

The University of New Mexico
Board of Regents' Meeting
August 13, 2013
Student Union Building, Ballroom C
Meeting Minutes

Members present: President Jack L. Fortner, J.E. Gene Gallegos, Bradley C. Hosmer, Conrad D. James, James H. Koch, Suzanne Quillen (Quorum).

Members absent: Heidi Overton

Administration present: President Robert Frank, Provost Chaouki Abdallah, Executive Vice President for Administration David Harris, Chancellor Paul Roth (HSC), Vice President Josephine de Leon (Equity and Inclusion), Interim Controller Elizabeth Metzger, Sr. Executive Officer Ava Lovell (Finance and Administration), Vice President Eliseo Torres (Student Affairs), Interim Vice President Jewel Washington (Human Resources), Vice President Michael Dougher (Research) University Counsel Elsa Cole.

Regents' Advisors present: President Richard Holder (Faculty Senate), President Gene Henley (Staff Council), President Angi Gonzales-Carver (Parent Association), President Isaac Romero (ASUNM), President Priscila Poliana (GPSA).

Regent Fortner called the meeting to order at 9:11 a.m.

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

Motion to adopt the Agenda passed unanimously (1st Hosmer, 2nd Koch).

II. Approval of Summarized Minutes of the June 11, 2013 Regular Meeting, the July 9, 2013 Special Meeting and the July 23, 2013 Special Meeting, Regent President Fortner

Motion to approve the minutes of the June 11, 2013 Regular Meeting, the July 9, 2013 Special Meeting and the July 23, 2013 Special Meeting passed unanimously (1st Gallegos, 2nd Quillen).

III. President's Administrative Report, President Robert Frank

President Frank wanted to update the Board on a few issues moving across the university. The students are beginning to return to campus. In Rio Rancho, there is a great deal of activity regarding the special election the city council has scheduled for August 20. This election could affect UNM West campus and the amount of money allocated to higher education in Rio Rancho. A yes vote will take away some revenue to our campus, and a no vote will keep the GRT as it is currently allocated. There is a great deal of support from the community, the Rio Rancho school board recently voted to support keeping the current higher education tax intact, and the Rio Rancho legislators have been very active writing Op-Ed's in support of keeping the GRT at the same current level, we appreciate their support. Don Chalmers, a former member of this board has been a great community leader and has spoken at a number of forums in favor of keeping the GRT at the current rate. It is important that everyone who can vote will vote.

Recently, Governor Martinez supported a day of conversation in Las Cruces on the state of education in New Mexico. She was specifically interested in K-12 education. She invited Dr. Kati Haycock who is the president of the Education Trust to be her keynote speaker, and three Regents attended. Dr. Haycock's key points focused on the fact that in America, inequality is rising and the earnings among the lowest income families have dropped, while the earnings among the highest income families have soared. Currently the United States of America has the third highest income inequality among OECD (Organisation for Economic Co-operation and Development) nations in the world and this discrepancy is pulling us apart in a way that is very dramatic and challenging to our education system and democracy. One thing she discussed is that we have become a very diverse nation in the ethnicities of our people. We see that students of color are less likely to graduate high school on time, and Katie made the point that it challenges our

democracy. We become worried that this threatens our economy and democracy, and the very things that hold us together as a nation. President Frank presented a chart, which displayed data that students of color are less likely to graduate from high school on time. Another chart presented data that African American and Latino 17-year-olds read at the same levels as white 13-year-olds. Dr. Haycock's key point was that we are putting the least experienced teachers to teach at-risk students where we should be putting our master teachers with the most experience. It is also important to give these new teachers more exposure and experience with master teachers, much like medical students. They need to be master performers, not barely competent before we send them to at-risk schools. Governor Martinez has asked Regent Hosmer to lead the charge among the state universities for how the universities can contribute to innovating/changing K-12 education in the state of New Mexico.

Dr. Kati Haycock's presentation can be found on the Education Trust website, www.edtrust.org.

President Frank provided an update on Innovate ABQ and discussed the continued progress on site identification. At the Mesa del Sol Aperture Center, there will be a Tech Transfer Center, and on at the First Baptist site at Central and Broadway there will be an Innovate ABQ research district. UNM is working on partnerships with local governments and business leaders. The ABQ Chamber of Commerce voted to formally endorse the Innovate ABQ initiative. A grant proposal was submitted to the Economic Development Administration (EDA) to provide grant funds to assist with the purchase of the site, and the University is working with the city and county to identify additional funding commitments.

