

**Minutes of the Regular Meeting of the Board of Regents of the University of New Mexico  
September 12, 2014  
Student Union Building, Ballroom C**

Members present

Jack L. Fortner, President; Conrad D. James, Vice President; Bradley C. Hosmer, Secretary/Treasurer; Heidi Overton; James H. Koch; Suzanne Quillen; J.E. 'Gene' Gallegos

Administration present

Robert G. Frank, President; Paul Roth, Chancellor for Health Sciences; Chaouki Abdallah, Provost and EVP for Academic Affairs; Elsa Cole, University Counsel; Paul Krebs, VP for Athletics; Josephine De Leon, VP Equity and Inclusion; Ava Lovell, Sr. Exec. Officer of Finance and Administration, HSC; Helen Gonzales, Chief Compliance Officer; Eliseo Torres, VP Student Affairs; Michael Dougher, Sr. Vice Provost and VP Research and Economic Development

Regents' Advisors present

Brian Colón, Alumni Association; Carl Alongi, UNM Foundation; Pamela Pyle, Faculty Senate; Rachel Williams, ASUNM; Texanna Martin, GPSA; Bill Miller, Retiree Association; René Delgado-Riley, Staff Council

Presenters in attendance

Bruce Cherrin, Chief Procurement Officer; Andrew Cullen, AVP Planning, Budget & Analysis; Terry Babbitt, AVP Enrollment Management; Chris Vallejos, AVP Institutional Support Services; Ava Lovell, HSC Sr. Exec. Officer of Finance and Administration; Alice Letteney, Exec. Director UNM Valencia

Others in attendance

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

**CONFIRMATION OF PRIOR SPECIAL MEETINGS IN EXECUTIVE SESSION**

The Board of Regents met in closed session on September 12, 2014 from 7:48 to 8:47 AM in the Cherry Silver Room of the Student Union Building for discussion purposes only of limited personnel matters in accordance with Section 10-15-1H(2) of the Open Meetings Act (NMSA). Members present were Jack Fortner, Bradley Hosmer, Heidi Overton, Suzanne Quillen, J.E. 'Gene' Gallegos, James Koch, and Conrad James. The matters discussed were limited only to personnel matters as specified in the Notice of the meeting.

The Board of Regents attended the Health Sciences Center Board of Director's meeting on Friday, September 5, 2014 in the McDavid Lounge of the University Arena, located on the southwest corner of University Blvd. and Avenida Cesar Chavez. The meeting started at 8:15 am. The Regents in attendance were: Regent Fortner, Regent Quillen, Regent Koch, Regent Hosmer, Student Regent Overton and Regent James. Regent Gallegos was unable to attend. The agenda for the meeting included one action item for the HSC Board of Directors' approval and the remainder of the meeting was in closed session for discussion of strategic plans of public hospitals [section 10-15-1H(9) NMSA (1978)], threatened or pending litigation [Section 10-15-1H(7) NMSA (1978)], and limited personnel matters [section 10-15-1H(2) NMSA (1978)]. The matters discussed in the closed session were limited only to those specified in the published agenda.

**CALL TO ORDER, CONFIRMATION OF A QUORUM AND APPROVAL OF THE AGENDA**

Regent President Fortner called the meeting to order at 9:09 AM. A quorum of members was confirmed. The motion to approve the agenda passed unanimously (1<sup>st</sup> Gallegos, 2<sup>nd</sup> Hosmer).

**APPROVAL OF MINUTES**

Regent Fortner asked for a motion to approve the minutes of the prior meeting. The motion to approve the minutes of the August 8, 2014 regular meeting passed unanimously (1<sup>st</sup> James, 2<sup>nd</sup> Gallegos).

**PUBLIC COMMENT** (There was no public comment)

**PRESIDENT'S ADMINISTRATIVE REPORT**

President Frank mentioned the United Way campaign will run October 13 through November 21, and this year UNM will compete with Presbyterian Hospital for most participation.

