



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
REGULAR MEETING
March 9, 2020 at 9:00am**

Regents Room of the Educational Services Building
NMSU Las Cruces Campus, 1780 East University Avenue
Las Cruces, New Mexico

Regents of New Mexico State University - Chair Dina Chacón-Reitzel, Vice Chair Ammu Devasthali, Secretary/Treasurer Luke Sanchez, Debra Hicks, Arsenio Romero

Non-Voting Advisory Members - ASNMSU President Evan Conner, Faculty Senate Chair Becky Corran, Employee Council Chair Sonia A. White

University Officials - Chancellor Dan E. Arvizu, Ph.D., President John D. Floros, Ph.D., Provost Carol Parker, J.D., Vice Chancellor and Chief Strategic Financial Officer Ruth A. Johnston, Ph.D., Senior Vice President Andrew Burke, Ed.D., General Counsel Roy Collins III, J.D.

AGENDA

The Board of Regents meeting is available by webcast through the link at <http://panopto.nmsu.edu/bor/>

A. Call to Order, Vice Chairwoman Ammu Devasthali

1. Introductions

Introduction of the Media and Elected Officials, Vice Chairwoman Ammu Devasthali

Introduction of Officials

-Recently elected Employee Council Chair Letty Gallegos, Vice Chairwoman Ammu Devasthali

-Recently confirmed Regent Arsenio Romero, Vice Chairwoman Ammu Devasthali

2. Confirmation of Quorum, Vice Chairwoman Ammu Devasthali

3. Approval of the Agenda, Vice Chairwoman Ammu Devasthali

4. Public Comment, Vice Chairwoman Ammu Devasthali

B. Consent Items, Vice Chairwoman Ammu Devasthali

1. Honorary Degree Recipient Nominees, Interim Vice President Leslie Cervantes

2. Access to Classified Information Resolution, General Counsel Roy Collins III

3. 2020 Annual Open Meetings Notice Resolution, General Counsel Roy Collins III

C. Action Items, Vice Chairwoman Ammu Devasthali

1. Election of Officers, Vice Chairwoman Ammu Devasthali

D. Announcements, Chair

1. Upcoming Board of Regents Meetings, Chair

April 3, 2020 – Board of Regents Regular Meeting

May 14, 2020 – Board of Regents Regular Meeting

September 11, 2020 – Board of Regents Regular Meeting in Alamogordo

October 22, 2020 – October 23, 2020 – Board of Regents Retreat (Location TBD)

December 10, 2020 – Board of Regents Regular Meeting

E. Adjournment, Chair



Board of Regents Meeting
Meeting Date: March 9, 2020
Agenda Item Cover Page

Agenda Item # B-1

- Action Item
- Consent Item
- Informational Item

Presented By: Leslie Cervantes
Interim Vice President
University Advancement

Agenda Item: Honorary Degree Recipient Nominees

Requested Action of the Board of Regents: Approval of Spring 2020 Honorary Degree Recipient Nominees for NMSU Las Cruces and Doña Ana Community College.

Executive Summary:

Candidates have demonstrated significant contributions to New Mexico State University, including its community colleges, the local community, and the state.

References:

RPM 18.00 – Advancement
<https://rpm.nmsu.edu/18-00/>

ARP 18.10 – Namings
<https://arp.nmsu.edu/18-10/>

Prior Approvals:

HDR Committee, March 3, 2020

Agenda Item Approved By:

Leslie Cervantes
University Advancement

3.4.2020

Date



**Board of Regents Meeting
Meeting Date: March 9, 2020
Agenda Item Cover Page**

Agenda Item # B-2

- Action Item
- Consent Item
- Informational Item

Presented By: Roy Collins, III
General Counsel

Agenda Item: Access to Classified Information Resolution

Requested Action of the Board of Regents: Approve Resolution Excluding Certain Officials from Access to Classified Information, and authorize Chair to include a notation or correct officers as elected on this date.

Executive Summary:

Consistent with Department of Defense regulations, and with Regents Policy 4.65, the attached draft resolution updates the current members of the Board of Regents to be excluded from access to classified information. The resolution should indicate the officers of the Board and the proposed action would allow the Chair to make corrections to the resolution as may be necessary following election of officers.

References:

National Industry Security Program, Operating Manual (NISPOM); February 2006, amended May 2016.

