

# MINUTES OF THE BOARD OF REGENTS

## NEW MEXICO STATE UNIVERSITY

May 13, 2000

### 1. CALL TO ORDER

The Board of Regents of New Mexico State University met in the Regents Room of the Educational Services Center, Las Cruces campus, on May 13, 2000. President Archuleta called the meeting to order at 8:05 a.m.

Regents Present	Mr. Adelmo Archuleta, President Mr. Larry Sheffield, Vice President Mr. John Van Sweden, Secretary-Treasurer Mr. James C. Manatt, Jr., Member Ms. Avery L. Culbertson, Student Member
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Ex-officio Regents Present	Dr. Marie Heaton Mr. Jacob Saiz
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Others	President William B. Conroy Executive Vice President John Owens Vice President James McDonough Vice President Gary Cunningham Vice President Ben Woods Mr. Ron Jordan Dr. George Alexander Dr. Richard Hills Dr. Jeff Beasley Mr. Darrell Shoup Mr. Cuauntemoc Soto Mr. Martin Hoffmeister Mr. Scott Moore Director Bob Howell Ms. Christina Chavez Kelley Director Brian Faison Ms. Nena Singleton Mr. John Darden Ms. Paula Moore Mrs. Joanne Urban
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## 2. INTRODUCTIONS

### (a) Press

Ms. Singleton introduced the following members of the media: Jim Rosenthal of the Las Cruces Sun-News; Karl Hill and Michael Kiernan of University Communications; and Terry Canup of Agricultural Communications.

### (b) Ex officio Regents for 2000-2001—Dr. Reldon Beck and Mr. Bill McCamley

President Conroy introduced the following two nominated ex officio Regents for 2000-2001 and requested a motion for their acceptance by the Board:

- 1) Dr. Reldon F. Beck, Professor of Range Science, has been elected chair of the Faculty Senate for 2000-2001. Dr. Beck earned a master's degree and his doctorate in range science from Colorado State University and joined NMSU in 1971. He served as Assistant Department Head of Animal and Range Sciences from 1984 to 1989.

A faculty senator since 1996, Dr. Beck has also served on numerous professional, university, college, and departmental committees. His research program has concentrated on livestock grazing management, rangeland restoration practices, ecosystems, and the use of geographical information systems to map changes in plant communities. He coordinates many of the research programs and other activities that occur on the Chihuahuan Desert Rangeland Research Center (formerly called the College Ranch).

Dr. Beck received a Fellow Award from the Society for Range Management in 1997, an Outstanding Graduate Teaching Advisement Award from Gamma Sigma Delta in 1992, and the Distinguished Teaching Award from the College of Agriculture and Home Economics in 1988.

- 2) Mr. Bill McCamley, recently elected president of the Associated Students of New Mexico State University for 2000-2001, has been a resident of Las Cruces since 1992 and graduated from Mayfield High School in 1996.

Bill has been a senator for the past two years, also serving as the Public Information Director for The Associated Students of New Mexico, the state student association that lobbies the Legislature on issues affecting New Mexico's college students.

Bill's NMSU experience includes playing the bass drum in the Pride Marching Band, serving as a DJ on campus radio station KRUX, playing back-up goalkeeper for the NMSU Club soccer team, and riding for the NMSU Cycling Team. He volunteered service at Jardin de Los Ninos, the local child service for homeless families, and coached three youth teams in the Las Cruces Hockey League.

Bill campaigned on a philosophy that students should be treated as an integral part of an institution of higher education and that student government should reach out to them and find out what they want.

Regent Sheffield moved, seconded by Regent Van Sweden, to accept Dr. Reldon Beck and Mr. Bill McCamley as ex officio members of the Board of Regents for 2000-2001, to be seated at the next meeting of the Board in July. The motion carried.

(c) ASNMSU Vice President—Mr. Jake Hill

President Conroy introduced Mr. Jake Hill, recently elected Vice President of the ASNMSU for 2000-2001, who is an agricultural economics sophomore from Artesia. Jake currently serves as a senator from the College of Agriculture and Home Economics, Senate Pro Tem leader, and Rules Committee chair. He also is a College Ambassador for 2000-2001.

Jake was State FFA Vice President for 1998-1999, and Student Body president of Artesia High School 1995-1998.

His future plans include creating, owning, and operating New Mexico's largest independently owned supermarket chain: "Hill's Supermarkets," and he invites any interested investor to contact him.

Jake's campaign highlighted meeting challenges with a positive attitude and an ability to work with others.

(d) Other

There were no other introductions.

3. APPROVAL OF AGENDA

Regent Sheffield moved, seconded by Regent Culbertson, to approve the Proposed Agenda as presented. The motion carried.

4. APPROVALS

(a) Minutes of March 24, 2000 Meeting

(b) Minutes of April 7, 2000 Meeting

Regent Van Sweden moved, seconded by Regent Sheffield, to approve the minutes of both the March 24, 2000 and April 7, 2000 meetings, which each include as Appendix One the material considered by the Board of Regents as part of that meeting. The motion carried.

5. FUTURE BOARD MEETINGS

President Archuleta noted the following approved meeting dates: July 14-15, 2000, tentative location in Santa Fe (Retreat/Meeting); September 16, 2000, Las Cruces; October 26-27, 2000, NMSU-Alamogordo Branch; and December 15-16, 2000, Las Cruces (Commencement Weekend).

6. PRESIDENT'S REPORT—PRESIDENT CONROY

(a) "Good News" Items

President Conroy commended the "good news" items to the Regents to read at their convenience.

(b) Confirm Approval of Candidates for Degrees

President Conroy noted there were 2,343 graduates for the spring 2000 semester, and 1,175 planned to walk across the stage at this afternoon's Commencement.

Regent Manatt moved, seconded by Regent Sheffield, that the Regents of New Mexico State University confer upon the named candidates the degrees listed in the Spring 107<sup>th</sup> Commencement Program. This conferral is contingent upon the students satisfactorily completing the courses in which they are enrolled and meeting the requirements of the appropriate catalog. It is further contingent upon the assumption that the content of the thesis submitted by each student required to do so is original unless otherwise represented in the document. The motion passed unanimously.

(c) Presentation of Resolution to Mr. Saiz

A resolution signed by members of the Board was presented to Mr. Jacob Saiz thanking and commending him for his dedicated service to NMSU while serving as an ex officio member of the Board of Regents during the 1999-2000 academic year.

(d) Presentation of Resolution to Dr. Marie Heaton

A resolution signed by members of the Board was presented to Dr. Marie Heaton for her dedicated service to NMSU while serving as an ex officio member of the Board during the academic years of 1998-1999 and 1999-2000.

7. ACADEMIC—EXECUTIVE VICE PRESIDENT OWENS

(c) Presentation of Resolution to Dean Higbie

Without objection, agenda item 7 (c) was considered at this time. A resolution signed by members of the Board was presented to Dean Virginia Higbie thanking and commending her for dedicated service and leadership as Dean of the NMSU College of

Health and Social Services since 1988 and wishing her all the best following her retirement on August 1, 2000.

(a) Program Highlight: Engineering Technology Department–Security Technology Program

Executive Vice President Owens introduced Dr. George Alexander, Head of the Department of Engineering Technology, and Associate Dean and Director Rich Hills of the Engineering Research Center.

Dr. Alexander introduced the following copresenters on the Security Technology Program, which is a partnership with the Department of Criminal Justice: Dr. Jeff Beasley (Professor in the Department of Engineering Technology), and two students who graduate today from the Department of Engineering Technology–Mr. Darrell Shoup and Mr. Cuauntemoc Soto.

Dr. Alexander said that the Department of Engineering Technology, which has more emphasis on applications and less on theory and derivation, fills a gap needed by industry and economic development in the State. This Department has been at NMSU since 1963 and has been accredited since 1967. Presently, there are 330 undergraduate students. Three basic programs are: Civil Engineering Technology (with a new emphasis in construction), Electronics and Computer Engineering Technology, and Mechanical Engineering Technology. The Security Technology Program is one of two minors; the other new minor is Manufacturing. Dr. Alexander noted that NMSU's graduates in these areas are employed by numerous well known companies and often have the opportunity to remain employed in the State of New Mexico. Average starting salaries range from \$40,000 to \$60,000 a year, he noted.

Dr. Beasley stated the Security Technology Program is part of a group known as the Southwest Security Institute. A consortium consisting of NMSU (Departments of Engineering Technology and Criminal Justice), Arizona State University - East, New Mexico Tech, Louisiana State University, and Sandia Labs. This group addresses the needs for security technology education at the university level. The emphasis in NMSU's interdisciplinary program has been at the undergraduate level. The U.S. Department of Justice is funding the development of the program through a two-year, \$2M grant administered through the F.B.I. The charge for its funding is "to develop a model academic program to address local, state and national needs for graduates educated in physical security, information security, counter-terrorist technology, and related areas."

The Security Technology Program offers a minor consisting of 18 credit hours. Both the Department of Criminal Justice (in the College of Arts and Sciences) and the Department of Engineering Technology offer the degree. In the future, a supplementary major will be offered through the College of Arts and Sciences to address this area at the baccalaureate level. Graduate education is currently offered by a program at Arizona State University - East. It was noted that Dr. Don Fingleton has done training for the F.B.I. in developing some of its needs. In addition, the program operates in conjunction with the College of Agriculture and Home Economics' media group.