An update was given on Fall enrollment, and the University is expecting over 4% growth in beginning freshman, which is above the original goal and increased admission requirements. There are several top students registered for the Fall including 19 National Merit Finalists, a 27% increase in one year. There was also a 12% increase in students with a 30+ ACT score, including two with a perfect score, and a 10% increase in 26+ ACT score. There was also a 12% increase in deposits from non-resident students and new international students are up 48% in commitments to attend, an 82% increase for Undergraduate and a 34% increase in Graduate. Graduate enrollment is also increasing and targeted graduate programs in the Anderson School of Management and School of Engineering are up 6% in credit hours. Due to this increase in enrollment campus wide, there is also an increase in housing occupancy up 13% and will increase revenue by \$1.3 million. Finally, graduation rates were up to 47.3%, which is a 1.5% increase from last year. President Frank thanked the many people across campus, including the Provost's team who worked hard to achieve this level of success.

INFORMATION ITEM:

IV. Update on SART (Sexual Assault Response Team)

Kathy Guimond, Chief UNMPD, gave the presentation. Chief Guimond discussed a new program that the University will roll out this semester in the next couple of weeks. The new program is called SART, which stands for Sexual Assault Response Team. Essentially, the Sexual Assault Response Team is a victim oriented and victim controlled response by a multi-disciplinary team working together to any victim of sexual assault or abuse on the campus. SART has two purposes, one is to help the victim recover and become a survivor as quickly and effectively as possible, and the second purpose is to make sure our community is safe from predators and assailants. Confidentiality is one of the hallmarks of SART, and essentially SART is a coordinated professional multi-disciplinary team. It involves Medical – SANE (Sexual Assault Nurses Examiner Unit), there are several community partners coming together with us so that we can provide the most effective services for victims of sexual assault and abuse. They do the entire medical and forensic examinations in sexual assault cases, which becomes critical for court cases. There is also a counseling component that runs the gamete for our community, including Student Health and Counseling Services (SHAC), Counseling and Referral Services (CARS - faculty/staff counseling center). We have also collaborated with the Rape Crisis Center, which is one of our

community partners. UNMPD have specially selected and trained SART officers to do these investigations, and the Dean of Students is involved for a Student/Visitor Code of Conduct perspective. What makes it special is the commitment of the responding agencies to victims and the coordination, each SART component has a coordinator whose job it is to cut through any red tape that persists, and to make sure that services are readily available to victims. SART prioritizes these cases, it is important to get immediate services to victims of sexual assault or abuse. There is also increased collaboration between on and off campus team members. An example of what we have done is established an ongoing steering committee, which will help us when we get to the next step. Protocols from all of the SART members have been completed, filed and approved. We had a multi-disciplinary training session for all SART members because it is critically important that everyone understands what the other components do, which is one of the ways we are effective. We also have a brochure in draft form once reviewed by the Steering Committee; it will be released to campus. A website has been developed, and we are going to be embarking on a media campaign so that people know how to access these services. Services that you cannot access or do not know how to are not very effective, and the foundation of the whole SART process is really the response team. From there we will be able to gather information, which will help us in prevention, awareness and educating our campus population on the contributing factors to sexual assault, and how we attempt to solve those as an entire university community. Then we will have an assessment of processes we have set up.

In response to Regent inquiry, Chief Guimond stated that there are various components to the confidentiality portion. The SANE is covered by HIPPA. We have counseling entities that are covered by different state laws that protect confidentiality to the extent possible. When it comes to Police reports, we have original entry reports are public record the ongoing investigative reports and court documents are not public record. A victim does not have to say, day one, night one, how far they want to go, whether they want to go to court or not. It really is a step process and that hierarchy, medically it is important to know that a victim is physically ok, then counseling is a critical component for recovery. The victim gets to choose what components they will or will not use. One thing that we found when we all got together that it is in everyone's best interest and we are going to encourage victims to choose all of those components. The Dean of Students office has the ability to expel people or send them off campus, which is important. We certainly hope people will follow through with that.

