



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
REGULAR MEETING
December 8, 2022 at 1:00 PM**

The hybrid meeting will be held at East Ballroom,
Corbett Center Student Union, International Mall, Las
Cruces, NM and Webcast at the following address:

<https://nmsu.zoom.us/j/93914730638>

Regents of New Mexico State University

Chair Ammu Devasthali, Vice Chair Arsenio Romero, Secretary/Treasurer Neal Bitsie, Dina Chacón-Reitzel, Christopher T. Saucedo

Non-Voting Advisory Members - ASNMSU President Garrett Moseley, Faculty Senate Chair Gaylene Fassenko, Ph.D., Employee Council Chair Susanne Berger

University Officials - Chancellor Dan E. Arvizu, Ph.D., Interim Provost Dorothy Campbell, Ph.D., Vice Chancellor Ruth A. Johnston, Ph.D., General Counsel Roy Collins III, J.D.

AGENDA

A. Call to Order, Chairwoman Ammu Devasthali

Pledge of Allegiance

Opening Statement from the Chair

- 1. Introduction of the Media and Elected Officials, Associate Vice President Justin Bannister**
- 2. Introduction of Senior Associate Athletic Director Amber Burdge, Director of Athletics Mario Moccia**
- 3. Confirmation of Quorum, Chairwoman Ammu Devasthali**
- 4. Approval of the Agenda, Chairwoman Ammu Devasthali**

B. Approval of the Minutes and Confirmation of Prior Closed Session, Chairwoman Ammu Devasthali

- 1. Work Session Minutes August 24 - 25, 2022**
- 2. Regular Meeting Minutes September 15, 2022**
- 3. Special Meeting Minutes October 17, 2022**
- 4. Confirmation of Prior Closed Executive Session November 17, 2022**
- 5. Confirmation of Prior Closed Executive Session November 29, 2022**
- 6. Confirmation of Prior Closed Executive Session December 8, 2022**

C. Regent Committee Reports

1. **Real Estate Committee Report**, *Regent Dina Chacón-Reitzel*
2. **Audit and Risk Committee Report**, *Regent Ammu Devasthali*
3. **Financial Strategies, Performance and Budget Committee Report**, *Regent Christopher Saucedo*
4. **Student Success Committee Report**, *Regent Arsenio Romero*

D. Advisory Member Reports

1. **Associated Students of NMSU Report**, *President Garrett Moseley*
2. **NMSU Faculty Senate Report**, *Chair Gaylene Fasenko*
3. **NMSU Employee Council Report**, *Chair Susanne Berger*

E. Affiliated Entity Reports

1. **Arrowhead Center Inc. Report**, *Director & CEO Kathryn Hansen*

F. Public Comment, *Associate Vice President Justin Bannister*

G. Consent Items, *Chairwoman Ammu Devasthali*

1. **Amendment to RPM 3.00**, *Assistant General Counsel Mariah Ortiz*
2. **Temporary Investments Report for the Quarter ended 09/30/2022**, *Associate Vice President D'Anne Stuart*
3. **Disposition / Deletion of Property**, *Associate Vice President D'Anne Stuart*
4. **NMSU Alamogordo: Classroom Buildings Mechanical Upgrades**, *University Architect Heather Watenpaugh*
5. **NMSU Alamogordo: Rohovec Fine Arts Theatre Renovations**, *University Architect Heather Watenpaugh*
6. **NMSU Las Cruces: Corbett Center Fire Alarm Replacement**, *University Architect Heather Watenpaugh*
7. **NMSU Las Cruces: Campuswide Roadway Resurfacing**, *University Architect Heather Watenpaugh*
8. **Reorganization of the Interdisciplinary Studies Department into the Borderlands and Ethnic Studies (BEST) Department and to relocate it from the College of Arts and Sciences (A&S) to the College of Health, Education, and Social Transformation (HEST)**, *Senior Associate Provost James McAteer (on behalf of the Office of the Provost)*
9. **Philanthropic naming of space in the Agricultural Modernization and Educational Facilities in honor of Neil Burcham**, *President Derek Dictson*

RECESS (10 MINUTES)

H. **Action Items**, *Chairwoman Ammu Devasthali*

1. **Budget Adjustment Requests (BAR) for Fiscal Year 2022-2023**, *Chief Budget Officer Kim Rumford*
2. **Authorization for Conferral of Degrees and Certificates**, *Chancellor Dan E. Arvizu*

I. **Informational Items**, *Chairwoman Ammu Devasthali*

1. **Summary of Revisions to the Administrative Rules and Procedures of NMSU (ARP) for the period November 25, 2021 – November 30, 2022**, *Senior Administrator for Strategic System Services and Operational Policy Administrator Ermelinda Quintela*
2. **NMSU Revenue Bonds Series 2022 Sale Certificate**, *Associate Vice President D'Anne Stuart*

J. **Report from the New Mexico Department of Agriculture to the Regents of New Mexico State University (Board of Agriculture)**, *Cabinet Secretary & Director Jeff Witte*

K. **NMSU System Report**, *Chancellor Dan E. Arvizu*

L. **Announcements and Comments**, *Chairwoman Ammu Devasthali*

1. **Good News for NMSU!**

M. **Adjournment**, *Chairwoman Ammu Devasthali*



Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item # B-1

- Action Item
- Consent Item
- Informational Item

Presented By: Neal Bitsie
Secretary/Treasurer,
Board of Regents

Agenda Item: Work Session Minutes August 24 - 25, 2022

Requested Action of the Board of Regents: Approval of the Work Session Minutes August 24 - 25, 2022 as presented.

Executive Summary:

As required by the New Mexico Open Meetings Act, the board shall keep written minutes of all its meetings. The minutes shall include at a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken that show how each member voted. All minutes are open to public inspection. Draft minutes shall be prepared within ten working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present. Minutes shall not become official until approved by the board.

References:

NM Open Meetings Act §10-15-1 G.

Prior Approvals:

N/A



NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS

WORK SESSION MINUTES

Wednesday, August 24th, 2022 1:00 PM

Thursday, August 25th, 2022 9:00 AM

La Posta De Mesilla
Fiesta Room
2410 Calle De San Albino
Mesilla, NM 88046

MINUTES

Wednesday, August 24th, 2022

The meeting was called to order by Regent Ammu Devasthali at 1:00 PM. Regents Devasthali, Romero, Bitsie and Chacón-Reitzel were present in-person. Regent Saucedo joined the meeting online via Zoom. Regent Devasthali reminded the regents that this work session is provided for information only and no actions will be taken by the board during the work session.

1. **Strategic Budget Discussion**, *Ruth Johnston, Dave Maddox, Kim Rumford*

Presenters provided a PowerPoint presentation (incorporated for reference) to regents regarding the current status of NMSU enrollment and potential for one-time funding from state appropriations. Community college enrollment was up from this time last year (fall enrollment) and the main campus enrollment was flat year-over-year. NMSU Online (NMSU-O) was up sharply for undergraduate enrollments and there was mention of the 8-week semester cycle, which should be considered when attempting to compare traditional and online enrollment.

Major university needs were discussed, including a continued investment in NMSU-O, competitive and equitable faculty salaries, and support for Graduate Assistantships. In general, competitive salaries and enhanced services in the support staff/functions were areas needed for future investment as well as increases in utility costs, addressing deferred maintenance for physical and IT infrastructure, and student basic needs.

Presenters discussed some previous and upcoming planning activities, such as the LEADS 2025 strategic planning retreat held on May 18, 2022, the Chancellor's cabinet retreat to be held June 30, followed by in-depth discussions with deans about the budget and proposed Research and Public Service Project (RPSP) requests. In August, a Financial Strategy Retreat will take place to include a broad set of stakeholders, including regents, faculty senate, and ASNMSU.

Presenters discussed feedback received from some initial strategic planning meetings, including the critical role of NMSU-O and the need to diversity revenue streams. In addition, there was

discussion about the importance of putting resources back in academic programs, student support, and support systems. The importance of culture and climate of the workplace and academic settings was mentioned and resources were critical to attracting and maintaining the quality of faculty, staff and student experiences. This includes investment in competitive salaries, research infrastructure, and improving administrative processes and functions. Marketing, corporate and community engagement, and fundraising support were specifically mentioned. All of this need for investment spurred many conversations among the leadership group and the presenters provided some graphs and charts as well as worksheets that contributed to discussions about tuition policy. This included current tuition and fee information and historical data about tuition and fees paid per credit. In addition, there were charts and graphs presented showing the different type of tuition waivers, student aid, including preliminary data about the New Mexico Opportunity Scholarship, as well as tuition projections.

This information was used as the basis of budget modeling exercises which utilized a spreadsheet to model variations in different inputs, such as tuition rate and enrollment.

The meeting was recessed by Regent Devasthali at 3:45 PM to reconvene the next morning at 9:00 AM.

Thursday, August 25th, 2022 9:00 AM

The meeting was called to order by Regent Ammu Devasthali at 9:00 AM. Regents Devasthali, Romero, Bitsie and Chacón-Reitzel were present in-person. Regent Saucedo joined the meeting online via Zoom.

Regent Devasthali reminded the regents that this work session is provided for information only and no actions will be taken by the board during the work session.

1. **AES/CES Program Updates and Facilities Conditions**, *Rolando Flores Galarza, Leslie Edgar and Jon Boren*

College of Agricultural, Consumer, and Environmental Sciences (ACES) Dean and Chief Administrative Officer Rolando Flores Galarza provided an introduction to the regents regarding the mission and vision of the college and he highlighted how the Agricultural Experiment Station (AES) and Cooperative Extension Service (CES) embody the mission and vision of the college throughout the State of New Mexico.

ACES Associate Dean & AES Director Leslie Edgar provided a PowerPoint presentation (incorporated for reference) which detailed the history, funding, and alignment of AES with the ACES Pillars of Economic and Community Development. Dr. Edgar highlighted the impacts for AES from 2017 – 2021, including categories of projects in Food & Fiber Production and Marketing, Water Use and Conservation, Family Development and Health of New Mexicans, and

Environmental Stewardship.

Dr. Edgar reviewed the AES funding, which included \$8.9 in research funding awarded in FY 21. Dr. Edgar reviewed the FY 24 Legislative request which included a Forest Tree Ecophysiology Professor, Climate Smart Agricultural Professor, Hydrology and Water Resources Professor, and an Integrated Renewable Energy and Agricultural Natural Resources Professor. Dr. Edgar continued by discussing the various needs to address deferred maintenance at the science centers and provided a separate handout detailing some of the needs.

ACES Associate Dean & CES Director Jon Boren continued the presentation which detailed the history and funding of CES. Dr. Boren highlighted the split of funding from state, federal, and county sources, as well as grants and contracts. Dr. Boren noted that CES has 296 permanent faculty and staff who are housed in offices in all 33 counties, which includes different 54 office locations. Dr. Boren noted that "Extension faculty on average reach over 550,000 New Mexicans annually. That's about 1/4 of the state's population". It was also noted that many citizens volunteer with CES and give in-kind contributions.

Dr. Boren highlighted several programs, including 4-H Youth Education and the Aggie Next Step Program which are associated with academic improvement and better preparing school-aged children to attend college. Dr. Boren further discussed the role of CES in providing information to farmers and ranchers as well as many New Mexicans through various programs, resources, and services that focus on agriculture. This includes working collaboratively with other state agencies such as the New Mexico Department of Agriculture on emergencies such as droughts, wildfires, and environmental contamination.

In particular, Dr. Boren noted that CES participated in Emergency Support Function (ESF) No. 11 Agriculture and Natural Resource calls on a daily basis and provided updates on community needs and issues that need to be addressed in the counties with current wildfires. This included: coordination of pet evacuation shelters, assisting in distributing livestock feed to producers, providing evacuation education information, and disseminated CES publications related to wildfire and recovery.

Dr. Boren also noted that CES provides workshops on nutrition, parenting, and physical fitness and has partnered with UNM on cancer research pilots around Albuquerque.

2. **NMSU Online Update**, *Sherry Kollmann*

Associate Vice Chancellor for Digital Learning Sherry Kollmann presented information about the goals and objectives of NMSU Online (NMSU-O) and discussed enrollment and recruitment. Dr. Kollmann described efforts to increase website conversions and improve search quality rank. Dr. Kollmann provided data showing that NMSU-O has increased admitted undergraduate students

from 181 to 571 in two years as well as an increase in admitted graduate students from 285 to 348 in the same period of time.

Dr. Kollmann also discussed NMSU On-Demand, which are “100% online certificate and micro-credential courses, designed to build new skill sets, refresh your resume, and upgrade your career”.

Finally, Dr. Kollmann highlighted the services of Academic Technology and Instructional Media Services that report to her and provide support for both traditional and online instruction.

3. **Legislative Session Primer, *Ricardo Rel***

Assistant Vice President for Government and Community Relations Ricardo Rel provided a presentation (incorporated for reference) that included a recap of the 2022 Legislative session for the NMSU system, revenue estimates for the upcoming year, and NMSU and Council of University Presidents (CUP) legislative priorities.

DRAFT

Financial and Budget Strategy



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Where we are today

- CC enrollment up
- Main campus traditional enrollment close to flat
- NMSUO up strongly, particularly undergrad
- Potential State one-time \$
- Confidence to move ahead with plans, but no windfall



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Ongoing major needs

- Continue investment in NMSUO
- Faculty salaries—competitiveness and equity
- GAs—support results of negotiation
- Support functions—competitive salaries, enhanced services
- Utilities
- Deferred maintenance (physical, IT)
- Student basic needs



Planning activities

- May 18—LEADS 2025 retreat
- June 30—Chancellor’s Cabinet retreat
- July 20—in-depth budget discussion with Deans
- July 28-29—RPSP hearings and discussion
- August 9—Financial Strategy Retreat—Cabinet, Deans, Faculty Senate, ASNMSU, plus
- September—USBC and FRBRC begin meeting
- October 6—follow-up retreat for Chancellor’s Cabinet



Financial Strategy directions

- NMSUO critical—but also need to diversify revenue streams
- Put resources back in academic programs, student support, and support systems
 - Faculty, staff and student experience critical—need to want to be here
 - Competitive salaries
 - Research infrastructure
 - Investment in administrative processes/functions (IT, HR, Procurement, Health and Safety, etc.)
- Marketing
- Corporate and community engagement
 - Gifts/private support
 - Economic development—e.g., film, national security
- Raised interesting questions about tuition rates



Review today

- Appropriations: FY24 and Big Ask
- Tuition and Enrollment



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Big Ask

- NMSUO acceleration
- Infrastructure—physical and IT
- Campus Greening—energy reduction and costs
- Library and Information Commons—digitize and move to free/low-cost course materials
- National security—e.g., PSL
- Endowment for graduate students
- Food and Housing Security, Basic Needs



Tuition and enrollment



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Tuition and Fee Rate Change Process

- Tuition
 - Determines potential funding and investment priorities from the state legislative session
 - Executive team considers needs to include investment priorities and underfunded mandates from the state for compensation and minimum wage, etc.
 - Chancellor works with students to discuss potential tuition increases
 - Executive team networks with peer institutions to determine how much others are increasing rates
 - Executive team networks with state officials and regents to determine feasibility of tuition increases
 - Final tuition recommendation to the Board of Regents for approval
- Fixed Fees
 - Units submit requests annually to the Student Fee Review Board (SFRB)
 - SFRB considers needs including unit requests and mandates from the state for things such as compensation and minimum wage, etc.
 - SFRB makes fee recommendations to the Chancellor for approval to move forward
 - Final fee recommendation to the Board of Regents for approval



Current Tuition and Fees, Full Year/Full-Time

Undergraduate		
	In-state	Out of State
NMSU	\$8,409	\$26,735
NMSUO	\$11,862	\$11,862
UNM	\$10,860	\$27,166
NMIMT	\$4,212.40	\$12,127
NMHU	\$3,360	\$5,688
ASU	\$10,978	\$29,952
UofA	\$13,200	\$39,600
UTEP	\$8,508	\$21,164
Texas Tech	\$11,852	\$24,122

Graduate		
	In-state	Out of State
NMSU	\$6,189	\$19,023
NMSUO	\$8,000	\$8,000
UNM	\$8,757	\$27,846
NMIMT	\$4,358.84	\$12,833.06
NMHU	\$3,720	\$6,024
ASU	\$12,104	\$24,498
UofA	\$14,000	\$34,000
UTEP	\$7,696	\$17,530
Texas Tech	\$9,518	\$17,698

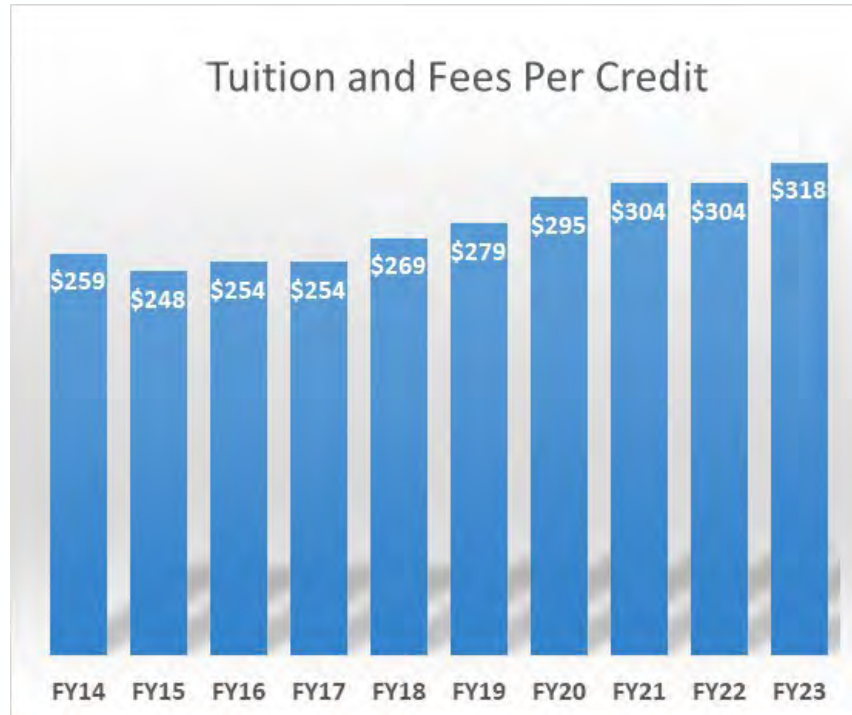


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Tuition and fees per credit—last ten years

Resident rate for
Main Campus
undergraduate
students

Fiscal Year	Per Credit	Percent Change
FY14	\$259	2.9%
FY15	\$248	-4.4%
FY16	\$254	2.4%
FY17	\$254	0.0%
FY18	\$269	6.0%
FY19	\$279	3.5%
FY20	\$295	6.0%
FY21	\$304	3.0%
FY22	\$304	0.0%
FY23	\$318	4.5%
Average Increase		2.4%



Maximum Rates—Fall 2022

		Max tuition	Mandatory fees	Subtotal	ASF	Housing	Dining	Total
Undergraduate (15 CR)	Resident	\$3,364.10	\$840	\$4,204.10	\$300	\$4,498	\$2,604	\$11,606.10
	Nonresident	\$12,527.30	\$840	\$13,367.30	\$300	\$4,498	\$2,604	\$20,769.30
Graduate (15 CR)	Resident	\$3,697.90	\$840	\$4,537.90	\$300	\$4,498	\$2,604	\$11,939.90
	Nonresident	\$12,859.50	\$840	\$13,699.50	\$300	\$4,498	\$2,604	\$21,101.50
NMSUO (15 CR)	Undergraduate	\$5,931.00		\$5,931.00				\$5,931.00
	Graduate	\$6,666.00		\$6,666.00				\$6,666.00
	Military	\$3,750.00		\$3,750.00				\$3,750.00

To establish maximum potential basic student bill, assumes all classes have Academic Service Fee and students live on campus in highest cost housing with highest level meal plan.



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Tuition and waivers: FY22

NMSU waives 33% of tuition and required fees.

80% of net from traditional UG

		Tuition				Waivers			% of total
		Headcount	Dollars	Est Req Fees	Total	Number	Dollars	Net	
Undergraduate--Traditional	Resident	7,833	\$44,821,962	\$10,341,187	\$55,163,148	224	-\$622,826	\$54,540,323	55%
	Non-resident	2,926	\$61,802,539	\$3,862,928	\$65,665,467	2,680	-\$40,855,586	\$24,809,881	25%
Graduate--Traditional	Resident	1,061	\$4,813,548	\$1,400,740	\$6,214,289	7	-\$29,825	\$6,184,464	6%
	Non-resident	868	\$12,244,807	\$1,145,940	\$13,390,747	719	-\$7,773,944	\$5,616,804	6%
NMSUO	Undergraduate	469	\$4,779,396		\$4,779,396	3		\$4,779,396	5%
	Graduate	745	\$3,986,266		\$3,986,266	2		\$3,986,266	4%
Total		13,902	\$132,448,518	\$16,750,795	\$149,199,313	3,635	-\$49,282,180	\$99,917,133	

Fall 2021 headcount

FY22 total dollars as reported to HED

Number of waivers from data prepared by LM

NMSUO was 9% of net



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Waivers by type, Fall 2021

45% of nonresident undergraduates receive the 135-mile waiver

Most waivers for nonresident graduate students are connected to employment as GAs

		Stdts w no waiver	With waiver	% w waivers	135-mile	Other geography	Graduate Assistant	Other
Undergraduate--Traditional	Resident	7,609	224	3%	0	0		224
	Nonresident	246	2,680	92%	1,329	477		874
Graduate--Traditional	Resident	1,054	7	1%	0	0		7
	Nonresident	149	719	83%	74	24	587	34
NMSUO	Undergraduate	466	3	1%	0	0		3
	Gradaute	743	2	0%	0	0		2

Other Geography = Colorado, WUE, Descubre

Others for Undergraduates includes GI bill, competitive scholarships, and Athletics



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Waiver dollars by type, Fall 2021

		Total waiver	135-Mile	Other geography	GA	Other
Undergraduate--Traditional	Resident	\$268,879	\$0	\$0		\$268,879
	Nonresident	\$21,300,476	\$10,246,198	\$3,687,135		\$7,367,143
Graduate--Traditional	Resident	\$11,671	\$0	\$0		\$11,671
	Nonresident	\$3,971,290	\$221,712	\$127,253	\$3,496,467	\$125,859
NMSUO	Undergraduate	\$5,895	\$0	\$0		\$5,895
	Graduate	\$8,612	\$0	\$0		\$8,612
Total		\$25,566,823	\$10,467,909	\$3,814,388	\$3,496,467	\$7,788,058

Other Geography = Colorado, WUE, Descubre

Others for Undergraduates includes GI bill, competitive scholarships, and Athletics



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Unrestricted Scholarships: FY22

NMSU gave an additional \$20M in institutional aid (transferred from I&G, not external sources or gifts).
 This is an additional 14% of gross tuition
 Net tuition, after waivers and unrestricted aid, is 53% of gross tuition

	Net tuition	% of total	UR scholarship	Net	% of total
Undergraduate--Traditional	\$79,350,204	79.4%	\$19,055,294	\$60,294,909	75.6%
Graduate--Traditional	\$11,801,267	11.8%	\$1,143,358	\$10,657,909	13.4%
NMSUO	\$8,765,662	8.8%	\$0	\$8,765,662	11.0%
Total	\$99,917,133		\$20,198,652	\$79,718,480	

FY22 total dollars as reported to HED



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Current enrollment

						1 Year Change	
		Fall 2019	Fall 2020	Fall 2021	Fall 2022	#	%
Alamagordo		1,549	974	944	1,040	96	10.2%
DACC		8,055	7,672	6,449	6,641	192	3.0%
Grants		801	632	640	798	158	24.7%
Main Campus	Undergraduate	11,203	11,223	10,799	10,812	13	0.1%
	Graduate	2,208	2,057	1,909	1,859	-50	-2.6%
	Subtotal	13,411	13,280	12,708	12,671	-37	-0.3%
NMSUO	Undergraduate	427	449	473	755	282	59.7%
	Graduate	381	600	748	797	50	6.6%
	Subtotal	808	1,048	1,220	1,552	332	27.2%
Total		24,607	23,708	21,990	22,757	767	3.5%

Based on August 24 enrollment snapshot



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Projections

Based on current enrollment, NMSUO will continue to increase as a source of net tuition dollars.
Census date for headcount will be September 2

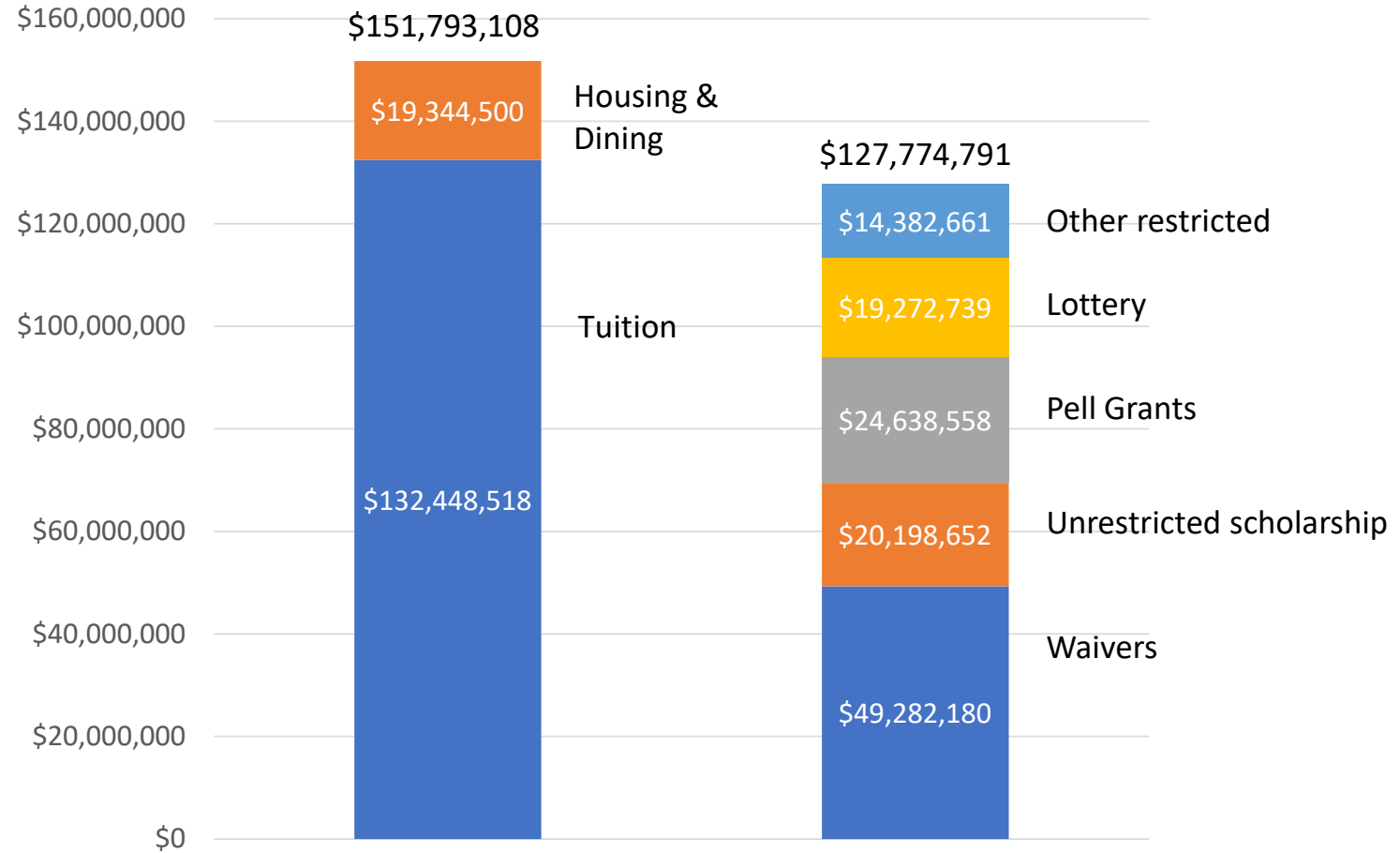
FY23 projection						
	Number	Tuition net waivers	% of total	UR scholarship	Net	% total
Undergraduate--Traditional	10,772	\$82,623,925	77.1%	\$19,055,294	\$63,568,631	73.1%
Graduate--Traditional	1,879	\$11,955,192	11.2%	\$1,143,358	\$10,811,834	12.4%
NMSUO Total	1,546	\$12,553,378	11.7%	\$0	\$12,553,378	14.4%
<i>NMSUO UG</i>	<i>751</i>	<i>\$7,959,273</i>	<i>7.4%</i>			
<i>NMSUO GR</i>	<i>795</i>	<i>\$4,594,105</i>	<i>4.3%</i>			
Total	14,197	\$107,132,495		\$20,198,652	\$86,933,842	

Projection based on 8/23 snapshot, plus 4% tuition increase (8% NMSUO graduate)
UR scholarship same as FY22



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Financial Aid awarded in FY22—waivers, grants, and scholarships—was almost as much as all tuition and housing & dining charges



Does not include ca \$17M HEERF



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Number receiving various forms of aid (Fall 21)

Main Campus	No aid		Pell		135 mile		Lottery		Opportunity		GA	
	#	%	#	%	#	%	#	%	#	%	#	%
Undergraduate												
Resident	1,584	20.7%	3,240	42.4%	0	0%	2,649	34.6%	1,061	13.9%		
Nonresident	153	5.3%	1,316	45.3%	1,329	45.7%	30	1.0%	0	0%		
Total	1,737	16.5%	4,556	43.2%	1,329	12.6%	2,679	25.4%	1,061	10.1%		
Graduate												
Resident	640	59.5%			0	0%					0	0%
Nonresident	129	14.7%			74	8.4%					587	66.9%
Total	769	39.4%			74	3.8%					587	30.0%
NMSUO												
Undergraduate												
Resident	155	46.1%	140	41.7%			18	5.4%	36	10.7%		
Nonresident	73	54.9%	54	40.6%			0	0.0%	0	0%		
Total	228	48.6%	194	41.4%			18	3.8%	36	7.7%		
Graduate												
Resident	285	74.0%										
Nonresident	308	85.8%										
Total	593	79.7%										



Opportunity Scholarship

Opportunity Scholarship will be an important contributor in FY23 and beyond, possibly larger than Pell.

	Fall 2021		Fall 2022	
	\$	#	\$	#
DACC	\$746,508	1,107	\$1,152,518	1,531
Alamogordo	\$121,207	134	\$148,672	173
Grants	\$49,544	53	\$97,638	102
Main Campus	\$3,096,664	1,061	\$13,466,832	4,943
NMSUO	\$149,877	36	\$536,758	133



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Distribution of students by amount paid (Fall 21)

Tuition and fees paid less waivers and all sources of aid

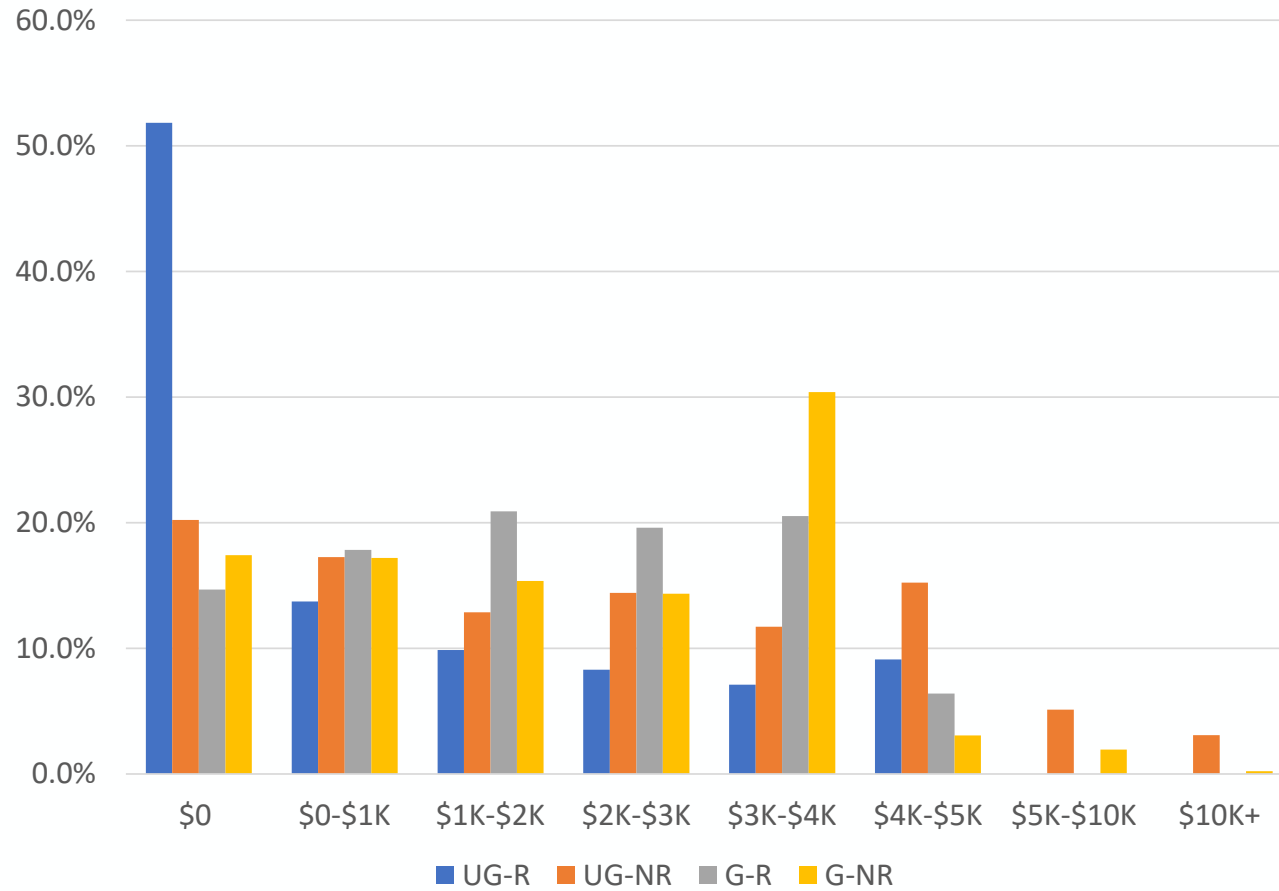
Number with no aid = number paying full bill. Full bill for each student depends on their course load.

Main Campus	Total	\$0	\$0-\$1K	\$1K-\$2K	\$2K-\$3K	\$3K-\$4K	\$4K-\$5K	\$5K-\$10K	\$10K+
Undergraduate									
Resident	7,650	3,965	1,050	755	636	544	697	3	0
Nonresident	2,906	588	502	374	419	341	443	149	90
Total	10,556	4,553	1,552	1,129	1,055	885	1,140	152	90
Graduate									
Resident	1,076	158	192	225	211	221	69	0	0
Nonresident	878	153	151	135	126	267	27	17	2
Total	1,954	311	343	360	337	488	96	17	2

NMUSO	Total	\$0	\$0-\$1K	\$1K-\$2K	\$2K-\$3K	\$3K-\$4K	\$4K-\$5K	\$5K-\$10K	\$10K+
Undergraduate									
Resident	336	48	47	71	86	44	28	12	0
Nonresident	133	0	27	33	30	19	13	11	0
Total	469	48	74	104	116	63	41	23	0
Graduate									
Resident	385	18	22	89	149	67	25	15	0
Nonresident	359	10	25	113	129	51	20	11	0
Total	744	28	47	202	278	118	45	26	0



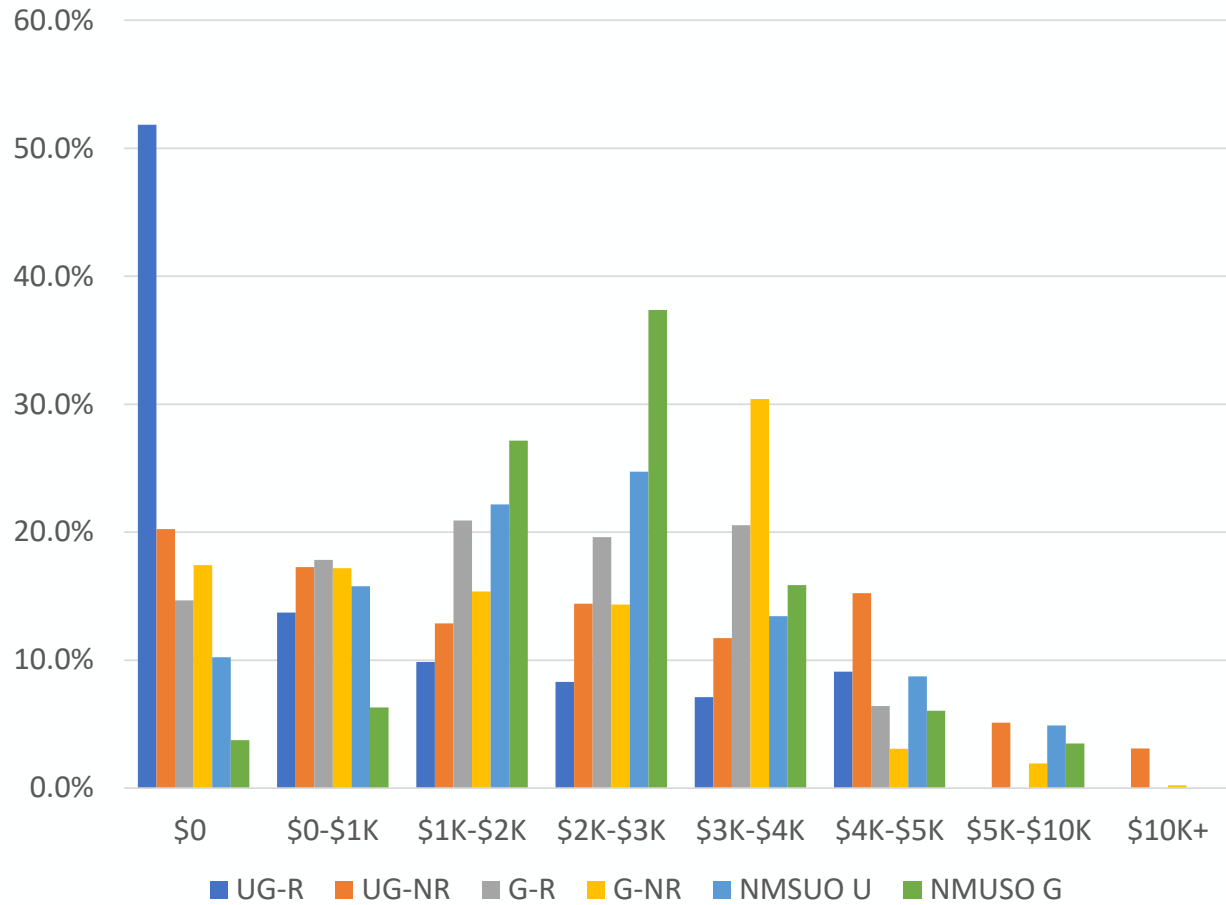
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Distribution of student by amount of tuition and fees paid, Fall 2021: Main Campus traditional only.

Over half of Resident UG pay no tuition.





