

The University of New Mexico  
Board of Regents' Meeting  
November 15, 2011  
Student Union Building Ballroom C  
Meeting Minutes

Members present: President Jack L. Fortner, Vice President Don L. Chalmers, Secretary Treasurer Carolyn J. Abeita, J.E. "Gene" Gallegos, Bradley C. Hosmer, Jacob P. Wellman (Quorum).

Member unable to attend: James H. Koch.

Administration present: President David J. Schmidly, Executive Vice President David Harris, Chancellor Paul Roth, Interim Provost Chauoki Abdallah, Vice President Josephine De Leon (Equity & Inclusion) Vice President Julia Fulghum (R&D), Vice President Helen Gonzales (Human Resources), Vice President Paul Krebs (Athletics), Vice President Ava Lovell (Controller), Vice President Eliseo Torres (Student Affairs), Interim University Counsel, Lee Peifer.

Regents' Advisors present: President-elect Amy Neel (Faculty Senate), President Mary Clark (Staff Council), President Katie Richardson (GPSA), President Jaymie Roybal (ASUNM), Chair Gary Gordon (UNM Foundation), President Maria Probasco (UNM Parent Association), President Scott Obenshain (UNM Retiree Association).

Regent Fortner called the meeting to order at 9:10 a.m.

**I. Confirmation of a Quorum; Adoption of the Agenda, Regent Fortner**

**Motion to adopt the agenda passed without dissent (1<sup>st</sup> Chalmers, 2<sup>nd</sup> Abeita).**

- **Item VIII. was removed from the agenda.**

**II. Approval of Summarized Minutes of the October 11, 2011 BOR Meeting, Regent Fortner**

**Motion to approve the minutes as written passed without dissent (1<sup>st</sup> Gallegos, 2<sup>nd</sup> Abeita).**

**III. President's Administrative Report, President David Schmidly (report in BOR E-Book)**

President Schmidly noted that, after giving his report, he would be traveling to Santa Fe to appear before the State Board of Finance.

- **The report to the Board of Finance today will be presented to the BOR at their next meeting.**

President Schmidly's report focused on progress made on the Regents' goals for the President.

- **President Schmidly's December report will focus heavily on plans for the development of an Honors College. He will also report on the status of conference realignments and the implications for the Mountain West Conference.**
- **President Schmidly will report to the Audit Committee regarding challenges facing UNM-Gallup.**

Dr. Schmidly recognized the #1 ranked Men's Soccer team and Coach Fishbein.

President Schmidly congratulated the Office of Equity and Inclusion, under the direction of Josie De Leon, on being awarded a four-year, \$600 thousand Lumina Latino Student Success Grant from the Lumina Foundation.

He reported he had met with protesters from the (un)Occupy Albuquerque movement. He commended the UNM Police, and the work of Lee Peifer with the ACLU in working out when the protesters can be on campus. He stated that, along with promoting free speech and assembly, he has a duty to protect the University and its students, faculty and staff.

Regent Chalmers asked about the \$2,000 increase in each student athlete scholarship mandated by the NCAA. President Schmidly said that scholarship amounts had not been addressed by the

NCAA since 1971 and the costs of attending school have obviously increased tremendously since then. Since student athletes are rarely able to attend school, participate in their sports and hold a job, this increase will help offset the rise in costs. The increase is scheduled to start next fiscal year. The \$250 to \$300 thousand dollars will have to be built into our budget this, and coming, years.

**IV. Comments from Regents (none)**

**V. Public Comment, specific to agenda items (none)**

**VI. Comments from Regents' Advisors (reports received are included in BOR E-Book)**

Faculty Senate, Amy Neel, President-elect, for President Timothy Ross. Dr. Neel reported that the Faculty Disciplinary Policy has been vetted by Main and North Campus deans.

- **The Faculty Disciplinary Policy will be presented at the December meeting of the ASAR (Academic/Student Affairs & Research) Committee.**

The senate continues to work on Endowed Chairs, career paths for lecturers and possible reorganization of the Faculty Senate, among several other initiatives.

Staff Council, Mary Clark, President. Ms. Clark said the most important issue for staff at this time is the ERB (Educational Retirement Board) plan design changes being considered.

GPSA, Katie Richardson, President. Ms. Richardson reported on a resolution passed by a special meeting of GPSA in support of the (un)Occupy Albuquerque movement. She announced the establishment of the Graduate Scholarship Fund. She used the Anthropology Department to illustrate the need to develop additional funding for graduate students.

ASUNM, Jaymie Roybal, President. Ms. Roybal gave an update on the Bike Share program. She also presented three resolutions passed by ASUNM.

Regent Wellman congratulated Ms. Richardson and Ms. Roybal on all the new programs promoted by student government.

