A Regular Meeting of the Board of Regents of northern New Mexico College was held on January 22, 2021 Via Zoom. Regents Present: Michael A. Martin (Via Conference Call), Porter Swentzell (Via Zoom), Damian Martinez (Via Zoom), Erica Velarde (Via Zoom), and Tomas Rodriguez (Via Zoom).

Northern New Mexico College Staff Present: President Richard J. Bailey, Jr., PhD (Via Zoom); Ivan Lopez Hurtado, PhD, Provost & Vice President for Academic Affairs (Via Zoom); Vince Lithgow, Comptroller, Sally Martinez, Executive Assistant to the Provost & Vice President for Academic Affairs, Evette Abeyta, Budget Director, Julianna Barbee, Small Business Development Center Director, John Ussery, El Rito Program Director, Ryan Cordova, Athletic Director & Men’s Basketball Coach, and Amy Peña, Executive Office Director.

Others Present: Tim Crone, Ari Levin, Luis Vasquez

Faculty Present: Rhiannon West, Joaquin Gallegos, Henry Moon

I. CALL TO ORDER

Board President Martin called the meeting to order at 9:00AM.

II. APPROVAL OF AGENDA

Board President Martin stated the Deep Dive will be postponed until next month, other than that, everything is the same and entertained a motion to approve the Agenda as amended.

Regent Swentzell moved to approve the Agenda as amended. Regent Velarde – second. A roll call vote was taken. Board President Martin – yes, Regent Velarde – yes, Regent Swentzell – yes, Regent Martinez – yes, Regent Rodriguez – yes. Motion passed unanimously.

III. COMMENTS FROM THE BOARD

A. Board of Regents Subcommittee Reports

1. Audit/Finance/Facilities Committee

Board President Martin asked Vice President Velarde for her report. President Bailey stated Vice President Velarde is having difficulties and will be calling in. The Board took a break to allow her to call in. President Bailey asked if Ms. Peña saw Regent Velarde’s comment in the chat and asked Ms. Peña to call her to have her join via phone. Regent Martinez stated he is going to go with operator error on this one. President Bailey stated this will be in the minutes and she will read this. Ms. Peña stated Regent Velarde was going into Google Meeting and going into the wrong one and will be joining the meeting momentarily. Regent Velarde rejoined the meeting and needed to turn
President Bailey stated we have been dealing with it for ten months and thanked Regent Velarde for joining the meeting.

Vice President Velarde stated they had a good discussion. It was the usual reports they get and it will be discussed with Ricky and his team.

Regent Martinez stated he agrees with Regent Velarde, they had a good discussion, had some discussions that related to the COVID vaccination that President Bailey and Regent Martinez talked about offline about this morning and he will briefly talk to the Board about this in his portion. All in all, it was a good meeting.

2. Academic/Student Affairs Committee

Board President Martin asked Regent Swentzell to report on the Academic/Student Affairs Committee.

Regent Swentzell stated they met on Wednesday afternoon. There were three items that were discussed that will be discussed in depth during the Provost Report which were the Concurrent Program Approval Process, Updates from the Higher Learning Commission and discussion about the new Associate Degree in Nuclear Operation. It will be discussed in more depth later on. Board President Martin asked Regent Rodriguez if he had anything to add. Regent Rodriguez stated he had nothing to add.

3. Executive Committee

Board President Martin stated the committee did not meet since the last Board of Regents Meeting.

4. HERC

Regent Martin stated there was a HERC meeting in December that Regent Velarde attended and asked Regent Velarde to report. Regent Velarde stated it was a good meeting and there was a presentation from CUP and President Bailey was on the call. It was discussing the upcoming session and the priorities would be and some of the higher education priorities as well.

IV. APPROVAL OF MINUTES

Board President Martin stated there are two sets of minutes to approve. They will start with the regular meeting of November 19, 2020 and entertained a motion to approve the minutes.

Regent Martinez moved to approve the minutes November 19, 2020 Board of Regents Meeting. Regent Swentzell – Second. A roll call vote was taken. Board President Martin – yes, Regent Velarde – yes, Regent Swentzell – yes, Regent Martinez – yes, Regent Rodriguez – yes. Motion passed unanimously.

Board President Martin entertained a motion to approve the minutes of December 9, 2020 special meeting.
Regent Martinez moved to approve the minutes of December 9, 2020. Second – Regent Velarde. A roll call vote was taken. Board President Martin – yes, Regent Velarde – yes, Regent Swentzell – yes, Regent Martinez – yes, Regent Rodriguez – yes. Motion passed unanimously.

