAs.

Regent Damian Martinez asked if all these numbers are degree seeking individuals. Dr. Lopez stated the Board of Regents will see no. However, the College eliminated from this analysis all the dual credit students. Those students, the retention is gone. They are only students coming to the College to take the classes here not as dual credit. The Board will see the distinguishing by undeclared and degree seeking.

Dr. Lopez stated another thing that is important is FTAC, First Time Any College. This is a student who has never been in college. The Board will see when you see students participating in Tuition Promise, it is almost at the same level. It does not really matter if they are FTAC or not FTAC. The difference is only 3%. If they participate in Tuition Promise, it does not matter if they are FTAC or not FTAC. When they do not participate in Tuition Promise, those that are yes FTAC, the retention is way lower so that means that these new FTAC students, if they are not part of this program, the College struggles to retain them. From all the FTACs, 50% are first generation.

Regent Damian Martinez have any information or does the College try to get ahold of these non-returning students to determine why they do not return. Dr. Lopez stated through the phone call campaigns, the College calls every student to see why they are not returning. The College has not seen a pattern, for our community most of the reasons have some type of financial costs. They need to take care of the family because they are single parents or they have to work a double shift or they are not eligible for the Lottery Scholarship. There are many differences.

Dr. Lopez stated by Pell Grant, the College has around 60% of the students eligible for the Pell Grant. When you divide this by non-Pell Grant and recipients of Pell Grant, you will see in general, to participate in the program or not to participate in the program doesn't change anything. What this tells the College is just by being part of Pell Grant is where you see better retention but it does not correlate to the Tuition Promise. You can see the Tuition Promise has higher retention rates.

Dr. Lopez stated unfortunately when you see the numbers of nondegree seeking in the columns (attached), these are the students who participated in the program, you are talking about a hand full of students. It is hard to conclude anything. There is no statistical significance. When you compare Associates and Bachelors it seems the Tuition Promise is working better for those students who are Bachelor seeking students. It is impossible to say something about non-degree. In fact, many of the College's students who are non-degree and those dual credits who the College was discussing before, right now the College has around 270 dual credit students per semester.

Dr. Lopez stated regardless of how you classify the students by these variables, you always see higher retention by tuition promise. Retention rates are higher for participants when the GPA is higher. Credits really do not matter. This is important, nonparticipants are most likely to drop if they are FTAC. Pell Grants have a higher retention than non-recipients but this regardless of Tuition Promise and Bachelor programs have higher retention if they participate in Tuition Promise.

Regent Damian Martinez asked to refresh his memory on retention, when you opt into the Tuition Promise the College guarantees for four years the tuition so why would someone not opt into Tuition Promise. Dr. Lopez stated because there was criteria. They need to sign for 12 credit hours and they need to continue. If they stop for one semester they are not eligible. The College knew some female students felt this was not fair in terms of pregnancy. Regent Damian Martinez asked if this was addressed. Dr. Lopez stated it was not and by the time the College began collective narratives, it was when the Board of Regents decided to stop the program. The College was not doing any serious analysis until Board President requested the analysis.

Regent Damian Martinez stated the Board of Regents can address part of that by going back and looking at Tuition Promise and instead of making it four years, to deal with issues involved like somebody who may be a reservist who gets activated. They could come back and still maintain their Tuition Promise by addressing those things the Board of Regents has seen fall through. Dr. Lopez stated he would argue that in a social system like a College, many times you want to see results immediately. In these types of programs, it takes times before you see progress. Apparently, this makes sense from the beginning but the College has not controlled for other variables for analysis. Economically, how can you see this, Dr. Lopez gave the Board two scenarios. Let's assume that in fact Tuition Promise is the only reason the College is keeping those students, when you compare that tuition difference 38% to 75% and you do the math, only those, the 365 students, when you calculate the difference between those tuition rates, you are talking about 133 extra students. They are not just head counts they are FTEs because you have to have 12 credit hours to participate. If you take that tuition you are losing, this is \$439,000. Let's assume every student pays in cost of attendance to the College Tuition and Fees and that is \$5,000, the College does not collect \$5,000 for every student because between 22 and 18 credit hours, students pay flat tuition. So what Dr. Lopez can tell the Board of Regents in all the student credit hours that are generated in one year, the College only collects tuition for 60% of those Students. First of all, Dual Credit, they do not pay tuition, second, the flat rate is between 12 and 18. Really, the College is not collecting \$5,000 per student, per FTE, it is more around \$3,300. When you do this division in order to collect the number the College is losing, that \$500,000, that means the College has to increase the tuition \$500 per year, that is an 11% increase just to match what the College is losing in retention. This is what Dr. Lopez emphasizes to Deans and Student Services, retention is the key.

Regent Damian Martinez asked if there is another scenario. Dr. Lopez stated it is the same one but now using the second year, where the retention is closer. Even in the second year where the College has 48% to 58%, that amount of money the College is using by those 54 students is \$178,000 per year which means the tuition has to be raised 4.6%.

