

**NORTHERN NEW MEXICO COLLEGE
BOARD OF REGENTS MEETING
APRIL 20, 2010**

I. CALL TO ORDER

A regular meeting of the Board of Regents of Northern New Mexico College was held on Tuesday, April 20, 2010 in the Boardroom of the Montoya Administration Building on the Espanola Campus. Regents present: Michael P. Branch, Alfred Herrera, Feliberto Martinez, and Theresa Martinez. Regent Cecille Martinez-Wechsler was out of town and excused from attending the meeting. Board President Michael Branch called the meeting to order at 9:15 a.m.

Northern New Mexico College staff present: David Trujillo, Interim President; Dr. Andres Salazar, Interim Executive VP for Finance and Administration; Dr. Anthony Sena, Provost; Alfredo Montoya, Dean of Student Services/Director of Financial Aid; David Schutz, Director of Capital Projects; Dr. Dan McLaughlin, Director of Assessment; Nancy O'Rourke, Director of Human Resources; Amberleigh Rodriguez, Assistant to the HR Director; Guido Gellis, Director of SOL/SSS; Susan Pacheco, Director of Finance; Henrietta Trujillo, Director of Accounting; and Yvette Anaya, Administrative Assistant to the Dean of Student Services and Recording Secretary. Faculty present: Dr. Mellis Schmidt, Tim Crone, Dr. David Barton, and Dr. K.C. Chidambaram. Others present: Lou Mattei, Reporter with the Rio Grande Sun.

II. APPROVAL OF AGENDA

The final agenda was approved as presented.

III. APPROVAL OF MINUTES

The minutes for the Board of Regents meeting held March 18, 2010 were approved as presented.

IV. FINANCIAL REPORT

Dr. Andres Salazar, Executive Vice President for Finance and Administration, provided a March 2010 budget summary report as follows:

1. February 2010 Fiscal Watch Report to HED – Highlights

Cash is up almost a million dollars due to overdue reimbursements just received. Receivables climbed almost \$800,000 also due to newly recognized earned revenue. It is anticipated that the fiscal year's ending balance will be higher than projected earlier.

2. FY10 Budget

Northern is eligible to receive \$207,000 as a first installment from its allocation of the ARRA Education Stabilization Grant administered by the Governor's Office. A list of equipment items needed before the end of the fiscal year will be reviewed and approved at the Leadership Team meeting. The remainder or \$146,000 can be drawn down in FY11. However, the college can opt to transfer a portion or all of the first installment to FY11. The deadline for grant submission outlining use of proceeds is May 10, 2010.

3. FY11 Budget

A first draft of the FY11 budget was reviewed in stages by the Effective Resource Utilization Committee (ERUC), the Leadership Team and the Finance Committee of the Board of Regents over the past few weeks. The Higher Education Department (HED) formatted version is being submitted to the Board for review and approval under Item IV(A). The FY10-11 Proposed Operating Budget is due at the HED on May 3, 2010.

4. FY09 Audit

The final written audit report was received by NNMC on Friday, April 2, and submitted to the State Auditor's Office this week. The report can be made public as soon as the State Auditor's Office releases it. The draft was shared with the Finance Committee of the Board of Regents at its meeting on Monday, April 12.

5. Payroll & Headcount – March 2010

YTD payroll and headcount totals are shown in the tables attached. Headcount is holding even. The College is on track and there have been no undue expenses. Regent Branch requested an additional column to the tables that lists positions not filled/eliminated.

6. Cash Report

The cash statement attached dated March 31, 2010 indicates a current cash balance of \$2,722,044.

A. Approval of FY2010-11 Proposed Operating Budget.

Dr. Andres Salazar pointed out some highlights to the FY2010-11 budget. The budget is due at the HED on May 3, 2010. Between now and May 3 Dr. Salazar asked the Regents to contact him with their comments and any adjustments they feel should be made. The Business Office will continue to review the budget for accuracy, inconsistencies or duplicates. Dr. Salazar informed the Regents that Mr. Tino Pestalozzi, HED's Deputy Secretary, has volunteered to look over the budget before it is submitted formally on May 3. Mr. Pestalozzi was concerned with the transition of administration in the Business Office. Due to the final report of the auditors, Mr. Pestalozzi feels confident that the College is on top of things and he has not scheduled a visit as planned. Dr. Salazar stated the first draft of the FY11 budget was thoroughly reviewed in stages by the Effective Resource Utilization Committee, the Leadership Team and the Finance Committee of the Board of Regents over the past few weeks.