Then President Frank gave a brief update on this year's incoming freshman class. The notable metrics of this cohort include an average grade point of 3.4, which is a 5% increase; average ACT score of 23, which is a 3% increase; and the number of students with an ACT of 30 or above is up 20%. He attributed the increase in students with high ACT scores to the effectiveness of the Honors College in attracting good students. This is the second year of the 2.5 GPA requirements for admission to UNM, which was a decision made by the Board of Regents 3 years ago. New requirements of New Mexico high schools students are other factors contributing to incoming freshman student success. Seniors are now required to have a fourth math credit in Algebra II or higher, and are required to take an AP, Honors, or Dual Enrollment course.

President Frank discussed the retention rate of students returning for the first semester of their sophomore year, which is currently 79.1%. Two years ago, the retention rate was 74%, so this is a 5% increase. This increase is attributed to a strong team of people and initiatives set in place. The retention rates for various ethnic groups was also addressed.

There was a discussion about predicted values versus actual values for student success among incoming freshmen. Predicted value characteristics include high school GPA, ACT scores, gender, and historical student performance. These characteristics allow for predictions of how students may perform at UNM. Actual values include the results of the work done by faculty and staff and the investments made by the University in the various initiatives geared toward student success. President Frank thanked those who played a critical role in student success at UNM, including the First Year Steering Committee, FOE Participants, Student Success Office, Enrollment Management, University & College Advisement, Student Affairs, CEOP programs, and all of the faculty and staff who are committed to helping students succeed.

The University has seen success with the 6-year graduation rate, which is at 47.5%, up 3.1% from what was projected. There was an increase in degrees awarded over the last three years by 12.5%, which amounted to 193 new graduates. This provides an estimated \$11 million impact to the State. It typically costs the University \$11K per year to educate one student and when that student graduates the average starting salary is around \$40K. Data from IPED's for FY2011-12 estimates tuition and state appropriation revenue per degree granted is \$72,149, but the ideal number for the University would be around \$60K. To achieve a lower cost it is important to graduate more students, be an efficient business and not over costly.

Added later: The Regents wish to note that the gains in undergraduate student achievements cited by President Frank have largely been enabled by strategic investments made for this purpose in recent years.

**Budget Process Discussion**

President Frank and Provost Abdallah addressed the Environmental Scan, an initial step in this year's budget process encouraged by Regent Hosmer. The Environmental Scan is intended to be a resource to stakeholders and decision-makers participating in the budget process and provides background and contextual information, including peer comparisons on key performance indicators. It is intended to be an informational foundation to facilitate discussions on priorities, strategies, trade-offs, and constraints. Provost Abdallah stated there are three items on which the Environmental Scan is focusing: strategic investments in student success initiatives, strategic investment in faculty and staff, and right sizing the University.

Strategic investments in student success was addressed. UNM is one of three universities in the United States that is both a Hispanic Serving Institution and a Very High Research University, which places special challenges and responsibilities for the University. Retention and graduation rates have historically lagged behind peers, but compare more favorably in 3<sup>rd</sup> semester retention. The establishment of the Honors College in 2013-14 has aided the University in many ways to increase graduation and retention rates. The University has also invested \$9 million in student success efforts over the past 3 fiscal years. These have resulted in a positive return on investments as the number of degrees awarded and graduation rates have increased. Key areas of focus include; retention rates, scaling of effective freshman programs, and investing in student success initiatives as described by President Frank in his preceding report. Key challenges will be improving outcomes while maintaining access and finding the effective mix of investments in students, faculty, and staff.

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Regent Fortner stated that investing in faculty is really an investment in the students, which makes it important. Additionally, investments in freshman programming initiatives have been positive for retention rates.

Provost continued that the loss of top faculty negatively affects the University and could also lead to a loss in grant funding and graduate student recruitment. Problems facing UNM are the lack of compensation or retention strategy and insufficient resources. Staff turnover is higher than faculty but remains lower than other universities. There are also compaction and compression issues in many departments. Key questions include funding merit and retention efforts, as well Cost of Living Adjustment and benefits to maintain quality of life for faculty and staff. In addition, identifying discretionary, non-salary, funds for strategic investment is critical to faculty retention.

Regent Koch asked the Provost to identify at-risk faculty members who may be recruited by another university.

Student Regent Overton agreed it is worth investigating at-risk faculty and inquired on how the turnover has stayed relatively low.