V. PRESIDENT’S REPORT AND ANNOUNCEMENTS

A. Celebrate Northern

President Bailey welcomed everyone to the first meeting of 2021. President Bailey would like to give credit to the Rio Grande Sun for reporting on this. Last year we had a breakfast, a king feast in honor of Dr. Martin Luther King, Jr. and he would like to give credit to Dr. Patricia Trujillo, the Office of Equity and Diversity and our Black and African American Student Organization and one of the really one of the wonderful community mentors for that group is Ms. Willie Williams with a host of other volunteers they put on this beautiful breakfast and celebration last year. We could not do this in person this year and they did film a video in its place. It captures the handing off of the drum major award and that is the brainchild of Ms. Williams to honor someone in the community who embodies the teachings of Dr. King especially in terms of service to the community. Last year’s winner was Edith Brown and the way Ms. Williams designed it the winner gets to hold it for a year and that person gets to decide the following recipient. Ms. Brown chose Johnnie Deschweinitz as this year’s 2021 winner. For those who do not know, Johnnie has been a force for positive change in our community. She took it upon herself to create what is called the Friday Night Dining Experience where the invitation was open to homeless and those needy in our community and set up a white linen Friday night dining event with a band and catered food that was just ridiculous. No one working it were allowed to taste it but it looked fantastic. It is a really beautiful idea she had and that is just one of several things she does. We are really honored and glad she is being celebrated for the great work she does. Johnnie will decide next year who will take it up next year for year number three.

B. CUP/NMICC Report

CUP and NMICC is getting a lot of national attention for the shared services project and expect there to be more. This might be replicated in other areas. For us it means out students will experience a lot of benefits for the institutions. It also means we are creating communities of interest in each of the substantive areas of the college. Likely, more than likely, it will create efficiencies that will save us budget moving forward.

The legislative session started this week, he is grateful for the fact that the CUP and NMICC and NMACC all have the same legislative priorities and come together to create a unified front. This is really powerful going into the session. President Bailey is hopeful we will come out of this session far better than we would have if they held it six months ago. We will be monitoring and keep the Board posted.
C. NNMC Foundation

The Foundation will meet in the spring to discuss fundraising strategies and strategies about philanthropy. They put out a draft of that in the fall and the Foundation is reviewing that. Credit too Judith Pepper, we started a campaign for the President’s Eagle Fund to give direct support to students outside of scholarships. This helped with the food pantry and google chrome books and so much more. That fund is pretty healthy and this year we are changing our focus to scholarships. We created a fund to give students scholarships and it has been successful.

D. Eagle Corporation Update

The Board met about two weeks ago and continues to have good discussions with Up$Start and working out details. There was a discussion about Esports and President Bailey is excited about the opportunities not just in terms of Eagle Corporation but what it can do for our students. We are also discussing a few green energy projects that could be exciting moving forward. Eagle Corp. is looking at a couple of different things.

E. Concurrent Program Approval Process

President Bailey stated about two years ago Tom Bordenkircher from the Higher Learning Commission and President Bailey started brainstorming and one of the things they were talking about is that right now the process for new programs, when the Board of Regents approves those programs, there is all the processes that happen internally. The faculty, faculty senate and committees do their due diligence in that by the time it leaves the faculty then it moves up through the change and ultimately comes to the Board. Then, if the Board approves it, it moves to the HED through the state and that process could take quite a while as they run through all their processes. It is only after we get approval from the HLC that it is then submitted to the HLC for them to do their own independent study. This is a pretty lengthy process and for institutions like ours that want to be nimble and the changing landscape that could be problematic. They thought what if we created something that was concurrent. We still allow faculty to run through their process and all the internal things but when the Board approves a new program, then it is sent out concurrently both to the HED and HLC to allow those processes to run concurrently. The deal would be that the HLC, which is the final authority, would not release until they hear what HED does. Likely it would dramatically reduce the timeline required to program approval. We started down this road with the HLC, the previous Cabinet Secretary really liked the project but unfortunately before we could have the meeting she departed and now Secretary Rodriguez and President Bailey talked about this with President Bailey and Dr. Lopez and President Bailey is pleased to report we are now about a week away from signing a MOA with Northern, HED and HLC to test this out. If it is successful, then the HED and HLC they may make this a practice for every public college and university in New Mexico. Especially for our Community Colleges, it will allow them to become far nimble and more adaptive without sacrificing the due diligence that we need to take from all of those entities for new programs. President Bailey is proud of Northern and proud that we are the pilot for this. Later on today the Board will hear about, the first reading, not for decision, a new program on Nuclear Operations. The catalyst of this is our partnership with N3B. If we have this MOU in place and if the Board approves the Nuclear Program, it is likely this program will be the test case to do this concurrent approval process. President Bailey stated he is excited about what this means for New Mexico and proud that Northern is innovative in leading the way in this.
President Bailey stated regarding vaccinations, he knows he is biased on this and Regent Martinez is biased on this. For anyone who went through the military, they did not have a choice on vaccinations, it was part of the deal. President Bailey had six anthrax shots over the course of a year that if he didn’t take, he was pretty sure he was going to military prison. This is not a military institution and he is sensitive to that. What we need to do as a team is figure out how we move forward. It is likely this spring because of the vaccination events we have had and really what President Bailey thinks is coming. He thinks we may have an opportunity for most of the community to be vaccinated in the next few months. We then need to decide how we do a phased reopening. President Bailey stated it is easier for him to think about, ok, we make it mandatory, everyone gets it, you show your vaccination card and now you are allowed on campus and now you have a list of who is allowed on the campus. President Bailey knows not everyone thinks the way he thinks. Regent Martinez thought of this and he thinks it is a really good idea. We need to have a dialog as a college and what we are going to propose is a working group to discuss how we do this so it is not a unilateral decision by President Bailey or by the Board of Regents, it is really something we are creating organically. He imagines a very small group with representatives from the faculty, staff, Board of Regents and to have this dialogue on how to do this safely. There are still some questions. The question is we still don’t know if the vaccinations don’t prevent transmission. If we get 70% of our team vaccinated and now everyone comes to the campus, is it still possible for this virus to propagate. If it propagates, are we going to have to shut down again. These are going to be things on President Bailey’s mind as we plan. He does not want to open the doors and then be on the knives edge about closing the campus again. Ultimately, as the Chief Executive of the institution, he knows it is his responsibility to take care of the health and safety of everyone on this team and not just us, the community as well because we interact and have families. President Bailey is going to be conservative about this and there will be a working group to discuss options.