Regent Herrera moved to tentatively approve the FY 2010-11 Proposed Operating Budget including the proposed tuition rates and other fees as presented and if there are any major substantial adjustments the budget will be brought back to the Board for approval. Under discussion and in response to Regent Herrera's questions on how this increase in tuition will impact the students, Dr. Salazar stated that even with the modest increase being recommended, Northern's tuition and fees remain the lowest among other institutions in the state. The students have read the newspapers and anticipate an increase in tuition; however, the increase will nevertheless impact the students. Regent Branch suggested that the College address the issue of having two tuition rates (lower division and upper division) within the next six months if the College is required by HED to merge the two rates in the future. Immediately after the Board meeting, Dr. Salazar stated the new tuition rates and fees will be publicized. Mr. Alfredo Montoya, Dean of Students Services, discussed some of the major changes that will affect the federal student aid programs due to the reconciliation bill (H.R. 4872) passed by both the House and Senate on March 25, 2010 and signed into law by President Obama on March 30, 2010. This law will open many positive opportunities for students and help with retention. No further discussion. **Motion seconded by Regent Theresa Martinez. Motion carried unanimously.**

B. Approval of final Budget Adjustment Request for FY2010.

Dr. Salazar presented the final Budget Adjustment Request (BAR) for FY 2010 (summary is attached in the Board packet). The adjustments for unrestricted funds include additions or reductions taken from the original proposed operating budget in Instruction and General as well as other current unrestricted funds. Dr. Salazar pointed out that the BAR is the estimated actuals reflected in the middle column of the Proposed Operating Budget. It has been suggested that a mid-year BAR be prepared next year to capture mid-year revenues and expenditures.

The Regents complimented and thanked Dr. Salazar and his staff in the Business Office for the tremendous work they did in formulating the budget and the progress they have made in the reporting process. Dr. Mellis Schmidt, a member of the Effective Resource Utilization Committee, stated that this has been the best, comprehensive, and transparent budget process she has seen in a long time.

Regent Herrera moved to approve the final Budget Adjustment Request for FY 2010 as presented. Motion carried unanimously.

C. Proposed tuition rates and other fees.

Dr. Salazar stated that all institutions will raise tuition by 5%, which has been assumed to be in place by the legislature for next year. The College has to increase tuition over and above what the state takes credit for in order to keep the budget in the black. The proposed increase in tuition rates for 2010-11 is 7% for lower division and 2% for upper division.

Tuition and Required Fees

REGULAR SEMESTER	2009-10 (Current)		2010-11 (Proposed)	
	Lower Div	Upper Div	Lower Div	Upper Div
Undergraduate Tuition Part-Time Students (per credit hour)				
Resident	41.13	95.37	44.01	97.28
Non-Resident	95.37	403.92	102.05	412.00
Full-Time Students				
Resident	493.56	1,144.44	528.11	1,167.33
Non-Resident	1,144.44	4,847.04	1,224.55	4,943.98
Sumer Session				
Res. Hourly Tuition Rate	41.13	95.37	44.01	97.28
Non-Res. Hourly Tuition Rate	95.37	403.92	102.05	412.00
Senior Citizen Rates				
Six hours or less	5.00	20.00	5.35	20.40
In excess of six hours	41.13	95.37	44.01	97.28
Other Fees				
Dorm Deposit			100.00	100.00

With the two tuition increases Dr. Salazar stated that the College anticipates getting \$2.8M in tuition and fees in fiscal year 2011. The College had anticipated \$2.6M in FY 2010, so this is approximately a \$200,000 increase in revenue for the College. The College has had a budget cut by about \$1M in state appropriations, so the College has to make this up through other revenue streams the College has available. (Note: The proposed increase in tuition rates was approved by the Board of Regents under Agenda Item IV(A) above as part of the Proposed Operating Budget.)

