

**Minutes of the Regular Meeting of
The Board of Regents of the University of New Mexico
March 8, 2021; 9:00 AM
Virtual meeting via Zoom; livestreamed for public viewing**

Members Present

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

Members Not Present

Rob Doughty

Administration Present

Garnett S. Stokes, President; James Holloway, Provost and EVP for Academic Affairs; Douglas Ziedonis, EVP for Health Sciences Center; Teresa Costantinidis, SVP for Finance and Administration; Loretta Martinez, University Counsel; Assata Zerai, VP for Diversity, Equity and Inclusion; Eliseo 'Cheo' Torres, VP Student Affairs; Dorothy Anderson, VP HR; Eddie Nunez, Athletic Director; Terry Babbitt, President's Chief of Staff; and others

Advisors Present

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

CALL TO ORDER AND CONFIRMATION OF A QUORUM

Regent President Doug Brown called the meeting to order at 9:00 AM and confirmed a quorum with six members present; Regent Rob Doughty was not in attendance.

Regent Brown welcomed three new Regent appointees as guests to the virtual meeting. Governor Michelle Lujan-Grisham appointed William Payne, Jack Fortner, and Randy Ko, to replace outgoing Regents Rob Doughty, Marron Lee, and Melissa Henry, whose terms expired.

Senator Bill Payne, Admiral Payne, served in the NM State Senate for over 20 years. He is a retired U.S. Navy rear admiral, and he is a double Lobo, having received both his undergraduate and J.D. degrees from UNM. Jack Fortner is a UNM alumnus and currently practices law in Farmington. He is also a former UNM Regent, having served on the Board for 19 consecutive years (1998-2017), five years as the Board's President (2011-2016). Randy Ko, appointed as the Board's Student Regent, is an MD/PhD candidate, currently in his research phase of studies; he has also been very active in student government. Regent Brown thanked the new Regents for their willingness to serve, and he recognized the outgoing Regents for having given so much time and effort, attention and expertise in their service on the Board over the years.

Regent Brown acknowledged the departure of Larry Dean Willard, who passed away in February. Larry was an Eastern New Mexico University alumnus, but he adopted UNM in so many ways. He was a community leader in finance and served many other community organizations, including UNM where he was a Regent during 1995 to 2003 and also served as the Board's President.

Regent Brown clarified that the current Regents would be voting on the agenda's action items, and the new Regents would take their seats on the Board as voting members after the senate confirmation scheduled later in the week.

General Counsel, Loretta Martinez, confirmed the process. There was mention of an upcoming regent orientation and a summer regent retreat.

LAND ACKNOWLEDGEMENT STATEMENT

Regent Brown read aloud the Land Acknowledgement Statement:

Land Acknowledgement Statement

Founded in 1889, The University of New Mexico sits on the traditional homelands of the Pueblo of Sandia. The original peoples of New Mexico – Pueblo, Navajo, and Apache – since time immemorial, have deep connections to the land and have made significant contributions to the broader community statewide. We honor the land itself and those who remain stewards of this land throughout the generations and also acknowledge our committed relationship to Indigenous peoples. We gratefully recognize our history.

ADOPTION OF THE AGENDA

Regent Brown asked for a motion to adopt the agenda.

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

APPROVAL OF MINUTES OF THE FEBRUARY 16, 2021 REGULAR MEETING

Regent Brown asked for a motion to approve the minutes of the last meeting.

- The motion to approve the minutes of the February 16, 2021 regular meeting passed unanimously (1st Schwartz; 2nd Begay; roll call vote - all members voted yes).

COMMENTS FROM REGENTS (no comments)

ELECTION OF OFFICERS

Regent Brown stated that it had been proposed that the Board continue with the current slate of officers (Brown, President; Rael, Vice President; Begay, Sec/Treasurer), and he asked for any motion to that effect, or a motion so otherwise.

- The motion to keep the current slate of officers passed with a unanimous vote in favor (1st Schwartz; 2nd Lee; roll call vote - all members voted yes).

Regent Brown clarified that committee assignments were forthcoming, adding that he would contact each of the members to discuss their interests as to which committees and boards they would like to serve upon, while also keeping in mind the needs of the committees.

Annual Determination of Reasonable Notice of Meetings - Adoption of Resolution Regarding Reasonable Notice of Meetings

Regent Brown asked General Counsel Martinez to present the item. This is a requirement outlined in the NM Open Meetings Act. The resolution refers to Regents' Policy Manual (RPM) Section 1.3 which addresses how meetings are 'noticed' and frequency of meetings, among other meeting-related topics. Counsel Martinez stated that since the Board has been meeting less frequently than on a monthly basis, she proposed that

revisions to RPM 1.3 be discussed in and brought to the Board for approval through the ad hoc Governance Committee.