Other participants in the program work in explosives detection under the F.B.I. funding by Dr. Gary Eiceman of the Department of Chemistry. The program is also affiliated with Business and Computer Systems with an activity involving e-commerce. The Klipsch School of Electrical and Computer Engineering, as well as Computing and Networking, is assisting in the physical structuring of our system.

Courses offered include: a) the principles of technology, including terminology and techniques used in problem solving; b) an introduction to security technology, which basically is one of a two-part sequence in physical security; and c) units in system administration courses at an applied level. Information security will be added in the future.

A network vulnerability laboratory will be constructed this summer on the third floor of the Engineering Complex to enable high-level threat assessment associated with computer networks. This facility will be totally isolated and will not affect any other computing structures. Dr. Richard Oliver from the Department of Accounting and Business Computer Systems is looking at e-commerce issues. Dr. Eric Johnson from the Klipsch School of Electrical and Computer Engineering is working with this program to bring all the resources together.

Students in the program come to class wearing an I.D. badge at all times, which was a suggestion from the Department of Criminal Justice, to make everyone aware they are working in a secured area. At this point, the Regents were each handed a visitor's badge and invited to come by to visit the Security Technology Laboratory.

Two engineering technology majors and May 2000 graduates addressed the Board regarding their experiences in the Security Technology Program—Mr. Cuauntemoc Soto and Mr. Darrell Shoup. It was noted that potential recruiters have been impressed with this program and job offers have been made by entities such as the Central Intelligence Agency, the Federal Business of Investigation, the U. S. State Department, and Raytheon. The students noted their classes in this program included video assessment, access control, and biometrics, all of which limit access to a secure area.

President Archuleta asked if this program is working with the national laboratories or defense agencies at White Sands Missile Range. Dr. Beasley replied that this program has a subcontract with Sandia to develop a physical security lab at NMSU and a number of agencies also work with the Department of Criminal Justice.

President Archuleta commended all those involved in this very successful program.

(b) Personnel Transactions

Director Howell presented the personnel transactions from March 2, 2000 through April 30, 2000 as follows: 21 appointments, 2 title changes, 2 status changes, 19 terminations, and 2 retirements.

Regent Sheffield moved, seconded by Regent Manatt, that the personnel transactions processed during the period of March 2, 2000 through April 30, 2000 be approved. The motion carried.

8. FACULTY SENATE CHAIRPERSON'S REPORT

Dr. Heaton reported the following activities of the Faculty Senate:

At the May meeting, the Faculty Senate passed the following two bills:

- 1) The consent of the instructor is required for a student to sign up for an audit of a course.
- 2) A change in name in the College of Business Administration and Economics from the Department of Management and General Business to the Department of Marketing.

A change has been proposed regarding Promotion and Tenure in the Administrative Policies and Procedures Manual. In discussion of this issue, it appeared that this entire section should be reviewed to avoid piece-meal changes. The next Senate may establish an ad hoc committee to look into this matter, Dr. Heaton said.

Dr. Heaton thanked the faculty for giving her the opportunity to serve in this position. She also thanked the members of the Board, Dr. Conroy, and Dr. Owens for the kindness, courtesy, and consideration they all have shown her.

In conclusion, Dr. Heaton said, "We all respect the importance of distance education. I would like to propose that we remember that we are a residential institution, and I think that one of the things we need to remember (along those lines) is the fact that as a residential institution, we give the students the opportunity to develop the abilities to become leaders in our State and in our Nation."

9. UNIVERSITY ADVANCEMENT-INTERIM VICE PRESIDENT JOE CREED

(a) Gift and Activity Report

Assistant Vice President Ron Jordan representing Vice President Creed, presented the Gift and Activity Report, detailing gifts received from February 1, 2000 through March 31, 2000, totaling \$4,191,060.32. Mr. Jordan noted this total is the third largest amount through March in comparison to the reports of the past five years. The Zuhl Trust will be funded soon and with the addition of those funds, gift revenue should exceed all entire prior year's receipts, he reported.

On behalf of the Board, President Archuleta sent best wishes for Joe's recovery.

10. BUSINESS AND FINANCE OFFICE—VICE PRESIDENT MCDONOUGH

(a) Budget Revisions for Fiscal Year 1999-2000

Vice President McDonough requested approval of the final 1999-2000 budget revisions as follows: Main Campus—(Unrestricted Fund) \$4,344,092 and (Restricted) \$4,513,700; Carlsbad Branch—(Unrestricted Fund) \$44,000 and (Restricted) \$302,962; and Doña Ana Branch—(Unrestricted Fund) \$233,000.

He noted that in order for the University to adhere to the rules of the Commission on Higher Education and meet State statutes, it is necessary to ensure that NMSU's budgetary level of expenditures are at a level at least equal to the anticipated expenditures for the fiscal year. Accordingly, the budgets submitted to the Board are on the higher side regarding anticipated expenditures. In each of the cases regarding these budget revisions, there are sufficient revenues or fund balances available within the University to meet the anticipated level of expenditures. Upon approval, these budget revisions will be submitted to the Commission on Higher Education and the Department of Finance and Administration for review and approval.

Regent Van Sweden moved, seconded by Regent Manatt, to approve the 1999-2000 budget revisions for the main campus and branch campuses for the fiscal year. The motion carried.

(b) Transfer of Uncollectible Accounts to Inactive Status

Vice President McDonough requested approval to transfer a total of \$740,287.17 of Accounts Receivable to Inactive Status for 1999-2000 per the summary submitted. He said State law precludes NMSU from writing off bad debts; therefore, the Board was requested to transfer these accounts to an inactive status. He noted the Main and Doña Ana Branch Campuses has offsetting income of \$316,617.64 from deferred payment charges and the recovery of prior year debts that were written off.

In addition, the Alamogordo, Carlsbad and Grants Campuses have offsetting income totaling \$9,555.67. Approximately 64 percent of these accounts being transferred are from freshmen and sophomore students with the remaining accounts attributable to upper classmen. As expected, the majority of the balance is attributable to uncollected tuition and fees, with the balance in housing, meal plans, the Health Center, Library, telephone, and returned checks. The total amount represents less than 2 percent of the total tuition and fees billed and collected for the year. NMSU will continue its collection efforts concerning these accounts. As a point of information, students who have not paid their accounts have a hold placed on their transcripts and are unable to register for subsequent semesters or secure transcripts until these accounts are cleared.

In response to Regent Van Sweden, Vice President McDonough estimated that about 50 percent of these accounts would be collected.

Regent Manatt moved, seconded by Regent Sheffield, to transfer current Accounts Receivable to Reserve for Inactive Accounts in accordance with the schedule presented by Vice President McDonough. The motion carried.

(c) Proposed Tuition and Fee Increases

Vice President McDonough presented the proposed tuition and fees increases for the main and branch campuses effective Summer Session I 2000 for Fiscal Year 2000-2001 (see Appendix A). He said the proposed increase for the main campus is \$114 per semester for a resident undergraduate, or a 9.11 percent increase in tuition and fees over last year. The graduate student fee is slightly greater due to the graduate differential fee, which is \$9.00 per credit hour per full-time student per semester.

Vice President McDonough presented a proposal for the branch campuses which included increases ranging from \$12 to \$60 per semester for in- and out-of-district students effective Summer Session I. This represents increases ranging from 2.94 percent to 6 percent, depending upon the current rates at each branch campus.

A memorandum from Dr. Lynford Ames recommends that all off-campus undergraduate courses be billed at \$125 per credit, and off-campus graduate courses at \$135 per credit. In addition, he recommends an increase in tuition to \$225 per credit for courses offered at Kirtland Air Force Base (present rate is \$199 per credit).

Vice President McDonough requested the Board to approve the tuition and fee increases for the main, branch campuses, and off-campus credits effective Summer Session I 2000.

Regent Sheffield said, "Having served on the Board for 5-1/2 years, I know it is always a hard item for the Board to handle these tuition and fee increases, because we have always been sensitive to our students and our constituencies. We have just been through a presidential search, a very invigorating process where we learned what other campuses are doing and how they are handling some of the deficiencies in their budgets. As you know, the Board of Regents of UNM recently approved a 15 percent increase in their tuition. And New Mexico (as I understand it) ranks 47<sup>th</sup> in the nation for the part of tuition that a student pays in relation to the cost of their education. We are really a good buy for our students.

"After serving 5-1/2 years on this Board, I see two crises affecting our campus. One is the fact that our faculty salaries have fallen every year since I have been on the Board. The gap has increased between our faculty salaries and what faculty salaries are at competitive institutions of our size. I am concerned about that. I am concerned about the gap that has been created on our graduate student stipends, and both of these issues (noted during the interviews of presidential candidates) were identified as some weak links in our university. With those things said, this is the first time I feel that we are starting to get into a crisis mode on our faculty salaries. I think we, as Regents, can't depend on Santa Fe to solve the problem. We have to take the first step and to start the debate and to start the process and then go to Santa Fe and ask for help. But we can't ask Santa Fe

for help first. I think it is time that we look at a tuition increase to help solve some of these problems. Therefore, I would like to introduce a motion for a 15 percent increase in tuition and I would like the Board to discuss that motion.”

Regent Manatt seconded the motion.

President Archuleta said, “The recommendation from the staff is 9.11 percent increase in both tuition and fees, and your motion is to increase both tuition and fees by 15 percent?” Regent Sheffield responded, “Just tuition by 15 percent and to hold the fees at 9.11 percent.”