President Frank stated the need for a more consistent strategy for compensation, including a Cost of Living Adjustment and a strategic merit pool. There was discussion on compensation increases, how they are allocated to create incentives and also rewards for top performers.

Right sizing the University was the next topic. Historically, UNM has relied on growth in enrollment in traditional freshman to increase revenues; however, the number of high school graduates in New Mexico will remain flat for the next 5 years. The State funding formula has shifted from funding based on enrollment to funding based on outcomes. The future of the Lottery Scholarship also remains uncertain. UNM has increased its competition for traditional and international students and strives to increase quality by targeting appropriate faculty to student ratios as well as a good faculty mix. It is also crucial to maintain student demographics and commitment to access. Key questions include how to gradually transition to this optimal mix, identifying new revenue sources over the next five years, how much can be accomplished through reallocation vs. new revenues, and what is the best way to identify and grow non-traditional revenue sources such as grants and contracts.

Regent Gallegos pointed out that the Results Oriented Management (ROM) process will identify areas that are not efficient or not producing. President Frank stated that the University needs to be a more efficient business and cost reduction is important and must go across the entire enterprise. This is part of the right sizing initiative.

Regent Hosmer stated that he applauds the presentation as an expression of priorities and trade-offs, he encourages the administration to pull together the sources for some of the shifted expenditures. There is not much visibility into the ROM process or its impact and it might help the Regents understand the whole package if the presentation could identify typical examples of actions imposed on the University as a result of decisions made at the operational level that have freed up funding to be reallocated where it matters most. If a summary of sourcing of funds is pulled together, not only would it include the impact of the budget model, it might walk through the net savings to the University as a result.

### **COMMENTS FROM REGENTS**

Regent Koch commented that he had several questions about the budget planning presentation, but he preferred to have the opportunity to ask detail questions at the Regents' Committee level. Regent Koch reminded University leadership to follow the committee system so that time during committee meetings can be utilized for Regents' questions.

### **REGENTS COMMITTEE REPORTS**

#### **FINANCE AND FACILITIES COMMITTEE**

Regent Koch asked Ava Lovell to give the Health Sciences Center financial report. Ms. Lovell referred to the materials submitted to the Regents in the agenda book. Regent Koch inquired as to the ideal number of days of cash on hand for the hospital. Dr. Roth said the benchmark number of days cash on hand for university and public hospitals is 75 days; for private hospitals, it is 150 days. Regent Gallegos inquired

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regarding the plans for this year since Tri-West provided last year a one-time \$39.87 million source of funds. Dr. Roth replied that HSC anticipated this when putting together the budget for this fiscal year. HSC's budget is close to a breakeven budget. Ms. Lovell added that SMRC is on track to have a breakeven year.

Regent Koch said there were 3 consent items on the agenda, but he requested and UNM Valencia agenda item #8 come off so Dr. Letteney could present the item separately for approval. Regent Koch asked for approval of the remaining 2 items on the consent agenda.

Consent Items for approval

3. Disposition of Surplus Property for Main Campus on lists dated 7/31/2014 and 8/22/2014
5. Approval of Appointment to Lobo Energy, Inc. Board of Directors – Jason Strauss

**The motion to approve the consent agenda items, numbers 3 and 5 on the Finance and Facilities Committee agenda, passed unanimously with a quorum of Regents present and voting (1<sup>st</sup> Koch; 2<sup>nd</sup> James).**

Approval of Project – UNM Gallup Campus Utilities Infrastructure and Fire Protection

Chris Vallejos introduced the request for approval of the capital project. The project for the UNM Gallup campus is to update, improve and correct code deficiencies for the delivery of domestic water, fire protection, utilities, and life safety systems. The project has a \$3 million budget with two funding sources: \$2 million from McKinley County bonds and \$1 million from 2012 General Obligation bonds.