In response to Regent inquiry, Chief Guimond stated the one thing that will flow from the SART team is we are going to have an opportunity to examine where we are as an institution and different types of prevention. An example, prevention for stranger rape, someone who jumps out of the bushes at the duck pond is remarkably different than the prevention mechanisms that have been established for date/acquaintance rape; probably over 90% of all sexual assaults throughout the country are date or acquaintance rapes. There is an awareness of what alcohol does to your system, so we need to target our prevention mechanisms towards the student population. Chief Guimond stated that we have an incredible opportunity to work on prevention. We are going to talk about the differences between stranger and acquaintance assaults, and how the language that men and women speak depending on the age group is not always the same.

In response to Regent inquiry, Chief Guimond stated that she sits on the Compliance Committee and there are a couple of reporting requirements for UNM. Many do not include names or specific cases, but does include cases being investigated. One is through the Cleary Law, which UNM is required to publish every year. There are also Title 9 requirements, which the Office of Equal Opportunity is working on, and we think SART is going to have an impact on those issues. The incidents will also be reported to the Compliance Office, which is responsible for honoring the Cleary Act.

Comments from Regents

Regent Fortner stated that Regent Overton is currently in testing and unable to make the Regents meeting today.

Regent Hosmer expanded on President Frank's comments on the extraordinary successes of the University, Provost, Colleges, Faculty and the Academic Enterprise. Regent Hosmer believes the effectiveness is reflected by the remarkable improvements in recruiting, retention and graduation.

Public Comment, specific to agenda items (none)

V. Regent Committee Reports (Reports are included in BOR E-Book)

Finance and Facilities Committee, Regent James H. Koch, Chair

Consent Items:

Motion to approve consent agenda items 1, 2 & 3 passed unanimously (1st James, 2nd Fortner).

1. Disposition of Surplus Property for Main Campus on lists dated 6/30/2013 and 7/12/2013
2. Approval of:
 - a. Request for Architect Selection for UNM Los Alamos Science Classrooms Renovation
 - b. Request for Capital Project for North Golf Course Renovation
3. Approval of Appointment to the Lobo Energy, Inc. Board

Action Item:

4. Contract Approval for:
 - a. Request to use Construction Manager at Risk (CMAR) for Clark Hall – Chemistry Building Renovations

Motion to approve Construction Manager at Risk (CMAR) for Clark Hall – Chemistry Building Renovations passed unanimously (1st James, 2nd Hosmer).

Bruce Cherrin, Chief Procurement Officer, and Rick Henrard, Interim Director Capital Projects, gave the presentation. Regents' approval was requested to use the Construction Manager at Risk (CMAR) method for renovations that will be made to the Chemistry building. CMAR is a very common method used by most public entities, it allows the Architect to be selected early, and participate in development. When remodel projects are involved a benefit is that the University can do early work in pieces. It is based on the qualifications of the bidder. The Design Bid Build (RFP) is the traditional method where an Architect is hired and you put it out for bid. In our case, we do an RFP for a construction, we always award by most valuable rather than the lowest bidder. Design Build is a newer method that we do not always use and not a favorable by the university. Job Order Contracting (JOC) is most commonly used for projects under \$1 million in value, all the tasks are predetermined and bidders will bid a deduction against the task list, used mostly in our Branch Campuses where the competition is not as tight. The final Construction Delivery Method is the On-Call Contract, which is most common for projects under \$500K used on campus where we have a number of construction companies on contract and they bid the smaller jobs.

Mr. Henrard discussed the differences and guidelines on how the University chooses the guideline to use. A matrix was developed to provide an analytical process to the decision making. It is viewed as a universal matrix used for any construction project, but can be customized. Research was conducted on other universities to understand various processes. They had a similar matrix and tools. There was a webinar at the Purchasing Department a few months ago from the City of Phoenix that had some great information and a matrix. We combined our research and tools and developed one for UNM. The matrix has evaluation criteria that we felt was important to our way of executing a project:

1. Short Project Schedule
2. Complexity & Innovation
3. Cost
4. Design Aesthetics
5. Quality/UNM Standards
6. Hidden Conditions
7. Code Compliance
8. Non-Adversarial Relationships
9. Owner Control
10. Competition & Contractor Experience
11. Constructability

CMAR allows the contractor to build the construction schedule during design, resulting in a very efficient construction schedule for the challenging project logistics to improve phases for the facility occupants during construction. Total estimated project budget is \$16 million funded by 2012 G.O. Bonds.