Regent Martinez stated we recognize that some people, the term anti-vaccer is almost offensive because it implies, whatever it implies, but it doesn’t imply anything good in his view. There are people who don’t for whatever reason do not agree on vaccinating. The thing we have to look at as a community, a couple of different things, on December 22nd of this past year the EEOC sent out guidelines concerning whether or not employers can mandate vaccination. It is interesting because it is very fluid. The vaccines were approved as an emergency approval not the long-term approval so there are some issues there if you can truly mandate the vaccinations. Another thing we have is, and Mr. Crone is here, we have Collective Bargaining Agreements so we need to look at all those things. He would suggest this community group we come up with has a legal advisor on it who is going to deal with the employment that deals with the employment law issues that come to the front. His view is the same as Dr. Bailey’s and it would be helpful if there were people on the committee who had views with respect to the vaccination. The fire department in Washington, DC, he was reading an article, 17% of them are chose not to get the vaccination. One of the hospitals in Las Cruces, Mountain View, 13% of their employees said they will not get the vaccination. It is something that is important because ultimately if we open the campus and we do not have a plan where we have thought about these things and God forbid somebody says they got COVID on campus and took it home and somebody passed away from it. He is a lawyer and there are tons of lawyers and we are going to get sued for negligent operation of a building. We need to really think about this and this is his two cents.
Regent Velarde stated it is a really fine line we are going to have to walk just so everybody knows that we have the on our Board of Regents and she is on the opposite end of Regent Martinez and President Bailey so we do have that sort of spectrum where there this isn’t for one sided conversation. President Bailey stated that is exactly the point, the point is we have a multitude of perspectives and ideas and rather than tackle this from his own biased framework he thinks the way to move forward is to have a dialogue as a team and to allow some of the experts to help us with, even if we have 10% of our staff and faculty and students who don’t get the vaccine, if we can show this is not going to propagate without it, we can move back into an in person operation without that, it might be good enough for us. There is not going to be a risk-free decision, we know that. President Bailey wants us to have a dialogue at least we have an understanding of the risks as we move forward and those are the things, we all have to do together. Ultimately, President Bailey appreciates Regent Velarde’s position on this and this is the catalyst for us to have a dialogue to find some common ground so we can all agree to move forward.

Regent Swentzell stated he thinks this is a good idea and he is already thinking about what kinds of waivers and of course he is not the legal mind, for those people who are wanting to opt out, he knows for schools and other situations, there are opt out forms that exist for those people, for example, if their kids did not get vaccinations, there are waivers that exist and he doesn’t know the roll of all of that plays in the mix of all this. This is where his mind was going that way more people can be accommodated. As Regent Martinez was mentioning, you are a little bit darned if you do, darned if you don’t situation in some ways because there is the liability of the employer if they don’t do something, if they don’t make positive actions on this issue and something bad happens did the employer do their due diligence to protect their employees. The waivers are for religious reasons typically. He does not know how all that plays with all of this. It is a really good idea to incorporation more voices into this. President Bailey stated this is exactly why, we have faculty members who study this, who have the scientific background to advise us on some areas. President Bailey stated for everyone that does opt out of this eventually there would be some kind of form or something. President Bailey stated his question is what are the health risks for those who did get vaccinated and working in close proximity of those who did not. Those are the things he does not have the scientific mind to understand. His hope is this working group would start to chew on those things. What are the health implications and the risks for both and the family members of both groups? Those are the things we are going to need to make a thoughtful decision going forward.