President Archuleta said, “Then you would use that money primarily for faculty and graduate assistant stipends.” Regent Sheffield responded, “I think we have some serious concerns. I think we are in a crisis mode in regards to the gap between what our faculty salaries are and what competitive institutions of our size are offering. Five and one-half years ago, it was a problem, but I think this year it is a crisis. I think the Regents across the state of higher education institutions have to take the first step—have to take a step out—and acknowledge that it is a serious problem. We have to go to Santa Fe and explain to them that we are willing to bite the bullet and to take the step to start the debate. We can’t rely on them to start the debate. I think we have to start the debate right here in the Board of Regents.”

President Archuleta said, “It has been moved and seconded that this Board consider raising tuition by 15 percent and fees by 9.11 percent and that increase be used for faculty salaries and improving graduate assistantships. Is that correct?”

Regent Sheffield responded, “That is correct.” Regent Manatt agreed.

President Archuleta called for discussion and recognized Regent Culbertson.

Regent Culbertson said, “Mr. President and members of the Board, Mr. McDonough, I had to look at this from two different directions, because I am a member of the Board. I have seen the facts, the figures, and how we have had to crunch numbers over the past few years. But I also have to look at this as a student, and as a student who also pays her own tuition. When the land grant institution (which we always fall back on and we always stand beside it) was established, it wasn’t just established as an agricultural and mechanics institution. It was a people’s college. We were to provide the State of New Mexico (their working class) the opportunity for an education. Therefore, I have a lot of trouble looking at this proposal. Yes, we are ranked 47<sup>th</sup> in lowest tuition, but this is among our peer institutions. You also have to look at this in the context of New Mexico. You have to look at incomes, families, communities within the State of New Mexico. A lot of people can fall on Lottery Scholarships, but speaking as a non-traditional student I feel that I can speak on their behalf. A good deal of us are working. We are paying our own tuition and we can’t fall back on that Lottery Scholarship. I take this on a personal level, and I think I can speak for the College of Education and music education, too. Next semester I do my student teaching and I am not allowed to work. I come up with my own tuition at this point. Last year, we approved an increase of over 6 percent. Another approval of 15 percent is really

hard for me to bear. What I encourage the Board members to do is to also look at this from the position of the people you are serving and that is the students of the State of New Mexico. Thank you.”

President Archuleta recognized Jacob Saiz.

Mr. Saiz said, “I would like to address this proposal. I am graduating, so this tuition and fee increase won’t affect me, but falling back on what Avery said about the land-grant mission and providing for students on all aspects, it is why New Mexico State exists. I would like to point out that I know many students who are not on the Lottery Scholarships. I wasn’t. I don’t think a scholarship on the whole covers as much as we would like. I think that loans are another aspect, but I know a lot of people who can’t get enough out of loans either. A 6.1 percent increase last year and this year’s recommended 15 percent makes a tough year. This recommendation makes it very, very difficult. I would ask the Board to reevaluate this and see what we can do to help the students, because we shouldn’t forget that’s why you are here and I respect the job that you do. I know that New Mexico State University has problems. I just hate to see it borne on the students. I know that Santa Fe has not been helping out as much as it should. I have thought about what New Mexico State could do to increase its revenue to help cover some of this, and we are talking about a lot of money so it makes it very difficult. As far as the students are concerned, they are the customers. This is a very large increase for customers across the board. Please keep that in mind.”

President Archuleta recognized Dr. Heaton.

Dr. Heaton said, “I certainly think we should keep tuition as low as possible, but I think I need to point out that we have several faculty positions on campus that can’t be filled because we can’t afford the starting salaries. And so it is kind of a trade-off. If we don’t have professorships in certain areas, there are certain areas then that are closed to our students. I don’t know what the right answer is, but I think that is a factor that needs to be taken into consideration. If I may also point out, our classified staff is also very poorly paid.”

President Archuleta recognized Mr. Bill McCamley.

Mr. McCamley said, “As a member of the State Student Association we lobbied very hard last year to keep the Lottery Scholarship at full funding in Santa Fe. Although we did succeed for this year, the Commission on Higher Education has already proposed that the Lottery Scholarship be cut next year. With the changes at UNM and all the other schools in New Mexico and New Mexico State, it is probably going to get cut even more. Regent Culbertson was bringing up the Lottery Scholarships. She brings up another excellent point in that students are not going to be able to rely on that any more, too, because it is going to start getting cut. I want to act on ASNMSU’s side on Regent Culbertson’s concerns that we are going to start closing (as stated by Dr. Heaton) areas off. I think that if you raise tuition 15 percent you are going to start closing off areas to a lot of students over the whole scope of education. I did have a question, and the question was concerning whether or not (in light of the Lottery Scholarships) new grants or new scholarships or new ways of giving

student aid were being looked at with the increase in tuition. I don't know if anyone can answer that, but it seems that it might be a good question in light of tuition increases."

President Archuleta recognized President Conroy.

President Conroy said, "I would like to ask Dr. Franco, our Vice President for Administration, to respond to that."

Vice President Franco said, "No, we are not considering a new scholarship in terms of what might happen to the Lottery. In fact, if the Lottery is cut it will also hurt other students that are on scholarships that take into account the Lottery Scholarships. If there is something done to the Lottery, it is going to impact us all."

President Archuleta said, "The Lottery this year (correct me if I am wrong) was funded 100 percent. I thought I just read that."

Vice President Franco responded, "There was a rumor that it was going to be cut. Vice President McDonough informed me this morning that a decision has been made to fund it this year at 100 percent."

Vice President McDonough said, "I was at a meeting last week of the Commission on Higher Education, and they indicated that, not only would they fund 100 percent for next year, but they would have a \$4 million surplus that could be carried into the succeeding year. If nothing else happens and it stays at that level, then there will be a shortfall in the year 2001-2002. Senator Sanchez (the original sponsor of the bill) indicated that he was going to take it to the Senate floor and to the Governor to ensure that we got 100 percent funding for the Lottery Scholarships. Now, whether that happens is problematic, but he made a commitment to it."

Regent Sheffield said, "I want to make a couple of points with respect to what has been said, and that is by serving on the Board we have a real balancing act to do. We have to look at the public side; we have to look at the faculty and staff side; we have to look at the students. As I mentioned, 5-1/2 years ago we were talking about the problem and we were to some extent addressing the problem, but as I have mentioned, in the 5-1/2 years that I have been on the Board, I see us going from what was a problem to what I perceive as a crisis. I think we are going to start losing the quality of this institution—the quality of the faculty and staff that we have—if we don't act now. We have to take the first step; we have to take the first bold step. We, as Regents, all go to Santa Fe and we talk to the legislators; and we can't face the legislators and say, 'We really need this money; we really need your help,' without our first taking a bold move, because they are going to say 'What have you done?' We have cut budgets for the last 5 years. The Administration, Dr. Conroy and Dr. Owens have made diligent efforts in budget cuttings and streamlining and trying to get some of our staff and faculty counts down in that regard. We have moved up and become more aggressive in Santa Fe. Patricia Quintana has done a marvelous job of lobbying on behalf of New Mexico State. We have all been up to Santa Fe, and I think each year we do a better job of lobbying. But we also have to look within our own house, and we have to take the bold step, and it has to start right here. The debate has to start

right here. It can't start in Santa Fe; it can't start in the Legislature; it can't start in the Governor's office; it has to start right here. I am concerned (as Dr. Heaton mentioned) about our quality and I think we are finally in a crisis mode. That's why I wanted to make the motion that I did, and I appreciate your indulgence in letting me explain my motion."

President Archuleta recognized Regent Manatt.

Regent Manatt said, "I would like to respond to the students as a father of three teenagers who are looking at college (and I don't want to unduly influence anyone here who might be on the Scholarship Committee, because they may or may not be able to earn a scholarship). When I second a motion to raise tuition 15 percent, it is my pocketbook just like it is yours. It is not a fun thing to do. UNM has raised their tuition 15 percent. They have bitten the bullet. This is an extraordinary motion. This is an extraordinary step, but there were some extraordinary events this year that perhaps necessitate this and perhaps elevate the level of crisis. There is a big loss affecting the insurance pool and the way that that loss is being covered is they have almost tripled our insurance costs this year. The Legislature funded a portion of that but not all of it. So we have to come up with new funds. Our formula support continues, but we haven't gained anything in terms of our I&G operations from the Legislature, and we are not going to. Higher ed is not the highest priority in the Legislature. It is a high priority, but I have to tell you that K through 12 is a higher priority. We don't get the highest priority. We need to work on that as a community. We need to go up there and make the case—not that we don't already—but somehow we have to be creative and think of new ways to get the attention of the Legislators of New Mexico, who fund about 40 percent of our operation, only about 40 percent of it. We are squeezing the taxpayers now and they are pretty squeezed. This is a Carnegie I Research university. You get a lot; you get an enormous value for what you pay for tuition here. We have a superb faculty, and we are lucky to keep them. And I think we have a problem recruiting good faculty. The good faculty we get here (and we have a great faculty) are not here for the money. That is not a debatable item, because they are paid 17 percent under peer institutions. They are here because they are dedicated to our students; they are dedicated to this University and this community and they enjoy the quality of life here. But that doesn't sell to everybody. We are selling ourselves short if we are not trying to reduce the disparity among our peer institutions. We are selling you, the students, short if we don't do that. Tuition only pays 23 percent of our I&G. I know it seems like a lot to you, and it seems like a lot to me as a dad who is going to pay it. But it only pays 23 percent. This University is a very good educational deal. I know it hurts, and I know we are going to perhaps lose some students. I don't want to do that. We have got to do what is best for this University. Regent Culbertson said to think of the people you serve, and I think that is what this motion is about. The two qualities that we can address here—the two most important qualities—are that we educate and serve students and we serve our faculty. We are only as good as our students, and we are only as good as our faculty. Students only get an education that is as good as they apply themselves and as good as the faculty is capable of teaching. So this is an investment by you and by your parents and by whoever is paying the tuition. We have a deal with the students that we won't raise tuition more than 45 percent in 5 years. We are not trying to get away from that formula, but we have increased it only 13 percent in the first 2 years, and we are talking about 15 percent here. We will be on target with this sort of an increase. We won't be going out of the ordinary on

that. It is coming out of my pocket, and it is a tough thing for me, but we have a crisis at New Mexico State University. We can't go to the Legislature, we can't go to the taxpayers, unless we are first willing to accept some of the pain ourselves. It is everybody's responsibility. Thank you, Mr. President."