D. Fiscal Watch Financial Report for the month ending February 28, 2010.

Ms. Susan Pacheco, Director of Finance, presented the Fiscal Watch Financial Report for the month ending February 28, 2010. She stated the amount of cash received is greater than the month before (by about \$800,000). Investments reflected include CDs and investments at Valley National Bank. Receivables are down from previous months and inventories remain the same. A physical inventory at the Bookstore will take place in June so a more accurate number will be available at the end of the fiscal year.

Ms. Pacheco stated that the Grants and Contracts Accountant is reviewing the current status of all grants and contracts at the College. She is reconciling various accounts so the College has accurate numbers with regard to carry over balances. The College serves as fiscal agent for several entities, which are listed under Public Service. Regent Herrera suggested that Public Service be separated from Operating in terms of both revenue and expense so it is not masking other activities. This also includes a request from the NNMC Foundation Board of Directors that there be some separation between the College and the Foundation with regard to scholarship awards.

Ms. Pacheco stated that adjustments will be made to the under-spent and overspent accounts with a Budget Adjustment Request (BAR). A mid-year adjustment will be made next year. As authorized by the DFA the College is not allowed to spend more than 50% of its revenue by mid-year.

V. OLD BUSINESS

A. AQIP Update.

Dr. Dan McLaughlin, Director of Assessment, provided an update in the following three areas:

1. Leadership Team Strategic Planning Retreat: Dr. McLaughlin reported that Mr. Mark Walch with Keystone International Inc., has been contracted by Interim President Trujillo to facilitate an all-day Retreat on Saturday, April 24, 2010 on the Espanola Campus. Approximately 21 individuals will attend the retreat. Dr. McLaughlin has been working with Mr. Walch, Interim President Trujillo, and Dr. Barcelo to pull together the agenda for the retreat. Four sets of data will be provided: 1) the Keystone Report from last summer, 2) systems appraisal of last fall (Sept. 2009 of System Portfolio); 3) data dump report focusing on the 13 baccalaureate programs with respect to demographic data, numbers of students, numbers of graduates, etc., and 4) planning designs developed this year. The primary purpose of the all-day retreat is to come up with a strategic planning design for moving forward.

2. Focused HLC Visit: Dr. McLaughlin referred the Regents to the Statement of Affiliated Status from the Higher Learning Center, which has been posted on the College's web site. He also pointed out the Stipulation on Affiliation Status which lists the 13 baccalaureate degrees approved by HLC. The Other Visits Schedule on this same form reads as follows: "Focused Visit-Mandated 2011-2012: A visit focused on the progress meeting the areas of concern in regards to the implementation of the Bachelors degree in Music and the BA in Integrated Studies. Visit should also report on the progress of the overall assessment plan of the College."

3. Conference Call with HLC: Dr. McLaughlin will discuss in detail the expectations and requirements for the HLC visit with Dr. Steven Spangehl, HLC AQIP Director, on Friday, April 23, 2010. The visit has been scheduled for November 14-15, 2011. HLC will look at the

maturity of the College's assessment processes and adequate funding to support the two new programs.

The Board in the past was told there were no stipulations as to the number of baccalaureate programs the College can offer. Dr. McLaughlin stated that Dr. Spangehl mentioned in a conference call last September that a successful focused visit will get the College out from under the stipulation framework. Dr. McLaughlin has invited the Chairs in the bachelors programs to hear this first hand.

B. Capital Projects Update Report.

Mr. David Schutz, Director of Capital Projects, presented a capital projects update (attached), summarized as follows:

College of Education Building: The project broke ground in October, 2009. Project is within budget; however, it is behind schedule due to inclement weather. Anticipated completion date is July 31, 2010. (Mr. Schutz pointed out that expenditures to date and funding expended for all projects listed in the status report he disseminated is not accurate and will be updated next month.)

SERPA: The design of the SERPA building is progressing well and is on schedule. Construction is anticipated to commence in the summer of 2010.

Las Cumbres Community Center: The MOA is still under negotiation.