Regent Rodriguez stated he thinks this is a great idea and right now everyone is so sensitive and it is a sensitive time and people all over the community are waiting to see what we are going and that is going to dictate what they are going to do, whether they are going to stay enrolled or not, whether they are going to apply or not. Creating a dialogue is really important to show the community that we are interested in everyone’s opinion and we want everyone to come back. He thinks it is a good idea.

Board President Martin stated that he thinks we are really fortunate that we have Regent Velarde and Regent Martinez with their opinion on this. He would like to appoint Regent Martinez and Velarde to the committee for this. President Bailey would like to set up a dialogue in the next couple of weeks. He would a plan moving forward by mid-spring because we may be position to start implementing something by the summer. Regent Martinez stated he will make time so long as he does not have a previous engagement, he will make time as whenever everyone is available. He stated we serve students and we should have students on this because they are just as effective sometimes more than the Board. Regent Velarde stated she agrees with Regent
Martinez on this one. If you have Regent Velarde and Regent Martinez on this one, they are pretty long winded and full of debate so they would be there forever. President Bailey stated he will make sure Student Senate will have an opportunity to select a few members for that group.

VI. FACULTY SENATE PRESIDENT REPORT

None.

VII. STUDENT SENATE PRESIDENT REPORT

None.

VIII. STAFF REPORTS

A. Provost & Vice President for Academic Affairs

1. Updates from the Higher Learning Commission

Dr. Lopez stated he wants the Board to be aware of updates in terms of relationships with the HLC and some of the applications we have with them to enable Northern to do some new things. The HLC per federal law, starting July 1st is no longer a regional accreditation agency, now they are an institutional accreditation agency. What is the difference? Prior to July 1st the HLC will be in charge of all colleges and universities in one geographical region, that has changed, they are now an institutional accrediting body and that means for all institutions in the country they can select to go to another accredited agency if they want. This is not something we are planning to do we are in good terms with our accreditation, however, because of this change, now the HLC has much more overview on Northern operations. For example, now, if any program has more than 25% changes in their curriculum, we cannot implement them without the HLC knowing and be granted permission. They are going to have much more influence when Northern reaches certain thresholds. This is important. We are putting in place mechanisms at Northern so that we monitor more closely and keep track of all changes we implement in the curriculum. Every month, Faculty Senate lets the Board of Regents know there have been changes and now we are putting in place mechanisms are tracked better so we don't get in trouble with accreditation. This is a major change in operation.

Dr. Lopez stated two weeks ago we received from the HLC a letter where the review panel that reviewed our application to offer fully online programs was recommended. This is not the final approval from the HLC they also have a board, this panel sends the recommendation to the Board and the Board will send the final letter of approval. However, what we know, in general, when a review panel recommends something it is difficult for the HLC Board to override. We are very optimistic that within the next few days we are going to be getting a letter from the HLC where Northern will be approved to offer fully online programs and this will be huge because we can expand our recruitment areas. We have some programs because they are accredited and because they have a really affordable tuition, we can be a great provider of education nationwide and even internationally. This could be a game changer. We have been discussing that we don't want Northern to become a University of Phoenix or online university. But if we can grow certain programs strategically then that is going to give us the funds to provide much better services to our students, to our local students. President Bailey is working with Don Appiarius and the Veterans Services reaching out to the different Army, Air Force bases to see what partnerships we can form.
so that we provide to them education in high demand programs. This is something that Dr. Lopez is very optimistic that soon we will get the final approval.

Dr. Lopez stated that because of our partnership with the Local 412, the Plumbing Union, the Board of Regents approved an MOU months ago. We are offering the courses in Albuquerque and in Los Alamos. They have technical centers there and we are offering courses in plumbing in those two centers. The HLC does not allow us to offer more than 50% of the curriculum if we do not include those training centers as remote locations for Northern. We recently submitted to the HLC our application so these two centers become remote locations for Northern New Mexico College. The process is going to take six months. We were just informed last week that our application has already gone to a review panel. Dr. Lopez guesses within four to six months we will know if this was approved. The beauty of these two applications on the remote locations is that if they get approved for any other additional location, the HLC does not require Northern to go again through an approval process. It will only require from Northern to notify the HLC. This might give us possibilities in the long run for other expansions with other unions, probably the carpenters, the electricians. This is also good news and we are crossing fingers, this is going to take six months but he thinks it is important for the Board to know we are pursuing these initiatives with the HLC. Dr. Lopez asked if there were any questions of the Board of Regents.