President Archuleta recognized Regent Van Sweden.

Regent Van Sweden said, "This is not an easy thing, but I am going to speak in opposition to this motion. I know we have to raise the tuition and fees. I know it is a very difficult thing. I would be receptive maybe to a lower amount, maybe higher than what has been proposed, but lower than this 15 percent. What Regent Manatt, Regent Culbertson, and of course Regent Sheffield said (all the comments here) have been absolutely on track. This is a difficult thing and I have been on both sides. As a student, I didn't qualify for anything such as grants. I have two children who were educated here, and they didn't qualify either. I understand what it is like to pay the tuition. I understand the pain, but I also understand both sides. I understand from the faculty side; I understand we have got to do something, and the Legislature is a partial answer but it is not the whole answer. I understand all that. I know we have an agreement with the students and I know we want to honor that, but I have a hard time making myself make that mental jump of 15 percent. That's going to be so difficult for students and so I speak in opposition to it because I think we need to look at it. We need to raise it, but not to that degree. Thank you, Mr. President."

President Archuleta repeated the motion as follows: "To raise tuition 15 percent and fees 9.11 percent as proposed." The motion died on a vote of 2 to 3. [For the record, Regent Culbertson, Regent Van Sweden, and Regent Archuleta voted nay.]

At this point, President Archuleta asked the Board to consider the proposal from the Administration, which is a 9.11 percent increase in tuition and fees. He said, "I certainly understand the dialogue that has occurred and certainly can say that it is very difficult to know what to do. When you look at faculty salaries, they make up 80+ percent of your entire budget. There are not a lot of places to play with budgets. I think Dr. Conroy and the Administration have done a tremendous job of making cuts for efficiency as much as they can. We have asked people to stretch and stretch and stretch. Also, we have to bear in mind that 'putting it on the backs of the students' is certainly not the case when you have only 23 percent of the cost of their education coming from tuition. And, I, too, Regent Manatt, speak with one son to enroll here next year and a son in college at that school that already has a 15 percent student increase (I hate to say the name, and he still may transfer by the way) and another one coming up in a few years. Certainly this affects everyone, but when it takes a 5 percent increase in tuition to fund, for example, a 1 percent increase in salary, tremendous leverage has to occur to affect salaries as compared to peer institutions.

"We have an agreement with the students that we will not increase tuition and fees higher than 45 percent in a 5-year period, or greater than 10 percent in a given year and we are in the third year of that agreement. As I understand, the last two years the increase has been about 13.4 percent cumulative. What I would like to do is be able to take a year

to renegotiate perhaps with the students and be able to look at this. We have a new president coming in. I would like to propose a 12-1/2 percent increase in tuition, leaving the fees at 9.11 percent, to be used as needed to ensure a 3 percent average increase in salary for our faculty and staff and that we dedicate the remainder of the tuition increase (3.39 percent) to graduate assistantships. We have heard pleas from graduate assistants for the last two years. We have heard in the presidential search that this is a major dilemma. Our enrollment of graduate students is going down. This would allow us to speak back to our student body and say 'Yes, we are going to go higher than the 9.11 percent. We are going to stay on track with regard to the 45 percent agreement. It is giving back to the students in the form of graduate assistantships. The data I have seen on graduate assistantships shows that we are woefully short when we look at some 15 peer institutions. We rank second from the bottom. This will allow us to increase those assistantships on the average of \$2,000 per student, which will have a major impact. It would put us about second or third from the top compared to those peer institutions—if I am not mistaken.

"In addition, (if my figures are right) if we are at 13.4 percent and we increase by 12.5 percent, we will be somewhere around 26 percent that we have increased in three years, even though we will be slightly higher than the 10 percent this year. It puts us on track in that 5-year period and again with a 12-1/2 percent increase in tuition keeps us slightly lower than UNM in tuition and fees which is important from a marketing standpoint. I would like to hear a motion (if it appeals to you) that we increase tuition 12-1/2 percent, student fees 9.11 percent, to ensure a 3 percent average increase for faculty and staff and dedicate the remainder of the tuition increase above 9.1 percent to graduate assistantships (and if the calculations I was given were right) that would provide an average increase in those state funded teaching assistantships of approximately \$2,000 per year. I think that would be a major impact on this University."

Regent Van Sweden, "I would move that, Mr. President." Regent Manatt, "I will second."

President Archuleta said, "It has been moved by Regent Van Sweden and seconded by Regent Manatt, that we increase tuition 12-1/2 percent, student fees 9.11 percent, to ensure a 3 percent average increase for faculty and staff and dedicate the remainder of the tuition increase above 9.1 percent to graduate assistantships that would provide an average increase in those state funded teaching assistantships of approximately \$2,000 per year."

Regent Sheffield said, "I certainly think 15 percent is what we ought to go, but I don't think we have the votes today to do that. If this is the best we can do, then I am for it. I still think though (and Dr. Heaton and faculty and staff in the audience) we really need to have a concentrated effort to get our message to Santa Fe and it has to be this year. If the people of New Mexico want quality at New Mexico State University, they have to pay for it. I realize that it can't come out of tuition, but it is going to have to be a concentrated effort. In my opinion, this is the greatest crisis facing higher education in New Mexico right now and at New Mexico State University. We have to sound the alarm; we have to sound the bell; we have to get the word out. I support this because it looks like today it is going

to be the best we can do. I still think that we have to get the message out. I encourage you to try to help me get that message out this year and this next legislative session. Thank you.”

Dr. Heaton asked, “I understand that the Legislature reclaims a certain amount of tuition. Is that correct?”

Vice President McDonough responded, “That is correct.”

Dr. Heaton asked, “What percentage will they reclaim of the 12-1/2 percent?”

Vice President McDonough responded, “Mr. President and members of the Board, they are going to claim 4 percent this year regardless of what we do at this Board meeting.”

Dr. Heaton said, “That amounts to 8-1/2 percent actual increase in the funding of the University?”

Vice President McDonough responded in the affirmative.

President Archuleta said, “The increase that I have proposed will still allow us to give a 3 percent increase in salaries—correct?”

Vice President McDonough responded in the affirmative.

President Archuleta said that the net effect remains the same and Vice President McDonough agreed.

Regent Culbertson challenged the Board as follows: a) Keep NMSU’s tuition and fee rates lower than The University of New Mexico; b) Increase the quality of education offered at NMSU as well as the tuition rates; c) Keep in mind that the students of the State of New Mexico are the customers being served; d) Keep in mind that NMSU is one of “America’s Best Buys” and keep NMSU in this listing; and e) The new president, the Administration, Santa Fe, the community, and faculty and staff are challenged to offset the burden placed upon the students by seeking grants, scholarships, finding other sources of income, etc. Regent Culbertson said, “I hope that Santa Fe hears this today and understands that we are willing to step up to the plate and bite the bullet and now I am asking them to bite the bullet.”

Vice President McDonough said, “Mr. President, would you include in that resolution the approval of the branch campus and off-campus credits that were recommended?”

President Archuleta responded in the affirmative. Regent Van Sweden also agreed that was his intent.

Mr. Saiz commented, 1) This is a bad year for this increase with the proposed 9.11 percent student fee increase. He said he realized that time is of the essence and that he based his decisions on the philosophy that ‘if we don’t do it now it probably won’t

get done.' 2) The pocketbooks (as Regent Manatt stated) come from the parents of students in this State who can't afford to pay; therefore, the burden is on the majority of the students who have to work for additional monies.

President Archuleta said, "I did a quick calculation and it appears that the 9.11 percent raise is about \$113, and the 15 percent (which was turned down) was \$187. My proposal is \$156. Between what was going to be proposed (9.11 percent which is direly needed) and my proposal is about \$43 dollars.

Regent Van Sweden called for the question. The motion carried on a 4 to 1 vote with Regent Culbertson voting no.

(d) Approval of Budget for Fiscal Year 2000-2001

Vice President McDonough requested approval of the 2000-2001 operating budgets for the main campus and for the branches to be submitted to the Commission on Higher Education (CHE).

"Included in your materials on page 1 is a document entitled Budget of New I&G Funds for Fiscal Year 2000-2001 (see Appendix B). You will recall that President Conroy forwarded you a similar document on April 24, 2000, which included the proposed uses of these new I&G funds. The Administration has used these guidelines to construct this 2000-2001 Operating Budget.