**The motion to approve the capital project for UNM Gallup Campus Utilities Infrastructure and Fire Protection passed by unanimous vote with a quorum of Regents present and voting (1<sup>st</sup> Koch; 2<sup>nd</sup> Hosmer).**

Approval of Investment Consultant for the Consolidated Investment Fund

Carl Alongi presented the UNM Foundation's request for approval of the renewal of a consulting agreement with Hewitt EnnisKnupp. The renewal terms are for a 2-year period with an all-inclusive fee of \$250 K per year, which is a 3% inflation adjusted increase year-on-year over the prior three years' fee of \$230 K per year. The extension will commence on October 1, 2014. Regent Quillen inquired about the timing of the \$525 K projected annual savings. Mr. Alongi said it is an annual savings attributed to not utilizing individual managers on the core equity accounts; fees for individual managers are much higher than using index ETF-type funds.

**The motion to approve the extension of UNM Foundations' consulting agreement with Hewitt Ennis Knupp for a 2-year period with the proposed all-inclusive fee of \$250,000 per year passed by a unanimous vote (1<sup>st</sup> Koch; 2<sup>nd</sup> Hosmer).**

Approval of FY14 Year-End Undesignated Reserve Report

Andrew Cullen presented the report for approval. The request is made in conjunction with Regents' Policy, RPM 7.2, reporting on reserves of the University. The reserves are in two parts. This is a report of the central reserve. A more comprehensive report will be brought to the Regents in October. It will include reserves across the University, including administration, academic affairs and the colleges. This report shows FY14 YE reserve at about \$9.5 million, which is just shy of the calculated 3% HED recommended reserve of \$9.9 million. The two drivers for the reserve balance are excess tuition revenue of \$1.2 million. This is above estimated total tuition revenue of \$134 million. On the expenditure side, a reduction of fringe benefit expenditures in the amount of \$220 K. Total fringe benefits were budgeted at \$52.5 million. Next month's report Regents will include a more comprehensive reserve balance.

**The motion to approve the FY 14 Year-end Undesignated Reserve Report passed unanimously (1<sup>st</sup> Koch; 2<sup>nd</sup> Gallegos).**

Approval of Financing Proposal and General Obligation Bond Election in 2015

Alice Letteney presented the request for approval to call for a capital tax levy election for the UNM Valencia campus. It is a renewal of the current capital mil tax levy; the proposal would extend the current

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rate of .85 mills. The election would approve the sale of \$16 million of local general obligation bonds for the purpose of addressing the campus' infrastructure renewal and replacement needs. This for basic projects to protect the infrastructure: heating and ventilation projects, a chilled water system upgrade, mechanical and IT upgrades, site and facility renewal such as flooring, painting and ADA upgrades, install of solar panels and low flow plumbing, and expanded classrooms for popular programs.

**The motion to approve UNM Valencia's financing proposal and general obligation bond election in 2015 passed by unanimous vote (1<sup>st</sup> Koch; 2<sup>nd</sup> Hosmer).**

Banking Services Contract – information item

Bruce Cherrin presented the information. The University solicited proposals for Merchant and Banking Services in November 2013 to keep UNM Main Campus banking processes competitive in terms of cost, administrative efficiencies and customer service. There were 7 respondents out of 25 companies that received a request for proposal; US Bank came out as the highest ranked offerer.

Update on FT16 Budget Process – information item

Andrew Cullen provided a brief overview of the timeline for the budget development process. The next meeting in October will present the 4-year proposed budget outlook.

Regent Koch requested the 4-year flat tuition model be addressed during the budget discussions. He also asked to see the State of New Mexico's economy compared to the economies of the states of UNM's peer universities. He requested an expert from the University discuss this with the Regents. Regent Koch also asked to see the effects of the Lottery Scholarship funds decline as well as the effects of UNM raising entry standards.

ACADEMIC/STUDENT AFFAIRS AND RESEARCH COMMITTEE

Regent Hosmer first requested that information item number 5 be pulled from the agenda. He then asked the Provost for his update. Provost reported that the search for the VP for Research has begun; the goal to have the new VP in place by the beginning of next academic year. The faculty hiring season is in full swing; for this year, the focus is fulfilling the commitments made in previous years. The Chair School, leadership training for faculty member, has started. Regent Gallegos asked about the interim dean in the college of engineering, Dr. Checchi. Provost said there are 3 colleges with interim Deans, the College of Engineering, Anderson School of Management and the College of Public Administration, and there are plans to begin searches for deans in those colleges in about a year's time because there is need for stability at this point and also some reworking of budgets.