2. New Associate Degree in Nuclear Operations (first reading)

Dr. Lopez stated in the packet (page 25-32) what the Board will see is a preliminary draft, this is not the final draft coming to the Board of Regents. Dr. Lopez hopes at the February meeting for approval. This is a new program that we are proposing. It is an Associate Degree in Nuclear Operations. This is a program that is going to be the product of our partnership with N3B. N3B is the company that has a contract with LANL to do the environmental cleanup. This is a 10-year contract and President Bailey three years ago started the relationship with them. One and a half years ago we signed a contract with them for $500,000 for us to provide college education to the Nuclear Operators Apprentices that N3B has. N3B came to us and said we do not want the students to just get college credit, we ultimately want them to get a degree. This is our response to that request. We want to build a degree that is open to all students but we are doing this in particular to serve N3B. N3B is sending students, they get their tuition paid either by N3B or by WIOA fundings but they are also through this contract with N3B, they are giving Northern the resources in instructions and in equipment and in student supports for us to provide the program. For the last year and a half, we have been giving courses to these apprentices but this program basically is going to add the general education component and we are going to be able to give a certificate. This is the program if it gets approved by the Board of Regents at the February meeting, this is the one we are going to use as our guinea pig in the partnership that President Bailey described between HED and HLC. This might be the program that we use to pilot in terms of the concurrent approval.

Regent Swentzell stated he has a quick question because we looked at this at the committee meeting on Wednesday. Since then, some things ruminated around and Regent Swentzell asked the Board to bear with him because he is teaching two philosophy classes and his mind is in a certain kind of place this semester. He does have some sort of ethical questions regarding this. It is his understanding and he fully understands that the ink on this agreement has dried quite some time ago and we are looking more at the degree program rather than the original agreement itself. It is his understanding that the students are being sent to Northern and Northern is providing the college credits and potentially a degree so they can do the work. If that is the case, thinking of the long-term sort of potential of this degree, to what extent are local students, once the agreement with N3B
is all done and this program has sort of run its course, is this sort of abandon residual program and that Northern has to pick up the cost of that faculty member and then he jumps to the other end of this question as well, just throwing it out there. The ethical components here, there is a history that is longstanding of the ownership of nuclear cleanup and extractive energy cleanup falling to communities that can least afford the responsibility of those cleanups and yet are also the ones that suffer the consequences of those extractive energies, those kinds of programs that are destructive not only to the environment but to people and culture and things of that nature. Regent Swentzell stated he wanted to throw that out there, putting on his philosopher hat now, think about the long term, ten years from now, does this program just kind of end up being a shriveled sort of program hanging out that was there for this program. He does understand that this is an incredible project that these students get salaries on day one. They are working on an apprenticeship type system so they have on the job experience and this is a great blueprint for other similar kinds of programs. Regent Swentzell wanted to throw out some of these kinds of issues.

President Bailey stated these are very good questions and thanked Regent Swentzell for comments and concerns. President Bailey stated he would like to address the two main points. Regent Swentzell first talked about whether or not this was really affecting local students. President Bailey would like to mitigate any concern that anyone has. This is not N3B bringing in people from all over the country and then hosting them here and having us giving them the education. From the very first day we spoke with them they wanted to build a local workforce do the work. The lions share, if not all of them, are actually local students and have this career opportunity. In terms of the cleanup, President Bailey stated he wants to be very careful not to speak to the reasons for the lab or the operations for the lab. Obviously, they fulfill an important national security interest for the country but he will say that the fact that entire lab contract was carved out, the fact that starting two years ago the Department of Energy decided that they were going to split the contract into a group that actually runs the day to day operations of the Lab - Triad but they were going to contract out a separate contract, a billion dollar contract for the sole reason of environmental cleanup, environmental legacy cleanup and to really be more in tune with the long term environmental consequences. President Bailey stated he actually applauds that decision. He thinks the fact that they are taking steps to do this smartly and to do this in an environmentally conscious way is very important and he thinks that is what students, at least our students, the students President Bailey has talked to so far that are in this program, actually, are doing it for that ethical reason. They are doing it knowing they are contributing to the long term better environmental health of the community. President Bailey stated this is solely his perspective and he knows Regent Velarde has a comment as well.

Regent Velarde stated she wanted to kind of echo what Regent Swentzell said. She does not have as eloquent words and she is definitely not a philosopher even though her children would dare to say different when she is on her pedestal speaking. She has the same worries, she has the same ethical concerns, she has concerns as to, so once this environmental cleanup is completed, what next for these local people. Do they sort of have to follow N3B to the different cleanups throughout the nation in order to retain their jobs or do they have a job path available to them from the Lab? She does also have the concerns about what we would be potentially exposing them to and what they would be potentially taking back to their homes. It is a long history here. It is a history that has provided jobs and livelihood for people but it is also a history that has created cancers in communities. It is sort of like; it is that fine line again as we were speaking about with the vaccinations. There is some good to it but there is also some bad to it as well. Regent Velarde thinks we need to have maybe that more in-depth conversation as to what does the path end like. At their 25 years, after 30 years, where are they going to be retiring from, are they going to be at the
Lab, what does that pool path look like. The Associate Degree in Nuclear, what does that give them inevitably that they can take, even if they go beyond N3B, beyond the Lab.