"The additional sources include approximately \$2.8 million in State Appropriation, \$365,000 in reallocated expenses, and \$2.7 million in tuition increases. That does not include the increase that was just approved. I did a rough calculation and that would add about \$850,000 to the bottom line to be used for graduate teaching assistants.

"The costs will be covered by a 3 percent compensation increase for faculty and staff, an expansion of Building Renewal and Replacement Funds, continuing commitments (including additional utilities costs), and significant increases in health insurance and Risk Management charges, as well as the increase the Board just approved."

Vice President McDonough reviewed page 2, which reflects Expenditure Budget Comparisons for FY 1998-1999 through 2000-2001 (see Appendix C). This particular document notes the Expenditure Budget for 2000-2001 totals \$382,530,793, which includes current operating funds identified as Unrestricted and Restricted Funds but also Plant Funds. There was a slight decrease over 1999-2000 of approximately \$4 million. Unrestricted Funds increased by \$10 million; Restricted Funds increased by \$5 million; however, Plant Funds decreased by \$19 million, primarily due to the completion of the new CSDAL building. The budget for the Main Campus decreased from \$337 million to \$335 million.

Vice President McDonough reviewed page 3, which reflects the Expenditure Budget Comparisons from FY 1998-1999 through 2000-2001 for the four branch campuses (see Appendix D). For FY 2000-2001, the figures are: Alamogordo Branch—\$11.9 million;

Carlsbad Branch—\$7.5 million; Doña Ana Branch—\$23.2 million; and Grants Branch—\$4.6 million. The totals for the branches decreased from \$49.6 million to \$47.2 million.

Vice President McDonough reviewed page 4, which indicates a schedule of NMSU Sources of Current Funds for the Main Campus only for FY 1999-2000 and 2000-2001, with the current funds increasing from \$299 million to \$313 million (see Appendix E). The largest sources are State Appropriations—\$120 million, Grants and Contracts—\$100 million, and Tuition and Fees—\$37 million (which will be adjusted for the additional \$850,000).

Vice President McDonough reviewed page 5, which indicates NMSU Uses of Current Funds, Main Campus FY 1999-2000 and 2000-2001 (see Appendix F). The primary use, I&G funds of \$123 million, increased by about \$7 million.

Vice President McDonough reviewed page 6, which reflects a Summary of Unrestricted Current Funds, Main Campus 1995-1996 through 2000-2001 (see Appendix G). NMSU's revenue for the 6-year period has increased from \$175 million to a little under \$205 million, with expenditures and transfers during that same period going from \$172 million to \$203 million. The fund balances during the 6-year period went from \$12.8 million to a projected \$15 million for 2000-2001.

Vice President McDonough stated that page 7, indicates the Unrestricted Current Fund Balances, Main Campus FY 1995-1996 through 2000-2001, which outlines the details of the Fund Balance of the current funds (see Appendix H). The I&G fund balance has decreased from \$6.4 million (FY 1995-1996) to a projected \$3.5 million (FY 2000-2001). This represents a reserve of about 2.85 percent of I&G expenditures, which is slightly below the guidelines that the Board of Regents approved in the past of 3 to 5 percent. Intercollegiate Athletics has the only significant deficit, with a projected deficit of \$2.6 million. The Board approved a 10-year payback plan on this deficit, which has been delayed by one year since only \$100,000 of the \$300,000 restored gender equity money was received.

Vice President McDonough said that a detailed budget in the format prescribed by the CHE is available to any Regent upon request. This will be submitted to the CHE. Vice President McDonough acknowledged and thanked Budget Director Lisa Clough and her staff for the preparation of this budget material.

Regent Van Sweden moved, seconded by Regent Culbertson, to approve the 2000-2001 operating budgets as presented by Vice President McDonough. The motion carried.

(e) Approval of Bond Reimbursement Resolution Concerning Garcia Hall

Vice President McDonough requested the Board's approval of a Bond Reimbursement Resolution concerning Garcia Hall. He noted that in November 1999, the Board approved a budget increase of \$2,790,000 for this project. This increase was due primarily to structural corrosion problems uncovered after the renovation began. It is

NMSU's intent to make a temporary loan to the Housing Division of these funds until such time as tax-exempt bonds are sold. Since bonds will be sold after the funds are expended, it is necessary to ask the Board to approve a reimbursement resolution. He noted that the resolution references a reimbursement of capital expenditures not to exceed \$3 million. It is expected that the actual reimbursement to be included in the bond sale will be closer to \$2 million. However, in order to ensure that the University has enough latitude to cover any unforeseen circumstances that may arise, this resolution covers the completion of the Garcia Hall renovation.

Regent Manatt moved, seconded by Regent Culbertson, to approve the bond reimbursement resolution concerning Garcia Hall as presented by Vice President McDonough. The motion carried.

(f) Approval of Resolution, Notification, and Certification Regarding State of New Mexico Severance Tax Bonds—Spring 2000 (The 2000 Bonds)

Vice President McDonough presented a legal document entitled "Approval of Resolution, Notification, and Certification" regarding State of New Mexico Severance Tax Revenue Bonds, Spring 2000 (The "2000 Bonds") for consideration by the Board. (See Appendix I.) He noted that during the past legislative session, NMSU was allocated \$534,970 in severance tax funds to be utilized on projects as listed in Exhibit A attached to the resolution. He noted the State plans to sell these Severance Tax Bonds in the month of June (prior to the end of the fiscal year) in order to take advantage of its bonding capacity; therefore, the Board is requested to approve this resolution.

Regent Van Sweden moved, seconded by Regent Manatt, to approve the Resolution, Notification, and Certification regarding State of New Mexico Severance Tax Revenue Bonds, Spring 2000 (The 2000 Bonds) as presented by Vice President McDonough. The motion carried.

(g) Appropriation Requests, Guidelines and Priorities for FY 2001-2002

Vice President McDonough requested approval of the 2001-2002 appropriation requests, guidelines, and priorities to be submitted to the Commission on Higher Education (see Appendix J):

Operating Increases:

- Faculty and staff salary and fringe benefit increases of 10 percent.
- Full I&G formula funding of University workload.

Instruction and General:

Support of Council of Presidents' priorities is to be determined during the summer months ahead. Once consensus of the Council is reached, priorities will be shared with the members of the Board of Regents for their review and comments.

Research, Public Service and Other Line-Items:

- 1) Continuation of existing line item appropriations.

- 2) New and expansion of existing projects:
  - a) New Mexico Department of Agriculture—\$300,000
  - b) Agricultural Experiment Station and  
Cooperative Extension Service—\$1,060,578
  - c) Southwest and Border Cultures Institute—\$400,000
  - d) Alliance for Underrepresented Students—\$100,000
  - e) KRWG TV Equipment Replacement—\$124,000
  - f) New Mexico Border Initiative—\$500,000
  - g) Sloan Digital Sky Survey—\$500,000
  - h) Clinical Faculty in Teacher Preparation—\$500,000
  - i) Distance Learning MA in Education—\$200,000
  - j) Hispanic Intervention & Outreach Programs—\$237,120
  - k) New Mexico Prefreshman Engineering Program—\$200,000
  - l) Gender Equity—\$200,000
  - m) Experimental Program to Stimulated Competitive Research—\$500,000
  - n) Water Resources Research Institute—\$600,000
  - o) NMDA, Partner Programs—\$1,884,200

Vice President McDonough said items under “NMSU New/Expanded Research and Public Service Projects for 2001-2002” (see Appendix K), are categorized by Constitutional Programs, Research and Public Service Programs, Instruction and General Programs, Athletics Programs, Statewide Research and Public Service Programs, and NMSU Supported Partner Constitutional Programs. A recommended priority is recommended for the program changes. The total new or expanded projects for the main campus is \$5,421,698. The total NMSU Supported Partner Programs is \$1,884,200, which represents NMDA’s request for past through funds which the Regents are requested to support.

Vice President McDonough said the University Administration recognizes that more than likely the State of New Mexico will not have sufficient funds for all of these requests. On the other hand, it is essential that the University make the CHE, the State Legislature, and the Executive Branch, aware of NMSU’s most pressing needs. He noted that representatives (deans, directors, and faculty members) in the audience were available to respond to any particular line-item questions.

Regent Manatt moved, seconded by Regent Culbertson, to approve the appropriation requests, guidelines and priorities for FY 2001-2002 as presented. The motion carried.

#### 11. PURCHASING—VICE PRESIDENT MCDONOUGH

- (a) Purchase Orders Over \$10,000
- (b) Construction Contracts Over \$10,000

Vice President McDonough presented a list of purchase orders in excess of \$10,000 awarded from February 16, 2000 through April 7, 2000, with 11 bids, 19 sole source, and 19 under pricing agreements, dues, fees, etc.

Vice President McDonough presented four construction projects over \$10,000 awarded during this same period, with the two major projects funded primarily from State and local bond issues. These two projects were previously approved by the Board.

Regent Van Sweden moved, seconded by Regent Manatt, to approve the following: a) the purchase orders over \$10,000 awarded for the period of February 16, 2000 through April 7, 2000 as presented; and b) the four construction contracts over \$10,000 awarded during this same time period. The motion carried.

## 12. FACILITIES AND LAND—VICE PRESIDENT WOODS

### (a) Facilities

#### -1- Capital Outlay Requests for 2001-2002

Vice President Woods made the following presentation, assisted by Mr. Hoffmeister who presented the slides for this item:

“The first agenda item which we bring forward for your consideration is the approval of the 2001-2002 Capital Outlay requests for New Mexico State University. Included in your folders is the proposed prioritized list, plus a synopsis of each project (see Appendix L). This list does reflect several changes from last year’s approved listing. The appropriation of funds for the Health and Social Services Building allows the University to begin campaigning our next major facility project, which is the renovation of Foster Hall. The funding for Health and Social Services is still dependent upon a successful General Obligation Bond campaign, but we are optimistic that the voters of the State will support this important issue in November.