Prior Approvals:

N/A

Agenda Item Approved By:

Roy Collins III, J.D.
General Counsel

4 MARCH 2020

Date

Resolution No. 2020-01

Board of Regents of New Mexico State University
Resolution Excluding Certain Officials from Access to Classified Information

WHEREAS, Department of Defense regulations contain a provision requiring that the Chair of the Board of Regents, Senior Management Official and Facility Security Officer meet the requirements for eligibility for access to classified information established for a contractor facility security clearance; and

WHEREAS, said regulations permit the exclusion of personnel or board members from the requirements for access to classified information, provided that this action is recorded in the board's official minutes;

NOW, THEREFORE BE IT DECLARED that the Senior Management Official and Facility Security Officer at the present time do possess, or will be processed for, the required eligibility for access to classified information; and

IT IS HEREBY RESOLVED, that in the future, when any individual enters upon the duties as Senior Management Official, or Facility Security Officer, such individual shall immediately make application for the required eligibility for access to classified information; and

IT IS FURTHER RESOLVED AND DIRECTED that the following members and officers of the NMSU Board of Regents shall not require, shall not have, and may be effectively and formally excluded from access to all classified information disclosed to authorized personnel of the university. Additionally, the members and officers listed below shall not take action to adversely affect the performance of classified contracts for the Department of Defense or the government contracting activities (User Agencies) of the National Industrial Security Program.

Regent Dina Chacón-Reitzel, Chair
Regent Ammu Devasthali, Vice Chair
Regent Luke Sanchez, Secretary/Treasurer
Regent Debra Hicks, Member
Regent Arsenio Romero, Member

ADOPTED by the Board of Regents of New Mexico State University, on the 9th day of March, 2020, at its Regular Meeting held in Las Cruces, New Mexico.

Dina Chacón-Reitzel, Chair, NMSU Board of Regents



**Board of Regents Meeting
Meeting Date: March 9, 2020
Agenda Item Cover Page**

Agenda Item # B-3

- Action Item
- Consent Item
- Informational Item

Presented By: Roy Collins, III
General Counsel

Agenda Item: 2020 Annual Open Meetings Notice Resolution

Requested Action of the Board of Regents: Approval of 2020 Annual Open Meetings Notice Resolution

Executive Summary:

As required by the New Mexico Open Meetings Act, the attached Open Meetings Notice Resolution establishes the public notice to be given prior to the Board's meetings. The attached resolution is in substantially the same form as the Board's Resolution 2019-20 adopted last March.

Notices for meetings are distributed to the news media and posted at the Zuhl Library on the Las Cruces campus, and posted on the NMSU Regent's website ten days in advance for regular meetings, three days in advance for special meetings, and 24 hours or more, if possible, for emergency meetings. Meeting agendas are also made available to the public by posting them on the NMSU Regents' website, at least 72 hours in advance of regular and special meetings, and concurrent with the notice for emergency meetings. If an emergency meeting is called that is not as a result of a declared state or federal emergency, a report will also be sent to the Office of the Attorney General.

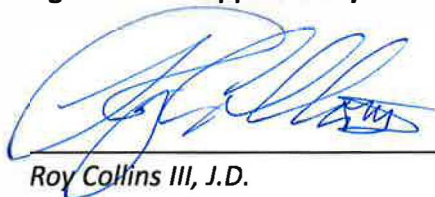
References:

NM Open Meetings Act §10-15-1 D.

Prior Approvals:

N/A

Agenda Item Approved By:



Roy Collins III, J.D.
General Counsel

4 MARCH 2020

Date

NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
ANNUAL OPEN MEETINGS NOTICE RESOLUTION

WHEREAS, the Open Meetings Act of the State of New Mexico, §10-15-1, NMSA 1978, *et seq.* requires meetings of a quorum of the members of the Board of Regents, held for the purpose of discussing or adopting any proposed resolution, rule, regulation, or other formal action, to be conducted only after reasonable notice to the public; and

WHEREAS, the Open Meetings Act requires the Board of Regents to determine at least annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Board of Regents of New Mexico State University, that compliance with the following requirements shall constitute reasonable notice:

1. **Meeting Notice Content:** Each meeting notice shall indicate the date and time of the relevant meeting as well as the specific location of the Board's meeting, including city and campus (as applicable), building name, and address.
2. **Meeting Notice Method:** Each meeting notice shall be (1) transmitted by telephone, fax, electronic or other means of delivery to newspaper(s) of general circulation in the state, (b) posted at the Zuhl Library on the Las Cruces Campus of New Mexico State University, and (c) posted on the NMSU Regents' website. In addition, each meeting notice shall be transmitted to any licensed broadcast station and any other newspaper that has made request for notification of meetings within the previous 12 months. Requests shall be directed to ucomm@nmsu.edu.
3. **Meeting Notice Timing:** Each meeting notice shall be provided in advance of the meeting, with the amount of advance notice depending upon the type of meeting:
 - a. Notice of regular meetings (scheduled at least quarterly) will be given at least 10 days in advance of the meeting date. The regular meeting agenda shall be posted on the NMSU Regents' website at least 72 hours prior to the meeting.
 - b. Notice of special meetings will be given at least three days in advance of the meeting date. The special meeting agenda shall be posted on the NMSU Regents' website at least 72 hours prior to the meeting.
 - c. Notice of an emergency meeting, called in the case of unforeseen circumstances that demand immediate attention to protect the health, safety and property of citizens, or to protect the university from substantial financial loss, will be given 24 hours in advance,
 - unless threat of personal injury, property damage or threat of financial loss requires less notice. The emergency meeting agenda shall be posted on the NMSU Regents' website at the same time as the notice of emergency meeting.

4. **Report of Emergency Meeting:** Within 10 days of taking action on an emergency matter, the Board of Regents shall report to the Office of the New Mexico Attorney General the action taken and the circumstances creating the emergency, unless there has also been a declaration of a state or national emergency, in which case no report is required.

5. **Meeting Accessibility:** In addition to the information specified above, all notices shall include the following language:

"If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the meeting, please contact the Office of the Regents' at (575) 646-5997 at least three days prior to the meeting, or as soon as possible. Public documents, including the agenda and minutes, may also be provided in various accessible formats. Please contact the Office of the Regents' at (575) 646-5997 if a summary or other type of accessible format is needed."

6. **Closed/Executive Session:** The Board of Regents may close a meeting to the public, and meet in executive session, only if the subject matter of such discussion or action falls within one of the exceptions in the Open Meetings Act, § 10-15-1(H).

a. If any meeting is proposed to be closed during an open meeting, without prior notice, the closure shall be proposed by motion, stating the specific provision of law authorizing the closed meeting and the subject matter to be discussed. The motion must be approved by a majority of a quorum of the Board in attendance. The vote of each individual member on the motion proposing closure shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

b. If a closed meeting is to be conducted when the Board is not already convened in an open meeting, the closed meeting shall not be held until public notice required for a special meeting is posted, stating the specific provision of law authorizing the closed meeting and the subject matter to be discussed.

c. Following completion of any closed meeting, the minutes of the public meeting that was closed, or the minutes of the next public meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or the meeting notice for the special meeting.

d. Except as provided by Section 10-15-1(H) of the Open Meetings Act and New Mexico case law interpreting same, any action taken as a result of discussions in a closed meeting shall be made by vote of the Board in an open public meeting.

ADOPTED by the Board of Regents of New Mexico State University, the 9th day of March, 2020, at its regular annual meeting held in Las Cruces, New Mexico.



Board of Regents Meeting
Meeting Date: March 9, 2020
Agenda Item Cover Page

Agenda Item # C-1

Action Item

Consent Item

Informational Item

Presented By: Dina Chacón-Reitzel
Chair
Board of Regents

Agenda Item: Election of Officers

Requested Action of the Board of Regents: Election of Officers of the Board of Regents

Executive Summary:

The Board will hold its annual organization meeting on the second Monday in March each year for the purpose of electing officers. [NMSA 1978 §21-7-5, applicable to NMSU through NMSA 1978 §21-8-4] The Board will elect a president, a president pro tem, and a secretary-treasurer. The president and president pro tem shall be referred to as the chair and vice chair of the Board, so as to not be confused with executive administrators. The person elected as secretary-treasurer shall, before entering upon the discharge of the duties, execute a bond to the state of New Mexico, to be approved by the governor of the state, and filed with the secretary of state, as required by statute. [NMSA 1978 §21-7-5 requirement satisfied by the blanket bond provide through the New Mexico Risk Management Division, per NMSA 1978 §10-2-15]

References:

RPM 1.02-A (Article 3.2) – Bylaws of the Regents of New Mexico State University

Prior Approvals:

N/A

Agenda Item Submitted By:

Dina Chacón-Reitzel
Chair, Board of Regents

3/4/2020

Date