



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
REGULAR MEETING
May 14, 2021 at 9:00am**

Due to the public health emergency issued by the Governor, the meeting will take place via online meeting and Webcast at the following address:
<http://panopto.nmsu.edu/bor/>

Regents of New Mexico State University

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

Non-Voting Advisory Members - ASNMSU President Mathew Madrid, Faculty Senate Chair Julia Parra, Employee Council Chair Joseph Almaguer

University Officials - Chancellor Dan E. Arvizu, Ph.D., President John D. Floros, Ph.D., Provost Carol Parker, J.D., Vice Chancellor 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, Chairwoman Ammu Devasthali

Pledge of Allegiance

- 1. Introductions, Associate Vice President Justin Bannister**
- 2. Confirmation of Quorum and Roll Call, Chairwoman Ammu Devasthali**
- 3. Approval of the Agenda, Chairwoman Ammu Devasthali**
- 4. Public Comment, Associate Vice President Justin Bannister**

B. Awards and Recognitions, Chairwoman Ammu Devasthali

- 1. Proclamation in Memory of Kevin Boberg, Kathryn Hansen**
- 2. Proclamation Recognizing Luke Sanchez for his Service as Regent of New Mexico State University, Chairwoman Ammu Devasthali**

C. Approval of the Minutes, Chairwoman Ammu Devasthali

- 1. Regular Meeting March 24, 2021**
- 2. Special Meeting April 5, 2021**
- 3. Special Meeting April 15, 2021**
- 4. Confirmation of Prior Executive Session of April 26, 2021**

D. Regent Committee Reports

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

E. Advisory Member Reports

- 1. NMSU Faculty Senate Report**, *Chair Julia Parra*
- 2. Associated Students of NMSU Report**, *President Mathew Madrid*
- 3. NMSU Employee Council Report**, *Chair Joseph Almaguer*

F. Affiliated Entity Reports (Deferred, written reports only)

- 1. Aggie Development Inc. Report**, *President & CEO Scott Eschenbrenner*
- 2. NMSU Foundation Report**, *Vice President Derek Dictson*
- 3. Arrowhead Center Inc. Report**, *Director & CEO Kathryn Hansen*

G. Consent Items, *Chairwoman Ammu Devasthali*

- 1. Disposition / Deletion of Property**, *Senior Vice President Andrew Burke*
- 2. Temporary Investments Report for Quarter Ended December 31, 2020 and March 31, 2021**, *Senior Vice President Andrew Burke*
- 3. Las Cruces: Women's Soccer Stadium Lighting and Security Upgrades (\$575,000)**, *University Architect Heather Watenpaugh*
- 4. Las Cruces: Pan American Center Video Scoreboard Improvements (\$1,000,000)**, *University Architect Heather Watenpaugh*
- 5. Lease Amendment with Central New Mexico Community College at Albuquerque Center**, *Special Assistant to the President Scott Eschenbrenner*
- 6. Early College High School Lease - NMSU Alamogordo**, *Special Assistant to the President Scott Eschenbrenner*
- 7. Corona Ranch Mineral Lease Extension**, *Special Assistant to the President Scott Eschenbrenner*
- 8. Ground Lease Agreement with Maverick Inc. on the Corner of University Avenue and Las Alturas Drive**, *President & CEO of ADI Scott Eschenbrenner*
- 9. Spring 2021 Degree and Certificate Conferral**, *President John D. Floros*
- 10. Access to Classified Information Resolution**, *General Counsel Roy Collins III*

BREAK (10 MINUTES)

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

1. **Proposal to merge the College of Education, the College of Health and Social Services, and the Department of Sociology, to create a new college to be named the College of Health, Education and Social Transformation**, *Provost Carol Parker*
2. **Transfer of Uncollectible Accounts to Inactive Status**, *Senior Vice President Andrew Burke*
3. **Final Budget Revision Adjustment for Fiscal Year (BAR)**, *Senior Vice President Andrew Burke*
4. **FY2022 Operating Budgets**, *Senior Vice President Andrew Burke*
5. **Annual Capital Outlay and Master Planning Process, Five Year Facilities Plan**, *Associate Vice President Luis Campos, University Architect Heather Watenpaugh*

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

1. **Summary of Revisions to the Administrative Rules and Procedures of NMSU (ARP) for the period March 25, 2021 through May 14, 2021**, *General Counsel Roy Collins, III*
2. **Update on Agricultural Modernization and Educational Facilities**, *Chancellor Dan Arvizu*

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

K. **Report from the NMSU System Chancellor to the Regents of New Mexico State University**, *Chancellor Dan Arvizu*

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

1. **“Gun’s Up” – Good News for NMSU!**

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



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item #: C-1

Action Item

Consent Item

Informational Item

Presented By: Chairwoman Ammu Devasthali
NMSU Board of Regents

Agenda Item: Regular Meeting Minutes for March 24, 2021

Requested Action of the Board of Regents: Approval for Regular Meeting Minutes for March 24, 2021.

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 MINUTES
March 24, 2021 at 2:00pm**

DRAFT MINUTES *NOT OFFICIAL – SUBJECT TO APPROVAL BY THE BOARD OF
REGENTS*****

Regents of New Mexico State University

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

Non-Voting Advisory Members - ASNMSU President Mathew Madrid, Faculty Senate Chair Julia Parra,
Employee Council Chair Joseph Almaguer

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

MINUTES

A. Call to Order, Chairwoman Dina Chacón-Reitzel

Chairwoman Chacón-Reitzel called the meeting to order at 2:22pm

Chairwoman Chacón-Reitzel welcomed and introduced Dzaki Sukarno to sing the United States National Anthem. Dzaki became an overnight singing sensation after appearing on American Idol. The 20 year old Las Cruces native is an up and coming country singer who landed an audition on the popular reality TV competition and earned a golden ticket to advance to the Hollywood round after belting a cover of Kane Brown's "Good As You" before the panel of celebrity judges. Americans may just be starting to get to know Dzaki, but he is no stranger here at NMSU, where he is majoring in Agricultural Business and serves on the university's Air Force ROTC.

Dzaki stated that he was appreciative to be there and for their support. Dzaki stated that it was an honor to sing the National Anthem for them.

1. Introductions

Introduction of Regent Neal Bitsie, Chairwoman Dina Chacón-Reitzel

Chairwoman Chacón-Reitzel introduced the new Regent, Neil Bitsie. Regent Bitsie is a fourth year student at NMSU pursuing a Bachelor of Science and Engineering Physics with a supplemental major in Applied Mathematics and a minor in Aerospace Engineering. Regent Bitsie expects to graduate from NMSU in 2022. During his time at NMSU, Regent Bitsie has served as the Chief Elections Officer for ASNMSU and helped implement ASNMSU's first fully online election. Regent Bitsie also served as ASNMSU Supreme Court Associate Justice. Regent Bitsie is an active member of Sigma Phi Fraternity, Atomic Aggies, ASNMSU Rotar Rak Club, ASNMSU Engineering Student Council, Aggies Without Limits, Hall Council, and other campus clubs and organizations. Regent Bitsie participated in the Rotar Rak Club's Spring 2019 Guadalupe Mexico Orphanage Project. In 2017 Regent Bitsie earned the Eagle Scout rank in the Boy Scouts of America. That same year he was recognized for his efforts to improve the lives of shelter animals and was part of a project that built over 100 dog beds, increased adoption rates by 10%, and improve water quality of several shelters. Regent Bitsie is the 15th person in his family to attend NMSU. Regent Bitsie encourages all Aggies to become involved in the NMSU community and is ready to support any student through their collegiate career. Regent Bitsie

passionately believes that far and away the best price that life has to offer is the chance to work hard at work worth doing. Throughout his role as Student Regent, he will contribute to the continuation of excellence at NMSU.

Introduction of Regent Christopher T. Saucedo, Chairwoman Dina Chacón-Reitzel

Chairwoman Chacón-Reitzel introduced the new Regent, Chris Saucedo. Regent Saucedo grew up in Dona Ana county and graduated from Gadsen High School. Regent Saucedo earned a Bachelor of Business Administration from NMSU. Regent Saucedo obtained a law degree from University of New Mexico School of Law and practices law throughout New Mexico and West Texas, specializing in commercial litigation, employment law and complex civil litigation. Regent Saucedo was previously appointed an NMSU Regent in 2018. In addition to the NMSU Board of Regents, Regent Saucedo serves as President of the Board of Directors of the Hispanic Cultural Center, a Center dedicated to the preservation, promotion and advancement of Hispanic culture arts and humanities. Regent Saucedo considers election law to be his professional hobby and serves as Chairman of the Standing Committee on election law for the American Bar Association. Regent Saucedo is a past President of the Albuquerque Bar Association and a member of the Republican National Lawyers Association.

Introduction of Employee Council Chair Joseph Almaguer, Chancellor Dan Arvizu

Chancellor Arvizu introduced the new member that is head of their NMSU Employee Council, Mr. Joseph Almaguer. Mr. Almaguer was hired as the Athletic Human Resources Coordinator at NMSU in June of 2019. Before his arrival in Athletics, he worked at NMSU's Central Human Resources department. Mr. Almaguer has been a part of the executive team for Employee Council since 2019. Mr. Almaguer's primary duties include working with coaches and administration on game contracts, hiring students, coaches, and onboarding of all new hires. Mr. Almaguer is a lifelong New Mexican, graduated from Mayfield High School, and has a degree in business. Mr. Almaguer attended the Western States School of Banking. Mr. Almaguer is continuing in his schools and studies. Mr. Almaguer is working on a degree in Agricultural Business and Economics, as well as the degree in Sports Management. Mr. Almaguer is married to his wife, Vicki, and they have a son.

2. Confirmation of Quorum and Roll Call, Chairwoman Dina Chacón-Reitzel

The Chief of Staff confirmed the quorum and took the roll call. The Chief of Staff confirmed that there were four Regents in the Board Room, Regent Bitsie, Regent Romero, Regent Chacón-Reitzel, and Regent Devasthali. The Chief of Staff asked Regent Saucedo to confirm that he is in attendance. Regent Saucedo confirmed that he was present. The Chief of Staff confirmed that President Floros and Chancellor Arvizu are also in attendance in the Board room. The Chief of Staff confirmed Provost Parker, Vice Chancellor Johnston, Senior Vice President Andrew Burke, and General Counsel Roy Collins joining virtually via Zoom.

3. Approval of the Agenda, Chairwoman Dina Chacón-Reitzel

Chairwoman Chacón-Reitzel entertained a motion to approve the agenda. Regent Devasthali made a motion to approve the agenda. Regent Bitsie seconded the motion.

The Chief of Staff took the roll call vote.

Regent Bitsie – Yes

Regent Romero – Yes

Regent Saucedo – Yes

Regent Devasthali – Yes

Regent Chacón-Reitzel – Yes

The Chief of Staff confirmed the motion passed.

4. Public Comment, Associate Vice President Justin Bannister

No public comment.

B. Approval of the Minutes, Chairwoman Dina Chacón-Reitzel

1. Regular Meeting December 2, 2020

Chairwoman Chacón-Reitzel entertained a motion to approve the minutes from the Regular meeting on December 2, 2020 as presented. Regent Bitsie made a motion to approve the minutes. Regent Devasthali seconded the motion.

The Chief of Staff took the roll call vote.

Regent Bitsie – Yes

Regent Romero – Yes

Regent Saucedo – Yes

Regent Devasthali – Yes

Regent Chacón-Reitzel – Yes

The Chief of Staff confirmed the motion passed.

2. Special Meeting January 6, 2021

Chairwoman Chacón-Reitzel entertained a motion to approve or amend the minutes from the Special meeting on January 6, 2021 as presented. Regent Romero made a motion to approve the minutes. Regent Devasthali seconded the motion.

The Chief of Staff took the roll call vote.

Regent Bitsie – Yes

Regent Romero – Yes

Regent Saucedo – Yes

Regent Devasthali – Yes

Regent Chacón-Reitzel – Yes

The Chief of Staff confirmed the motion passed.

3. Special Meeting February 2, 2021

Chairwoman Chacón-Reitzel entertained a motion to approve or amend the minutes from the Special meeting on February 2, 2021 as presented. Regent Devasthali made a motion to approve the minutes. Regent Romero seconded the motion.

The Chief of Staff took the roll call vote.

Regent Bitsie – Yes

Regent Romero – Yes

Regent Saucedo – Yes

Regent Devasthali – Yes

Regent Chacón-Reitzel – Yes

The Chief of Staff confirmed the motion passed.

4. Special Meeting March 2, 2021

Chairwoman Chacón-Reitzel entertained a motion to approve or amend the minutes from the Special meeting on March 2, 2021 as presented. Regent Bitsie made a motion to approve the minutes. Regent Devasthali seconded the motion.

The Chief of Staff took the roll call vote.

Regent Bitsie – Yes

Regent Romero – Yes

Regent Saucedo – Yes

Regent Devasthali – Yes

Regent Chacón-Reitzel – Yes

The Chief of Staff confirmed the motion passed.

C. Awards and Recognitions, Chairwoman Dina Chacón-Reitzel

1. Proclamation in Memory of Dr. Karen Trujillo, Regent Arsenio Romero

Chairwoman Chacón-Reitzel stated that they had the opportunity to welcome the family of Dr. Karen Trujillo at the ceremony earlier in the day. Regent Romero proceeded in reading the proclamation.

“WHEREAS, Dr Karen Trujillo was known as a brilliant researcher and passionate advocate for New Mexico students and educators.

AND WHEREAS, Dr. Trujillo earned all three degrees bachelor's, graduate, and PhD from the New Mexico State University in secondary education, mathematics and curriculum instruction.

AND WHEREAS, Dr Trijillo’s connection with to NMSU began at an early age that she wasn't she was active in NMSU Santa Fe 4-H-ers, as a young woman.

AND WHEREAS, she was also a huge Aggie sports fan, cheering probably at men's and women's basketball games, among other sporting events.

AND WHEREAS, Dr. Trujillo was instrumental in establishing Educators Rising New Mexico in the NMSU College of Education in 2015, which focuses on increasing the number of education majors across the state and supporting retention in the field.

AND WHEREAS, Dr Trujillo established the STEM Outreach Alliance Research or SORE Lab in 2016, which has since grown into the Southwest Outreach Academic Research Evaluation and Policy Center.

AND WHEREAS, the SORE evaluation of policy centers produces an annual teacher shortage report for New Mexico, a project with Dr. Trujillo begin compiling, with the help of her lap students.

AND WHEREAS, Dr. Trujillo was part of the team that started a Massnex, created by NMSU game designers and faculty and the learning games lab and designed to supplement classroom instruction to help make math more accessible to students.

AND WHEREAS, Dr. Trujillo went on to become Interim Associate Dean of Research in the College of Education and maintain your deep connection to NMSU after being selected to lead the New Mexico Public Education Department in 2019.

AND WHEREAS, Dr. Trujillo became superintendent of Las Cruces Public Schools in 2019, where she is remembered by LCPS Chief of Staff Sean Barham, as a leader who drew upon her many years in the classroom to be a champion for educators and an advocate for students.

AND WHEREAS, Chancellor Dan Arvizu remembers Dr Trujillo as someone who did what we hope each of our graduates to be able to do. To take the knowledge and experience the game from their time at NMSU and use those tools to make our community and our world a better place.

AND WHEREAS, Dr. Trujillo ultimately passing on February 25, 2021 was a devastating loss to our NMSU community, the students, educators and staff of Las Cruces Public Schools and the state of New Mexico.

AND WHEREAS, New Mexico State University community joining us Dr. Trujillo's husband and partner, Ben Trujillo, her children Taralynn, Terrell, and Tavin. The students, educators and staff las cruces public schools and countless others morning her loss.

AND WHEREAS, the legacy created by Dr. Trujillo through her character, research and leadership will continue to have an impact on NMSU and the state of New Mexico for years to come.

NOW THEREFORE, be it proclaimed in official session that the Board of Regents recognize, celebrate and honors Dr. Trujillo immeasurable impact on NMSU and the state of New Mexico through her tireless work to improve the lives of students and enhance the work of educators throughout our state.

Proclaimed this 24th day of March 2021 in Las Cruces New Mexico.

2. Proclamation Recognizing Letty Gallegos for her Service as Chair of Employee Council, Chancellor Dan Arvizu
Chancellor Arvizu proceeded with the proclamation of Ms. Letty Gallegos.

"WHEREAS, Letty Gallegos as chair of the NMSU Employee Council has served with distinction as an advisory member of the New Mexico State University Board of Regents from February 2020 through March of 2021. I might add to that is the entire duration of the of the COVID pandemic. She can be respectfully known as the person who lead us through that particular part of our history.

WHEREAS, she kindly and emphatically led the Employee Council from in person meetings to telework. Letty was positive and always kept the Employee Council of apprised of the latest information.

AND WHEREAS, she continually demonstrated a spirit of joy and laughter, ever engaging faculty and staff and

celebrating their accomplishments, virtually, throughout the ongoing pandemic.

AND WHEREAS, she deeply engaged with administration and helping the university's team response to moving classes from in person to online.

AND WHEREAS, she served on the Pandemic Action Team, the HR Tiger Teams and on many other committees representing employees' perspective. Letty was actively engaged and contributed effectively.

AND WHEREAS, the university community benefit as Letty grew in her understanding of NMSU inner workings and her thoughtful insights and deep commitment to NMSU.

NOW THEREFORE, be it proclaimed in official session of the Board of Regents of New Mexico State University thanks and commends Letty Gallegos for her dedicated service and wishes her great success in her future endeavors, proclaimed this 24th day of March 2021 Las Cruces New Mexico, signatures of the Chair and the members of the Board of Regents."

3. Proclamation Recognizing Debra Hicks for her Service as Regent of New Mexico State University,
Chairwoman Dina Chacón-Reitzel

Chairwoman Chacón-Reitzel proceeded in reading the proclamation for former regent, Debra Hicks, in recognition for her service to the Board of Regents.

"Whereas Deborah Hicks is served honorably and with distinction as a member of the Board of Regents of New Mexico State University for six years, including many terms as chair and vice chair of the board.

AND WHEREAS, for service to New Mexico State University and the citizens of the state has been distinguished by her thoughtful consideration of all matters brought before the board and her loyalty to an advocacy for the mission of the university.

AND WHEREAS, she continually encouraged and demonstrated the highest standards of ethics and passionately pursued a commitment to uphold the excellence of the university's teaching, research in outreach missions.

AND WHEREAS, serving on and sharing various Regents committees, including the Audit and Risk Financial Strategies Performance and Budget and Real Estate committees, she has broadly impacted the work of the Board during the term of her service and will undoubtedly leave an enduring legacy of systems and processes for the board to rely on as they continue their work.

AND WHEREAS, she is the consummate and dedicated NMSU Aggie strongly rooted in her time spent here as a student, graduating with a bachelor of engineering degree from the College of Engineering and having earned the recognition as NMSU College of Engineering Inherito Emente and distinguished alumnus and serving on the NMSU College of Engineering Deans Executive Council.

AND WHEREAS, she recognized and promoted this the history of NMSU as a land grant university and acted as a proponent for the fields of agriculture and engineering.

AND WHEREAS, her knowledge and experience as an engineer contributed significantly to the thoughtful deliberations related to real estate and construction matters that were before the Regents Real Estate Committee and also before the board.

AND WHEREAS, she moved the university forward by approving new degree programs, providing counsel on the granting of honorific degrees as well as approvals of numerous policies, bond refinancing opportunities and the hiring of the current Chancellor of New Mexico State University, who stated “Regent Hicks is a champion for the College of Engineering, who encourages supportive innovative thinking. Additionally, her willingness to challenge the status quo deserves praise. The ambitious targets, she has set have changed the trajectory of our university system for the better.”

AND WHEREAS, she instituted listening sessions during the selection process with the Chancellor that were held all throughout the state, including the NMSU community college campuses and incorporated annual meetings into our operating agreements with community colleges, often visiting the campuses for commencement and other events to help further the connection between all NMSU system campuses.

AND WHEREAS, in her first meeting as a regent in March 2015 she voted to approve funding for the skybox at Aggie Memorial Stadium, later to be called Club 27, and continue to support efforts to strengthen and promote Aggie athletics and student athletes, calling for NMSU to continue as a Division 1 FBS team, by way of independent conference status.

AND WHEREAS, in grand and dramatic fashion the NMSU Aggies broke a 54 year bowl game winless streak by defeating the Utah State Aggies in the Arizona Bowl in 2017. Thereafter, a joyful welcome celebration and suit, thanks to the collaboration between the city of Las cruces NMSU.

AND WHEREAS, as a contestant and placing third in the Look Who's Dancing competition Regent Hicks proudly slept into an unexpected role as alien performing the hustle to support the NMSU Dance Program.

AND WHEREAS, as chair of the Board she provided incomparable leadership when the university was experiencing significant budget reductions and drove restructuring and institutional efficiency efforts and she caused to be chartered the first Student Success committee and expanded the mission of the re-chartered, the aptly named, Regents Financial Strategies Performance and Budget committee. “An awesome committee name,” as she likes to say and ubiquitously a committee name that only she could recall precisely.

AND WHEREAS, under her leadership, the first joint annual work groups between the Student Success and Regents Financial Strategies Performance and Budget Committee begin, which led to the strategic alignment between student outcomes and the budget and the adoption of relevant quantitative targets as a way to institutionalize long term strategic financial planning.

AND WHEREAS, her resolve in focusing on student achievement resulted in a changed institutional narrative that focused on student success and through her decisive leadership she unwaveringly challenged the status quo and embraced national best practices in strategic repositioning resulting in the creation of separate in complimentary presidents and chancellors positions in order to improve student success, halt and reverse the trend of declining enrollments, and set NMSU on a clear trajectory of growth for years to come.

AND WHEREAS, she worked collaboratively with other regents and the administration to develop an unprecedented system of quantitative evaluation criteria for NMSU leadership that could be more broadly applied to the university as a whole.

AND WHEREAS, she carefully studied and supported efforts toward the successful reaffirmation of accreditation process with the higher learning Commission.

AND WHEREAS, she was founding member of the Higher Education Regents Coalition, serving on the Board of Directors and as an officer in order that she may serve regions from all higher education institutions in the

State of New Mexico by sharing the depth of her knowledge and experience to promote the improvement of higher education throughout the state.