“This does allow us to focus our attention on the renovation of Foster Hall. The facility is in serious need of major renovation to correct deficiencies and numerous building systems and deficiencies in building codes. As we discussed last summer, this project was chosen as the most pressing need on the main campus after a lengthy evaluation of our long-range capital outlay plan. We have not included requests for Information Technology at this time. We continue to work with the Commission on Higher Education to develop the strategy for this important area of need. As soon as that strategy is developed and guidance is received, we will begin putting together the specific request in this area, and as soon as that is developed it will be brought forward for your consideration.

“We have not included a request for the Statewide Digital Television Conversion effort either. There was some funding allocated during the session, which is included on the General Obligation Bond Issue. The Statewide Coalition of Public Television Stations is uncertain as to whether or not they wish to proceed at this time with the request for the coming legislative session. They are hopeful for passage in the fall of the General Obligation Bond and look forward to going back to the Legislature in the 2002 session for further support of this need through that process.

“We have included Infrastructure Renovation and Expansion Requests for each of our campuses. The Commission continues to actively campaign this important area and it is worthy of our continued effort.

“The request for the Alamogordo Campus is indicative of their recent success in securing funds for the ongoing construction of the Tays Special Events Center. At this time, their focus is rightly on the upgrade of their existing plant. The Carlsbad Campus has requested that the proposed Seminar/Fine Arts Facility be placed as their top priority. This is a facility intended to serve the community needs and has been much discussed over the past several years. The Doña Ana Branch Community College continues to seek capital funding for their Border Area Satellite Facility. This is the center constructed several years ago at Sunland Park. That construction effort was totally funded with local revenue bond dollars. To date there has been no State support for this site. This request would complete the intent of the initial phase of work at this site. Doña Ana Branch has also included a request for \$4 million for the second phase projected for their East Mesa Center. This is another project to be funded with local revenue bond proceeds, which now seek supporting funds from the State. The Grants Campus has placed the College Community Library Center as their top priority. This project is intended to construct a library addition on the Grants Campus, which will serve various community needs through one facility.

“Should the Board approve these requests, this list will form the basis for our annual submission to the Commission on Higher Education. The Commission will evaluate our requests and then create a prioritized recommendation for all of higher education capital outlay projects. This recommendation from the Commission is then utilized by the Executive and Legislative Branches in the initial formulation of capital outlay recommendations for the coming session. The upcoming session will not have benefit of General Obligation Bond capacity, and historically capital needs for higher education have not fared well during these sessions. The real intent is to begin campaigning projects for serious funding consideration in 2002 when GO Bond proceeds will once again be available. I appreciate the opportunity to present these recommended capital outlay requests to you.”

President Archuleta inquired regarding priority No. 2 for the main campus—Infrastructure Renovation and Expansion listed at \$5 million. He said there was a \$13 million statewide pool two years ago and NMSU realized about \$1 million. Then, last year \$25 million was granted for a 5-year period. He asked what is NMSU’s share and how do we receive our apportionment of that \$25 million? Vice President Woods replied that the \$25 million came from House Bill 5 of the Special Session one year ago. It was to have been allocated at \$5 million a year over five years. The first year’s allocations were determined by the Commission on Higher Education to be distributed in accordance with formula. Therefore, NMSU will receive approximately \$989,000, which is our pro-rata share if you look at the Building Repair and Renewal formula and how those funds are distributed to institutions across the State. The Commission has not determined how the proceeding funds will be distributed. On April 11, 2000, those first bonds were sold by the State and those funds are just now becoming available to NMSU from allocations that were made in the 1999 session, he stated. NMSU plans to use that particular allocation towards funding a project which will be presented for the Board’s approval—the Williams Hall—Phase I. Vice

President Woods said that he believed that it will be essential that NMSU campaign the CHE in a fashion similar to how we have approached the Legislature since the Legislature now allocates those funds to the CHE making the CHE the entity that determines who will receive those funds.

In response to Regent Manatt, Vice President Woods said the Seminar-Fine Arts Facility at the Carlsbad Branch is to be located on the Carlsbad campus and not placed downtown along the river as previously discussed. Dr. Burgham has assured Vice President Woods that if this project was supported, its location would be placed on the campus.

Regent Manatt moved, seconded by Regent Culbertson, to approve the Capital Outlay Requests for 2001-2002 as presented by Vice President Woods. The motion carried.

- 2- Building Repair and Renewal Allocations for Fiscal Year 2000-2001

Vice President Woods requested approval of a list of 2000-2001 Building Repair and Renewal projects for the main campus totaling \$2,708,000 to be covered by the State's building and renewal formula. Vice President Woods presented a list of proposed projects with allocated amounts summarized as follows:

<u>Category</u>	<u>Allocation</u>
Minor Modification	\$ 428,500
Major Maintenance	994,500
Campus Infrastructure	787,000
Campus Improvements	224,000
Safety and Health	166,000
Exec. Vice President Reserves	<u>108,000</u>
Total	\$2,708,000

Regent Van Sweden moved, seconded by Regent Sheffield, that the Board approve the proposed allocation of 2000-2001 Building Repair and Renewal requests for NMSU as recommended with a total budget of \$2,708,000. The motion carried.

-3- Renovation of Williams Hall

Vice President Woods called upon Mr. Martin Hoffmeister to present this agenda item.

Mr. Hoffmeister made the following presentation:

"Before you is a request for approval of renovation of Williams Hall—the project itself and the project budget. Williams Hall was built in 1938 and in the 1970s was turned into an Art Department. It was a good gym; it was a less good Art Department; it's now almost 62 years since it was built. We have a number of violations of codes. The use of the

Department's spaces is very close to industrial in some instances. A number of noxious fumes are generated, and the original mechanical system and electrical system cannot handle the situation.

"What we are proposing is to renovate the building in its entirety in mechanical and electrical areas, as well as associated architectural modifications which would take care of the code violations. The funding at \$1.8 million does not allow for the entire building to be renovated, but we are proposing that in Phase I we would take care of the first floor of the original building and replace the systems mentioned. The accessibility issue, the code issues, and the life safety issues are very pressing.

"The funding for the project is from \$830,000 in Plant Funds and \$989,978 in Supplemental Severance Tax for Infrastructure for the year 2000, totaling \$1,819,978. The project is being designed by ASA Architects (Open End) and the project is currently under design. We are requesting the Board's approval of the project and project budget."

Regent Sheffield said that last year the Board approved renovating the HVAC system in Williams Hall. He asked if this renovation will continue to bring the building up to standards? Vice President Woods responded that the previous request last year was a capital outlay request, funding sought from the State. He said, "Two sessions ago we began fighting for these funds and we were unable in the first session to secure any of those funds. We made a decision last year that we were going to use the allocation to the main campus out of infrastructure funds that rolled down, as well as some follow-on infrastructure money and some plant money, to go ahead and undertake this project because we knew how serious these deficiencies were and how quickly we needed to proceed."

Regent Sheffield moved, seconded by Regent Culbertson, to approve the project and project budget totaling \$1,819,978 as presented. The motion carried.

-4- Project Approval for Repairs to Engineering Complex I HVAC

Vice President Woods said the next item brought forward for the Board's consideration is the approval of a project to make repairs to the heating, ventilating and air conditioning (HVAC) system at Engineering Complex I.

Vice President Woods made the following presentation:

"In 1998 the University hired the consulting firm of Bridgers and Paxton to investigate the existing mechanical system in that facility. We were concerned with numerous complaints that we were receiving about the HVAC system. The study indicated numerous problems with the system. Many of these were results of the initial construction effort, which focused on a unique and complicated strategy built around a solar collector system and heavy dependence upon evaporative cooling for laboratory space. Over the years these systems have failed to perform, and there have been numerous attempts made to find quick and inexpensive remedies. The project being presented for your approval will

make several major repairs to the building system. It will improve air quality within the building and greatly improve our ability to operate the system in an effective manner.

“The total project cost is estimated at \$367,000. Funding for this work is from Building Repair and Renewal funds. Bridgers and Paxton Engineers have accomplished the design and will be involved throughout the project. The project is needed and I urge your approval. This completes my remarks, but I stand ready for any questions that you might have at this time.”

Regent Culbertson moved, seconded by Regent Sheffield, to approve the project for repairs to Engineering Complex I HVAC and the project budget totaling \$367,000 as presented. The motion carried.

-5- Architect Selection for East Mesa Center–Doña Ana Branch  
Community College

Regent Culbertson reported the Architect Selection Committee has recommended Newby Williams Architects as the architectural firm for the East Mesa Campus-Doña Ana Branch Community College. Regent Culbertson moved, seconded by Regent Van Sweden, that this firm be selected. The motion carried.

(b) Property Disposition

Vice President Woods presented a list of property items to be deleted from inventory, because they are worn out, unusable, obsolete, considered excess to the needs of the University, or reported stolen or missing. Included in the information is documentation for 201 items to be disposed of through public auction, and 12 items which have been reported stolen or missing. Police reports have been included for each of these 12 items.