In response to Regent inquiry, Mr. Henrard stated that CMAR is not efficient when the projects are relatively small in scale. It makes sense to go the traditional route of Design Bid Build (RFP) to open it up to the community.

Mr. Henrard discussed cost scenarios for CMARs of recently completed projects, which range from .3% to 2.5% in the costs for Pre-Construction Services. The Public School Facilities Authority (PSFA) uses a .6% to .7% range, which is what most contractors work with because they frequently work with the PSFA. There are also savings in having a contractor on board viewing and reducing the schedule, which reduces the overall general conditions and the change order rate. UNM has had good success on the returns from our contractor contingencies on previous projects and put the funds back into the project for furnishings or equipment.

- **Regent Gallegos requested a report of project cost estimates vs. actuals for prior projects to be presented at the upcoming F&F Meeting.**

5. Approval of Appointment and Reappointments to the Harwood Governing Board

Motion to approve the Appointment and Reappointments to the Harwood Governing Board passed unanimously (1st Gallegos, 2nd Quillen).

David Harris, EVP for Administration COO & CFO, gave the presentation. Regents' approval was requested for the reappointment of Phyllis Nottingham and the appointments of Dr. Breda Bova and Dr. David Farmer to the Harwood Museum of Art Governing Board. EVP Harris gave background on the Harwood Museum, which is an art museum in Taos, NM created in the 1930's. It was created to further the art of the original Taos Artists' Colony. There is a priceless collection of original art in the museum, along with new areas of the museum that display other local art. It was later donated to the University of New Mexico. Over the years a governing structure evolved with a very large board of directors and advisory board, which had difficulty functioning. The Harwood Museum came to the Regents six years ago and asked to reduce the size of the board. The Regents requested that three UNM employees and five local members hold seats on the board. The Harwood has improved and is secure; it has a great collection, director, an inventory value between \$30-40 million and is fully insured. The Harwood Museum is currently seeking national accreditation. The UNM Foundation and Friends of the Harwood handle fundraising. EVP Harris has encouraged the Regents to visit the Harwood Museum.

Information Item:

6. Bond Counsel and Financial Advisor Procurement

Andrew Cullen gave the presentation. The contracts the University has with the existing Bond Counsel and Financial Advisor have recently expired. The University began the procurement processes several weeks ago. There were two respondents to the RFP for the Bond Counsel contract and Modrall Sperling Roehl Harris & Sisk P.A. was selected based on their overall qualifications, experience, familiarity with UNM's outstanding debt portfolio and has provided excellent service to the University as its bond counsel for the past four years. There was only one respondent to the RFP for Financial Advisor, First Southwest Company. The Purchasing Department reached out to several national and local firms to encourage them to respond to the RFP, all declined to respond. First Southwest Company was chosen, and has provided excellent services to the university in the past eight years as the University's Financial Advisor. In response to Regent inquiry, Mr. Cullen stated that it was somewhat unusual that there were no other respondents to the Financial Advisor RFP. It is also a relatively focused area of expertise in the banking industry. He believes that many firms are more interested in working with the University in its capacity as Bond Underwriters, perhaps that is a more profitable business for them.

7. Lobo Energy - License Agreement

Steve Beffort, President/CEO Lobo Energy Inc., gave the presentation. President Frank's Weekly Perspective discussed economic development in research universities and the value of those particular elements, most specifically about the educational approach to those values. President Frank stated, "Target investments should be made regardless of overall funding levels because they would be key sources of long term economic growth and physical stability." A lot of the operations at the University that are non-academic also participate in economic development and growth, including a number of the enterprise operations that report to Chris Vallejos, AVP Institutional Support Services.

Lobo Energy, Inc. (LEI) has responsibility to manage energy consumption and utility regulatory issues at UNM, as well as energy creation projects, including solar and gas-fired cogeneration. LEI is charged with exploring cutting-edge projects, processes, innovation related to energy. As part of that process and the management of that responsibility, LEI, and specifically Jason Strauss, Director of Energy Conservation and Development, identified a deficit in information gathering and retention in relation to efficient energy management of energy consumption at the University. To address that deficit, Jason initiated a "software" project that had multiple scope additives and enhancements to the point that with the input from LEI Board's private-sector members, it was decided to apply for patent protection for this software.