AND WHEREAS, her fellow regents have said, “Deborah served with the highest level of passion, dedication, resolve and integrity. She always put the university above herself and despite great pressure, she consistently did the best for NMSU and its many stakeholders.

NOW, THEREFORE, be proclaimed in an official session that the Board of Regents of New Mexico State University thanks and commands Deborah P. Hicks for her dedicated service and wishes her great success in all future endeavors, proclaimed this 24th day of March 2021st at Las Cruces New Mexico.”

D. Regent Committee Reports

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

The real estate committee met on February 25th and reviewed several projects at leases for recommendation to the board today. The details of these items are in the binder for consent agenda items G-2 through G-7.

2. Regents Audit Committee Report, Regent Ammu Devasthali

The Regents Audit and Risk committee conducted one regular meeting since the last update. RARC, which is the Regents Audit and Risk committee met via zoom on February 24, 2021 with the external auditors, KPMG represented by John Kennedy lead partner, to provide an audit update related to the progress and completing the June 30 2020 financial audit. KPMG reported that delays in office of management and budget guidance related to COVID 19 is the main factor affecting the timely completion of the audit. An NMSU system wide cyber security presentation and update was also provided to the committee that portrays the efforts that the university is taking in order to proactively address cybersecurity high risk exposures. The presentation and update was co-presented by Lenny Martinez representing the office of Strategic Initiatives and Carlos Lovato, IT Compliance and Privacy Officer and also acting Chief Audit officer. A brief internal update was also provided with a few items of discussion. An external audit firm, Clifton Larson Allen LLP, has been engaged to perform internal audit projects due to the departure of most of audit services staff. As step 1, CLA will help the university with developing an enterprise risk management program. Step two includes developing a proposed annual audit plan to be reviewed and approved by RARC. The chair and a voting member of RARC, along with other university officials, held a special meeting to discuss the RFP process for the upcoming auditeers. An RFP has been published. The New Mexico adulticidal has been modified in which an audit firm is eligible to audit a state agency for a total of eight years, instead of the previous six. This allows KPMG to submit a proposal to audit the university for two more years. KPMG has completed the financial statement audit for the university's financial statements and an exit meeting was held on march 19 2021. The financial statement audit will be presented to the Board of Regents in open session once the state auditor has approved publication.

3. Financial Strategies, Performance and Budget Committee Report, Regent Dina Chacón-Reitzel

The committee met twice since the last report on both February 24 and March 24 and during both meetings informational presentations were provided about tuition and fees, as well as budget projections, based on the status of federal stimulus funding and the results of the legislative session. The board can expect to see additional information about these topics at the April 5 meeting that we have proposed.

4. Student Success Committee Report, Regent Arsenio Romero

The Students Success committee met on February 11 at two o'clock and had a wonderful engaging conversation on number of topics. The first being an update on the Spring 2021 enrollment and retention, which was one of our goals. In this meeting, we were able to learn that they are matching the needs of a student needs with different delivery modes. They have a focus on the semester 2026 in recruitment. They

have a number of ways that they're building perspective polls, some of which are social media and 4-H. All recruiting happens in the field and are not in the office. They're nine recruiters within the state 2 in Texas, and 2 Arizona. The most important event is high school students visiting the main campus. They do expect a rise in numbers for the spring semester. Their biggest struggle is retaining pell grant eligible students because they have to work and take care of families. Colleges is an extra thing on their plate. Community college enrollment is down here, as well as across the country. It is a serious problem, but they do expect things to improve. The next was a report on the new college proposal. This is a combination of combining the college of education, social services and sociology as a health, education and social transformation college. Wonderful conversation about what this could mean. For example, having only one Dean could save approximately \$300,000 to the university. The deans let a task force to gather information and they're continuing to do so. They're looking forward to seeing additional updates from Provost Parker. There's also a presentation on the redesign of NMSU-O, the Digital Learning Office. Regent Romero is very impressed with the re-design. Market to pack the demands of at least 350 billion for online learning. Faculty fellows have far exceeded goals with faculty. NMSU-O, which is part of LEADS 2025, will increase social mobility, decrease racial achievement gaps, and remove a geographic divide. There is a focus on dynamic and interactive teaching. Blockchain technology allows for students to have different credentials and stack on top of each other. There is a back end micro-credential for K 12 students. The last was a community college report. This is something that they're adding to the Student Success committee agenda to hear about what is happening at our community colleges around the state. There has been a large loss of students and due to the pandemic. They are looking at these students being able to come back, but there's some reasons for that. They are going to return. There has been a focus on expanding opportunities and the impact. From the Fall 2019 to Fall 2020 there was a loss of about 1,067 students. A lot of this has been due to a loss because of opportunities in education, inability to fully deliver lab instruction, particularly in CTE classes. When you think about the community colleges who are going to be doing welding, labs, and things like that, they're not able to be in that environment. This creates delays for students in the workforce and the shift remote environment for students and staff. They have a number of initiatives and interventions in place, such as Navigate, iPad initiatives for students who are eligible, wi-fi parking lots, Thrive at DACC and many others.

E. Advisory Member Reports

1. NMSU Faculty Senate Report, Chair Julia Parra

Chair Parra reported that she submitted a report for January through March with a variety of propositions that are underway. Some of them were approved and previously discussed in previous meetings. One of the newer ones is Proposition 14 that is currently underway again and currently in the process of identifying the will of the Faculty in relation to The College of Health, Education and Social Transformation, which is the new merger proposition. There will be further information on that after the Faculty Senate meeting next Thursday. Another new proposition is about the library budget with a focus on communicating around the topic of the journal cancellations and concerns about making sure we support the NMSU library. Also, they had a memorial and honor of Karen Trujillo and presented to her family the weekend of the funeral. Also, they have two additional propositions that have just been submitted and will be in the updated report next week; one is from Dona Ana Community College, where they're proposing to return some technology programs into their technology division, where they were previously in a science division. Also, they have one from Faculty Senate, for them to modify proposition types. They also have a Town Hall scheduled prior to their next Faculty Senate meeting and the topic will be intra and inter faculty communication in the hopes of increasing faculty communication amongst themselves and gathering some data from faculty about their challenges, needs and strategies that they might recommend to them to increase those opportunities.

2. Associated Students of NMSU Report, President Mathew Madrid

President Madrid reported that in closing of the legislative session some of ASNMSU's initiatives were wildly successful. They started a collaborative effort between ASNMSU, ASUNM, and the student government for NMTech. Together they advocated and achieved over \$15 million dollars, in addition to the lottery scholarship

for this year, as well as the inclusion of four year students in the opportunity scholarship. In terms of their capital outlay, they got \$275,000 for crime prevention through environmental design, which is their annual capital outlay request, as well as \$150,000 for the veterans housing project, which they have been working on. Additionally, last week, ASNMSU approved \$80,000 in appropriations to the NMSU library. They got some good PR from the Sun News this morning. That will be going to student focused services. Additionally, they have their upcoming elections for Vice President, President and senate seats coming up in mid April. They are planning for more events, specifically their spring events which includes, a Las Cruces oriented community service opportunity for our student organizations. And lastly, they will be launching a survey in collaboration with the NMSU administration to gauge student interest for coming back to campus during the upcoming fall semester.

3. NMSU Employee Council Report, Chair Joseph Almaguer

Chair Almaguer reported that they have finished all of their elections for Employee Councils. Their executive team put together this past meeting. Their next meeting, which is going to be on April 8. They are putting together a benefits team. The reason they are putting together a benefits team is to remember what they have to offer compared to other universities around in New Mexico. That way they can continue to push to be the flagship university of New Mexico, as Chancellor Arvizu has stated before. That is one of his main goals, to make sure they reach that. They are also putting together a bylaw committee to clean up the bylaws for Employee Council, so they can make them clearer. They have chosen staff awards and will be announced at the next town hall, in conjunction with President Floros.

F. Affiliated Entity Reports

1. Aggie Development Inc. Report, President & CEO Scott Eschenbrenner

President Eschenbrenner gave an update on Aggie Uptown. There is some information in the binder that will show what their long term goals are for Aggie Uptown and includes a map. That map was prepared through master planning effort with Dover Cole Associates. A link to that website is included as well. They'd like to hear any feedback, thoughts, or comments with regards to that master planning effort. Construction is complete on Phase 1 of Aggie Uptown, the lands that are where the old clubhouse used to be on University Avenue and Interstate 25. They continue to make headway with a couple of their development partners. They were making headway with them before COVID. They're back to table. They've gone through two or three different iterations of some ground lease edits. They'll be able to move forward and bring something to this board in short order, with some new ground leases. It feels like a sense that this real estate economy in Las Cruces is waking up from about a one year slumber, due to COVID. There have been other interesting opportunities that have been proposed to them and they're reviewing those letters of intent but.

2. NMSU Foundation Report, Vice President Derek Dictson

Vice President Dictson reported that their endowment that they managed for NMSU, as of the end of February, stands at \$208 million. This is the first time that they've been over \$200 million. The Foundation Board and their Investment Committee has retained alpha capital management to conduct a comprehensive review of their outsource chief investment officer, who's responsible for the management and investment of these funds and to conduct a national OCIO search. As a February 28, the Foundation had raised \$12.5 million in FY21, which was entirely during the COVID period. That compares with a little over \$17 million raised at the same period in FY20, which was entirely before the COVID period so. That's a good comparison of how of how COVID has impacted fundraising and it's what they're seeing in their peer institutions around the country as well. The highlights of this year's fundraising include a \$2.9 million gift for athletics, and a \$1.4 million planned gift. They have a number of other really nice gifts in the in the pipeline. A one year review has been provided to you. Vice President Dictson arrived April 1 of 2020. This has been a year of building a framework for the future in the Foundation in the Office of Advancement. They are very happy to have our new collaboration agreement between the Foundation and the university in place. They've worked with deans and units across the

university to define the development and fundraising priorities for each of those units and will continue that process. They have been focused on the stability of their finances and staff in the Foundation. That was covered in great detail in the collaboration agreement and in most of the work that they're doing in other places is directed toward achieving long term sustainability of their operations. They have focused in on efficiency and effectiveness of the work that they do. They've been more effective this year in talent acquisition bringing in a number of new staff from pure and aspirational universities across the country. They're working toward transitioning almost all of their operations to secure cloud based systems rather than local servers. They're focused on improving their endowment performance, as evidenced by the OCIO overview and search that they're currently undertaking. And they're working with the university on more effective ways to utilize gift funds once they're in their possession for the university to utilize them for the betterment of the school. They focused a lot on benchmarking and right sizing their operations with an eye toward the return on investment for the university. Currently, the Foundation is generating over \$6 of return for every dollar that's invested in the advancement operations and they intend to double the fundraising that they're doing while keeping that return on investment very high.

3. Arrowhead Center Inc. Report, Director & CEO Kathryn Hansen

Director Hansen recognized the contributions of Dr. Kevin Bober to Arrowhead Center and NMSU. Kevin passed away on Monday, the 22nd. He fought hard for many years in the face of major illness. He was very popular with students, both in his classes and the College of Business and at Arrowhead Center. He always made time for answering questions and mentorship, all delivered with his great sense of humor. He served as the Director of Arrowhead Center and as the VP for Economic Development, before his retirement, a few years ago. They extend their condolences to Kevin's family, along with their thanks to him for helping to make Arrowhead Center what it is today. Another thank you to Regent Sanchez for his service on the board of Arrowhead Center and for his constant support of student entrepreneurship at NMSU. Included in the report is information that emphasizes how arrowhead goals are in alignment with NMSU LEADS 2025 goals through their work, supporting students faculty and staff and entrepreneurs, businesses and communities across their state and region. They're active in the expansion of entrepreneurship learning venues at NMSU and thanks goes to Dean Flores and Ben Ready in facilitating this. They're incorporating entrepreneurship learning into NMSU classes and workshops in the College of Engineering and ACES. Also, they are expanding their network of Studio G sites across the state. They were at 18 sites, now they began operations at CNM and will be at Northern New Mexico College this fall semester. They're also growing their American Indian Business Enterprise Program. They're working with over 50 students from various colleges and institutions across the state. In support of research and creativity at NMSU, they are celebrating World Intellectual Property day on April 26. The VPR and Arrowhead have joined together to make an award to an NMSU faculty or staff member for outstanding work in the development of intellectual property, with potential for societal or commercial benefits. Nominations are still open until the end of March. In support of entrepreneurs and businesses in their state and region, they have entered into an agreement to partner with the city of Las Cruces to deliver business accelerators this year continuing their support of businesses that are that have been hit hard by COVID. They're continuing to make venture capital investments in New Mexico businesses through the Arrowhead Innovation Fund 1. They have begun recruiting investors for Fund 2, which will be a fund in the range of \$15 to \$25 million. They have some soft commitments from some private foundations. One of Fund 1's portfolio companies is T Neuro Pharma and the CEO is Christina Trujillo. The company is in Albuquerque and she got her bachelor's, master's, and PhD from NMSU. This company was formed to develop a novel companion biomarker therapeutic for Alzheimer's disease. The fund held a pitch competition recently with six of New Mexico's most promising startup businesses represented. First place went to Sydney Lehman with upcycle power, which aims to bring affordable energy storage by redeploying used electrical vehicle batteries for stationary. Upcycle has been part of their energy sprint program and was also assisted with prototyping services in the Aggie Innovation Space. Their Federal and State technology partnership program, or FAST program, offers proposal support to small businesses in New Mexico for federal research and innovation grants. They recently won national recognition from the Small Business Administration with an award for outstanding performance in supporting the goals of the Small Business Innovation Research Program, which

promotes partnerships between small businesses and research institutions. Their recent effort under FAST teamed upcycled power with NMSU engineering faculty doctors Larova and Ronade in engineering as technical players in a small business innovation tech transfer a research proposal. They are working with academic government and industry sectors in New Mexico to strengthen their clean energy ecosystem in the state by facilitating an innovation pipeline through funding from DOE for its energy program and clusters program. Regarding development in Arrowhead Park, Wayne Savage in discussion with two potential developers to work on a new office building planned in the park where Arrowhead Center will be housed. Construction on both the solar side and interconnecting power lines is underway with commercial power delivery slated to begin in late September or October 2021. The design of a new waistline by the city of Las Casas is nearly complete and negotiations for the design and cost of new roadways is underway. Critical to all that we do is the quality of our team. Patricia Knighton has joined us as our Director of Innovation Commercialization and she brings a lot of experience working with high tech startups, Fortune 500 companies, federal research laboratories and government agencies. Previously, Patricia served as the lead for science and technology for the New Mexico Economic Development Department. She will be working to expand and enhance their lab to market initiatives for NMSU technologies. Also, Brooke Montgomery, former Deputy Director of Studio G will now be leading Studio G. She's well suited for the role. Brooke is an entrepreneur leading a company focused on medical devices and holding two patents. Brooke is focused on making entrepreneurial learning experiences for students, more effective and accessible. Finally, Arrowhead Center welcomes a new entrepreneur in residence, Dr Yun Lee. She is Interim CEO of a company created on the basis of NMSU intellectual property created by Dr. Foodozi. She's the head of Big Ventures New Mexico branch and Albuquerque. She's formerly a physicist, who worked in the semiconductor industry for nine years.

G. Consent Items, Chairwoman Dina Chacón-Reitzel

- 1. Naming of Doña Ana Community College (DACC) Gadsden Center Phase III building to Roadrunner Hall, DACC President Mónica F. Torres**
- 2. Espina Street Repave, Phase II, University Architect Heather Watenpaugh**
- 3. NMSU - Alamogordo Library Safety Replacement, University Architect Heather Watenpaugh**
- 4. Corona Range and Livestock Research Center Water Well and Water Use Agreement with Red Cloud Wind, LLC, Scott Eschenbrenner**
- 5. Fiber Line Easement Request from Plateau Telecommunications at Corona Range and Livestock Research Center, Scott Eschenbrenner**
- 6. Quitclaim Deed for Property Transfer for New Mexico Space Museum Building in Alamogordo and Termination of Joint Powers Agreement with NM Department of Cultural Affairs Related to this Facility, Scott Eschenbrenner**
- 7. Carlsbad Early College High School Ground Lease, Scott Eschenbrenner**
- 8. 2021 Annual Open Meetings Notice Resolution, General Counsel Roy Collins III**
- 9. Access to Classified Information Resolution, General Counsel Roy Collins III**

Chairwoman Chacón-Reitzel entertained a motion on the Consent Agenda as presented. Regent Devasthali made a motion to approve. Regent Romero seconded the motion.

The Chief of Staff took the roll call vote.

Regent Bitsie – Yes

Regent Romero – Yes

Regent Sacuedo – Yes

Regent Devasthali – Yes

Regent Chacón-Reitzel – Yes

The Chief of Staff confirmed the motion passed.

Chairwoman Chacón-Reitzel entertained a motion to take a 10 minute recess. Regent Romero made the motion. Regent Devasthali seconded the motion. The Board went into recess at 3:25pm.

BREAK (10 MINUTES)

Chairwoman Chacón-Reitzel called the meeting back into session at 3:36pm.

H. Action Items, Chairwoman Dina Chacón-Reitzel

1. Election of Officers, Chairwoman Dina Chacón-Reitzel

Chairwoman Chacón-Reitzel entertained nominations for Chair. Regent Romero nominated Regent Devasthali. No other nominations for Chair were made. Regent Devasthali is voted in as Chairwoman by acclamation. Regent Devasthali nominated Regent Chacón-Reitzel as Vice Chairwoman. Regent Chacón-Reitzel is voted in as Vice Chairwoman by acclamation. Regent Chacón-Reitzel nominated Regent Romero as Secretary. Regent Romero is voted in as secretary by acclamation.

Chairwoman Devasthali granted Vice Chairwoman Chacón-Reitzel to continue through the rest of the meeting.

I. Informational Items, Chair

1. Appointment of Regent Committee Members, Chair

Chairwoman Devasthali stated that she would like to wait until the next meeting to make these determinations so as to gain everyone's interests and expertise.

2. Summary of Revisions to the Administrative Rules and Procedures of NMSU (ARP) for the period December 3, 2020 through March 24, 2021, General Counsel Roy Collins, III

The report was provided in the binder and there were no questions.

3. Update on Agricultural Modernization and Educational Facilities, Chancellor Dan Arvizu

Chancellor Arvizu reported on the AG Modernization initiative. New Mexico State University is a land grant agricultural and mechanic arts college, which is the roots of their core of both agriculture and engineering. Over the course of the last four years there have been two major government obligation bond elections in the state of New Mexico that have been approved by the voters and in those two elections have come appropriations or funding a \$43 million for agricultural infrastructure on their campus. Along with that, is also an expectation we raise somewhere between \$6 and \$10 million of private sector funding for augmenting those that program. The initiatives for the building infrastructures are underway, which is part of the activities that Facilities and Services has been engaged in as well as the College of ACES, under Dean Flores. This committee, Agricultural Strategic Advisory Committee (ASAC), has been working together with several internal stakeholders, including Secretary Witte from an NMDA, as well as the College of ACES and a few other important stakeholders that relate to AG, including the Agricultural Experiment Station, as well as the as the Cooperative Extension Services, and bringing together these various stakeholders that can help us in a

couple of very distinctive important ways. One is under Dean Flores, for the past several years they have been reimagining what agriculture and the agriculture curriculum at NMSU will look like going forward. Dean Flores has brought in some new leadership. They're expanding the vision of what the AG business will be about and how they as an institution, put themselves in position to be a leader in the field with a focus on sustainable agriculture and they have a center of excellence that has been sanctioned by the governor for a sustainable food and AG to give them an opportunity to begin to focus on how they as a center of excellence to be catalyst for much of the objectives of the state, which has to do with economic development, diversification and value added agriculture. Their AG Modernization Initiative is focused on, "Let's make sure we understand where we're going with our vision and our strategy. Let's make sure that we take the opportunity for this new \$50 million worth of infrastructure that we're going to build that meets the needs of the future." The future of agriculture is going to be a digital agriculture, as opposed to kind of the way we've done things in the past. It also has a very strong component of economic development and diversification for the economy, creating jobs and those kinds of things. The ASAC is intended to do two things: 1) help focus and refine their vision that's already been set and developed by leadership and agricultural across the entire university academic system 2) Build and refine strategy for the economic development aspects of the branch campuses in the rural areas. Help them with advocacy as well as fundraising for the new infrastructure that they're putting in place now. The new infrastructure has two pieces to it. The first piece is that will help them catch up. There's been a lack of investment in agriculture. They've been talking about a feed mill and those capabilities and competencies of the past. The new piece is really 'what is the future of their agricultural focus?' And therein lies the opportunity that they have to marry both animal health and all things that relate to "how do we deal with animals in terms of harvesting their agricultural assets to put food on the table and how it affects human health." There is an opportunity for them to think about animal health as it relates to human health. That gives rise to this new capability that's part of their new monetization strategy, which is biomedical. That'll help in a lot of different ways to expand their horizons of what they as an agricultural institution can actually do. They're now looking at how many individuals can they go to in order to help them crisp up the vision, help them with advocacy, and fundraising. They've got a list of 30 something names and they're going through the evaluation of how these individuals can fit and are not exactly sure what the structure will look like, but it is a work in progress and they've got a number of people internally working on that. Regent Devasthali and Regent Chacón-Reitzel are interested in the outcomes and advising them on how they put this this advisory board together.