Adding NMSUO students shows they generally pay some tuition and fees, although Pell and other sources cut the bill for significant numbers, as do lower credit loads



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Percent by band

Type	\$0	\$0-\$1K	\$1K-\$2K	\$2K-\$3K	\$3K-\$4K	\$4K-\$5K	\$5K-\$10K	\$10K+
UG-R	51.8%	13.7%	9.9%	8.3%	7.1%	9.1%		
UG-NR	20.2%	17.3%	12.9%	14.4%	11.7%	15.2%	5.1%	3.1%
G-R	14.7%	17.8%	20.9%	19.6%	20.5%	6.4%		
G-NR	17.4%	17.2%	15.4%	14.4%	30.4%	3.1%	1.9%	0.2%
UOUG-R	14.3%	14.0%	21.1%	25.6%	13.1%	8.3%	3.6%	
UOUG-NR	0.0%	20.3%	24.8%	22.6%	14.3%	9.8%	8.3%	
UOG-R	4.7%	5.7%	23.1%	38.7%	17.4%	6.5%	3.9%	
UOG-NR	2.8%	7.0%	31.5%	35.9%	14.2%	5.6%	3.1%	

Cumulative percent

Type	\$0	\$0-\$1K	\$1K-\$2K	\$2K-\$3K	\$3K-\$4K	\$4K-\$5K	\$5K-\$10K	\$10K+
UG-R	51.8%	65.6%	75.4%	83.7%	90.8%	100.0%		
UG-NR	20.2%	37.5%	50.4%	64.8%	76.5%	91.8%	96.9%	100.0%
G-R	14.7%	32.5%	53.4%	73.0%	93.6%	100.0%		
G-NR	17.4%	34.6%	50.0%	64.4%	94.8%	97.8%	99.8%	100.0%
UOUG-R	14.3%	28.3%	49.4%	75.0%	88.1%	96.4%	100.0%	
UOUG-NR	0.0%	20.3%	45.1%	67.7%	82.0%	91.7%	100.0%	
UOG-R	4.7%	10.4%	33.5%	72.2%	89.6%	96.1%	100.0%	
UOG-NR	2.8%	9.7%	41.2%	77.2%	91.4%	96.9%	100.0%	

Percent distribution and cumulative percent show impact of the many financial sources available to NMSUO students.

- 75% of Resident undergrads pay \$2,000 per semester or less
- 76% of Nonresident undergrads pay \$4,000 per semester or less.
- In NMSUO, almost half of undergrads pay \$2,000 or less a semester



Discussion



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College of Agricultural, Consumer & Environmental Sciences

Board of Regents Retreat

Rolando A. Flores Galarza | **Dean & Chief Administrative
Officer**



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The College of Agricultural, Consumer, and Environmental Sciences is an engine for economic and community development in New Mexico, improving the lives of New Mexicans through academic, research, and Extension programs.



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Vision of ACES

For ACES to become the best land-grant college in the Southwest and the best in the nation in our areas of strength



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Agricultural Experiment Station

Leslie D. Edgar

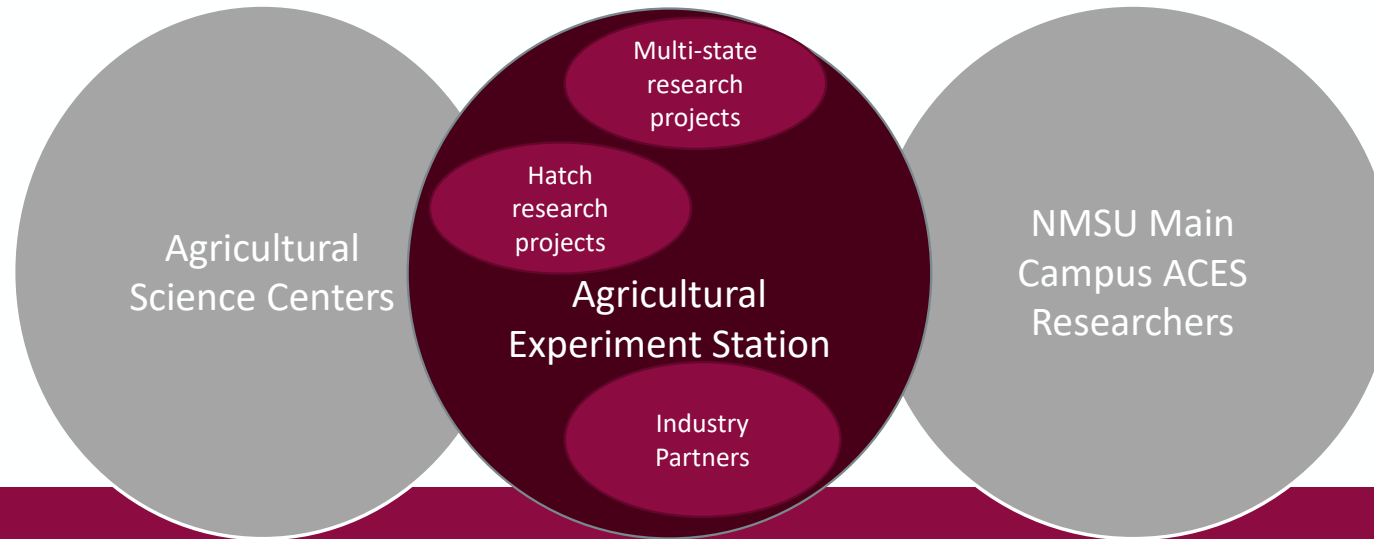
Associate Dean & Director



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AES System

- AES is the principal research unit for the NMSU College of ACES. All research faculty in ACES have appointments in AES, across the main campus in Las Cruces and at the 12 agricultural science centers around the state. In 2020, there were 365 faculty and staff associated with AES.
- AES was defined and created by the Federal Hatch Act of 1887 to research problems and find solutions to improve the lives and livelihoods of citizens. In 1915, New Mexico constitutionally mandated AES under Article X, section 11 of the state constitution.
- Each of the 12 agricultural science centers plays an integral role in supporting fundamental and applied science and technology research to benefit New Mexicans.



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Federally Funded Capacity Projects

- Funds appropriated under the Hatch Act are to be used to conduct original research contributing to the agricultural industry in the United States. A NIFA capacity funded project is any agricultural research project which is supported by dollars from one of the following five programs:
 1. **Hatch (1862 LGUs only)**
 2. **Hatch Multistate (1862 LGUs only)**
 3. **Evans-Allen (1890 LGUs only)**
 4. **McIntire-Stennis**
 5. **Animal Health**
 6. **Renewable Resources Extension**
- All faculty with at least .25 AES funding should have an active project
- Project initiation begins with a PI submitting a proposal to Department Head, having a peer review, and then gets submitted to the AES Director's Office for review.
- Each project requires annual results to be submitted and a final report at the conclusion of the project (typically 5 years).
- For questions, please contact Claire Montoya, ccortner@nmsu.edu



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Federal capacity projects allow researchers to leverage funds for larger grants and contracts.



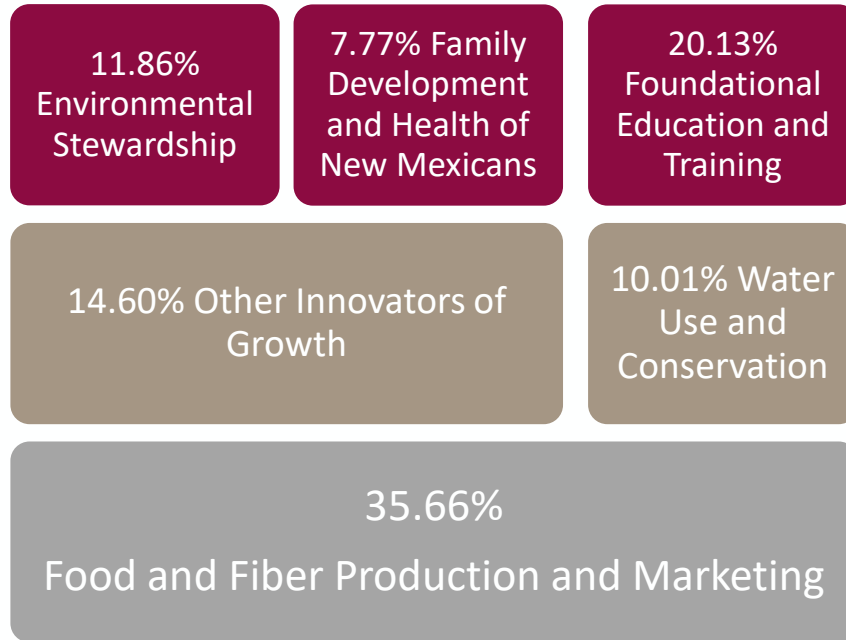
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Capacity Project Organization

- Each capacity project is organized by an identified critical issue for New Mexico (ACES Pillars).
- Research should be broadly focused into one of the pillars and then more specifically into the newly identified umbrella areas of research for AES.
- Capacity projects should be used to initiate research and be used as leveraging larger grants and contracts.



AES Impacts from 2017-2021

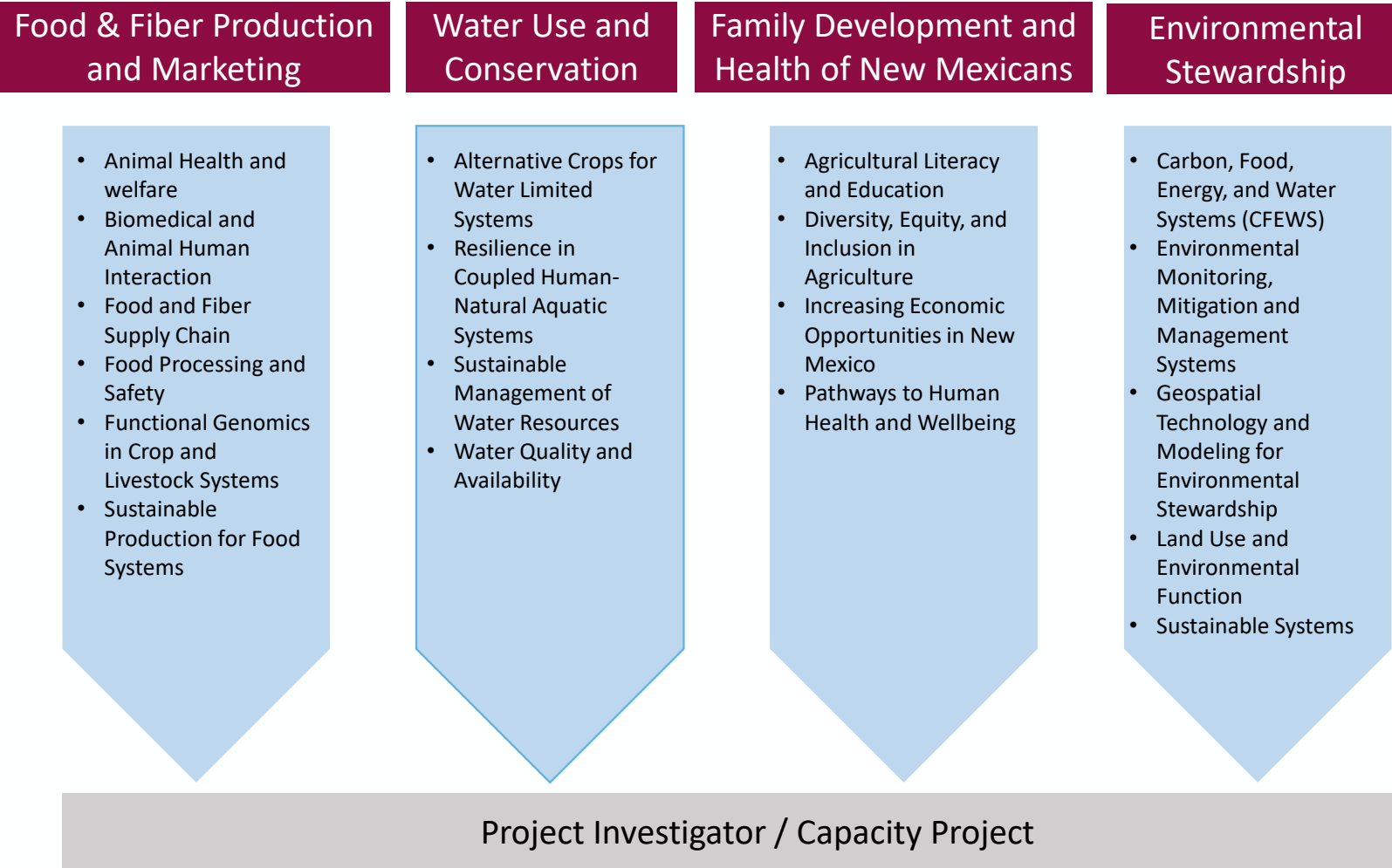


Rooted in resiliency and conservation, the integration of innovative, sustainable agricultural and environmental efforts to help maximize agricultural outputs, minimize inputs, and inform economically sound production practices.

Sarah Harris, AXED GA, reviewed all AES impact statements from 2017-2021.



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AES 2021 At a Glance



- FY23 State legislature increase of \$5,497,200 (\$1.4M recurring)
- Two selected federal ACES Congressional Direct Spending projects (\$2.8M)
- 49 Hatch, 4 McIntire-Stennis, and 2 Animal Health Capacity Projects
- 44 PIs Involved in Multi-State Projects
- 166 grant proposals submitted, \$81.2M requested, \$29.6M funded for FY22
- AES Reorganization

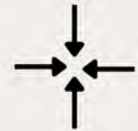


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AES Goals



ACCOUNTABILITY



ALIGNMENT



**CLARITY AND
COMMUNICATION**



INTENTIONAL



**TRANSFORMATIONAL
AND TRANSPARENT**



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FY24 Legislative Request

FY24 AES Request: **\$18,227,000**

\$765,000 Increase

- **Forest Tree Ecophysiology Professor:** Housed at the J.T. Harrington Forestry Research Center at Mora, this position will focus on tree ecophysiology to help solve the challenges of identifying forest species and tree production systems suitable for drought and fire-prone forest ecosystems.
- **Climate Smart Agricultural Professor:** Housed at the Farmington ASC, this position will develop a research program focused on climate-smart agriculture by increasing agricultural productivity and incomes, adapting and building resilience to climate change, and reducing or removing greenhouse gas emissions from agriculture.
- **Hydrology and Water Resources Professor:** Housed at the Artesia ASC, this position will focus on efficient irrigation practices and management of critical water resources. Using knowledge of water science and hydrology, this position will develop alternative water resources used for irrigation in New Mexico agriculture.
- **Integrated Renewable Energy and Agricultural Natural Resources Professor:** Housed at the Corona Range and Livestock Research Center, this position will focus on integrating the broad field of clean renewable energy into a cohesive research program that would allow producers to better understand land/energy potential.



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ASC Deferred Maintenance Discussion

Refer to Handout



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Contact Information

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Cooperative Extension Service

Jon Boren

Associate Dean & Director



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Cooperative Extension Service

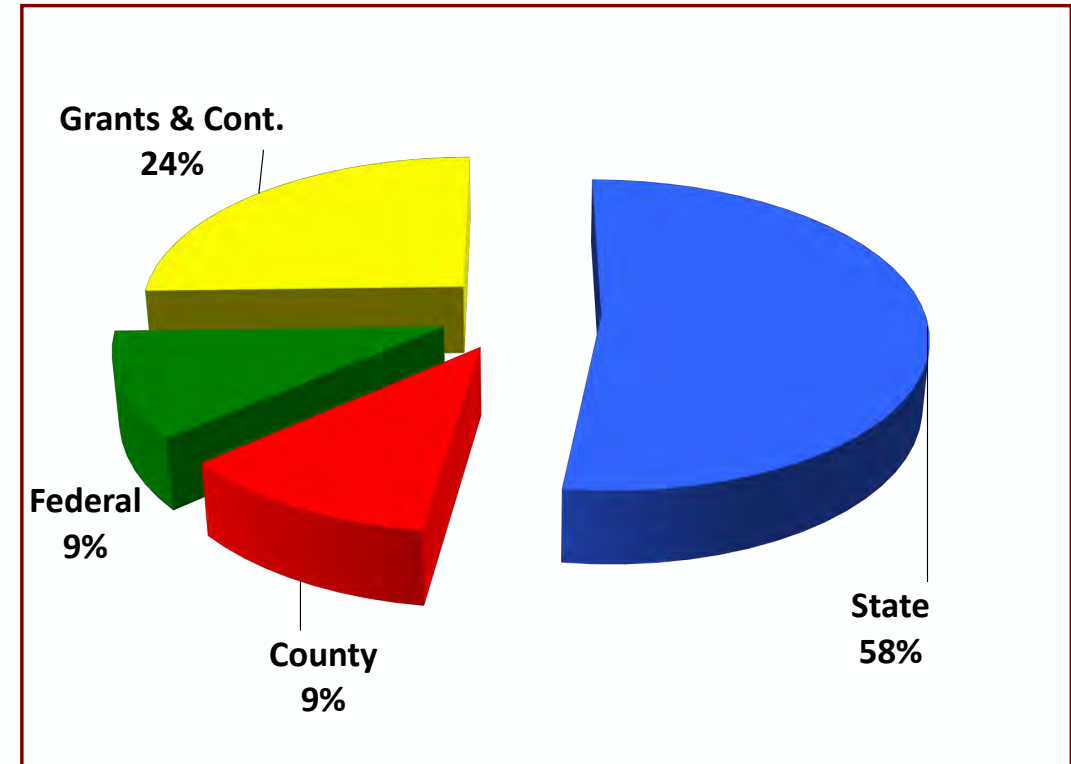
- Community education arm of New Mexico State University
- Unique federal, state and county partnership enabled by the **Smith-Lever Act of 1914** and a **State Statutory Program** under Section 76
- **Mission of CES** is to “*provide the people of New Mexico with practical, research-based knowledge and programs to improve their quality of life*”
- **CES has evolved and adjusted to the changing needs** of New Mexico stakeholders, balancing the continuing need for updated information on “traditional” agricultural subjects as well as addressing innovations in newer subject areas



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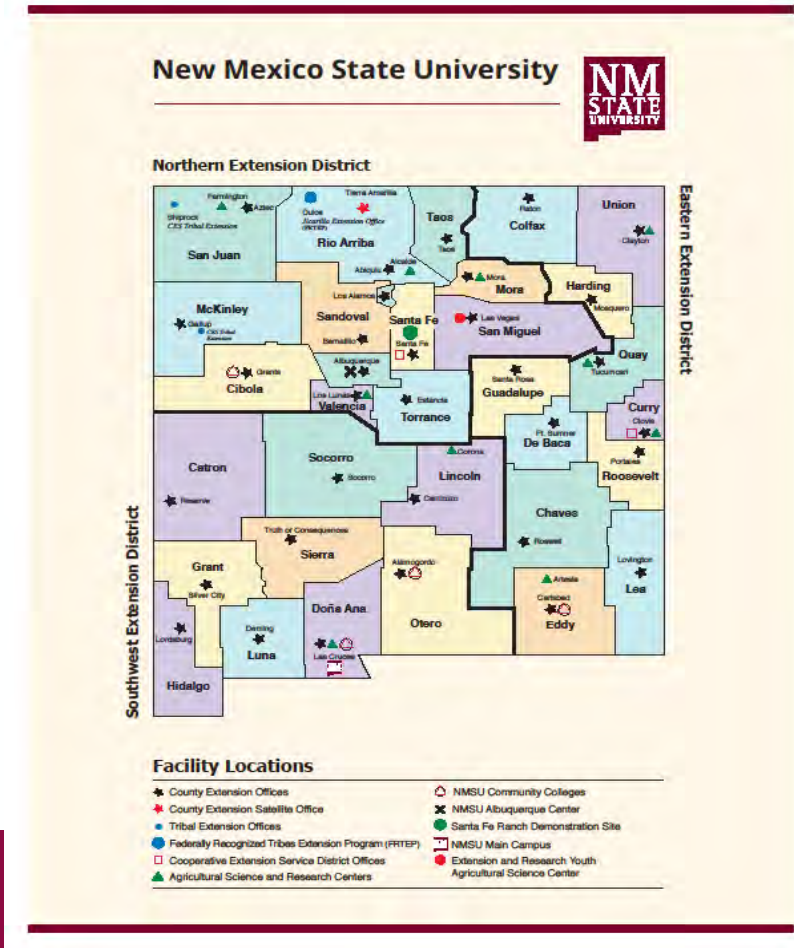
CES Funding Sources

- Total FY21 CES budget \$28.4 million
- State appropriations constitute approximately 58% of the overall budget
- About 75% of budget dedicated to personnel service costs
- State's investment in CES is matched nearly 1:1 through county appropriations, federal appropriations, and grants & contracts



CES Overview

- 296 permanent faculty and staff
 - 163 Agents/Specialists
 - 101 Staff/Program Assistants
 - 57 Students
- CES faculty are housed in offices in all 33 counties and 54 office locations
- CES faculty are integrated into departments in the College of ACES



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CES Overview

- Extension faculty on average reach over 550,000 New Mexicans (~ 1/4 of the state's population) annually with non-formal educational programs that extend the knowledge of the land-grant university system
- More than 10,500 residents serve as volunteers
- More than \$18M of in-kind contributions



CES Programs

- **Best known CES programs include:**
 - 4-H Youth Development
 - Agriculture and Natural Resources
 - Family and Consumer Sciences
 - Community Economic Development
- **CES addresses emerging issues:**
 - A host of natural resources issues, wildfires
 - Homeland Security
 - Financial Mediation
 - Public Officials Training
 - Workforce Readiness
 - Current health topics - Diabetes, Obesity, Food Safety, Mental Health, COVID-19



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4-H Youth Education Highlights



- NM 4-H program on average prepares about 30,000 young people annually for the workforce by teaching critical life skills including leadership, management, and communication skills.
- More than 12,000 gained knowledge and skills related to STEM, including biology, computers and electronics.
- More than 29,000 gained knowledge and skills related to healthy lifestyle choices, including fitness, nutrition, safety and substance abuse prevention.
 - 4-H youth are 2.5 times more likely to engage in civic involvement, 2 times more likely to participate in STEM programs, half as likely to use drugs, and **4.9 times more likely to graduate from college.**



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4-H In The School Program



- Eight Albuquerque Schools are participating in program
- Each Friday afternoon, students attend 4-H clubs using 4-H projects and teachers are project leaders
- Documented decreased behavioral issues, increased school attendance, improvement in student subject proficiency, and increased in school-wide scores
 - Absenteeism decreased from 23% to 7%
 - 16% to 47% language arts proficiency from beginning to end of school year
 - School-wide scores increased 6.33 points (0.75 points from “B” school)



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Aggie Next Step Program



- Past 4 years, NM schools ranked last by National Kids Count
- Academic success is challenging for many students in traditional school settings
- Ongoing Pandemic has increased challenges facing our education system and students
- Aggie Next Step Program Prepares youth for successful high school transition to college or career
 - Build and advance skills for student success in school, work and their personal lives



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Agriculture Highlights



- Agriculture is the cornerstone of CES
 - Annually, thousands of New Mexicans access agricultural information from CES
- CES information ranges from good agricultural practices for farmers and ranchers to urban horticulture shared through 1,000 Master Gardener volunteers
- CES shares knowledge in the areas of energy and water, farm and ranch, livestock and crops, natural resources, and yard and garden
- RITF mediates natural resource conflicts
- CES is New Mexico's front-line responder in natural and man-made emergencies in partnership with the NMDA (drought, wildfires, Gold King Mine spill)



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Agriculture Highlights

- CES facilitated drought webinars due to severe drought across the state
- CES is the trainer for the the New Mexico Prescribed Fire Act
- Forage Extension programs have helped producers increase profitability by reducing fertilizer and seed costs by 25%, reducing water use by 30%, and increasing yields by 10%



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Health Highlights



- CES partnered with the UNM Comprehensive Cancer Center for a Southwest Harvest for Health study
 - Study pairs 30 cancer survivors who have completed their primary cancer treatment with 35 local Master Gardeners
 - The “Survivor-Master Gardener” team work together to plan, plant, maintain and harvest seasonal gardens at the survivor’s home
 - Study is currently measuring the effects of gardening on overall health and functioning, quality of life, and more
 - This initial pilot study will be limited to a 60-mile radius of Albuquerque



Health Highlights



- CES reaches more than 200,000 citizens annually through workshops on nutrition, parenting, and physical fitness
 - CES Nutrition Education Program participants improved nutrition practices by 95%, diet quality by 75%, and physical activity by 78%
 - Saved the state \$10 million dollars in health-related expenses
- CES Behavioral Health & Wellness Team
 - Address mental health, suicide, opioid/substance abuse, etc.



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CES Wildfire Response

- Participating in Emergency Support Function (ESF) No. 11 Agriculture and Natural Resource calls daily
 - Providing updates on community needs and issues that need to be addressed in the counties with current wildfires
- Coordination of pet evacuation shelters
- Assisting in distributing livestock feed to producers
- Provided evacuation education information
- Disseminated Extension publications dealing with wildfire and recovery



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2021 Cooperative Extension Service Impacts

Impact Metric	2020	2021
Clientele Contacts	334,759	497,062
Social Media Contacts	21,662,732	11,814,386
Refereed Journal Articles	42	45
Extension Publications	520	547
Presentations, Workshops, Trainings	3,175	2,573
Students Employed	47	57
Grants and Contracts	\$14,848,822	\$17,873,700
Foundation Gift & Cash Donations	\$364,073	\$310,866
In-Kind Donations	\$406,589	\$362,910



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CES Future Priorities

Legislative Requests

- **FY 22-23 Funding Increases (\$1.1M recurring, \$515K non-recurring)**
 - 2 Farm & Ranch Economists (CES & CESFAS)
 - Behavioral Health and Wellness Specialist
 - Aggies Next Step Program Assistant
- **FY 23-24 Funding Requests (\$520K; \$130K/position)**
 - Water Specialist
 - 4-H STEM Specialist
 - Natural Resource Policy Specialist
 - Energy Specialist



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CES Future Priorities

Fund Balance Investments

- Departmental funds for post-fire workshops (**\$90K**)
- Temp hires to address post-fire recovery (**\$80K**)
- Mobile technology upgrades for all County Extension offices and Specialist departments to support hybrid educational programming (**\$924K**)
- Computer upgrades for 9 Extension Departments (**Total \$80K**)
- 4-H scholarships for youth to attend State 4-H Conference, Youth Get Away, and Senior Leadership Retreat – promote DEI (**\$20K**)
- Cost share 2 vehicles/District (**\$150K**)



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CES Future Priorities

Programming to Assist Communities Impacted by Wildfires

- **Livestock Programs:** Management decisions loss of forage/pastures, when return to grazing, pasture management (Shanna Ivey, RITF leads)
- **Soil Health & Watershed Management** (Rolston St. Hillarie, Sam Fernald, RITF leads)
- **Mental Health Needs – Extension Behavioral Health & Wellness Team** (Laura Bittner, lead)
- **Water Quality/Wells** (Rosanna Sallenave, lead)
- **Social Economics – Economic impacts to communities and agriculture** (Jay Lillywhite, lead)
- **Social Media to address Educational Needs** (Barbara Chamberlin, lead)



CES Future Priorities

Continue integration and coordination with research and academic missions

- Aggie Next Step, CES internships, and research/outreach on carbon management, digital AG, climate adaptation, health

Continue strategies to reach more diverse audiences/clientele base

- NIFA grant diversity youth participants at National 4-H Conference
- CTRU
- Enhance partnerships with under-represented communities

Develop comprehensive marketing strategy

- Documenting impacts
- Implementing cohesive communications efforts



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Contact Information

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OFFICE OF GOVERNMENT & COMMUNITY RELATIONS UPDATE

BOARD OF REGENTS

Ricardo Rel, Assistant Vice President for Government and Community Relations

August 25, 2022



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New Mexico State University

2022 Legislative Recap – NMSU System

FY23

New Funding in General Appropriations/Capital Outlay NMSU System - Includes ERB, Compensation, Min Wage \$ in millions			
Bill	Recurring	Nonrecurring	Total
HB2 - General Approps	23.44	13.2	36.6
SB1 - HB2 Junior	4.2	1.6	5.9
Total Operating	27.7	14.8	42.5
SB212 - STB Capital Outlay	NA	5.5	5.5
HB153 - GOB Capital Outlay	NA	51.1	51.1
Total Capital	NA	56.6	56.6
Grand Total	27.7	71.4	99.1

- \$99.1 million in new funding
- 29.2% increase in new recurring funding over FY23
- Excludes \$1.5 million in compensation that was provided for last quarter of FY22
- Enacted the GRT Deduction for Nonathletic Special Events (Ch. 50, Laws 2022)



2022 Legislative Recap – Higher Education Statewide

- HB 2 includes funding for several programs that required an application
- NMSU System has been awarded \$34.9 million
- Most of the funding made available is within the HEST

HED AWARDS FROM GENERAL APPROPRIATIONS (HB2)			
NMSU System - FY23			
Program Source	Amount Available	Campus	Award
Endowed Nursing Faculty	30,000,000	Main	2,500,000
		DACC	2,500,000
Endowed Educator Preparation	50,000,000	Main	6,000,000
Endowed Social Work Faculty Note: Not all funding distributed	50,000,000	Main	16,500,000
NM Early Childhood Education Dept - Early Childhood Student Success Grant	NA	Main	1,100,000
Nursing Expansion	15,000,000	Main	1,308,000
		DACC	995,600
Mental Health & Behavioral Health Initiative	600,000	DACC	50,000
		NMSU-A	50,000
		Main	50,000
		NMSU-G	50,000
Higher Education Endowment Fund (FY22/23) Note: Not all funding has been distributed	6,583,000	Main	275,000
Technology Enhancement Fund - Admin Rule Dev Phase	20,000,000	NA	NA
Building Replace and Renewal - Distributed via formula	8,000,000	NMSU-A	82,726
		DACC	271,781
		Grants	40,259
		Main	1,376,691
Demolition	3,500,000	Main	1,771,457
Grand Total			34,921,514



Consensus Revenue Mid-year Estimates

- \$2.5 billion or 29.2% increase in new recurring funding over FY23
- Ending balances of 3.8 billion or 44.8% of recurring appropriations for FY23
- Ending estimated balances of \$2.7 billion or 36.7% in FY22
- About two-thirds of new growth is coming from the oil and gas industry



NMSU Legislative Priorities - Capital

Note: Funding subject to change due to HED/inflationary adjustments

NMSU System: Five-year facilities plans approve by Regents May 2022

2023 LEGISLATIVE SESSION CAPITAL OUTLAY REQUESTS NMSU SYSTEM		
Campus/Project		NMSU Request
NMSU-LAS CRUCES		21,000,000
1	Chemistry Building HVAC and Ventilation Upgrades	7,000,000
2	Selective Demolition (Cole Village)	5,000,000
3	Ag Science Center Improvements	5,000,000
4	Infrastructure Upgrades	4,000,000
NMSU-ALAMOGORDO		1,500,000
1	Building Envelope Improvements	500,000
2	Chiller/Boiler Repair	1,000,000
NMSU-DACC		1,815,000
1	Gadsden Main Room Replacement	1,200,000
2	Digital Media Bldg. Roof Replacement East Mesa	615,000
NMSU-GRANTS		375,000
1	Martinez Hall Energy Upgrades (HVAC)	375,000
GRAND TOTAL (Higher Education Dept. Requests)		24,690,000
Athletics		11,765,000
1	Athletics	11,765,000
NM DEPARTMENT AGRICULTURE (State Agency Request)		10,900,000
1	NMDA Building Renovations Phase 4	10,900,000
Grand Total		47,355,000

NMSU Legislative Priorities – Non-I&G

- Non-I&G projects will be heard by the Regents Financial Strategies, Performance and Budget Committee on August 31 and full board on September 15
- Requesting \$76.6 million, an increase of \$12.5 million or 20% over FY23
 - \$49.6 million for NMDA, AES, CES (2.8 million or 6% above FY23)
 - \$8.2 million for Athletic, an increase of 2.3 million or 38% above FY23
 - \$1.3 million for Educational Television, an increase of \$125,000 or 11% above FY23
 - \$14.5 million for main campus RPSPs, an increase of \$5.1 million or 54% above FY23
 - \$3.0 million for branch campus RPSPs, an increase of 2.25 million above FY23



Higher Education Legislative Priorities – CUP, NMACC, NMICC – Subject to change

- **Recurring**
 - 5% increase in I&G funding (funding formula)
 - 10% increase in compensation and fully funding the mandated 1% employer increase in ERB FY23 and FY24
- **Non-Recurring**
 - Increased funding for the Research Technology Enhancement Fund (\$TBA)
 - \$25.0 million for BRR/facilities and IT infrastructure
 - \$5.0 million DUAL CREDIT
 - Wrap Around Services (\$TBA)
 - \$5.0 million for Cyber Security
 - Continued support for Lottery and Opportunity Scholarships - policy discussion
 - \$10 million for Workforce Training/High Skills Contract Training



Federal Highlights

- In Coordination with VPR we continue to work with congressional delegation for their support on large grants, congressional directed spending, and on policy legislation such as the upcoming Farm Bill, and the Inflation Reduction Act.
- For the current fiscal year 22, NMSU received \$4.3 million in federal funds for six congressional directed spending projects
- For the upcoming FY23 Senators Heinrich and Lujan requested and supported 14 projects for NMSU, of which four have been included in the current appropriations bills, totaling \$3.0 million
- Currently planning strategy and process with VPR and others on project requests for next appropriation cycle
- In August alone, 15 staff members from Senator Heinrich's office, and nine staff from Senator Ben Ray Lujan's office have visited campus, including Agricultural Science Centers
- Senator Heinrich visited NMSU two weeks ago. Senator Ben Ray Lujan visited the Alcalde and Mora Agricultural Science Centers this week.



Advocacy/Outreach/Relationship Building

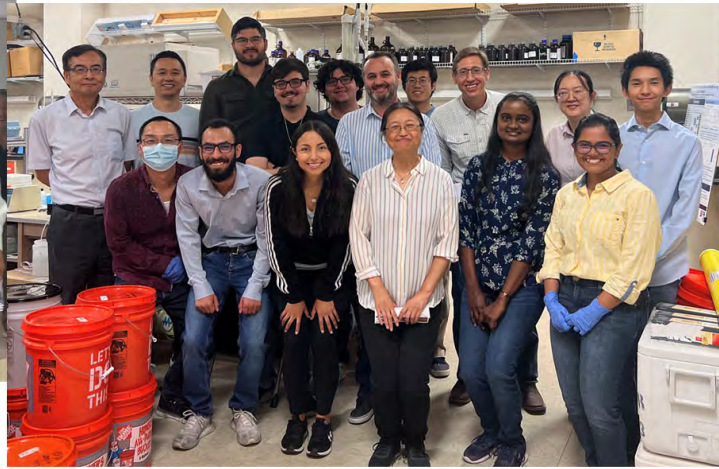
- **Target audiences** - Elected officials / Cabinet members / key executive and legislative staff
- **Examples of events to expand upon in the post covid environment**
 - Agricultural Science Center Field Days
 - Campus tours targeted towards legislative requests/policy
 - Athletic Related Events
 - Branch Campus Visits (Local School boards, Local Senate/House members, community leaders, faculty/staff)
 - Monthly Research Highlights/Presentations to local and regional elected officials and other constituency groups
 - Expert testimony by NMSU faculty and staff at interim committee meeting
 - Interim Committee meetings on campus
 - Other NMSU events
 - Meet newly elected legislators before session
 - NMSU Internal education on process and priorities

Who

- Organized, strategic efforts with common messages led by NMSU administration and supported by OGCR
- Include NMSU Administration/faculty/staff/Regents/students (ASNMSU) - emphasis on individuals with known relationships with elected officials
- Constituency groups (i.e., agricultural organizations, alumni, city, county)



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QUESTIONS/DISCUSSION



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Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item # B-2

- Action Item
- Consent Item
- Informational Item

Presented By: Neal Bitsie
Secretary/Treasurer,
Board of Regents

Agenda Item: Regular Meeting Minutes September 15, 2022

Requested Action of the Board of Regents: Approval of the Regular Meeting Minutes for September 15, 2022 as presented.

Executive Summary:

As required by the New Mexico Open Meetings Act, the board shall keep written minutes of all its meetings. The minutes shall include at a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken that show how each member voted. All minutes are open to public inspection. Draft minutes shall be prepared within ten working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present. Minutes shall not become official until approved by the board.

References:

NM Open Meetings Act §10-15-1 G.

Prior Approvals:

N/A



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
REGULAR MEETING
September 15, 2022 at 9:00 AM**

Regents of New Mexico State University

Chair Ammu Devasthali, Vice Chair Arsenio Romero, Secretary/Treasurer Neal Bitsie, Dina Chacón-Reitzel, Christopher T. Saucedo

Non-Voting Advisory Members - ASNMSU President Garrett Moseley, Faculty Senate Chair Gaylene Fasenko, Ph.D., Employee Council Chair Susanne Berger

University Officials - Chancellor Dan E. Arvizu, Ph.D., Interim Provost Dorothy Campbell, Ph.D., Vice Chancellor Ruth A. Johnston, Ph.D., General Counsel Roy Collins III, J.D.

MINUTES

A. Call to Order, Chairwoman Ammu Devasthali

Chairwoman Devasthali called the meeting to order at 9:00am.

Pledge of Allegiance

1. Confirmation of Quorum, Chairwoman Ammu Devasthali

The Chief of Staff confirmed the quorum. Four members of the regents were present in the board room: Chairwoman Ammu Devasthali, Regent Arsenio Romero, Regent Neal Bitsie, and Regent Christopher Saucedo. Regent Dina Chacón-Reitzel was not in attendance via in-person nor Zoom. The Chief of Staff took the roll call. Chancellor Dan Arvizu, Vice Chancellor Ruth Johnston, Interim Dorothy Provost Campbell, Employee Council Chair Susanne Berger, Faculty Senate Chair Gaylene Fasenko, and ASNMSU President Garret Mosley were present in the board room.

2. Approval of the Agenda, Chairwoman Ammu Devasthali

Chairwoman Devasthali made a motion to amend the agenda by taking item G-12 off as it will be presented at a later time. Regent Saucedo seconded the motion. All were in favor and none opposed. Motion passed.

3. Introduction of NMSU Police Chief Andy Bowen, Vice Chancellor Ruth Johnston

Vice Chancellor Johnston introduced Andy Bowen, the new NMSU Police Chief. Chief Bowen has been serving as the department's interim chief since December 2020. He has over 20 years of experience with the NMSU Police Department. Prior to becoming a police officer, he served in the NMSU Fire Department.

4. Introduction of Chief Audit Officer Ken Glascock, Vice Chancellor Ruth Johnston

Vice Chancellor Johnston introduced Ken Glascock, the new Chief Audit Officer. Chief Audit Officer Glascock served as a director of audit issue validation at USAA in Plano, Texas. Prior to USAA, Ken was the director of validation management and risk control self-assessment advisory at Santander Consumer USA.

5. Introduction of College of Health, Education, and Social Transformation Dean Yoshi Iwasaki, Interim Provost Dorothy Campbell

Interim Provost Campbell introduced Yoshi Iwasaki, the new Dean of the College of Health, Education, and

Social Transformation. Dr. Iwasaki is bringing together HEST stakeholders to elevate its profile, visibility, and impacts within our opportunity ecosystem across pre-K-12, higher education, economic development, and community building. Central to such transformation includes planting the seeds at grass root levels for touching and elevating the lives our people across the border lands region and beyond with an intentional focus on breaking the cycles of poverty through promoting social economic mobility of our students, alumni, families, and the community.