2014 Summer Degree Candidates

Pamela Pyle spoke about degree requirements and introduced the list of candidates for approval.

**The motion to approved the 2014 Summer Degree Candidates passed by unanimous vote (1<sup>st</sup> Hosmer; 2<sup>nd</sup> Overton).**

Posthumous Degree – Phillip D. Sisneros

Pamela Pyle introduced the request for approval of the posthumous degree for Phillip D. Sisneros, a student in the Anderson School of Management. The request has passed all of the previous approval steps.

**The motion to approve the Posthumous Degree for Phillip D. Sisneros passed by unanimous vote of the Regents (1<sup>st</sup> Hosmer; 2<sup>nd</sup> Gallegos).**

Enrollment Report – information item

Terry Babbitt provided an up-to-date enrollment report to the Regents. Albuquerque campus first: Fall semester has a 2.64% decline compared to last year Fall semester, Freshmen headcount seeing almost 11% decline and Anderson Graduate School of Management with over 11.5% decline this Fall compared to last Fall. And first time for online courses to see a decrease, around 2%. Total credit hours down 1.5%; primarily lower division but offset by slight increase in graduate hours, one reason due to increased

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enrollment in school of engineering under Dean Checchi. Historical headcounts saw the freshmen class in 2008 at 3,225; this was the beginning of the enrollment boom. In 2010, the freshmen class was the largest in history at 3,600 students. Contraction in enrollment has begun around the country and in the State, but student credit hours are staying high even with decreases in headcount. Dr. Babbitt discussed headcount and student credit hour Fall-to-Fall changes at the branch campuses. Headcount is up at UNM West, Los Alamos and Valencia; student credit hours are up at UNM West and Los Alamos. UNM Gallup headcount and student credit hours down over 10% this Fall compared to last Fall.

Dr. Babbitt discussed retention rate improvement and the efforts addressing retention rate issues. Targeted need-based financial aid has improved retention rates. Demographics is affecting enrollment; in Bernalillo County, there is projected a 4-5% drop in number of high school seniors; a 2% drop statewide. Factors improving enrollment are increased number of international students and increase in transfer students.

● **Regent Koch left the meeting at 11:25 am.**

#### HEALTH SCIENCES BOARD

##### Approval of Appointment of Mr. Donald Leonard to the Sandoval Regional Medical Center, Inc. Board of Directors

Regent Quillen introduced the consent item, the approval of the appointment of Mr. Donald Leonard to the Sandoval Regional Medical Center, Inc. Board of Directors.

**The motion to approve consent agenda item, the appointment of Mr. Donald Leonard to the Sandoval Regional Medical Center, Inc. Board of Directors, passed unanimously with a quorum of Regents present and voting (1<sup>st</sup> Quillen; 2<sup>nd</sup> Overton).**

#### AUDIT COMMITTEE

Regent Gallegos referred to the meeting summary in the agenda book for the August 21, 2014 meeting. The Code of Ethics project for Main Campus is underway, and there might be something for adoption as early as December of this year.

##### Approval of Revisions to Regents' Policies – RPM 1.2 (Structure of the Board of Regents), RPM 7.2 (Internal Auditing and Compliance), RPM 7.3 (Audit and Compliance Committee), and RPM 3.7 (Health Sciences Center Institutional Compliance Program)

Regent Gallegos outlined some of the notable changes. Regents' Policy 1.2 addresses the structure of the Board of Regents and provides for the naming of the Audit and Compliance Committee. It also clarifies that the Board may elect a Vice President, although it is not provided by statute. Regents' Policy 7.2 outlines the independence of the Internal Audit department. Of importance is that with Internal Audit, and to a lesser degree the Compliance Office, the Regents can proactively determine areas that should be investigated and audited. The HSC Compliance Office and officer and the Main Campus Compliance Office and officer both report independently at the Audit and Compliance Committee meetings.