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

Secretary Witte welcomed Regent Saucedo and Regent Bitsie, congratulated Regent Romero for continuing, and thanked former Regent Hicks for her service. A report is included in the binder. Secretary Witte reported on some of the highlights. They are spending a lot of time on helping their businesses in the reopening process. The Good Food Foundation opportunity is a competition and like a regional trade show. They're talking to New Mexico companies and can market to 25 to 30 different retailers through this virtual trade show. They've got the \$5 challenge going on right now across the state and have had some commercials or heard them on the radio or see them on TV. It's all about encouraging people to buy local and get those local products and help grow our agricultural, community and the economy of the state. Director Witte did an interview yesterday with Lorraine Mills and will be available for viewing on Sunday. In that report was include, 'if every family increase their local purchasing of New Mexico products by \$5 each week every family that amounts to close to a billion dollars in growth in the New Mexico economy, every year. They've got some trade show activities going on. The events are virtual. New Mexico agricultural products are shipped to 88 different countries around the world. They're doing some training for people to get geared up for those export trade inbound and outbound missions. They've done some recipe videos with everyone staying at home. Those have become very popular on how to use your New Mexico food products in different kinds of non traditional New Mexico dishes. Some of those have been done and some are in production. They have 2 chef ambassadors. They're in the process of rolling out their healthy soil program for this year. Last year they received state money for that program. They also partnered with Natural

Resource Conservation Service (NRCS) and USDA. They're doing virtual training sessions across the state. Also, in the report you'll see that their labs have maintained their audit and accreditation standards, In terms of the read vapor pressure waiver, on February 23 Secretary Witte issued a waiver to allow gasoline that was outside of the barriers of what the standard is for this time of year to be sold. Typically in New Mexico, they get most of their gasoline out of Texas and in the northern part of the state they get it out of Colorado or Utah. Because of that cold front that came into Texas, it shut down a lot of the refineries, so they were on the verge of getting no gas in the state. They issued this vapor pressure waiver, so that they could bring in petroleum from Utah and Colorado. Only one station had to sell only premium gas for a day until they could get the gas in from other states. The price increase was 20 - 25 cents a gallon, which was expected because of the transportation. They're doing a pesticide in which they collect pesticides that are no longer needed to be used. They properly dispose of those things and send them to an improved landfill. In the legislative session update. Appreciation goes to Ricardo Rel for his help on the budget portion.

K. Report from the NMSU System Chancellor to the Regents of New Mexico State University, Chancellor Dan Arvizu

Chancellor Arvizu gave a legislative update. It turned out in terms of the budget responsibilities and how the legislature supported higher education. Appreciation to the legislative team: Ricardo Rel, Johnny Montoya, Aggie Soffman, and Ken Van Winkle. NMSU as a system, a little less than \$19 million in recurring, non-recurring, and capital outlay. In HB2, which is the bill that has the general appropriations in it, they've got \$5.4 million of recurring money, a little less than \$1 million for non-recurring money. Out of SB77, \$1 million for recurring money and \$0.3 for non-recurring money. Also, there was additional capital outlay that in HB285, in which members of the legislature actually allocate funding that they get to various projects and they received \$10.1 million. At the state level, there was \$33 million in new financial aid for students, 100 million dollars of placeholder for the lottery scholarships. They worked on making sure that the promised swap of the federal money last year that they took away was returned, and in fact the legislature did do that. They gave us about a half a percent of new money. Also, 1.5% for compensation. There was a 1% allocation or appropriations for the ERB employer contribution. The employer contribution will be augmented by the state. It's about \$34 million across the state for that fund. There's a \$5 million non-recurring fund for the higher education endowment fund. It requires a two to one match. Also, 60% of that goes to the research university. Secretary Witte reported that they were able to advocates successfully that NMDA as well as the agricultural experiment sessions as well as the cooperative extension service should be treated more like a State Agency. As a consequence, it started with a 5% cut, then went to a 3% cut, then 1.5% cut and then another ¾% cut. They ended up with almost exactly what they started with plus or minus \$1,000. They were successful in getting some support from legislators. They got \$887,000 for the Grants campus for a roof replacement at Martinez Hall, \$750,000 for a classroom and lab renovations at DACC, \$1 million for NMDA facility, \$3 million for the continued to repair of their utility tunnel on the main campus, \$400,000 for information technology infrastructure at the Carlsbad campus, and another \$650 for classroom infrastructure improvements in Alamogordo, \$811,000 for the water research and education lab. Also, the Community of Carlsbad decided that they would put together a bill which they carried through to their local legislators, both in the House and in the Senate, and it was passed that that they would recommend going independent. The status of that bill is that it's on its way to the governor's office. As they read the statute of what it takes to go independent, their interpretation is that the Higher Education Department and the Executive has a role to play in terms of approving such a such a move. Independent of how the legislature rules on that the executive has it has a role to play. The Governor obviously has these things in front of her and she could make line items on any of these appropriation numbers.

Vice Chancellor Johnston reported that NMSU system wide has done an absolutely amazing job throughout this entire pandemic. They've been very successful with pivoting and moving everything online. Tributes everyone, from faculty to facilities to police to MARCOM. Everyone's played a role in making this happen. As hard as this has been, they've come to under that there are some good ways about the way they've been working and want to maintain. Their positivity has been dropping considerably. They rarely have cases that are actually on campus or in residence halls. Faculty, staff and students are wearing their masks and staying distanced. Now, as they move

from testing to vaccinations it's even harder to want to get tested because, once you get vaccinated 'why would you want to get tested?' However, they need to keep the testing up in order to keep the positivity levels down and that might seem counterintuitive, but it's absolutely not. They're working very closely with the state in constant conversation with the Department of Health, as well as the Higher Education Department to understand their degrees of freedom, as well as those of other universities across the state. Commencement will be virtual, but they are hopeful that they can have something at some level that's more personal, especially around graduate degrees or pinning of nursing or maybe even having the opportunity to walk across the stadium in an open air with lots of distancing so people can kind of see themselves and their name on the stage. They will pay close attention to the state stages as they change. Probably 100 different people at any given time meeting weekly to talk about the impact of all of this into a plan. As they think about going back to a conventional semester, which is what they're working on right now, 'what does that mean?' 'what is conventional mean?' The other thing that they're working on is safety plans for coming back. Finally, all the stimulus money that's coming into their whole system, as well as higher education around the United States, they are now figuring out how to spend that money. Half of it, at least, is going to go to students, but the rest of it is going to help them get into their houses to teach and to work and now, secondly, to figure out how to go back into their classrooms. They are looking at grounds, tents, ventilation, and supplies. In Goal 4 of LEADS 2025, Vice Chancellor Johnston is co-leading with Andy Burke. This initiative is one that she is most attached to at this moment, because of a recent change and reporting is Information and communication technologies and they're looking to the future. Part of that is due to the fact that they have many retirements in ICT, but also as they see how valuable and essential ICT is to everything that they do here, especially as they move to a Zoom and Teams and using email all the time is they have to make sure that they are both safe and secure and up to date in terms of their technology and ability to serve. They have a very broad initiative called, ICT Futures, that includes many people who are on Zoom and split into an Oversight team, as well as Tiger Teams, which are AD Hoc focus teams to figure out what the current state of ICT is and where to go. They have some external pirate chief information officers, as well as someone from Sandia Labs, former CIO, and they have a budget fiscal specialist and they will be bringing in a CIO Interim, ideally around June. Any student helper can get the vaccinations right now because they are considered higher education workers. Any students who are considered essential workers can get vaccinated. In 2 weeks, they will get fully sanctioned to be a distributor of vaccines to the whole NMSU community out of their Aggie Health and Wellness Center. President Floros reports that they are preparing to vaccinate all students who want to be vaccinated before they leave in May and if they can't accomplish that, then to definitely vaccinate all students as they come back to campus in August. Chancellor Arvizu reported that they aren't in a position to mandate vaccination. They are participating in different opportunities that are cross-city, cross-county, and across the state about partnering in order to vaccinate.

Community College President Van Winkle reported that communications across the system are frequent and good that will help improve the system across campuses. They're holding regular business process improvement meetings to help improve integration and design ways and processes that are easier for the entire system to manipulate for purchasing and procurement, HR, hiring processes, and all business processes. These meetings have provided an avenue to discuss challenges faced by the community colleges that can be shared with the main campus business office and then, in turn, the business office from the main campus can do the same thing. The three smaller campuses really appreciate the fact that their voice is being heard and they have something to say about the issues that are unique to those campuses. These discussions have led to a great deal of interaction between Alamogordo, Grants, and Carlsbad on their own. They're sharing ideas about workflow strategies, enrollment conversations, particularly with the high schools. The Vice Presidents of all the student services are holding regular meetings now because of these larger meetings. They're discussing commencement, financial literacy programs, and the Navigate platform for students. Their challenge is enrollment. Quoted from HB2, "The secretary of higher education shall work with institutions, whose enrollment has declined by more than 50% within the past five academic years, on a plan to improve enrollment, collaborate or merge with other institutions, and reduce expenditures accordingly and submit an annual report to the Legislative Finance Committee." That brings their attention to the fact that they need to strongly strategize and figure out ways to develop and sustain the smaller campuses for these communities. They feel like they have sort of a new baseline for Alamogordo,

Carlsbad, and Grants after they've made it through a year of pandemic. Part of that enrollment issue has to do with the fact that they have so many non-traditional students on these campuses, so their attention may not be going to school right now, but they do feel like they've also lost some students that they can get back. They're working with Justin's office to try to discover the appropriate message for each of these campuses. They're working with the public school districts, faculty to faculty, advisor to advisor, dual credit, early college high school, associate of arts degrees, associate of science degrees, and the workforce certificates. Economic development is a huge part of what their smaller campuses can offer to these communities and their strategy to has been to stand up or re-establish local community advisory boards to help the campuses discover opportunities for workforce development within their unique needs of each community. Allied health, welding, automotive, building trades, and tourism is a common thread. The status on the study that's being done with Carlsbad has been completed in terms of interviews that the consultants were going to pursue. They've talked to all of the stakeholders in both Carlsbad and Las Cruces on the main campus. They are writing the report and that will be presented a couple of weeks before the due date. They have they have the information that they feel necessary to produce the report. President Van Winkle is not privy to what's in the report at this point, but knows that they are very close to finishing their task. In terms of additional outreach to NMSU Carlsbad, President Van Winkle reported that he meets with that group every week on Thursday afternoons. The resolve from that community is strong. The relationship between the Carlsbad campus and NMSU has not been destroyed. There is a lot of respect.

DACC President Torres reported that as they near graduation they look forward to commencement. As they have the last two semesters they will have a celebration page, which will include graduates' names, their credentials and images if they choose to send them in. The page will offer congratulatory videos from college officials. They're working out details for an in person celebration, drive through, or walk through ceremonies at their East Mesa campus. They've opened up these in person events for spring, summer and fall of 2020 graduates, as well as those for finishing the semester. They'll spread those out over several ceremonies in terms of meeting COVID safety and spacing requirements. Late in the fall, they began conversations with Eon Reality, a global leader in augmented and virtual reality and education, about bringing their platform to the NMSU system with an interest in later, making the platform available to other workforce, training and development organizations in the region. President Torres has worked closely with Lenny Martinez from the office of Strategic Initiatives and also Wayne Savage from the Arrowhead Center to do this work. Adoption of the Eonynx platform will increase teaching and learning capacity in the NMSU system by making exciting technologies, augmented reality, virtual reality, as well as interactive 3D available for classroom, laboratory site and remote learning environments. These technologies promise to support their students success and economic development efforts. They are in the final stages of the agreement, which will bring millions of dollars in AR VR capacity to the NMSU system. In the last six months they've been notified of 2 successful specialized accreditation efforts. Late in 2020 they were notified that their nursing program was granted initial accreditation for an eight year period and this week she was notified that they have received affirmation of their continuing accreditation respiratory therapy, which is for a 10 year period. They're in the very early stages of organizing themselves for what happens post COVID and 'what is the post COVID college look like?' They know that some students have flourished with the additional opportunities they've had with online and remote services. But they also know that some students are much better situated for learning when they're in person options available. So their fundamental question is 'how do we take what we've learned during the pandemic and use it to better serve the full range of our constituents?' They are anticipating activity and will launch that probably in the next week or two in the DACC community in at least three areas: staffing, space allocation and use, and operational support.

President Floros reported that all students are very hard right now. It's the middle of the Semester and some students are complaining that they didn't give him a spring break, but if you follow the news, you see what's happening in places where they do have a spring break, in places where they go away for spring break like Florida, as well as when they come back to their own base. They've proven right that the decision they made not to have a week long spring break and instead having some days off here and there for a mental break both the Faculty and the staff was for the best. They've helped their students succeed last year during the early stages of the pandemic. They've done a better job as the pandemic evolved because they understood more how to do their educational

enterprise, teach, and work with students better. They have learned a lot and will apply those as they move forward. They understand that this has been a very difficult year for everyone. They have done a lot of things to relieve pressure, anxiety and depression. They have addressed mental health in Town Halls and provided many smaller activities. They have an extra effort that they put into for students to call and get help when they need to from their Health Center. They're going to try to address the hesitancy with vaccines. They polled their town hall people a couple of weeks ago and 93% of people were willing to take the vaccine, or have already taken the vaccine. Only about 7% of people responded that they do not want to get the vaccine. They're going to have a retreat in May to revisit their strategic plan. All of the goal teams have been working on tweaking the strategic plan to make the actions and steps that they need to accomplish their major goals. They're not going to change the major goals nor mission or vision. They want to revisit and make sure that the plan is still relevant and helpful. They have been working on software, data analysis, data analytics and ways to gather information then analyze it in a way to see what they can do next to improve on certain metrics. Those results will come as they move forward. They are able to do things that they couldn't before such as, calculate the cost of a specific program, teaching, and research. Data analytics will help them achieve that and their goals of the strategic plan. In terms of HERF Funds, they just received the second package and the third one will be coming soon. In the first package half of the funds, which was about \$7 million, were went directly to the students and the other helped with a lot of the expenses they were experiencing as the pandemic was developing for materials, equipment, testing, tents, and others. The second package, which they just received the money, but they haven't had clear guidance as to how to use that money yet. Another \$7 million will go to directly to students and the remaining they will be using for a lot of things that were mentioned earlier. They will provide more information as they understand more about what the federal government requires. There's a third part that is much bigger. Half will go directly to the students and the other half they will use for the university. They had a plan before the pandemic, to reduce the amount of money that a student owes to the university down to \$200 before they were eligible to register again or start the next semester. With the pandemic they decided that they couldn't afford to do that right now. They left it at \$1,000 that they had at that point, then raised it to \$2,500 because it would be difficult for students to come back if they require them to pay what they already owed before. With all the additional funds that are going to students, right now they hope that they can now lower that down to \$1500. By August they can probably lower down to \$1,000. By next year they can get it down to \$200 as they were planning to do 2 years ago. Until 2 or 3 weeks ago their teams could not play nor practice. They now have all of their teams playing and practicing at home. They follow the directives of the Governor. They are testing them a lot more rigorously than even the NCAA requires because the state requirements are stricter. The results have been very good. For the last 3 or 4 weeks they have had 0 positives of their student athletes and athletic staff. The volleyball team won the WAC championship, their basketball team made it to the finals. The presidents of the WAC put a lot of effort rejuvenate the conference. They have four colleges from Texas and another one that have joined the WAC as additional members. Most of them have fairly strong basketball programs, but they all have football programs. They don't have the FBS Division One programs. They have FCS programs. That still gives them an opportunity to practice and play with some teams that they didn't have before. In regard to data showing how the freshmen did during the pandemic academically, emotionally, and psychologically, they do not have final data yet because they are still in the middle of the semester. They do know that mental and depression issues have increased substantially. The calls that they're getting at the health center have increased about those types of issues. This is in reference to all students, not just freshmen. It's not clear yet how the pandemic and Zooming has affected their students. There is a segment of students who are doing much worse than if they had face to face classes. However, there are a portion of students who have done a lot better because they like the privacy in their room, everything is in their computer, the way they can study, etc. It's a different type of process for a different type of individual. The majority of students struggled the same way as they would have if they had face to face classes. Many students want to come back to some sort of normality. As registration starts on April 7th, they are opening as many face to face classes as the students want. The students are driving in which direction that goes. In terms of what athletics for Fall 2021 and Spring 2022, first year retention is up, but spring retention is slightly down. It went from 86.9% to 86.2%. After the semester is over, they will have a better understanding of that. Second year retention went from 63% to 67%. Third year retention went from 57.1% to 57.9%. Four year graduation jumped from 28.2% to 31.3%. Because of how this first year students perform President Floros is hesitant to say yet and is

even more concerned with the students they're going to get this coming fall because they have already been through this pandemic in high school. They know that they're going to come, probably less prepared. They're discussing this and trying to make some plans to address that. President Floros' direction to the staff is that prepare to have an open campus that acts, lives, and behaves like in 2019. They can have as many as 90 some percent vaccinated on campus of students, faculty and staff. If that's the case, they will have a herd immunity and should be able to do all sorts of things. If that's the case and those variants are not evasive enough to go against the vaccines, or protect against them, then they will be close to normal. They are going to try to come back nearly 100% because they know how to pivot into an online operation again. If they don't plan to come back, be here and have a normal or conventional semester then they're not going to be ready.

Chancellor Arvizu added that they are better prepared now than they ever have been. They have on-campus testing, contact tracing, quarantining, and they're going to be a vaccine distribution center with their own vaccines and possibly some level of flexibility by the Department of Health to invite people who are registered to come and get a vaccine. They COVID meetings every week and typically on Wednesday mornings. One of their expert biologists, Dr Kathy Hanley, indicated that it is likely that the vaccines that we presently have won't last more than a year. Dr. Hanley advises the governor and the Task Force. It's likely that they'll have to have a booster shot. They will want to make sure that if, in fact, that looks like it's required and CDC provides the guidance, that they're in position to administer and move as quickly as possible to make sure they manage. They want the experience that the students have to be more similar to what conventional looks like. The immersion, interaction, and peer interaction are very valuable parts of the experience that students have. They want to make sure they preserve as much as they can.

L. Announcements and Comments, Chair

1. "Guns Up" – Good News for NMSU!

Regent Romero gave Guns Up to former Regent Debra Hicks for her hard work and dedication. She was an amazing partner and looks to her as a model regent. Another Guns up to the coaches, staff, all the athletes. They did amazing! Also, Guns up to all the Aggie fans.

Chairwoman Devasthali gave a Guns Up to Vice Chairwoman Chacón-Reitzel for her leadership through this difficult year. Guns up to the best budget that they've gotten to the Chancellor, President, teams, Ricardo Rel and his team, etc.

Vice Chairwoman Chacón-Reitzel gave a Guns Up to everyone who has been a regent. It takes a big commitment. To former Regent Hicks. Vice Chairwoman Chacón-Reitzel stated that it has been a pleasure being their chair. To student athletes, students, faculty, staff, and leadership. And to the women's volleyball team.

President Floros gave a Guns Up to the Institutional Analysis staff. They were working behind the scenes very quickly to get the numbers and to his Chief of Staff. Another Guns Up to the faculty in helping students during this time. Faculty and staff have pulled through this. NMSU handled the pandemic much better than most of the universities in the US. The Animation program in their Creative Media Institute is 22nd nationally, 7th in the southeast of the region, and 1st in New Mexico.

M. Adjournment, Chair

Vice Chairwoman Chacón-Reitzel entertained a motion to adjourn the meeting. Chairwoman Devasthali motioned to adjourn. Regent Romero seconded the motion. No vote is needed. Meeting adjourned at 5:07pm.



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item #: C-2

Action Item

Consent Item

Informational Item

Presented By: Chairwoman Ammu Devasthali
NMSU Board of Regents

Agenda Item: Special Meeting Minutes for April 5, 2021

Requested Action of the Board of Regents: Approval for Special Meeting Minutes for April 5, 2021.

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
April 5, 2021 at 10:00am**

DRAFT MINUTES *NOT OFFICIAL – SUBJECT TO APPROVAL
BY THE BOARD OF REGENTS*****

Regents of New Mexico State University

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

Non-Voting Advisory Members - ASNMSU President Mathew Madrid, Faculty Senate Chair Julia Parra, Employee Council Chair Joseph Almaguer

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

MINUTES

A. Call to Order, Chairwoman Ammu Devasthali

1. Confirmation of Quorum and Roll Call

Chairwoman Devasthali called the meeting to order at 10:03am.

The Chief of Staff confirmed that all the members of the Board, Chancellor Arvizu, President Floros are present in the board room.

Those present virtually were:

Vice Chancellor Johnston – Present

Provost Parker – Present

Vice President Burke – Present

General Counsel Collins – Present

B. Public Comment, Associate Vice President Justin Bannister

Associate Vice President Bannister confirmed that there were a few individuals signed up for public comment. Public comment is provided so members of the community have an opportunity to give input to the NMSU Board of Regents. Each individual addressing the Board is asked to state their name and keep their comments to within three minutes. A reminder is given when 30 seconds remain. The first individual who signed up for public comment is a former member of the Board of Regents, Deborah Hicks.

Ms. Hicks stated, “I am a business owner in Hobbes America for serving in engineering and also a parent as most of you know of a recent graduate. I stand before you today as a licensed professional engineer and survey intern and in support and in favor of differential tuition. And, if I may digress for a moment, I'm sad that I was unable to be a part of the very first or second board meeting where you all are meeting in person again, but it's a pleasure to stand before you today and I truly hope not to haunt you forever. So with regards to do a differential tuition the Board of Regents began having these conversations in about 2015 and 2016, specifically with regard to the College of Engineering and through that time the

Advisory Board, which I was an ad hoc member until, most recently, I believe on the Advisory Board for the College of Engineering. So this is a discussion that we've had for many, many years. As I stand and support for the differential tuition, the reasons for that is because we want to number one, we want to make sure that we have the capability to hire world class faculty for our College of Engineering. Many, many years ago, when I graduated from New Mexico State, and so did Trace, we were actually ranked in the top 50 College of Engineering in higher education. The second reason that I stand in supportive differential tuition is for the laboratory equipment and the actual true learning experiences that the students have. For Michaela, she was able to graduate with skills utilizing current up to date Trimble software and Trimble equipment, 3D scanning and so forth. She was skills ready to begin her career in surveying and was able to graduate with her LSI as well. So again, I stand before you in support of differential tuition for the College of Engineering because we want to have world class faculty. We want to have prepared skilled graduates that are using the current up to date equipment that is available in our communities, professional engineering and surveying. Thank you once again for the opportunity stand before you on this side and I look forward to seeing you soon."

Associate Vice President Bannister reported that the next person who signed up for public comment is Taylor Freques.