6. Introduction of College of Business Dean Bryan Ashenbaum, Interim Provost Dorothy Campbell

Interim Provost Campbell introduced Bryan Ashenbaum, the new Dean of the College of Business. Dr. Ashenbaum comes to Las Cruces from the Farmer School of Business at Miami University in Ohio. Dr. Ashenbaum was the Associate Dean of the Curriculum Graduate Programs, previous chair of the management department, and professor of Supply Chain and Operations Management. Dr. Ashenbaum is co-editor in Chief of the Transportation Journal and associate editor of the Journal of Business, Logistics, and the Journal of Supply Chain Management. Dr. Ashenbaum holds a BS in microbiology, and an MBA and Ph.D. in business administration from Arizona State University. At Miami, he oversaw the roll out of the school's first online graduate programs, negotiated the sales and licensing agreement of professional education programs and led efforts to establish the diversity student exchange with Florida A&M. Dr. Ashenbaum assisted in building the Center of Supply Chain Excellence, obtaining seed funding from an outside donor and establishing his corporate partner programs. Dr. Ashenbaum held various positions with Procter and Gamble, Honeywell, Nipco, and Pierre. Dr. Ashenbaum spent 6 years in the Navy's Nuclear Propulsion program serving as a nuclear reactor operator and quality supervisor on the USS Gingrich SGN25.

7. Introduction of Director of Chicano Programs Ana López, Vice President Teresa Maria "Linda" Scholz

Vice President Linda Scholz introduced Ana López, the new Director of Chicano Programs. Dr. López is originally from Ciudad Juarez, Mexico. Dr. López received her Ph.D. in special education with a concentration in bilingual and multi-cultural education and a minor in family studies from New Mexico State University. Prior to her return to NMSU, she was a core faculty member at Leslie University for the Graduate School of Education with pre-service teachers, graduate students, and doctoral students. In her work, she employs qualitative self-reflective methodologies, critical race, feminista framework, and Chicana Latina ways of knowing center lived experiences. Dr. López' goal is to engage in equity work that acknowledges identity, intersectionality, and power dynamics to foster accountability that is needed to ensure a sense of belonging for students, particularly BIPOC, Black and Indigenous People of Color, Latinex and Latin students, and students from historically minoritized and marginalized groups. Dr. López has began building relationships across campuses with DACC and worked with campus partners on organizing some important events in honor of Hispanic Heritage month, which began today.

8. Introduction of Associate General Counsel Jeff Jensen, General Counsel Roy Collins III

General Counsel Roy Collins introduced Jeff Jensen, the new Associate General Counsel. Associate General Counsel Jensen joined NMSU's General Counsel last month, after spending most of his legal career in public higher education. Jeff graduated from the University of Wisconsin Law School where he also received a master's degree in educational administration. Jeff has more than 25 years of experience as an employment lawyer. In addition to his work in public universities in Wisconsin, North Dakota, and North Carolina, providing him opportunities to work with clients and focus his efforts on student affairs, business affairs, immigration law, and equal opportunity and civil rights law. Both Jeff Jensen and his wife, Sarah Jensen, are practicing attorneys. They are parents of two sons in their new residence of Las Cruces.

B. Public Comment, Associate Vice President Justin Bannister

Associate Vice President Justin Bannister introduced members of the media. Associate Vice President Bannister

stated that there were several people signed up for public comment. He reminded everyone in attendance that public comment is provided so that members of the community have an opportunity to give input to the Board of Regents. In compliance with the New Mexico Open Meetings Act, the Board is prohibited from taking action on any item that does not appear on the agenda, except in the case of an emergency. Consequently, regents will not take into account for action any communication made in public comment unless the matter is already on the agenda for consideration at the meeting. Each individual addressing the Board is asked to state their name and keep their comments to within three minutes. Associate Vice President Bannister stated that he will let them know when 30 seconds remain.

Associate Vice President Bannister introduced the first person for public comment, Gauge Burnett. Gauge Burnett said, "Good morning everyone. My name is Gauge. I'm a second-year master's student at NMSU. I'm a graduate worker. I am responsible for teaching roughly 80 students this semester, which means I grade approximately 130 assignments every single week. And I am here instead of in my class this morning because conditions are becoming incredibly hostile for me to continue to work here. I and a number of other students, I believe we have about 40 graduate workers present today, are here because we need your help immediately. We need tuition coverage. We need protections for our peers, especially our international student peers. And we need a way to protect ourselves in the event of harassment and retaliation from our departments. I'm a transgender student, which means that when I came out to my department I was terrified that I would be subject to harassment. That I would be discriminated against. I have no recourse for dealing with that. And now that I have come out and am incredibly lucky that my department is kind and supportive to me, I can afford the care that I need to live off my sick leave. Because, I don't have the money to go to the doctor and get the care and the healthcare that I need. You'll hear from other graduate workers today, who are in a similar boat. You'll hear about international students who cannot work a second job because of their visa status and therefore have no choice but to live on the stipend that they are provided by the university. When I said I grade roughly 130 assignments every week, what that actually means is that I'm getting paid less than \$6,000 after tuition to take on that responsibility. Students see that. Undergraduate students see me struggling. They see all of their TAs struggling and there is nothing that they can do about it, but you can. You are the people who are in the position, who can right now, here today, end the tuition crisis. You are in a position right now, today, to make sure students like me are protected from discrimination and retaliation. You're in a position to make sure that international students have the support that they need. You are in a position to make sure that no other graduate worker goes through what I'm going through right now, having to delay starting their family because they can't afford to move their partners across the country or across the ocean. Graduate workers are suffering. We're skipping meals. We're missing our friends. We're missing our families. We're not contributing to the Las Cruces community because we can't even afford groceries. Now is the time. Frankly, a year ago was the time for you to take action on this. But there's no better start than the present. I hope all of you have the decency to be embarrassed by the stories that you hear today. I hope you have the courage to step up after you listen to all of us speak. And I hope that when you go home tonight you kick yourself for not doing something sooner."

Associate Vice President Bannister introduced the next individual for public comment, Brad Hanson. Brad Hanson said, "Good morning fellow Aggies. This is my third time sharing public comments. I have had a need to communicate to this board how graduate workers are being mistreated by NMSU leadership, who this board is responsible for. I do not know to what level you are directly responsible for this mistreatment. I hope you are in a place to listen to what I and our colleagues have to share with you. Please do not simply hear us, listen to us. We hear with our ears, but we listen with our hearts. We need you all to listen to all of us. There are two huge accomplishments that we should all celebrate. One is the passage of Senate Bill 140 back in March that greatly expanded the funding of the free tuition program that works to ensure the reach of undergraduates who need it most by intentionally expanding those who are deemed eligible. Whatever role you played in this, thank you. I get a sense that some of the students that have enrolled in the course the I'm being in charted record for are there because of that. So, it's something that's awesome. I also appreciate role you made in expanding the pay for some workers here at NMSU. It warmed my heart to hear that some of our colleagues were deemed important enough

to receive pay increases and changes to their healthcare coverage. I hope it improves. While I'm still with joy for those of our colleagues you granted increased compensation to, I can only feel the intention about purposely excluded in some ego driven posturing. Why do you not believe that many of use are in dire straits? Why do I have to go to Dean Flinchbaugh to provide emergency funding to colleagues of mine? The leadership I've been exposed to and teach young people have been is about removing obstacles from the path of those who are leading. Why do you actively put obstacles in our way? Why does Dean Flinchbaugh receive last minute instructions to banish our union down the hall from the new graduate work orientation, which he previously had set up in the main room? Why do we receive veiled threats of current funding being taken away? Why do I suspect that when I share these examples that your reins of contemplating how to strategize with your lawyers about potential lawsuits of starting negotiations? Relax. We do not want any more money that could be spent on our needs going to lawyers. I have two more questions. How can you not prioritize the needs of people who have clearly and assertively communicating our needs to you over five years? Why don't you care about us? Maybe you have some questions for us. Maybe you are wondering why we keep growing louder. Being loud is the only way we have gotten any kind of response. Unfortunately, your response so far is to put money into a team of lawyers to work against our shared interests. This is a step up from being flatly ignored by placing us in committees designed to go nowhere. We grow louder and more aggressive in our tactics because that is the only thing that moves you. This saddens me and reflects poorly on you and our university. Thank you for the work you do that positively impacts our mission. Please keep working to be better and more compassionate leaders. Thank you."

Associate Vice President Bannister introduced the next individual for public comment, Bryson Stemock. Bryson Stemock said, "Yes, I am Bryson Stimock, a Ph.D. student in the astronomy program. I have spoken at a few of these before. There's a lot of us I understand. I could list off a bunch of statistics and a bunch of financial facts. You're going to hear enough of that, so I just wanted to give you an idea of what it's like to be on this end and to have watched all of your friends suffering around you because of the way this place is run. I go to work. I leave work. I get texts. I get phone calls. I talk to people in person about how they are being discriminated against. How they are being harassed and how they are receiving no sanctuary. No help from this. They go to OIE. Nothing happens. They have no recourse and the simply are told pull yourself up by your bootstraps. Keep suffering. Put your head down and just get through your degree program. The lawyer that you are paying, and who answers to you, has been arguing that we shouldn't have protections from discrimination and harassment in our contract. By that, she is an extension of your will, which tells me that you want use to have no protection from discrimination or harassment. You want us to have no recourse of action. You want us to have no ability to get this solved in no less than a handful of years at least. I have talked to students who have left this university because they tried to get help and could not. Or, they tried to get help and it was three or four or five years before they received any sort of help, any sort of attention, and they left because they couldn't take it. Every time I close my eyes, I see my friends, my colleagues, coming up to me, telling me how they don't know how they're going to make it to the end of the semester. Telling me how they don't know how they can keep coming into the office because they can't get help. They can't get any sort of protection, any sort of shielding from harassment. I lay down at night and I hear them. My dreams are constantly filled with people coming and telling me how they can't afford to feed their families. How they can't afford to take their children to go see their grandparents because they can't afford to leave town and take a trip. They don't have the money for that because they can't afford groceries. These basic rights, we do not have. You have the ability to change that. And not only, do you not do anything, you actively work against us. You actively work to ensure that we remain in poverty. How do you get so high up in your ivory towers that you have zero empathy for us peasants on the ground running this institution. I am disgusted by the way this administration runs NMSU. You spend \$15 million on locker rooms, when you need a fraction of that to ensure that we can eat. I see them every night in my dreams and by God you should too."

Associate Vice President Bannister introduced the next individual for public comment, Liam Goodale. Liam Goodale said, "Hi everyone. I'm a second-year grad student. I'm an RA right now and was a TA before. I'm a member of the union and I'm on the negotiating team as well. In my experience since I've been here, we have not been taken seriously and every time we've asked for help, you've resisted along the way, without fail. Just today, they didn't

want to let us into the room. I suspect that our comments will be cut short. Many of us did sign up for public comments. We're just feeling that we're not being taken seriously. I'll speak on the negotiating side in particular. Repeatedly, our sessions are ended early. Bargaining dates, they are very limited. It seems like you do not want to take us seriously. When a proposal is made, your negotiating teams say that they must refer to the Board of Regents, but somehow, they are only able to communicate with you on scheduled meetings with the Board of Regents. So, we cannot make progress for another month or so until they can talk to you. It seems ridiculous. Recently, one of our bargaining dates was cancelled abruptly because it seemed that your lead negotiator was unable pick someone to take their place. Although, at UNM that same negotiator was able to do so. So, I feel disrespected and unwanted on behalf of grad students. It is as though you do not want to hear from us and when you do hear from us you continue to ignore us. Of course, there is no back and forth here. You will probably not acknowledge our comments at any point this morning. It feels as though the meetings are changed in venue and time to make it more difficult for us. Of course, grad students, being students as well, find it difficult to attend at 8:30am in the morning rather the usual 3pm time of Board of Regents meetings. The announcement of the Board of Regents meetings also feels more abrupt, rather than more planned ahead of time, so we're able to attend. Bargaining sessions have been moved far off campus into Academic Research Complex C, rather than Hadley Hall. Much harder to get to. Of course, it seems as though your negotiating team does not want to hear from grad students. Further, the conditions here make it harder to negotiate as well. Members of our bargaining committee have left. Have had to leave because of the conditions here. They cannot continue to be harassed by their advisors without recourse. They cannot continue to live below the poverty line. After tuition and health care is taken into effect and of course the mandatory health care for international students, of which most grad students are international, is abysmal and costs a fortune compared to the amount of money they make. So, I guess I would ask that you please reconsider and try to take us seriously because the university works because you do.

Associate Vice President Bannister introduced the next individual for public comment, Sean Schifano. Sean Schifano said, "I am a first year TA in the department of History as well as the union representative for the department. I'm told by friends in psychology that it's easier to depersonalize large amounts of suffering rather than suffering of individuals, so I would like to tell my own story. I graduated from college in 2010. In the same year, an NMSU president was replaced, to be replaced again in 2018. The second replacement was then followed by a President and Provost, who's combined salaries so dramatically increased administrative costs to the university. The vote of no confidence last November ousted both of them to the tune of over \$1 million and have left the rest of us trapped in the aftermath. I suffer from a debilitating autoimmune disease called Ankylosing Spondylitis, which affects my eyes and my spine. My spine is slowing morphing and I am unable to afford health care. Not only am I unable to afford healthcare, I'm willing to take a hit on my annual taxes so that I don't have to get it because I simply don't have the money to support myself or get the treatment I need for my illness, which then means that undergraduates or my TA are being graded in conditions that are increasingly hard for me and increasingly hard for them, not only because I'm slower to grade, but because while I'm grading I'm incapable of dealing with the symptoms that I suffer from. Healthcare is half and the other half is food. I make a point to eat no more than two meals a day and I make sure that those meals overwhelmingly consist of rice and beans or cabbage soup, usually thinned out by lots and lots of water. I do this, which increase my symptoms, makes them worse, and puts me in a position where I wake up every day having serious blood sugar problems because I'm not getting adequate nutrition. But, because I'm paying so little and a third of what I get goes back to the university, I'm forced every semester to renew this problem. And the problems just begin there because at the end of the academic year my university awards funding by semester. So, having spent an academic year in terror about whether or not I will be funded for the next semester, I then go into a summer, in which from my department very little summer employment opportunities are available, which puts me in the position of not knowing where my next meal will be coming from in even more dire sense than I do now and leaves me with absolutely zero dollars in savings, actually negative \$2,000 in savings from my current calculations and that's assuming that nothing severe happens in between that puts me in the hospital because I won't have the insurance to take care of it or the means to do anything with a co-pay. The means to do anything to have support. And finally, as a student whose out of state; although, I have received partial tuition coverage in terms of my out of state tuition, the amount I'm left with puts

me so far in red that by the summer in the position that I am in, I am nonetheless unable to go home or have anyone to turn to. Without any money at all, I do not know if this time next year if I will be able to stay at the university or that if I am, I will not be in the position where I won't be going to the hospital on a routine basis. I don't just speak for myself. I speak for others in the union, who suffer from conditions like this and for incoming students who will also have medical issues that they need to face and cannot provide support for themselves through healthcare or the ability to feed themselves in a very basic, simple everyday way for the awful reason that the disgraceful and the obscene lack of funding that we have puts us in the position of renewing this every single morning. Thanks."

Associate Vice President Bannister introduced the next individual for public comment, Lindley Hornsby. Lindley Hornsby said, "I am a graduate employee of the School of Social Work. I'm here today because my colleagues and I can no longer afford to pay \$6,000 a year to work. As a full-time dual degree student, I pay close to \$5,000 a semester and close to \$10,000 a year to work here. My salary is just over \$9,000, which mean every dollar I earn is paid back to the university in full. If I wasn't forced to pay my wages back to the university, I could afford to cover my basic health needs. Because graduate workers aren't covered by NMSU's health insurance plans and because I can't afford health insurance on my measly wages, I go without care. And I would like to share with you what that means for me personally, a young and seemingly healthy individual. Firstly, I have periodontal disease, an inflammatory condition of the gums that can be treated with tri-annual cleanings. Left untreated however, periodontal disease can lead to tooth loss, arthritis, heart disease, stroke, and diabetes. I currently cannot afford regular cleanings and am at long term risk of contracting these conditions. I have clinical with depression, which means that normal life tasks that others complete with ease are backbreaking to me and sometimes are impossible. I currently struggle to afford anti-depressants prescriptions and mental health therapy. The risks of depression are too many to list here today, but addiction, loss of relationships and suicide are just three main lead examples. As you can see, I wear glasses. I have significant visual impairment in my right eye and I'm noticing vision in my left eye is also deteriorating. I currently cannot afford an eye exam and even if I could, I could not afford a new pair of glasses. Lastly, I'm financially pressured to forego routine gynecological exams because I'm uninsured and cannot afford to pay out of pocket. This is dangerous for any woman and particularly problematic for me given that I have a strong history of breast cancer in my family. My Mother died of breast cancer at age 52. NMSU grad workers like me suffer in real ways as a result of the tuition crisis. The fact that most NMSU grad student workers live under the poverty line is heinous, considering almost all of my peer institutions guarantee some degree of university-wide-tuition coverage, livable wages, and health insurance for graduate employees. I'm calling on the NMSU Board of Regents to commit to tuition coverage for all graduate employees by the end of the semester. Thank you."

Associate Vice President Bannister introduced the next person for public comment, Mathew Varakian. Mathew Varakian said, "I'm a graduate worker in the astronomy department and member of the bargaining committee representing the Graduate Worker Union in their ongoing negotiations with the university. I'm here once again to urge the Regents to accept our proposal for full tuition coverage for all graduate workers. We've gone over the stats plenty of times. You've heard some here today. Peer institutions and R1 institutions alike treat their graduate workers exponentially better than NMSU does by all economic standards. Graduate workers at NMSU are quite literally in poverty. The last time I gave public comment was at the May 6th Board of Regents meeting this past spring. Fresh off the meeting, myself and several other graduate workers have had with Chancellor Arvizu, a few days prior. We came out of that meeting feeling good and I expressed that in my comments that day. After the regents meeting later that day, I ran into Chancellor Arvizu outside his building and he said to me, "We're going to figure this out." He sounded sincere. I know Chancellor Arvizu does not make unrestricted decisions for this university, but our interactions have felt positive. It felt like progress is on the horizon. Unfortunately, that feeling has long since passed and given way to disappointment and frustration. Emotions that have become all too familiar to me all throughout this process. Over the summer, we put forth a reasonable proposal to get tuition for graduate workers; however, a proposal is still on the table at this time. While that proposal continues to be rejected, we get sent e-mails, like the August 26th edition of Dan's Dispatch, raving about all of the ways that you are investing in our

university. How many more multi-million-dollar projects do we need to hear about before you invest in us? Are we not the essence of the university? When do we get properly compensated for the labor we provide? When does NMSU catch up to every other self-respecting university in this country? We've looked at the budget. We know there's an \$11 million surplus of unrestricted funds this fiscal year, more than enough to cover all graduate workers. Use it. Use it on the people that do the work that made your positions exist in the first place. Not on a new locker room. Not on a big slab of rock monument that I have to drive by every day. Not on another administrative position. Use it to provide graduate workers with the financial support that we so desperately need. Thank you."

Associate Vice President Bannister introduced the next individual for public comment, Dan Vargo. Dan Vargo said, "So, we're back here again. Big surprise that we're back here again talking to you about the same issues we have been for years. I've got to say, I did not have high expectations from you all. For you have dashed even those. You have underachieved even my lowest expectations from all of you. It's such a simple thing. Pay us. Give us the dignity of employment, of housing, of health insurance and it will be a win, win. You will all benefit. We will all benefit. It will cost the university a pittance to deal with tuition. It will cost them another pittance to raise our salaries. For those two pittances I can nearly guarantee you that we would not have unionized. We would not be here today if five years ago, when your own report told you as much you gave us the tuition and the benefits that you know we deserve. I need you to understand this when I say it. For the longest time I could not understand why you wouldn't make this simple decision. It will improve research. It will improve undergraduate education. It will attract talented students. It will lower dropout rates. It will benefit the faculty. It will improve the diversity and social justice that you all claim so much to care about and yet you will not deal with it. When it comes down to it, I've come to realize that what you care most about is denying us our dignity. You refuse to give us that dignity that comes with good employment because as your university sat at the last bargaining session, you think of our positions as internships, as training experiences, as if these aren't the hardest working people that I've ever met in my life. They deserve that dignity. They deserve pay and tuition immediately. The fact that you're fighting it still is unconscionable."

Associate Vice President Bannister introduced the next individual for public comment, Laura Laemmle. Laura Laemmle said, "My name's Laura. I'm an alumni. I work full time. I'm here today because despite the fact that I love NMSU, I'm embarrassed to have gone to a school that refuses to invest in basic functions. I'm ashamed of the fact that NMSU seems to see its land grant status as nothing more than an empty PR buzz word. Land grant institutions are supposed to enrich the communities that they serve. They're not supposed to depend on workforce that lives under the federal poverty line. NMSU does however and you know that. Now, I need to ask, are any of you willing to put that on a brochure? Are any of you willing to put on the homepage of the website that you're currently paying over \$200 an hour to a lawyer who's insisting that NMSU graduates should have no recourse against harassment or discrimination? Would any of you ok a billboard mentioning that NMSU has paid twice now for outside audits of the graduate college by the Council of Graduate Schools, explicitly identifying the lack of tuition remission and funding for health care as a serious limiter to be research here at NMSU? Would you include the fact that every report over a period of 10 years mentions that NMSU has made no significant effort whatsoever to address the issues that it paid to have identified? Now, I think that the very format of this meeting shields you from the true nature of your decisions on these matters. Obviously, we're face to face right now, but I wonder, would any of you be willing to talk to one of these grads one on one directly and to look them in the eyes and tell them, 'I am asking you to live under the federal poverty line. I'm asking that if you experience harassment or discrimination that you live with it. I'm asking you to work more hours than we're paying you for. And, I'm asking you to live like this, so the university can carry on as usual while we brag about being a socioeconomic benefit to the community.' Now this should not be an antagonistic situation. I don't think any of you are willing to have a conversation like that. Instead, some of you seem so resistant to just stopping and reflecting on the fact that you are asking these people those things right now by virtue of your decisions on this matter. It's disgusting. There should be no sides here. These people are trying to teach, to research, and to get their degrees. All of which benefits this university. They are not against NMSU. I have a degree in economics from this institution and I don't mind reminding you that

you get what you pay for. And right now, you're paying for grads to study, teach, and do research while taking time away from those things to pay for basic necessities, worry about how they're going to do so, and in many cases to side hustle and drive for Uber. Now, it seems to me that not only through your inaction, but through actively working to keep these circumstances in place, it's the administration that is antagonistic toward NMSU. Now, I've already stated I'm ashamed of this fact. So, I have to ask, are you?"

Associate Vice President Bannister introduced the next individual for public comment, Anna Laemmle. Anna Laemmle said, "Hello. I'm Anna and I'm an undergraduate at NMSU. As a college student, time and sleep are my most important resources. That being said I am here so early because I care about the people who truly make this university function. This meeting being earlier than the previous more widespread announced meetings that have been in the afternoon. First, I want to remind you all that so many of these graduate students before you are living below the federal poverty line. As a land grant university who claims to benefit the community this is a disturbing fact and you all should be genuinely embarrassed. This, especially considering the fact that each of you, with the exception of Mr. Mossley, is making multiple figures to not be helpful. I also wonder what else can be said, seeing that you have heard all of this before and yet still have done nothing. I attended the last Board of Regents meeting four months ago and watched many graduate students tell their personal stories of lack of health insurance, financial problems due to the stupendous cost of working and learning through NMSU and the other issues that NMSU has since failed to combat in the slightest. These stories met with blank stares may I remind you. I'm from New Mexico so I heard about NMSU and I knew about a lot of the opportunities and unique special things that this university has to offer before enrolling. Unfortunately, somebody who is looking to become a graduate student would hesitate more than I about whether or not to attend NMSU. The reason being that they can sign on to become part of a team at a different university that pays for their tuition or at least have tuition remission practices in place. Why come to NMSU when a multitude of other universities can offer better working conditions, housing, concrete job descriptions, access to material, anti-discrimination practices in place, healthcare, and other basic working conditions given by peer institutions across the nation. Yet, when NMSU graduate workers arrive to start their job, they find that their job descriptions or responsibilities that have been changed, no protection to discrimination or being over worked, a severe lack of health care, no sick days available for them, underfunded libraries and research materials, even though millions of dollars was spent on "COVID-19 performance," suspiciously with little trace with what they money actually went towards as well as finding themselves literally needing to get a second job or participate in an economy to pay for things like groceries, health care, and other things they should not have to actively worry about. I am quite sure that you all do not regularly wonder if or when you will have a skip a meal or choose to feed your children rather than yourself. So, why should the graduate workers have to? The fact that there are no anti-discrimination guidelines in place is insane and if it wasn't so sad, it would be laughable. As a minority serving institution with many international students attending in the graduate programs, this is especially not ok. You would think that it wouldn't be something to fight for, yet NMSU continues to pay a lawyer hundreds of dollars an hour to insist that they do not deserve this and even that it is "federally illegal." This university wants R1 status, yet the refusal to get with the program of other peer institutions by treating their employees with basic respect and giving them what they need to do the job well done has not been done. As a student who paid tuition and tax payer in the state, I am deeply distressed and embarrassed that my money has went to and continues to go to a union busting lawyer as well as the huge salary of you people who claim to speak to the university, yet you have failed in attempt to fix the issues that have been presented to you time and time again. I would rather you all the thousands of dollars that I have paid to this university to help those who make it function. As I finish up these discussion points, I'm reminded of the fact that so many NMSU, including you all, have been aware of these issues for two years now, not including the time from after the reports from four to ten years ago given by the Council of Graduate School of NMSU outlining the crucial nature of health care and tuition being introduced to NMSU policies. Earlier in this meeting, Ruth Johnston mentioned the importance of an auditor. Why then, have the recommendations from a decade ago from auditors specializing in graduate workers not even been attempted to be set in place? Ms. Dorothy Campbell praised those deductors earlier in this meeting, yet the refusal of you all to help these workers and students is not justice. This is nonsense. If you will not do your job as leaders, then you do not deserve them. NMSU works because they do."

Associate Vice President Bannister introduced the next individual for public comment, Trevor Karpinski. Trevor Karpinski said, "My name is Trevor Karpinski. I'm a Ph.D. student. Right now, I'm in a fall internship in California. But, when I was in New Mexico I was a representative for the College of Engineering on the [inaudible] Committee going over their union contract. Previously, Brian Stemock had been a bit more involved in political action and getting in contact with our state representatives. I took that opportunity to talk to some representatives as well. What we were doing was reaching out to some of them and got in contact with, House Representative Angelica Rubio. I was talking to her and I have some information for everyone. The New Mexico general elections are going to be November 8th of this year. We have a couple of Las Cruces district representatives up for re-election. So, good to keep on your mind. One of the proposals that will be up for vote in the general election will be HB153. HB153 is a infrastructure bill. It provides about \$200 million dollars for infrastructure to higher education and public schools. Of that NMSU, is receiving about \$48.5 million dollars. And I'll emphasize that this money is specifically for infrastructure. There is nothing we can get from it. There is going to \$3 million into invigorate the school. It's going to invigorate our research, which can give better resources. For anyone's information, in the house and senate, they all voted for this. So, they all like higher education. They all like this stuff. And she was a bit surprised as we're talking about this and I was asking questions and that she's surprised. She's been seeing a lot of stuff in the news and the Las Cruces Sun about the tuition crisis, but she doesn't hear about it from anyone. She's not hearing that from her job. No one's passing legislation. No one's saying we need to help the students. And so, why are we spending \$50 million to infrastructure that no one's going to be at the school right. People are going to be leaving. So, she redirected me to talk to David Abbey, of the LFC. That's going to be the Legislature Finance Committee. And, I just found the webpage here. "The committee makes budgetary recommendations to the Legislature for funding of the state government, higher education, and public schools." And it says here, "New Mexico is unusual in that both the governor and the legislative agency (LFC) propose comprehensive state budgets to the Legislature." So, we'll be in contact with David Abbey. We'll be in contact with him soon. He's the Director of the LFC. It'd be really good to be able to talk to other representatives and say, it seems people are really happy to spend into higher education. Again, \$200 million dollars. So, surely if we propose something to our representatives and start saying, 'we need to include tuition coverage in some of these bills. We need to have our own bill for specifically tuition coverage. That type of political action will be here. New Mexico does care about higher education. To the Board of Regents, this is between 153K from the Board of Regents, I'd very much appreciate that. That's going to higher education. That's going to help the students. One last sentence. If we can get a bridge to extend an olive branch so that we can, with our representatives, to get tuition coverage solved from the students and the Board of Regents and have us come together and talk to our representatives, I think we can get this issue solved. [inaudible]."

Associate Vice President Bannister introduced the next individual for public comment, Eric Gauthier. Eric Gauthier said, "Good morning everyone. So, I'm the graduate [inaudible]for mechanical engineering and I represent the students of the College of Engineering through ASNMSU. As a representative I wanted to start off by giving some personal situations from graduates who cannot attend this meeting. The students I've talked with had to go into \$5,000 credit card debt just to afford basic necessities. Another needed medical treatment, but had to wait to leave the country to receive such treatments. Our graduates have to chose to either suffer or leave our university. Many TAs must work late hours and worry about making it home because either they cannot afford a car or afford rent that is closer to campus. The inactions of NMSU is insulting to not just our graduates, but our undergraduates, faculty, and staff. Thank you."

Associate Vice President Bannister introduced the next individual for public comment, Iñigo García-Bryce. Iñigo García-Bryce said, "Good morning. Buenos Dias. I am a professor in the history department. After all these testimonies, I don't know if there's anything I can really add that would compel you to act any differently. I was here before. The fact that we're still here discussing the need for tuition remission and health care for graduate students seems incredible to me, but are we really discussing it? You've decided to turn this into a legal fight and you're using my money to pay an attorney to fight the students. You're using the money of the tax payers of the state of New Mexico. And this is a land-grant institution whose mission it is to serve the citizens of the state of New

Mexico. So, what I suggest is, if you do want to continue this fight, pay for it out of your own pockets. I mean, that would be the sensible thing to do. Now, I'm an historian by training and I can tell you, that you should look at both the past and the present. And I can tell you that unions are here to stay. I don't know if you saw the headlines this morning. But, a serious issue was a burden to the railroad union. There have been Amazon workers unionizing, Starbucks workers unionizing. Unions are here. They're here to stay. You need to deal with them. Also, I would remind you that it's thanks to unions that we have the 8-hour day, that we have minimum wage, that we don't have child labor anymore. So, I mean, do you want to turn back the clock and go back to those things? I mean, maybe you should just go and see if you can find any [inaudible] out there and hire them. That would be more coherent with your position. So, I would just end by telling you, do the right thing for these students and also be on right side of history. Thank you."

Associate Vice President Bannister introduced the next individual for public comment, Jonathan Consford. Jonathan Consford said, "Hello my name's Jonathan Consford. I'd like you to wake up. I can see your body language. I can see the scoffs. I can see the looks you're giving. I'm a first-year graduate student here. I just started. It disgusts me to hear that this is going on. That this has been going on. I struggle to pay for child care. I have two kids, 8 and 12. I'd like to afford to get them a bike this Christmas. I don't think I will. I'd like to take them to go see their grandparents who they haven't seen in five, six years because they live in Houston and I can't afford to drive to Houston when I live in Texas. It's a big state, but come on. I can't just afford interstate travel for my family. It's time to wake up. Step up and do the right thing for all of these graduate students please."

Associate Vice President Bannister introduced the next individual for public comment, Tajuene Williams. Tajuene said, "Good morning. My name is Tajuene. I represent a different class. I'm a first-year graduate student. It's been a very bumpy ride. Very hard transition for me. Very confusing. I'm a history major. I came in very excited and very motivated. And now I'm very discouraged because I just became part of this union. I've been hearing all of these things. I very much want to be a GA, but not under these conditions. I have 5 children and I can't afford to be a student as it is, let alone being a GA. Giving the time that I have right now just being a history major is a lot. So, I can only imagine what all of these students are putting in being a GA right now is putting them through. So, I really think that it's absolutely necessary that you guys consider paying their tuition while they're putting in this much effort. It really discourages me to want to apply to be a GA because you feel sorry that you're not covering their tuition because all these people are putting in their personal time and they're probably putting in more time than most of the people on this panel. That's really unfortunate. It's something that you guys really need to consider. I would really like to move forward with my career. And one of the other things that's really discouraging me is that I am a disabled student myself. I hear all of the stories having all of these conditions. I suffer from epilepsy. I just suffered a massive heart attack three months ago and I continue to push through and try to continue my education. I've also suffered a severe seizure and I still graduated with honors and pushed through that as well. But, there was no grievance process for me to complain about services that were not adequate for me. Things on campus that were not available. Accommodations are great, but there's still things that you guys are not providing and there's no way for me to complain about that. I'm also a minority student. I'm also a member of the LGBTQ community. I'm a member of a lot of protected classes and you guys don't have anything set up for that and you should. It's very important that we have a process for us to speak up. I would love to continue being a graduate student and being able to be here. I love the instructors I have. I love the community. I'm a part of several organizations here as an officer as well, but I'm not going to be able to continue if you're not going to provide adequate tuition coverage and these things for students. I won't be able to do it. So, I just want to make sure you guys are aware of that. I appreciate everything, but I won't be able to continue just like they won't if you don't change something. Something needs to change. Thank you."

Associate Vice President Bannister confirmed the conclusion of public comment.

Some members of the audience requested a response from the Regents. University General Counsel Roy Collins reminded everyone in Board room and via Zoom, "In order to comply with Labor Laws NMSU is required to respect the bargaining process that the graduate students withhold and assistantship have chosen. That process requires

NMSU to defer any discussion regarding current or potential subjects of bargaining to the bargaining teams that both the union organizers and NMSU have selected.”

C. Approval of the Minutes and Confirmation of Prior Closed Session, Chairwoman Ammu Devasthali

1. Special Meeting Minutes August 24, 2022

Regent Saucedo motioned to approve the minutes as presented. Regent Bitsie seconded the motion. All were in favor and none opposed. Motion passed.

2. Confirmation of Prior Closed Executive Session August 25, 2022

The Chief of Staff read the following statement:

“The Board of Regents met in closed executive session at 1:00pm on August 25, 2022. The closed executive session meeting was held to discuss the bargaining strategy preliminary to collect bargaining negotiations between the Regents of New Mexico State University and the United Electrical Radio and Machine Workers of America in accordance with the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(5). And discussion of limited personnel matters concerning individual NMSU employees in accordance with NMSA Section 10-15-1, subsection (H)(2).”

The Chief of Staff confirmed certification of regents who were present that only matters of that nature were discussed.

Regent Saucedo – Yes

The Chief of Staff reported, “Regent Chacón-Reitzel, for the record, is not present.”

Regent Bitsie – “For the record, I did not attend the meeting when the collective bargaining was discussed, but I did attend the personnel matters portion and I can confirm that only matters of this nature were discussed.”

Regent Romero – Yes

Chairwoman Devasthali - Yes

D. Regent Committee Reports

1. Real Estate Committee Report, Regent Dina Chacón-Reitzel

Regent Devasthali stated that, as the other regent member on the Real Estate Committee, she will deliver the report on behalf of Regent Chacón-Reitzel. The committee met once on September 1, 2022. There were several items brought forward to the committee, including items G-3 through G-13 on the consent agenda. Also, there was a presentation about tax increment development districts that is on the action item agenda. There were no questions.

2. Audit and Risk Committee Report, Regent Ammu Devasthali

The Regents Audit and Risk Committee met twice since the last on May 25 and August 31, 2022. The meeting on May 25 was the Entrance Conference for our annual external audit with Moss Adams where the audit timeline and scope were discussed. The committee also met on August 31 where the committee heard several presentations and the committee was introduced to our new Chief Audit Executive, Ken Glascock. Presentations included a Clery Act update from Chief Bowen, a cybersecurity update from many members of the ICT team, and several discussions about internal audit plan. There were no questions.

3. Financial Strategies, Performance and Budget Committee Report, Regent Christopher Saucedo

The committee met twice since the last report. The first meeting was on May 25 and that was in person. At that meeting we received preliminary information about a revenue bond that was brought this Board of Regents. There was also discussion that set the stage for the August 9 Financial Strategies Retreat that Regent Saucedo and Regent Bitsie attended. Regent Saucedo said that it was a very informative event. Regent Saucedo is looking forward to additional details and proposals for budget modeling as the plans develop. The second meeting was on August 31. The committee heard a presentation from Government Affairs about the non-I&G funding requests, which is on the consent agenda as item G-17. There was a presentation on the tax increment development districts that are on the action item agenda. Regent Saucedo praised the questions and involvement of the community members that serve on the Financial Strategies, Performance and Budget Committee. There were no questions.

4. Student Success Committee Report, Regent Arsenio Romero

The committee met twice since the last report, which were on May 26 and September 1, 2022. The meeting on May 26 was information with a broad set of topics covered, including accreditation, graduate research, and an update on digital learning. As usual, the community colleges also provided updates to the committee. One September 1, the preliminary enrollment numbers were presented. They had engaging conversation about mental health services on campus. The items brought forward are on the consent items as items G-14, G-15, and G-16. There were many faculty who were in attendance to support the programs. Regent Romero thanked everyone for their time in presenting and preparing the information to establish these programs. There were no questions.

E. Advisory Member Reports

1. Associated Students of NMSU Report, President Garrett Moseley

ASNMSU President Garrett Mosley reported that on September 20, 2022 ASNMSU will be hosting their annual National Voter Registration Day outside of Corbett Center. Students can come to register to vote. Last week ASNMSU welcomed 22 freshmen and sophomores into their new class of Roadrunners, which is their internship program of 2022. They will be shadowing all of the departments throughout the year and will hopefully join ASNMSU. ASNMSU Senate were given their final numbers for their surplus account, which is the main account that goes into student reimbursements. They are facing a significant decrease in funding from last year due to a large amount of spending. They are being cognizant of spending and passing legislation to ensure that they have an equitable disperse of funds throughout the year. There were no questions.

2. NMSU Faculty Senate Report, Chair Gaylene Fasenko

Faculty Senate Chair Gaylene Fasenko reported the first meeting of the academic year was on September 1, 2022 at which time they elected chairs of the standing committees: budget resources, curriculum and programming, diversity, equity, and inclusion, researching creative activity, student success, and university planning. Faculty Senate Chair Fasenko encouraged chairs to reach out to NMSU leadership that are involved in their respective areas to attend meetings. Faculty Senate Chair expressed gratitude to the Administrative Assistants in the Provost's and Chancellor's office, Gloria Podruchny, who is the Administrative Assistant for Faculty Senate, Gena Barela, Cindy Garrett, Leslie Cervantes, and Spri Aubrey for their kindness and help. Faculty Senate Chair Fasenko expressed hope and gratitude to the leadership, particularly Vice Chancellor Johnston and Provost Campbell for opening the lines of communication.

Chairwoman Devasthali appreciated that outreach that Chair Fasenko did to set-up a meeting with her to discuss faculty needs.