El Rito Plaza/Water Project: This project is behind schedule due to weather related delays and other unforeseen circumstances. A meeting was held in El Rito to discuss landscaping modifications. Some very good suggestions which came forward will be considered. Mr. Schutz stated that the College will keep County Commissioner Felipe Martinez and other El Rito community members informed of all activities happening at the El Rito Campus.

Espanola Bookstore Expansion: This project is still on hold pending further review by Administration and Bookstore staff. The College will proceed with the renovation project so remaining funds do not revert back to the state.

Ben Lujan LRC Addition: Design of the library addition project is underway and on schedule. Construction is anticipated to commence in August 2010.

Student Housing Project: Mr. Schutz continues to work with Arcadis Consulting and other entities regarding this project. The Feasibility Study should be ready to present to the Board in May. Regent Branch suggested that the College research what has been done in the past between other institutions and the state in order to prepare and build a case if necessary for the next legislative session. Regent Herrera stated that if student housing contributes to economic development in the community, the City of Espanola or other entities can probably contribute to this initiative. He stated that lodger's tax monies are specifically generated within any community for economic development. This is an important project that can be supported by the community at large.

Nick L. Salazar Center for the Arts: This project is ongoing and moving forward. The project will go out to bid within the next 60 days.

AARA Project - Solar PV Install-Espanola: Contracts were executed with the State for both AARA projects and engineers have been retained for the design phase. This project is on a much faster track (replacing and refurbishing solar panels on the Library Building and Seledon Martinez building) than the El Rito AARA project. Anticipated completion is within the next three to four months.

AARA Project – Heating Replacement-El Rito: This project, which is more complicated, is underway. Anticipated completion date for this project is June, 2011.

C. Approval of MOA between NNMC and Las Cumbres Community Service.

Ms. David Schutz stated that the College is still meeting with Las Cumbres staff in an attempt to develop a plan of action to move forward with this project. The MOA is still under negotiation. This item was tabled.

VI. NEW BUSINESS

A. First reading of proposed changes to the Faculty Handbook.

Dr. Mellis Schmidt, Faculty Senate President and Chair of Humanities and Social Sciences, stated that the proposed changes to the appointment and dismissal of chairs and directors have not been approved by the Faculty Senate and were mistakenly included in the Board packet. She stated the faculty has been working all year on the Faculty Handbook and on some policies and procedures they feel they would like to change as the College moves to a four-year institution. Dr. Schmidt summarized the proposed changes (attached in the Board Packet) to the following topics in the Faculty Handbook:

- Date of Eligibility for Tenure
- Timeline for Advancement to Tenure
 - Actions of the Board of Regents
 - Denial by the President or Board of Regents following positive recommendation by Tenure and Promotions Council

(Faculty Senate will work on a more structured process on who makes the final decision concerning tenure. Dr. Sena had a concern that the time period between the last week in February when the Provost informs the President of his or her final recommendation for tenure and when the Provost informs the Board of Regents of his or her final recommendation for tenure in March, is too short of a turnaround. Dr. Mellis will work with the Provost on the timeline. The Regents felt the President needs to be involved in the process of awarding tenure – interested in protocol/process. Interim President Trujillo stated he wants to make sure that what we do is in keeping with the principals and processes of shared governance. Some of the proposed changes are somewhat definitional as to how we look at balancing the roles, responsibilities and authorities of faculty, administration and the Board. He suggested more interaction and discussion of those definitional issues between the first and second reading.)
- Academic Year Teaching Load (Proposed change – officially move from 15 to 12 credit hours per semester; move from 12 to 6-8 credit hours per semester for faculty directors; and from 6-7 to 3-4 credit hours for faculty chairs. Faculty need time to serve on committees, etc. *Regent Branch requested from the Provost a worksheet on how this proposal will affect the budget. Interim President Trujillo would like to see a broader study of where Northern is with regard to general work load, how many courses are taught by adjunct, how many by full-time, release time, etc.)*

- Teaching Overload
- Policies and Procedures on the Establishment of New Academic Departments, Colleges and Schools and the Transfer of Curriculum or Program from One Department/College to another Department/College.