Taylor Freques stated, "I'm currently a student in College of Engineering from the Engineering Technology Department as well as a staff member for the Aggie Innovation Space. I'd like my voice to be heard in regards to differential tuition for the College of Engineering. NMSU is home to me. I spent my childhood summers here on campus, participating in swimming camps, tennis camps, and basketball camps. My afternoons, once done with school, were often spent here on campus doing homework in my Mother's office. I've had the pleasure of being involved with NMSU since my youth and I now have the pleasure of starting my career and earning my engineering degree from here. Growing up in Las Cruces I've seen firsthand what it means to be granted admission into NMSU. For many people, including myself, this university holds an opportunity for students to become better people than we were yesterday. NMSU composter this opportunity by being committed to quality. The root of this quality begins with the hiring of individuals responsible for teaching. In my time here as a student I've had core engineering courses taught by adjunct professors or temp hires. It is difficult to learn when these people aren't committed to the university and lack the qualifications of industry experience. What incentives are we offering these individuals? My time and money are valuable and every student here deserves to be taught by a full time qualified experienced faculty member. Students speak amongst themselves, "which professor should I take?" These adjunct professors and temp hires put extra strain on students. We may wait a semester for a different professor, delaying degrees, drop the course, or worse failed the course. I have incurred all of these situations to the point where I flat out refused to take the class until someone different was in place, but not all students have this luxury. I have lost time and money because of this. Engineering degrees depend on accreditation and this accreditation falters every time we put a subpar individual responsible for teaching these core courses. This isn't just a concern of mine and other current students, but it affects the alumni of the College of Engineering. It's jeopardizing past, current and future students. The ramifications of losing accreditation cannot be measured so take this responsibility seriously. The first step in fixing a problem is admitting you have one. We cannot continue to sustain the quality of our engineering program on this course we've set. If we start here, dig our heels in and say no, the next generation of students and the ones after that will enter a far better program than as it stands today. We should aspire for greatness in this institution. It is for these reasons that I support the implementation of differential tuition. It's a small price to pay when considering the great positive impact it will bring to the Engineering Program. Times are hard for everyone. I wouldn't want responsibility for making the difficult decisions this university has to face. But I also know that the greatest challenges can bring out the greatest opportunities. If I have learned anything, it is the power of one person, one person can change the world. Thank you for your time."

Associate Vice President Bannister reported that the next person who signed up for public comment is Natalie Kellner.

Natalie Kellner stated, "I come before you as a proud parent of four recent NMSU graduates, two of whom are graduates of the College of Engineering. Today I'd like to share with you the wealth of opportunity engineering students currently have to achieve dream jobs and life changing futures. First, many students early on, have the opportunity to interact with faculty, one of whom encouraged my daughter to pursue a career in engineering. Other students benefit from tutoring and peer mentoring provided by students, like my children, which improve retention and graduation rates for both the student being mentored and the mentor. I can't tell you how many times, my daughter received thanks from other students for her assistance. Second, engineering students benefit from the opportunity to learn from the faculty. Faculty with government and industry relationships and a wealth of funded research to set a high bar for academic success and provide an open door for assistance. This environment drives engineering program esteem and advances student retention and social mobility. Research and service programs, such as a concrete lab, bridge inspection program and capstone projects, serve regional and national demand and are vital components of undergraduate education at NMSU. Third, engineering graduates have the ability to hit the ground running in the workforce, through a wide variety of experiences and employers actually tell us that NMSU graduates are strong and resilient. Many, like my children, maintained jobs while going to school, learning to balance personal and professional assignments, as expected in the workplace. Now, believe me, as a parent of four children who wants attended NMSU at the exact same time I understand the cost of education. But NMSU is among the best in the nation of providing scholarships and aid, which significantly reduces the net price. Some might say students can't afford differential tuition; however, what engineering students really can't afford is to lose access to high quality faculty, support services, research, mentoring and internships, and to the most important outcome multiple offers at procedures companies a promising and rewarding career and a financially secure future. That's why NMSU Engineering Programs can't be compromised. While the tiny investment for individual students in a bright future, differential tuition is vital to providing highly respected graduates benefiting industry, the region and the country. Thank you for the opportunity to share these insights with you as you evaluate what is truly in the best interest of enabling engineering student success."

Associate Vice President Bannister reported that was everyone who signed up for public comment.

C. Approval of Agenda, Chairwoman Ammu Devasthali

Chairwoman Devasthali entertained a motion to approve the agenda. Vice Chairwoman Chacón-Reitzel made the motion to approve. Regent Romero seconded the motion. All were in favor. No one opposed.

D. Action Items

1. Financial Report for Fiscal Year Ended June 30, 2020, Senior Vice President Andrew Burke, Ed.D.

Vice President Burke introduced John Kennedy and his colleague from KPMG to present the audit and financial statements that are being requested to be approved to be issued with an unmodified opinion. John Kennedy introduced Suzette Longfellow, who is his colleague and will be presenting with him on the audit results for June 2020. They met with the audit committee on March 19th with a more detailed report. What is being presented today is a summarized version. This presentation is later than a normal presentation. Normally, they would present in the January meeting. The reason they are not this time is due to funds on NMSU end. The work was scheduled and completed in October 2020 relative to the basic audit of the financial statement for the university. The one thing that was a pending matter that we weren't able to complete at that time was related to the CARES

ACT funds. NMSU received \$14 million of CARES ACT funds and \$7 million of that was spent this year. As part of the audit process and their contract with the state, they are required to audit those funds, which is called a single audit. The federal government was supposed to put up guidance for them to complete that audit, but that guidance was not received until December 23, 2020. Because they were waiting on that guidance they did not get to start test work on that special unique funding until 2021 and that audit was completed in in March of 2020. There wasn't a fining relative to a late audit report because the circumstances were out of everyone's control. At this point, the audit has been completed. We submitted the package to the State auditor's office on March the 22nd. They've now reviewed that final reporting package and submit and provided a release letter to them, which then allows them to come to you today results.

Suzette Longfellow reported that the campus audit, which includes the financial statement audit and single audit, they audit the component units, the NMSU Foundation and Arrowhead Center that audit and tests work was completed in the normal timeframe and the audit reports for those two entities were submitted to the State auditor in October of 2020 for their review and were in fact issued and released in January of this year. All of those audits continue to stay on normal schedule, as they were not recipients of this special CARES ACT funding that created the delay in the single audit for main campus. They also conducted their annual audit and test engagements for KWGTV and FM stations and that test work typically takes place it in October - November timeframe and it's completed in December, such that it's submitted to the corporation for public broadcasting via their online system and that was timely issued. They have done their review and have not indicated there were any need for any changes to the reports that were issued. Lastly, they do agreed upon procedures for the NCAA and these are specific procedures of the NCAA asks all division one universities to complete. They do that for NMSU in the December timeframe, and that was also completed and issued in December of 2020. The bulk of the work that was done was done in a normal timeframe. The single audit that had the unique piece because of the cares act funding that was received and spent that required a slightly different timeline for completion for this past year.

John Kennedy reported that there are unmodified opinions for all of the audits that we conducted the ones that. An unmodified opinion is also called a clean opinion, which means the financial statements are fairly presented in accordance with generally accepted accounting principles. They took no exception to what NMSU presented. There were no significant unusual transactions other than the CARES ACT. There were a few modest audit adjustments. They found everything to be in accordance with generally accepted accounting principles. For their purposes, they conduct certain procedures to address any material, what might be considered material, such as fraud or illegal acts, who interview people, sample transactions. They do various things such as, talk to your attorneys, look at various committees of correspondence and nothing came to our attention to report to you relative illegal acts or fraud. They had nothing unusual in these required areas in terms of subsequent events to discuss. They did not identify any compliant non-compliance with laws and regulations, no significant difficulties in conducting the audit, even in remote environment. It was a smooth process. They are independent of NMSU. There were a couple of audit adjustments. They go through the financial records and identify things that might need to be adjusted. The top has been known about for many years and is related to the landfill. What it means is that there is a requirement in the accounting literature that you would accrue costs for closing the post closure costs for a landfill and you would normally accrued those as you're using the landfill. NMSU did not do that. NMSU decided to basic expenses costs as you actually incur the post closure cost. There's an adjustment here that potentially would be a million dollars, that you should have. An additional million dollars on NMSU's books for future costs relative to closing that landfill and they have this adjustment every year, so it's nothing unusual about this particular item.

Suzette Longfellow stated the second adjustment that's there relates to the Foundation and this is a common past audit adjustment that they have every year. This is specifically related to the alternative investments that the Foundation invests in and the timing in which they receive the evaluation data for those investments. There's always a lag basis between the data that Merrill Lynch reports provides versus when those actual investments have an audited statements that are provided. The dollars are typically very small, but they show what the effect is of that timing difference of recording the alternative investments as of June 30 2020 at the actual fair value. Not a significant dollar amount and not an unusual adjustment because all organizations would see some element of a timing difference here as it relates to alternative investments. On the Arrowhead audit, they had a corrected audit adjustment. This was \$12,000 and it related to over recording of rental income for the Genesis property, the leases that are related to the Genesis rental income. It's something that management has corrected with new procedures to ensure that that type of a situation does not reoccur moving forward. It was not a remediated item at the time they conducted the audit, but they put some good procedures in place to ensure that that will not happen again. This is reflected in the audited financial statements of Arrowhead. The significant deficiency or control deficiency that's related to that corrected audit adjustment and the fact that they're were not strong enough controls at the time of conducting the audit to prevent something like that occurring, but what management has put in place now in the way of corrective actions would likely not have that issue repeat itself so. It's something that management took very strongly. They wanted to make sure they addressed it right away. It is not expected that they would see these types of matters rolling forward in future years. The fact that it says status and remediated is just because at that point in time of the audit it wasn't corrected but it's since been corrected. With regards to the prior year, the 2019 audit, there was an audit finding for the Foundation. It was 2019-001 and had to do with some of the challenges that were encountered in that year's audit in reporting and implementing a new accounting and reporting standard that was specific to not for profit organizations. Due to some transition of staff, team members at the Foundation and the significance of that new accounting reporting standard, there were a lot of control issues that were identified during that year's audit. That has been resolved and was not repeated in any way during the 2020 audit and, in fact, that Foundation on went very well for 2020.

John Kennedy stated that the first item is a significant risk for every audit that they conduct. In every audit they design their audit approach to at least address the potential for management over rider control. They're looking for specific things. In connection with their audit approach they look at the design and implementation of certain controls that NMSU has, internal controls put in place. They specifically look at journal entry controls and even will test some journal entries. They're looking for the proper support documentation and approvals of those controls. They test IT controls over passwords, for instance, make sure NMSU has proper controls over those. They conduct various inquires with individuals, test transactions, and significant estimates. The end result of all that is that they did not identify any circumstance where they felt management had over ridden controls. Nothing was identified that needs to be reported to you here. NMSU participates in the states pension plan, so the ERB pension plan. The state conducts all their procedures. They identify amounts and share those amounts with NMSU. The plan is underfunded. When it's underfunded there's a liability to put additional monies into that fund. The State tells you what your share of that unfunded liability is. This is the bottom part is the grey pension liability number. That's a history of your unfunded liabilities, as allocated to you by the state for the last four years. It's gone from \$507 million in 2017, then went up to \$715 million in 2018, \$792 million in 2019, and this year it dropped to \$487 million. There are some specific reasons for that, but to the expenses, it does cause some wild fluctuations on expenses. as well, and you can see, looking across. Expenses went from \$38 million to \$105 million to \$170 million and this year a negative expense number of \$168 million. What that does is last year in the income statement NMSU showed operating expenses with the

university of \$600 million and this year it's only \$360 million dollars, so it looks like there's wild fluctuations in the way NMSU manages the university, the way NMSU spends money, the way NMSU's operating business and the truth is that's not the case. None of this impacts the budget and has minimal impact to the way NMSU manages business, but it does make the financial statements look unusual.

Suzette Longfellow stated that they conducted their single audit for FY 2020 over two major programs this year. The first one being the student financial assistance cluster, which is one that they have routinely tested over the years at NMSU and the secondary one is that CARES ACT funding that they spoke about, which was specifically called the Higher Education Emergency Relief Funds, or the HEERF, which has a specific CFDA number of 84425. That is the one that was mentioned early on in the presentation that was the core reason for the delay in being able to complete the audit because of the guidance from the Federal Government on how to audit that program, along with all other carriers acceptable funding programs was quite delayed from what would be this normal timeframe. Once they receive that data, they were able to conduct the audit and they are issuing an unmodified or clean opinion for compliance for both of those two major programs. They do have one finding, but it is what they would often referred to as "other matter of finding" or "finding that is required to be reported" only for state audit purposes. It's all the way in the very back of the reporting package. It has to do with the student financial aid program and enrollment reporting, which is a particular special test that are required to do the audit. In the case of the work that they did, there was 1 out of 40 students that they tested for enrollment reporting where there was not a status change that had been properly reported to the NFLDS and that's a federal branch that tracks all of the data for the status changes of students. Not a significant or recurring type systemic matter, but something that, for state auditor will purposes, they are still required to put in the reporting package. No other findings on student financial assistance and no findings on the Higher Education Emergency Relief Fund.

Regent Romero inquired about there is any information about whether or not the net pension liability finding will have an affect on NMSU when it comes to bond ratings and interest rates. John Kennedy answered that boundary agencies are familiar with these sorts of fluctuations and they're able to eliminate the noise from that when they evaluate financial health. By and large, they have not seen significant impacts from these sorts of things because many states have the same problem and have the same results. NMSU's has been a little bit more of a wild ride than most. They have not seen significant impacts bond rating test results. Vice President Burke stated that the bond rating companies look at ratios that eliminate pension fund. There are two primary bond rating agencies, Moody's and Standard and Poors. Moody's tends to look more seriously at pension liability and they are waiting to see how they will incorporate that into their analysis. It's a transaction liability that significantly impacts their financial statements. That's more of a responsibility of the state. Vice Chairwoman Chacón-Reitzel stated that legislature made an additional allocation to the pension fund as well. How will this be affected next year? Vice President Burke stated that the legislature increased the employer contribution to ERB by 1% with the idea that over time there's a threshold that they meet. As John was trying to point out in his table, where it went from 500 to 750 million as a liability for NMSU share and then drop back down to 500. So there's this threshold that they hit or go over or go under and it significantly impacts their liability. The idea is with the ERB employer contribution increase hopefully they'll be able to avoid that in the future. It's difficult to predict. John Kennedy included that it depends on the rates of return on investments. The crossover test measures, based on the assets that are in the plan today and for contributions and benefits promised, is there enough there to pay all those features benefits if NMSU slips under that crossover test, it shows NMSU run out of assets before the benefits are paid out, the accounting is punitive. That punitive accounting is what caused the jump from 2017 to

2018 in terms of that liability. It's important to make sure there are adequate resources in the plan. In theory, the 1% increase should help to continue to drive that liability down to because they are more money in, but also trying to make sure that the assets continue to earn well. NMSU has anticipated that the assets will bring a return of 7.25% long term. That's the rate they're using, so if for some reason NMSU starts slipping below that they could find the situation of failing that crossover test again and the liability pops back up. Therefore, it's hard to predict.

Chairwoman Devasthali stated this year was tough because the CARES ACT funding delayed the audit and exit conference. Looking into the future for any potential or anticipated funding, is there anything NMSU can do proactively to reduce possible delays? John Kennedy stated that the guidelines that are there right now address what will need to be done relative to these new charges of money. There is no significant changes there. Suzette added that they would also await any additional guidance that could be forthcoming. There is always an annual compliance supplement update that the office of management budget puts out every year. These past two years, both for 2020 and for 2019, were delayed in putting that out. In 2019 had nothing to do with the CARES ACT funding, but there were just some overhauls that were being done and it took some time to get it put out. Hopefully that will not be a repeat delay for FY21 because there are nuances that they make changes and it might not even be the CARES ACT funding, it could be student financial assistance or R&D programs where they changes to testing requirements. They will stay abreast to any changes. NMSU receives updates from the Department of Education and is proactive in looking through that data. The firm also receives that data and looks at it. It's important that everyone stay on top of that data.

Chairwoman entertained a motion to approve. Regent Romero made the motion. Vice Chairwoman Chacón-Reitzel seconded the motion. All were in favor. No opposed.

2. Tuition and Fee & Budget Guidelines, Senior Vice President Andrew Burke, Ed.D.

Vice President Burke proceeded in presenting recommended FY-21-22 tuition and fee rates, plus sources and uses for each NMSU campus, additional fee request for engineering and nursing at the main campus. In terms of the budget approval process, the goal is to balance instruction in general I&G sources and uses for each campus, the Las Cruces and the Community colleges. At your next meeting in May, the budget approval will incorporate state appropriation and other revenue changes for functions, such as research, public service student aid and auxiliary, athletics, and then New Mexico Department of Agriculture. They are recommending and asking for approval of a tuition fee increase a percentage increase to establish a pool of compensation dollars, outline some strategic investments that they're recommending, show the results of their required fee recommendation from the Student Fee Review Board. In 2015 was the last time there was a structural change made to the tuition and fee rates where they introduced the Flat 15 or the full time rate at 15 hours. The percentage increases over the last 8 years that were approved are shown in the slide.

President Floros reported that in FY19 they had a 3.5% tuition increase. This was the first year that the Chancellor, and President came in. They realized that they had a significant amount of scholarships, that the previous administration had promised, which was for a period of four years. Every year since that year, an additional amount of money went into scholarships and they didn't understand nor model how much that would be because they hadn't started at that point. They went the first year and didn't know how many students it'll attract or how many of those kinds of students they will have. That was the first year they experienced a significant deficit in their budget. That year they went to the Board of Regents showing that roughly it would take about 7% to make their budget balanced, but they decided to go with three and a half. They decided to figure out

a different way to resolve the rest of the amount, which they eventually did. In FY20 they had a much bigger deficit, primarily because of scholarships. They were talking about a 12% or 9% increase, but decided that they can't go that high, so they agreed upon 6%. That left a deficit, but they found other ways to cover. In FY21, they were talking about another 6%, but decided on 3%. Everything looked ok until the pandemic hit the state budget really fell into the abyss. They had to cut their budget by \$11 million on top of the other deficit that they had before. Every unit in the university has experienced significant cuts. Nothing like 1% or 2%, some units and most of their academic units experienced a 3.75% because they wanted to preserve academics. Other units that were more critical in their minds, for example, student success and library only had a 2% cut and a few other units got very small cuts, but the majority of the units received a 5% or 6% or 10% or in some cases 50% cuts for some units and, obviously, whatever little strategic funding they had it all went to work of serving the deficit. They had no strategic investments this past year, so that was 100% cut. Although the average is 2.4, which is roughly what most academic units are going up, for the last several years, they had to make a lot of deficit that was not part of their plan to begin with. Nevertheless, they know that everybody's suffering during this pandemic and they're willing to continue to tighten their belts as much as they can. They coming to the Board from the tuition and fee side with a 0% increase. In the future they will be coming with certain increases, but this year is not a good time. As an institution, they are providing more aid to their students than tuition, fees, books, and supplies. This institution continues to be the least expensive institution in the state and one of the least expensive research institutions in the country. They need to pay attention to the quality of education they provide to our students, so that they're competitive when they go out there and seek jobs and competitive in doing their own jobs, so they continue to succeed. Students have voted to not raise fees, but have decided to increase funds to some units partly because they needed it to survive other cuts and partly because the students had some reserves that they could use for this year. The Academic Service fee used to be called the Distance Learning fee. Historically they had charge \$35 per credit for all online courses. When the pandemic hit, they went virtual and online for all courses. They didn't raise or apply that fee to anyone else at that time. When the fall of 2020 came, they knew that students would be taking online and hybrid classes or a few face to face. They decided to hold the fee for the students who registered online. As this has taken place, they have changed a lot of software, processes, and systems. They are now gearing to becoming an institution that has a lot of services they didn't have before. They decided to buy Zoom in January 2020, two months plus before the pandemic hit. That's what the distance education fee would have covered so they could do distance education with online students. They use those softwares for all students and some students use Zoom even if it is face to face. The fee changed to \$25 per credit hour in the spring semester because of complaints from students who registered for online classes who had to pay the fee realized that those students who did not register for online classes did not pay the fee. The fee was issued to students taking online and hybrid courses. As they move forward, they want to further reduce the fee to \$20 and apply it to the rest of the students. This will bring in additional revenue and the average student will pay less than the \$25 per credit hour. NMSU is in desperate need for these additional funds. This fee will begin this summer and Fall of '22. We already have in place many of the processes, software, and systems. They have collected feedback from colleges and different students. They have also reached out to faculty and student leadership. There are 5 large groups that they want to use the fee for. Two of those groups is what they used to use the fee on: Academic Technology group, including staff and students who understand technology, software, and computer equipment, and this is about \$2.5 million in expenses. The other group is the College Academic Support Services, which was about \$1 million that they were providing to individual academic colleges to cover their own expenses when it comes to online education. This provides staff, students, and services in computer classrooms and institutional labs in terms of software and hardware. That needs to increase to \$2 million. The other entities that are listed are new things that they have invested and will continue to invest. One being the Academic Assessment and Analysis,

which is something they've never done before. They have a desperate need to assess their teaching methods to understand student outcomes and use that data to design new courses, curricula, educational methodology, and improve student success, that is for \$250,000. The other two groups that they did not invest in before, but need to right now are digital library services (\$800,000) and further informational technology in terms of software and licenses (\$1 million) that faculty and students are using extensively now. UNM charges \$50 per term for every student, plus \$35 per credit for upper level courses. UTEP has 2 different fees and together they make up \$36.50. Texas Tech charges \$23.50. University of Arizona charges \$38 for the first 6 hours.

Chancellor Arvizu reported that the branch campuses have had an existing online fee of \$25 and only applied to those students who are fully online. When the pandemic happened, the DACC waived the fee entirely. The branch campuses would like to do something similar and apply it to a broader set of students. What they are proposing applies to most students. The DACC is reducing to \$10. In terms of net revenue, Carlsbad and Grants it would be a wash. There is a little bit of an increase of \$287,000 extra. Alamogordo would have a reduction, which is partly due to the drop of enrollment.

President Madrid reported that ASNMSU stands in support of this because it's competitive and the scope of things that would be supportive as a result of this fee change is increasing. President Madrid cautioned everyone on is the spirit of transparency because from the students' perspective this change in fee makes a lot of sense. Students should know very clearly their money is going and what exactly this manifests as. ASNMSU stands in strongly support of the library, for example. Students having that knowledge that the library is one of the many things that would see increase of support, as a result of this is a very good thing.

Chair Julia Parra reported that Faculty Senate did an informal poll. There were 36 of 66 faculty members on site. 31 agreed, 2 disagreed, 3 abstained, so overall Faculty Senate agreed with this change. Chair Parra personally agreed. As someone who teaches people how to teach online and with her dissertation studies on the impact of learning how to teach online. On in person teaching, this makes a lot of sense. They would want to make sure to support their university, as they have seen this major shift in thinking, teaching, and learning and they will want to maintain that positive direction.