Regent Martinez stated if there is an opportunity to help a student, he agrees with both of his colleagues. We don't want to put our family members from the school in maybe a position that would affect their health. We do also have an obligation to put individuals in a position to better themselves as they move on and 25 years ago, he thought he wanted to be a physical therapist, that didn't happen. We can't know what will happen in 25 years but what type of and maybe he missed this and if he did please forgive him, but this associate degree and these jobs that this company is going to provide, what type of livelihood is it going to give the people who take those jobs, who go through this program. What type of income are they expected to get?

Dr. Lopez stated right now, what N3B is telling us that the entry level salary for an Associate Level is competitive to the Radiation Control Technician, it is about $50,000-$55,000 a year. More less that is the beginning salary for somebody that has completed the Associate Degree. Dr. Lopez stated he wanted to point the Board to pages 30-31 of the packet where the curriculum is discussed, Dr. Lopez would like to inform everyone that the courses that are related with radiation, these are the same courses we have for a program that has existed for the last 12 years. This program, the only way it deviates from what Northern has been offering for 12 years is in the engineering elements. The rest of the courses you see are already part of two programs that we have been offering for the last 10 years and basically what we are teaching in these courses is how to manipulate radiation or radiated material in a safe way. These labs, right now, we have them at Northern, the radiation they are exposed to are not different from the radiation they are in in an entry physics lab. It is really much more about the ability and the skills on how to work with these materials. The name of the program might be misleading because it sounds Nuclear Operations, it sounds like the students are going to be working on a reactor and that is not necessarily what is going on for this particular program. This one is a general overview on how to troubleshoot equipment and process that may happen in certain nuclear operations and how to do this safely. Dr. Lopez stated that the ethical argument as mentioned by Regent Velarde, it goes both ways because the nuclear material and equipment is already there. It is existing and the idea of this type of program is how can we do our best to train technicians so they can help and contribute to take care of the radiation that is already there. As President Bailey mentioned, it is also an ethical response of how to take care of a problem that is already here, probably for the last 60 years. That is the idea behind the program, this is more less what we have offered, Radiation Control and now we give them some engineering tools so they can do something beyond just the manipulation of radiation materials.

President Bailey stated he would like to add a couple of things. One, he is glad Dr. Lopez pointed the Board to pages 29 and 30, this helps to answer Regent Martinez question. If you look at English Composition, Technical Communication, Algebra Based Physics, Intermediate Math, we are building communication and problem-solving skills in that program that actually would then be useful for anything that comes after it. We think this environmental cleanup is still a 20-year project. We do think, it is not like these students are going to go in this field, they are going to have two years and they are going to have to figure out something else. We do think there is a sustainability to this and President Bailey does think they are also getting a foundation in communication, science, math, all the other things that make them very marketable no matter what they do afterwards. President Bailey stated the second thing is that he wants to be very clear, to be fair to N3B and the Lab, none of whom are hear with the Board, from his interaction, from a lot of the faculty's interaction with both of those entities, they take safety very, very seriously and so it is not, this is not about our students jumping into an unsafe environment, it is about teaching them
the skillsets they need and giving them the tools and the proper protective equipment and all the things they need to do and the habits of mind and patterns of inquiry that actually will help them succeed and do something positive for the environment and our community. President Bailey wants to make sure that we know this is being done in a thoughtful way as well.

Regent Martinez stated President Bailey is optimistic about 20 years. We have not been good stewards of our land for almost, more than a century. This is a program that is a generational type of program. He thinks this will go beyond 20 years as far as people being able to have jobs in that particular field.

Board President Martin asked if there were any other questions for Dr. Lopez and asked Dr. Lopez if he had anything else.

Dr. Lopez stated he will be bringing the full proposal at the next meeting. They are finalizing these documents and this was a heads up and Dr. Lopez thanked the Board for their questions.

3. B. Vice President for Finance & Administration

1. Fiscal Watch Reports

President Bailey stated Vice President Bejarano is on medical leave this morning and turned this report over to the Comptroller. Mr. Lithgow stated he is going to go over, what we are doing is the Fiscal Watch Reports for the months of November of December of 2020. We will be up to date with all Fiscal Watch Reports. He will cover November first and let the Board of Regents know how it rolls into December because there is a compliance item to note. For the month of November on the Balance Sheet, Statement of Net Position we have cash of about $5.7M, student receivables of just under $1M and this will be critical going into December because you see some nice changes. Total current assets of about $7.1M, the capital assets are still static and has not changed yet. Same thing for the deferred pension revenues, when we finish the audit, we will update those numbers. Current liability, $1.4M, accounts payable are $120,000 and this will be significant come December as well. Our net pension liability is still at 34.7% and it may not change until we finish the audit and related pension liabilities $3.5M. Bottom line is on the total net position we are at $35.5M which is a little change over prior months because it still holds us in good position. On the Income Statement for the month of November, we are at a total revenues collected year to date average of about almost 40%. Budgetary wise we should be about 41.7% so we are mildly under budget at this time. Going to total expenditures year to date for the month of November we are at 35.6% so we are well below the 42% where we should be at and that would stand to reason because we have not been expending as we normally do. Most of the expenditures we will see in the Statement of Cash Flows are going to be for salaries and benefits. There has been very little activity for Capital Outlay. This is from his understanding this is because of the COVID restrictions, the contractors are having to get their people PPE and making sure they start these projects in a safe manner. Regarding the Comparison Statement from this fiscal year November to last fiscal year, there is a little bit of change, about 16.7% but most notably because of the local appropriations for the Branch College. There is very little change one year to the next, we are a little bit under this fiscal year on the flipside we have had budget cuts over last year. A little bit activity in the plant than last year. On the Statement of Cash Flow the biggest one is receipts for tuition for about $2.2M and Grants almost $2.9. The biggest notable is on here, most of the outlays have been to staff about $5.5M or $5.6M and supplies of about $700,000, scholarships we have provided about $600,000
as well. State appropriations are right on line with what they should be. Mr. Lithgow asked if there were any questions for November.