3. NMSU Employee Council Report, Chair Susanne Berger

Employee Council Chair Susanne Berger reported that the first Employee Council meeting for the fiscal year

was August 11, 2022. No meetings were held during the summer due to the absence of their faculty colleagues. In the August meeting the new pay scale and the new mapping of positions were discussed. The concern was that in some instances some supervisors and direct reports are in the same grade and some require a significantly different level of experience and education. Employee Council has established an ad hoc committee who will work with HRS to discuss the examples that have been brought to their attention. Employee Council continues to work with the Climate Action Team and Faculty Senate on ways to address shared concerns that are affecting staff and faculty. The insurance committee met with HRS and Blue Cross BlueShield. They discussed the increase rates and premiums and related coverage. The insurance committee voted to accept the proposal. Employee Council is planning the Employee picnic in October. It will be on October 31, 2022. It is Halloween themed. Everyone is encouraged to come dressed up. Employee Council is preparing for the upcoming elections in January, 2023. There were no questions.

F. Affiliated Entity Reports

1. Arrowhead Center Inc. Report, *Director & CEO Kathryn Hansen*

Director Kathryn Hansen reported that in fiscal year 2022 Arrowhead they had client revenue of \$34.5 million and client investment of \$26 million. Arrowhead served residents in 72 communities in the state. They had 61 expert volunteers serving in roles as enterprise advisors. Including both existing and new businesses, they served over 1,500 clients. They have an economic impact analysis underway for all of their programs and Arrowhead Park. The financial summary in the materials is unadjusted data. It does not yet account for interest income asset amortization and some transfers to NMSU. They were under budget in both revenue and expenses. In the preliminary reading the adjusted financials will show a small positive net income increasing their fund balance to approximately \$1.725 million. Among recent highlights, include the success of one of the Arrowhead Innovation funds portfolio companies called Parting Stone. They believe this company will be one of the success stories of the Arrowhead Innovation Fund, which is a wholly owned subsidiary of Arrowhead Center Inc. Parting Stone makes beautiful stones out of human and pet ashes. In 2021, the company grew by 135% and has 35 employees in New Mexico. They have been featured by Bloomberg and Entrepreneur magazine. They're raising more capital and expanding to Australia. Another recent highlight, is the success of Backyard Farms, which is a local company founded by Rachel Ryan and named a USDA success story in May 2022. The company provides freeze dried foods from local fruit and vegetable producers. Their new Fintech Lab, which is sponsored by Nusenda Credit Union, is giving students experience in helping entrepreneurs with technologies in the area of financial technology. Aggie Power is generating power for NMSU and they will begin research projects in 2023. Next month is the ground breaking for the Doña Ana Community College Creative Media Technology building. There are thirteen sprint accelerator cohorts for this fiscal year. They range from business accelerators to dedicated to underserved populations to clean energy, tourism, etc. New initiatives include statewide sprints and community entrepreneurship programs. Over the next 2 years, they will be doing 10 industry-focused accelerators across the state. They will be taking their community entrepreneurship program to 7 rural communities over the next 2 years. There are collaborations with the San Juan Community College with two new initiatives. The first is for a Native American business incubator and the other is a joint program with the San Juan Food Hub. They will be providing entrepreneurship resources for value-added AG enterprises. They are seeking funding at the federal and state level to fund the AG industry initiative, which is the creation of an AG Venture Center. Last week they were notified of a win for the National Science Foundation ICORE Hub. They're teamed with UT Austin. They're the lead and this is a \$15 million award with \$1.2 million coming to NMSU. The significance of this award is that student faculty teams will have an opportunity to receive commercialization training and funding for continued development of their innovation. There are a number of upcoming events: Shark Tank on October 18 at the NMSU Art Center for the Arts, the Women's Entrepreneurial Business Conference on November 17, the Summit for Government funding for small business innovation, commercialization is on December 14.

2. NMSU Foundation Inc. Report, *President Derek Dictson*

President Derek Dictson reported that over the last three years thousands of their donors have committed over \$150 million to NMSU, which is more than twice of any of the previous three-year time frame in history. The university's record-breaking year for fundraising was in 2019 at \$100 million, including one \$80 million gift. The year of 2021 was the university's second largest fundraising year at \$32.5 million. As of July 31, their total assets stand at \$361 million, which is an increase of 29% compared to a year ago. The long-term endowment pool stands at over \$222 million as of the end of July. That is down from a high of \$242 million in December. The amount is sensitive to market trends. The one-year return was -9%, which is compared to the S&P 500, which is down 12% over that time period. Since inception in 1983 they have achieved an 8.3% return compared to the S&P at 8.6%. They just entered into an agreement with a new investment manager in October of last year. They took over management of our assets in January 2022. The Foundation operates per calendar year rather than fiscal year. As of September 7, they have raised just over \$14 million, which is 85% of their goal for this year. They have a return on investment goal and currently it stands at 390% return on investment, which is 178% of their annual goal. Fourteen million dollars that have been donated this year comes from over 9,000 gifts from 2,500 donors. The largest gift they have received this year was \$2.5 million and the average gift is \$5,700 per donor. The College of Arts and Sciences has received the most at over \$3 million in gifts. The second is ACES at \$2.9 million. Five of their university units have received over \$1 million in donor gift funds. NMSU currently has spendable donor gift funds at just over \$28 million that are available to be utilized. In fiscal year 2022 the Foundation added almost \$15 million in spendable gift funds to the university's balance. In five years, they should be contributing over \$30 million per year. In helping the university to spend those gift funds, the Foundation has developed an online application that will be available to all deans, business officers and other designees where they can see in real time, fund by fund, the available balance and any donor purposes or restrictions for each of those funds. This continues to be a top priority the Foundation, their partners and the university leadership. The Foundation undertook a workforce transition in hiring its own employees in June. At that time, the Foundation was staffed with 16 out of 49 positions. In the past 3 months, the Foundation has hired 21 new staff members. They have achieved a 95% offer letter acceptance rate. They anticipate having the remaining 13 positions filled by the end of this calendar year. The Alumni Associations and External Relations Department had one person in this department in May and it has grown to 9 and will reach 13 by the end of 2022. The Alumni Association will be doing much more. There are 47 activities being planned over the next few months. Most of those are in collaboration with Athletics or academic colleges around campus.

Chairwoman Devasthali asked if the money is restricted and that's why it is so difficult to disperse.

President Dictson reported that most of them are restricted. Approximately 99% of gifts that the university receives has some type of restriction. Most are restricted to a certain scholarship, faculty chair, or program. They currently manage over 4,000 separate gift funds. In the last couple of years, they have been doing a fund audit to close out gift funds that don't have money left and to roll money from funds with only a few dollars left in them to somewhere that's useful. The ones that do have money, need someone in the colleges and units to actively review them and getting them spent.

Chairwoman Devasthali stated that sometimes there are gifts that have been made by a family and there are few or no family members left. Chairwoman Devasthali asked if there is a way of contacting who that last person is to ask if they would change the criteria to make it more accessible so that it would be easier to hand out those funds.

President Dictson answered that when they encounter a fund that is problematic, it's usually brought to them by their university partner because they are having trouble supporting one. If there is a living donor, they speak to them about it and make an amendment. If the donor is not living, the Foundation Board in consultation with their university partners can make those amendments. There is language in the gift agreement that allows that. They are dealt with by a case-by-case basis.

Regent Romero asked President Dictson to share what the overall plan is for the events.

President Dictson stated that when they look at the future of their External Relations, alumni, and partner, they understand that they need to do certain events and they try to do those to the extent that they can. They want to provide a platform for their groups of Aggies across the country to do things more effectively and on their own in local leadership. They are actively building that platform. President Dictson invited the Regents to attend events. They have many events during homecoming. The Distinguished Alumni Celebration is on October 21, which is their most impactful event of the year. This is a way to celebrate alumni. They see this event as becoming their signature black tie event to celebrate alumni. The Ring Ceremony for students is around graduation in May. It is in Traders Plaza. They present the rings to the graduates. The Outstanding Graduate Ceremony to recognize seniors from each college. During commencement they have people from the Foundation at the end of the stage who hand out an alumni pin and welcome them to join the Alumni Association.

Regents Bitsie asked if the \$360 million assets include the endowment.

President Dictson answered that it does include the long-term investment pool as well as the currently available spendable assets that they manage for the university, operating funds, and everything else.

Regent Bitsie asked what the top two assets that the Foundation manages and their operating costs.

President Dictson stated that the top two are the long-term investment pool, which is the endowment, at \$222 million. The second is the pool of available gift funds that is nearly \$30 million. There are other pools such as, the Charitable Gift Annuity pool is couple of million dollars, which is where people give the Foundation money and pay them amount over a lifetime and get what's leftover when they pass away. They have a Student Investment Pool at around \$200,000 that students in a Finance class in the Business School pick how that is invested.

Regent Bitsie asked President Dictson to provide general information on how the scholarship process works.

President Dictson stated that the process begins by the donor contacting them wanting to create a scholarship. The Foundation asks them what they want the scholarship to look like. There are certain things that you can and cannot include in the scholarship agreement. Other things such as, field of study, minimum GPA, geographic region can be included. Once it is signed by the dean who is receiving the scholarship, the Foundation and the donor set up a fund, which is put into the account. As an example, assuming it's endowment, they will invest the money into the endowment pool and over time it'll generate earnings. They have a spending policy that 4% of the trailing 12 quarter average is made available to the university. If it's a \$100,000, that'll generate \$4,000 a year that the university can award in scholarship funds. There is a software system called Scholar Dollar, which is owned by the university. They load the scholarship information into Scholar Dollar. The college recipient goes into Scholar Dollar and it pulls the pool of students who are eligible based on their criteria. Students have to apply through Scholar Dollar. Each year the Foundation does a report out to the donors letting them know the financial status as well as the students who received the scholarship award. Scholarships are only a quarter of the money that is available to students. The other three quarters of the money is used for other purposes. There's no automated system or feedback loop to know what that money is being spent for and report it back to the donors.

G. Consent Items, Chairwoman Ammu Devasthali

- 1. Temporary Investments Report for the Quarters Ended June 30, 2022, Associate Vice President D'Anne Stuart**
- 2. Disposition/Deletion of Property, Associate Vice President D'Anne Stuart**
- 3. NMSU Las Cruces: Health and Social Services (HSS) Building Roof Replacement, University Architect Heather Watenpaugh**

4. **NMSU Las Cruces: Engineering Complex I (ECI) Roof Replacement, including removal of obsolete solar panels**, *University Architect Heather Watenpaugh*
5. **NMSU Las Cruces: Gerald Thomas Hall Fire Alarm Upgrade**, *University Architect Heather Watenpaugh*
6. **NMSU Las Cruces: Clayton Feed Mill Renovations**, *University Architect Heather Watenpaugh*
7. **NMSU Las Cruces: Agricultural Extension Services Statewide Weather Stations**, *University Architect Heather Watenpaugh*
8. **NMSU Las Cruces: Aggie Memorial Stadium Artificial Turf Replacement**, *University Architect Heather Watenpaugh*
9. **NMSU Las Cruces: Ag Modernization Phase 2, Biomedical Research Building (Interior Fit-out)**, *University Architect Heather Watenpaugh*
10. **El Paso Electric Easement for Arrowhead Park CMT Building**, *Special Assistant to the President Scott Eschenbrenner*
11. **City of Las Cruces Natural Gas Easement – Arrowhead Park CMT Building**, *Special Assistant to the President Scott Eschenbrenner*
12. ~~**NMDOT Acquisition – DACC/Gadsden Right of Way**~~, *Special Assistant to the President Scott Eschenbrenner – Item was removed from the consent agenda by vote of the board per the request of Mr. Eschenbrenner.*
13. **Lease at Central New Mexico Community College**, *Special Assistant to the President Scott Eschenbrenner*
14. **Associate in Counseling and Community Psychology – NMSU-Grants**, *Interim Provost Dorothy Campbell*
15. **Organizational Leadership – Master of Arts (Online)**, *Interim Provost Dorothy Campbell*
16. **Transborder and Global Human Dynamics – Doctor of Philosophy**, *Interim Provost Dorothy Campbell*
17. **Non-I & G Funding Requests**, *Associate Vice President Ricardo Rel*
18. **Acceptance of New Mexico Higher Education Department (HED) Endowment Grants**, *President Derek Dictson*
19. **Acceptance of honorary naming request from NMSU Alamogordo campus**, *President Derek Dictson*
20. **Acceptance of philanthropic naming request from NMSU Foundation (Nusenda Center for Financial Capability)**, *President Derek Dictson*
21. **Acceptance of philanthropic naming request from NMSU Foundation (Nusenda FinTech Lab)**, *President Derek Dictson*
22. **Amendment Title 21, Chapter 1, Part 1 of the New Mexico Administrative Code (21.1.1 NMAC, Rulemaking Procedures) - Proposed Amendments to Sections 9, 10, 11, 12, 14, 15, and 16**, *Cabinet Secretary & Director Jeff Witte*

Regent Romero made a motion to approve the consent agenda as amended. Regent Saucedo seconded the motion. All were in favor. None opposed. Motion passed.

RECESS (10 MINUTES)

Regent Saucedo motioned to go into recess. Regent Romero seconded the motion. All were in favor and none opposed. Motion passed. The meeting went into recess at 10:55am and reconvened at 11:05am.

H. **Action Items**, *Chairwoman Ammu Devasthali*

1. Tax Increment Development Districts (TIDD) Proposal, Arrowhead Park Executive Director Wayne L Savage

Executive Director Wayne Savage introduced Scott Eschenbrenner and Harry Relkin. Harry is the lead of Sage, LandSolutions. Executive Director Savage stated that tax increments of development districts (TIDD) were approved by the State Legislature in 2006. The general concept is that a district is identified that needs economic development, infrastructure development. Funding is established through incremental tax revenues generated within the district. A portion of the incremental tax revenue is identified and allocated to build new infrastructure and public economic assets within the district. The remainder continues to accrue to benefit their partners, including city, county, and state. The TIDD district that is formed becomes its own legal, financially separate entity to support it. The developer or land owner can be public or private entities. NMSU would be the developer. Examples of improvements that can be funded in these districts include roadway and utility infrastructure, recreational and educational facilities, and energy and utility systems. Examples within the state include the Las Cruces downtown, Winrock Town Center in Albuquerque, Mesa del Sol that is just outside of Albuquerque, and UNM South Campus. They started 7 years ago in March of last year. Arrowhead Center, Aggie Development and the office of Strategic Initiatives funded a feasibility study to look at the detail of what the potential was for the district for generating funds. They looked specifically at Arrowhead Park, Aggie Uptown and campus areas. They are considering some portions of the university avenue corridor. In doing the study, they were led by a consulting group Sage Land Solutions. They looked at all of the master plans, starting with the campus master plans, then Aggie Uptown and Arrowhead Park master plans. They looked at the city of Las Cruces long-term master plan called, "Elevate Las Cruces". From this, they developed a forecast for infrastructure, private investments, developments within the district for job creation and ultimately a model forecasting increased property tax revenue in the district. A final report was completed in December of last year showing that there was a need to generate funds for the infrastructure for the district. These numbers are estimates, so obviously they will change over the course of their further study and time. There will be approximately \$435 million that will be generated for infrastructure within the district and another \$146 million worth of tax revenue directly to the city, county, and state. The forecast over this timeframe will incentivize about \$1.2 billion in private investment of these lands within the district. This would be in the form of offices, lab spaces, retail, entertainment, recreational activities, and some residential elements. Current investments are between 4,000 and 5,000 new jobs that will be generated by this investment. Within TIDD developments, they are proposed and funded by the developer, but then reimbursed. Depending on fund balances generated by the district, this project can be reimbursed directly from TIDD funds or through a bond issue over a longer period of time. Any bonds issued by the district would have to be approved by New Mexico Finance Authority and State Legislature. The bonds are an obligation of the district. They are not an obligation of NMSU at that point. Any improvements that are built, whether be utility infrastructure, academic facilities, recreational amenities, are transferred, once built, to the ownership and the operations responsibility to the appropriate entity. Some benefits of TIDD include: it provides a secure long-term funding stream for infrastructure, which is critical for any economic growth in the community. It visibly highlights NMSU's role as a community partner in economic development and economic growth. The TIDD formation benefits all district partners for new growth, tax revenue, job creation, and regional economic benefit. The bonding risk falls to the district board and not to NMSU. Ownership, the assets that are built and the operations and maintenance of those are not transferred to NMSU, but are transferred to the city or DOT. NMSU would have some responsibility for some of the assets. The concern is that this is a forecast. Their proposed next step is to do a much more in-depth review and forecast. Forecasts can change and are never actuals. Tax revenue generation will be different and will change the proposed timeline of some of these assets and infrastructure. The TIDD formation would require a partnership with Las Cruces as a portion of their tax revenues to go to build this infrastructure. Annexation of lands within in the district, potentially Arrowhead Park and Aggie Uptown lands would be required into the city limits. This is not a "taking of lands nor a change in ownership of land." It is only a negotiated in annexation and they expect that negotiation would result in them maintaining their land use plans, master plans, and the permanent process they currently have. There was a TIDD that was proposed in 2021 for the city of Las Cruces. It was led by a private institute on the old

country club property. It was denied by the city. There were some concerns by the city council with regards to trust issues with the private developer and tax funds going directly to benefit the private developer. That is not an issue in this case. They are a public entity partnered with others to use public funds for public infrastructures. In the course of their visibility study, Scott, Ryan and consultants looked at some of the core infrastructure items for Aggie Uptown and Arrowhead Park that would be needed to realize the growth that they hope to see. They came up with \$110 million worth of infrastructure over the timeframe. That leaves \$250 million or more to go towards other infrastructure within the district. This could include recent investments in NMSU Academic Research Facilities, housing, parking, renewable energy, transportation, sustainability projects. If they include University Avenue in the TIDD district, there might be improvements that the city might recommend along University Avenue, which would make sense to both the city and the campus. This is a tremendous potential for them to impact the university system infrastructure. The application and approval process that they have to follow. The first step is to work with their consultants to develop a much more detailed forecast and plan for NMSU requirements. In doing so, they would engage in an Advising Taskforce that would include an NMSU executive in academic, research, and ICT facilities interest. They want to make sure that they have a very comprehensive plan with a broad buy in. They will engage the city of Las Cruces for their support in the planning process. As they go through the process, planning, engineering, modeling financially, they will keep NMSU Government Relations department and legislative partners up to date. They will have partnering agreements that they would develop with the City of Las Cruces, county and the state. As a preliminary target, they hope to finalize an MOU and a formal resolution by the Las Cruces City Council in the latter part of ['23] of next year and then move on to make a similar resolution to the county in '23 of next year. At that point, they would also be talking with the state and working with the appropriate parties to develop the final application and targeting legislative approval in February 2024. This is an aggressive schedule. This is doable, but it is entirely possible that they are looking at the legislative session in 2025 as their final goal. As they finalize this process with the city and county, they would also be formalizing the TIDD District Board that oversees the financial performance of the district. It is currently projected that NMSU would have two representatives on this board. The city, county, and state will have a representative. They are proposing their next phase and have been presenting this to regent committees as well as to NMSU administrative leadership over the last two months. For fiscal year 2023, they will be hiring a consultant to complete the MOU and resolution process with the Las Cruces City Council. This includes all of the planning, engineering, and financial modeling. It's estimated to take 7-8 months to complete this work, including numerous consultations with NMSU and the city partners. They'll be looking at the district and what the boundaries of that district and what needed development plans would be. They'll be looking at much more in-depth financial models and forecasts for economic impact and tax revenues as well as a detailed work in investigation and infrastructure and utility plans and developing their final plan. They have an estimate from the consultant for the first phase. With gross receipt tax and contingency, it will be approximately \$622,000. The funds will be set aside by the university. They are benefitting from the work that UNM is doing on their south campus as well. Consultants are also involved there since a great deal of learning and experience are gained. They will then move into fiscal year '24 to complete the county and state processes and expecting an additional \$200,000. These TIDD expense costs are reimbursable from the TIDD once approved. Proposed lands that might be included are Syspro Park, tennis court area, Southwest Technology Development Institute, and the Solar Research Facility.

Regent Saucedo asked for the process and if and when the Board would be presented with that question.

Executive Director Savage stated that the purpose of the resolution is to request and ensure the Board's support for the process going forward, support the formation of advising taskforce of NMSU leadership, a broad range of leadership, so they have the most impactful and effective process. The resolution also states that prior to any resolution or any agreement to the city council, county, or state, that they would go back to the Regents for final approval. They are looking for the Board's support to move forward in the planning process, then they will come back to the Board with the final agreement.

Regent Saucedo asked what the difference is between the previously mentioned proposal in 2021 that was

rejected by the city and this situation and why it be made it public or to TIDD?

Executive Director Savage answered that the sense of collaboration of proposed entities is supported here and that the funds that are generated are public tax revenues. There is a direct tie to the development of public infrastructure.

Harry Relkin stated that this would be public to public TIDD as opposed to the private entity's bottom line. Also, the economic development component of this TIDD, which is the bedrock of state law, that it was an active creating TIDD is highlighted by the initial feasibility study as opposed to the product that was before the city council. There's often a worry that use of the publicly induced tax revenue going to the bottom line of a private developer. In this case, it would be going solely to the bottom line of New Mexico State University, city, county, and state. Additionally, the basic plans of the city of Las Cruces is that they have developed dove tails with this plan. The initial thoughts with this potential development on New Mexico State lands almost perfectly. Some of the initial contacts have been favorable. At the state level, if they follow the format that they were able to achieve at UNM, it will be a joint effort between the city of Las Cruces and NMSU.

Regent Romero asked in terms of timelines, if everything rolls out smoothly, when would they see some of these projects. He also asked in regards to partnerships, if there are other constituents that they could get feedback from, how that would happen and who might they be.

Executive Director Savage answered that they are looking at a 2-year process to complete all applications and receive final approval. At that time the tax districts begin to generate tax variables of those revenues that come in to the new construction projects. Some come through the operations of businesses and gross receipts tax on sales of those businesses. It takes time from the formation of the district for funds to begin to build up. As funds begin to build up, their application costs would be reimbursed out of those funds. Over the period of a few years, funds begin to build up that allow you to execute and reimburse projects that are developed. As they are developed and as there is a consistent revenue forecast over time for those taxes, then they can look at a bond issue to generate a pool of money to accelerate those developments. It may take 3-5 years. On the issue of community engagement, they have had community liaison leads in the past and it would make sense for them to do that.

Harry Relkin added that it doesn't hold up development. Once the district is formed, a project can begin. The reimbursement could come later. The university would still be in control if it desired to do a project and then wait on reimbursement. When the district is formed by the city, even before the county and state sign off, any new tax revenues accruing within the district are put into an account. Then, they can go later cash on cash or once there is predictable reoccurring revenue, issue a long-term bond.

Chairwoman Devasthali stated that the TIDD formation might entail annexational plans and some may be NMSU land, but that doesn't mean a change in ownership of the land. Chairwoman Devasthali asked if the only difference would be a land lease they would be receiving income and a land annexation they would not.

Executive Director Savage answered that once formed in TIDD district and annexed, the land lease would still revert directly to the university's operating partners, Aggie Development or Arrowhead.

Special Assistant Eschenbrenner stated that the same thing has been done in the past with the Convention Center and the Marriot Courtyard. What has been done in the past was annexing the additional lands.

Chancellor Arvizu stated that they have regular meetings with the city constituents, specifically the city manager, who liked annexation. This generates revenue for the city. They're highly motivated. Chancellor Arvizu asked that since BCOM sits on the land what kind of implications do they have for listing tenants on the land.

Special Assistant Eschenbrenner answered that BCOM is a tax-exempt entity, so it wouldn't have any impact on their operations. However, it may affect other entities. It is dependent upon the GRT tasks. Currently, they pay

6.75% rate for GRT and with the city it's 8.3125%. Inside the city limits the GRT is higher. They are making them aware and letting them know that it will probably enhance their operations.

Chancellor Arvizu asked how NMSU's EDA grant from the Department of Commerce to do infrastructure is complementary.

Executive Director Savage stated that Arrowhead Park and Aggie Uptown have been challenged for funds to develop infrastructure. Most of the infrastructure at Arrowhead that you see have been built through EDA grants since 2007-2008.

Special Assistant Eschenbrenner stated that in terms of community engagement, they would invite the community to come, just as they did with the Farm and Ranch Center. They would have a similar presentation and consultants present and hear what their concerns are. They will reach out directly to some community members and look for their feedback as well.

The Chief of Staff read the resolution as follows:

"WHEREAS, NMSU is the land grant institution for the state of New Mexico, and has a core mission for economic development; and

WHEREAS, the southern New Mexico continues to experience high levels of poverty, and is in need of economic opportunity, job growth, and higher wages; and

WHEREAS, Arrowhead Center, Inc. and Aggie Development, Inc. were created to address this need for increased economic opportunity; and

WHEREAS, the signature real estate development investments of NMSU are Arrowhead Park and Aggie Uptown; and

WHEREAS, these real estate investments require funding and development of infrastructure that is beyond the current scope and capacity of NMSU financial resources; and

WHEREAS, the State of New Mexico has identified and provided for this need of funding infrastructure through existing legislation providing for public entities to establish tax increment development districts (TIDD); and

WHEREAS, the City of Las Cruces has expressed interest in partnering to develop a tax increment district comprising Arrowhead Park, Aggie Uptown, and potentially other NMSU lands.

NOW THEREFORE, BE IT RESOLVED that the Board of Regents of New Mexico State University supports the formation of a Tax Increment Development District for Arrowhead Park, Aggie Uptown, and other applicable NMSU land for the purpose of funding and developing infrastructure in order to promote economic growth and vitality of the southern NM region.

BE IT FURTHER RESOLVED that the Chancellor of New Mexico State University establish an advisory taskforce charged with ensuring that the land-grant and Hispanic Serving Institution mission of NMSU is carefully preserved in the formation of a Tax Increment Development District for Arrowhead Park, Aggie Uptown, and other applicable NMSU land.

BE IT FURTHER RESOLVED that the Board of Regents of New Mexico State University will have final authority for entering into a Memorandum of Understanding with City, County, and State officials prior to final implementation and formation of the TIDD.

RESOLVED, this 15th day of September 2022, in Las Cruces, New Mexico"

Regent Saucedo motioned to approve the Resolution 2022-05. Regent Romeo seconded the motion. All were in favor and none opposed. Motion passed.

I. Report from the New Mexico Department of Agriculture to the Regents of New Mexico State University (Board

of Agriculture), Cabinet Secretary & Director Jeff Witte

Secretary and Director Jeff Witte gave an update to the Board of Regents. There have been fires across New Mexico that they have been dealing with. They have been working with Department Finance Administration and other entities, including other parts of NMSU. Through those efforts, they secured \$133 million in water ship protection. He had a meeting with all state entities of USDA. They secured land owner agreements for private property of \$32,000 a year. Legislature funded them a tremendous amount for new programs. They received \$1 million for health and soil program. They sent out requests for programs and received \$5.9 million in applications. They didn't fund all of them because not all met the intent of the spending. They will be going out for a second round. They received \$3 million for landscape projects. They received \$13 million in requests. The Salt and Water Conservation Commission narrowed those down to \$5.3 million for four proposals. The fund for the Chili Neighborhood Incentive Program is empty. It was spent on chili growers and workers, which is what it was intended for to get them through the chili harvest. They also have the New Mexico Vineyard Restoration fund in the amount of \$1 million. They are working with the New Mexico Wine and Grape Growers Association. Those funds will be distributed based on new acres of wine grapes going in. They have a Food and Farmer Initiative. This is a \$24 million initiative from the government. Of that, New Mexico was sent \$1.5 million and \$166,800 of that was reoccurring. Most of it was for one-time funds. The reoccurring funds were allocated to them to hire staff. They have allocated most of that to the Double Up Food Bucks program and the NM Grown Approved Supplier program. The Double Up Food Bucks program was \$1 million and matched another \$585,000. The Double Up Food Bucks program provides tokens to people who can use them at the Farmer's Market or other establishments for food. The Meat Value Chain program is now a reoccurring program. They continue to see the meat processing industry grow. There is a new director for the Meat Inspection program. They took one of their companies to the Las Vegas SIO Trade Show. They won a gold medal for the Most Innovative Product. AG Day is next week. Secretary of Agriculture, Tom Vilsack, announced \$2.8 billion in projects. One will impact the state of New Mexico. They had the Battle of the Salsas at the fair. There were 15 companies that competed. On September 16th, they will have the "Hatchstronauts" event. They will be honoring 17 "hashtonauts" and the support team of the NASA Plant Habit 0-14 that has been growing New Mexico chili in space. The event will be via Zoom.

J. NMSU System Report, Chancellor Dan E. Arvizu

Chancellor Arvizu gave his NMSU System report. NMSU is one of the 150 top performers of higher education social mobility. Our ranking in top public schools is in the top 132. The Athletics department just licensed a new NMSU product, Wobble on the Water, which are bottled waters. This adds to the Pistol Pete Most Wanted Salsa, Bosque Brewing 1888 beer, Les Combes Legacy wine, and Pistol Pete Legacy Pecans. On October 8th, the Marketing and Communication office, in collaboration with the Climate Action Team, is hosting a 5k race/walk in celebration of what everyone is thankful for. Grants for research will increase. The biomedical facility needs new equipment and infrastructure. The received a \$7 million NIH grant, which will be used for that purpose. They have a new partnership with another institution for an NIH grant in the amount of \$36 million. This is between both institutions. There is a growth in the PI Cabinet, Principal Investigative Cabinet. The expectation for the next budget cycle and years thereafter is significant revenues. They have been told at the state level to ask for what they need. There are categories on student success, infrastructure, including physically and digitally, and STEM National Workforce that is relevant to connection. This is more than \$2 billion in requests. Among those requests is \$25 million for graduate student workers, \$27 million for online programs, \$3 million for students' basic needs. There are a number of students who wouldn't have a place to live other than the university. Students and infrastructure, specifically digital technology, are high priority. They will make their list definitive and comprehensive, including the list of needs and why each are important. Then they will take it to holders in the legislature who have priorities and expectations about what they want to see. Then they will work with those who can help create a bigger impact going into the legislative session. In regards to STEM, Sandia and Los Alamos are anxious to engage with NMSU and be more aggressive and proactive in attracting and preparing students for New Mexico State and other universities.

Joint programs with them would be beneficial. They would help with curriculum development and how PSL can relate to the academy. Consensus numbers are being reported to HED. They report to HED, HLC, and accreditation body. We have an enrollment increase at every campus. HED wants Carlsbad to report their own numbers. We're up by 2.7% system wide and 3.2% on the main campus. The freshman class is the largest class they have had in a long time. The senior head count is down 156 students. The junior head count is down 112 students. The sophomore head count is down 129 students. There are a significant number of online students. Online students are up 1567 students.

Chairwoman Devasthali asked if NMSU is continuing to serve the Carlsbad students.

Chancellor Arvizu stated that NMSU is still serving those students. It's a transition. The faculty at Southeast [New Mexico] College are no longer NMSU faculty. They are Southeast [New Mexico] College faculty. They are affiliated because they didn't have their systems in place to take responsibility. HLC requires that NMSU counts those students. HED requests that NMSU not count them and instead Southeast [New Mexico] College count them.

Chairwoman Devasthali requested that the Regents be provided with their two-page document of what they will be asking for from the state. Some regents can advocate for specific things.

Vice Chancellor Johnston stated that they went through a process to compile a 'Big Ask' of items. Each of the bulleted areas will have a two-page document. They will have a campaign that will be NMSU-wide.

Regent Saucedo stated that we need to make sure that we ask properly at this session and that we need to do it this session because others will be putting in requests. It isn't a regular session. It is an opportunity. Regent Saucedo stated that we need to prepare early and start early.

Regent Bitsie stated that he would think that the decrease in head count would be larger in juniors than seniors and asked why that is.

Vice President Scott stated that there are two lead factors in the way for some seniors who aren't able to come back. One of the biggest reason is financial. Some people change their majors to study something else. Once they reach 180 credit hours, they are no longer eligible for state or federal aid. Some of those students have indicated that they are taking a year off. This number is higher than expected. It is very common for students to graduate in 6 years rather than 4 years. Some of those students are doing study abroad or experiential learning. NMSU's first year full time retention rate is higher than the national average of institutions similar to NMSU. This is attributed to some of the retention initiatives that was put in place. The junior and senior class have been impacted by the pandemic the most. The six-year graduation rate is over 50%.

Faculty Senate Chair Fasenko stated that we may not get the \$2.04 billion that we are seeking and would like to have a plan in place prioritizing what is on the list. Maslow's Hierarchy of Needs is physiological, food and water, safety, and health are the basics.

Regent Romero asked Chancellor Arvizu to comment on the increase in NMSU-O.

Chancellor Arvizu stated that digital, remote, and face to face learning has changed. Chancellor Arvizu stated that we need to be able to serve more students and to meet students where they are. Most of the underserved part of the demographic do not have the luxury as others. Chancellor Arvizu stated that if everyone on all campuses paid complete tuition, we would be at \$150 million. We have to take out state, federal, and institutional grants. We discount that 150 down to 100. Currently, NMSU-O represents approximately 10% of our net tuition revenue. As NMSU-O grows the tuition revenue will grow, smaller fraction of students, larger fraction of net revenues after the

discount.

K. **Announcements and Comments**, *Chairwoman Ammu Devasthali*

1. **Good News for NMSU!**

Regent Bitsie said thank you to returning students to help new students coming in.

Regent Saucedo said his good news is extended to NMSU-O. New Mexico State is far ahead of other in state institutions.

Regent Romero said thank you to everyone's hard work for everyone has done as we come back as well as how impressed he is with NMSU-O, getting out to other communities across the state, and what's offered. Also, we've starting to have conversations with other entities in the state for continuing education, support professional development and certification.

Chairwoman Devasthali announced good news about the New Mexico Higher Education Department Endowment Grants. There are millions of dollars coming to the Foundation through the public endowments will go directly to benefit students. Thank you to everyone it obvious how much everyone cares about the students.

L. **Adjournment**, *Chairwoman Ammu Devasthali*

Regent Bitsie made a motion to adjourn. Regent Saucedo seconded the motion. All were in favor and none opposed. Motion passed.

Meeting adjourned at 12:34pm



Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item # B-3

- Action Item
- Consent Item
- Informational Item

Presented By: Neal Bitsie
Secretary/Treasurer,
Board of Regents

Agenda Item: Special Meeting Minutes October 17, 2022

Requested Action of the Board of Regents: Approval of the Special Meeting Minutes for October 17, 2022 as presented.

Executive Summary:

As required by the New Mexico Open Meetings Act, the board shall keep written minutes of all its meetings. The minutes shall include at a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken that show how each member voted. All minutes are open to public inspection. Draft minutes shall be prepared within ten working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present. Minutes shall not become official until approved by the board.

References:

NM Open Meetings Act §10-15-1 G.

Prior Approvals:

N/A



**NEW MEXICO STATE UNIVERSITY
BOARD OF REGENTS
SPECIAL MEETING MINUTES
October 17, 2022 at 1:00 PM**

Regents Room (Room 001)
Educational Services Building
NMSU Las Cruces Campus,
1780 East University Avenue
Las Cruces, NM

Regents of New Mexico State University

Chair Ammu Devasthali, Vice Chair Arsenio Romero, Secretary/Treasurer Neal Bitsie, Dina Chacón-Reitzel, Christopher T. Saucedo

Non-Voting Advisory Members - ASNMSU President Garrett Moseley, Faculty Senate Chair Gaylene Fasenko, Ph.D., Employee Council Chair Susanne Berger

University Officials - Chancellor Dan E. Arvizu, Ph.D., Interim Provost Dorothy Campbell, Ph.D., Vice Chancellor Ruth A. Johnston, Ph.D., General Counsel Roy Collins III, J.D.

MINUTES

A. Call to Order, Chairwoman Ammu Devasthali

Chairwoman Devasthali called the meeting to order at 1:02 P.M.

1. Confirmation of Quorum and Roll Call

The Chief of Staff confirmed the quorum and took the roll call. Regent Ammu Devasthali, Regent Arsenio Romero, Regent Neal Bitsie, Regent Dina Chacón-Reitzel, and Regent Christopher Saucedo were present in the Board room. Chancellor Dan Arvizu, General Counsel Roy Collins, ASNMSU President Garrett Mosley, Faculty Senate Chair Gaylene Fasenko, and Employee Council Chair Susanne Berger were also present in the Board room. Interim Provost Dorothy Campbell was present via Zoom.

B. Approval of Agenda, Chairwoman Ammu Devasthali

Regent Saucedo made a motion to approve the agenda as presented. Regent Romero seconded the motion. The Chief of Staff took a roll call vote.

Regent Chacón-Reitzel requested that consent item D-2 be moved to informational items.

The Chief of Staff took a roll call vote to approve the agenda as presented.

Regent Saucedo – Yes

Regent Romero – Yes

Regent Devasthali – Yes

Regent Chacón-Reitzel – No

Regent Bitsie – No

The motion to approve the agenda as presented passed.

The Chief of Staff clarified that traditionally “consent” means the unanimous consent of the Board. If there was an item that was not consented to due to lack of approval, then The Board would remove it from the consent agenda to either informational items or action items.

The Regents explained their vote as follows:

Regent Chacón-Reitzel explained, “The reason I was hoping to move consent item 2 to informational items was because I wanted to hear more from the Chancellor on that item. There was discussion in the context of a future master plan other than main campus properties and so forth in the Regents’ Real Estate Committee. Because of that, in that context we discussed this item and thought that it would be better discussed in that committee in terms of a larger master plan. Also, because of the interest in renewables these days, I do have concern about changing the name from geothermal. That was the reason for wanting to move it. So that we could get more information on it and move it to informational items and act upon it at another time once we’ve had time to study it in Regents’ Real Estate.”

Regent Romero explained, “I did vote yes. I’m in agreement with the agenda as a whole. That includes consent item, D-2. I’m all for it to move forward.”

Regent Bitsie explained, “I voted no. I was also hoping to have a broader discussion on that specific agenda item. Madam Chair, as you know, I’m not in the Real Estate Committee or the Audit and Risk Committee. So, I’m not always at the embryotic stages of how these symbolic namings are brought to the board and I was hoping to at least give some comment or give my insight or get a perspective from the Chancellor before I put my rubber stamp on it.”

Regent Devasthali and Regent Saucedo voted yes on approving the agenda as presented.

Regent Devasthali stated, “I just want to clarify something here. Not every naming comes to the Board from the Real Estate Committee. This is not real estate related. This does not include any kind of fundraising or money attached to it. This was a request that was made by the Chancellor to put this on the agenda. That was the reason that we have brought it to the board. It does not need to go to the Real Estate Committee.”

Regent Chacón-Reitzel responded, “I understand that this does not need to go to the Regents’ Real Estate Committee. I noticed that the Campus Planning Committee moved this forward at the request of the Chancellor. It was brought up by real estate staff at the meeting and we discussed there. But knowing that it didn’t have to come from there. But I do think that because it is involved on the east side of the campus and extends beyond the main campus that it could be included in real estate discussion at a later date and it would be most appropriate to be discussed at that point.”

The Chief of Staff reported that at this point the bylaws stipulate that the consent agenda is there at the consent of the entire board. The Board of Regents can move the item to Informational or to Action. As an informational item there would be no vote. As an action item, the item would be voted on.

Chairwoman Devasthali entertained a motion to move item D-2 to Action. Regent Saucedo seconded the motion.

Chairwoman Devasthali – Yes

Regent Saucedo – Yes

Regent Romero – Yes

Regent Chacón-Reitzel – No

Regent Bitsie – No

The motion to approve moving D-2 from the consent agenda to an action item passed.