Dr. Schmidt stated one of her goals as Faculty Senate President is to try and get faculty to take on more responsibilities because, as a four-year institution, more is expected from them. Dr. Sena agreed with Dr. Schmidt that questions and decisions in the Academic Division should be addressed primarily by faculty. The College also needs to look at sister institutions to try to emulate policies and processes that they have in place. Dr. Schmidt would like to change the current culture among faculty and follow best practices/models. Dr. Schmidt stated she will take back recommendations to the faculty and bring back a second reading for the Regents' review.

Regent Herrera suggested that the College engage the new President in this overall discussion, including other discussions related to the faculty employment contracts, etc.

(At this time the Regents recessed for a lunch break at 12:00 noon. The open meeting reconvened at 1:13 p.m. Regent Branch amended the agenda and moved Agenda Item VI(C) before VI(B).)

C. Approval of Capital Projects Submittal Summary Sheet to HED.

Mr. Schutz presented the attached Capital Projects Transmittal Summary Sheet which has to be submitted to HED for their approval for the construction of the Solar Energy Research Park and Academy (SERPA). The summary sheet will then be submitted to the Board of Finance for approval.

Regent Feliberto Martinez moved to approval the Capital Projects Submitted Summary Sheet for the SERPA building as presented. Motion carried unanimously.

B. Tenure recommendations and approval.

Dr. Anthony Sena, Provost, stated the current tenure policy and the process has been functioning effectively in the past. He reviewed the portfolios submitted by the Tenure Council (memo attached) and concurs with the recommendation to grant tenure to Ms. Theresa Lopez, Assistant Professor in our Nursing (ADN) Program, and for Dr. Kalaiappan Chidambaram, Assistant Professor in our Biology Program. Dr. Sena provided a brief background on Ms. Lopez and Dr. Chidambaram. Interim President Trujillo stated he strongly supports the recommendation of the Tenure Council and the Provost to grant tenure to Ms. Lopez and Dr. Chidambaram. He stated he has worked with both individuals and has always been impressed with their professionalism, their care about students, attention to high standards and high expectations for students.

Regent Theresa Martinez moved to approve the recommendation of the President to grant tenure to Ms. Lopez and Dr. Chidambaram. Under discussion, Regent Branch asked if these individuals spend additional time in advising, committee meetings, etc., required beyond their teaching schedule. Dr. Sena stated that both Ms. Lopez and Dr. Chidambaram have been involved with committee work and over the past couple of years even more so because of the demands that have been placed on them. **No further discussion. Motion carried unanimously.**

D. Report: Process taken to name the College of Education Building.

Interim President Trujillo stated that in accordance with the current *Naming College Facilities* policy (attached) he has appointed four individuals to serve in an ad hoc committee to: 1) establish a process for soliciting and reviewing recommendations from the entire college community on potential names for the Teacher Education facility. He has given the committee direction to make sure the process is as open and as broad as possible in terms of getting suggestions from people; and 2) provide recommendations for clarifying, streamlining and/or improving the present policy. Interim President Trujillo stated the committee has approximately 45 days to complete this work, which will allow the matter to be brought to the Board of Regents for consideration at the June meeting.

Regent Branch stated it is his intention to nominate someone. He will present his nomination to the Board for consideration at which time he will justify his reasons for the nomination.

VII. PRESIDENT’S REPORTS AND ANNOUNCEMENTS

1. Interim President Trujillo stated that Ms. Theresa Lopez received an award in the amount of \$115,000 from the New Mexico Board of Nursing to develop and establish a high school level LPN program. He commended Ms. Lopez and the Nursing Department for pursuing this in response to the statewide need for more nurses.

2. Interim President Trujillo stated, that as Dr. McLaughlin mentioned earlier, an all-day strategic “transition” retreat will take place on Saturday, April 24, at the Espanola Campus. Twenty-two members, including the leadership team and about nine others strategically selected, will discuss how the College will use human and financial resources to deal with the challenges and opportunities facing the institution in the near future in light of our new President and on-going transformation to becoming a four year school. Dr. Barcelo will be a participant in this process.