The next step included seeking advice and guidance from Dr. Steve Walsh, UNM Distinguished Professor from the Anderson School of Management, to examine potential business application for the product. This resulted in a business-planning process, including recommendations to license the intellectual property (I.P.) to a private sector, for-profit company to introduce it to the market. Subsequently, the I.P. was signed over to LEI from the inventor, Jason Strauss, so LEI holds title to the patents. UNM retains the right to continue to use product and receive upgrades as they become available at no cost to UNM. This is software applicable to the academic support mission at the University.

On July 30, 2013, LEI Board approved action to license the product for commercialization to a new for-profit company called Facility Fact, Inc., created by Jason Strauss. All the elements of the transaction were modeled after the STC format in accordance with how STC conducts their business; by the same attorney, Randy McDonald, used by STC and LEI. This type of activity is not the core business of LEI and thus the LEI Board found it appropriate to inform the Regents of the activity.

Health Sciences Board, Regent Suzanne Quillen, Chair

Action Items:

1. Request for Approval of UNM School of Medicine Degree Candidates

Motion to approve the UNM School of Medicine Degree Candidates passed unanimously (1st Koch, 2nd James).

School of Medicine Degree Candidates	
Doctoral and MFA Degree	34
Master's Degree	30
Bachelor's Degree	17
Associate's Degree	0
Total	148

2. Request for Approval of UNM College of Pharmacy Degree Candidates

Motion to approve the UNM College of Pharmacy Degree Candidates passed unanimously (1st Koch, 2nd James).

College of Pharmacy Degree Candidates	
Master's Degree	1
Pharm.D. Degree	1
Total	2

3. Request for Approval of UNM College of Nursing Degree Candidates

Motion to approve the UNM College of Nursing Degree Candidates passed unanimously (1st Koch, 2nd James).

College of Nursing Degree Candidates	
Doctor of Philosophy	3
Master's Degree	32
Bachelor's Degree (RN to BSN)	7
Total	42

4. Request for Approval of the Nomination of Mr. Jerry McDowell to the UNM Hospitals Board of Trustees

Motion to approve the Nomination of Mr. Jerry McDowell to the UNM Hospitals Board of Trustees passed unanimously (1st Hosmer, 2nd Fortner).

Regent Quillen gave the presentation. Regents' approval was requested for the nomination of Mr. Jerry McDowell to the UNM Hospitals Board of Trustees. Mr. McDowell is the Deputy Laboratories Director and Executive Vice President for National Security Programs at Sandia National Laboratories. Mr. McDowell was approved through the UNM Hospitals Board of Trustees and the Health Sciences Center Board of Directors.

5. Request for Approval of the Nomination of Dr. Brad Cushnyr to the Sandoval Regional Medical Center, Inc. Board of Directors

Motion to approve the Nomination of Dr. Brad Cushnyr to the Sandoval Regional Medical Center, Inc. Board of Directors passed unanimously (1st Koch, 2nd Hosmer).

Regent Quillen gave the presentation. Regents' approval was requested for the nomination of Dr. Brad Cushnyr, Radiologist, to the Sandoval Regional Medical Center, Inc. Board of Directors. Dr. Cushnyr was elected as the new Chief of Staff for the Sandoval Regional Medical Center and per the bylaws; the Chief of Staff sits on the Board of Directors.

6. Resolution Recommending Approval of UNMH Contracts with Medtronic USA, Inc. and KCI USA, Inc.

Motion to approve the UNMH Contracts with Medtronic USA, Inc. passed unanimously (1st Fortner, 2nd Koch).

Regent Quillen gave the presentation. Regents' approval was requested for the UNMH Contracts with Medtronic USA, Inc., which is a supplier of various cardiac equipment needed. This is monitoring systems equipment for Ablations and several of the cardiac surgery procedures. The contract expires soon and the new contract will be valid through December 31, 2015. Total cost, depending on volume, is up to \$2 million per fiscal year.