C. **Confirmation of Prior Closed Executive Sessions, Chairwoman Ammu Devasthali**

1. Confirmation of Prior Closed Executive Session September 15, 2022

The Chief of Staff read the following statement:

“The Board of Regents met in closed executive session at 1:45pm on September 15, 2022. The closed executive meeting was held to discuss limited personnel matters concerning individual NMSU employees in accordance with NMSA section 10-15-1 subsection (H)(2). Those board members who are present please certify that only matters of that nature were discussed.”

Regent Saucedo – Yes

Regent Chacón-Reitzel – Yes

Regent Bitsie – Yes

Regent Romero – Yes

Regent Devasthali – Yes

The confirmation of prior executive session was certified.

2. Confirmation of Prior Closed Executive Session October 12, 2022

The Chief of Staff read the following statement:

“The Board of Regents met in closed executive session at 10:00am on October 12, 2022. The closed executive meeting was held to discuss limited personnel matters concerning individual NMSU employees in accordance with NMSA section 10-15-1 subsection (H)(2). Those board members who are present please certify that only matters of that nature were discussed.”

Regent Saucedo – Yes

Regent Chacón-Reitzel – Yes

Regent Bitsie – Yes

Regent Romero – Yes

Regent Devasthali – Yes

The confirmation of prior executive session was certified.

3. Confirmation of Prior Closed Executive Session October 17, 2022

The Chief of Staff read the following statement:

“The Board of Regents met in closed executive session at 8:00am on October 17, 2022, that’s today. The closed executive session meeting was held to discuss the incentive compensation and evaluation for Chancellor Arvizu as permitted under the personnel matters exemption of the New Mexico Open Meetings Act NMSA section 10-15-1 subsection (H)(2). Those members who are present please certify that only matters of that nature were discussed.”

Regent Saucedo – Yes

Regent Chacón-Reitzel – Yes

Regent Bitsie – Yes

Regent Romero – Yes

Regent Devasthali – Yes

The confirmation of prior executive session was certified.

D. Consent Items, Chairwoman Ammu Devasthali

- 1. Acceptance of honorary naming request for Pan American Center thoroughfare, Chancellor Dan Arvizu**
- 2. NMDOT Acquisition – DACC/Gadsden Right of Way, Special Assistant to the President Scott Eschenbrenner**
- 3. Amend 21.17.36 NMAC Pecan Weevil Interior Quarantine, NMDA Secretary Jeff Witte**
- 4. Repeal and replace 21.17.28 NMAC Pecan Weevil Exterior Quarantine, NMDA Secretary Jeff Witte**

Regent Romero motioned to approve the consent agenda as amended. Regent Saucedo seconded the motion. All were in favor and none opposed. The motion passed.

E. Action Items

- 1. Geothermal Drive Renaming to Tortugas Trail, Chancellor Dan Arvizu**

Special Assistant to the President Scott Eschenbrenner stated, “We’re here to bring to you a potential naming request to look at changing the name of Geothermal Drive to Tortugas Trail. This has come about for a few reasons. One being, ‘geothermal.’ When you think about what the reason for the naming was in the 70s and 80s, there were some geothermal wells that were in that area. There’s some work that had been done to try to improve and utilize some geothermal resources for potential heating for the main campus. We drilled some wells and did some work, yet to find that those wells were a challenge to keep going. After about 2-3 years the well casings had disintegrated. It was very toxic. It was a costly proposition time to utilize geothermal resources. The President’s residence that was up there, was actually, at one time, hooked up to it. It didn’t last very long. Currently, nobody is utilizing those geothermal wells. They are capped off and not being used. Some of the thoughts were simple outreach that we’re doing in our community and thinking about what are some opportunities out there. Through further discussions, the idea was raised about renaming the road from Geothermal to Tortugas Trail. It’s more or less a geographic representation of the mountain. When you think about tortugas, it’s “turtle” in Spanish. In viewing from the south, that’s where that mountain got the name. It looks like a turtle slowly moving across the desert. That was one of the reasons from a geographic standpoint. It has recognition as being known as Tortugas Mountain. It’s also how the Bureau of Land Management recognizes that mountain. Another name is obviously “A” Mountain’ for the A that is up there and also has dual purpose there. It came about through talking with some of our community members. We felt that is was an appropriate gesture. It did not have a significant impact on the university from an addressing standpoint. Basically, it’s the real estate and law office that has an address on there, president’s residence, and the golf course clubhouse facility. So really, only three places that have an address related to geothermal. So, with that, we spoke with the Chancellor and Senior Leadership team and with the support of the Chancellor, he asked me to, through the proper protocols with the university, take it to Campus Planning. We submitted a letter, I did, with the support the Chancellor stating the reasons. I think that you have a copy of that letter in your binder. We did take that to Campus Planning. We didn’t have any negative feedback with

respect to that. It was approved unanimously by the Campus Planning Committee. We had discussed about bringing it forward to the Real Estate Committee just as an informational item, but it was pulled from the last meeting. So, we didn't have an opportunity to bring it forward at that time. With guidance of the Chancellor, we brought it before the Regents today for consideration."

Chancellor Arvizu added by saying, "I think that it's important that you hear the origin of this. We've been in discussions regarding how we as an institution can take the necessary administrative positions around a number of expectations of some of the community engagement that we've been involved in, which has encouraged our being more respectful and acknowledging things that we have been in discussions for a long time. Very clearly, we're about all things that relate to equity, inclusion, and diversity. Our new Vice President, Dr. Scholz, has been actively engaged with all of the various communities. There are a number of things that we can do. Some of them symbolic. Some of them are much more impactful in terms of outcomes and we have agreed with our colleagues and our partners that we should be about things that relate to action. Things that relate to improving our student profiles in terms of demographics, student outcomes in terms of retention and graduation rates. Whether you're talking about any of our underserved communities, both ethnicity and other ways in which they affiliate with each other, we are focused on the metrics that help our students be successful. One of those metrics has to do with inclusion and has to do with how much are we, as an institution, making certain that we both acknowledge where people have expressed their interest as well as what we, as an institution, can support in terms of helping them be more successful in their own pursuits. As a consequence of that, we got a lot of our initiatives around things that relate to social transformation, understanding that they serve a demographic that is very challenged. We have to do some things that are even more aggressive than other institutions who don't serve the same population and demographic that we do. So, lots of wraparound services. Lots of things that relate to belonging and inclusion. Our students have told us, 'that's what we need,' 'that's what we like,' and 'that's what we're interested in.' In listening to our employees, faculty, and students, it became very clear to me that one symbolic gesture could be to acknowledge the Tortugas Way. Not so much as it relates to individual populations or tribes, but the mountain itself, which is something that's symbolic and of great importance to NMSU. It's for us. It's "A" Mountain. For those who went before, it's Tortugas Mountain. We want to be respectful of that. And this seemed like a reasonable way to acknowledge that. Recognize that we are [in] partnerships with people in our land and that we, as an institution, want to be respectful of both the past and the future. It's not permanent necessarily. The Planning Committee can make changes. The Naming Committee looks for ways in which we can generate revenue. This was not one that seemed to be in alignment with that. It seemed like an important thing for us to do. Our suggestion and thought process on this is that it is an important thing for us to be associated with that we would be in a measure of engagement and support for our community that is focused on these matters. It seemed like a good gesture to be in concert with their approach to how they want to be recognized."

Regent Bitsie asked, "In terms of this, have we thought into the long-term implications of the naming in terms of the long-term master plan for Aggie Uptown, which is that the current golf course will become Aggie Uptown and the rest of the golf course will be relocated to the other side of the clubhouse? So, this Tortugas Way will be going straight through where the golf course will tentatively be in 10-15 years. Have you factored into the long-term implications about how that might create some issues?"

Special Assistant to the President Eschenbrenner stated, "We have looked at this through the master plan. It's just always been laid out as Geothermal, the road. But, the road has always been there. The pilgrimage route, more or less. We've always been respectful of it. So, in the future plans for the golf course development, the golf course development, the work that we've had, shows that road going through there and being laid out on either side. So, I'm not seeing an issue with the name on that road and certainly we're not going to be changing the location of where that road goes through the

property at this time.”

Chancellor Arvizu added, “The master plan is not yet fully developed, first of all. Early thinking on the master plan was that four holes would be moved. Even that’s embryonic because that was something that we had discussed with the previous developer. That developer is no longer the one we’re working with. We’re working with a new developer. So, all of those things could be revised as conditions warrant. The main thing is that, I don’t see a plan yet that changes the configuration of the golf course sufficiently that would affect Geothermal Drive that we’re talking about here. I don’t see a plan that is aggressive enough that would in any way change the way in which that road would otherwise operate or would be perceived because I think the golf course would still be around the Pres Res where obviously is part of that road. The President’s residence is right there and then it goes all the way down to where the loop road connects Las Alturas. That section of road should not be altered significantly with any of the master plans. So, the short answer is we’ll be attentive to it, but it doesn’t seem to affect it so far.”

Regent Chacón-Reitzel said, “I have a question or comment, both. One of the issues that I have with this particular item is that this and other items that have come mainly through the Real Estate Committee is that this is kind of the piecemeal approach that comes forward. To me, some of these things that have been asked of us, especially in terms of a trail. Prior to this, as a trail association that was brought to the Real Estate Committee. All in all, those things quite frankly, cause me discomfort because when I think about this, I think we’re allowing people access to the properties of New Mexico State University that we have a duty of care for Board of Regents as a State Board of Agriculture. Whenever we’re allowing people to come across our property we need to be aware of it. This is maybe the second or third request or so that I’ve seen that allows that kind of access. We do have problems at the College Ranch because of access of trespassers that have caused damage on the property. So, I raise these concerns mainly because I’m quite concerned about our Ag mission. Our Ag mission and our charge for these properties is that they are for agriculture, education and scientific research. So, anything that might interrupt our core mission concerns me. I do think that this is a nice goodwill gesture. I understand that. The university, we’re nice folks, and we like to do things for the communities that are important and do good things for us. So, I understand that request. But, I do think that this could be a problem later on. That is why I had asked if we could consider the master plan for our Ag properties because we had not developed those assets and have this part of that bigger question and this part of that bigger plan. How are we going to treat these requests? I see these piecemeal gestures and piecemeal items coming through and they concern me. I feel like they need to be considered in the context of a master plan for all the Ag properties. That’s why I raise this concern. The other concern, as I mentioned earlier briefly, is that there is renewed interest in renewables. You all know that, in renewable energy. NMSU could play a big part of that. We have the largest footprint in the country of agricultural properties and lands that we have not at all addressed as a base of assets. I think that geothermal is part of that discussion on renewables. This is an important asset to the university. Scott explained that there are some issues. I wonder what’s on the water master plan with the state. When you negate a water designation or a water source designation, which is a huge asset for the university, all of our water rights and so forth, I’m concerned about that. So, while I think it’s a nice gesture, I do think we need to be concerned about access to our properties because we’ve seen already the degradation to our research mission in some of those properties. We’ve had some discussion about that. I also am concerned about acknowledging this as Tortugas Trail. To the university it’s “A” Mountain and our students value “A” Mountain as our alumni have all expressed as well in the past. I also understand that we are cooperative with the Tortugas community. Each year when they do their pilgrimage we give them access and that is a separate agreement that we have. It’s a long-term agreement that they have all access to “A” Mountain for their ceremonial rituals come Christmas time. They clear it with us. We open the gates, if I’m not mistaken and they have access to it. So, we’re not impeding any of their ceremonial rituals and so forth. So, all of these I bring forward because I don’t think it’s just as easy as

saying, 'let's do this.' I think we have to look at the broader context. If this happens, I would like to have this as part of the minutes that if we move forward on this, we should include this in the naming, on my behalf or as per my feelings, that we expressly state that the name is solely in recognition of a unique community in this area and that this is not in any way any acknowledgement, past or present, in any of NMSU's real property interest. That's my thoughts."

Chairwoman Devasthali said, "I have a question for you Scott. When we talk about the Tortugas Trail, are we talking about that section of the road that runs from under the bridge up to Wemberly drive?"

Special Assistant to the President Eschenbrenner said, "That road, right now, starts from Interstate 25 and does proceed past Herb Wemberly. It turns into a dirt road. It's recognized as Geothermal all the way up to the base of the mountain."

Regent Saucedo said, "Scott, just to clarify, I want to make sure we know what we're voting on. Would this, in any way, change the ownership or access to the road?"

Special Assistant to the President Eschenbrenner said, "No. It's still the Regents New Mexico State University on that land."

Regent Saucedo said, "Thank you."

Chancellor Arvizu said, "There might be a couple of people who you want to call on for additional clarification of some of the points that have been made. I certainly agree with Regent Chacón-Reitzel on renewable energy and the value that it brings. We are actually doing a study right now on what our campus can actually do on geothermal. There are two types of geothermal. There's hydro geothermal that's the kind we're talking about, which is deep wells to get a high temperature of water. What we've done in the past, and Pat Chavez is on the line and he could probably add some color commentary if you want more, but what I'm understanding is that the temperatures that we achieve at the depths of what we've drilled are not sufficient to maintain the kind of energy production that we want to have. So, we've got some ways that we can delve deeper. We can do a variety of different things and we're going to evaluate that. There's another way, which is ground couple geothermal, which is actually good practice on any green field that you have. So, there's a couple of ways in which geothermal actually fits into our overall strategy on renewable energy. So, I just want to make that particular point also. I'm not sure if Dr. Fasenko from Faculty Senate would like to say a word or two about your perspective on this particular topic."

Faculty Chair Fasenko said, "This is a very timely topic. I just received an e-mail this morning from some folks who are very concerned regarding the fact that there doesn't seem to be and I'm just quoting, there doesn't seem to be a substantive response from leadership to the local tribal members regarding Aggie Uptown. I don't know, but I wanted to bring that forth. From the perspective of working at a university where we are striving for inclusion, equity, and diversity, I think that anytime we can align with and reach out to local community members it's a good thing. Yes, it takes time. Yes, it can be awkward. But, I think it's incumbent upon us when we have those values to do so. I'm not asking for an answer right now, but I would appreciate hearing how things are going so I can let folks know."

Chairwoman Devasthali said, "We will have, Dr. Fasenko, some information at another time."

Regent Romero said, "I've been a part of this community the better part of thirty years now. As part of that community, one of the first opportunities that I had in this community was to be introduced to the Tortugas tribe. When I think about naming of roads and parts of our community, it always reflects our community. Through that, Tortugas tribe is definitely a part of this community. So, with that I think to better the relationship with them and continue our relationship with our community partners, this is something that we would do in a number of different areas. So, I don't see this as

being any different. I want to thank Regent Saucedo for clarifying that this in no way changes ownership or anything like that other than the naming. So, I'm glad that this up for action today."

Regent Saucedo moved to approve the naming. Regent Romero seconded the motion.

Regent Saucedo – Yes

Regent Romero – Yes

Chairwoman Devasthali – Yes

Regent Chacón-Reitzel – No

Regent Bitsie – No

Motion passed with three votes.

F. Closed (Executive) Session

- 1. Closed meeting to discussion the performance evaluation and objective statement for the 2022 – 2023 Academic Year for Chancellor Arvizu as permitted under the personnel matters exemption the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(2).**
 - a. Quantitative Performance Targets and Goals (Objective Statement) for Chancellor Dan Arvizu for Academic Year 2022 – 2023**

Chairwoman moved that the Board of Regents go into closed executive session to discuss the performance evaluation and objective statement for 2022 and 2023 academic year for Chancellor Arvizu as permitted per the personnel matters exemption of the New Mexico Open Meetings Act NMSA section 10-15-1 subsection (H)(2). Regent Bitsie seconded the motion. All were in favor and none opposed. Motion passed. The Board of Regents convened into closed session at 1:38pm.

- 2. Reconvene in open session and take final action, if any, on such matters which shall be acted upon in open session following conclusion of the closed session.**

The Board of Regents reconvened at 3:18

The Chief of Staff confirmed the closed executive meeting.

The Chief of Staff read the following statement:

"The Board met in closed executive session at 1:38pm on October 17, 2022. The closed executive meeting was held to discuss the incentive compensation and evaluation for Chancellor Arvizu as permitted under the personnel matters exemption of the New Mexico Open Meetings Act NMSA section 10-15-1 subsection (H)(2). Those board members who are present please certify that only matters of that nature were discussed."

Regent Saucedo – Yes

Regent Chacón-Reitzel – Yes

Regent Bitsie was not present.

Regent Romero – Yes

Regent Devasthali – Yes

The confirmation of prior executive session was certified.

Chairwoman Devasthali moved to postpone the approval of the executive performance incentive plan for FY22-23 to the next Board of Regents meeting.

Regent Romero seconded the motion. All were in favor. None opposed. Motion passed.

G. Informational Items, Chairwoman Ammu Devasthali

1. None.

H. Adjournment, Chairwoman Ammu Devasthali

Regent Chacón-Reitzel motioned to adjourn the meeting. Regent Saucedo seconded the motion. Motion passed. The Board of Regents meeting adjourned at 3:19pm.

DRAFT



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
REGULAR MEETING
December 8, 2022**

Item B-4

Confirmation of Prior Executive Session – November 17, 2022

The Board of Regents met in an online closed executive session at 9:00 am on November 17, 2022.

The closed meeting was called to discuss the evaluation for the Director and Secretary of the New Mexico Department of Agriculture Jeff Witte as well as discussion of limited personnel matters concerning individual NMSU employees as permitted under the personnel matters exemption the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(2).

Those board members who were present please certify that only matters of that nature were discussed.

Regent Saucedo ____

Regent Chacón-Reitzel ____

Regent Bitsie ____

Regent Romero ____

Regent Devasthali ____



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
REGULAR MEETING
December 8, 2022**

Item B-5

Confirmation of Prior Executive Session – November 29, 2022

The Board of Regents met in an online closed executive session at 1:00 pm on November 29, 2022.

The closed meeting was called to discuss limited personnel matters concerning individual NMSU employees permitted under the personnel matters exemption the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(2).

Those board members who were present please certify that only matters of that nature were discussed.

Regent Saucedo ____

Regent Chacón-Reitzel ____

Regent Bitsie ____

Regent Romero ____

Regent Devasthali ____



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
REGULAR MEETING
December 8, 2022**

Item B-6

Confirmation of Prior Executive Session – December 8, 2022

The Board of Regents met in a closed executive session at 10:00 am on December 8, 2022 held in the Curry Room (329) in Corbett Center Student Union.

The closed meeting was called to discuss limited personnel matters concerning individual NMSU employees as permitted under the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(2). Those matters may include discussion of personally identifiable information about individual NMSU students as permitted under the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(4).

Those board members who were present please certify that only matters of that nature were discussed.

Regent Saucedo ____

Regent Chacón-Reitzel ____

Regent Bitsie ____

Regent Romero ____

Regent Devasthali ____



Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item # D-2

- Action Item
- Consent Item
- Informational Item

Presented By: Gaylene Fassenko, Ph.D.
Chair, Faculty Senate

Agenda Item: NMSU Faculty Senate Report

Requested Action of the Board of Regents: None. Information only.

Executive Summary: This is a quarterly report provided to the Board of Regents from the NMSU Faculty Senate.

References:
See attached report.

Prior Approvals:
N/A



Faculty Senate

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On behalf of Faculty Senate, Chair Fasenko sends best wishes to the NMSU community for a restful holiday season, and for everyone and their loved ones to receive the gifts of good health and peace throughout the new year.

Faculty Senate Summary Report to the Board of Regents Regular Meeting December 8, 2022

On behalf of the Faculty Senate, Chair Fasenko extends deep gratitude to Ms. Gloria Podruchny (Administrative Assistant for Faculty Senate and the Provost's Office) for her wise counsel and her unfailing assistance in ensuring the business of Faculty Senate is completed. We are thankful for the expertise and professionalism of Mr. David Chavez and his team for the IT support they provide before, during, and after each Faculty Senate meeting.

September Activities:

Faculty Senate Standing Committee Meetings:

- [Budget and Resources](#) – Faculty Reps sought to serve on NMSU System Budget Realignment Initiative (Amy Lanasa & Marcel Montanez will serve)
- [Curriculum & Programming](#) – elected chair Megan Papesh
- [Diversity, Equity & Inclusion](#) – began examination of ARP 6.61 as requested by Chair Fasenko; conversation to revitalize Aggie Uptown discussion
- [Research & Creative Activity](#) – VPR Cifuentes provided updates and asked for Faculty Reps to serve on University Research Council and Goal 2 Team
- [Student Success](#) – Chair Fasenko asked committee to consider writing a resolution in support of the Graduate Workers
- [University Planning](#) – Chair Fasenko asked committee to consider reviewing ARP for policy regarding bilingual Faculty providing translation services beyond their regular duties
- All committees asked to begin review of ARP sections relevant to committee's focus and determine if revisions are needed
- Chairs of the FS standing committees encouraged by Chair Fasenko to invite NMSU leadership (who serve NMSU in the same interest area as the committee) to their respective standing committee meetings.

Faculty Senate Leadership Committee and NMSU Leadership Meeting:

- NMSU Leadership discussed idea to ask NM legislature for one time funding for various campus initiatives

Provost Search Committee:

- Chair Fasenko and Vice Chair Bronstein serving as members of search committee for next Provost
 - Timeline for search process discussed
 - Objective is to have a successful candidate identified early in 2023 (with a start date depending on the successful candidate's availability)

Other Initiatives:

- none

October Activities:

Faculty Senate Standing Committee Meetings:

- [Budget and Resources](#) – Ricardo Rel presented summary of legislative requests for FY 2024; includes 10% average salary increase for faculty and staff; Chair Fasenko asked committee to begin devising a plan for equitable salary distribution should ask to legislature be successful
- [Curriculum & Programming](#) – Discussion of and vote to advance [Proposition 01-22/23](#) Proposal to Reorganize and Relocate Borderlands and Ethnic Studies (BEST) to Faculty Senate
- [Diversity, Equity & Inclusion](#) – continued discussion regarding ARP 6.61 as well as Aggie Uptown and how to proceed and regenerate conversation with NMSU Leadership and local indigenous tribes
- [Research & Creative Activity](#) – committee decided to send email to department heads within each members respective colleges to obtain more information on how indirect costs (IDC's) are distributed
- [Student Success](#) – Member of Graduate Workers union presented data regarding the need for increase in stipends and health care coverage; undergraduate student requested that committee review and revise ARP 4.46
- [University Planning](#) – continued discussion on differential pay policy ARP 7.11 particularly as it relates to Faculty with a unique skill set (ability to translate documents from English to Spanish)

Faculty Senate Leadership Committee and NMSU Leadership Meeting:

- NMSU Leadership asked to address gender wage differential at NMSU which is estimated to cost ~\$200,000+; leadership stated they are working on this

Provost Search Committee:

- Chair Fasenko and Vice Chair Bronstein serving as members of search committee for next Provost
 - Application deadline for full consideration October 31
 - Search committee members reviewed candidates and narrowed applicants (~34) to semi-finalists which were interviewed via Zoom; finalists to be invited for on-campus interviews at dates to be determined

Other Initiatives:

- [Proposition 02-22/23](#) A Resolution to Authorize the Chair of Faculty Senate to Send a Letter to Legislators and the Governor on Behalf of the NMSU Faculty Senate (passed by Senate as amended and reviewed and acknowledged by administration 11-04-2022)
- **Infrastructure and Deferred Maintenance Needs** - Interim Associate Vice President, Facilities & Services (Patrick Chavez) presented reasons for the large amount of money being requested in the “Big Ask” to Faculty Senate
- **Office of Institutional Equity Director Search Committee** - Chair Fasenko asked to serve on search committee
- **Shared Governance Survey** – Chair Fasenko met with Leslie Cervantes (Chief of Staff to the Chancellor) to provide input regarding survey of shared governance – survey to be completed by Faculty Senators for Chancellor’s Fall 2022 review submitted to BOR. Results of survey in appendix of [Chair Fasenko’s November Report](#).

November Activities:

Faculty Senate Standing Committee Meetings:

- [Budget and Resources](#) – updates provided by Dave Maddox; continued investigation on potential model for equitable distribution of faculty salaries if approved by legislature
- [Curriculum & Programming](#) – committee discussed Viewing a Wider World Requirements and alternative educational alternatives
- Diversity, Equity & Inclusion – discussion continued on Aggie Uptown and ARP 6.61
- [Research & Creative Activity](#) – discussion of Center of Excellence for STEM education research and cluster hire; information on IDC distribution in each college provided
- [Student Success](#) – [Proposition 3-22/23](#) *A Memorial Expressing Faculty Senate Support for Tuition Remission and Health Insurance for NMSU Graduate Workers* written
- [University Planning](#) – final report provided regarding potential policy for multi-lingual pay for Faculty

Faculty Senate Leadership Committee and NMSU Leadership Meeting:

- Concern expressed regarding faculty and staff not having access to all Employment and Labor Relations (ELR) files that are kept on each person; faculty senate will continue to research this issue and advocate for policy change and greater transparency

- Chair Fasenko expressed concern that the ask for salary increases for faculty and staff will not have the priority they need compared to the items in the Big Ask. Vice Chancellor Johnston provided reassurance that salaries are a priority. Request for Faculty and Staff salary increase to state of NM legislature will be conducted as a unified approach with other state of NM institutions of higher learning

Provost Search Committee:

- Chair Fasenko and Vice Chair Bronstein serving as members of search committee for next Provost
 - Semi-finalists selected for Zoom interviews
 - Zoom interviews with nine candidates conducted the week of November 14
 - Search committee will convene on December 1 to recommend to Chancellor which candidates to invite for on-campus interviews
 - Approximate dates for on-campus interviews are yet to be determined but will likely be in January 2023

Other Initiatives:

- **Faculty Advisors to Assist ICT** - faculty advisors sought to assist IT with providing faculty input as initiatives including cybersecurity progress; Chair Fasenko put out an email call for interested faculty
- **Grad School Dean Search Committee** - Chair Fasenko asked by Chancellor's Chief of Staff (Leslie Cervantes) to recommend names of Faculty from various units on campus to serve on the Search committee for the next Grad School Dean
- **Aggie Uptown** - Dr. Linda Scholz (Vice President, Equity, Inclusion & Diversity and *Scott Eschenbrenner* (President/CEO of Aggie Development, Inc.) met with Chair Fasenko to provide a clearer understanding of the proposed location for Aggie Uptown, how the land will be used, and discussions that have been had between NMSU and local indigenous tribes who are concerned about the development of this land.
- **NMSU Human Resource Services (HRS)** - Dr. Gena Jones (Assistant Vice President HRS) - Employee Council Chair (Susanne Berger) and Chair Fasenko met with Dr. Jones to discuss concerns faculty and staff have expressed regarding HRS.
- **Improving Faculty Awareness and Access to Student Success Resources** – Dr. Tony Marin (Assistant Vice President Student Affairs Student Engagement) - Chair Fasenko met to discuss initiative to enable faculty to have a one-stop access (website?) to all resources that students may need (i.e. mental health, tutoring, financial aid, etc.)
- **Redesign of Faculty Senate Website** – Chair Fasenko reached out to the Marketing and Communications Team to request assistance with redesign of the Faculty Senate Website

**Note that both [Proposition 01-22/23 Proposal to Reorganize and Relocate Borderlands and Ethnic Studies \(BEST\)](#) and [Proposition 03-22/23 A Memorial Expressing Faculty Senate Support for Tuition Remission and Health Insurance for NMSU Graduate Workers](#) were approved by the Senate at the December 1, 2022 Faculty Senate meeting.



Board of Regents Meeting
Meeting Date: December 08, 2022
Agenda Item Cover Page

Agenda Item #: D-3

- Action Item
- Consent Item
- Informational Item

Presented By: Susanne Berger
Chair
Employee Council

Agenda Item: Employee Council Report

Requested Action of the Board of Regents: N/A Information only

Executive Summary:

A quarterly recurring report to the Board of Regents from the Employee Council.

References:

N/A

Prior Approvals:

N/A



Employee Council

MSC 3FAC

New Mexico State University

P.O. Box 30001

Las Cruces, NM 88003-8001

Empcouncil@nmsu.edu

EMPLOYEE COUNCIL SUMMARY REPORT TO THE BOARD OF REGENTS FOR 2022/2023

ACTIVITIES FOR MONTHS OF OCTOBER AND NOVEMBER:

Compensation Study: new pay scale, new grade mapping of positions (follow-up on last Board of Regents' activity report).

The Employee Council Chair was able to meet with HRS – Dr. Jones to discuss the concerns shared with Employee Council regarding the new pay scale and new grade mapping of positions. Dr. Jones explained that the mapping of the new positions was not related to either experience or education requirements; instead, the mapping is tied to the market salary, which determines the grade.

Compensation continues to be a concern for faculty and staff. Employee Council will continue to work on this issue and will follow up with an activity update when appropriate.

The Employee Appreciation Picnic, which took place on Monday, October 31, was a great success. We appreciate that our distinguished leaders, the Regents as well as the Chancellor, Vice-Chancellor and interim Provost joined us for this occasion, and also served as judges for the pumpkin contest as well as the best costume contest.

Thank you to the Chancellor who awarded the 'A' Mountain Award for Fall 2022 to recipient Carley Casey.

In November, Employee Council voted to change the term of office for Employee Council officers to two years. This will allow officers to develop and deepen working relationships past a twelve-month time frame as well as take the strain off the annual meeting, where it was sometimes difficult to find volunteers for office.

Employee Council is on target with our timeline preparing for the upcoming elections in January 2023. The ballots for Employee Council candidate nominations have been opened and will close on December 12th at 5 pm. Elections will be held in January, with ballots opening on 01/09/23 and closing on 01/30/23.

UPDATE SHARED BY:

Susanne Berger, Employee Council Chair, sberger@nmsu.edu



Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item #: E-1

- Action Item
- Consent Item
- Informational Item

Presented By: Kathryn Hansen
Director & CEO
NMSU Arrowhead Center Inc.

Agenda Item: Report from NMSU Arrowhead Center Inc.

Requested Action of the Board of Regents: N/A Information only

Executive Summary:

A quarterly recurring report to the Board of Regents from NMSU Arrowhead Center Inc.

References:

N/A

Prior Approvals:

N/A

Arrowhead Center

NMSU Board of Regents Meeting

Kathryn R Hansen

December 8, 2022



BE BOLD. Shape the Future.

By the Numbers – FY 2022

- Client investment/funding: \$26.4M
- Client revenue: \$34.5M
- Communities served: 72
- Sprint business accelerators: 13
- Enterprise Advisors: 61
- Arrowhead business clients: 1,587
- Total economic impact
 - 1,614 direct jobs and 2,651 total jobs
 - \$479M in total output
 - \$44M in taxes generated
- Arrowhead Innovation Fund
 - 18 portfolio companies
 - 140 direct jobs and 197 total jobs



Financial Summary – Qtr. 1 FY 2023

- Total revenue: \$197,887 (19% of the \$1,065,402 budget)
 - Sources of revenue: land/office rent and royalties
- Total expenses: \$163,431 (14% of the \$1,196,825 budget)
 - Expense categories: personnel, utilities, and maintenance
- Net Income (loss): \$34,456, Projected loss: (\$131,423)
- Change in net position increased by \$34,456



Diversity Award

- Arrowhead honored for promoting workplace diversity and inclusion
- Received the 2022 Diverse Business Leader award from Albuquerque Business First
- One of four organizations in New Mexico recognized with the award for going above and beyond to bolster equality across all areas of diversity
- Programs and initiatives for underserved innovators and businesses across a broad range of minority business constituents, including ethnic minorities, women, rural communities and tribal populations
- Award ceremony in Albuquerque on November 10



Arrowhead Park

- Funding mechanism for Tax Increment Development District (TIDD) implementation is resolved; developing milestones based contract with consultant to initiate process.
- Finalizing development agreement with Capital Growth Medvest; design process for Arrowhead Center office building to begin in December
- Bid package released for new Park roads and utilities funded by existing US Economic Development Administration (EDA) grant; proposal review and award by January 2023
- NM Department of Transportation (NMDOT) RFP process for Arrowhead Interchange study consultant has closed, in process of reviewing proposals and finalizing selection. Consultant will be required to hire three NMSU student interns to support the study process. Project to begin in January 2023.



NMSU FinTech Lab



Speaker Series Events



Guest Speaker: **Steven Khuong** (Curacubby Founder)

Topic: Start-up **challenges** with a focus on Fintech companies.

Attendance: **58**



Guest Speaker: **Midhat Quadri** (Quadri Investment Management Founder)

Topic: Investment and risk management strategies.

Attendance: **46**

Pitch Competition 2022



19 registered teams
53 individual participants



87% NMSU Students
13% Community Members



Textbook (Fintech Category)



Pistol Pups (Traditional Category)

- Prize: \$500 per team member
- Total attendance: 69
 - Virtual: 18
 - In-person: 51



BE BOLD. Shape the Future.

Ribbon-Cuttings



**Native American Business Incubator
at San Juan College**



Studio G at Fort Lewis College



BE BOLD. Shape the Future.

Aggie Shark Tank

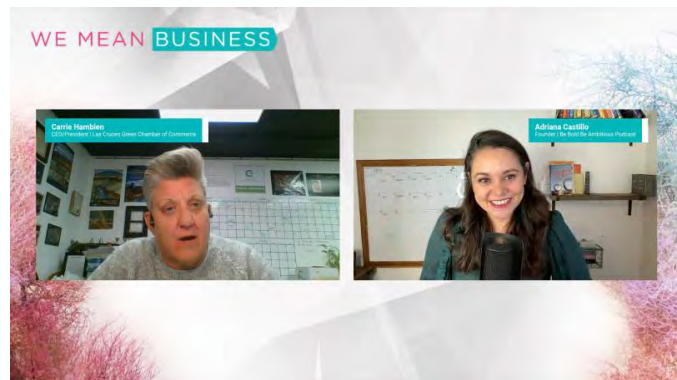
- 7th annual Aggie Shark Tank was held on October 18, 2022, at NMSU's Center for the Arts
- Sponsored by the Hunt Center for Entrepreneurship at Arrowhead Center
- Place for student entrepreneurs to make connections that can lead to investment in their business
- Six businesses from NMSU and UTEP
- Winners: Shark Favorite and Crowd Favorite



BE BOLD. Shape the Future.

WE Mean Business Conference 2022

- 6th annual conference co-hosted with WESST
- Hybrid format – virtual half-day sessions, in-person closing speaker and reception
- 125 participants from across New Mexico and Borderplex region
- Objective to empower women, provide business training and access to resources
- Awarded 1st Woman Entrepreneur of the Year to Leah Messina, CEO Sinuate Media



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NM SBIR/STTR Innovation Summit

December 14, 2022; Virtual Conference

- Panels that will break down the SBIR/STTR process for first-time applicants, discuss innovation as a business practice, and illustrate the importance of teaming and partnering
- Rapid-fire pitches from federal agency program managers and representatives
- Presentation on the differences between grants and contracts and what they mean for businesses
- Private one-on-one sessions with program managers, key personnel, and organizations, granting companies invaluable face-time with SBIR/STTR decision-makers to discuss their technology or innovation



BE BOLD. Shape the Future.

2022 NMSU Alum Entrepreneur Award

- Executive Director and Co-founder of Cruces Creatives
- Graduate of NMSU, having earned an MFA in sculpture and managing the sculpture yard for three years
- Belief that makerspaces strengthen lifelong learning, and play important roles in fostering vibrant communities and local economies.
- Award luncheon: December 15, 2022, 11:30 am, Genesis Center



Lea Wise-Surguy

Thank You

Kathryn Hansen

Director, Arrowhead Center

hansen@nmsu.edu

575 202 7171



BE BOLD. Shape the Future.



Board of Regents Meeting
Meeting Date: December 08, 2022
Agenda Item Cover Page

Agenda Item # G-1

- Action Item
- Consent Item
- Informational Item

Presented By: Mariah Ortiz, J.D.
Assistant General Counsel

Agenda Item:

Amendment to RPM 3.00

Requested Action of the Board of Regents:

Approval of amendment to RPM 3.00 as presented.

Executive Summary:

The amended RPM changes procedures for concerns about a conflict of interest involving a regent by using an external party selected by General Counsel.

References:

See attached redline version.

Prior Approvals:

None.

3.00 Conflict of Interest-Ethical Conduct

A. General Statement

Inherent within the responsibility for educating the future leaders of our society is the obligation to adhere to the highest ethical standards and principles. New Mexico State University is committed to maintaining the highest standards of ethics and integrity in all of its academic and administrative operations, by promoting such standards among its regents, administrators, faculty, staff, students and others acting on behalf of the university (including those acting on behalf of university controlled entities) and by striving to ensure a level of accountability appropriate for a public institution.

B. Principles of Ethical Conduct

1. Members of the university community are expected to exercise and demonstrate personal and professional honesty and to respect the rights, values and contributions of others.
2. Members of the university community are expected to be aware of and comply with relevant laws, regulations, contract requirements and university policies and procedures. An unethical practice should never be condoned on the grounds that it is "customary" or that it serves a worthy goal.
3. Individuals with access to confidential, proprietary or private information must never use or disclose such information except where authorized or legally obligated to do so.
4. All members of the university community are responsible for avoiding, where possible, real or potential conflicts of interest and commitment between personal and professional responsibilities, including relationships that have the appearance of a conflict.
5. The university's interests should be foremost in all official decision making and employees and others acting on behalf of the university shall remove themselves from decision-making roles that involve them in any personal capacity or which involve their friends or family members.
6. All individuals acting on behalf of the university have a responsibility to ensure that funds and other assets received are used in an ethical manner. Assets of the university (including personnel), whether tangible or intangible, may not be used for illegal purposes or personal gain.
7. Members of the university community shall strive to present all information, including financial information and research data and results, completely and accurately.

C. Addressing Concerns relating to Ethical Conduct

Individuals who have concerns about the propriety of a situation or about the conduct of a university employee or someone acting on behalf of the university, are expected to consult with appropriate university officials (that is, the person to whom the individual whose conduct is in question directly reports or, in the case of someone acting on behalf of the university, the chair of the Committee on Conflicts of Interest in Sponsored Activities, or when a regent is involved, the ~~Chancellor~~University General Counsel will utilize the services of an external party). Confidentiality about individuals reporting violations of these standards will be maintained whenever possible and employees shall be free from retaliation for voicing concerns.



Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item # G-2

- Action Item
- Consent Item
- Informational Item

Presented By: Associate Vice President D'Anne Stuart

Agenda Item: Temporary Investments Report for the Quarter ended 09/30/2022

Requested Action of the Board of Regents: Approval of the Temporary Investments Report for the Quarter ended 09/30/2022.

Executive Summary: The report reflects a weighted average yield of 2.22% for the quarter ended 09/30/2022, compared to the average one-year U.S. Treasury Bill yields of 3.51%. NMSU Administrative Rules and Procedures establish the goal to achieve a rate of return on investments at least equal to the average rate of return on the on-year U.S. Treasury Bill.

References:

N/A

Prior Approvals:

N/A

NEW MEXICO STATE UNIVERSITY
Temporary Investments Report
Quarter Ended September 30, 2022

Temporary Investments consist of funds which make up NMSU's working capital, and are used primarily to fund short-term operating liquidity needs; large cash uses in this category include the University's semi-monthly payroll, draws on construction projects and major capital acquisitions. NMSU's Office of the Senior Vice President for Administration and Finance continuously monitors sources and uses of operating capital to ensure that temporarily idle funds are optimally invested in accordance with the University's Investment Policy. Our goal is to exceed the average one-year Treasury yield for the current quarter.