Regent Van Sweden moved, seconded by Regent Culbertson, to approve the property disposition items as presented. Property in excess of the University's needs will be deleted or transferred from inventory after the State Auditor has been informed.

In response to Regent Manatt's question regarding the number of computer thefts, Chief Cabot responded the number of computer thefts from academic buildings and from residential housing is about 50-50, and in most cases the rooms were not secure or were easily accessed. He noted that a duo of thieves were caught when a professor walked in on them which cleared up some cases. He said that he believed at this time it was quite unusual to have this number of computer thefts on campus.

Regent Sheffield suggested a public service message could be sent by the University Police Department to remind faculty and staff about the importance of security for lap top computers, etc. Chief Cabot said the key is “public education” and suggested a mandatory public awareness program, including student groups, which would deter crime.

President Conroy said the Administration will do what it can to heighten awareness of the importance of security for University property and, in particular, computers.

Regent Van Sweden suggested that the responsible parties should bear some of the responsibility to replace missing computers if they were careless. President Conroy said that if negligence on the part of an employee results in the loss or damage to property, the University has a means through its personnel system to handle that matter.

The motion carried.

### 13. RESEARCH-VICE PRESIDENT CUNNINGHAM

#### (a) Contracts and Memoranda of Agreement

Vice President Cunningham presented 205 agreements totaling \$12,733,619 for the period of March 10, 2000 through April 26, 2000. As requested by Vice President Cunningham, Regent Van Sweden moved, seconded by Regent Culbertson, that the Board of Regents approve and confirm the signature of President Conroy and his authorized designee on their behalf on the contracts and memoranda of agreement entered into from March 10, 2000 through April 26, 2000. The motion carried.

As a point of information, Vice President Cunningham highlighted three contracts by the following principal investigators:

- 1) Dr. Mark Marley received \$144,158 from NASA for "Model Atmospheres and Spectra for Extrasolar Giant Planets and Brown Dwarfs."
- 2) Dr. Robert Foster received \$99,998 from the Department of Energy for "Wind Hybrid Systems Technology Characterization and Training."
- 3) Dr. Joseph Wang received \$102,000 from the U.S. Department of Agriculture for "Field Deployable Biosensors for Organophosphate Pesticides."

#### (b) Expenditures Report

As a point of information, Vice President Cunningham presented a Report of Restricted Appropriations, Grants and Contracts Comparison of Year-to-Date Expenditures, comparing year-to-date March 31, 1999 with March 31, 2000. The overall total indicated: \$96,532,476.42 (year-to-date March 2000) compared to \$ 86,096,097.62 (year-to-date March 2000). He noted that expenditures are about \$10 million more than this time last year.

#### (c) Proposal to Establish a Physical Science Institute

Vice President Cunningham requested the Board's approval of the following resolution:

Resolved, the Board of Regents authorizes the incorporation of the Physical Science Institute as a not-for-profit research park corporation and that the Vice President for

Research shall take such steps as are required to enable this corporation to respond to a request for proposals related to the National Radar Test Facility.

Regent Manatt moved, seconded by Regent Sheffield, to establish a Physical Science Institute as presented by Vice President Cunningham.

President Archuleta said this proposal would help the Physical Science Laboratory to stay competitive and advance the University. Regent Sheffield commented that he favored this motion and its passage “will continue to put PSL on a competitive edge with some of its contracts.”

Regent Manatt said, “This proposal has some risk to it; it is in some ways uncharted territory for our University. It is a process of discovery, but it is an effort to perhaps change our University’s culture and to take some risks and provide some rewards to those who take risks and succeed and manage those risks properly. The most important point is the opportunity to expose the University, provide greater opportunities, perhaps to attract creative faculty, and perhaps to better educate our students, through this cooperative and creative research venture. As a starting point, I applaud it. We do need to keep a close eye on the risks, but I think it is worth the risk here. It is very commendable, it’s creative, it’s going in the right direction, it’s trying to begin to build an opportunity to create new revenues for this University.”

President Archuleta noted that Director Don Birx was present in the audience and he will be leading this new charge to keep PSL competitive. He thanked Dr. Birx “for the tremendous job that you have done at PSL in a very difficult time over the last few years.”

The motion carried.

#### 14. STUDENT AFFAIRS–VICE PRESIDENT WOLF

##### (a) NMSU Student Handbook for 2000-2001

On behalf of Vice President Wolf, Mr. Scott Moore presented this agenda item. He requested the Board’s approval of the New Mexico State University 2000-2001 Student Handbook and Activities Planner. He stated there are no new policies added to the Handbook book this year and there are no substantive changes to the existing policies. He called attention to the Non-Discrimination Policy (pages 18 and 19), which has been clarified to describe the process one must follow when filing informal complaints and formal grievances.

Regent Sheffield moved, seconded by Regent Culbertson, to approve the NMSU Student Handbook and Activities Planner for 2000-2001. It was noted that this version replaced the 1999-2000 NMSU Student Handbook, and includes changes as indicated and other minor editorial updates. The motion carried.

(b) ASNMSU Report

Mr. Saiz thanked the Regents, Dr. Conroy, Dr. Owens, the vice presidents, deans, faculty, staff, his advisors, Paula, Joanne, Barbara, Yoli, Bernice, Christina, and everyone for the opportunity to do a number of things this past year that a student ordinarily would not get to do. He said, "I enjoyed this year tremendously. It has been a very trying year for me. I think I have aged about two years this year in all the things I have endeavored and all the situations. The most dreadful time was walking into the office and my executive assistant saying 'We have a problem.' Hopefully, the Natatorium will be built within a year or two. The Conroy Computer Cluster is a very nice addition to the Corbett Center." Jacob said that he also experienced the search process for the new president, as well as for the athletics director. He said he hoped all his experiences would help him in his Navy career. Jacob wished everyone "good will in the future, with my prayers as well."

15. BOARD ACTIONS

(a) Ratification of Statement Regarding Prior Executive Session

The Board of Regents of New Mexico State University met in Executive Session at 10:00 a.m. on Friday, May 12, 2000, in the President's Office, Hadley Hall, Room 210, Las Cruces, New Mexico to discuss personnel, real estate, and legal matters. Those Board members who were present hereby certify by roll call vote that only matters of that nature were discussed in the closed meeting.

The motion to adopt this statement, upon being put to a vote, was passed and adopted on the following recorded vote: President Archuleta, Vice President Sheffield, Secretary-Treasurer Van Sweden, Regent Culbertson, and Regent Manatt. Five Regents present having voted in favor of said motion, said motion carried and said statement was adopted.

(b) Ratification of Agreement Pertaining to Coach Tony Samuel

As requested by Ms. Chavez Kelley, Regent Sheffield moved, seconded by Regent Culbertson, to ratify the Agreement pertaining to Coach Tony Samuel as presented. The motion carried.

(c) Ratification of Employment Contracts for Head Coaches

As requested by Ms. Chavez Kelley, Regent Sheffield moved, seconded by Regent Manatt, to ratify the following Employment Contracts for Head Coaches: 1) Ed Crawford, 2) Mark McFarland, and 3) Marlon Anthony Samuel. The motion carried.

(d) Ratification of Employment Contracts for Assistant Coaches

As requested by Ms. Chavez Kelley, Regent Sheffield moved, seconded by Regent Van Sweden, to ratify the following Employment Contracts for Assistant Coaches: 1) Joey

Anders, 2) Kendall Blackburn, 3) Rus Bradburd, 4) Bill Busch, 5) Hollie Chadwick, 6) Barney Cotton, 7) Scott Fister, 8) Michael Garrison, 9) Gerry Gdowski, 10) Richard Glover, 11) Maria Roth, 12) Steve Stanard, 13) Thomas Trotter, 14) Carlos Vargas, 15) Marlee Webb, 16) Angie White, and 17) Tricia Wright. The motion carried.

(e) Approval of a Resolution to be Presented to President Conroy on June 15, 2000

Regent Van Sweden moved, seconded by Regent Sheffield, to approve a resolution to be presented to President Conroy on June 15, 2000. The motion carried. President Archuleta invited every one to attend a reception in honor of President Conroy on Thursday, June 15<sup>th</sup>, at the Corbett Center Ballrooms beginning at 4:00 p.m. A resolution thanking him for his service to NMSU will be presented to him at that time.

(f) Approval of Exception to Alcohol Policy

Athletics Director Brian Faison made the following presentation:

“President Archuleta, members of the Board of Regents, I request consideration by the Board of Regents to approve an exception to the Alcohol Policy to allow the sale of beer and wine at the University Golf Course as permitted by State law.

“The Board of Regents adopted an Alcohol Policy on October 31, 1986. This policy was revised on July 26, 1987. (A copy of the present policy is in your folders.) In 1989, the Legislature for the State of New Mexico passed legislation allowing a governmental entity to sell alcoholic beverages directly or through a lessee at airports, civic centers, facilities used for athletic competitions, and golf courses. The 1989 legislation does not permit the governmental entity to sell alcoholic beverages at tennis facilities.

“I ask for your consideration of this request to authorize the sale of beer and wine at the University Golf Course on a year-round basis to commence with the start of the new fiscal year July 1, 2000. The necessary license required for the sale of alcoholic beverages (defined solely as beer and wine) would be obtained. Specifically, the sale of beer and wine to persons 21 years of age and older, in accordance with State law and University policy, would be conducted only in the Clubhouse and Pavilion Facility of the University Golf Course and on a University-controlled beverage cart, which will travel around the University Golf Course during normal business hours. Patrons of the University Golf Course would not be permitted to bring their own alcoholic beverages onto the University Golf Course.