In response to Regent inquiry, this type device has a competitive market and Medtronic is one of the more widely recognized. Chancellor Paul Roth stated that UNMH does all the purchasing through a national entity called Novation, thus UNMH receives the best pricing on these kinds of contracts and purchases. Novation in turn receives competitive bidding for these types of supplies and equipment. We have had this contract with Novation for about 8 or 10 years. Essentially Novation is a central purchasing organization so many hospitals around the country all contract with this national group to get the quality and pricing that is competitive. Bruce Cherrin, Chief Purchasing Officer, stated that Novation is an option for UNMH it is the main resource for cooperative purchasing and competitive bidding. We do not pay them to be part of their consortium, we receive a small amount of money at the end of the year based on how much business we do with them. They are the biggest hospital procurement consolidator in the country. Novation makes profit from the vendors by receiving a percentage, ½% or 1% from the vendors.

Motion to approve the UNMH Contracts with KCI USA, Inc. passed unanimously (1st Koch, 2nd Hosmer).

Regent Quillen gave the presentation. Regents' approval was requested for the UNMH Contracts with KCI USA, Inc., which deals with wound products this is for the rental equipment for wound V.A.C. Therapy, which promotes healing through Negative Pressure Wound Therapy (NPWT). KCI does not sell their equipment; they only rent their equipment on a per use basis. KCI USA, Inc. is the only company approved in the nation for this product. Total cost is up to \$550,000 with a contract valid through February 28, 2015.

Information Items:

7. UNM Contract – HSC Library

Bruce Cherrin gave the presentation. This contract information is for Elsevier, Clinical Key, which is a database used for medical students and is exempt from procurement code. It contains medical and surgical journals, e-books, point of care information, images, videos, practice guidelines, and patient information to be used by the HSC Library. Total cost over three years is \$447,042.

8. HSC Financial Update

- **Information Item 8, HSC Financial Update, deferred to the next Board of Regents meeting.**

9. Approved minutes of June 7, 2013 HSC Board of Directors' meeting

Regent Quillen presented the approved minutes of the June 7, 2013 HSC Board of Directors' meeting for information only.

Academic/Student Affairs & Research Committee, Regent Bradley Hosmer, Chair**Information Items:**

1. Update from the Provost

a) Improved Student Advisement

Chaouki Abdallah, Provost & EVP for Academic Affairs, gave the presentation. Provost Abdallah provided an update on the Improved Student Advisement and discussed/demonstrated how to navigate the new website, degrees.unm.edu, which contains detailed information, graphs and analytics regarding degree programs at UNM. This website makes all degree programs available online and allows for students and advisors to easily view and track progress for four-year degree plans. It also allows potential students to explore the various UNM degree offerings by keyword search, their interest and by College. The development process for the website took 1600 person-hours and pulled together a team from various entities across campus back in late May. Public release date is set for August 15, 2013. Provost Abdallah stated that this is a major tool to help students understand their degree program and the courses needed to reach graduation. This tool will also be used by advising to help keep students on track.

b) Enrollment Status interim report

Provost Abdallah gave an update on the Honors College. In the year leading up to the formal establishment of the Honors College, Enrollment Management supported and aggressive recruitment strategy to attract top students to UNM and to the Honors College. The strategy included phone calls made to potential recruits, mailing distribution of brochures and post cards, outreach to high school counselors at on-campus events, letters and emails from the Dean of the Honors College and coordinated campus visits with individual faculty meetings. There was an increase of 7% in the number of NM students with an ACT score of 29+, and a 9.5% increase in students (NM and elsewhere) with an ACT score of 26+. There was a 27% increase in the number of students admitted to the Honors College, and a 17.5% increase in the number of students enrolled in a Fall Honors Course. UNM has also collaborated with New Mexico Educators Federal Credit Union (NMEFCU) to develop micro aid opportunity for UNM students, which has received national attention and recognition. Provost Abdallah also provided an update on the 15 Credit Hour Tuition Strategy that restructured UNM's tuition block. There was 15% increase in the number of students registering for 15 hours. The shift to higher loads has resulted in a 2% in undergraduate credit hours with the same headcount. The Summer Early Start Program (ESP) was piloted this summer and students with ACT scores lower than 17 could volunteer to take remedial courses during the summer. This will allow students to gain more preparation for college before beginning a full semester. Beginning in the fall of 2014 it will be a mandatory program for those freshmen who score below a 17 on ACT.