Total Temporary Investments (at 09/30/22)	\$199.33 million
Weighted average yield (Quarter Ended 09/30/22)	2.22%
Average 1-Year Treasury yield (Quarter Ended 09/30/22)	3.51%

Temporary Investments at 09/30/22 (cost):

Federal Agency and Corporate Bonds	\$ 59.13 million
Treasury Notes and Treasury Bills	43.66 million
Money Market Investments	96.54 million
Other Cash	.005 million

Breakdown of Investment Instruments (par):

<u>Federal Agency and Corporate Bonds by Maturity</u>	<i>Avg Yield</i>	2.44%
Maturing within one year	\$ 2.00 million	
Maturing one-two years	10.50 million	
Maturing over two years	46.05 million	

<u>Treasury Notes and Treasury Bills by Maturity</u>	<i>Avg Yield</i>	1.77%
Maturing within one year	\$ 31.00 million	
Maturing one-two years	7.00 million	
Maturing over two years	6.00 million	

<u>Money Market Investments</u>	<i>Avg Yield</i>	2.49%
Wells Fargo Bank	\$ 96.54 million	

NEW MEXICO STATE UNIVERSITY
Weighted Average Yield
Quarter Ended September, 2022

		Investments	Weighted avg Yield		One-Yr Treasury Yield
Jul	Securities and CD's	\$89,004,464.92			
	Money Market	\$57,338,080.00			
	Other Interest Bearing	\$15,832.05			
		<u>\$ 146,358,376.97</u>	1.47%	\$ 2,151,468.14	2.98%
Aug	Securities and CD's	\$102,782,199.09			
	Money Market	\$59,542,680.00			
	Other Interest Bearing	\$26,174.76			
		<u>\$ 162,351,053.85</u>	2.37%	\$ 3,847,719.98	3.50%
Sep	Securities and CD's	\$102,785,854.65			
	Money Market	\$96,542,680.00			
	Other Interest Bearing	\$4,603.27			
		<u>\$ 199,333,137.92</u>	2.64%	<u>\$ 5,270,076.52</u>	4.05%
Totals		<u><u>\$ 508,042,568.74</u></u>		<u><u>\$ 11,269,264.64</u></u>	

Average for Quarter

2.22%

3.51%



Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item # G-3

- Action Item
- Consent Item
- Informational Item

Presented By: Associate Vice President D'Anne Stuart

Agenda Item: Disposition/Deletion of Property

Requested Action of the Board of Regents: Approval of Disposition/Deletion of Property

Executive Summary: The Property Disposition and Deletion Report represents tangible personal property on the capital asset list identified for disposition and/or deletion from the university's capital inventory.

References:

N/A

Prior Approvals:

N/A

**NMSU-BoR
 Capital Property Disposition Report - Summary
 As of 11-29-2022**

Categories	Count	Total Cost	Accumulated Depreciation	Net Book Amount
Surplus	33	\$790,399.98	\$785,281.02	\$5,118.96
Grand Total	33	\$790,399.98	\$785,281.02	\$5,118.96

Capital Property Disposition Report - Detail
As of 11-29-2022

#	Department	Barcode	Manufacturer / Model / Serial	Acquisition Date	Total Cost	Accumulated Depreciation	Net Book Amount
surplus							
44	DACC Computer Supp	U422625	Software Server Lightspeed TTC Security ServerLIGHTSPEEDTTC SECURITY SERVER1645723	3/15/2010	\$5,000.00	\$5,000.00	\$0.00
69	DACC Library and Media Ctr	U400672	CONFERENCE SYSTEM VIDEO	9/28/2000	\$17,298.00	\$17,298.00	\$0.00
70	DACC Library and Media Ctr	U334105	VIEWSTATIONPOLYCOMVSFX	8/15/2002	\$11,199.00	\$11,199.00	\$0.00
103	Health and Social Services College	U429117	Polycom HDX 9000 720 HDX9006 Codec w mountingPOLYCOMHDX90061096EB	11/16/2011	\$12,525.00	\$12,525.00	\$0.00
106	ICT Computer Systems	U424632	Controller DS5300 Midrange DiskIBMDS530075K166V	7/6/2010	\$197,799.80	\$197,799.80	\$0.00
109	ICT Computer Systems	U432881	Disk Storage Controller IBM DS5300IBMDS530078K02BZ	4/21/2013	\$65,466.84	\$65,466.84	\$0.00
116	ICT Computer Systems	U434538	Disk Storage System 16x2tb hddIBMN/A78K0BY4	11/19/2013	\$8,500.00	\$8,500.00	\$0.00
117	ICT Computer Systems	U434539	Disk Storage System 16x2tb hddIBMN/A78K1YAR	11/19/2013	\$8,500.00	\$8,500.00	\$0.00
119	ICT Computer Systems	U435451	Network Security Device VSS TAPS and BROKERVSSVF_0107614066104	5/22/2014	\$36,522.65	\$36,522.65	\$0.00
120	ICT Computer Systems	U435452	Network Security Device VSS TAPS and BROKERVSSVF_0107614066103	5/22/2014	\$36,522.65	\$36,522.65	\$0.00
134	ICT Telecomm,Network,Cust Support	U429467	VistaOne Procera Traffic ShaperPROCERAVISTA ONEKSD0014191	1/11/2012	\$111,765.70	\$111,765.70	\$0.00
149	Innovative Media Research & Exten	U317923	CAMERA SUPPORT SYSTEM USED STEADICAMSTEADICAMSK201168A	12/19/2000	\$8,600.00	\$8,600.00	\$0.00
151	Innovative Media Research & Exten	U317932	EDITING REWINDER/PLAYERSONYUVW18000013183	6/29/1994	\$7,794.00	\$7,794.00	\$0.00
152	Innovative Media Research & Exten	U317951	OSCILLOSCOPETEXTRONIX2465BB066998	2/23/1996	\$8,436.00	\$8,436.00	\$0.00
154	Innovative Media Research & Exten	U317983	SWITCHING UNIT VIDEOSONYBVS3200C0022180	11/22/1995	\$26,109.00	\$26,109.00	\$0.00
155	Innovative Media Research & Exten	U320582	MIXER AUDIO VIDEO EDITING SYSTEM MEDIA 1MEDIA100	10/28/1998	\$39,083.00	\$39,083.00	\$0.00
159	Innovative Media Research & Exten	U320638	PRINTER HP 8500DN FACTORY REFURBISHEDH.P.8500DNJPDB0111366	8/4/2000	\$5,909.00	\$5,909.00	\$0.00
161	Jornada Exper Range Headquarters	U408419	Computer PowerVault 220 221 PN 25 RC970923DELL220S9DTBM91	3/14/2006	\$14,794.73	\$14,794.73	\$0.00
165	Jornada Exper Range Headquarters	U428059	SAN MAPPING MODULE FEDERAL GIFTICE WEBTE444SHU8081100027	12/9/2011	\$22,460.71	\$22,460.71	\$0.00
166	Jornada Exper Range Headquarters	U428060	PRIMARY CHASSIS FEDERAL GIFTICE WEBTE444SGM79708000001F	12/9/2011	\$16,807.90	\$16,807.90	\$0.00

174	Mechanical Engineering	U416285	ULTRALIGHT AIRPLANE GIFTADVANCED AVIATION CARRERA	1/31/2008	\$10,713.20	\$10,713.20	\$0.00
175	Nursing	U415816	SimBaby Infant Simulator PN 245 05050LAERDAL245-05050N/A	3/25/2008	\$37,619.30	\$37,619.30	\$0.00
176	Nursing	U415817	Virtual IV Haptics Device PN 280 00001LAERDAL280-00001280V1V08080820-C	3/25/2008	\$14,601.50	\$14,601.50	\$0.00
178	Nursing	U426261	IRIS Cart Interactive SIM Lab EquipSILVER STONEDR. CAMSCOPEDCSM 10G-187	3/10/2011	\$14,500.00	\$11,600.04	\$2,899.96
186	PSL Telemetry Missile Systems	U200086	ANALYZER SPECTRUMTEKTRONIX7L12B203442	10/2/1993	\$5,000.00	\$5,000.00	\$0.00
187	PSL Telemetry Missile Systems	U200087	ANALYZER SPECTRUMTEKTRONIX7L12B213518	10/2/1993	\$5,000.00	\$5,000.00	\$0.00
188	PSL Telemetry Missile Systems	U200090	ANALYZER SPECTRUMTEKTRONIX7L12B203398	10/2/1993	\$5,000.00	\$5,000.00	\$0.00
189	PSL Telemetry Missile Systems	U200091	ANALYZER SPECTRUMTEKTRONIX7L12B203393	10/2/1993	\$5,000.00	\$5,000.00	\$0.00
190	PSL Telemetry Missile Systems	U200093	ANALYZER SPECTRUMTEKTRONIX7L12B203447	10/2/1993	\$5,000.00	\$5,000.00	\$0.00
192	PSL Telemetry Missile Systems	U200095	ANALYZER SPECTRUMTEKTRONIX7L12B203388	10/2/1993	\$5,000.00	\$5,000.00	\$0.00
196	PSL Telemetry Missile Systems	U200400	ANALYZER SPECTRUMTEKTRONIX7L12B151100	3/1/1975	\$5,065.00	\$5,065.00	\$0.00
200	Psychology	U424613	Canon CopierCANONC5051GQM12131	8/19/2010	\$10,150.00	\$10,150.00	\$0.00
207	Univ Advancement VP Office	U449035	PRINTER P0189369 IJ002404KYOCERATASK ALPHA 4052CIW2M8103529	2/5/2019	\$6,657.00	\$4,438.00	\$2,219.00
Total					\$790,399.98	\$785,281.02	\$5,118.96

Agenda Item: G-3

Date: December 8,
2022

We, the members of the Board of Regents of New Mexico State University, hereby find that each item of property included on the attached listing is:

- (1) worn-out, unusable, or obsolete to the extent that it is no longer economical or safe for continued use and;
- (2) considered excess to the needs of the university (all attempts will be made to salvage any usable items; the remaining items will be disposed of in accordance with the Regents policy for disposition of property) or;
- (3) the items may be deleted or transferred from inventory after the State Auditor has been informed.

Chair
Ammu Devasthali

Member
Dina Chacón-Reitzel

Vice-Chair
Arsenio Romero

Member
Christopher Saucedo

Secretary/Treasurer
Neal Bitsie



Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item # B-4

- Action Item
- Consent Item
- Informational Item

Presented By: Heather Zack Watenpaugh
University Architect

Agenda Item: NMSU Alamogordo: Classroom Buildings Mechanical Upgrades

Requested Action of the Board of Regents: Approval of the NMSU Alamogordo – Classroom Buildings Mechanical Upgrades (\$1,575,000)

Executive Summary: This project will include mechanical upgrades to replace existing boiler and chiller systems at the Reidlinger Science Center and the Allied Health Center, along with mechanical, electrical, and plumbing system coordination.

References:

Prior Approvals:

Higher Education Department Submittal – 2020 Summer Hearings (FY21)

Board of Regents

ALAMOGORDO: CLASSROOM BUILDINGS MECHANICAL UPGRADES

Heather Watenpaugh
University Architect

Pat Chavez
Interim Associate Vice
President

Facilities and Services



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New Mexico State University

Proposed Scope of Work

Project Budget \$1,575,000

The Mechanical upgrades include:

- Replacement of existing problematic boiler and chiller system at the Reidlinger Science Center and the Allied Health Center
- Upgrades to the electrical system
- Upgrades to the existing ducting system
- Upgrades to the existing plumbing
- Demolition and new construction of existing ceilings to accommodate the mechanical system



Reidlinger Science Center Building Demographics

- **Year Built:** 1986
- **Last Expansion:** 2008
- **Building Size:** 39,593 GSF
- **Construction Type:**
Concrete block and steel frame
- **Current Use:** Academic
General Instruction, Science
Labs



**Alamogordo Reidlinger Science
Center (292U)**



Allied Health Center Building Demographics

- **Year Built:** 2012
- **Last Expansion:** N/A
- **Building Size:** 19,593 GSF
- **Construction Type:**
Concrete block and steel
frame
- **Current Use:** Academic
Instruction, Science Labs



Allied Health Center



Proposed Project Schedule

- Start of Design – October 2022
- Completion of Design – December 2022
- Start of Construction – January 2023
- Completion of Construction – September 2023



Funding Sources and Prior Approvals

Project Funding — \$1,575,000

- FY21 GOB (GOB 2020, E5328)– \$833,000 (\$900,000 per SB 207)
- FY21 STB (STB21A, F3128) – \$650,000
- Institutional Funds – \$25,000

Prior Approval

- Higher Education Department Submittal – 2020 Summer Hearings (FY21)



Contact Information

Heather Watenpaugh
University Architect
Facilities and Services

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Pat Chavez

Interim Associate VP
Facilities and Services

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pchavez@nmsu.edu



Thank you!
Questions?



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Facilities and Services

Alamogordo: Classroom Buildings Mechanical Upgrades

Supplemental Information



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Facilities and Services

Existing Conditions



Existing Air Cooled Chiller
at west-side, near the
Mechanical Room



Existing Indoor dual duct unit in
Mechanical Room

Existing Conditions



Existing heating HW boiler
in Mechanical Room



Existing VRF condensing unit on roof



Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item # G-5

- Action Item
- Consent Item
- Informational Item

Presented By: Heather Zack Watenpaugh
University Architect

Agenda Item: NMSU Alamogordo: Rohovec Fine Arts Theatre Renovation

Requested Action of the Board of Regents: Approval of the NMSU Alamogordo – Rohovec Fine Arts Theatre Roof replacement project (\$2,700,000)

Executive Summary: This project will include a design of a new building roofing system, re-stucco of the exterior of the building, replacement of existing doors and windows, new flooring, new seating, and stage improvements, HVAC upgrades, lighting and audio system upgrades and interior and exterior ADA improvements.

References:

Prior Approvals:

Higher Education Department Submittal – 2021 Summer Hearings (FY22)

Board of Regents

ALAMOGORDO: ROHOVEC FINE ARTS THEATRE RENOVATIONS

Heather Watenpaugh
University Architect

Pat Chavez
Interim Associate Vice
President

Facilities and Services

The logo for New Mexico State University, featuring the letters "NM" stacked above "STATE" in a white serif font, set against a dark red square background with a white outline of the state of New Mexico.

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New Mexico State University

Proposed Scope of Work

Project Budget \$2,700,000

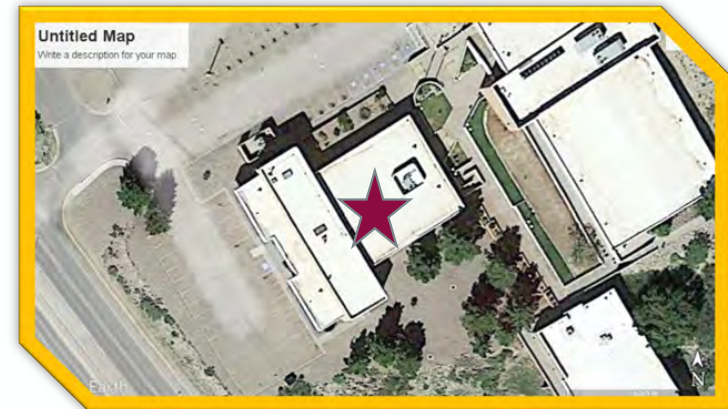
The Rohovec Theatre Roof Replacement project includes:

- Design of new building roofing system
- Re-stucco the exterior of building
- Replacement of existing doors and windows
- New flooring, new seating, and stage improvements
- HVAC upgrades
- Lighting and Audio system upgrades
- Interior and exterior ADA improvements



Building Demographics

- **Year Built:** 1975
- **Last Expansion:** 2013
- **Building Size:** 8,605 GSF
- **Construction Type:**
Concrete block and steel frame
- **Current Use:** Theatrical Performances, Fine Arts Instruction



Rohovec Fine Arts Theatre



Proposed Project Schedule

- Start of Design – October 2022
- Completion of Design – December 2022
- Start of Construction – January 2023
- Completion of Construction – September 2023



Funding Sources and Prior Approvals

Project Funding — \$2,700,000

- FY22 Severance Tax Bond (STB 22A, G3233)
Section 41 of SB212 – \$1,000,000
- FY22 Institutional Funds – \$1,700,000

Prior Approval

- Higher Education Department Submittal – 2021 Summer Hearings (FY22)



Contact Information

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Facilities and Services

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hzw@nmsu.edu

Pat Chavez

Interim Associate Vice
President

Facilities and Services

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575.646.2101

pchavez@nmsu.edu



Thank you!

Questions?



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Facilities and Services

Alamogordo: Rohovec Fine Arts Theatre Renovations

Supplemental Information



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Facilities and Services

Existing Conditions



Damaged roofing system



Damaged roofing system

Existing Conditions



Existing damaged window frames



Existing damaged window frames

Existing Conditions



Existing damaged stucco



Existing damaged stucco



Existing Conditions



Existing theatre stage.



Existing theatre sitting area.



Existing Conditions



Existing restroom.



Existing restroom.



Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item # G-6

- Action Item
- Consent Item
- Informational Item

Presented By: Heather Zack Watenpaugh
University Architect

Agenda Item: NMSU Las Cruces: Corbett Center Fire Alarm Replacement

Requested Action of the Board of Regents: Approval of the NMSU Las Cruces - Corbett Center Fire Alarm Replacement (\$1,791,324)

Executive Summary: This project will include Corbett Center Fire Alarm Replacement to provide a single fire alarm control panel with voice evacuation capabilities and new addressable and notification devices.

References:

Prior Approvals:

NMSU Board of Regents – Systems Revenue Bond Funding approval 8/24/22.

Board of Regents

LAS CRUCES: CORBETT CENTER FIRE ALARM REPLACEMENT

Heather Watenpaugh
University Architect

Pat Chavez
Interim Associate Vice
President

Facilities and Services



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New Mexico State University

Proposed Scope of Work

Project Budget \$1,791,324

The NMSU Corbett Center Fire Alarm Replacement project includes:

- Providing a single fire alarm control panel with voice evacuation capabilities
- Professional Engineering documents as required to include battery calculations
- All new addressable devices and notification devices to be installed throughout
- Conduit run as required in areas without dropped ceiling
- New system up and running parallel to the existing panel prior to bringing the old system down



Proposed Building Demographics

- **Year Built:** 1968
- **Last Expansion:** 2016
- **Building Size:** 208,458 GSF
- **Construction Type:**
Concrete, Steel Frame, Steel Joists
- **Current Use:** Student Union, Offices, Dining/Food Services, Conference Services, Student Group and Study Areas



Proposed Project Schedule

- Completion of Design – January 2023
- Start of Construction – February 2023
- Completion of Project – January 2024



Funding Sources and Prior Approvals

Project Funding — \$1,791,324

- 2023 Revenue Bond – \$1,791,324

Prior Approval

- NMSU Board of Regents – Systems Revenue Bond Funding approval 8/24/22.



Contact Information

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Pat Chavez
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pchavez@nmsu.edu



Thank you!
Questions?



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Facilities and Services

Las Cruces: Corbett Center Fire Alarm Replacement

Supplemental Information



BE BOLD. Shape the Future.®

Facilities and Services

Existing Conditions



Existing main fire panel



Existing fire alarm pull and controls



Existing Conditions



Existing Food Court seating area



Existing Taos Dining entry





Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item # G-7

- Action Item
- Consent Item
- Informational Item

Presented By: Heather Zack Watenpaugh
University Architect

Agenda Item: Las Cruces Campus-Wide Roadway Resurfacing

Requested Action of the Board of Regents: Approval of the NMSU Las Cruces Campus-Wide Roadway Resurfacing (\$570,000)

Executive Summary: This project will include roadway repaving campus-wide that will consist of patching and mill overlay for the selected roads evaluated in the Transportation Asset Master Plan (November 2020) categorized in fair to poor surface rating.

References:

Prior Approvals:

N/A

Board of Regents

NMSU: LAS CRUCES CAMPUS-WIDE ROADWAY RESURFACING

Heather Watenpaugh
University Architect

Pat Chavez
Interim Associate Vice
President

Facilities and Services

The logo for New Mexico State University, featuring the letters "NM" stacked above "STATE" in a white serif font, set against a dark red square background with a white outline of the state of New Mexico.

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New Mexico State University

Proposed Scope of Work

Project Budget \$570,000

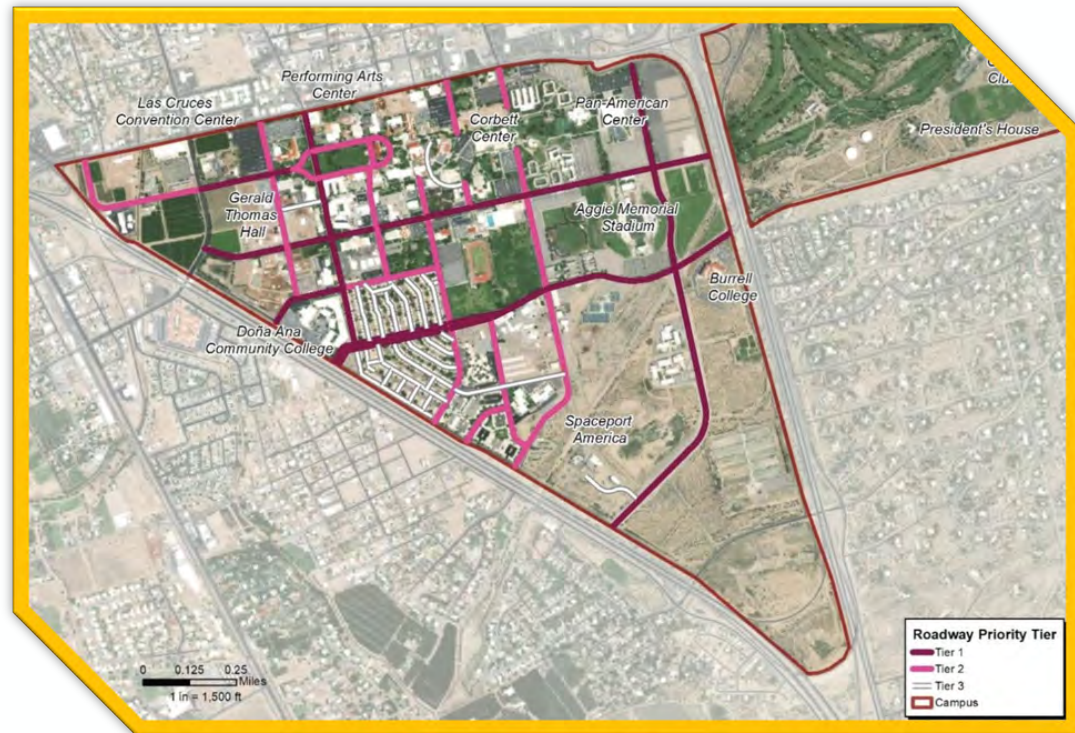
The campus-wide roadway resurfacing project includes:

- Roadway repaving that will consist of patching and mill overlay for the existing asphalt surface, blending the milled asphalt into the existing road base, and resurfacing with 2 inch hot mix asphalt
- Day/night visible striping will be applied to accommodate bicycle paths, pedestrian, and vehicle traffic
- Selected roads evaluated in the Transportation Asset Master Plan (November 2020) categorized in fair to poor surface rating
- Storm-water erosion control to support roadway section resurfacing



Proposed Project Demographics

- **Construction Type:** Asphalt
- **Current Use:** Vehicular, pedestrian, and bicycle traffic



Roadway Priority Tiers from the NMSU Transportation Asset Management Plan



Proposed Project Schedule

- Start of Construction – February 2023
- Completion of Construction – May 2023



Funding Sources and Prior Approvals

Project Funding — \$570,000

FY23 Building Renewal and Replacement Non-Recurring Funding appropriated in Section 5 of the General Appropriation Act (HB2) – \$570,000

Prior Approval

- N/A



Contact Information

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Pat Chavez
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pchavez@nmsu.edu



Thank you!
Questions?



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Facilities and Services

NMSU: Las Cruces Campus-wide Roadway Resurfacing

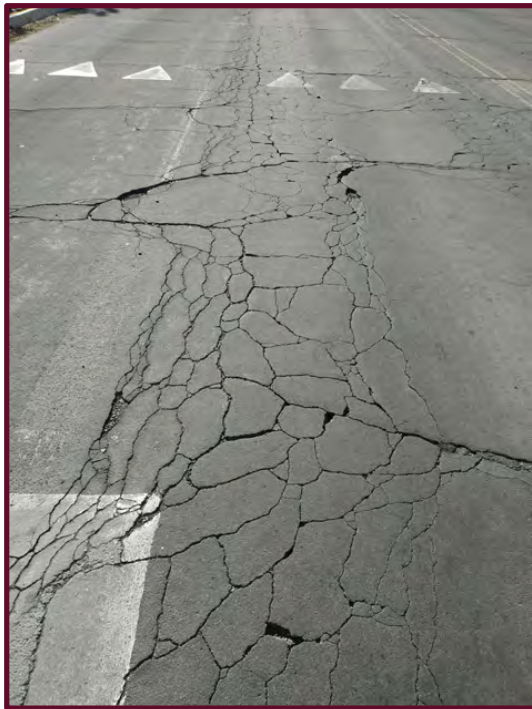
Supplemental Information



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Facilities and Services

Existing Conditions

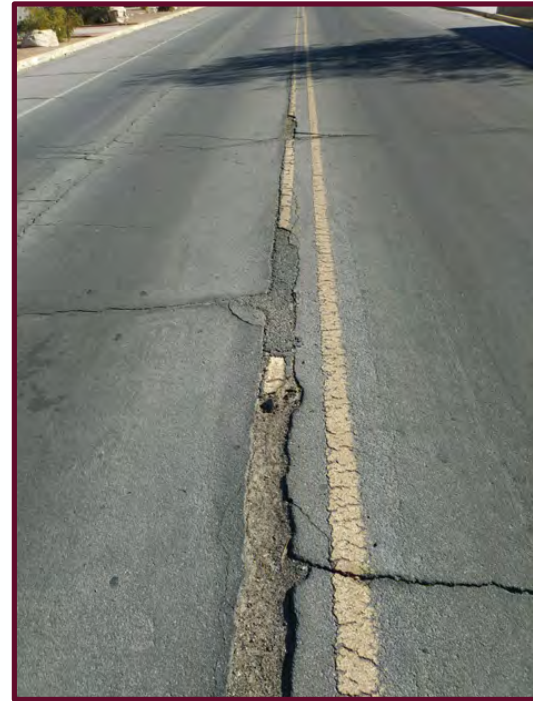


Visible distress showing block cracking and severe surface raveling



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Existing Conditions



Visible distress showing longitudinal and transverse cracks





Board of Regents Meeting
Meeting Date: Dec 8, 2022
Agenda Item Cover Page

Agenda Item # G-8

- Action Item
- Consent Item
- Informational Item

Presented By: Dr McAteer, Senior Associate
Provost on behalf of the Office of
the Provost

Dr Dulcinea Lara

Agenda Item:

The formation of the Department of Borderlands and Ethnic Studies (BEST) in the College of Health, Education, and Social Transformation

Requested Action of the Board of Regents:

Approval of the reorganization of the Interdisciplinary Studies Department into the Borderlands and Ethnic Studies (BEST) Department and to relocate it from the College of Arts and Sciences (A&S) to the College of Health, Education, and Social Transformation (HEST)

Executive Summary:

Borderlands and Ethnic Studies (BEST) was initially reorganized in Summer 2022 within the Department of Interdisciplinary Studies (IDS) in the College of Arts and Sciences by the Dean of the College of Arts and Sciences (A&S). This is a formal proposal to now reorganize this Interdisciplinary Studies Department into the Borderlands and Ethnic Studies (BEST) Department and relocate it from the College of Arts and Sciences (A&S) to the College of Health, Education, and Social Transformation (HEST)

References:

The details of the benefits to NMSU of this proposed move, including all letters of support, are contained in this document

[Proposal as submitted to Faculty Senate \(link\)](#)

Prior Approvals:

The following process was followed

1. Initial request originated from the department with positive approval of the departmental faculty (routed by the Department Head)

Borderlands and Ethnic Studies (BEST) was initially reorganized in Summer 2022 within the Department of Interdisciplinary Studies (IDS) in the College of Arts and Sciences by the Dean of the College of Arts and Sciences (A&S).

2. Request is reviewed at the College Level

In Arts and Sciences, a vote of the faculty resulted in 60 in favor, 10 opposed, 11 abstain. A separate vote of the department heads resulted in 14 in favor, 1 opposed, 1 abstain, 1 other.

[Voting procedure for College of Arts and Sciences \(link\)](#)

In the College of Health, Education, and Social Transformation, a vote was held on Friday Nov 18. The vote resulted in 74 in favor, 46 opposed, 9 abstain

[Voting results for College of Health, Education, and Social Transformation](#)

3. Request is reviewed by the Dean in consultation with the College Executive Committee

[A summary of all support letters and memos \(link\)](#)

Initial approval of the Dean of Arts and Sciences, included in the summary of all support letters and memos, was obtained by memo on Sept 22

Final approval of the the Dean of Arts and Sciences, attached, was obtained by memo on 23 Nov 2022

Initial approval of the Dean of HEST, included in the summary of all support letters and memos, was obtained by memo Sept 21

Final approval of Dean of Health, Education, and Social Transformation, attached, was obtained by memo on 30 Nov 2022

4. Request is reviewed by the College Deans (all academic deans, library dean, Honors dean) and recommendation provided to the Provost

The college Deans met on Tuesday Nov 15. Senior Associate Provost McAteer tallied the vote to recommend to pass as 8 in favor, 0 opposed, with 0 abstain

5. Request is reviewed by the faculty senate

[Proposal 01-22/23 to Faculty Senate \(link\)](#)

This was introduced as Proposal "01-22/23: Proposal to Reorganize and Relocate Borderlands and Ethnic Studies (BEST)" was introduced to faculty senate on Thursday Oct 6, passed by the Curriculum and Programming committee Oct 6, and reintroduced back to senate for a vote on Dec 1. The final vote on Dec 1 was 43 in favor, 7 opposed, 3 abstain.

6. Request is reviewed by the Provost

Initial approval of the Provost, included in the summary of all support letters and memos, was obtained by memo on Sept 22

Final review of the Provost, attached, was obtained by memo on 2 Dec 2022

7. Request is reviewed by the Chancellor

Final review of the Chancellor, attached, was obtained by memo on 2 Dec 2022

8. Request is submitted to the Board of Regents for consideration and action



Office of the Chancellor

MSC 3Z
New Mexico State University
P. O. Box 30001
Las Cruces, NM 88003-8001
575-646-2035, fax: 575-646-6334
chancellor.arvizu@nmsu.edu

DATE: December 2, 2022

TO: To Whom It May Concern

FROM: Chancellor Dan E. Arvizu 

SUBJECT: BEST – Department of Borderlands and Ethnic Studies

This memo is support for the renaming of the Interdisciplinary Studies Department (IDS) to the Department of Borderlands and Ethnic Studies (BEST), and the relocation of the department from the College of Arts & Sciences to the College of Health, Education, and Social Transformation.



Office of the Provost

MSC 3445
New Mexico State University
P. O. Box 30001
Las Cruces, NM 88003-8001
575-646-2594, fax: 575-646-6334
provost@nmsu.edu

December 2, 2022

RE: BEST

This memo is to confirm the strong support from the Provost Office for the renaming of the Interdisciplinary Studies Department (IDS) to the Department of Borderlands and Ethnic Studies (BEST), and the relocation of the Department of BEST from the College of Arts & Sciences to the College of Health, Education and Social Transformation.

Please let me know if you have any questions or concerns.

Regards,

A handwritten signature in cursive script that reads "Dorothy I. Campbell".

Dorothy I. Campbell,
Interim Provost and Chief Academic Officer



College of Health, Education and
Social Transformation

MSC 3AC
New Mexico State University
P.O. Box 30001
Las Cruces, NM 88003-8001
575-646-5858
hest.nmsu.edu

November 30, 2022

To whom it may concern,

This memo is to confirm my full support for the reorganization and relocation of the Department of Borderlands and Ethnic Studies (BEST) to the College of Health, Education, and Social Transformation (HEST) at NMSU.

Respectfully submitted,

Yoshi Iwasaki, PhD
Dean, College of HEST at NMSU



College of Arts and Sciences

Office of the Dean
MSC 3335
New Mexico State University
P.O. Box 30001
Las Cruces, NM 88003-8001
575-646-3500

Enrico Pontelli, Ph.D.
epontell@nmsu.edu

November 23, 2022

To Whom It May Concern:

This memo is to confirm the support from the office of the Dean of the College of Arts & Sciences for the renaming of the IDS department to the Department of Borderlands and Ethnic Studies (BEST) and the relocation of the department from the College of Arts & Sciences to the College of Health, Education and Social Transformation.

Enrico Pontelli, Ph.D.
Dean, College of Arts & Sciences
Regents Professor of Computer Science



Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item # G-9

- Action Item
- Consent Item
- Informational Item

Presented By: Derek Dictson
President NMSU Foundation

Agenda Item: Philanthropic naming of space in the Agricultural Modernization and Educational Facilities in honor of Neil Burcham

Requested Action of the Board of Regents: Approval of the **Philanthropic naming of space in the Agricultural Modernization and Educational Facilities in honor of Neil Burcham.**

Executive Summary: Naming of space in honor of Neil Burcham, funded by Dan Delaney

References:

The funding levels have been previously approved, and amount has been met.

Prior Approvals:

The naming committee approved this by electronic vote on 11/28/2022

Agenda Item Approved By:

A handwritten signature in blue ink, appearing to read 'Derek Dictson'.

Derek Dictson
President, NMSU Foundoudation

11/28/2022

Date



Board of Regents Meeting

Agenda Item # H-1

Meeting Date: December 8, 2022

Agenda Item Cover Page

Action Item

Presented By: Kim Rumford, Chief Budget Officer

Consent Item

Informational Item

Agenda Item: Budget Adjustment Requests (BAR) for Fiscal Year 2022-2023

Requested Action of the Board of Regents: Approval of Budget Adjustment Requests (BAR) for fiscal year 2022-2023.

Executive Summary: To adhere to rules of the New Mexico Higher Education Department and meet State statutes, it is necessary to insure that our budgetary levels of expenditures equal or exceed the anticipated expenditures for the fiscal year. The attached BARs are for each NMSU campus unrestricted fund, and they are for the purpose of adjusting the beginning fund balances which were estimated for the 2022-2023 Operating Budget submitted in May 2022, to equal the actual ending fund balances resulting from closing the books for FY2022.