Mr. Lithgow stated regarding the Statement of Net Position for December, 2020, cash really didn’t change too much, cash and cash equivalents. The biggest note is last month of November, we had about $1M of student account receivables that went up to about $2.3M and that change is attributable to students registering for the spring semester. That is a very positive note. Most everything else remains static. Capital Assets is static, deferred outflows is static. Current liabilities, last month we had $120,000, we are down to just under $300 for the month of December. We have had very little expenditure activity for the months of November and December and our Accounts Payable staff have done a good job to keep it current with liabilities. No change in the non-current liabilities for pension. Again, this will change when we do our complete audited financial statements. Restricted net position went up to almost $2M. We have a little bit stronger net position of almost $37M compared to the prior month. With this, Mr. Lithgow stood for questions. Regarding the Income Statement, budget amount we should be at 50% for the year and revenues were just over that which is on line. More importantly, expenditures are at 40.6% and he mentioned earlier, because this was an election year, we have to be compliant with the 50% rule, which means we could not have expended more than 50% of our operational budget by mid-year and we are well below that so we are compliant with that regulation. We did have to send a certification to HED and DFA which Evette Abeyta, Budget Director worked on very diligently and has kept us in line with current law. Expenses for capital projects, they just started, contractors have been on and started to build. Comparison over last year, revenues mainly because of the Branch College. Expenses, we are a little lower than last year, again due to COVID and to the budget cuts we have fewer expenses at this time. Nominal change from capital projects one year to the next. The Statement of Cashflows for the month of December, again you can see the receipts from tuition and fees have gone up and grants have significantly gone up. Payments to staff $6.5M and liabilities went up, payments to suppliers for goods and services went up. We have satisfied a lot of payables and scholarships have gone up and state appropriations are right on line. With this, Mr. Lithgow asked if there were any questions on the Fiscal Watch Reports. Board President Martin stated he would entertain a motion to approve the Fiscal Watch.

Regent Swentzell asked Mr. Lithgow and President Bailey and he knows President Bailey mentioned the optimism of the current legislative session and in terms of seeing we are going to be in a little bit of a funding drought at least for some years. He would like to keep touching base, we talked about this in previous meetings, how resilient to the vicissitudes of funding changes that could happen. You might feel optimistic now but there is no debating these are some tough times. Where are we at? He sees things are looking good now but we have to get through some tough years ahead probably. President Bailey he completely agrees with Regent Swentzell and he stated generally he sees the world through rose colored glasses anyway and tends to remain optimistic no matter what and we have been through some tough times and to him there is nothing we can’t get through. Strategically for the College, we have been very dependent on state budgets and are going to be depending on this for the foreseeable future. We are on this roller coaster and when COVID hit we had to make some very difficult decisions at the College and even though things look good right now, six months from now we could have a completely different discussion so he completely agrees with Regent Swentzell. What we need to do and he knows when he first arrived things were so delicate budget wise; you know there were moments where actually the person in Vince’s and Evette’s position they were actually taking revenues in just to make the following payroll. We are not in that position anymore. It doesn’t mean we could not get to be back to that but we have to be careful about it. He is convinced we are in a far stronger fiscal position than we were four and half
years ago, he is confident in that. That is a credit to everyone in the Business Office and leadership and it is also a credit to faculty, staff and students and everyone knows that we have had to tighten the belt these past few years to kind of survive the vagaries of the State budget crisis. The other thing we have done and this is more a long-term thing, it could be ten to twenty years out, but is, there are things that we have put in place to become less dependent on the State. A perfect example of this is the Eagle Corporation. We are actually creating an entity that with the Boards leadership, we have created an entity that is actually looking at partnering with for profit institutions to get return on investment that is a completely separate funding stream. We have been creative in things like the Solar Array here. You are going to hear a CommNet project today. Those are things that generate revenue for the College and then lastly if you look and Mr. Lithgow mentioned it earlier, we have exploded the Grant funding that has come into this institution and it has made us less dependent on the State to do some really critical things that we need for the school and last but not least, the Mill Levy where we said we want to start provide career technical education and we want to revitalize this El Rito Campus and we want to do it without asking the State to help us and they would have kicked President Bailey in the face so we got together and generated that project and now we have for the foreseeable future we now have a separate funding mechanism to allow us to do that. President Bailey stated he thinks it is right for the Board to hold him responsible and to hold us responsible to try and be innovative in creating ways that make us less dependent on one single source of funding and they will pledge to continue to do that.