2. Valencia Request to Authorize Certifications

- a) Approval of C1231-New Phlebotomy Technician
- b) Approval of C1232-New Personal Care Attendant
- c) Approval of C1233-New Nursing Assistant
- d) Approval of C1234-New Emergency Medical Services EMT-Basic
- e) Approval of C1235-New Emergency Medical Services EMT-Intermediate

Regent Quillen gave the presentation. Regents' approval requested to authorize UNM Valencia Campus to give certificates of completion for the certifications listed above.

Motion to approve request to authorize UNM Valencia Campus to give certificates of completion for all five certification programs, passed unanimously (1st Quillen, 2nd Koch).

Audit Committee, Regent Gene Gallegos, Chair

1. Meeting Summary from June 20, 2013

Regent Gallegos made the presentation. The Audit Committee has now become the Audit and Compliance Committee, which adds the compliance aspect. One of the aspects of the committee is conformance with the Clery Act. A background was given on The Clery Act. The law is named for Jeanne Clery, a 19-year-old Lehigh University freshman who was raped and murdered in her campus residence hall in 1986. The backlash against unreported crimes on numerous campuses across the country led to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, signed in 1990. The act requires that all colleges and universities that participate in federal and financial aid programs to keep and disclose information about crime on and near their respective campuses. Compliance is monitored by the United States Department of Education, which can impose civil penalties, up to \$35,000 per violation, against institutions for each infraction and can suspend institutions from participating in federal student financial aid programs. By October 1 of each year, institutions must publish and distribute their Annual Campus Security Report to current and prospective students and employees. The Police Department is required to keep a public log of all crimes reported to them, an 8-year history of crime statistics. It must also indicate if the crime is a "hate crime." It is a serious responsibility and the Audit and Compliance Committee will insure that the requirements are fulfilled. Part of this new compliance responsibility involves the Clery Act, all conflict of interest filings and undertake review over all litigations. The line of communication will include all campus legal (Main & HSC). It will go to the Compliance Office and then to the Audit and Compliance Committee. The committee will thus have knowledge of the litigation for review and recommendation. All litigation will flow to the Audit & Compliance Committee then through the full Board of Regents. Another area to be the responsibility of the Compliance Office is ethics. This information is referenced in the Audit Committee minutes from the June 20, 2013 meeting.

In response to Regent inquiry, the Compliance Officer currently reports to the President's office, but also separately reports to the Audit & Compliance Committee, such as the Internal Audit Director. There needs to be a separation so that if an issue arises there will not be a conflict of interest problem, and thus that officer will have the independence needed to come to the Audit Committee and Regents to discuss issues. Helen Gonzales, Chief Compliance Officer, has begun assembling a Compliance Committee and will report to the Audit Committee how the committee and office are functioning. The responsibility of the Compliance Office is to ensure enforcement. Regent Koch discussed the functions and policy of the Audit Committee and how it functions in relation to the policies and Open Meeting Act. Adding the Compliance Office to the Audit Committee will enhance the Audit Committee. The open meeting of the Audit Committee typically last an hour, however the closed session will usually last 3 or 4 hours because that is when the audits are discussed. When the audits are approved in open session, the information then becomes public. At the next Audit & Compliance Committee meeting, Regent Gallegos would like to ensure that the Clery information is obtained and available to the public.

Chancellor Roth commented on the HSC structure, which has a Chief Compliance Officer and the national standard is there needs to be a direct line to governance because of that independence, which is critical. It is important to have a central place to have a sense of what is happening around the university.

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

ASUNM, President Isaac Romero President Romero stated that students are arriving back on campus and moving into dorms, as school starts August 19. ASUNM will begin working on a Lottery Scholarship Summit and moving into the Legislative Session, ASUNM would like to emphasize the importance of the Lottery Scholarship. Mr. Romero and Ms. Poliana met with Dr. Torres, Dr. Gutierrez and Melissa Vargas to discuss the new Recreation Center, and would like students to be involved in that conversation. Mr. Romero discussed Green Fund, which is a student fund that gets sustainable initiatives on campus, such as recycling, wind and solar energy to assist with the Climate Action Plan. Welcome back days begin next week, Friday Night Live is

an event in the SUB, which has many activities for students and Class Crawl is on Sunday, August 17.