**The motion to approve the revisions to Regents' Policies 1.2, 7.2, 7.3 and title change to Regents' Policy 3.7 passed by unanimous vote with a quorum of Regents present and voting (1<sup>st</sup> Hosmer; 2<sup>nd</sup> Quillen).**

#### COMMENTS FROM ADVISORS

Brian Colón, President, Alumni Association, provided an update to the Board on current initiatives and events with the UNM Alumni Association. The General Obligation Bond is on the ballot for November and the Alumni Association is promoting it as the University stands to receive \$39 million upon its passage. The Alumni Association will be hosting a reception to honor the retiring Legislators on October 8 at the University House. President Colón discussed Howl@125 Homecoming events that will be hosted by the Alumni Association during Homecoming week. Also discussed were the upcoming green chili roasts hosted around the country and the upcoming Lobo Living Room event which in the past has had a lot of participation.

Carl Alongi, President, UNM Foundation, provided an update to the Board on the Changing Worlds 2020 campaign; there have been 60,000 donors contributing \$670 million in the quest to reach \$1 billion by 2020. UNM surpassed its annual fundraising goal for the year of \$80 million with a total of \$87 million. President

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Alongi thanked all those who have worked hard to support this fundraising event and reported that a total of 34,600 gifts have been made to the Foundation. The Foundation has completed its exit conference with KPMG and received an unqualified opinion, no findings or weaknesses in internal control. There is one major gift this year, the Mandelman-Ribak Art Gift, which is a gift of art valued at \$8 million. The Consolidated Investment Fund has increased \$6 million due to the late reporting of some real estate investments.

Renée Delgado-Riley, President, Staff Council, provided an update to the Board on current initiatives and events with Staff Council. The Staff Council has been working on a strategic plan and has updated the vision, mission, goals, and core values. Focus groups seek feedback from staff on how to build morale across all campuses. President Delgado-Riley posts monthly YouTube videos to let everyone know what is going on with Staff Council along with words of appreciation and wisdom. Staff Council is working on re-designing the website to go live in November. Due to situations and conflicts that staff encounter, Staff Council is hosting Ombuds Training to aid in mediation and learn best practices around conflict. UNM is applying for the Carnegie designation as the Community Engagement University as many staff members engage in service to their community. The Gerald May award for staff will be awarded in December and a reception will be held in the SUB.

Pamela Pyle, President, Faculty Senate, provided an update to the Board on current initiatives and events. The Faculty Staff Benefits Committee is working closely with the administration regarding health benefits and looking at data from peer institutions. The Faculty Senate Policy Committee is reviewing all faculty handbook policies to update them and develop a work plan. The Research Allocations committee has doubled the number of submissions from 42 to 90 and the requested funds are now from \$216K to \$676K to gain funding from the administration to support faculty research. Theresa Wilkins, a faculty member from UNM Gallup recently passed away. This sad event has led to the development of a pipeline to provide notifications if these types of events occur. President Pyle commented on compensation for faculty and she is happy to see that they are looking at the Mountain West Region for peer institutions.

Texanna Martin, President, GPSA, provided an update to the Board on current initiatives and events. The Student Fee Review Board (SFRB) process is underway and applications have closed. There will be 3 days of hearings from October 3-5. The application for the Student Regent closes near the end of September. The 'Start By Believing' campaign was initiated by both GPSA and ASUNM and they hope to present information at the Academic/Student Affairs and Research Committee meeting in October. GPSA's fall grants cycle is now open and is offering 3 grants and 1 scholarship, it closes October 3.

Rachel Williams, President, ASUNM, provided an update to the Board on current initiatives and events. A new initiative was developed and it is the ASUNM Joint Council and is an effort to bring together key stakeholders and key constituents on campus, which is an effort to bring together the campus. The Student Fee Review Board is currently in process and the applications will be reviewed by the committee. There will be 3 days of hearings from all of the applicants.