“Both the University of New Mexico and New Mexico Tech have had successful alcoholic beverage sales programs for several years on their golf courses. You have a summary pertaining to Golf Course Alcoholic Sales of both of these universities. I propose that New Mexico State University would adopt similar rules and regulations set forth by State statute and regulations for the sale of beer and wine.

"All employees would be required to go through server training classes through the Alcohol and Gaming Division of the Regulation and Licensing Department. No employee of the Golf Course or Clubhouse and Pavilion Facility would be permitted to consume or purchase alcoholic beverages on the premises while on duty. Neither the Clubhouse, Pavilion Facility, nor beverage cart would operate like a regular bar. Alcoholic beverages would not be permitted to leave the Golf Course premises.

"Our contacts at the University of New Mexico and New Mexico Tech informed us that there have been no major incidents reported on their respective golf courses pertaining to problems with their alcohol policy. It is my understanding that New Mexico Tech had only one occurrence where they had to ask a patron to leave the premises. The University of New Mexico has had two incidences where patrons left the golf course to go to their cars to drink alcoholic beverages during banquet events. The University of New Mexico added some security to deal with these banquet situations so that is no longer a problem.

"This request for authorization would provide the Athletics Department, and in turn the University Golf Course, with a significant new source of revenue. In addition, the Athletics Department is committed to working closely with the University Alcohol and Drug Education Committee regarding an education program, which will inform students, faculty, and staff about the mature management of alcohol and the effects of alcohol and drug use on individuals. At least 20 percent of all proceeds from the sale of beer and wine at the University Golf Course would be donated for the education programs managed by this committee.

"I present this matter to the Board of Regents and at this time and would request consideration of Board approval on an exception to NMSU's Alcohol Policy to allow the sale of beer and wine at the University Golf Course as permitted by State law."

President Archuleta called for questions and comments by members of the Board.

Regent Sheffield said, "I would like to move for the approval of the exception to the Alcohol Policy to allow for the sale of beer and wine at the University Golf Course as permitted by State law, and to also amend this Policy to reflect the following:

"To give the President of the University the authorization on a case by case basis, the ability to grant permission for the serving or sale of alcohol at events on campus, provided that it does not violate any other University policy or any other State law. This policy and the policy for the Golf Course are to be effective August 1, 2000."

Regent Manatt seconded the motion.

President Archuleta said, "It has been moved and seconded that the Alcohol Policy be amended to reflect what the Athletic Director is requesting with regard to the Golf Course and also an amendment that would allow the President to use his discretion for the serving of alcoholic beverages (beer and wine only) on campus."

For the record, Regent Sheffield repeated his motion as stated above.

As a point of clarification, President Archuleta said that the amendment proposed by Regent Sheffield is primarily (as an example) for an event such as one at Corbett Center where the Department of Hotel, Restaurant and Tourism Management of the College of Agriculture and Home Economics could gain training in alcohol service.

President Conroy agreed and noted that there are other occasions that may arise, such as a wedding reception in the courtyard of Kent Hall, a civic event, or a dinner for the honorary doctorate recipient. He said, "Those are the kind of situations that I would envision the president, with your authorization, may consider making an exception to the Alcohol Policy."

President Archuleta said, "The current policy allows alcoholic beverages in the dorm room if you are of age—is that right?" President Conroy replied, "If you are of age, the consumption of alcohol is allowed in your own room or your own apartment." [As stated in NMSU's current Alcohol Policy.]

President Archuleta recognized Regent Van Sweden.

Regent Van Sweden said, "Mr. President, I have to speak in opposition to this motion. Substance abuse (primarily alcohol) is one of America's great social disorders. We talk about K through 12 and we tell our kids 'Say no to drugs,' and then we are trying to tell them 'Say no if you are a kid, but as you grow up do as I say but not as I do.' As I look at it, I really think that we are encouraging people, if the Alcohol Policy is expanded for the Golf Course for instance. If they bring alcohol now (and there is really not any prohibition against it), they can carry only a certain amount. It doesn't encourage them to over imbibe. But if you have a motorized vehicle that offers it to you and you can buy it in the clubhouse, I really feel it encourages drivers to maybe have a higher blood alcohol level than they should have. I think that it is a bad policy to set. I know it would generate income and we are always looking for new ways for revenue, but I think it sends a bad signal. As to the amended motion, I would even like to speak against that, because it is all-inclusive in my mind. What sets New Mexico State University apart with the people I deal with (and I do deal with a lot of conservative people, as well as some other people that aren't conservative) is the fact that we have a very strict policy here in New Mexico that is not reflected in some of the universities a little further north. Yes, I know that some parents have a little concern about our proximity to Juarez and nations south, but overall that is not as important as the policies that we have. I think it is a perception thing, and in my opinion if you say, 'We are going to allow the Alcohol Policy to be expanded at the discretion of the president on certain functions,' it is a perception I think that will ultimately hurt us. I think we send a wrong signal and I am going to vote against it, Mr. President."

Regent Archuleta recognized Regent Culbertson.

Regent Culbertson said, "What I liked about the proposal is the control and the discretion. Let's control it on the Golf Course. If we are going to provide it, I think this gives us an opportunity to control it. I encourage the Administration and the staff to control the use of alcohol on the Golf Course, and if at the discretion of the president it is allowed, let's control it on campus, too. Let's watch how much we provide and at what events it is

provided. I think it needs a serious amount of discretion and thought before it is provided at any event. What I do like about the proposal (I come from the College of Agriculture and Home Economics and one of the major programs and largest program in the college is the program of Hotel, Restaurant and Tourism Management) is not only the additional source of revenue, but also the opportunity to provide alcohol on a case-by-case basis, which provides an additional opportunity for education. I would encourage it, but at the same time I think we need to realize that this is on a case-by-case basis and there is full discretion and full control over it.”

President Archuleta recognized Director Faison.

Director Faison noted that Dr. John Irvine, Director of the Center for Counseling and Student Development, is present today. Dr. Irvine serves on the University’s Alcohol and Drug Education Committee and he is available to address the Board.

President Archuleta recognized Dr. Irvine.

Dr. Irvine said, “Regent Archuleta and members of the Board. I would speak in favor of this proposal, but I think it is one much like the tuition issue, where there are very difficult issues on each side and I certainly appreciate, Regent Van Sweden, your perspective. I think that alcohol is our number one problem that students have, and addressing the problem has not been funded throughout the University’s history. I appreciate Mr. Faison is including that some of these revenues would go towards the meager programs that we have to address this issue. I would like to say that a percent of any income that the University receives from the sale of alcohol (whether it is off-property or special events) be dedicated towards these efforts. I think there are successful things that we can do to intervene and reduce the loss of students.”

President Archuleta said, “I am going to support the proposal with due respect, Regent Van Sweden, to your comments. I believe that New Mexico State stands out as an institution of high integrity. I am a golfer and I have never seen anybody intoxicated on a golf course. I don’t drink alcohol when I golf; I golf badly enough without doing that. I think, given that we currently have students allowed (under the laws of New Mexico) to consume alcohol in their rooms, I have not seen an agenda item in four years to ask us to refute that policy because of tremendous problems or whatever. I assume that because of the discretion and the control that we have over the campus, that is not a major problem. I don’t think that we are encouraging people to drink. Also, these other events (the discretion was pointed out by Dr. Conroy) are purely social events, much like going to a restaurant and having a glass of wine. Certainly, Mr. Faison, you have given us a list of Rules and Regulations that you will enforce to make absolutely sure that there is not an abuse of the policy. I will stand in favor because I think it has to be done with discretion, and if there is any indication that is not the case or that we are not doing a good job, I will be the first to want to retract the exception.”

President Archuleta recognized Regent Culbertson.

Regent Culbertson said, "Another thing to remember is the type of crowd that the golf course attracts and the type of crowd attending the president's receptions or the different events where the exceptions would be made. This is a very mature crowd. It is one that uses discretion and uses their brains when it comes to the consumption of alcohol and the discretion of its use. That would be another reason why I would be in support of it, because it is a different crowd. It is not the wild college crowd that might be envisioned."

At this point the question was called. The motion carried on a 4 to 1 vote. [For the record, Regent Van Sweden voted no.]

#### 16. PRESIDENTIAL SUMMATION

President Conroy said, "I first want to thank you for the terrific boost that you have provided for salaries for our graduate assistants. It is very much needed, as our Graduate Dean Tim Pettibone knows more than anyone else in this room, and it will be greatly appreciated. I think it is going to help us to continue to attract top quality graduate students to this institution.

"As you know, this is my last Board meeting as President. I will be present in the future, but I'll be in bermuda shorts and have placards out in the audience, campaigning for retiree rights and that sort of thing, but this is my last meeting in this role. I have thought and thought and thought, and I can't in my wildest imagination figure out how you are going to get along without my guidance. But I must say that you have selected a terrific new president in Jay Gogue. In fact, you have selected a terrific presidential couple in Jay and Susan Gogue. Patty and I, along with you and everyone else at New Mexico State and this community, look forward to their coming and providing leadership to this great school in the years ahead. Thank you."

#### 17. ADJOURNMENT

President Archuleta declared the meeting adjourned at 10:55 a.m.

These minutes were recorded by Joanne Urban.

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Adelmo Archuleta, President  
Board of Regents

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John Van Sweden, Secretary-Treasurer  
Board of Regents