Dr. Lopez stated in the end this is not conclusive, his academic team will kill him, especially the scientists. It is not conclusive and there is very little data and it is only two years and Dr. Lopez is just showing the Board of Regents many things that have changed, student services, student success center, programmatic intervention, reputation of the institution, accreditation, faculty retention affects these things. Dr. Lopez stated this data suggests that Tuition Promise seems to work but he cannot say.

Regent Damian Martinez asked if the Tuition Promise is currently suspended. Dr. Lopez stated yes for the last three months. Regent Damian Martinez stated the research is not scientifically valid but it passes the sniff test. What he thinks the College should maybe look at as discussed earlier, in the meeting in January, the Board of Regents found out how much each student costs per department and maybe the College put together a team and figure out how to right size the tuition program. Maybe it is 100 and 200 level that stays the same and as looking at different programs, maybe it costs more to be an Engineer, your tuition is "x" or "y." Figure out a way that allows the College to in certain circumstances because the College does not know what is going to happen every year financially, to maybe not say your tuition is going to be flat but gives a little wiggle room as it will not increase more than 2% probably over a four year to anticipate people who want to be in school but they have to drop out a semester because life happens.

President Bailey stated he agrees, that is probably overwhelming but for the purpose of dialogue there are certain criteria to qualify for Tuition Promise, is it fair to say that those factors affect retention as well. The students who do not meet those qualifications are less likely to be retained. Dr. Lopez stated exactly, there is a very strong correlation. It could be exactly the other way around and they are the ones who signed for Tuition Promise, so it could be exactly the other way around.

Regent Damian Martinez stated if you keep it flat for the first two years and it will sound bad but once you get them past their sophomore year, you have your hooks on them. Dr. Lopez stated this is very true not just from the financial point of view. Academically faculty and deans know if the College helps that student survive the first two years, that student will graduate no matter what. The retention is extremely high when they have a couple of academic years. Two years of earned courses, then the College retains them better.

Board President stated he finds this interesting and is glad the College has the data. Board President stated given this information, he does not think it would be a wise thing to scrap the program. The College needs to continue the program in some way. The College needs to do it fairly quickly because it appears to have a positive impact. How does the College move forward and do it, make changes and reimplement it as quickly as possible? Board President asked for suggestions.

Regent Damian Martinez asked if it could be left as is for incoming freshman with the proviso that the College is putting together a study group so this may change a bit. The Tuition Promise may change a bit as it relates to upper level courses. This is where the College will figure out what the Tuition Promise will be. That may be where the College deals with it.

President Bailey stated what the College could do, looking at the next Board of Regents Meeting, is the College could come up with a recommendation for the fall.

Regent Damian Martinez asked who else has Tuition Promise in the State. Board President stated Adams State has something on billboards, guaranteed tuition or tuition guarantee.

Board President stated the Board of Regents needs to figure out how to react to this. Obviously, there is something going on, something positive and rather than loose that impact, the College needs to build and improve on it.

Dr. Lopez thanked Carmella Sanchez for her assistance with this.

## **VII. PUBLIC INPUT**

Jake Arnold stated he would try to not take too long. His comments might be extensive. He knows the Board of Regents has Executive Session to get through. In the past, Mr. Arnold has spoken to the Board of Regents as the representative of La Sociedad Venseslao Jaramillo and on this occasion, he is speaking more as an individual. He has passed his suggestion to the Board of Regents (attached) and most are in favor but the group has taken no position even though his suggestion includes a possible program at the campus in El Rito.

As a background, when Mr. Arnold was doing some investigation on a legal case, Mr. Arnold does investigative work for law firms on occasion, he happened to be in Antonito Colorado when, he was in another life a major tour operator. This was last fall and Mr. Arnold was amazed to see the economic revival in Antonito and it was very apparent that Antonito was benefitting from the Colorado law for the legalization of recreational or social marijuana. That peaked Mr. Arnold's interest as to what might happen in New Mexico and then he saw an insert in the Rio Grande Sun (attached) that was also inserted in all the newspapers in the State by a company that is the number one dispenser of medical marijuana in New Mexico - Ultra Health. The CEO of Ultra Health is Duke Rodriguez, he is formally the Chief Financial Officer at Lovelace and he was also Cabinet Secretary for Human Services under Governor Gary Johnson. Another company that is number three dispenser is called Pure Life, interestingly, a major force behind on their Board of Directors and someone is Darren White, was Secretary of Public Safety under Gary John, he did resign that position after dispute with Governor Johnson over some drug policy but has apparently changed his position on a number of things. Another individual with Pure Life is somebody whose name may come up in Executive Secretary and that is Jason Bowles who is the attorney for Monument who is in litigation with the College. Their suggestion is that the College may want to explore something based on what is going on at least in the Baccalaureate level at the University of California - Davis, viniculture, what NMSU is getting into in distilling and brewing. In fact, NMSU has a new course that has a travelling component, you go at the end of the semester to Britain and Ireland to study their brewing and distilling programs there. Mr. Arnold doesn't know why they are not going to Kentucky and Milwaukee but that is what NMSU decided. Also, one of the bills that Governor vetoed without a message has to do with industrial hemp. This is still in litigation and that legislation was enrolled according to a lower court decision but the State Supreme Court is reviewing it about industrial hemp. Industrial Hemp has the same situation with the federal law that the medical marijuana and recreational marijuana. We now have ten states that are doing recreational or social marijuana principally in the west but two states in the east. If you are looking at medical marijuana you are talking about almost a majority of the states in the United States. UNM has done a fiscal study about the financial impact. Up in Colorado, Senator Corey Gardner, who was opposed to legalization there but after it happened said stay out of Colorado feds and I'm going to go and block every single nominee that the President may oppose if you try to change the Obama policy about the legalized marijuana in Colorado. Mr. Arnold stated he thinks it is time for an academic institution to develop a program of what he would call Cannabis Studies. There are two aspects of the cannabis that are very important to understand the difference, the high CBD content and the high THC content. The CBD is much more for the medical side. The THC is for the recreational side.