Vice Chairwoman Chacón-Reitzel stated that currently the university is looking at making some major changes in IT and wonders how the changes that are coming and what the plan is for the IT programs are for across campus. How bad is it looking? In the past it's been mentioned that a due diligence study would be done to look at their IT needs and consider all of that. The time frame was through the December, maybe May through August at some point in there that they would have this information. What are they laying out for the university, so that they have that information under their belts to consider? They are due for stimulus 2 money that was mentioned. There's the second tranche at their Finance Committee was presented that the additional money could be used for IT? How will that play into this formulation? Vice Chairwoman also requested information on tranche 3.

Chancellor Arvizu stated that it's very clear that they need to make investments in ICT. They experienced a cyber breach in their Foundation and another one later. Both have been managed. They point out their vulnerabilities and will need to be proactive. It will require an investment and the size of that is to be determined. How to fund that is something that they actively consider. They just received HEERF 2 funds and have the ability to spend the part that goes to the students. The remaining part of it they are still getting guidance from the federal government on how that can be spent. They are expecting that they can spend it for things like ICT enhancements or anything totally impacted by the COVID health crisis. They are in a budget deficit and need to fill in some gaps. For

example, there is a 1.5% compensation increase that was contemplated by the legislature and that is not fully funded, so they will have to find additional funds. There is an opportunity to fund it out of HEERF 2 and not yet clear on what will happen with HEERF 3. That could be a significant amount as well and that will be given the kind of flexibility that they're talking about in HEERF 2, which would greatly improve their financial condition if they have the flexibility, but they're not sure how much flexibility they have. It's possible that revenue reductions or losses are allowed in HEERF 2. These proposals are their way of trying to get ahead of that, recognizing that HEERF money, whether it be two or three is one time money and the needs that they have our recurring needs.

Vice Chancellor Johnston reported that they are underway with the due diligence on ICT. They have hired a budget fiscal specialist, who has done this work at other universities and will be looking at the business model as well as understanding the gaps. This Friday they will have a report from the 3 CIOs, 2 are higher education CIOs and the other is an industry CIO. They will need investment and don't know how much that will be. Vice Chancellor Johnston stated that course fees are normal and very low compared to other universities. Because it is an ongoing cost it's expected that that will have to be increased. HEERF is beneficial and they can put money into cyber, equipment, putting technology in some rooms and computer setups. That's one time money though. It doesn't address the salaries, which are pretty low and because of that they have retention issues. They don't have career development in place for most staff. There aren't escalators for their software.

President Floros reported that in HEERF 1 half of the money, just over \$7 million, went directly to students. What is meant by 'directly to students,' is it is in their pockets. They can do whatever they want. This is not for them to pay tuition and fees. They can do whatever they want. The amount of money that the average student applied for that aid was about \$1000. The other half primarily went to cover a lot of the expenses they had starting last March all the way to through this year to right now, from materials that they needed, equipment, tents, other things for classrooms, testing, research, software, hardware. The second package they devoted another equal amount to students and is going out right now, another \$1,000. Within one year the students will have received between \$5,000 and \$6,000 each. They have a lot of academic technology and services and supporting classroom facilities. They reconfigured 40-42 classrooms so they go out through wi-fi for the same class they are holding face to face. If they didn't have this money they wouldn't be able to have this capability. Also included are singage, sanitization, water bottle and filling stations, masks, and construction barriers. There are 1300 sanitization stations. Also included are office support for remote work: microphones, webcam, security software, laptops, software hardware. They experienced a sizable lack of revenue this last year. For example, they couldn't have full capacity in the dorms. A lot of the money has gone to cover lost revenue. They want every unit within the university to come forth with proposals on how they will use the money. They have reserved an amount of dollars based on what proposals come forward. They have to fulfill COVID-19 and federal government requirements as well as NMSU's strategic plan. They are looking for proposals from \$50,000 to \$750,000.

Regent Romero asked how are they making students aware of the HEERF funds. President Floros answered that they make them aware through official notifications to each student from Financial Aid, public announcements, social media. Only half of the students applied for those funds. Some students said they didn't need the money and give it to someone else. That's how they were able to give that much to each student.

Regent Romero asked how this academic service fee apply to dual credit courses. President Floros stated that there are some exceptions to who gets the fee. There are some classes who don't use any of those technologies such as, thesis, clinical, and dual credit.

Regent Saucedo asked what the difference is between NMSU-O and an online course. President Floros stated that NMSU-O are programs that are fully online. This was instituted 2 years ago. Some of those programs may require you to show up in person a few times. Some classes are online, but not necessarily in a fully online program. Chancellor Arvizu added that NMSU-O is an online curriculum and requires a different pedagogy. Online classes would be better called 'remote learning' because they are not part of a fully online program. Online classes are more expensive than face to face classes. A third of the money is spent on pedagogy, another third on technology, and the other third in advertising. They are ramping up that part of our instruction without compromising the face to face immersion learning.

Regent Saucedo asked who will decide what courses are remote, hybrid, or in person. Also, would students have the ability to choose and would they know going in? President Floros stated they're learning a lot about distance education or remote learning. They're learning a lot about their educational activities because they now have the processes, systems, software, and the people to start looking into the data. Their students are changing. President Floros stated that by this next fall, every student should be able to come and go to face to face class. If things progress with the virus and vaccinations, they should be able to accommodate all students. They want to provide students the flexibility to have remote or hybrid classes. As to who decides, that is a complex set of data. The student will have a say so. They will have to figure out if they have the right people to teach those classes. Some people are better at teaching in person. Others understand the pedagogy, methodology, and the ways to have a much more effective way to teach remotely. The Provost is working with faculty, deans, and department heads to figure out what their composition of classes will look like this next semester. President Floros' first concern is to provide the students with what they want, so to some sense, the student is in charge of those decisions. As a university their response to students' needs and wants is of high quality. Chancellor Arvizu added that they are letting each campus make their own decision locally. Conditions are different at each campus, so they will have a better understanding of what needs to happen. The branch campuses went totally online in the Fall 2021.

Vice Chairwoman Chacón-Reitzel stated that the total for HEERF II was \$27.7 million and \$7 million of that will go to students. The difference is \$20.6 million that could be used for technology costs associated with the transition to distance education faculty and staff trainings and so an additional 20 million is coming under HEERF III. What is the estimated amount for HEERF III and how that will be divided between students and the institution? Chancellor Arvizu stated that the estimates the best that they have them is that higher education funds for all of higher education across the country is \$39.6 billion. Their best estimate on how much they will get is \$52,370,000, which includes the university part, student part and another special provision in her called MSI, minority serving institutions. Of that, \$23.9 million is for the institutional portion. \$25.3 million goes to students. \$3.1 million also goes to the institution. Combined of all three HEERF bills is \$97 million. President Floros stated that in regards to HEERF II, they have allocated \$7 million to students and \$7.5 million to major items in lost revenue. That leaves them with \$13 million for everything else they want to do. Chancellor Arvizu stated that they are trying to look at this strategically and from a system perspective.

Chairwoman Devasthali stated that in the binder on page 129, it shows tuition rate change and required fee 0%. When they are talking about academic services fee, that goes into effect for Summer and Fall of '21. Students start registering for courses on April 8th. Technically there is an increase this year. The concern is that this past year has been such a difficult year for everybody, but in particular for students because not only did they not have on campus jobs, which they would have

had if campus was open. And for those that went home and had families that could support them, they couldn't find jobs because restaurants and businesses were closed. They all had expenses that they could not meet and just because they have provided some funding to the students that had no strings attached, they could basically use it for whatever they wanted the suspicion is that many of them did use it for living expenses. If they say they want to show real concern and compassion for students, they should be true in not raising any fees tuition or academic services fee for the year. It is understood that they have lots of needs, and understand that academic services fee is definitely something that they should look at seriously. Differential tuition is something that most of them would not disagree with. Chairwoman Devasthali would hate to do that this year. The academic services fee is a new fee and while they say that those students who were paying \$35 will now pay less and now pay \$20 then divide it amongst all the students. This is not revenue neutral. They are getting \$4 million by doing it this way.

Regent Romero asked that if we didn't do this fee, what's currently in place, the \$35 fee for online courses, is there an estimate what revenue would bring in if they kept things as is. President Floros answered that they don't know exactly what will happen in the fall. They hope that enrollment will be the same as last fall. If they apply it to mostly everyone, they will know mostly what the revenue will be. If they don't and only apply it to online or remote or hybrid, they won't have a good way of guessing what that revenue will be. Yes, they project revenue, but this comes with a huge increase in expenses. They are covering some of those expenses with HEERF funding, but they cannot cover all of it. HEERF is limited as one time money. They didn't reduce the number of student employees. Most of the university is open. They didn't lay off a lot of those students. Some worked remotely. Students will get roughly \$50 million or so, which is about \$6,000 per student.

Regent Saucedo referenced page 134 in the binder for academic services fees. President Madrid talked about transparency. Regent Saucedo asked that they walk through it and highlight how the money will benefit all students and what that will mean for each student's \$20. Even with the 2% budget cut that they provided to the library because the increases in prescribed journals and other series, it's increasing by 8 to 9 to 10% per year. The library had to make a really tough decision to cut about 800 different journals from their prescription. This is very costly to NMSU because they are a research university and need to have access to those journals. So this support, for \$835,000, the hope is it will bring back quite a bit of those kinds of journals in a digital form. For example, the academic technology fee, they are using that money to pay staff that they have on now, and they need more. They have to increase the staff who serve all those things and student workers, which they have plenty and they also need to increase those. Also software licenses have been limited and they want to expand that. Adobe for example, you can get the reader free, but have to pay for the rest of the software. Also to make their network as safe as possible and cybersecurity. This pandemic pointed out that students don't have access to hardware, software, wi-fi, hotspots, etc. That will be subsidized. They will make a dent in what they need.

Regent Bitsie stated that a lot of the uncertainty is stemmed and routed from is the uncertainty of the fall semester, and they can be planning for a normal conventional semester, but they really at the end of the day, don't know what it's going to look like. This academic service fee has the potential to help the university and increase the budget. Hesitation comes from enrollment. If enrollment goes up, then the academic service fee is successful, but if it goes down that's where the hesitation comes from and could be harmful. Chancellor Arvizu stated that they are just now collecting preliminary numbers for the fall. They believe that they are on track to be on par to where they were last year with incoming freshmen. That's true for the main campus and not true for the branch campuses. They are expecting some serious headwinds there because of cost and access. Cost is the biggest issue at the community colleges, certainly in the two year programs. Underserved and

underrepresented core groups are disproportionately disadvantaged in today's environment. They know that the branch campuses are at a different place, but based on everything they know at this point they look like they're on track for incoming freshmen. President Floros added that applications are a little down, but it's still early on. Acceptance rate is up. Orientation is significantly up, which is a good indication of the interest of the people. Orientation payments are huge increases. Housing applications are 5% higher. Overall enrollment will be about where they were last year, but with maybe a little increase. They don't know how many students will be face to face and how many will not.

Vice Chairwoman Chacón-Reitzel stated that before they go to students with an increase they need to think about that additional money and it sounds like it'll be more available to use because there will be more flexibility built into it. Student employees who on campus were able to continue employment, but many other students were not employed on campus and went home or tried to find service or hospitality jobs. The make up of the student body is 67% Pell eligible, which speaks to the employment of their families. Also, the employment rate in New Mexico is the 1st or 2nd highest in the nation. The affordability and timing of these increases, academic services fee and tuition increases, is to consider. All of the increases need to be considered.

Chairwoman Devasthali asked why HEERF funds can't apply to these fees. President Floros stated that it does and they are using those funds to cover those expenses. The fees that they are collecting will be for the years ahead. Some things that they used the HEERF funding for is large amounts that they have to make initial investments. Some things that they will continue to make as well. Chairwoman Devasthali stated that they should be able to use HEERF funds to plug those gaps right now for this year and next year. Chancellor Arvizu stated that there's a lot of uncertainty about the fall. The risk that they run by delaying a decision is that they lose flexibility that they presently count on and don't have. Then they are in a much more difficult challenging condition to try to fill gaps. If they delay that decision then it's possible that they could use this money. They are anticipating that they know, just barely kind of looked at the tip of the iceberg, in terms of what changes are going to be required to put them fully functional in a post-pandemic world. They can more than likely get by without it, but it will be challenging and they will have to hope they get the flexibility that they need and resources to fill the gaps. They are coming to the board with what the gaps are and how they might fill those. President Floros added that there are some things they cannot use HEERF funds for. They are going to hire people to run networks and software packages, unless they're directly COVID related they can't cover it. They cannot use HEERF funding for library related expenses.

Regent Saucedo asked how many students paid the \$35 fee in Fall 2020 and is looking for how many students will pay this fee for the first time. President Floros stated that for Fall 2020, they kept it to online students who traditionally registered for online classes, 15% of students. This semester they charged \$25 and it affected 85% of students.

Chairwoman Devasthali entertained a motion to address the item.

Vice Chairwoman Chacón-Reitzel moved a no pass on the academic services fee for this year. Regent Saucedo seconded the motion. Vice Chairwoman Chacón-Reitzel stated this academic services fee is critical to the university going forward, but it's extremely bad timing at this point with the stress the students, families, and economy is under. Also, with \$57 or \$50 million more dollars and some of it can be spent for IT and loss of revenue. President Madrid stated that they went into their own reserves so they wouldn't raise fees to students. Regent Romero asked if they do this as a no pass, what will the fee be? President Floros stated that the current fee is \$25.

The Chief of Staff did a roll call vote to not approve the academic services fee that proposed in the presentation.

Regent Bitsie – No

Regent Saucedo – Yes

Regent Romero – Yes

Regent Chacón-Reitzel – Yes

Regent Devasthali – Yes

Provost Parker proceeded in presenting for differential tuition. NMSU started looking at this in 2015. There are about eight criteria that universities have relied on as the basis for need for differential for different programs. Nursing and engineering hit every single one of the criteria that are involved in these decisions. One is a higher than average cost of delivery or the instruction. Another is an aspect relative to higher salaries for the faculty. There are expensive accreditation standards. There are often methodological components such as, laboratories and the equipment that they require. They generally require clinical or experiential learning opportunities; again expensive those tend to engender much lower student faculty ratios. There are often licensure requirements. They have to make sure their pedagogy is aligned with the life Insurance needs. They also have prescribed curricula. There's little room for less expensive electives in the curriculum. The students in these programs tend to have higher than average starting salaries and in the case of nursing and engineering, each one of those hits all eight of those criteria. Compared to other programs, nursing and engineering has a much higher cost of delivery. Their two programs fit this national profile. These data are from a national study called the Delaware costs study. They participate in that and fall right in line with what the other universities experience. They have inexorably experienced trends that are impacting these programs. There is a three year trend analysis, proposals, and supplement material charts with figures that show the disaggregated breakdown of cost of delivery by different sectors of students, undergrad lower division, versus undergrad upper division, versus graduate etc are included. These trend have slowly indicated retrenchment of state support and in the case of New Mexico, their funding formula used to directly count a higher cost of delivery for nursing and engineering. A few years ago that was reconfigured when they moved more to a performance based and away from a cost based funding formula. That reduced the amount of money that they received from the state for these costlier programs. They have experienced increasing competition for students in these programs. The cost of the accreditation continues to climb. What's different if the capacity at NMSU. For the first time truly understand what is driving the costs in these programs. They have invested a very large amount of time in creating a much more robust data infrastructure than they have had available in the past. The three trend analysis provides a focused view of the cost of delivery. It doesn't reflect the full budget. This reflects their direct costs of putting the students and the faculty together in the learning environment and the students coming away with credit hours on their transcripts. Gross revenue for these three years reflects the tuition, the sticker price of their tuition and fees. The second chart entitled 'discount' shows interplay between the institutional scholarships that President Flores was referring to earlier. This the scholarship program where when they came in in 2018 and they realized they didn't have the cohorts that would be coming in each subsequent year for a four year period. Those had not been baked into the budget. Each year they've had to invest more millions of dollars in the budget to the point where now in the final four year of this program that they're about to close. They are now stabilizing an investment of about \$25 million a year for institutional scholarships. Those do not include lottery, Pell, Foundation scholarships. In addition to the institutional aid, this discount also counts the reduction in tuition rates that many students enjoy. For example, they have a military tuition right, discobary rate for Mexican students, 135 mile discount for students in the border region of the adjoining states. This is

what yields the net tuition and fees that the President displayed on charts earlier. The gross, which is the sticker price, is reduced by the discounts and institutional aid and that yields the third number and net revenue. The discount is going up. The instructional cost is the direct cost of instruction. It's largely faculty salary, but it's not 100% of all faculty salary. It's the salary that can be attributed to the cost of delivering. For example, if a faculty member obtained a research grant and that grant helped subsidize or buyout, as they say they're teaching time, that amount of their salary is not counted. It also accounts for any contingent faculty, adjuncts. It accounts for direct cost of instructions, such as materials in laboratories or staff that are dedicated primarily to producing the course. Most programs they show a positive number. In the case of Nursing, all three years they were below zero. In 2019 the negative number for nursing was \$1,620,000. In 2020 the negative number was \$831,329. In 2018 it was similar. There is the same criteria in the engineering program. There was a drop in enrollment probably due to the drop in international students, who tend to pay full ride. The discount trend is the same. There is an increase in institutional aid. In total, the discount as a university exceeded \$52 million. The revenue in engineering has been declining. They don't grow enrollment to keep paying for the scholarship program you see the reversal in the trend, and so are our revenues going down there, the net revenue our costs. Revenues are going down. Costs have been relatively stable. It was holding its own, but in 2020 it reversed by \$527,682, which is probably attributed to downturn in international student enrollment. The proposals that the two units put forward generate badly needed money, but they're relatively modest in essence what these proposals would do is offset the 3.75% cut that they experienced this year and that will be permanent in fiscal year 22. Approval of the tuition differential merely moves them back to that profile that they saw in fiscal year 20. If they don't have tuition differential by 2022, the data will indicate that they will be farther in the red because they would reduce their budget by 3.75. Regionally they remain the lowest retail sticker price in the region relative to UTEP and UMN. Those sticker prices do not include the institutional aid and the other discount rates they have.

Vice Chairwoman Chacón-Reitzel stated that these proposals have come before the board in the past. One of the reasons it was resisted in the past is because some of their peer universities have been doing it and they have looked at it with a critical eye, so do they want to go there? Also, is this the time we really need to do it? Is there any other way to support these programs, so that they're not going in the red and without having them go to students and ask for differential tuition. Chancellor Arvizu stated that this request is different from the academic services fee because this one is clearly that cost of instruction is more than it has been. The track record for completion and placement is very good. All of their engineers get placed and this year there were several offers per graduate. That means they are very marketable and their salaries is very compelling in different ways. The market speaks to what those costs ought to be. They need to worry about the quality of instruction, which is dependent on the investment that they're making. There are exciting things on the that are going to require that we have excellent engineering program, nursing program, tele-health, AG modernization, and things that relate to industries of the future STEM careers are going to be extremely important going forward. This is an area where they don't want to under invest. They're different because there is a different demographic of student that they're serving and the cost that are added to the burden on students are recovered for the nature of the degree they're getting.

Chairwoman Devasthali asked that if this passes, when does it go into effect? It will be in the Fall. Will that at that point, whatever the revenue is from that raise that'll make up for the seven 3.75 that? President Floros stated that it won't make all of that up, but it will help. Vice President Burke stated that on page 137 it shows the slide of what they request they act on. Provost Parker stated that the last page of each of the proposals contains the proposed initial budgets for 2022 and 2023. In the case of engineering with the phase in at the lower rate. Fiscal year 22 the differential generates 460,000 in total. By fiscal year 23 when the full amount of \$39 goes into effect, it will

generate \$767,000. Similarly in the case of nursing, in fiscal year 22 it would generate a mere \$176,822 and by fiscal year 23 it would generate only \$366,840. This would allow nursing to hire back positions that they had to eliminate because of the 3.75% budget reduction. Because of the really tight connection between accreditation and the student faculty ratio if they cannot add instructors, they cannot grow enrollment in nursing. In the case of electrical and computer engineering hopefully hire a permanent department head that department.

Vice Chairwoman Chacón-Reitzel stated that at the legislature, they were able to get some other resources that were taken away from at that mid year session. How might the additional resources impact the university and in regards to this specifically? Chancellor Arvizu stated that they pushed for additional funding for nursing at the legislature. They didn't get it. They did get capital outlay money, but it isn't the kind of operating funds that they'll looking for. The swap money was to restore their operating budget. Had they not gotten that, there would have been additional cuts. They only took most of the cuts in fiscal year 21 and anticipating there would be more in 22. What didn't happen was that they got new revenue estimates from the budget office and the legislature was able to apply more money into funding and as a consequence, the cuts that we had anticipated in 22 did not occur. They replaced a swap and operating funds, which meant we just didn't have to cut anymore. The differential fee at UNM is 50% of stated tuition costs, so they added 50% addition. These programs cost more. They have constraints to faculty student ratios.

Regent Romero acknowledged that he is hearing they should be able to add more staff and supplement programs less. How will this affect the other colleges and is there a benefit? President Floros stated the cuts and what they're asking them to do now are two different things. The cuts that they implemented when pretty much across the board of all colleges was the same, 3.75 for every single of the College. Other units had more or less. This kind of change in tuition by adding this on top of regular tuition will go directly to its own college. The college is in control of what they will do with that money. No other college will benefit from that. Provost Parker stated that these programs are falling short. Every time we offer those programs money has to come from elsewhere and I & G is made up of state support. They get less of it than we used to for these programs, and it also is made up of tuition and fees that students in other programs pay. The question becomes, 'Who subsidizes the cost of the benefit the students get out of graduating with this degree?' Should it be the student in Fine Arts who doesn't enjoy the kind of salary prospects upon graduation probably that the engineers and the nurses do? If you go back and look at that Delaware Cost Study graph at the beginning, fine arts is in the middle and not inexpensive to deliver. Most of the time when a university chooses to subsidized something from an equity perspective, you don't want to the students who can go out and earn six figure income, shortly after graduating. There is concern in the case of nursing because they aspire to introduce a car and a doctoral program certified nurse anesthetist. That is extraordinarily expensive and it would require a very significant and high tuition differential if they move forward with that proposal. This has been recognized as a responsible, equitable, justifiable position to take by research universities who have been doing this for more than a decade.