In response to Regent Gallegos Ms. Roybal said that SHAC (Student Health and Counseling) is currently housed separately from Johnson Gym. The ASUNM Resolution supports a facility combining SHAC and a recreation center to promote student wellness.

UNM Alumni Association, Waneta Tuttle, President. (no report)

UNM Foundation, Gary Gordon, Chair. Mr. Gordon reported on the meeting of the Board of Trustees of the Foundation. He said the first quarter of fiscal year 2012 was down compared to FY11; the Foundation's portfolio was down about 7%.

- **The first meeting of the Philanthropy Committee, appointed by Regent Fortner, will be December 9, 2011.**

Mr. Gordon assured Regent Wellman that the Performance Measure should average down over the course of the year.

UNM Parent Association, Maria Probasco, President. Ms. Probasco mentioned that the 2011 Official Holiday Ornament is available. Proceeds from sales of the ornament support student scholarships like the twenty six undergrad and four graduate student scholarships awarded this year.

Retiree Association, Scott Obenshain, President. Dr. Obenshain seconded Staff Council's concern with ERB plan design changes. The benefits committee has rejected proposals one through six and offered a seventh option that would reach 80% solvency by 2030. A special concern is the continuation of COLAs (Cost of Living Adjustment). The association is sponsoring a Medicare information session for retirees 65 and over.

**VII. Presidential Search Update, Helen Gonzales, Vice President, Human Resources**

Ms. Gonzales said the search was launched in early summer 2011. A position description was crafted after meetings with groups across campus. A presidential search firm was selected and that firm has been helping identify potential candidates from across the country. The search committee has met twice, with a third meeting this afternoon (November 15). They have been reviewing candidates and hope to begin identifying semi-finalists. A large number of presidential searches are underway across the country, so we are pursuing an aggressive timeline. We hope to bring finalists to campus before winter break. The search committee will select a list of semi-finalists to present to the BOR. The BOR will select the finalists and their names will be announced publicly. They could be here as early as December 8<sup>th</sup> to begin interviews with the community. We want the interviews to be completed by graduation.

Regent Wellman asked about the structure for constituent groups to participate in the interviews. Ms. Gonzales said they expect each finalist to be here for a full day and there will be a number of individual meetings throughout the day for the different constituency groups to have an opportunity to meet the finalists.

Regent Chalmers pointed out that finals will be given the week after the campus visits and students would be heavily involved in studies that week.

- **Ms. Gonzales said that concern will be addressed in the search committee meeting and a schedule worked out with GPSA and ASUNM that will accommodate the largest number of students.**

**VIII. Approval of the Pricing Resolution establishing the exact principal amount setting interest rates and approving related comments for The Regents of the University of New Mexico Subordinate Lien System Refunding Revenue Bonds Series 2011.**

- **Item VIII removed from the agenda.**

**VII. Regent Committee Reports (reports in BOR E-Book)**

Academic/Student Affairs & Research Committee, Regent Bradley Hosmer, Chair

**Consent Item:**

- A. Approval of Posthumous Degree for Rose Marie Fuchs

**Motion to approve the Posthumous Degree passed without dissent (1<sup>st</sup> Hosmer, 2<sup>nd</sup> Abeita).**

**Action Items:**

- B. Approval of Special Education Graduate Certificate Program, Richard Howell, Dean, College of Education

**Motion to approve the Special Education Graduate Certificate Program passed without dissent (1<sup>st</sup> Hosmer, 2<sup>nd</sup> Abeita).**

Dr. Howell said this is a Transcribed Graduate Certificate and it would be the only program in Applied Behavior Analysis in the state. It is the only scientifically proven method of intervention for students and children with Autism Spectrum Disorder. The program will require no additional resources.

**Information Item:**

- C. Approval of ASA Committee Work Plan (document included in BOR E Book.)

Finance and Facilities Committee, Regent Don L. Chalmers, Chair

**Consent Items:**

- A. Disposition of Surplus Property for Main Campus on list dated 10/14/2011
- B. Contract Approval:
  - a) UNMH-Zimmer
- C. Approval of Capital Projects
  - a) Clinical and Translational Science Center, 3<sup>rd</sup> Floor Lab Renovation, Phase 2  
(addressed by Regent Abeita in the HSC Board report.)
  - b) HSC Classroom Upgrades
  - c) KNME & Domenici Hall Electrical Upgrades to 12.47 KV
  - d) Physics and Astronomy Electrical Upgrade to 12.47
- D. Approval of University Business Policies and Procedures (UBPP) for Main, Branch Campuses and HSC for FY 2011 (approval of report)
- E. Approval of Refunding of UNM-Valencia Series 1998 and 2002 Bonds
- F. Approval of Fiscal Watch Report and Monthly Consolidated Financial Report
- G. Approval of Appointments to UNM Labor Management Relations Board: Jeffrey Landers, one year term, Carol Oppenheimer, one year re-appointment

**Motion to approve the Consent Agenda Items A, B, C, D, E, F & G passed without dissent (1<sup>st</sup> Chalmers, 2<sup>nd</sup> Fortner).**

Alice Whitney, Executive Director, UNM-Valencia, told Regent Gallegos the cost of refinancing would be about \$85 thousand. Regent Chalmers said the savings of \$50 thousand a year for six years is net of refinancing costs; underwriting, legal, everything.