Mr. Arnold stated if you take a look at the brochure put out by Ultra Health these folks are serious. They are talking about a new growth facility in Tularosa in anticipation of legalization. Let's just deal with the medical side right now, they have an educational facility where you can take tours, they have a theatre, it is in Bernalillo and called the Emporium. They have weekend programs which get people certified to understand the laws and regulations of the State, very similar to those who serve alcohol. Mr. Arnold stated he could see a cannabis studies program that deals with the industrial hemp which has low or no THC content because there are hemp products in stores across the nation. Historically, hemp was major product in this country for rope, construction materials and he has even seen a study of this that shows the hemp fiber is the best to be used for making adobes. There are all kinds of ways that industrial hemp could be utilized. In Colorado they are growing industrial hemp across the border in Antonito. Mr. Arnold thinks a program in horticulture, there are issues

there, what people need to understand is how the various strains of marijuana are being developed for various purposes. The College does have green houses in El Rito, but there might be an issue about federal funding if it's there. NMSU's horticulture program has given us the marvelous New Mexico Green Chile. There is the history of drug policy and regulations and laws in this country. There is the pharmacology, there is the marketing and regulations. The regulations from state to state are different and the legalization laws from the various states are different. Mr. Arnold can see a significant program perhaps even an AA program in cannabis studies, it could be done in El Rito, that is their real interest, is academic programs in El Rito. It could be done over some of the ideas originally proposed in 2009 when the group got started. Either intensive weekend programs utilizing the dorms or an intensive summer program. The industry needs trained people, it is a reality on the medical side and talking to the executives at Ultra Health they really need some people with some serious academic training in all aspects of cannabis. They are talking across the board, industrial, what may happen with legalization and with medical. It has gotten to be very serious business. In Colorado, a credit union, it was a major study in the New York Times, it has found a way to establish a subsidiary to handle all the cash coming in because many of the banks did not want to handle it thinking that there could be a serious problem. They have gotten around that, one of the problems up there is all the dispensers were walking around with briefcases and bags of cash. Mr. Arnold is proposing this as an idea to explore, some academic institution is going to do this sooner or later, just like distilling, brewing and viniculture. Mr. Arnold stated with that he proposes that the Board of Regents authorize a little exploration and he would be glad to assist. This is an example of how it has become good business and big business in the State of New Mexico.

#### **VIII. EXECUTIVE SESSION**

Board President Powers stated that he would entertained a motion to enter into Executive Session.

**Regent Damian Martinez moved to enter into Executive Session and discuss matters pursuant to NMSA 1978 Section 10-15-1(h) to discuss the matters listed on the Agenda. Second – Regent Ortega. Roll call vote was taken: Regent Damian Martinez – yes, Regent Chris Ortega – yes, Board President – yes. The Board of Regents entered into Executive Session at 11:10AM.**

Board President stated Regent Rhodes would rejoin the meeting as soon as possible.

#### **IX. POSSIBLE ACTION ON EXECUTIVE SESSION**

Board President entertained motion to return from Executive Session and resume regular session.

**Regent Damian Martinez moved to return from Executive Session and stated only the items allowed under NMSA 1978 Section 10-15-1 that were listed on the Agenda were discussed. Second – Regent Ortega. A Roll Call Vote was taken. Regent Damian Martinez – yes, Board President Powers – yes, Regent Ortega – yes. The motion passed unanimously.**

Board President stated he would like to propose the Board of Regents have a special meeting on March 9, 2018, it will be primarily telephonic. Board President may be able to make it in person but the other Board Members will participate telephonically to discuss and take action regarding the CBA for faculty. The reason for having the meeting on that date, that date is clear of the last date for the Governor to take action on the budget and that way the Board of Regents will know what the funding for FY18-19 will be so the Board of Regents will then consider the CBA at that time. Board President stated this would be considered a special meeting and would need a three-day notification. The Board of Regents may add an item or two to the Agenda and Board President Powers will let Ms. Pena know. Board President proposed the meeting time for 11:00AM.

**X. ADJOURNMENT**

**Regent Chris Ortega moved to adjourn. Second – Board President. Motion carried unanimously. The Board of Regents Meeting adjourned at 1:38PM.**

APPROVED:



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Kevin F. Powers, Board President

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Dr. Robert Rhodes, Vice President