3. Interim President Trujillo stated the College is continuing with the various programmatic initiatives the College would like to establish at the El Rito Campus. These initiatives include:

- A. *The Academy National Native Leadership Program*: This project has been placed on hold in order to work out financial and other details.
- B. *Charter School*: The College is moving forward with this project. Interim President Trujillo brought up an issue that has come up in that the College cannot set up the charter school totally at the El Rito Campus because it would be in the Mesa Vista School District and there can’t be a charter school that is bigger than 10% of a rural school district’s overall enrollment. Consultants with the NM Coalition of Charter Schools have stated that the College can locate the Charter School in Espanola and have the boarding component and some of the instruction at the El Rito Campus. Mr. Trujillo stated the College has given thought to the governance of the Charter School. Dr. Cathy Berryhill and Dr. Craig Castleman from the College of Education are working with the Coalition to work out the details.
- C. *The Veterans Green Jobs Training Academy*: The planning of this project, headed by Dr. Camilla Bustamante, is proceeding.
- D. *The Cibola Institute for Languages*: Mr. Alejandro Lopez is moving forward with this project.
- E. *Retreat Center*: Dr. Barcelo has suggested that the El Rito Campus be used as a retreat center for faculty members who are working on sabbatical and research projects who need to get away to spend quiet time writing, etc.

Interim President Trujillo stated the initiatives planned for the El Rito Campus will be presented and discussed in more detail at a future meeting of the Board of Regents.

VIII. COMMENTS FROM THE BOARD

Because there are some school districts that have ended up in a financial situation devastating to the school district and there have been other things that have occurred in other governing boards, city councils, etc., Regent Branch stated he and Regent Alfred Herrera have had preliminary discussions concerning how a Board can maintain oversight without interfering or getting involved in micromanaging the College. Oversight of the College is an important function of the Board but also, as in any other entity and reflecting on what has happened in other organizations, the Board wants to make sure all checks and balances are there and that things are taken care of properly. The Board would like to maintain the same positive attitude that it has right now at looking at all aspects of the College in a transparent manner. Regent Herrera stated this benefits the organization from an integrity and accountability standpoint. Discussions concerning this matter will continue.

IX. PUBLIC INPUT

None.

X. STUDENT INPUT

None.

XI. PERSONNEL MATTERS

EXECUTIVE SESSION:

Regent Branch requested that the Board go into executive session pursuant to Section 10-15-1(H)(2) of the Open Meetings Act to discuss limited personnel matters. **Regent Feliberto Martinez, Regent Theresa Martinez, Regent Alfred Herrera, and Regent Branch voted in the affirmative to adjourn into executive session at 1:35 p.m. The open meeting reconvened at 2:45 p.m.**

In open meeting Regent Herrera reported that no action was taken in executive session. Any action will be taken in open session.

A. Personnel actions.

A.1 Interim President Trujillo recommended the hiring of Ms. Marsha Gallegos as Administrative Assistant in the Math and Science Department effective April 9, 2010.

In addition Interim President Trujillo announced the following resignations/retirements:

- A.2 Mr. Leonel Gallegos, Faculty, submitted his intentions to retire effective 5-15-10.
- A.3 Mr. Mike Costello, Faculty, submitted his intentions to retire effective 5-15-10.
- A.4 Dr. Catherine Clark, Faculty, will resign effective 5-15-10.
- A.5 Ms. Kimberly Dickman, Director of Special Needs, will resign effective 5-15-10.

Regent Theresa Martinez moved to approve the hiring of Ms. Marsha Gallegos along with the resignations and retirements as presented. Motion carried unanimously.

B. Approval of reemployment of faculty and staff for 2010-11.

Interim President Trujillo recommended that the Board approve the reemployment list (attached) of faculty and staff as presented with the corrections noted for the year 2010-11.

Regent Feliberto Martinez moved to approve the reemployment list of faculty and staff as presented. Motion carried unanimously.

XII. ADJOURNMENT

Regent Theresa Martinez moved to adjourn the meeting. The meeting adjourned at 2:47 p.m.

Minutes transcribed by Josephine Aguilar, Assistant to the President

APPROVED: May 20, 2010

/s/
Michael P. Branch, Board President

/s/
Cecille Martinez-Wechsler, Secretary/Treasurer