**Information Items:**

- H. Contract Information
  - a) UNMH-Stericycle
  - b) UNMH-CDWG
  - c) UNMH-Insight Construction
  - d) Department of Pediatrics-Broad Institute
  - e) Office of Capital Projects/Chemistry Dept.-VWR International
- I. IT Email, Messaging & Calendaring Evaluation Team Recommendations, Moira Gerety, Deputy CIO

Although an RFP (Request for Proposal) was developed to identify a vendor for one email, message and calendaring system for use campus wide, the RFP was not awarded. It did, however, provide a framework for evaluating different approaches. A hybrid solution (cloud/premises) was determined to be the best solution. The Microsoft Exchange and O365 offering allows use of both cloud and premises and it allows seamless management of the two. The cloud is free and premise is also free because the University already purchases licenses for Microsoft Productivity Suite. Student email will be moved to the cloud in Spring 2012. Main Campus faculty and staff would be migrated in Fall 2012. As security concerns

are better understood and addressed, more users could be migrated to the cloud in ensuing years.

- **A cost/benefit report will be provided in January to show how recurring costs will be reduced with this project.**

Ms. Gerety assured Regent Wellman that integration with smart phones and other mobile devices is a high priority of the project.

Health Sciences Board, Regent Carolyn J. Abeita, Chair

**Consent Items:**

- A. Approval of Clinical and Translational Science Center, 3<sup>rd</sup> Floor Lab Renovation, Phase 2 (see also F&F Agenda Item C)
- B. Approval of Capital Project: HSC Classroom Upgrades (see also F&F Agenda Item C)
- C. Approval of Appointment of Frederick C. Sherman, MD, to Carrie Tingley Hospital Board
- D. Approval of UNMH Contracts: 1) Zimmer, 2) Stericycle

**Motion to approve Consent Agenda Items A, B, C & D passed without dissent (1<sup>st</sup> Abeita, 2<sup>nd</sup> Chalmers).**

Dr. Roth gave a brief definition of Translational Sciences: This is a new initiative out of the National Institutes of Health which is an attempt to address more applied and relevant research, ultimately to practice. There are four steps: identify discoveries in the laboratory, test research in a controlled environment. It translates early discoveries into potential applications. Then it goes into practice in the larger community. Then we retest the hypothesis in larger populations, make modifications, and the cycle begins again. So it's taking what is found in early phases in laboratories and translates that into eventual applied practice in the medical community.

Regent Chalmers pointed out that in 2010 UNM HSC was awarded a five year \$22.9 million Clinical and Translational Science Award by the National Institutes of Health. Dr. Roth noted that we were one of fewer than fifty eight centers in the US that have achieved this level of recognition. It opens the door for other grants; we've received nearly \$33 million in additional grant support.

- **The HSC Board of Directors will present an update to the BOR in December on activities taken since the inception of that Board of Directors and recommendations for the future.**

Audit Committee, Regent J.E. Gene Gallegos, Chair

The audit was approved by Moss Adams. The committee approved four audits, two of HSC and two Main Campus.

**X. Public Comment (none)**

**XI. Vote to close the meeting and to proceed into Executive Session**

**Motion to proceed into Executive Session passed without dissent at 10:50 a.m. (1<sup>st</sup> Abeita, 2<sup>nd</sup> Gallegos).**

**XII. Executive Session 10:51 a.m. – noon**

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

**XIII. D. Vote to Re-open the meeting.**

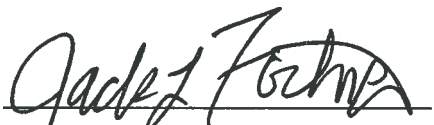
**Motion to return to open session passed without dissent at 12:01 p.m. (1<sup>st</sup> Fortner, 2<sup>nd</sup> Chalmers).**


- E. Certification that only the matters described in Agenda item XII. were discussed in Executive Session and, if necessary, final action with regard to those matters will be taken in Open Session.

**Motion to certify that no action taken in executive session passed without dissent (1<sup>st</sup> Abeita, 2<sup>nd</sup> Chalmers).**

**XIV. Adjournment**

**Motion to adjourn the meeting passed at 12:02 p.m. (1<sup>st</sup> Abeita, 2<sup>nd</sup> Chalmers).**

  
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 Regent Jack L. Fortner  
 President, Board of Regents

  
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 Regent Carolyn J. Abeita  
 Secretary/Treasurer, Board of Regents