- The motion to adopt the resolution regarding reasonable notice of meetings passed with a unanimous vote in favor (1st Begay; 2nd Schwartz; roll call vote - all members voted yes). **[See Attachment A]**

Approval of VP for Research Ellen Fisher as the UNM representative on the New Mexico Consortium (NMC) Board of Directors

Terry Babbitt introduced the item and spoke on behalf of President Stokes' nomination of VP for Research (VPR) Ellen Fisher to the New Mexico Consortium (NMC) Board of Directors. The NMC is a non-profit corporation formed by the three New Mexico research universities to facilitate research initiatives in the state of New Mexico and increase research collaborations between universities, industry, and Los Alamos National Laboratory (LANL). There are eight board members on the consortium board, two from each of the research universities and two from LANL. The NMC is a university affiliated organization and a research park corporation with bylaws that require the Board of Regents' approval of the UNM VPR to the NMC Board.

Provost Holloway introduced Dr. Ellen Fisher who joined UNM in February as the new VPR and Professor of Chemistry and Chemical Biology. Dr. Fisher comes to UNM from Colorado State University (CSU) where she was professor of Chemistry and Assistant Vice President for Strategic Initiatives in the Office of the Vice President for Research. She is the founding director of a cross-disciplinary initiative, the School of Advanced Materials Discovery (SAMD). Dr. Fisher has held numerous administrative and faculty positions during her 27-year career at CSU including Chemistry department chair and senior faculty advisor to the vice president for Research and University Research Integrity Officer.

The Regents welcomed Dr. Fisher.

- The motion to approve VPR Ellen Fisher as the UNM representative on the NMC Board of Directors passed with a unanimous vote in favor (1st Rael; 2nd Henry; roll call vote - all members voted yes).

VOTE TO CLOSE THE MEETING AND PROCEED IN EXECUTIVE SESSION

(1st Rael; 2nd Schwartz; roll call vote - all members voted yes). The meeting closed at 9:15 AM.

- A. Discussions subject to attorney-client privilege pertaining to threatened or pending litigation, as permitted by Section 10-15-1.H(7), NMSA (1978)
- B. Discussion of personally identifiable information about a student, as permitted by Section 10-15-1.H(4), NMSA (1978)
- C. Deliberations by a public body in connection with an administrative adjudicatory proceeding, as permitted by Section 10-15-1.H(3), NMSA (1978)

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

The meeting re-opened at 9:36 AM. Regent Brown certified that closed session discussions were limited to only those matters described in the closed session agenda and stated there were two student appeals upon which action would be taken in open session.

- The motion for the Board to deny the request for discretionary review of a student appeal dated November 24, 2020 passed with a unanimous vote in favor (1st Begay; 2nd Schwartz; roll call vote - all members voted yes).
- The motion for the Board to deny the request for discretionary review of students' appeal dated February 9, 2021 passed with a 5-0-0 vote in favor (1st Begay; 2nd Schwartz; roll call vote – Regents Brown, Rael, Henry, Schwartz, and Begay voted in favor; Regent Lee recused.).

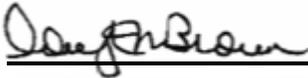
ADJOURN

Before adjournment, Regents Brown, Rael, Begay and Schwartz thanked outgoing Regents Lee and Henry for their extraordinary service to UNM, along with their collegiality while serving together on the Board.

There being no further business, Regent Brown asked for a motion to adjourn. Regent Schwartz motioned; Regent Henry seconded; all members voted in favor; the meeting adjourned at 9:46 AM.

Approved:

Attest:



Douglas M. Brown, President


Sandra K. Begay (Apr 16, 2021 16:53 PDT)

Sandra K. Begay, Secretary/Treasurer



Resolution Making Annual Determination of Reasonable Notice of Public Meetings

WHEREAS, the Board of Regents is required by section 10-15-1(D) of the New Mexico Public Meetings Act to determine annually in a public meeting what notice is reasonable for a public meeting of the Board.

THEREFORE, be it resolved that the Regents affirm Regent Policy 1.3 (attached) concerning public notice of Regents' meetings; and

BE IT FURTHER RESOLVED that the Regents hereby determine that such policy provides reasonable notice of public meetings held by the Board.

ADOPTED BY THE BOARD OF REGENTS on this day, MARCH 8TH, 2021

Attest:


Sandra K. Begay (Apr 9, 2021 13:37 PDT) Apr 9, 2021
Sandra K. Begay, Secretary/Treasurer