GPSA, President Priscila Poliana President Poliana gave an update on GPSA, which spent the summer organizing priorities. The ultimate goal is to rebrand GPSA and increase participation, and a new logo and webpage is being developed, which will be released soon. Ms. Poliana and Mr. Romero are working with the UNM Administration on a number of important initiatives. One being SART and Ms. Poliana and Mr. Romero are on the steering committee. This is the right direction to move forward to respond to some isolated but serious recent events on campus. We also agree that we should prioritize at this point to ensure we have a response that is victim oriented, and then proceed to create a program that aims to advocate our students to prevent and avoid these types of incidents. Ms. Poliana and Mr. Romero are excited for the possibility of a new Recreation Center for the University and are excited to discuss further. Ms. Poliana and Mr. Romero also met with Tim Cass from Athletics, which was very productive, and will continue to work with Mr. Cass to better inform the Graduate students on how the Athletic Department contributes to the mission of the University. Mr. Cass will also be attending the next GPSA meeting to invite the Graduate students to attend the first football game on August 31.

Staff Council, President Gene Henley President Henley gave an update on the Staff Appreciation Month in July, which was a great success. Staff Council continues its effort to strengthen bonds between Main, North and South Campus, and will look for opportunities to collaborate. July marks the first staff compensation increase in several years, and thanks the Board for their consideration and approval of this increase. Staff Council is working on a comprehensive five-year plan in regards to compensation increases. Staff looks forward to a new semester and supporting the mission of the University.

Faculty Senate, President Richard Holder President Holder gave a brief introduction of himself, as this was his first meeting. Faculty Senate has worked, and gained progress, in shared governance, and will continue to work with North Campus on collaboration. Dr. Holder discussed his goals for the upcoming year and commended the Provost and his team for their work on the degree-tracking website, which will be a useful tool for Faculty. In response to Regent inquiry, Dr. Holder supports moving from a 128 credit hour graduation requirement to a 120 credit hour requirement, and understands that many universities around the country have the 120 credit hour graduation requirement. He does understand that some degree programs will have higher credit hour requirements than others due to accreditation but feels that 120 credit hours would fit into the mission of the University.

VI. Public Comment (none)

VII. Vote to close the meeting and to proceed into Executive Session

Motion to close the meeting and proceed into Executive Session passed unanimously at 11:49 a.m. (1st Hosmer, 2nd Gallegos).

VIII. Executive Session 11:50 a.m. – 1:35 p.m.

1. Discussion and determination where appropriate of limited personnel matters pursuant to Section 10-15-1.H (2), 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 the purchase, acquisition or disposal of real property pursuant to Section 10-15-1.H (8), NMSA (1978)
4. Discussion and determination where appropriate of purchases of more than \$2,500 that can be made from only one source or competitive sealed proposals under the Procurement Code during the contract negotiation process pursuant to Section 10-15-1.H (6), NMSA (1978)

IX. Vote to re-open the meeting.

Motion to return to open session passed at 1:36 p.m. (1st Quillen, 2nd Gallegos).

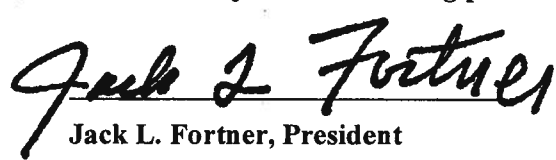
1. Certification that only the matters described in Agenda Item VIII were discussed in Executive Session and, if necessary, final action with regard to those matters will be taken in Open Session.

Motion to certify that only those matters described in Agenda Item VIII were discussed in Executive Session with one action to be taken and reported in Open Session with a quorum of members present, passed unanimously (1st Fortner, 2nd Koch).

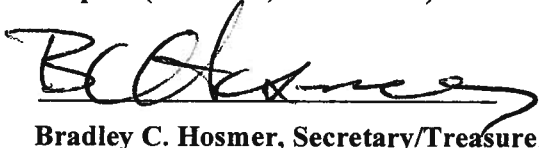
Final action: Approval of a 1% compensation increase for President Robert G. Frank, approved by a show of hands, 4-2, in favor, with Student Regent Overton absent.

X. Adjournment

Motion to adjourn the meeting passed at 1:38 p.m. (1st James, 2nd Hosmer)



Jack L. Fortner, President



Bradley C. Hosmer, Secretary/Treasurer