Dr. Reddi stated that they passed with accreditation the last two cycles. There was a serious concern that they are not putting enough faculty members in front of students. As they prepare for the next round of accreditation, they need to address that concern now. After that time, they lost even more faculty. They need to put faculty members back.

Regent Bitsie stated that his major is engineering physics, which is under the College of Engineering. While at NMSU, he has gravitated more toward the physics department for one reason. When he goes to his mechanical engineering courses the faculty to student ratio is high, maybe 50 to 1. In his

physic courses, he gets that. His classes don't have more than 10 students. Had that not been the case when he was a freshman, he would have been more invested in the engineering department. This differential tuition will be seen by the students much more readily and quickly.

Regent Saucedo supports differential tuition and it makes sense. It is appreciative that the funds will go directly to their programs. It would be good to look at other programs. It is not simply looking cost of program, Education is an example. They wouldn't be more competitive by increasing the price. Computer Science could benefit from differential tuition.

Chairwoman Devasthali stated that there were some comments from nursing and engineering students. Some nursing students were not in favor. Provost Parker responded that the main concern is that students want to make sure that the revenue that's generated stays within their program and is not subsidized off to other programs.

Chairwoman Devasthali entertained a motion. Regent Saucedo moved that the Board approve the differential tuition proposal for the College of engineering and the nursing program as described, on page 137 of their material. Regent Romero seconded the motion.

The Chief of Staff took the roll call vote:

Regent Bitsie – Yes

Regent Saucedo – Yes

Regent Romero – Yes

Regent Chacón-Reitzel – Yes

Regent Devasthali – Yes

The Chief of Staff confirmed the motion passed.

Regent Bitsie made a motion for a 10 minutes recess. Regent Romero seconded. Meeting went into recess at 1:15pm.

Chairwoman Devasthali called the meeting back into order at 1:25pm.

Vice President Burke proceeded in presenting Budget Guidelines. They have a goal of balancing their sources and uses of their I&G budgets for the Las Cruces campus and community colleges. In terms of sources of funds, the legislature provided us roughly 3.8 million in I&G in state appropriated new money. That includes the add back for the CARES ACT as well as some formula funding dollars, about half a percent, then they redistributed some and made a few schools hold harmless and they ended up with the \$3.8 million number. Written in the house bill includes a 1.5% salary increase or compensation increase, which represents \$2 million and it's a portion of what they need for I&G, but it's a much larger portion than what they've received in the past. They also have a couple of other items that they're showing as sources of funds fringe benefit adjustment for this year, as well as a small adjustment to other sources that equals \$920,000. They are not anticipating a change in enrollment. There is a 0% tuition and fee increase. In terms of uses of funds, compensation equals about \$4 million, an investment in Foundation of \$938,000 based on the agreement that was signed by the board in the in December. They have strategic investments that they've set aside related to their strategic leads goals that are detailed to some degree, \$1.25 million. Also, they are proposing to invest in graduate assistant scholarships, which we traditionally have not done in the past of \$500,000. They are recognizing all of the cuts they needed to make, except for \$2.3 million in the sources and uses. The differential tuition and they're showing it as a source. When engineering and nursing are combined with both the undergrad and graduate, it totals to \$727,000. That amount is

also shown as a use of funds going to the program and college. The sources of funds related to the academic services fee will be removed and in terms of sources and uses, it will remain balanced. The fringe rate, a rate that they negotiated in December, will likely go up in the future given the ERB contribution increase. They think state legislature will provide funds to offset it. For faculty and staff compensation to build a pool of 1.5%, plus fringe that that represents \$2.4 million. They have a minimum wage increase on January 1 to \$11.50 an hour, which requires non-exempt staff a schedule to increase salaries for certain employees by \$260,000. They include faculty promotion in tenure for current faculty of \$400,000. They've set aside a quarter of a percent for faculty and staff market equity salary adjustments. On the faculty side, it's more market. On the staff side, it could be compression to bringing up salaries in their pay grade. They have a student minimum wage increase. They typically side aside amounts for their 4 goals of their LEADS 2025 strategic plan. The amounts total up to the \$1.25 million. The NMSU-O hourly rates are \$80 higher than the in-state rate, part of that was to build in the services on the academic side related to technology. Requesting approval for the sources and uses that would allow them to continue to build the budget with a 1.5% compensation increase, no tuition and required fee increase for their base tuition and fees and including the approved nursing and engineering differential tuition allocated back out to those programs in college.

Vice Chairwoman Chacón-Reitzel asked what some of the examples are for each of those categories. President Floros stated that they have had those there for many years and have never been able to invest in it because they have always had to use it for budget cuts so far. The first year they came they had about \$500,000 in student success and \$400,000 of that went into one single software service that they bought that has been helping them with enrollment and retention issues. With student success related, they collect a lot more data and understand a lot about their prospective students and existing students and how they perform. They want to extend this to graduate students. For the first time in the university's history, they have collected a lot of data from a lot of different sources. Many of those aren't free and have to pay a subscription to collect that data so they can compare themselves to other universities. In terms of research, their supportive graduate students is not where it is supposed to be. They don't pay their graduate students as much as their competition. They don't support them with other benefits like paying for their tuition or health insurance. In terms of 'build a robust university,' they have a lot of initiatives that helps with improving the timing of our process. For example, signing documents and how quickly we can do electronically now. It's possible that some of that will go towards improving HR or IT processes. In terms of outreach and extension. They have not been able to put any strategic investments in that area for three years now. One of the things they need is to figure out how they can collect data so that they can document all the things that they do.

Vice President Burke reported that Alamogordo is struggling a little with budget cuts. They're hoping to use lost revenue to help offset. In the adjustments to their budget and state appropriation money that they received. They are hoping to add some part time instruction and anticipating traveling a little bit more after the pandemic. Each of the community colleges has a 0% tuition and fee increase. Dona Ana has a little more of I&G appropriation increase and more considerable faculty and staff compensation increase. They're also requesting to make a minimum wage adjustment. They have a lot of student employees, setting aside their faculty promotion and tenure fund. At the Grants campus, they will be able to use state appropriation to fund one or two faculty positions. Tuition and fees are at 0%.

Chairwoman Devasthali entertained a motion to approve the budget guidelines. Vice Chairwoman Chacón-Reitzel moved to approve. Regent Saucedo seconded the motion. All were in opposed. None opposed.

3. **Auxiliary-Housing Rates**, Senior Vice President Andrew Burke, Ed.D.

Vice President Burke proceeded to present on auxiliary housing rates. In 2017 the university went out for a large bond issue, \$20 million was in that bond issue to renovate Juniper Hall. There were also dollars to renovate other facilities within the housing stock to improve appearance and functionality. There was a rate proposal plan that was approved that ran FY18 – FY21, which included predetermined increases that the board approved to help them be able to get the appropriate bond rating and good interest rates to issue those bonds. Juniper Hall was built and has been well received. The four year rate plan has expired as of this fiscal year proposing that they do something similar and establish a four year rate structure that provides the ability to increase rates up to 3%, which they would consider a cap each year as needed for inflation and if they were to need to increase more than 3% they would come back to the Board. They're asking for this because they have debt service to pay off, the more recent bond, as well as others. Juniper Hall is proposed at just under \$6,000. In compared to other institutions that they looked at, they are at the lower end because the range is between 4600 and 9800 dollars. When they look at the apartment complex comparisons they're a little bit closer to the high end of their peers, in most cases, but we're still within range.

Regent Bitsie stated that Tom Ford and Sutherland is not increasing, but RGH is 80 years old which is next to 20 years older than those ones, but yet that one is increasing by 3%. Why is that? D'Anne Stuart stated that in the bond issuance that they received to build Juniper and then invest in some of their other facilities, RGH was in that pot of money, so they have done some renovations to RGH. They were one of their priority facility because they serve first year students. The other houses are those little cinderblock houses on South campus have not invested in those. They believe they're at the top of the market without doing some renovation. They will be offering those little houses to single students. Primarily those have been reserved for groups or family housing. They're going to see if there is a market for those, but they have to be careful of that price point because they have been desired because of the low price point. As they start to renovate they've got to see what the market will bear there. They do feel like it's not appropriate to raise those given that there has been no investment in recent years and those facilities.

Vice Chairwoman Chacón-Reitzel asked if it could be less than 3% in future years. Vice President Burke stated that yes, it could be less than 3%. They wouldn't come for approval unless it exceeded 3%. Vice President Burke reported that it runs right around CPI, 2 ½ - 3%. They are incurring escalating operating costs related to utilities, material costs, general services, and compensation increases.

Regent Romero asked for history on what the typical increases are for housing. D-Anne Stuart stated that they went through a stabilization period. They brought in consultants and were looking at some steep adjustments. They showed that they were 20% below where their housing rental rate should be. What they did was increase efficiencies. They came up with a financial philosophy or rate structure philosophy. They don't want to give in on compensation. When there is an annual increase, they have to fund all of that themselves. When you see that there's that line for sources and uses for I&G, that doesn't cover them. They employ a lot of resident assistants and resident directors. Those are live on staff that support their students. Utilities is a big one as well. They don't want to give on the reserves they have set aside and that goes into address maintenance, replenishment, furniture, etc. Historically, they would cut into staffing and maintenance areas. This year they were hit with a large utility cost. The cost of supplies and materials have grown.

Vice Chairwoman Chacón-Reitzel asked how we compare to the local market for housing. In this year with the pandemic, they de-densified the freshmen dorms to 2/3 occupancy. Prior to the pandemic, their occupancy was high. Their occupancy was up to about 95%. If they're able to have a conventional fall semester, their occupancy would go back up and that they would use HEERF funding to cover lost revenue for the occupancy that dropped. D'Anne Stuart stated that in 2017 they tried to right size some of their housing and took their Greek housing and another family housing offline. They have an overabundance of inventory in family housing, but in their residence halls and student apartments they stay up around 90 plus percent in occupancy and those facilities. Chamisa runs at almost 100% and is the highest priced and newest facility. They see a high demand for the on campus apartments because of proximity and having the programming that takes place. They built Juniper. Their first year was tricky because they didn't know if the facility would come online in time for the start of the semester. Then they moved into COVID. They have intentionally de-densified and they have a plan to permanently de-densify Garcia because it's a large facility until they have a replacement plan for that. They want to stay competitive locally with their peers and balance that with the appropriate operations. It's about affordability, but not cutting into places where they need to be making that investment.

Chairwoman Devasthali entertained a motion. Regent Saucedo moved to approve the four year structure as proposed. Regent Bitsie seconded the motion. All were in favor. None opposed. Motion passed.

4. Auxiliary-Meal Rates, Senior Vice President Andrew Burke, Ed.D.

D'Anne Stuart presented a new contract with Sodexo, which falls under the master collaboration agreement. They focus on two areas within their residential dining, COVID recovery and redesigning their board plans. Those are meal plans that are required of first year students living in those residence halls. Historically they offer two plans; a premium plan and a lower plan. They are implementing a new plan that came about from feedback from students and parents when they implemented the residential requirement for first year for first year students. This plan is for local students that still will be eating in their dining hall, but are spending some evenings at home with their parents and eating. Under this partnership with Sodexo, they are adding these new subscriptions or clubs such as, the Beverage Club (unlimited drip coffee, fountain drinks, etc), Tech Club (50% off robot delivery, etc) and food club (50% off concession meals, etc), and some others.

Chairwoman entertained a motion to approve the auxiliary meal rates. Regent Romero made a motion to approve the 21-22 meal rates. Vice Chairwoman Chacón-Reitzel seconded the motion. All were in favor. None opposed. Motion passed.

5. Auxiliary-Parking Rates, Senior Vice President Andrew Burke, Ed.D.

Vice President Burke stated they are requesting a 6% increase, which ranges between \$2.50 - \$16, to parking permits. The rates have remained flat for 2 years. They transferred less than they would have liked from parking in FY20 for parking lot repairs and upgrades. They're anticipating not being able to do that for this particular COVID pandemic related fiscal year. The annual increase is expected to yield a little under \$60,000 and use for increased costs of doing business and cover shortages. The total rate increase for faculty and staff is \$7.50, outer lot employees is \$4.50, commuter students and campus residents is \$4. Also, there is a motorcycle and special rate.

Chairwoman entertained a motion to approve the auxiliary rates. Regent Romero motioned to approve the 21-22 auxiliary parking rate. Regent Saucedo seconded the motion. All were in favor.

None opposed. Motion passed.

E. Informational Items

1. Appointment of Regent Committee Members, *Chairwoman Ammu Devasthali*

Chairwoman Devasthali proceeded in naming the members of the Board of Regents standing committees and the chairs of each of the committees, in addition, naming regent members of the affiliated entities and other committees and organizations, where the Board has representation.

Regents Financial Strategies Performance and Budget Committee, Regent Neal Bitsie will replace Regent Dina Chacón-Reitzel and Regent Christopher Saucedo will replace Debra Hicks and will be chair.

Regents Audit and Risk Committee, Regent Arsenio Romero will replace Debra Hicks as a voting member and Chairwoman Ammu Devasthali remains as Chair.

Regents Student Success Committee, Regent Neal Bitsie will replace Luke Sanchez and Regent Arsenio Romero remains on the committee and continues to serve as Chair.

Regents Real Estate Committee, Chairwoman Ammu Devasthali continues to serve on the committee and Regent Dina Chacón-Reitzel remains on the committee and continues to serve as Chair.

Arrowhead Center Board of Directors, Regent Dina Chacón-Reitzel replaces Chairwoman Ammu Devasthali and Regent Neal Bitsie replaces Luke Sanchez.

Honorary Degree Selection Committee, Regent Dina Chacón-Reitzel replaces Debra Hicks and Chairwoman Ammu Devasthali continues to serve on the committee.

New Mexico Higher Education Regions Coalition, Regent Christopher Saucedo replaces Luke Sanchez and Regent Dina Chacón-Reitzel will continue to serve.

New Mexico State University Foundation, Chairwoman Ammu Devasthali continues to serve as the regional representative.

F. Adjournment, *Chairwoman Ammu Devasthali*

Chairwoman Devasthali entertained a motion to adjourn. Vice Chairwoman Chacón-Reitzel made a motion to adjourn. Regent Saucedo seconded the motion.

Meeting adjourned at 2:29



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item #: C-3

- Action Item
- Consent Item
- Informational Item

Presented By: Chairwoman Ammu Devasthali
NMSU Board of Regents

Agenda Item: Special Meeting Minutes for April 15, 2021

Requested Action of the Board of Regents: Approval for Special Meeting Minutes for April 15, 2021.

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
April 15, 2021 at 5:00pm**

DRAFT MINUTES *NOT OFFICIAL – SUBJECT TO APPROVAL
BY THE BOARD OF REGENTS*****

Regents of New Mexico State University

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

Non-Voting Advisory Members - ASNMSU President Mathew Madrid, Faculty Senate Chair Julia Parra, Employee Council Chair Joseph Almaguer

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

MINUTES

A. Call to Order, Chairwoman Ammu Devasthali

1. Confirmation of Quorum and Roll Call

Chairwoman Devasthali called the meeting to order at 5:03pm.

The Chief of Staff proceeded with confirming the quorum and taking roll call.

Regent Bitsie – Present

Regent Saucedo – Present

Regent Romero – Present

Regent Chacón-Reitzel – Present

Regent Devasthali – Present

Chancellor Arvizu – Present

President Floros – Present

Provost Parker – Present

Vice Chancellor Johnston – Present

Sr. Vice President Burke – Present

General Counsel Collins – Present

B. Action Items

1. Early Head Start & Head Start 2021 Cost-of-Living Adjustment grant application for funding, Magdalena Pando, Ph.D., Principal Investigator, Doña Ana County Head Start

Dr. Pando introduced the program instruction ACFPIHS-2101 on page three from their sponsoring agency office of Head Start administration for children and families. This is an action request to submit for a cost of fund application for cost of living adjustment pay increases to their personnel within Dona Ana County Head Start in Early Head Start Program. As principal investigator of this

grant, Dr. Pando requires policy council approval, which they have obtained and now governing board approval, which is the existing Board of Regents. In this Notice, \$25,705 has been allocated to Head Start and \$5,353 to Early Head Start. The notice specifies a no less than 1.22% cola increase to personnel or to offset higher operating costs. Given the recent passing of house bill 2 that designates a 1.5% employee compensation raise and no further details at this time on how that will be distributed within their university, Dr. Pando has calculated a 1.39% pay increase to all personnel positions, vacant and field for Dona Ana county Head Start and Early Head Start personnel to receive a one 1.39% pay increase. The application is due today. Everything has been uploaded the only matter pending is governing board approval.

Chairwoman Devasthali asked if there is a process now going on to transfer this authority from the Board of Regents to the College of Education. Dr. Pando replied that there is a process in place. Dr. Pando is in contact with their sponsoring agency program specialist to delegate authority to the College of education through our internal existing policy. Dr. Pando will be proposing and communicating with Dean Henrietta Pichon on that process. Dr. Pando will ask their sponsoring agency exactly what formal document they require, so that they can move forward with that process and hopefully prevent another governing approval at this level that can be handled more time efficiently within their College of Education. Chairwoman Devasthali asked what the timeline is on that. Dr. Pando stated that they meet monthly with their Program Specialist in a couple of weeks. They meet monthly. Dr. Pando will reach out to their Program Specialist sooner and draft some documents and memos to route through their official chain of command starting within the College of Education to get this process going as quickly as possible. Dr. Pando met with a person from UCLA that has something similar where authority was delegated from the Board of Regents to the School of Medicine, in this case, which is where their Head Start Program is housed. They provided good information on that process. Now it is just a matter of asking their sponsoring agency what is required in writing to upload to the Head Start Enterprise system and recognize the delegated authority on their end.

Chairwoman entertained a motion on the Early Head Start and Head Start 2021 cost of living adjustment grant application for funding. Regent Romero made a motion to approve. Regent Chacón-Reitzel seconded the motion.

The Chief of Staff took the roll call vote.

Regent Bitsie – Yes

Regent Saucedo – Yes

Regent Romero – Yes

Regent Chacón-Reitzel – Yes

Regent Devasthali – Yes

The Chief of Staff confirmed the motion passed.

C. Adjournment, Chairwoman Ammu Devasthali

Chairwoman Devasthali entertained a motion to adjourn. Regent Chacón-Reitzel motioned to adjourn. Regent Bitsie seconded the motion. Meeting adjourned at 5:12pm



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
REGULAR MEETING
May 14, 2021**

Item C-4

Confirmation of Prior Executive Session – April 26, 2021

The Board of Regents met in a closed executive session at 1:00pm on April 26, 2021. Due to the public health emergency issued by the Governor, the meeting was held online.

The closed executive session meeting was held to discuss threatened and pending litigation as permitted under the closed meeting exemption of the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(7).

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

Regent Bitsie ____

Regent Saucedo ____

Regent Romero ____

Regent Chacón-Reitzel ____

Regent Devasthali ____



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item #: E-1

- Action Item
- Consent Item
- Informational Item

Presented By: Julia Parra
Chair
NMSU Faculty Senate

Agenda Item: Faculty Senate 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 Faculty Senate.