Mr. Lithgow stated he would like to reiterate what the President said. At one point in time three or four years ago, we were having to transfer funds in and out just to make payroll or pay bills. We were having to hold checks from the College until we received the next month’s allocation of general fund. We don't do that; we don't do that. We have to certify action to HED every quarter. There is a form that Board President Martin, President Bailey and Mr. Bejarano has to sign that asks us point blank if we had to hold any checks. The answer is no. We have not done that for about three years now. Mr. Lithgow feels even though we do not know the future economic outlook about the funding, he thinks again, we have curtailed things and we have a pretty level program for fiscal operations.

Board President Martin asked if there were any other questions and entertained a motion to approve the Fiscal Watch Reports.


2. Budget Adjustment Reports (BARs)

Ms. Abeyta stated in the Board packet – page 38, we are currently at 17 BARs for the fiscal year. We have 6 BARs in the packet, a total which include three restricted increases, 2 unrestricted increases, 1 restricted increase. The increases are primarily Grants. Basically, you will see maintenance BARs and different BARs which amount to BAR 17 and those go to the VP of Finance and are line too line BARs. There is an increase for the ECMC grant and it is $200,373 and there is another increase of $66,762 for INBRE and another for the NSF and various grants. It shows $1.985M. We are realigning the grants from the previous fiscal years and rolling over the balances. We have a BAR for the Nursing Enhancement Grant and budgeting remaining fund balance for the current fiscal year. We also have the unrestricted increase for capital outlay
appropriated too us. We also have the restricted decrease which is aligning for the NSF grant. We are doing really well with the BARs and nearly half of the year with 17 BARs in. It is a picture of where we are and where we have the budgets. We will see what the new legislative session brings for us. We are optimistic and we are continuing to tighten the belt where we need too. We are curtailing expenses that we feel are not essential. We are reviewing all purchases and everything that comes to us and keeping operations coming to us. There were years in the past where we were having to hold checks to meet payroll. We were in the hole -$1.8M and have made great strides and we are in a good place.

Board President Martin asked if there were any questions for Ms. Abeyta and entertained a motion to approve the BARs.

Regent Swentzell moved to approve the BARs as prepared internally through January 22, 2021 for FY21. Second – Regent Velarde. A roll call vote was taken. Board President Martin – yes, Regent Velarde – yes, Regent Swentzell – yes, Regent Martinez – yes, Regent Rodriguez – yes. Motion passed unanimously.

3. CommNet FirstNet Project

President Bailey stated this is a project to create a lease agreement with the College for use of a portion of the water tower on the El Rito Campus for a communication antenna for CommNet. President Bailey stated he does see Luis Vasquez on and welcomed him. This is a long-term lease project; this has gone through legal review and was also discussed at the Audit/Facilities/Finance Committee and they had some really good question. Fairly standard lease in terms of the arrangement and it will generate a $1,200 a month rent payment to the College. President Bailey asked Regent Martinez and Regent Velarde for any other comments we want to add. President Bailey asked if there were questions from the Board of Regents. Board President Martin asked Mr. Vasquez if he has anything to add. Mr. Vasquez thanked everyone for having him at the Board of Regents and it is an honor to be amongst them in the meeting. As the Board may know FirstNet project is a federal mandated project that will serve the FirstNet, basically the local first responders in the area. He thinks this will be very beneficial to the College as well as to the community. With this said, he stated he please asks the College to approve of their lease so they can get FirstNet up and running for everyone. Board President Martin thanked Mr. Vasquez.

Board President Martin entertained a motion to approve the recommendation.

Regent Martinez moved to approve the contract with FirstNet. Second – Regent Velarde – second. A roll call vote was taken. Board President Martin – yes, Regent Velarde – yes, Regent Swentzell – yes, Regent Martinez – yes, Regent Rodriguez – yes. Motion passed unanimously.

IX. DEEP DIVE

This item was tabled until February, 2021.

X. PUBLIC INPUT

None.
XI. EXECUTIVE SESSION

None.

XII. ADJOURNMENT

Board President Martin entertained a motion to adjourn.


The Board of Regents adjourned at 10:27 AM.

APPROVED:

Michael A. Martin, Board President

Erica Velarde, Vice President
XII. ADJOURNMENT

Board President Martin entertained a motion to adjourn.


The Board of Regents adjourned at 10:37AM.

APPROVED:

Michael A. Martin, Board President

[Signature]

Erica Velarde, Vice President