References:

N/A

Prior Approvals:

N/A

Binder Page 206 of 252
NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Las Cruces FY 2022-2023

Adjustment to Fund: Unrestricted Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
REVENUES			
Instruction and General	260,463,538	0	260,463,538
Student Social & Cultural Activities	2,753,092	0	2,753,092
Research	22,479,299	0	22,479,299
Public Service	23,897,385	0	23,897,385
Internal Service Dept.	3,099,329	0	3,099,329
Student Financial Aid	75,000	0	75,000
Auxiliary Enterprises	28,854,831	0	28,854,831
Athletics	17,584,667	0	17,584,667
Independent Operations	20,346,310	0	20,346,310
Subtotal Current Funds	379,553,451	0	379,553,451
Capital Outlay	17,745,500	0	17,745,500
Renewals & Replacements	1,406,691	0	1,406,691
Retirement of Indebtedness	1,745,598	0	1,745,598
Subtotal Plant Funds	20,897,789	0	20,897,789
TOTAL REVENUES	400,451,240	0	400,451,240
BEGINNING BALANCES			
Instruction and General	8,548,302	20,383,980	28,932,282
Student Social & Cultural Activities	2,059,270	80,389	2,139,659
Research	21,931,779	2,271,951	24,203,730
Public Service	15,801,089	1,495,735	17,296,824
Internal Service Dept.	727,599	4,415,378	5,142,977
Student Financial Aid	2,463,761	1,887,195	4,350,956
Auxiliary Enterprises	1,788,964	464,155	2,253,119
Athletics	(3,179,660)	(1,519,857)	(4,699,517)
Independent Operations	3,614,140	4,296,211	7,910,351
Subtotal Current Funds	53,755,244	33,775,137	87,530,381
Capital Outlay	23,495,612	4,004,542	27,500,154
Renewals & Replacements	19,555,038	1,824,310	21,379,348
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	43,050,650	5,828,852	48,879,502
TOTAL BEGINNING BALANCES	96,805,894	39,603,989	136,409,883
TOTAL AVAILABLE			
Instruction and General	269,011,840	20,383,980	289,395,820
Student Social & Cultural Activities	4,812,362	80,389	4,892,751
Research	44,411,078	2,271,951	46,683,029
Public Service	39,698,474	1,495,735	41,194,209
Internal Service Dept.	3,826,928	4,415,378	8,242,306
Student Financial Aid	2,538,761	1,887,195	4,425,956
Auxiliary Enterprises	30,643,795	464,155	31,107,950
Athletics	14,405,007	(1,519,857)	12,885,150
Independent Operations	23,960,450	4,296,211	28,256,661
Subtotal Current Funds	433,308,695	33,775,137	467,083,832
Capital Outlay	41,241,112	4,004,542	45,245,654
Renewals & Replacements	20,961,729	1,824,310	22,786,039
Retirement of Indebtedness	1,745,598	0	1,745,598
Subtotal Plant Funds	63,948,439	5,828,852	69,777,291
GRAND TOTAL AVAILABLE	497,257,134	39,603,989	536,861,123

Binder Page 207 of 252
NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Las Cruces FY 2022-2023

Adjustment to Fund: Unrestricted Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>	
EXPENDITURES				
Instruction and General	208,262,155	0	208,262,155	
Student Social & Cultural Activities	3,734,038	158,803	3,892,841	
Research	39,509,389	(5,286,581)	34,222,808	
Public Service	25,389,519	(2,344,258)	23,045,261	
Internal Service Dept.	2,274,909	(3,955,498)	(1,680,589)	
Student Financial Aid	21,662,486	423,500	22,085,986	
Auxiliary Enterprises	21,789,045	(1,001,643)	20,787,402	
Athletics	20,821,057	(907,984)	19,913,073	
Independent Operations	22,360,940	(5,126,955)	17,233,985	
Subtotal Current Funds	365,803,538	(18,040,616)	347,762,922	
Capital Outlay	27,489,085	(7,166,485)	20,322,600	
Renewals & Replacements	12,930,500	1,488,100	14,418,600	
Retirement of Indebtedness	11,831,203	325,620	12,156,823	
Subtotal Plant Funds	52,250,788	(5,352,765)	46,898,023	
TOTAL EXPENDITURES	418,054,326	(23,393,381)	394,660,945	
TRANSFERS IN (OUT)				
Instruction and General	(52,201,383)	0	(52,201,383)	
Student Social & Cultural Activities	398,466	0	398,466	
Research	15,446,298	0	15,446,298	
Public Service	1,885,502	0	1,885,502	
Internal Service Dept.	(3,282,177)	0	(3,282,177)	
Student Financial Aid	21,587,486	0	21,587,486	
Auxiliary Enterprises	(8,159,130)	0	(8,159,130)	
Athletics	3,860,863	0	3,860,863	
Independent Operations	(418,188)	0	(418,188)	
Subtotal Current Funds	(20,882,263)	0	(20,882,263)	
Capital Outlay	2,513,129	0	2,513,129	
Renewals & Replacements	8,620,054	0	8,620,054	
Retirement of Indebtedness	10,085,605	0	10,085,605	
Subtotal Plant Funds	21,218,788	0	21,218,788	
NET TRANSFERS	336,525	0	336,525	
ENDING BALANCES				
Instruction and General	8,548,302	20,383,980	28,932,282	14%
Student Social & Cultural Activities	1,476,790	(78,414)	1,398,376	36%
Research	20,347,987	7,558,532	27,906,519	82%
Public Service	16,194,457	3,839,993	20,034,450	87%
Internal Service Dept.	(1,730,158)	8,370,876	6,640,718	-395%
Student Financial Aid	2,463,761	1,463,695	3,927,456	18%
Auxiliary Enterprises	695,620	1,465,798	2,161,418	10%
Athletics	(2,555,187)	(611,873)	(3,167,060)	-16%
Independent Operations	1,181,322	9,423,166	10,604,488	62%
Subtotal Current Funds	46,622,894	51,815,753	98,438,647	28%
Capital Outlay	16,265,156	11,171,027	27,436,183	135%
Renewals & Replacements	16,651,283	336,210	16,987,493	118%
Retirement of Indebtedness	0	(325,620)	(325,620)	-3%
Subtotal Plant Funds	32,916,439	11,181,617	44,098,056	94%
TOTAL ENDING BALANCES	79,539,333	62,997,370	142,536,703	36%
TOTAL EXPENDITURES, TRANSFERS, BALANCES	497,257,134	39,603,989	536,861,123	

Binder Page 208 of 252
 NEW MEXICO HIGHER EDUCATION DEPARTMENT
 BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Las Cruces FY 2022-2023

Adjustment to Fund: Unrestricted Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
INSTRUCTION & GENERAL:			
REVENUES			
Tuition and Fees	96,994,302	0	96,994,302
Federal Government Appropriations	0	0	0
State Government Appropriations	142,195,200	0	142,195,200
Local Government Appropriations	0	0	0
Federal Grants/Contracts	134,000	0	134,000
State Grants/Contracts	0	0	0
Local Grants/Contracts	0	0	0
Private Gifts/Grants/Contracts	0	0	0
Endowment/Land/Permanent Fund	3,397,136	0	3,397,136
Sales & Services of Ed Activities	556,700	0	556,700
Other Sources	17,186,200	0	17,186,200
TOTAL REVENUES	260,463,538	0	260,463,538
BEGINNING BALANCE	8,548,302	20,383,980	28,932,282
TOTAL AVAILABLE	269,011,840	20,383,980	289,395,820
EXPENDITURES			
Instruction	119,397,759	0	119,397,759
Academic Support	22,747,942	0	22,747,942
Student Services	16,532,281	0	16,532,281
Institutional Support	27,715,553	0	27,715,553
Operation & Maintenance of Plant	21,868,620	0	21,868,620
TOTAL EXPENDITURES	208,262,155	0	208,262,155
TRANSFERS (IN) OUT OF I&G			
Student Social & Cultural Activities	213,345	0	213,345
Research	16,814,363	0	16,814,363
Public Service	2,107,370	0	2,107,370
Internal Service Dept.	0	0	0
Student Financial Aid	21,252,486	0	21,252,486
Auxiliary Enterprises	(25,000)	0	(25,000)
Intercollegiate Athletics	3,490,663	0	3,490,663
Independent Operations	0	0	0
Capital Outlay	1,463,129	0	1,463,129
Renewals & Replacements	5,571,296	0	5,571,296
Retirement of Indebtedness	1,427,622	0	1,427,622
Non-Budgetary Exhibits:			
Endowment Fund	0	0	0
Other (from Community Colleges)	(113,891)	0	(113,891)
Other (Specify)	0	0	0
NET TRANSFERS	52,201,383	0	52,201,383
ENDING BALANCE	8,548,302	20,383,980	28,932,282

Prepared by: Kimberly G. Rumford Date Approved by BOR

For NMHED Use Only	Accept	Reject	Date	
NMHED Analyst	_____	_____	___/___/___	NMHED Control # _____
NMHED Director	_____	_____	___/___/___	
For DFA Use Only				
DFA Analyst	_____	_____	___/___/___	DFA Control # _____
DFA Director	_____	_____	___/___/___	Agency Code _____
Increase _____ Decrease _____ Transfer _____				

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 NEW MEXICO HIGHER EDUCATION DEPARTMENT
 BUDGET ADJUSTMENT REQUEST

INSTITUTION : **New Mexico State University - Alamogordo** FY **2022-2023**
 Adjustment to Fund: **Unrestricted** Request # **1**

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
REVENUES			
Instruction and General	10,255,697	0	10,255,697
Student Social & Cultural Activities	6,048	0	6,048
Research	0	0	0
Public Service	1,000	0	1,000
Internal Service Dept.	0	0	0
Student Financial Aid	0	0	0
Auxiliary Enterprises	6,000	0	6,000
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	10,268,745	0	10,268,745
Capital Outlay	1,050,319	0	1,050,319
Renewals & Replacements	82,726	0	82,726
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	1,133,045	0	1,133,045
TOTAL REVENUES	11,401,790	0	11,401,790
BEGINNING BALANCES			
Instruction and General	1,467,193	1,618,383	3,085,576
Student Social & Cultural Activities	32,502	6,873	39,375
Research	0	0	0
Public Service	30,545	10,797	41,342
Internal Service Dept.	0	0	0
Student Financial Aid	0	251,998	251,998
Auxiliary Enterprises	119,466	23,374	142,840
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	1,649,706	1,911,425	3,561,131
Capital Outlay	6,166,140	618,933	6,785,073
Renewals & Replacements	0	238,735	238,735
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	6,166,140	857,668	7,023,808
TOTAL BEGINNING BALANCES	7,815,846	2,769,093	10,584,939
TOTAL AVAILABLE			
Instruction and General	11,722,890	1,618,383	13,341,273
Student Social & Cultural Activities	38,550	6,873	45,423
Research	0	0	0
Public Service	31,545	10,797	42,342
Internal Service Dept.	0	0	0
Student Financial Aid	0	251,998	251,998
Auxiliary Enterprises	125,466	23,374	148,840
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	11,918,451	1,911,425	13,829,876
Capital Outlay	7,216,459	618,933	7,835,392
Renewals & Replacements	82,726	238,735	321,461
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	7,299,185	857,668	8,156,853
GRAND TOTAL AVAILABLE	19,217,636	2,769,093	21,986,729

*NMHED/DFA Approval moved to Page 3

Binder Page 211 of 252
NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Alamogordo FY 2022-2023

Adjustment to Fund: Unrestricted Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>	
EXPENDITURES				
Instruction and General	9,998,114	0	9,998,114	
Student Social & Cultural Activities	14,367	0	14,367	
Research	0	0	0	
Public Service	12,000	0	12,000	
Internal Service Dept.	0	0	0	
Student Financial Aid	46,266	0	46,266	
Auxiliary Enterprises	22,000	0	22,000	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	10,092,747	0	10,092,747	
Capital Outlay	3,222,491	0	3,222,491	
Renewals & Replacements	264,960	0	264,960	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	3,487,451	0	3,487,451	
TOTAL EXPENDITURES	13,580,198	0	13,580,198	
TRANSFERS IN (OUT)				
Instruction and General	(257,583)	0	(257,583)	
Student Social & Cultural Activities	0	0	0	
Research	0	0	0	
Public Service	0	0	0	
Internal Service Dept.	0	0	0	
Student Financial Aid	46,266	0	46,266	
Auxiliary Enterprises	0	0	0	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	(211,317)	0	(211,317)	
Capital Outlay	29,083	0	29,083	
Renewals & Replacements	182,234	0	182,234	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	211,317	0	211,317	
NET TRANSFERS	0	0	0	
ENDING BALANCES				
Instruction and General	1,467,193	1,618,383	3,085,576	31%
Student Social & Cultural Activities	24,183	6,873	31,056	216%
Research	0	0	0	#DIV/0!
Public Service	19,545	10,797	30,342	253%
Internal Service Dept.	0	0	0	#DIV/0!
Student Financial Aid	0	251,998	251,998	545%
Auxiliary Enterprises	103,466	23,374	126,840	577%
Athletics	0	0	0	#DIV/0!
Independent Operations	0	0	0	#DIV/0!
Subtotal Current Funds	1,614,387	1,911,425	3,525,812	35%
Capital Outlay	4,023,051	618,933	4,641,984	144%
Renewals & Replacements	0	238,735	238,735	90%
Retirement of Indebtedness	0	0	0	#DIV/0!
Subtotal Plant Funds	4,023,051	857,668	4,880,719	140%
TOTAL ENDING BALANCES	5,637,438	2,769,093	8,406,531	62%
TOTAL EXPENDITURES, TRANSFERS, BALANCES	19,217,636	2,769,093	21,986,729	

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 NEW MEXICO HIGHER EDUCATION DEPARTMENT
 BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Alamogordo FY 2022-2023

Adjustment to Fund: Unrestricted Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
INSTRUCTION & GENERAL:			
REVENUES			
Tuition and Fees	1,365,190	0	1,365,190
Federal Government Appropriations	0	0	0
State Government Appropriations	8,018,000	0	8,018,000
Local Government Appropriations	803,000	0	803,000
Federal Grants/Contracts	1,664	0	1,664
State Grants/Contracts	0	0	0
Local Grants/Contracts	0	0	0
Private Gifts/Grants/Contracts	0	0	0
Endowment/Land/Permanent Fund	0	0	0
Sales & Services of Ed Activities	0	0	0
Other Sources	67,843	0	67,843
TOTAL REVENUES	10,255,697	0	10,255,697
BEGINNING BALANCE	1,467,193	1,618,383	3,085,576
TOTAL AVAILABLE	11,722,890	1,618,383	13,341,273
EXPENDITURES			
Instruction	5,164,141	0	5,164,141
Academic Support	1,355,212	0	1,355,212
Student Services	750,575	0	750,575
Institutional Support	1,606,519	0	1,606,519
Operation & Maintenance of Plant	1,121,667	0	1,121,667
TOTAL EXPENDITURES	9,998,114	0	9,998,114
TRANSFERS (IN) OUT OF I&G			
Student Social & Cultural Activities	0	0	0
Research	0	0	0
Public Service	0	0	0
Internal Service Dept.	0	0	0
Student Financial Aid	46,266	0	46,266
Auxiliary Enterprises	0	0	0
Intercollegiate Athletics	0	0	0
Independent Operations	0	0	0
Capital Outlay	29,083	0	29,083
Renewals & Replacements	182,234	0	182,234
Retirement of Indebtedness	0	0	0
Non-Budgetary Exhibits:			
Endowment Fund	0	0	0
Other (To Las Cruces Campus)	0	0	0
Other (Specify)	0	0	0
NET TRANSFERS	257,583	0	257,583
ENDING BALANCE	1,467,193	1,618,383	3,085,576

Prepared by: Kimberly G. Rumford Date Approved by BOR

For NMHED Use Only	Accept	Reject	Date	
NMHED Analyst	_____	_____	___/___/___	NMHED Control # _____
NMHED Director	_____	_____	___/___/___	
For DFA Use Only				
DFA Analyst	_____	_____	___/___/___	DFA Control # _____
DFA Director	_____	_____	___/___/___	Agency Code _____
Increase _____ Decrease _____ Transfer _____				

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NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Doña Ana FY 2022-2023
Adjustment to Fund: Unrestricted Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
REVENUES			
Instruction and General	44,177,310	0	44,177,310
Student Social & Cultural Activities	390,655	0	390,655
Research	0	0	0
Public Service	125,400	0	125,400
Internal Service Dept.	1,850	0	1,850
Student Financial Aid	0	0	0
Auxiliary Enterprises	235,460	0	235,460
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	44,930,675	0	44,930,675
Capital Outlay	3,452,000	0	3,452,000
Renewals & Replacements	271,781	0	271,781
Retirement of Indebtedness	400,000	0	400,000
Subtotal Plant Funds	4,123,781	0	4,123,781
TOTAL REVENUES	49,054,456	0	49,054,456
BEGINNING BALANCES			
Instruction and General	1,489,692	8,080,582	9,570,274
Student Social & Cultural Activities	178,285	200,828	379,113
Research	0	0	0
Public Service	119,678	26,980	146,658
Internal Service Dept.	43,664	40,317	83,981
Student Financial Aid	215,080	0	215,080
Auxiliary Enterprises	112,791	60,867	173,658
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	2,159,190	8,409,574	10,568,764
Capital Outlay	16,138,485	2,836,605	18,975,090
Renewals & Replacements	10,028,880	(530,634)	9,498,246
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	26,167,365	2,305,971	28,473,336
TOTAL BEGINNING BALANCES	28,326,555	10,715,545	39,042,100
TOTAL AVAILABLE			
Instruction and General	45,667,002	8,080,582	53,747,584
Student Social & Cultural Activities	568,940	200,828	769,768
Research	0	0	0
Public Service	245,078	26,980	272,058
Internal Service Dept.	45,514	40,317	85,831
Student Financial Aid	215,080	0	215,080
Auxiliary Enterprises	348,251	60,867	409,118
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	47,089,865	8,409,574	55,499,439
Capital Outlay	19,590,485	2,836,605	22,427,090
Renewals & Replacements	10,300,661	(530,634)	9,770,027
Retirement of Indebtedness	400,000	0	400,000
Subtotal Plant Funds	30,291,146	2,305,971	32,597,117
GRAND TOTAL AVAILABLE	77,381,011	10,715,545	88,096,556

*NMHED/DFA Approval moved to Page 3

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NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Doña Ana FY 2022-2023

Adjustment to Fund: Unrestricted Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>	
EXPENDITURES				
Instruction and General	43,258,119	0	43,258,119	
Student Social & Cultural Activities	387,637	0	387,637	
Research	0	0	0	
Public Service	121,696	0	121,696	
Internal Service Dept.	(69,015)	0	(69,015)	
Student Financial Aid	435,243	0	435,243	
Auxiliary Enterprises	251,025	0	251,025	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	44,384,705	0	44,384,705	
Capital Outlay	15,145,107	0	15,145,107	
Renewals & Replacements	2,871,781	0	2,871,781	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	18,016,888	0	18,016,888	
TOTAL EXPENDITURES	62,401,593	0	62,401,593	
TRANSFERS IN (OUT)				
Instruction and General	(869,191)	0	(869,191)	
Student Social & Cultural Activities	(27,200)	0	(27,200)	
Research	0	0	0	
Public Service	0	0	0	
Internal Service Dept.	(90,000)	0	(90,000)	
Student Financial Aid	435,243	0	435,243	
Auxiliary Enterprises	0	0	0	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	(551,148)	0	(551,148)	
Capital Outlay	163,107	0	163,107	
Renewals & Replacements	423,207	0	423,207	
Retirement of Indebtedness	(400,000)	0	(400,000)	
Subtotal Plant Funds	186,314	0	186,314	
NET TRANSFERS	(364,834)	0	(364,834)	
ENDING BALANCES				
Instruction and General	1,539,692	8,080,582	9,620,274	22%
Student Social & Cultural Activities	154,103	200,828	354,931	92%
Research	0	0	0	#DIV/0!
Public Service	123,382	26,980	150,362	124%
Internal Service Dept.	24,529	40,317	64,846	-94%
Student Financial Aid	215,080	0	215,080	49%
Auxiliary Enterprises	97,226	60,867	158,093	63%
Athletics	0	0	0	#DIV/0!
Independent Operations	0	0	0	#DIV/0!
Subtotal Current Funds	2,154,012	8,409,574	10,563,586	24%
Capital Outlay	4,608,485	2,836,605	7,445,090	49%
Renewals & Replacements	7,852,087	(530,634)	7,321,453	255%
Retirement of Indebtedness	0	0	0	#DIV/0!
Subtotal Plant Funds	12,460,572	2,305,971	14,766,543	82%
TOTAL ENDING BALANCES	14,614,584	10,715,545	25,330,129	41%
TOTAL EXPENDITURES, TRANSFERS, BALANCES	77,381,011	10,715,545	88,096,556	

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 NEW MEXICO HIGHER EDUCATION DEPARTMENT
 BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Doña Ana FY 2022-2023
 Adjustment to Fund: Unrestricted Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
INSTRUCTION & GENERAL:			
REVENUES			
Tuition and Fees	10,883,999	0	10,883,999
Federal Government Appropriations	0	0	0
State Government Appropriations	26,603,600	0	26,603,600
Local Government Appropriations	6,290,000	0	6,290,000
Federal Grants/Contracts	500	0	500
State Grants/Contracts	0	0	0
Local Grants/Contracts	0	0	0
Private Gifts/Grants/Contracts	0	0	0
Endowment/Land/Permanent Fund	0	0	0
Sales & Services of Ed Activities	41,500	0	41,500
Other Sources	357,711	0	357,711
TOTAL REVENUES	44,177,310	0	44,177,310
BEGINNING BALANCE	1,489,692	8,080,582	9,570,274
TOTAL AVAILABLE	45,667,002	8,080,582	53,747,584
EXPENDITURES			
Instruction	24,835,786	0	24,835,786
Academic Support	5,449,762	0	5,449,762
Student Services	3,772,744	0	3,772,744
Institutional Support	5,829,885	0	5,829,885
Operation & Maintenance of Plant	3,369,942	0	3,369,942
TOTAL EXPENDITURES	43,258,119	0	43,258,119
TRANSFERS (IN) OUT OF I&G			
Student Social & Cultural Activities	0	0	0
Research	0	0	0
Public Service	0	0	0
Internal Service Dept.	0	0	0
Student Financial Aid	435,243	0	435,243
Auxiliary Enterprises	0	0	0
Intercollegiate Athletics	0	0	0
Independent Operations	0	0	0
Capital Outlay	143,107	0	143,107
Renewals & Replacements	205,841	0	205,841
Retirement of Indebtedness	0	0	0
Non-Budgetary Exhibits:			
Endowment Fund	0	0	0
Other (to Las Cruces Campus)	85,000	0	85,000
Other (Specify)	0	0	0
NET TRANSFERS	869,191	0	869,191
ENDING BALANCE	1,539,692	8,080,582	9,620,274

Prepared by: Kimberly G. Rumford Date Approved by BOR _____

For NMHED Use Only	Accept	Reject	Date	
NMHED Analyst	_____	_____	___/___/___	NMHED Control # _____
NMHED Director	_____	_____	___/___/___	
For DFA Use Only				
DFA Analyst	_____	_____	___/___/___	DFA Control # _____
DFA Director	_____	_____	___/___/___	Agency Code _____
	Increase _____	Decrease _____	Transfer _____	

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NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Grants FY 2022-2023

Adjustment to Fund: Unrestricted Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
REVENUES			
Instruction and General	5,416,312	0	5,416,312
Student Social & Cultural Activities	11,000	0	11,000
Research	0	0	0
Public Service	1,000	0	1,000
Internal Service Dept.	2,000	0	2,000
Student Financial Aid	0	0	0
Auxiliary Enterprises	15,000	0	15,000
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	5,445,312	0	5,445,312
Capital Outlay	3,120,000	0	3,120,000
Renewals & Replacements	40,259	0	40,259
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	3,160,259	0	3,160,259
TOTAL REVENUES	8,605,571	0	8,605,571
BEGINNING BALANCES			
Instruction and General	722,572	771,661	1,494,233
Student Social & Cultural Activities	79,524	8,751	88,275
Research	0	0	0
Public Service	13,429	259,986	273,415
Internal Service Dept.	45,225	(6,377)	38,848
Student Financial Aid	0	4,000	4,000
Auxiliary Enterprises	75,918	(329)	75,589
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	936,668	1,037,692	1,974,360
Capital Outlay	4,389,159	696,802	5,085,961
Renewals & Replacements	5,518,187	175,018	5,693,205
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	9,907,346	871,820	10,779,166
TOTAL BEGINNING BALANCES	10,844,014	1,909,512	12,753,526
TOTAL AVAILABLE			
Instruction and General	6,138,884	771,661	6,910,545
Student Social & Cultural Activities	90,524	8,751	99,275
Research	0	0	0
Public Service	14,429	259,986	274,415
Internal Service Dept.	47,225	(6,377)	40,848
Student Financial Aid	0	4,000	4,000
Auxiliary Enterprises	90,918	(329)	90,589
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	6,381,980	1,037,692	7,419,672
Capital Outlay	7,509,159	696,802	8,205,961
Renewals & Replacements	5,558,446	175,018	5,733,464
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	13,067,605	871,820	13,939,425
GRAND TOTAL AVAILABLE	19,449,585	1,909,512	21,359,097

*NMHED/DFA Approval moved to Page 3

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NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Grants FY 2022-2023

Adjustment to Fund: Unrestricted Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>	
EXPENDITURES				
Instruction and General	5,134,363	0	5,134,363	
Student Social & Cultural Activities	10,000	0	10,000	
Research	0	0	0	
Public Service	3,000	0	3,000	
Internal Service Dept.	(3,500)	0	(3,500)	
Student Financial Aid	38,193	0	38,193	
Auxiliary Enterprises	15,000	0	15,000	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	5,197,056	0	5,197,056	
Capital Outlay	4,330,000	0	4,330,000	
Renewals & Replacements	480,259	0	480,259	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	4,810,259	0	4,810,259	
TOTAL EXPENDITURES	10,007,315	0	10,007,315	
TRANSFERS IN (OUT)				
Instruction and General	(343,439)	0	(343,439)	
Student Social & Cultural Activities	(5,000)	0	(5,000)	
Research	0	0	0	
Public Service	2,000	0	2,000	
Internal Service Dept.	(9,500)	0	(9,500)	
Student Financial Aid	38,193	0	38,193	
Auxiliary Enterprises	(5,000)	0	(5,000)	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	(322,746)	0	(322,746)	
Capital Outlay	13,681	0	13,681	
Renewals & Replacements	309,065	0	309,065	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	322,746	0	322,746	
NET TRANSFERS	0	0	0	
ENDING BALANCES				
Instruction and General	661,082	771,661	1,432,743	28%
Student Social & Cultural Activities	75,524	8,751	84,275	843%
Research	0	0	0	#DIV/0!
Public Service	13,429	259,986	273,415	9114%
Internal Service Dept.	41,225	(6,377)	34,848	-996%
Student Financial Aid	0	4,000	4,000	10%
Auxiliary Enterprises	70,918	(329)	70,589	471%
Athletics	0	0	0	#DIV/0!
Independent Operations	0	0	0	#DIV/0!
Subtotal Current Funds	862,178	1,037,692	1,899,870	37%
Capital Outlay	3,192,840	696,802	3,889,642	90%
Renewals & Replacements	5,387,252	175,018	5,562,270	1158%
Retirement of Indebtedness	0	0	0	#DIV/0!
Subtotal Plant Funds	8,580,092	871,820	9,451,912	196%
TOTAL ENDING BALANCES	9,442,270	1,909,512	11,351,782	113%
TOTAL EXPENDITURES, TRANSFERS, BALANCES	19,449,585	1,909,512	21,359,097	

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 NEW MEXICO HIGHER EDUCATION DEPARTMENT
 BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Grants FY 2022-2023
 Adjustment to Fund: Unrestricted Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
INSTRUCTION & GENERAL:			
REVENUES			
Tuition and Fees	975,062	0	975,062
Federal Government Appropriations	0	0	0
State Government Appropriations	4,076,900	0	4,076,900
Local Government Appropriations	285,000	0	285,000
Federal Grants/Contracts	350	0	350
State Grants/Contracts	0	0	0
Local Grants/Contracts	0	0	0
Private Gifts/Grants/Contracts	0	0	0
Endowment/Land/Permanent Fund	0	0	0
Sales & Services of Ed Activities	0	0	0
Other Sources	79,000	0	79,000
TOTAL REVENUES	5,416,312	0	5,416,312
BEGINNING BALANCE	722,572	771,661	1,494,233
TOTAL AVAILABLE	6,138,884	771,661	6,910,545
EXPENDITURES			
Instruction	2,094,649	0	2,094,649
Academic Support	606,628	0	606,628
Student Services	806,920	0	806,920
Institutional Support	945,098	0	945,098
Operation & Maintenance of Plant	681,068	0	681,068
TOTAL EXPENDITURES	5,134,363	0	5,134,363
TRANSFERS (IN) OUT OF I&G			
Student Social & Cultural Activities	0	0	0
Research	0	0	0
Public Service	2,000	0	2,000
Internal Service Dept.	0	0	0
Student Financial Aid	33,193	0	33,193
Auxiliary Enterprises	(5,000)	0	(5,000)
Intercollegiate Athletics	0	0	0
Independent Operations	0	0	0
Capital Outlay	13,681	0	13,681
Renewals & Replacements	299,565	0	299,565
Retirement of Indebtedness	0	0	0
Non-Budgetary Exhibits:			
Endowment Fund	0	0	0
Other (To Las Cruces Campus)	0	0	0
Other (Specify)	0	0	0
NET TRANSFERS	343,439	0	343,439
ENDING BALANCE	661,082	771,661	1,432,743

Prepared by: Kimberly G. Rumford Date Approved by BOR

For NMHED Use Only	Accept	Reject	Date	
NMHED Analyst	_____	_____	___/___/___	NMHED Control # _____
NMHED Director	_____	_____	___/___/___	
For DFA Use Only				
DFA Analyst	_____	_____	___/___/___	DFA Control # _____
DFA Director	_____	_____	___/___/___	Agency Code _____
	Increase _____	Decrease _____	Transfer _____	



Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item # H-2

- Action Item
 Consent Item
 Informational Item

Presented By: Dan E. Arvizu, Ph.D.
 Chancellor

Agenda Item: Authorization for Conferral of Degrees and Certificates

Requested Action of the Board of Regents: Approval of motion to confer Fall 2022 degrees and certificates.

Executive Summary: We request approval of the Regents of New Mexico State University to confer degrees and certificates to named candidates listed in the Fall 2022 Commencement Programs of the institution's four campuses. Conferral is contingent upon the students' satisfactory completion of 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 journey of a student through New Mexico State University is filled with caring faculty and staff working at the front of classrooms or behind the scenes.

Summary for 2022 Fall Degree Recipients

Created November 14, 2022

COLLEGE	Degree Applicants
Agricultural, Consumer and Environmental Sciences	97
Arts and Sciences	311
Business	128
Engineering	161
HEST	229
Masters	253
Specialist in Education	2
Doctoral	49
Total Degree Applicants	1,230
Alamogordo	33
Carlsbad-Southeast New Mexico	32
Dona Ana	377
Grants	30
Total Degrees Applicants	472



Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item # I-1

- Action Item
- Consent Item
- Informational Item

Presented By: Ermelinda Quintela
Senior Administrator for Strategic System
Services and
Operational Policy Administrator

Agenda Item: Summary of Revisions to the Administrative Rules and Procedures of NMSU (ARP) for the period November 25, 2021 – November 30, 2022.

Requested Action of the Board of Regents: Informational only.

Executive Summary: In accordance with ARP 1.10, the attached report provides a brief synopsis of approved policy actions to the Administrative Rules and Procedures of NMSU (ARP) approved by the Chancellor during the referenced period.

References:

ARP 1.10, Part 5.5.B., provides that a summary of approved policy actions, with exception of the non-substantive corrections and updates, as an informational item for inclusion in the record of each regular meeting of the NMSU Board of Regents..

Prior Approvals:



Office of the Vice Chancellor

Strategic System Services
 MSC 3Z
 Hadley Hall
 2850 Weddell Dr.
 Las Cruces, NM 88003
 575-646-2035, fax: 575-646-6334
 sss@nmsu.edu

INFORMATIONAL REPORT: SUMMARY OF ARP REVISIONS (PERIOD: 11/25/2021-11/30/2022)

Proposed policy revisions to the NMSU Administrative Rules and Procedures (ARP) (<https://arp.nmsu.edu/>) are submitted through the Policy Steering Committee, to include Interim policy actions. Revisions to the NMSU ARP are developed and reviewed with responsible administrator and relevant stakeholders, reviewed by constituencies, and posted for university community comment and ultimately for consideration by the Policy Steering Committee, advisory to the Chancellor. Occasionally, as warranted by the circumstances, the Chancellor implements and revises operational policy provisionally (interim policy actions) pending the formal review, comment and approval process. Additionally, non-substantive revisions are made periodically to reformat, update or correct, as part of regular ARP maintenance and without the above formal approval processes (e.g. updates to job titles or office names, correcting typographical errors or hyperlinks, adding cross references). This report is submitted pursuant to ARP 1.10 (Part 5.5.B.) to summarize the revisions made to the ARP during the period of November 25, 2021, through November 30, 2022.

ARP 16.75 UAS Operations, was amended by the Chancellor effective November 1, 2022, upon the recommendation of the Chancellor Executive Team. ARP 16.75 – Unmanned Aircraft Systems (“Drones”) was revised to move a major portion of oversight responsibility from the Physical Science Lab (PSL) to and/or in conjunction with NMSU Environmental, Health, Safety & Risk Management (EHS&RM). The intent was to streamline some of the approval processes and enhance flow through a central point, which is now EHS&RM. Highlights of the changes and intent include the following:

- Moved process responsibility to EHS&RM to centralize efforts.
- Updated “unmanned” to “unoccupied” to align with current environment.
- The pre-approval of purchasing requirement was changed to approval by the Dept. Head only, eliminating the need for EHS&RM signature.
- Notification to individuals and departments regarding the responsibility for compliance by adding “Individuals or departments must ensure that UAS devices will be in compliance with all requirements that funding sources specify.”
- UAS acquisitions with university funds must be reported to EHS&RM, in order to obtain registration and insurance for each UAS device. The intent is to streamline the reporting process.
- Inspection for safety and registration was moved from PSL to EHS&RM.

- Changed approval for utilization of UAS in a course, to no longer require approval by the college dean, community college vice president for academic affairs, with concurrence of community college president. This revision is intended to enhance oversight by requiring a central point of approval for flight operations through EHS&RM.
- Updated terminology from “recreational users” to “observed user” to align with current industry terminology.
- Replaced approval for research activities from the VPR to applicable Associate Dean, to provide authority to those individuals more closely involved with the activity.
- Enhanced pilot licensing by requiring faculty to hold specific Remote Pilot Certificate.
- Streamlined processes to allow requester to seek additional clearances for flights occurring during a specified period of time. Determination will be made by EHS&RM on a “Tiered” level, based on risk assessment of each flight plan.
- Provide an expanded opportunity for requests by adding an “ Other” category to Section B to allow for submission of requests, which do not fall within one of the specified categories.
- Added language limiting indoor flights to UAS less than .55 lbs and enhanced oversight by requiring direct supervision of a remote pilot certificate holder.
- Eliminated requirement to complete an analysis of existing aircraft or equipment to meet identified need, prior to purchase with university funds.
- Eliminated verbiage under Part B.3.1 which stated “....so long as they are not benefitting monetarily from such operations.”



Board of Regents Meeting
Meeting Date: December 8, 2022
Agenda Item Cover Page

Agenda Item # 1-2

- Action Item
- Consent Item
- Informational Item

Presented By: Associate Vice President D'Anne Stuart

Agenda Item: NMSU Revenue Bonds Series 2022 Sale Certificate

Requested Action of the Board of Regents: No action required.

Executive Summary: Informational Report of the Final Pricing and Terms of the Revenue Bonds, Series 2022 Authorized Pursuant to the Bond Authorizing Resolution Adopted on August 24, 2022

References:

Prior Approvals:

Board of Regents August 24, 2022

New Mexico State University General Obligation Bond Sale Results

Series 2022 New Money - \$28,065,000

October 11, 2022

STRICTLY PRIVATE AND CONFIDENTIAL



Capital
Markets

Series 2022 Transaction Overview

Series 2022	
Par:	\$28,065,000
Premium:	\$714,309
Issue:	New Money
TIC:	4.083%
All-in-TIC:	4.129%
Total Interest:	\$16,218,919
Total Debt Service:	\$44,283,919
Optional Redemption:	November 30, 2032
First Interest Payment:	April 1, 2023
Sale Date:	October 11, 2022
Closing Date:	November 30, 2022

Transaction Participants	
Issuer	New Mexico State University
Financial Advisor	RBC Capital Markets
Purchaser	New Mexico Finance Authority
Bond Counsel	Modrall Sperling

2022 New Money Financing Summary

Period Ending	Principal	Coupon	Interest	Capitalized Interest	Debt Service	Annual Debt Service
04/01/2023			\$413,796.74	\$133,115.74	\$280,681.00	\$280,681.00
10/01/2023			615,565.40	242,985.01	372,580.39	750,160.78
04/01/2024	\$5,000	5.00%	615,565.40	242,985.01	377,580.39	
10/01/2024			615,440.40	262,112.03	353,328.37	973,768.77
04/01/2025	5,000	5.00%	615,440.40		620,440.40	
10/01/2025			615,315.40		615,315.40	1,730,630.80
04/01/2026	500,000	5.00%	615,315.40		1,115,315.40	
10/01/2026			602,815.40		602,815.40	2,040,630.80
04/01/2027	835,000	5.00%	602,815.40		1,437,815.40	
10/01/2027			581,940.40		581,940.40	2,038,880.80
04/01/2028	875,000	5.00%	581,940.40		1,456,940.40	
10/01/2028			560,065.40		560,065.40	2,040,130.80
04/01/2029	920,000	5.00%	560,065.40		1,480,065.40	
10/01/2029			537,065.40		537,065.40	2,164,130.80
04/01/2030	1,090,000	5.00%	537,065.40		1,627,065.40	
10/01/2030			509,815.40		509,815.40	2,539,630.80
04/01/2031	1,520,000	5.00%	509,815.40		2,029,815.40	
10/01/2031			471,815.40		471,815.40	1,738,630.80
04/01/2032	795,000	5.00%	471,815.40		1,266,815.40	
10/01/2032			451,940.40		451,940.40	1,998,880.80
04/01/2033	1,095,000	3.59%	451,940.40		1,546,940.40	
10/01/2033			432,263.25		432,263.25	2,784,526.50
04/01/2034	1,920,000	3.75%	432,263.25		2,352,263.25	
10/01/2034			396,272.85		396,272.85	2,787,545.70
04/01/2035	1,995,000	3.92%	396,272.85		2,391,272.85	
10/01/2035			357,170.85		357,170.85	2,789,341.70
04/01/2036	2,075,000	4.05%	357,170.85		2,432,170.85	
10/01/2036			315,193.60		315,193.60	2,790,387.20
04/01/2037	2,160,000	4.16%	315,193.60		2,475,193.60	
10/01/2037			270,308.80		270,308.80	2,790,617.60
04/01/2038	2,250,000	4.25%	270,308.80		2,520,308.80	
10/01/2038			222,462.55		222,462.55	2,789,925.10
04/01/2039	2,345,000	4.44%	222,462.55		2,567,462.55	
10/01/2039			170,356.65		170,356.65	2,790,713.30
04/01/2040	2,450,000	4.37%	170,356.65		2,620,356.65	
10/01/2040			116,811.90		116,811.90	2,793,623.80
04/01/2041	2,560,000	4.44%	116,811.90		2,676,811.90	
10/01/2041			59,941.50		59,941.50	2,789,883.00
04/01/2042	2,670,000	4.49%	59,941.50		2,729,941.50	
	\$28,065,000		\$16,218,918.64	\$881,197.79	\$43,402,720.85	\$43,402,720.85

Sources of Funds	
	Series 2022
Par Amount	\$28,065,000.00
Premium	714,309.05
NMFA Contribution to Cap-I	232,000.00
	\$29,011,309.05

Uses of Funds	
	Series 2022
Project Fund	\$28,001,112.26
Capitalized Interest Fund	881,196.79
Cost of Issuance	129,000.00
	\$29,011,309.05

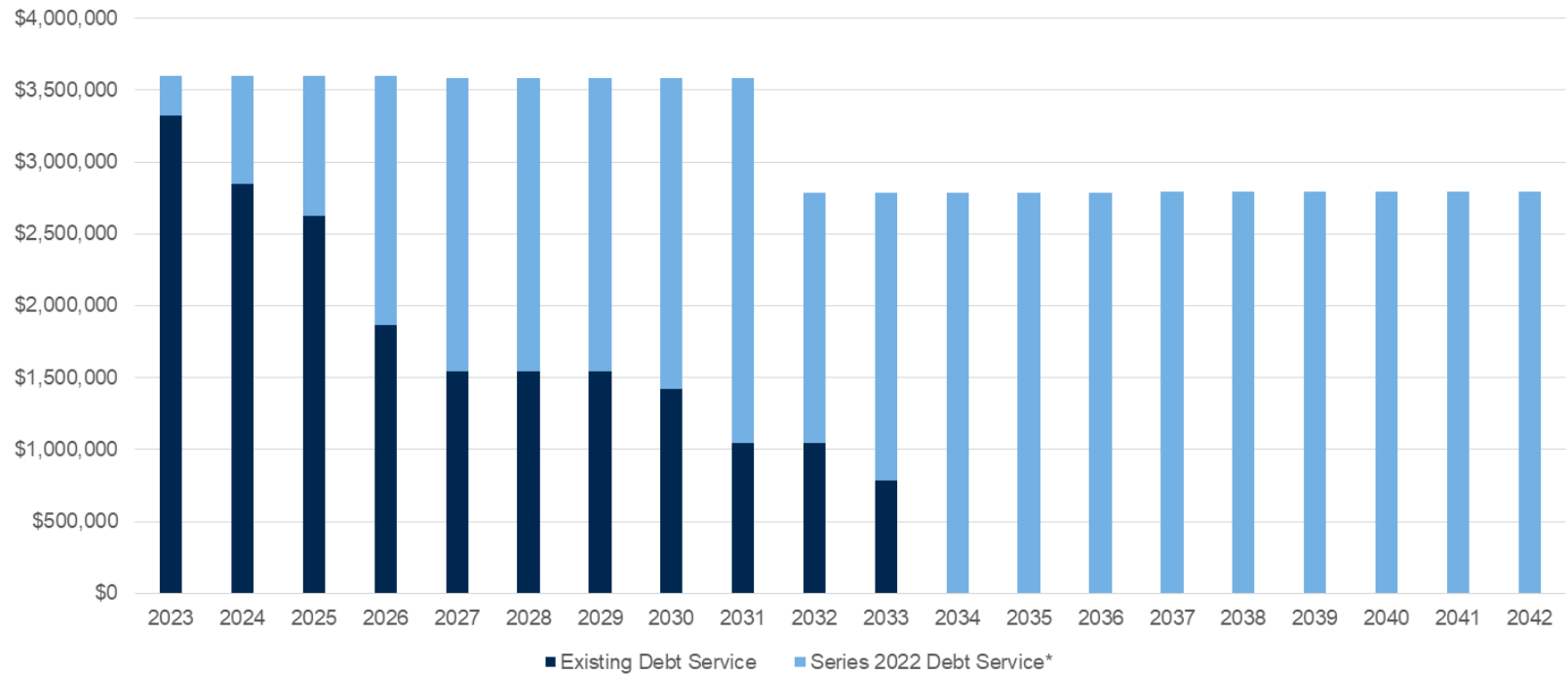
Bond Statistics	
Dated Date	11/30/22
Delivery Date	11/30/22
Last Maturity	4/1/42
Arbitrage Yield	4.083%
True Interest Cost (TIC)	4.083%
Net Interest Cost (NIC)	4.145%
All-In TIC	4.129%
Average Coupon	4.336%
Average Life (years)	13.33
Duration of Issue (years)	10.07
Total Interest	16,218,919
Total Debt Service	44,283,919
Maximum Annual Debt Service	2,793,624
Average Annual Debt Service	2,290,218