References:

N/A

Prior Approvals:

N/A

**FACULTY SENATE FINAL SUMMARY
REPORT TO THE BOARD OF
REGENTS FOR 2020/2021**



Faculty Senate
MSC 3445
New Mexico State University
P. O. Box 30001
Las Cruces, NM 88003-8001
575-646-2593
facultysenate.nmsu.edu

PROPOSITIONS FOR AUGUST 2020 THRU MAY 2021

Proposition Number	Proposition Title	Summary	Action/Follow Up
<u>01-20/21</u>	Memorial Requesting Increased Faculty Participation in Budget Reduction Discussions	A call to NMSU’s Central Administration to 1) ensure faculty input on budget reduction decisions, and 2) ensure that definitions of faculty productivity are more than SCH plus external funds raised. Approved as emergency legislation.	Approved, September 3, 2020.
<u>02-20/21</u>	A Memorial to Support the Elimination of Systemic Discrimination at NMSU	A call on administrators, staff, and faculty to eliminate all forms of racism and discrimination from the University and build a culture committed to diversity and equal opportunity. A series of goals and recommendations are provided. Approved as emergency legislation.	Approved, September 3, 2020.
<u>03-20/21</u>	Senate Bill Proposing Improvements to NMSU’s Curricular Approval Process	Amended ARP 4.81 to replace the appendices and amend the curriculum approval process which is very extensive resulting in delays in approval and is a structural barrier to a competitive program process. The University Program Approval Committee (UPAC) was created as a part of this proposition approval.	Approved October 3, 2020
<u>04-20/21</u>	A Memorial requesting that NMSU Central Administration includes the Faculty Senate in designing and implementing a sentinel testing program for COVID-19	Request that 1) NMSU Administration engages the expertise of its faculty in development and implementation of an active screening / sentinel surveillance program for COVID-19, and 2) that the faculty be included in discussing and formulating operational changes that may result from testing results. Approved as emergency legislation.	Approved, September 3, 2020.
<u>05-20/21</u>	Kinesiology and Dance Departmental Name Change	Requested approval for name change to Department of Kinesiology for the purposes of inclusivity, consistency with national trends, enhance visibility and recognition, and enhance student success.	Approved December 3, 2020
<u>06-20/21</u>	A Memorial requesting that New Mexico State University self-declare as a Sanctuary Campus	A call to further support the elimination of systemic discrimination by examining options of: self-declare as sanctuary campus, increase transparency re: relationships with Dept. of Customs and Border Patrol, create ad hoc committee to establish additional policies.	Approved December 3, 2020; was amended during meeting and approved as amended

<u>07-20/21</u>	Memorial to Request the Restoration of Shared Governance	A call to restore the practices of shared governance to ensure that substantive and meaningful faculty input is included in all system structure, budgetary and academic discussions and decisions that will affect the two-year branches with the NMSU system.	Approved November 5, 2020
<u>08-20/21</u>	Memorial to Request the Restoration of the Position of President of NMSU Carlsbad	A call per title. Was amended, new title: Memorial asking NMSU upper administration to confer with faculty, staff, advisory boards, and other stakeholders before making administrative changes which affect communities and culture.	Did not pass committee. Report accepted, this means it does not go to full Senate vote
<u>09-20/21</u>	Memorial in support of the NMSU Library as budget realignment discussions unfold	Request that Central Administration act on the following: not to propose or act upon further reductions to library budget, add functioning needed for library to support NMSU R01 status and LEADS 2025 goals, increase funding to the median of peer institutions.	Submitted as Emergency Legislation, was approved December 3
<u>10-20/21</u>	Memorial to support a faculty survey about the Faculty-Talk Listserv	This is in response to the concerns about the use of the Faculty Talk Listserv.	Approved January 14, 2021
<u>11-20/21</u>	A revision to the Faculty Senate standing committees, including changes to the Faculty Senate Constitution	The NMSU faculty should play an enhanced and integrated role in shared governance. By altering the Senate standing committee structure to 6 committees, we become more aligned to existing university structures, we make the Faculty Senate into a more proactive body, we can act more rapidly in cases when quick action is required, and we enhance communication across all levels.	Approved February 4, 2021
<u>12-20/21</u>	Minor change to Senate Constitution to clean procedure on filling vacancies for Senators on leave	By this memorial, a change to the Senate Constitution is proposed, with this change then going to the faculty at large for a vote after Senate approval. This change simply cleans up an inconsistency of current language as to how vacancies for Senators on leave are filled.	Approved February 4, 2021
<u>13-20/21</u>	Revisions to the Faculty Senate Constitution	The existing constitution did not include updated election process and meeting practices. While processes and practices will be more fully explicated in revised bylaws, the proposed changes to the constitutional lay the groundwork for such.	Approved February 4, 2021
<u>14-20/21</u>	College of Health, Education and Social Transformation (HES)	Proposition for combining the College of Education, the College of Health and Social Services, and the Department of Sociology, to create a new college to be named the College of Health, Education and Social Transformation.	Did not pass April 1, 2021.
<u>15-20/21</u>	A revision to the Faculty Senate Standing Committees, including	Same as summary for 11-20/21.	Approved April 1, 2021.

	changes to the Faculty Senate Bylaws		
<u>16-20/21</u>	Faculty Senate memorial objecting to library budget reductions which resulted in cutting 433 scholarly research journals	This is in response to concerns about the cut of 433 scholarly research journal subscriptions and includes a call for a sustainable funding model for the NMSU Library.	Approved April 1, 2021.
<u>17-20/21</u>	Revisions to the Faculty Senate Bylaws	Same as summary for 13-20/21, but focused on the bylaws.	Approved March 4, 2021
<u>18-20/21</u>	A Memorial in Honor of Karen Trujillo	Signed by NMSU FS Chair, Chancellor, and President. Presented to the Family of Karen Trujillo on March 13, 2021.	Approved March 4, 2021
<u>19-20/21</u>	A proposition to return the Aerospace Technology (AERT), Electronics Technology (ELT), and the Automation and Manufacturing Technology (MAT) Programs to the Advanced Technologies (AT) Division at Doña Ana Community College (DACC)	The AT Division at DACC is proposing to return the AERT, ELT, and MAT Programs to the AT Division and out of the SEM Division.	Approved April 1, 2021.
<u>20-20/21</u>	A Proposal to Modify Faculty Senate's Proposition Types	In order to better represent the range of activities engaged in by the Faculty Senate and better align with ASNMSU, creating consistency across within the NMSU system, the Faculty Senate requires a more robust set of legislative options.	Approved May 6, 2021.
<u>21-20/21</u>	A Memorial in Honor of Karen Duggan, NMSU-Alamogordo	The NMSU Faculty Senate extends its deepest condolences and sympathies to the Karen Duggan's family, friends, students, and colleagues and all others who knew and admired her.	Approved May 6, 2021.
<u>22-20/21</u>	A Memorial in Honor of Chris Erickson's service to the Faculty Senate	The NMSU Faculty Senate thanks Chris Erickson for his service to NMSU and Faculty Senate.	Approved May 6, 2021.
<u>23-20/21</u>	Memorial sending best wishes to Neal Rosendorf for a full and rapid recovery	NMSU Faculty Senate share our very best wishes to Neal and his family for a full recovery, and we also offer any assistance that Neal and his family may need.	Approved May 6, 2021.

FACULTY SENATE:

- Co-hosted a series of [Faculty Town Halls](#) with the Provost.
- Completed the revisioning and restructuring of its committees (see [Constitution Article VII, section 2.2](#) and [Bylaws Section B.5.e](#)).
- Revised types of legislation to include Bills, Resolutions, Memorials, and Joint legislation keeping the overarching term of Proposition.
- Created taskforces for work that needed and/or still needs to be done, i.e. an ad hoc taskforce is approved to update and pilot the Faculty Talk forum in summer 2021.
- Continues to support the Library with the Faculty Senate Library Advisory Committee; they provided a yearly report - [Annual Report FSLAC 5/4/21](#)
- Thanks Susan Beck for her service as Vice Chair; she was tireless in supporting Faculty Senate during Pandemic times.
- Welcomes Amy Lanasa as incoming Vice Chair starting May 18, 2021.



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item #: F-1

- Action Item
- Consent Item
- Informational Item

Presented By: Scott Eschenbrenner
President & CEO
Aggie Development Inc.

Agenda Item: Aggie Development Inc. Report

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

Executive Summary:

A quarterly recurring report to the Board of Regents from Aggie Development Incorporated.

References:

N/A

Prior Approvals:

N/A

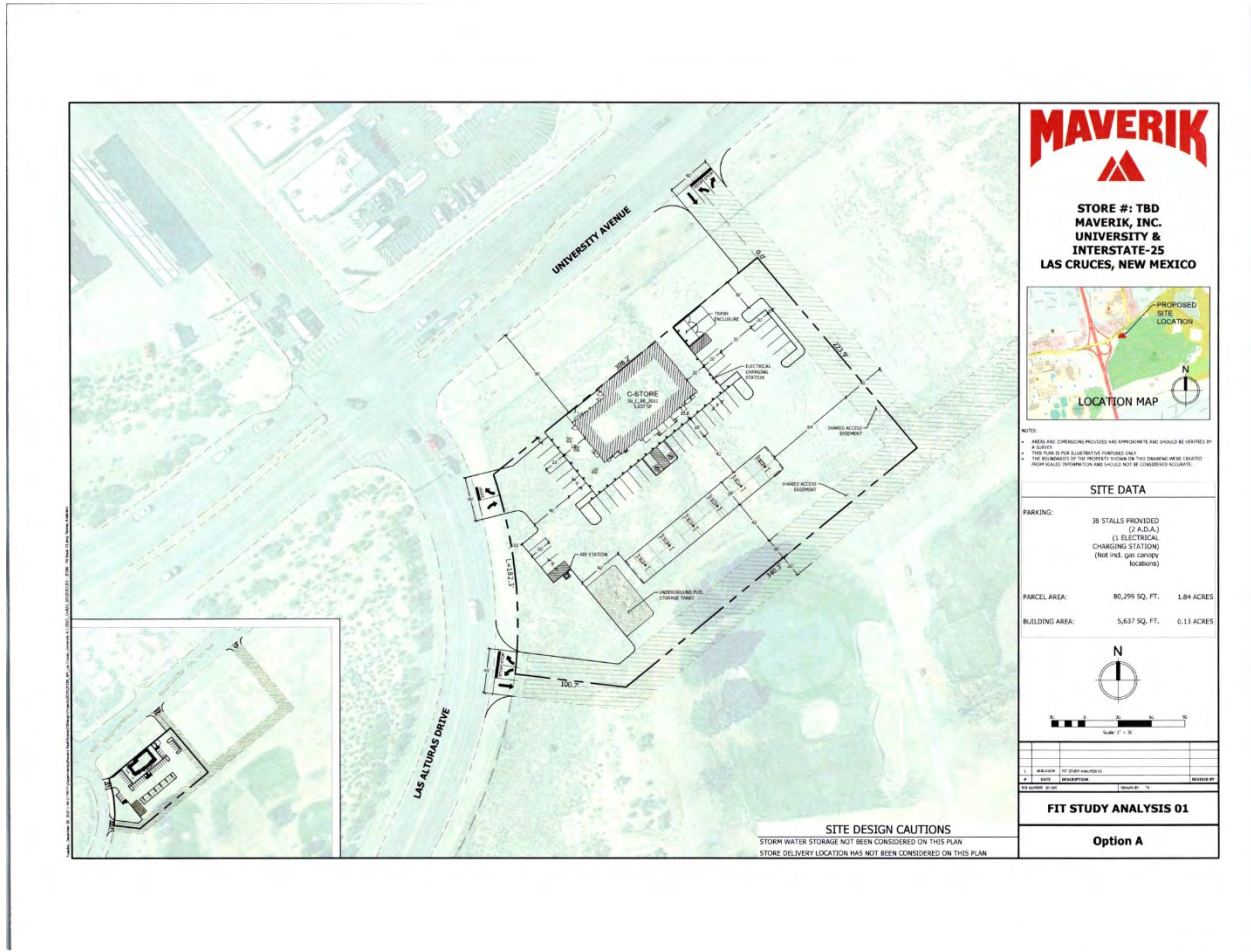
ADI BRIEFING REPORT – BOARD OF REGENTS
May 14, 2021
Recurring Report – Aggie Development Inc.

- Aggie Uptown – <https://www.nmsucampusupdate.com/aggie-uptown>

Trilogy Update Call with Chancellor Arvizu and Peter Massey – April 6th

- Trilogy is moving past the COVID pause.
 - Working with Ziegler Capital Investments who were involved in financing senior community projects at ASU, UT and Notre Dame to name a few.
 - Trilogy will establish a not-for profit entity and perform an updated market analysis study.
 - Ambitious ground-breaking plans still for late 2021.
 - Collaboration with future Artificial Intelligence technology providers at NMSU campus.
 - Trilogy has submitted a revised ground lease and ADI has submitted its second round of edits to Trilogy for their approval. Once the terms of the agreement are finalized the ground lease will be submitted to the ADI Board and Board of Regents for their approval.
- ADI is requesting approval from the Board of Regents at today's meeting for the first ground lease tenant at Aggie Uptown. Maverik Adventure First Stop is new to the New Mexico market with over 350 locations across 11

western states making it the largest independent fuel marketer in the Intermountain West. They are known for their BonFire food – made fresh every day in store. Maverik looks to occupy the southeast corner of Las Alturas and University Drive.



- Aggie Development has entered into a Letter of Intent to ground lease a 35,000 square foot parcel on Triviz Drive near the Sleep Inn Hotel. The retail tenant will start their due diligence and negotiate a long-term ground lease for the site. The ground lease will be presented to the ADI Board and Board of Regents for final approval.



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item #: F-2

- Action Item
- Consent Item
- Informational Item

Presented By: Vice President Derek Dictson
NMSU Foundation

Agenda Item: Foundation Report

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

Executive Summary:

A quarterly recurring report to the Board of Regents from Foundation.

References:

N/A

Prior Approvals:

N/A

To: NMSU Board of Regents
From: Derek Dictson, VP University Advancement, President NMSU Foundation
Date: May 14, 2021
Subject: NMSU Board of Regents Update

Greetings. I am pleased to report on the following items related to University Advancement and the NMSU Foundation.

1. Endowment

The endowment pool was valued at \$212,371,962 as of March 31, 2021 compared to \$158,305,301 in March 2020.

Annualized Net Returns (as of March 31, 2021):

1-Year 36.9%

3-Years 9.1%

5-Years 9.6%

10-Year 6.5%

Since Inception (1983) 8.5%

The Foundation Board and Investment Committee have retained Alpha Capital Management to conduct a review of the Outsourced Chief Investment Officer's (OCIO) investment performance and a national OCIO search.

2. Fundraising

As of May 3, 2021 fundraising totaled \$18,502,132 in FY 2021 compared with \$19,875,647 at the same time in FY 2020 (pre-COVID).

3. Always an Aggie

In April 2021 the NMSU Foundation soft-launched Always an Aggie, a digital alumni networking system based on a software platform that is used by 2,000+ schools. This system will be widely promoted starting in May. Always an Aggie will enable unprecedented networking opportunities among members of the Aggie family and will allow the Foundation to measure alumni engagement and impact with real-time analytics and data insights. Register at alwayсанaggie.com.



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item #: F-3

- 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, Inc.
Recurring Report to the NMSU Board of Regents
May 14, 2021

1.0 Goals

This report presents recent highlights and updates on Arrowhead's activities supporting the NMSU LEADS 2025 plan and goals. Arrowhead has goals which correspond to NMSU LEADS' goals and are based on an organizational mission of growing economic opportunities through enhancing entrepreneurship and innovation. Arrowhead's four goals are:

1. Enhance student experiential learning through entrepreneurship education and practice (ties to NMSU LEADS 2025 Goals 1 and 2);
2. Enhance NMSU's research, innovation, and creativity profile through engagement with public and private partners (ties to NMSU LEADS 2025 Goals 2 and 4);
3. Expand entrepreneurship and innovation services to communities and institutions across New Mexico and the region (ties to NMSU LEADS 2025 Goal 3); and
4. Operate efficiently and effectively (ties to NMSU LEADS 2025 Goal 4).

2.0 Building the Entrepreneurial and Innovation Ecosystem

Arrowhead has been tracking progress towards building an entrepreneurial and innovation ecosystem using a framework developed by the Kauffman Foundation, with six elements: risk-taking culture; talent, diverse, imaginative students; philanthropy and volunteerism; collaboration with industry; government support, and abundant capital.

Arrowhead contributed to the regional entrepreneurial and innovation ecosystem to date in 2021 in the following ways:

- Working with executive leadership and various groups across the NMSU System to ensure innovation and entrepreneurship are key focus areas in strategic planning and ongoing operations;
- Providing entrepreneurial experiential learning opportunities for the next generation of workforce and entrepreneurs, K-16+ (e.g., Innoventure, Studio G)
- Growing innovation and entrepreneurial ecosystems to ensure a steady stream of high-growth startups to drive job and value creation in New Mexico and the region (e.g., Sprint accelerators);
- Developing, pivoting, and scaling innovative entrepreneurship support models to address the virtual and remote work environments of the pandemic and matching technical talent and/or businesses with resources and opportunities (e.g., partnership with City of Las Cruces and El Paso County to assist local businesses in establishing/enhancing social media presence);
- Providing investment capital to address the financial needs of entrepreneurs (e.g., Arrowhead Innovation Fund I and II);
- Pursuing funding to connect academic, government, and industry sectors in New Mexico to improve innovation pipeline (e.g., Department of Energy's Energy Program for Innovation Clusters [EPIC] program).

3.0 Recent Highlights

Student Experiential Learning

Incorporation of Entrepreneurship Learning into NMSU Classes. Arrowhead personnel are continuing to work with several NMSU Colleges and departments to expand integration of entrepreneurship and entrepreneurial thinking into university course curricula. Discussions are ongoing regarding delivery methods (for example, introductory videos and creation of virtual and print learning resources), content, and options to suit a range of teaching environments.

Innoventure K-12 Entrepreneurship Programming

Innoventure will be partnering with NM 4-H to plan an activity for 4-H's upcoming state conference. This will be the latest joint activity in a history of collaboration between the organizations, which provides solid outreach opportunities for Arrowhead – particularly with youth in rural communities.

Research, Innovation, And Creativity

Dr. Reza Foudazi (Chemical & Materials Engineering) has been named as the winner of NMSU's first annual Intellectual Property Award. In a joint effort between Arrowhead and the Office of the Vice President for Research. Dr. Foudazi was selected from a number of nominees who have developed intellectual property with demonstrated societal, industrial, or commercial benefits, in addition to advancing the researchers' academic fields of study. Dr. Foudazi's work with Filtravate, a technology that is revolutionizing water filtration activities and is currently being licensed for commercial markets by VIC Technology Ventures, is an ideal example of scholarship that is solving a global challenge, supporting ongoing academic research, creating economic opportunities, and improving quality of life for countless beneficiaries.



Entrepreneurship and Innovation Services

Aggie Shark Tank.

The latest edition of the Aggie Shark Tank business competition was staged with great success. This was the sixth iteration of the competition. Two entrepreneurs received investment consideration offers from the judging panel. Trail-9 Outdoors is a small business based in Albuquerque, NM, and is developing an innovative system to improve user experiences with hydration systems. Owner Steven Aldrete is a NMSU alum who earned a Bachelor's degree in Electrical Engineering, then spent more than 30 years working for the U.S. Department of Defense. Likehuman is a cloud-based service featuring natural language processing technology to improve online interactions audiences for a range of industries, like healthcare, entertainment, customer service, manufacturing, and defense. Founder Mark Davis holds degrees from NMSU's Klipsch School of Electrical and Computer Engineering. The Crowd Favorite honor was awarded to NMSU alumna Sonia Gonzales, who is marketing a baby bottle geared toward convenience during travel and reducing the risk of colic.



Client Highlights

Las Cruces, NM-based startup business Ganymede Games has announced their debut video game, a science fiction role playing experience titles Xenotheria. Ganymede is part of the Arrowhead Innovation Fund's investment portfolio, and has also earned investment from the New Mexico Angels and Abenteuer Ventures.

Team Highlights

Arrowhead Director Kathy Hansen was chosen for the 2020 NMSU A Mountain Staff Award, which honors exemplary staff members who represent the university's Core Values of leadership, excellence, access, diversity and inclusions, and student-centeredness.

COVID-19 Recovery

Arrowhead continues to be a key player in regional economic recovery from the COVID-19 pandemic. Dr. Kramer Winingham, (Sr. Economic Development Officer), presented on the economic impact of the coronavirus on NM to the Federal Emergency Management Agency (FEMA)-led Interagency Recovery Coordination response team.



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item # G-1

- Action Item
- Consent Item
- Informational Item

Presented By: Senior Vice President Andrew J. Burke, Ed.D.

Agenda Item: Disposition/Deletion of Property

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

Executive Summary: The items included on the Property Disposition and Deletion Report represent tangible personal property on the university's capital asset list identified for disposition and/or deletion from the university's inventory. The university's capitalization threshold for personal tangible property is \$5,000. The attached schedule provides a summary of the detailed property report including total counts, asset cost, accumulated depreciation, and net book value.

Capital items may be disposed of and deleted from inventory after approval of the Board of Regents and appropriate notification to the Office of the State Auditor and Higher Education Department as required.

References:

N/A

Prior Approvals:

N/A

NMSU-BoR
Capital Property Disposition Report - Summary
As of 04-26-2021

Categories	Count	Total Cost	Accumulated Depreciation	Net Book Amount
Surplus	3	\$55,113.13	\$55,113.13	\$0.00
Surplus Vehicle	13	\$438,333.00	\$409,977.15	\$28,355.85
Grand Total	16	\$493,446.13	\$465,090.28	\$28,355.85

NMSU-BoR

Capital Property Disposition Report - Detail

As of 04-26-2021

#	Department	Barcode	Manufacturer / Model / Serial	Acquisition Date	Total Cost	Accumulated Depreciation	Net Book Amount
Surplus Vehicle							
1	Admin and Pgm Unit San Juan Cnty	U411940	VEHICLE 2007 CHEVY UPLANDER MINIVAN E85 G71031CHEVROLETE851GNDV23W07D217377	8/28/2007	\$16,549.00	\$14,342.51	\$2,206.49
2	Biology	U327371	TRUCK PU 1/2 TON 1997 G34059FORD3FTHF25H0VMA54060	9/26/1997	\$16,677.00	\$16,677.00	\$0.00
3	Biology	U328020	VAN PASSANGER 2002 G52524FORDECONOLINE1FBNE31L02HB00318	4/22/2002	\$21,000.00	\$21,000.00	\$0.00
4	Biology	U332297	VAN PASSENGER 1996 G33176FORDECONOLINE1FBHE31H4THB33333	6/29/1996	\$22,048.00	\$22,048.00	\$0.00
5	DACC Commercial Technologies Dept	U317000	2001 FORD WINDSTAR MINIVAN G79436FORDWINDSTAR2FMZA51411BB21814	2/15/2001	\$22,055.00	\$22,055.00	\$0.00
6	Fishery and Wildlife Sciences	U435398	Ford W1E 4 door Crew cab 4x4 half ton 5 0 V8FORDF1501FTFW1EF5EKD46441	6/5/2014	\$25,237.00	\$11,777.29	\$13,459.71
7	FS VEHICLE MECHANICS	U406328	TRUCK SEWER CLEANER G63972VACTOR21101HTGBADR4YH691461	4/6/2005	\$170,000.00	\$170,000.00	\$0.00
8	NM Future Farmers of America	U402109	VAN PASSANGER 2004 G58049CHEVROLETVENTURE1GNDX03E34D218637	3/24/2004	\$17,436.00	\$17,436.00	\$0.00
9	Police Department NMSU	U405508	SEDAN 4 DOOR 2005 G60998FORDCROWN VICTORIA2FAPP71W75X142619	3/17/2005	\$21,400.00	\$21,400.00	\$0.00
10	Police Department NMSU	U416435	2008 FORD EXPEDITION PATROL UNIT G75036FORDU16 4X41FMFU16588LA82878	10/30/2008	\$23,457.00	\$18,765.60	\$4,691.40
11	Police Department NMSU	U411789	2007 CHEVROLET SUBURBAN 4 DOOR 4X4 G69381CHEVROLET2007 SUBURBAN E653GNFK16367G286381	5/14/2007	\$34,769.00	\$32,451.02	\$2,317.98
12	Police Department NMSU	U411833	2007 FORD EXPLORER 4x4 SPORT UTILITY VEHICLE G85029FORD2007 EXPLORER 4X41FMEU73E07UB13200	3/22/2007	\$22,705.00	\$21,191.38	\$1,513.62
13	Police Department NMSU	U441314	1991 BOX TRUCK DONATION G94862INTERNATIONAL4700 4 X 21HTSCNKM8NH395912	4/30/2016	\$25,000.00	\$20,833.35	\$4,166.65
Sub-Total surplus vehicle					\$438,333.00	\$409,977.15	\$28,355.85
Surplus							
15	FS VEHICLE MECHANICS	U409973	UTILITY LOCATOR VACTRON PMD450SDT DIESEL ENGINE G68325VACTRONVT165HZBF16256LH61155	11/21/2006	\$39,180.13	\$39,180.13	\$0.00
29	PSL Security Safety Services	U201437	COMPUTER SERVER NETWORKGATEWAY3/1.26 GHZ0026794948	4/30/2002	\$10,644.00	\$10,644.00	\$0.00
37	Research IT Support	U201302	COMPUTER SERVER NETWORKGATEWAYIII/9330023615227	6/7/2001	\$5,289.00	\$5,289.00	\$0.00
Sub-Total surplus					\$55,113.13	\$55,113.13	\$0.00
Total					\$493,446.13	\$465,090.28	\$28,355.85

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
Christopher T. Saucedo

Vice-Chair
Dina Chacón-Reitzel

Neal Bitsie
Member

Secretary/Treasurer
Arsenio Romero



Board of Regents Meeting
Meeting Date: May 13, 2021
Agenda Item Cover Page

Agenda Item # G-2

- Action Item
- Consent Item
- Informational Item

Presented By: Senior Vice President Andrew J. Burke, Ed.D.