**PUBLIC COMMENT** (there were no comments)

**REQUESTS FOR REVIEW**

**The Board of Regents accepts the requests for review by Complainant and Respondents of the Academic Freedom and Tenure Committee decision of June 23, 2014 regarding March 30, 2014 complaint**

Regent Fortner announced that the Board of Regents had received two requests for the Board to exercise its discretion to conduct a review of the decision of the Academic Freedom and Tenure (AF&T) Committee as to the March 30, 2014 complaint of Dr. Jennifer Rioux. Both request were filed pursuant to Sect.B.6.8. of the Faculty Handbook. In particular, the Board has received and reviewed a copy of the request for review from both the complainant, Dr. Jennifer Rioux, Assistant Professor, and the respondents, which are several senior administrators within the School of Medicine. Fortner asked for a motion from the Board to accept the requests for review.

**The motion to accept the requests for review of the decision of the Academic Freedom and Tenure Committee as to the March 30, 2014 complaint of Dr. Jennifer Rioux was approved by unanimous vote with a quorum of Regents present and voting. (1<sup>st</sup> Gallegos; 2<sup>nd</sup> Hosmer).**

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

**Regent Fortner asked for a motion to close the meeting and move into Executive Session to first discuss the items on the Executive Session agenda and then move to the appeal; Regent James motioned; Student Regent Overton seconded; all were in favor.**

**The meeting closed and proceeded into Executive Session at 12:21 pm.**

Executive Session 12:21 pm. to 2:59 pm. in the Cherry Silver Room of the SUB

1. Discussion and determination where appropriate of the purchase, acquisition or disposal of real property pursuant to Section 10-15-1.H(8), NMSA (1978)
2. Discussion and determination where appropriate of threatened or pending litigation pursuant to Section 10-15-1.H(7), NMSA (1978)
3. Discussion and determination where appropriate of limited personnel matters pursuant to Section 10-15-1.H(2), NMSA (1978)

**BOARD OF REGENTS REVIEW IN CLOSED SESSION – ORAL PRESENTATIONS AS PERTAINING TO THE REVIEW OF THE JUNE 23, 2014 DECISION OF THE ACADEMIC FREEDOM AND TENURE COMMITTEE**

The meeting continued in closed session. At 1:15 pm., the Regents moved across the hall to the Lobo A and B rooms of the Student Union Building to hear oral presentations from the complainant and respondents. Oral presentations ended and Regents' deliberations began at 2:17 pm..

**Regent Fortner asked for a motion to move the meeting into open session; Regent James motioned; Regent Quillen seconded, all were in favor. There was confirmation that only those items listed on the Executive Session agenda were discussed during closed session and there was one item to take action upon in open session. The meeting re-opened at 2:59 pm.**

In open session, Regent President Fortner announced that the Board of Regents had deliberated on arguments presented to it and that a motion was made to return to open session and in open session the Regents were prepared vote on the decision. Regent Fortner called on Regent Gallegos.

**Regent Gallegos: "Yes, Mr. President. I motion to propose the decision of the Board of Regents in this case be as follows: Number 1, the claimant concedes and the Board of Regents concludes that there is no violation of academic freedom in this matter and there has been no procedural violations; Number 2, that Dr. Moseley exercised reasonable professional academic judgment in deciding not to renew the contract of Dr. Rioux, that consideration was not improper; and Number 3, the AF&T decision is reversed and the committee is to proceed in a manner consistent with this decision."**

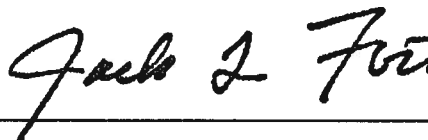
**Regent Hosmer seconded the motion; all were in favor. The motion passed.**

**VOTE TO ADJOURN**

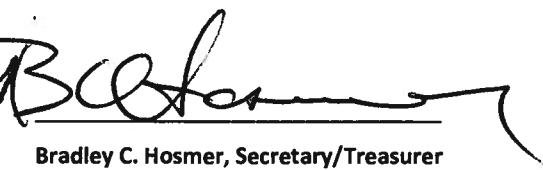
**Regent Fortner asked for a motion to adjourn; Regent Gallegos motioned; Regent Quillen seconded; all were in favor. The meeting adjourned at 3:01 pm.**

Approved:

Attest:



Jack L. Fortner, President



Bradley C. Hosmer, Secretary/Treasurer

Minutes originated by: Mallory Reviere and Sara Gurule

Minutes finalized by: Mallory Reviere