Student Fee Revenues

Period Ending	Existing Debt Service	Series 2022 Debt Service*	Total Debt Service	Student Fee
2023	\$3,319,319	\$280,681	\$3,600,000	\$3,600,000
2024	2,849,841	750,161	3,600,002	3,600,000
2025	2,626,229	973,769	3,599,998	3,600,000
2026	1,867,177	1,730,631	3,597,808	3,600,000
2027	1,543,909	2,040,631	3,584,540	3,600,000
2028	1,544,865	2,038,881	3,583,746	3,600,000
2029	1,545,203	2,040,131	3,585,334	3,600,000
2030	1,418,881	2,164,131	3,583,012	3,600,000
2031	1,046,561	2,539,631	3,586,192	3,600,000
2032	1,046,391	1,738,631	2,785,022	2,824,000
2033	785,253	1,998,881	2,784,134	2,824,000
2034		2,784,527	2,784,527	2,824,000
2035		2,787,546	2,787,546	2,824,000
2036		2,789,342	2,789,342	2,824,000
2037		2,790,387	2,790,387	2,824,000
2038		2,790,618	2,790,618	2,824,000
2039		2,789,925	2,789,925	2,824,000
2040		2,790,713	2,790,713	2,824,000
2041		2,793,624	2,793,624	2,824,000
2042		2,789,883	2,789,883	2,824,000
	\$19,593,629	\$43,402,721	\$62,996,349.85	\$63,464,000.00

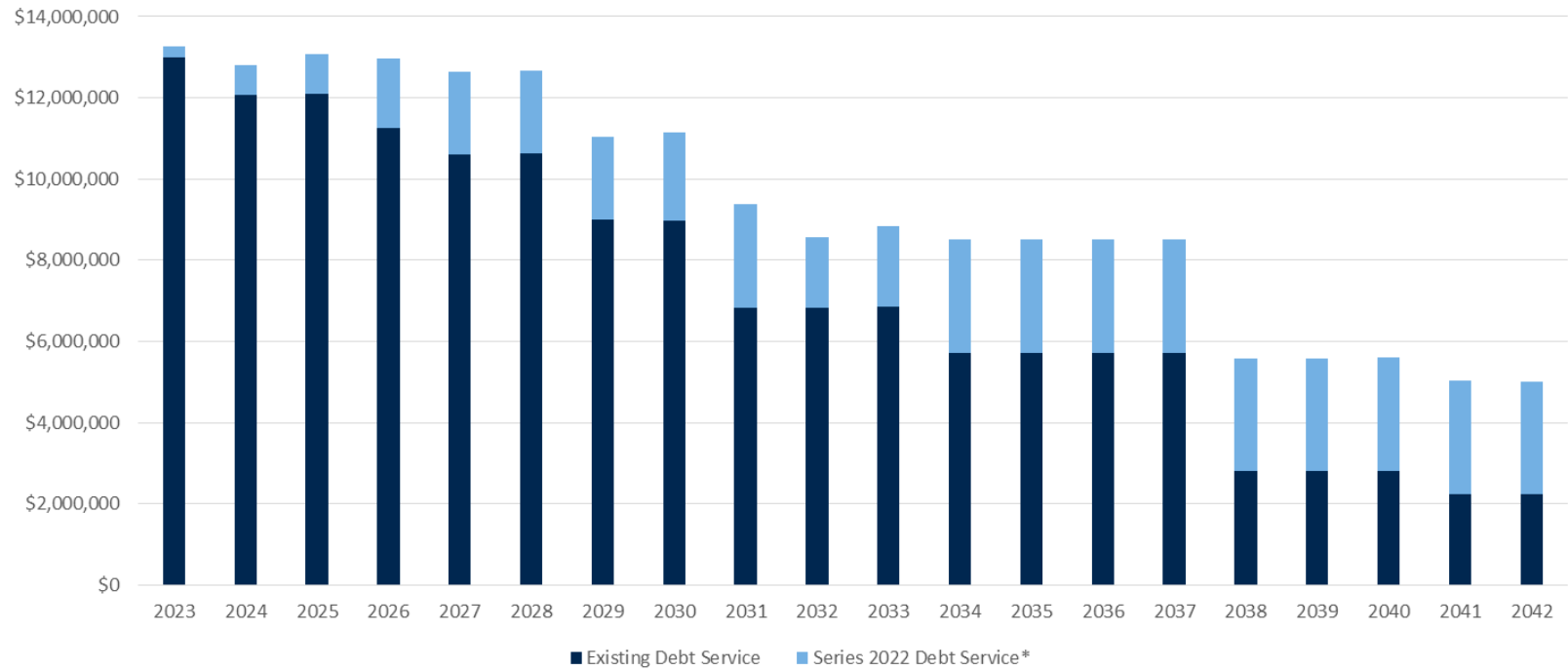
*Net of Capitalized Interest

Student Fee Revenues



*Net of Capitalized Interest

All Outstanding Debt



*Net of Capitalized Interest

Weekly Municipal Market Update



Capital Markets

Overview of Key US Market Themes

Municipal Markets Commentary

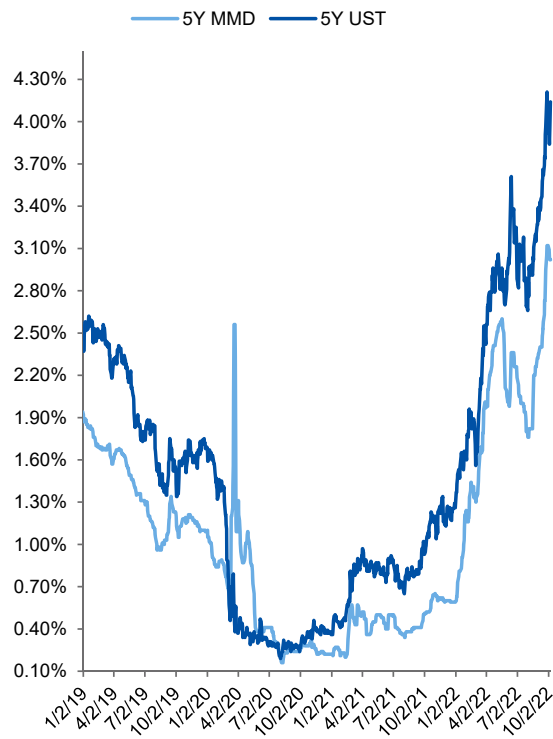
- Rates in the fixed income markets were mixed last week
- After moving lower early in the week, Treasury rates reversed trend and rose through the second half of the week, culminating with a selloff after the Friday employment report was released
 - By the close of the week, US Treasuries were five basis points higher in the five and ten year ranges and six basis points higher in the thirty year range
- Municipals fared better however, and generally held their ground after the early week rally thanks, in part, to extremely light new issue volume
 - The Municipal Market Data AAA yield was ten basis points lower in the five year range, twelve basis points lower in the ten year range, and fourteen basis points lower in the thirty year range
 - Municipal/Treasury yield ratios closed the week three to five percentage points lower across the maturity spectrum
- Municipal supply totaled \$4.9bn last week, and this week's volume is expected to total a modest \$2.3bn
 - The forward calendar continues to indicate moderate future issuance, with visible supply currently sitting at \$9.2 billion according to *The Bond Buyer*
- Outflows continued for the ninth consecutive week, with funds reporting \$2.06bn of outflows
 - Cumulative YTD outflows stand at \$62bn
- Bid-wanted volume in the secondary market totaled \$8bn last week, averaging \$1.6bn per day.
 - MBWD par volumes have topped \$1bn on 136 trading days out of a total of 194 so far this year

Source: RBC Capital Markets and Bloomberg. For more sources, see disclaimer slide.

Interest Rate Movements

Relative Performance of Municipal Yields Versus Treasury Yields

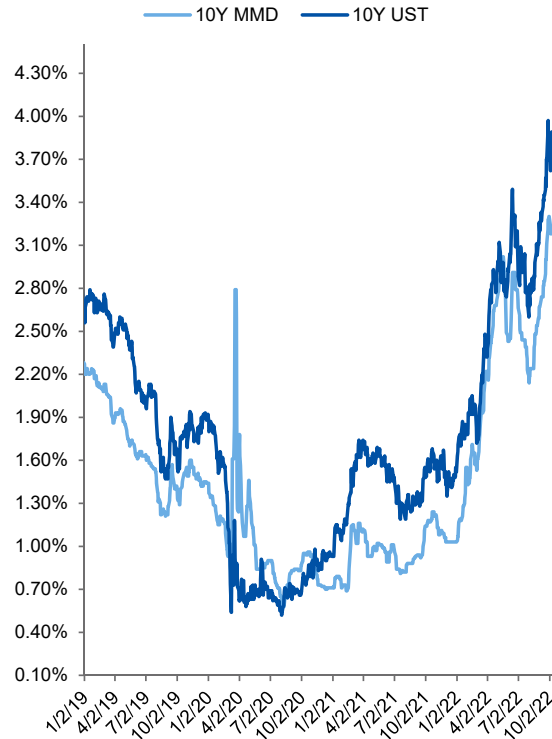
5 Year MMD⁽¹⁾ and 5 Year UST



Change in 5 Year MMD and UST

	Current	3.02	Current	4.14
	Prior	Δ MMD	Prior	Δ UST
	Values	(bps)	Values	(bps)
3 Months	2.05	97	3.05	109
6 Months	2.10	92	2.70	144
1 Year	0.52	250	1.02	312
2 Years	0.29	273	0.35	379

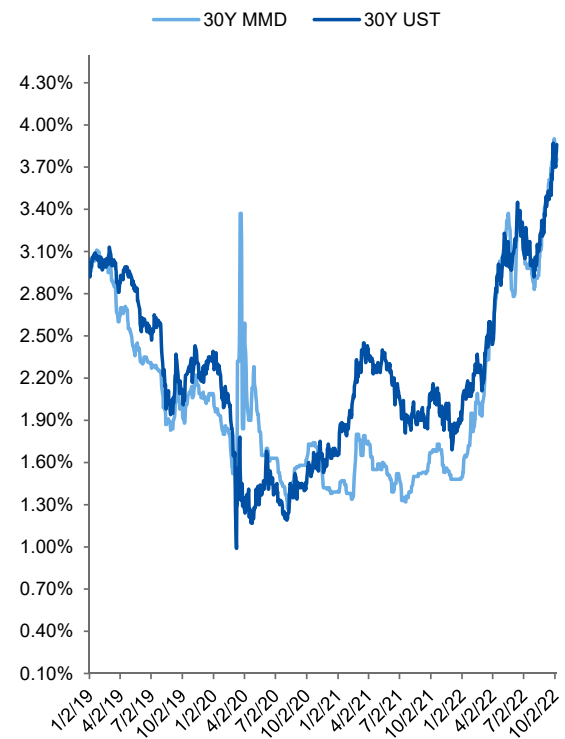
10 Year MMD and 10 Year UST



Change in 10 Year MMD and UST

	Current	3.18	Current	3.89
	Prior	Δ MMD	Prior	Δ UST
	Values	(bps)	Values	(bps)
3 Months	2.49	69	3.01	88
6 Months	2.32	86	2.66	123
1 Year	1.16	202	1.58	231
2 Years	0.95	223	0.81	308

30 Year MMD and 30 Year UST



Change in 30 Year MMD and UST

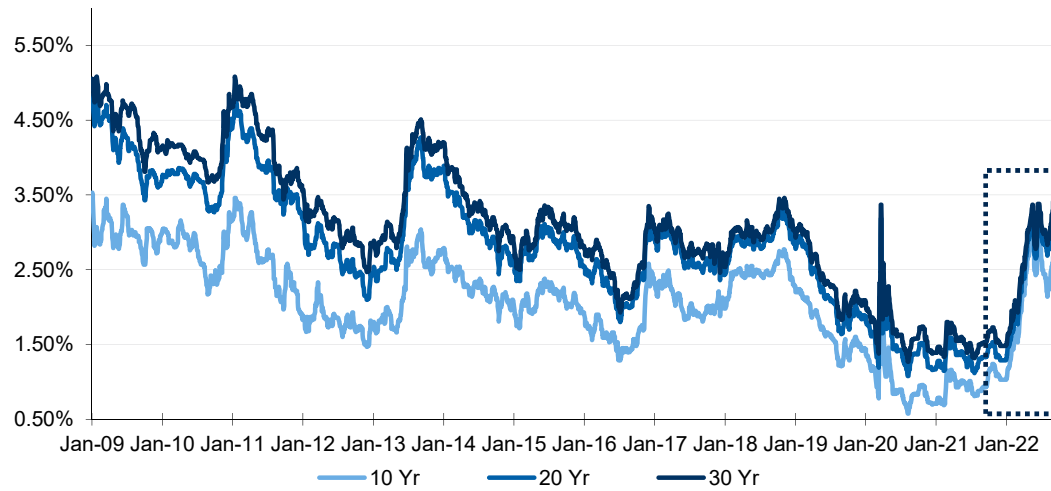
	Current	3.76	Current	3.86
	Prior	Δ MMD	Prior	Δ UST
	Values	(bps)	Values	(bps)
3 Months	3.01	75	3.20	66
6 Months	2.67	109	2.69	117
1 Year	1.68	208	2.13	173
2 Years	1.73	203	1.60	226

(1) MMD stands for Municipal Market Data; which is the daily index off of which all municipal bonds are priced.
Source: Refinitiv

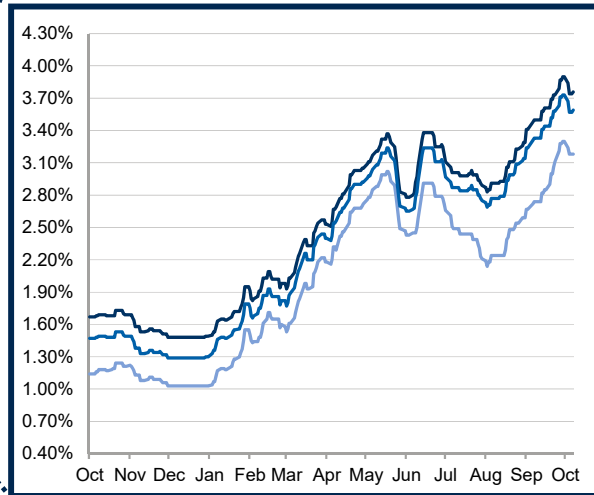
Current Municipal Market Conditions: “AAA” MMD

After closing at 3.90% the previous week, 30-year “AAA” MMD decreased 14 bps on the week

“AAA” MMD January 1, 2009 to Present



Shift in “AAA” MMD Since October 2021



January 1, 2009 to Present

	10 Year	20 Year	30 Year
Maximum	3.53%	4.89%	5.08%
Minimum	0.58%	1.08%	1.27%
Current	3.18%	3.59%	3.76%

Shift in 30-year “AAA” MMD

	2014	2015	2016	2017	2018	2019	2020
	-1.34%	-0.01%	0.27%	-0.51%	0.47%	-0.93%	-0.68%

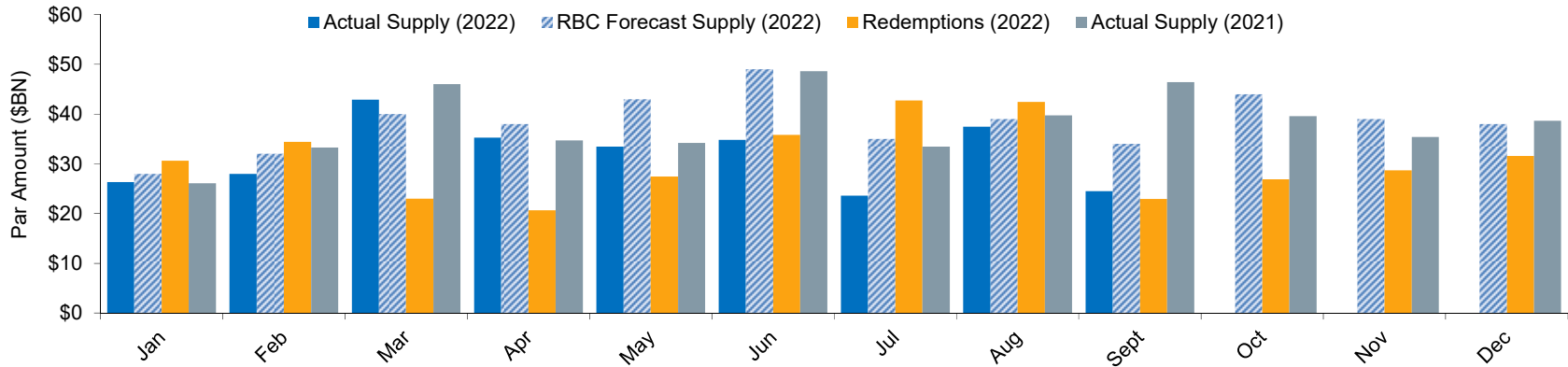
October 1, 2021 to Present

	10 Year	20 Year	30 Year
Maximum	3.30%	3.73%	3.90%
Minimum	1.03%	1.29%	1.48%
Average	2.02%	2.34%	2.50%

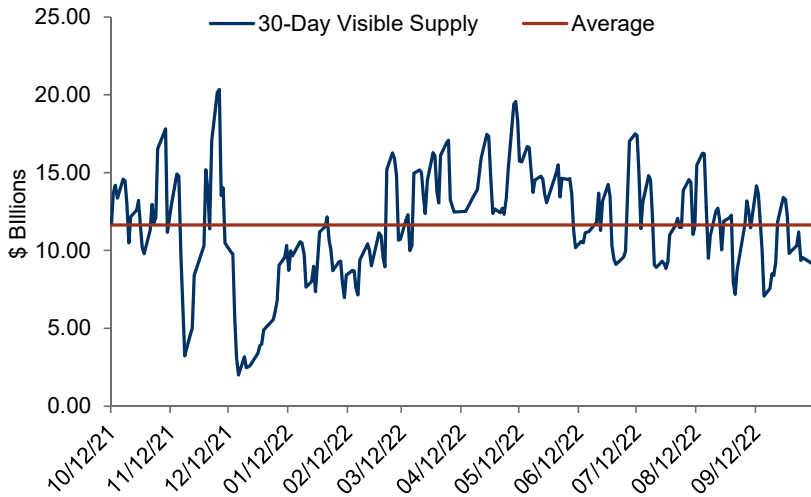
Source: Refinitiv
10, 20, and 30 year “AAA” MMD shown to represent different average lives of municipal transactions
Rates as of October 7, 2022

Overview of Municipal Supply

Monthly Projected Supply and Redemptions



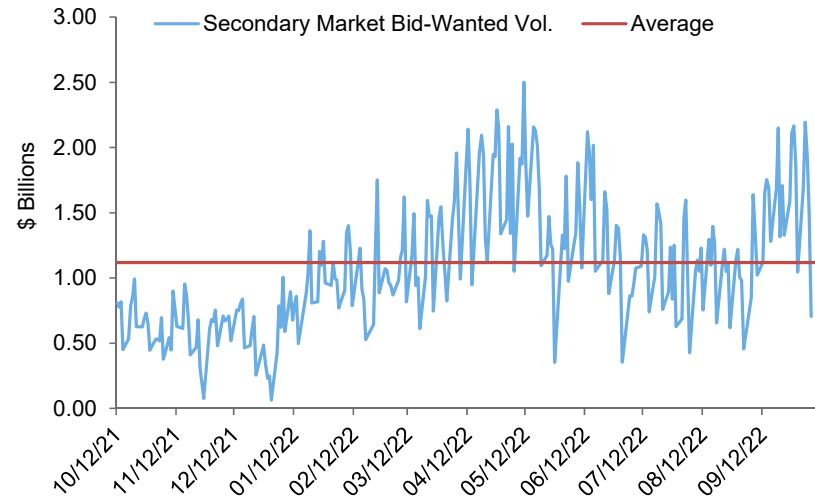
30-Day Visible Supply



Summary Statistics (Billions)

Max	\$20.33	Min	\$2.01	Avg.	\$11.63	Curr.	\$9.16
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Secondary Market Bid-Wanted Volume



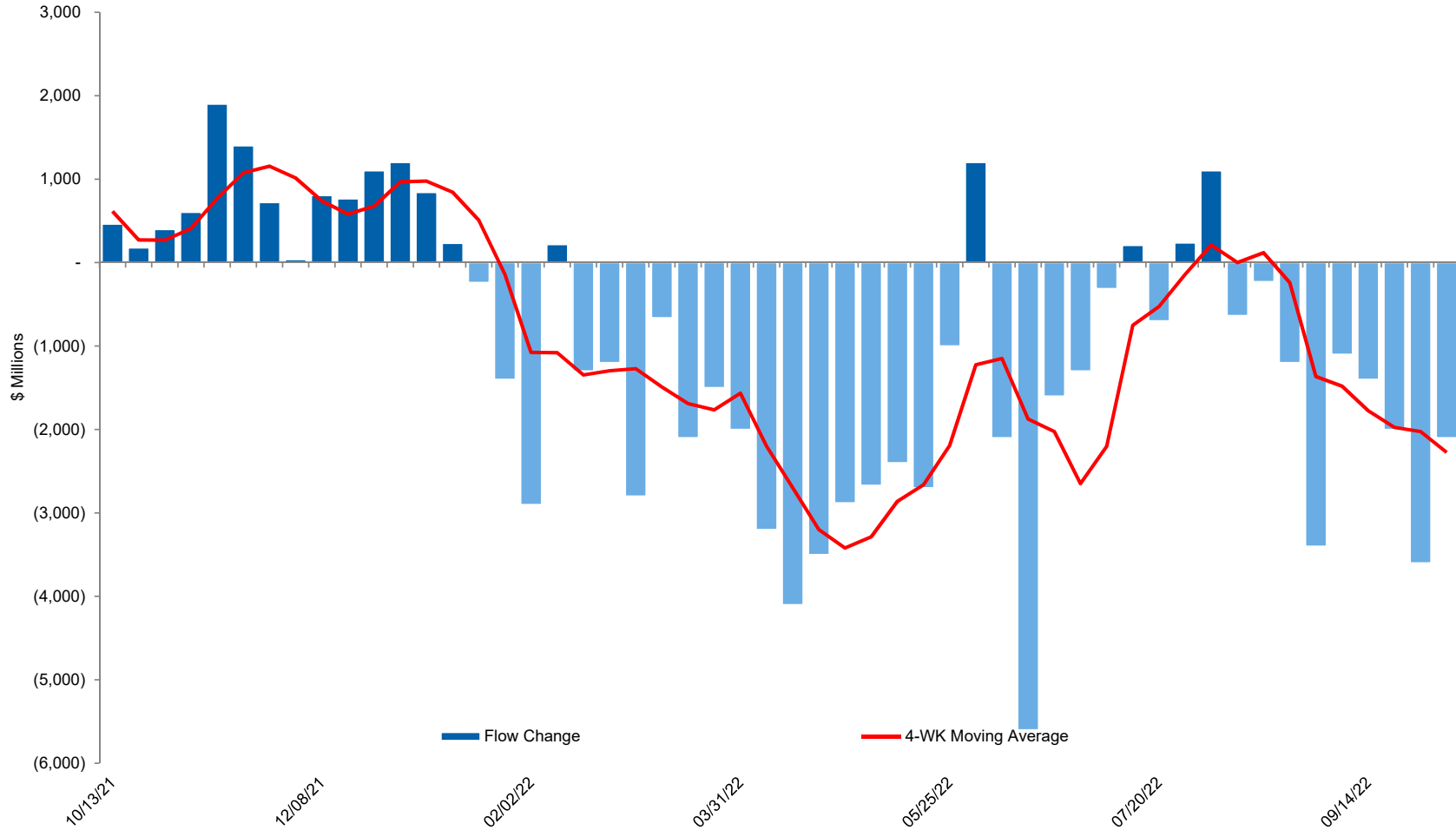
Summary Statistics (Billions)

Max	\$2.50	Min	\$0.06	Avg.	\$1.12	Curr.	\$0.70
-----	--------	-----	--------	------	--------	-------	--------

Source: Bloomberg

Municipal Bond Fund Flows

- For the week ended October 5, 2022, Lipper reported weekly municipal bond fund outflows of \$2.1 billion compared to the previous week's \$3.6 billion of outflows.



Source: Lipper

Disclaimer

Sources include: https://www.rbccm.com/assets/rbccm/docs/uploads/2017/RBCCM_Muni_Markets_Weekly_Newsletter.pdf, <http://www.rbc.com/economics/>, RBC Capital Markets.

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\$28,065,000
THE BOARD OF REGENTS OF
NEW MEXICO STATE UNIVERSITY IMPROVEMENT REVENUE BONDS
SERIES 2022

SALE CERTIFICATE

All terms not defined herein shall have the meanings given them in the Resolution (the “Resolution”) adopted by the Board of Regents (the “Board”) of New Mexico State University (the “University”) on August 24, 2022.

WHEREAS, on August 24, 2022, the Board adopted the Resolution authorizing the issuance and sale of its Improvement Revenue Bonds, Series 2022 (the “Bonds”) pursuant to a private placement with the New Mexico Finance authority (the “Purchaser”) for the purpose of purchasing, erecting, altering, remodeling, expanding, improving, repairing, furnishing and equipping of buildings, improvements and facilities for the use of the University, including but not limited to improving the University’s Recreation Activity and Aquatic Center, Aggie Memorial Stadium, Corbett Center Student Union Building and the Pan American Center, funding capitalized interest on the Bonds, if necessary, and paying the costs of issuance of the Bonds (the “Improvement Project”); and

WHEREAS, the Board delegated authority to the Chair of the Board of Regents, the Chancellor of the University, the Vice-Chancellor/Chief Operating Officer of the University, or the Associate Vice President for Finance and Business Services of the University to determine the final terms of the Bonds, including the maturity dates, principal amounts, prices, the procurement of municipal bond insurance, redemption features and other features of the Bonds, subject to the parameters of the Resolution; and

WHEREAS, the form of the Purchase Contract (the “Bond Purchase Agreement”) between the University and the New Mexico Finance Authority (the “Purchaser”) was presented to the Board in connection with its consideration and adoption of the Resolution; and

WHEREAS, the undersigned has determined that it is in the best interest of the University to proceed with the issuance and sale of the Bonds to the Purchaser pursuant to the Resolution, the Bond Purchase Agreement and this Sale Certificate.

NOW THEREFORE, the undersigned hereby certifies as follows:

1. Details of the Bonds. The Bonds shall be issued in one series designated as the Board of Regents of New Mexico State University Improvement Revenue Bonds, Series 2022, and shall be issued in the aggregate principal amount of \$28,065,000 which is less than the maximum par amount of Bonds authorized by the Resolution of \$28,500,000. The Bonds shall be secured by a first lien, but not an exclusive first lien, on the Pledged Revenues, on a parity with the outstanding parity Senior Lien Parity Bonds. The Bonds shall be dated the date of their issuance and delivery to the Purchaser, shall bear interest from the date of delivery, at the rates described below, payable semiannually on April 1 and October 1 of each year until maturity, commencing

April 1, 2023, and shall mature on April 1 in each of the designated amounts and years as set forth below:

Maturity Date (April 1)	Principal Maturing	I Interest Rate
2024	\$ 5,000	5.000%
2025	5,000	5.000%
2026	500,000	5.000%
2027	835,000	5.000%
2028	875,000	5.000%
2029	920,000	5.000%
2030	1,090,000	5.000%
2031	1,520,000	5.000%
2032	795,000	5.000%
2033	1,095,000	3.594%
2034	1,920,000	3.749%
2035	1,995,000	3.920%
2036	2,075,000	4.046%
2037	2,160,000	4.156%
2038	2,250,000	4.253%
2039	2,345,000	4.444%
2040	2,450,000	4.371%
2041	2,560,000	4.443%
2042	2,670,000	4.490%

The final maturity of the Bonds of April 1, 2042 is less than the maximum final maturity established in the Resolution of April 1, 2043.

2. Private Placement of Bonds to Purchaser; Approval of Bond Purchase Agreement. The Bonds shall be sold to the Purchaser in a private placement sale at a price of \$28,779,309.05 (representing the par amount of the Bonds of \$28,065,000.00 plus original issue premium of \$714,309.05) pursuant to the Bond Purchase Agreement which is hereby approved and is in substantially the form approved by the Board pursuant to the Resolution.

3. Optional Redemption Prior to Maturity. The Bonds maturing on and after April 1, 2033 shall be subject to redemption prior to maturity, at the option of the Regents, at any time on or after November 30, 2032, in whole or in part, and if in part, the Bonds to be prepaid or redeemed shall be selected in order of maturities as the Regents shall determine and if less than all of the Bonds of a particular maturity are to be redeemed, then by lot in such manner as the Paying Agent/Registrar shall determine, at a price equal to the principal amount being redeemed plus accrued interest to the redemption date.

4. Sources and Uses of Funds. The proceeds of the Bonds are hereby authorized to be applied as set forth below. Proceeds of the Bonds in the amount of \$649,196.79 shall be deposited in the Capitalized Interest Account. Additionally, the Purchaser shall contribute \$232,000 for deposit into the Capitalized Interest Account (the “Purchaser’s Contribution”); the University is not required to repay the Purchaser’s Contribution.

Sources:	
Principal Amount	\$28,065,000.00
Premium	714,309.05
Purchaser Contribution to Capitalized Interest	<u>232,000.00</u>
Total Sources:	<u>\$29,011,309.05</u>
Uses:	
Acquisition Fund	\$28,001,112.26
Deposit to Series 2022 Capitalized Interest Account in Interest and Retirement Fund	881,196.79
Costs of Issuance	<u>129,000.00</u>
Total Uses:	<u>\$29,011,309.05</u>

The Acquisition Fund shall be held by BOKF, NA, the Purchaser’s Trustee, pursuant to the Indenture for disbursement for costs of the Improvement Project.

5. Net Effective Interest Rate. The Net Effective Interest Rate on the Bonds is 4.144698%, which is less than 12%, as required by the Resolution.

6. Purchaser’s Discount. The Purchaser’s discount of \$0 does not exceed 1% of the aggregate principal amount of the Bonds.

7. Purchaser’s Requirements for Issuance of Additional Obligations.

Additional Senior Lien Parity Bonds. Pursuant to the Bond Purchase Agreement, prior to issuing any Senior Lien Parity Bonds in compliance with the Section 17 of the Bond Resolution, the University shall obtain the written consent of the Purchaser; provided, however, prior to issuing any Senior Lien Parity Bonds to refund or redeem all or a portion of the Bonds or any other outstanding Senior Lien Parity Bonds in compliance with Section 18 of the Bond Resolution, the University shall provide written notice to the Purchaser, but the written consent of the Purchaser shall not be required.

Additional Subordinate Lien Bonds. Prior to issuing any Subordinate Lien Bonds in compliance with Section 17 or Section 18 of the Bond Resolution and the resolutions authorizing the outstanding Subordinate Lien Bonds, the University shall provide prior written notice to the Purchaser.

8. Federal Tax Status of Bonds. The Bonds shall be issued as federally tax-exempt bonds under the Internal Revenue Code.

9. Terms of Bonds within Parameters of the Resolution. It is hereby found and determined that the above terms established for the Bonds are within the parameters established for the Bonds by the Resolution.

10. Approval of Related Documents. The form, terms and provisions of the Bond Purchase Agreement are in all respects approved, authorized and confirmed

11. Presentation of Sale Certificate at Meeting of the Board. Pursuant to the Supplemental Public Securities Act, the undersigned shall present this Sale Certificate to the Board in a timely manner, before or after the execution and delivery of the Bonds, at a regularly scheduled public meeting of the Board.

WITNESS my hand this 3rd day of November, 2022.

NEW MEXICO STATE UNIVERSITY



D'Anne Stuart, Associate Vice President of Finance
and Business Services

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*Signature Page to Sale Certificate
The Regents of New Mexico State University
Improvement Revenue Bonds,
Series 2022*



Board of Regents Meeting
Meeting Date: September 14, 2022
Agenda Item Cover Page

Agenda Item # J

- Action Item
- Consent Item
- Informational Item

Presented By: Jeff Witte
Cabinet Secretary & Director
New Mexico Department of
Agriculture

Agenda Item: Report from the New Mexico Department of Agriculture to the Regents of New Mexico State University (Board of Agriculture)

Requested Action of the Board of Regents: None. Information only.

Executive Summary: This is a quarterly report provided to the Board of Regents from the New Mexico Department of Agriculture

References:
See attached report.

Prior Approvals:
N/A

NMDA

New Mexico Department of Agriculture

BOARD OF REGENTS REPORT

December 8, 2022

Pecan Weevil Quarantine

Amendments to the ‘New Mexico Pecan Weevil Interior Quarantine’ and the ‘New Mexico Pecan Weevil Exterior Quarantine’ rules became effective November 8, 2022. The rules identify pecan weevil infested areas within or exterior to New Mexico and state the restrictions on the movement of in-shell pecans and associated equipment and supplies originating from those infested areas into New Mexico pecan weevil-free counties. Restrictions on the movement of pecans and related articles are in collaboration with the New Mexico Pecan Growers’ Association in an attempt to slow the spread of pecan weevil to uninfested areas of the state including Dona Ana County. Within the amendments to the ‘New Mexico Pecan Weevil Interior Quarantine’ rule was an amendment that identified Otero County as being a pecan weevil infested county. To help Otero County growers understand the justification, impact the restrictions will have on the movement of their in-shell pecans, and provide general pecan weevil information, the New Mexico Department of Agriculture held three open meetings in Tularosa on July 27, September 9, and November 16.

Marketing and Development

NM Taste the Tradition/Grown with Tradition Country Store (Roswell) - Staff coordinated the NM Country Store at the Eastern New Mexico State Fair in Roswell October 2-9. This provided a “buy local” venue for state logo program members to showcase and sell their products to regional fairgoers. Featured specialty products included salsas, sauces, coffee, pecans, drink mixes, popcorn, dried goods, syrups, nuts, jellies, honey, jerky, and more. New this year, staff collaborated with Taste New Mexico, a professional Albuquerque-based sampling company to help demo products offered for sale throughout the week.



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 Presented December 8, 2022
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New Mexico Pecan Student Innovation Challenge - Through a USDA Specialty Crop Block Grant, staff partnered with the Culinary Institute of America (CIA) to implement a 2-step culinary marketing



activity focused on improving awareness of NM pecans within the food service marketing segment and to stimulate user creativity and cooking versatility of NM pecans. CIA student chefs enrolled in the Hyde Park, NY campus were invited to participate in this challenge by submitting savory and bakery/pastry dishes/recipes using NM pecans along with a video marketing presentation. Over 40 entries were received and independently judged by staff. Judges ultimately selected eight (8) final contestants. These final contestants progressed to a live timed challenge arranged at CIA's Upstate New York campus (Note: Final contest modeled after TV series Top Chef and The Great British Bake Off). Judges from NM traveled to the CIA campus to participate in the final challenge, where finalists prepared and presented their dishes before the live judging panel consisting of state industry representatives, staff, and a lead CIA chef instructor. First and second place winners in both savory and bakery/pastry categories were awarded tuition scholarships from

NM industry pecan sponsors. The challenge was welcomed by both CIA and the NM Pecan Growers Association and was widely shared via digital and print media. The videos and recipes will be used in future digital marketing campaigns related to NM pecans.



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Taste the Tradition Holiday Lookbook - Marketing launched its first-ever digital Lookbook to promote the purchase and use, or giving, of NM agricultural products during the holiday season. The Lookbook lives on the [elevateNMag.com](https://www.elevatenmag.com) homepage and was launched on Thanksgiving Day via a television commercial and social media marketing. In addition to product images and links, the Lookbook is a combination of imagery from the award-winning Our Spirit Remains commercial, descriptions of various holiday traditions in New Mexico, and recipes. As of November 28, there had been almost 700 clicks and over 2,100 impressions, meaning visitors are viewing multiple pages. These numbers spiked again due to the commercial placement during the Sunday NFL game. The campaign will end on December 14 and the total estimated impressions expected are 334,000.

Lookbook: <https://www.elevatenmag.com/holiday-lookbook-2022/>

Lookbook Commercial: <https://www.youtube.com/watch?v=Wv1i4tGR3po>

HomeGrown- A New Mexico Food Show and Gift Market - NMDA partnered with the New Mexico Farm & Ranch Heritage Museum to host HomeGrown. Since 2014, this two-day signature event has attracted local vendors, suppliers, shoppers, foodies, chefs, and media while promoting the awareness and sales of locally grown and made products just in time for the holiday shopping season. The 2022 event included:

- 62 Exhibitors
- Exhibitors included a mix of New Mexico—Taste the Tradition®/--Grown with Tradition® Members (priority) and crafts
- Approximately 3,437 Attendees
- Six (6) Food Demos in the Courtyard utilizing the NMDA Food Trailer and recipes developed by our first cohort of Chef Ambassadors

New this year, exhibitors could also bid on decorated Christmas trees provided by various Dona Ana County 4-H clubs. This served as a fundraiser for the agriculture-based youth organization while adding to the holiday atmosphere.



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Western U.S. Agricultural Trade Association (WUSATA) Dried Fruit and Nut Inbound Mission(s)- South Korea and South East Asia - Staff hosted two separate international buyer delegations to the state: South Korea on September 21-24; and South East Asia (Indonesia, Philippines, Singapore, and Thailand) on November 6-9. Buyers met one-on-one with NM pecan exporters while also participating in site visits hosted by area orchards, cleaning/sorting plants, manufacturing facilities, and retail stores. Six (6) NM producers/processors participated in each trade activity.

South Korea:



Southeast Asia:



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WUSATA European Union (EU) and United Kingdom (UK) Specialty Food Inbound Mission - Staff hosted a delegation of EU (Spain, Bulgaria, Netherlands, and Czech Republic) and UK specialty food buyers, importers, and distributors to the state November 16-19. Buyers were recruited specifically for their interest in Southwest /Hispano style foods and ingredients. Buyers met one-on-one with NM exporters in a table top B2B event in Albuquerque. In addition to the B2B, buyers participated in visits to manufacturing facilities and retail stores in the Albuquerque metro area. Eleven (11) NM specialty food companies participated in this trade activity.



U.S. Livestock Genetics Export (USLGE) Outbound Trade Mission to Mexico - In coordination with Kansas, Nebraska, Missouri, and Tennessee state departments of agriculture, NMDA organized and led a USLGE outbound team to Chihuahua, Mexico October 24-28. The mission included participation in ExpoGan Chihuahua, networking sessions with participating Cattle Unions, and tours of regional ranches and production facilities. ExpoGan Chihuahua is Northern Mexico's top cattle show and attracts producers from all over the country. Three (3) NM cattle producers participated in this outbound trade activity.



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Upcoming - WUSATA Mexico Mega Mission to Mexico City and Monterrey - In collaboration with the California State Department of Agriculture, NMDA will provide project management in Monterrey December 4-7. Fifteen (15) agribusiness' from across the Western US will be meeting with buyers from Mexico and Central America. The mission will include B2B meetings, retail, and distribution center tours, and a trade brief from the USDA Foreign Agricultural Service Agricultural Trade Office (ATO).

Upcoming - USLGE Inbound Mission to NM Joint Stockman's - Staff will host a delegation of Mexican cattle buyers at the 2022 NM Joint Stockman's Convention in Albuquerque December 13-16. The mission includes a combination of networking events, regional ranch tours, and B2B sessions.

Personal

Director Witte received the honorary American FFA degree in October from the National FFA Association. This is the highest honor they bestow on supporters of the FFA. He was nominated by the New Mexico FFA.

In November Director Witte was invited to attend the annual meeting of the Rocky Mountain Farmers Union in Greeley, Colorado. At the meeting they presented him with the Association Presidents Award in recognition of dedicated service to agriculture.