Agenda Item: Temporary Investments Report for the Quarters Ended December 31, 2020 and March 31, 2021

Requested Action of the Board of Regents: Approval of Temporary Investment Report for the quarters ended December 31, 2020 and March 31, 2021.

Executive Summary: The report reflects a weighted average yield of 0.36% for each of the quarters ended 12/31/2020 and 3/31/2021, compared to the average one-year U.S. Treasury Bill yields of 0.11% and 0.08% for the quarters ended 12/31/2020 and 3/31/2021, respectively. 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 December 31, 2020

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 12/31/20)	\$162.47 million
Weighted average yield (Quarter Ended 12/31/20)	.39%
Average 1-Year Treasury yield (Quarter Ended 12/31/20)	.11%

Temporary Investments at 12/31/20 (cost):

Federal Agency and Corporate Bonds	\$ 24.47 million
Treasury Notes and Treasury Bills	36.07 million
Certificate of Deposit	2.50 million
Money Market Investments	99.41 million
Other Cash	.02 million

Breakdown of Investment Instruments (par):

Federal Agency and Corporate Bonds by Maturity **Avg Yield 1.71%**

Maturing within one year	\$ 6.00 million
Maturing one-two years	8.00 million
Maturing over two years	10.00 million

Treasury Notes and Treasury Bills by Maturity **Avg Yield .34%**

Maturing within one year	\$ 30.00 million
Maturing one-two years	2.00 million
Maturing over two years	4.00 million

Certificate of Deposit by Maturity **Avg Yield 2.89%**

Maturing within one year	\$ 2.50 million
Maturing one-two years	0.00 million

Money Market Investments **Avg Yield .01%**

Wells Fargo Bank	\$ 99.41 million
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NEW MEXICO STATE UNIVERSITY
Temporary Investments Report
Quarter Ended March 31, 2021

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 03/31/21)	\$165.96 million
Weighted average yield (Quarter Ended 03/31/21)	.36%
Average 1-Year Treasury yield (Quarter Ended 03/31/21)	.08%

Temporary Investments at 03/31/21 (cost):

Federal Agency and Corporate Bonds	\$ 24.47 million
Treasury Notes and Treasury Bills	56.07 million
Certificate of Deposit	1.50 million
Money Market Investments	83.91 million
Other Cash	.01 million

Breakdown of Investment Instruments (par):

Federal Agency and Corporate Bonds by Maturity **Avg Yield 1.71%**

Maturing within one year	\$ 6.00 million
Maturing one-two years	10.00 million
Maturing over two years	8.00 million

Treasury Notes and Treasury Bills by Maturity **Avg Yield .24%**

Maturing within one year	\$ 50.00 million
Maturing one-two years	2.00 million
Maturing over two years	4.00 million

Certificate of Deposit by Maturity **Avg Yield 3.00%**

Maturing within one year	\$ 1.50 million
Maturing one-two years	0.00 million

Money Market Investments **Avg Yield .01%**

Wells Fargo Bank	\$ 83.91 million
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Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item # G-3

- Action Item
- Consent Item
- Informational Item

Presented By: University Architect Heather Zack Watenpaugh

Agenda Item: NMSU Las Cruces: Women's Soccer Stadium Lighting and Security Upgrades

Requested Action of the Board of Regents: Approval of the Las Cruces: Women's Soccer Stadium Lighting and Security Upgrades project

Executive Summary: This project will supply and install poles, arms, and LED fixtures, per the NCAA required light/lumen coverage of the field.

References:

N/A

Prior Approvals:

Regents Real Estate Committee 04/27/2021

Board of Regents

LAS CRUCES: WOMEN'S SOCCER STADIUM LIGHTING AND SECURITY UPGRADES

Heather Watenpaugh
University Architect

Luis Campos
Associate Vice President

Facilities and Services

The logo for New Mexico State University, featuring the letters "NM" in a large, bold, serif font above the words "STATE" and "UNIVERSITY" in a smaller, bold, sans-serif font. The logo is white and is set against a dark red square background.

NM
STATE
UNIVERSITY

BE BOLD. Shape the Future.

Proposed Scope of Work

Project Budget \$575,000

This Soccer Stadium lighting project scope includes:

- Supply and installation of poles, arms, LED fixtures, wire and terminations
- Lighting specifications to meet minimum sports lighting levels and safety/security concerns for supervised training and competition
- NCAA required light/lumen coverage of field

Proposed Demographics

- **Year Built:** 2010
- **Last Expansion:** N/A
- **Field Size:** 97,420 SF
- **Construction Type:**
Field Light Poles
- **Current Use:** Soccer field



Proposed Project Schedule

- Completion of Design – May 2021
- Start of Construction – July 2021
- Completion of Construction – August 2021

Funding Sources and Prior Approvals

Project Funding — \$575,000

- 2020 Severance Tax Bond – \$575,000

Prior Approval

- N/A

Contact Information

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Luis Campos
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Facilities and Services
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campos1@nmsu.edu

Thank you!

Questions?



Las Cruces: Women's Soccer Stadium Lighting and Security Upgrades

Supplemental Information

Existing Conditions



Views of Soccer Field at entrance looking southeast towards Aggie Memorial Stadium



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item # G-4

- Action Item
- Consent Item
- Informational Item

Presented By: University Architect Heather Zack Watenpaugh

Agenda Item: NMSU Las Cruces: Pan American Center Video Scoreboard Improvements

Requested Action of the Board of Regents: Approval of the Las Cruces: Pan American Center Video Scoreboard Improvements project.

Executive Summary: This project will remove the old video display and scoreboard, and install a new center hung video scoreboard at Pan American Center.

References:

N/A

Prior Approvals:

Regents Real Estate Committee 04/27/2021

Board of Regents

LAS CRUCES: PAN AMERICAN CENTER VIDEO
SCOREBOARD IMPROVEMENTS

Heather Watenpaugh
University Architect

Luis Campos
Associate Vice President

Facilities and Services

The logo for New Mexico State University, featuring the letters "NM" in a large, serif font above the words "STATE" and "UNIVERSITY" in a smaller, sans-serif font, all contained within a white square with a dark border.

NM
STATE
UNIVERSITY

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Proposed Scope of Work

Project Budget \$1,000,000

Project scope at the Pan American Center includes:

- Removal of the old video display and scoreboard
- Installation of new center hung scoreboard for basketball and volleyball games, commencement, graduation ceremonies, and other large capacity events.

Building Demographics

- **Year Built:** 1974
- **Last Expansion:** 2018 Building
- **Construction Type:** Steel Frame
- **Current Use:** Sporting Events, Concerts and Convocations



Proposed Project Schedule

- Completion of Design – May 2021
- Start of Construction – June 2021
- Completion of Construction – August 2021

Funding Sources and Prior Approvals

Project Funding — \$1,000,000

- 2020 Severance Tax Bond – \$1,000,000

Prior Approval

- N/A

Contact Information

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Luis Campos
Associate Vice President
Facilities and Services
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campos1@nmsu.edu

Thank you!

Questions?



Existing Conditions



Center hung scoreboard and mechanical infrastructure



**Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page**

Agenda Item #: G-5

- Action Item
- Consent Item
- Informational Item

Presented By: Scott Eschenbrenner
Special Assistant to the President

Agenda Item: Lease Amendment with Central New Mexico Community College at Albuquerque Center

Requested Action of the Board of Regents: Approval of the Lease Amendment with Central New Mexico Community College at Albuquerque Center

Executive Summary:

Current lease with CNM – 11,171 Square feet in five classrooms, two conference rooms, one executive office suite, 21 modular offices, three enclosed office, reception area, and break room. Annual rental rate - \$128,471

Proposed Revision – 5,199 square feet in two classrooms, one conference room, 21 modular offices, three enclosed offices, reception area and breakroom.
Annual rental rate - \$77,982

Proposed space will be used by Cooperative Extension Services (CES) and Social Work Studies Program.

NMSU is in Year 5 of a 10-year agreement with CNM with the current rate of \$11.50 per square foot and will increase to \$12.00 per square foot on 7/1/22 for the remainder of the term.

This Amendment will require approval by the State Board of Finance and the Board of Regents. We are recommending approval of this lease amendment from this Committee before presenting the Board of Regents on May 15, 2021.

References:

Please see attached lease agreement.

Prior Approvals:

April 27, 2021 - Regents Real Estate Committee recommended that the matter be put before the board for consideration.



Central New Mexico Community College
525 Buena Vista SE
Albuquerque, NM 87106
contracts@cnm.edu

Third Amendment to revise the Lease Agreement #17-1-1000-LSR-2019-A3 dated July 1, 2016 between Central New Mexico Community College (“CNM”/”Lessor”) and New Mexico State University (“NMSU”/”Lessee”), collectively referred to as “Parties”.

1. Amendment and Restatement of Paragraph 1 of the Lease. Paragraph 1 of the Lease is hereby amended and restated to read as follows:

Property Leased (See Attachment 1). In consideration of the terms and conditions in this lease, Lessor leases to Lessee, and Lessee leases from Lessor, those premises with appurtenances, situated in Albuquerque, New Mexico, described as:

- a. Office area on the first floor of the Joseph M. Montoya Campus (JMMC) K-Building consisting of 5,247 total square feet.

- b. Two dedicated classrooms on the second floor of the JMMC K-Building including K-207 and K-208, consisting of 1,632 square feet.

- c. Total Square Footage of Leased Space: 6,879 square feet.

- d. CNM Parking Services:

- i. NMSU staff and student parking: A General parking permit is required to park at all CNM campus locations. Vehicle information is required, and decals must be purchased from the CNM Parking website. All CNM parking rules and regulations must be adhered to. Visit www.cnm.edu/parking for additional information.

- ii. For short-term trainings/events, NMSU may be provided with temporary parking permits. Advance arrangement through spacesolutions@cnm.edu is required.

2. Amendment and Restatement of Paragraph 6 of the Lease. Paragraph 6 of the Lease is hereby amended and restated to read as follows:

6. **Rent.** In consideration of this lease, Lessee shall pay rent in the following manner.

YEAR	DATE BEGINNING	ANNUAL AMOUNT	MONTHLY AMOUNT	ANNUAL LEASEABLE SQ. FT. RATE	OPTION YEARS
1	7/1/2016	\$ 122,885.00	\$ 10,240.41	\$ 11.00	
2	7/1/2017	\$ 122,885.00	\$ 10,240.41	\$ 11.00	
3	7/1/2018	\$ 122,885.00	\$ 10,240.41	\$ 11.00	
4	7/1/2019	\$ 128,471.00	\$ 10,705.92	\$ 11.50	▪
5	7/1/2020	\$ 128,471.00	\$ 10,705.92	\$ 11.50	▪
6	7/1/2021	\$ 79,108.50	\$ 6,592.38	\$ 11.50	▪
7	7/1/2022	\$ 82,548.00	\$ 6,879.00	\$ 12.00	▪
8	7/1/2023	\$ 82,548.00	\$ 6,879.00	\$ 12.00	▪
9	7/1/2024	\$ 82,548.00	\$ 6,879.00	\$ 12.00	▪
10	7/1/2025	\$ 82,548.00	\$ 6,879.00	\$ 12.00	▪

a. The total rent for the initial term is (not including option years) \$368,655. If Lessee fails to pay the monthly Rent fifteen (15) days after such payment is first due, Lessee shall pay Lessor a late charge equal to five percent (5%) of such payment without notice or demand from Lessor.

b. CNM/NMSU Two plus Two Program: If CNM and NMSU enter into a separate agreement to provide CNM students with the option to earn a bachelor's degree from NMSU, the Annual Leasable Sq. Ft. rate will be reduced by \$ 1.00/sq. ft.

a) Shared Classroom Space.

a. Additional usage of classrooms at any CNM Campus will be billed per semester based on a rate of \$10.00 per instructional hour per month.

b. Additional usage of lab space at any CNM Campus will be billed per semester based on a rate of \$12.50 per instructional hour per month. Additional charges will be billed where CNM provides a dedicated lab technician for the class.

c. Above refers to traditional academic usage and classes and is not applicable to special event space and general session conference rooms. Rates do not apply to event space at CNM Workforce Training Center.

d. All additional usage of space must be reserved through spacesolutions@cnm.edu and will be billed independently.

3. All previously agreed to terms and conditions of the Agreement shall continue except for the provisions contained in this amendment.

Accepted by,

Central New Mexico Community College

By: _____
Olivia Padilla-Jackson
Vice President of Finance & Operations

Date: _____

By: _____
Wanda Helms
Comptroller

Date: _____

New Mexico State University

By: _____
Ammu Devasthali
Chair-New Mexico State University
Board of Regents

Date: _____



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item #: G-6

- Action Item
- Consent Item
- Informational Item

Presented By: Scott Eschenbrenner
Special Assistant to the President

Agenda Item: Early College High School Lease - NMSU Alamogordo

Requested Action of the Board of Regents: Approval of the Early College High School Lease at NMSU Alamogordo

Executive Summary:

NMSU-A is proposing to lease to the Alamogordo Public Schools (APS) approximately 4,360 square feet of shared classroom space and two dedicated offices at the main campus. The premises will be used by APS for the conduct and operation of its educational activities related to the ECHS program.

The term of this lease will be for one-year with automatic extensions. Either party may terminate this agreement, without incurring any additional liability, by giving written notice of termination to the other party on or before April 1. Termination under this section will be effective as of June 30 after proper written notice.

APS agrees to pay NMSU a monthly rent of \$2,100.00. The rental rate will cover the costs of utilities, janitorial, maintenance to the grounds, security, and fire alarm services provided by NMSU. CMS will be solely responsible for all maintenance and repairs to the roof, HVAC, windows, structural components and all plumbing and electrical inside of the premises located on the land.

References:

Please see attached lease agreement.

Prior Approvals:

April 27, 2021 - Regents Real Estate Committee recommended that the matter be put before the board for consideration.

**Site Use License
And
Memorandum of Agreement
Between
New Mexico State University Grants
And
Alamogordo Public Schools - Early College High School**

This Memorandum of Agreement ("MOA") memorializes an agreement previously reached by and between the Regents of New Mexico State University, acting on behalf of New Mexico State University Alamogordo ("NMSUA"), and the Alamogordo Public Schools (APS).

Whereas, New Mexico State University is a constitutionally created state institution of higher education, which operates a branch campus in Alamogordo, Otero County, New Mexico; and

Whereas, the APS is a publicly funded state educational institution, responsible for the administration of public education in Alamogordo, Otero County, New Mexico; and

Whereas, APS is in need of space for the Early College High School (ECHS) Program and NMSUA has adequate space to meet their needs;

Now, therefore, in consideration of the foregoing, the rent herein reserved, and the covenants herein contained, NMSUA does hereby agree to provide to APS, the property herein described for the term and in accordance with the conditions set forth herein. Accordingly, the parties agree as follows:

I. Premises

- a. NMSUA hereby agrees to lease to APS, for its exclusive use, the following premises, located on the NMSU Alamogordo campus, for the purpose of operating the Early College High School program ("ECHS"):

	Square Footage	Daily Use
Room 402 (Classroom):	670 sq. ft.	50%
Room 701 (Classroom):	725 sq. ft.	50%
Room 703 (Classroom):	721 sq. ft.	50%
Room 801 (Classroom):	671 sq. ft.	50%
Room 802 (Classroom):	668 sq. ft.	50%
Room 303: (Office):	246 sq. ft.	100%
Room 304: (Office):	589 sq. ft.	100%
Room 304D: (Storage):	70 sq. ft.	100%
TOTAL	4,360 sq. ft.	

The gymnasium will be made available Monday thru Friday during non-scheduled class time from the first day of classes to the last day of classes each fall semester (approximately August through December).

II. Use of Premises

- a. The premises will be used by APS for the conduct and operation of its educational activities related to the ECHS program.
- b. APS must comply with all federal, state, and local governmental laws, ordinances, orders, rules, and regulations applicable to APS's operations in its use and occupancy of the premises.
- c. In no event will the premises be used for any unlawful purpose, any purpose constituting or creating a public or private nuisance, or any purpose, which is deemed to be in contradiction of the stated mission of the ECHS.
- d. The premises will not be used for any class or purpose involving hazardous substances except when permitted by a separate written agreement.

III. Term

- a. The term for this MOA will commence on July 1, 2021 and will continue for a term of one (1) year, terminating on June 30, 2022.
- b. This agreement will automatically be extended for subsequent one-year terms, unless terminated by either party pursuant to the terms in this section.
- c. Either party may terminate this agreement, without incurring any additional liability, by giving written notice of termination to the other party on or before April 1. Termination under this section will be effective as of June 30 after proper written notice.

IV. Rent

- a. APS agrees to pay as monthly rent (Site License Fee) for use of the premises and facilities provided, two thousand one hundred dollars (\$2,100.00) per month, payable in advance on the first day of the month to New Mexico State University. Rent payments not received or delivered by the tenth of the month are delinquent and will incur a service fee of fifty dollars (\$50.00), included as additional rent. Rental payments will be mailed to the following contact and address:

New Mexico State University
Office of Business Affairs
MSC3AA
P.O. Box 30001
LAS CRUCES, NM 88003-8001

V. Assignment of Rights

- a. APS may not assign, sell, transfer, or in anywise convey its rights under this agreement.

VI. Condition of Premises

- a. APS hereby acknowledges that APS has made an on-site inspection and is aware of the condition of the premises, that no representations as to the condition of the premises have been made by NMSUA, and that APS hereby accepts said premises in its present and/or improved condition.

- b. APS agrees that upon termination of this agreement, whether by expiration of the term or voluntary termination by either party, that APS will be responsible for any and all costs associated with restoring the premises back to its original condition excluding normal wear and tear.

VII. Ownership of Improvements

- a. Upon expiration of the term of this agreement, all improvements that have become permanently affixed to the structure must be removed, and the premises restored to its original condition by APS, unless the parties mutually agree otherwise. APS must remove and take with it any improvements that have not become permanently affixed to the structure.

VIII. Liability of the Parties; Liability to Third Parties

- a. Neither NMSU nor APS will be responsible for liability incurred as a result of the other party's acts or omissions in connection with this MOA.
- b. APS agrees that NMSU will not at any time, or to any extent whatsoever, be liable, responsible, or in anywise accountable for any loss, injury, death, or damage to persons or property, resulting from APS' acts or omissions, which at any time may be suffered or sustained by APS, or by any person whosoever at any time may be using, occupying, or visiting the premises at the behest of APS, including its students, employees, invitees, agents, and licensees.
- c. Any liability incurred by either party in connection with this agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act.
- d. APS will be responsible for all claims or damages arising out of damage, injury, or death to any person or property occurring in, on, or about the premises, to the extent it is caused by the negligence, intentional, or willful misconduct of APS, its employees, agents, contractors, or invitees.
- e. NMSUA will bear no responsibility for the personal property of APS that is stored, used, or otherwise present on the premises. APS will be solely responsible for maintaining insurance coverage for its personal property.
- f. Liability is established for each party and the dual credit student under NMAC 6.30.7.10 and the existing Dual Credit agreements.

IX. General Provisions

- a. Nothing in this MOA is intended to supersede the statutes, regulations, and agreements that are already in place, including, but not limited to:
 - i. NMSA 21-1-1.2: Dual Credit for High School & Post-Secondary Classes
 - ii. NMAC 6.30.7: Dual Credit
 - iii. New Mexico Secondary and Post-Secondary Dual Credit Program Memorandum of Agreement between NMSU Alamogordo and Alamogordo High School, dated 7/24/2018.
 - iv. NMSU Alamogordo Student Catalog & Student Code of Conduct
 - v. Alamogordo School District Student Code of Conduct/Handbook

X. Student Support & Services

- a. APS students will have access to student academic support and services at NMSUA only as required under the appropriate Dual Credit Agreement.
- b. Academic advising and registration for ECHS students will be accomplished in accordance with the existing Dual Credit agreement between the APS and NMSUA.

XI. Parking

- a. APS employees and students who park on NMSUA's property will be subject to all NMSU parking regulations.

XII. Transit

- a. NMSUA will not be responsible for transportation of APS students to and from the premises, and APS accepts any and all liability associated with such transportation.

XIII. NMSU Alamogordo Campus Support Services Coordination

- a. For purposes of coordinating any campus support services, related specifically to the operations and support of the ECHS facility, the points of contact will be as follows:
 - i. NMSU Alamogordo Facilities: Antonio Salinas 575-439-3601
 - ii. ECHS Principal: Dr. Kenneth Moore 5785-812-6000
- b. The point of contact may be changed with written notice.

XIV. Notices

- a. The parties agree that their addresses, for the purpose of receiving notices, are set forth below. All notices required under the terms of this agreement must be given and will be complete by mailing such notices via registered mail or certified mail, return receipt requested, to the address of the parties as shown below, or to such other address as may be designated in writing, which notice of change of address must be given in the same manner.

To NMSU: New Mexico State University
Director of Real Estate
MSC30RE
P.O. Box 30001
Las Cruces, NM 88003-8001
(575) 646-2356

To APS: Early College High School
1211 Hawaii Avenue
Alamogordo, NM 88310
(575) 812-6000

XV. Emergency Services & Notifications

- a. All emergencies must be reported to the local authorities by dialing 911 or Alamogordo Dispatch at 575-437-2286 or in the case of non-emergencies, by calling the Alamogordo Police Department at (575) 439-4300.
- b. The ECHS must maintain emergency action plans that deal with commonly encountered emergencies.
- c. ECHS is encouraged to share these plans with the emergency service providers for the campus, and NMSU Alamogordo and the Alamogordo Police and Fire Departments will provide guidance and assistance in developing plans upon request.

XVI. Clery Act

- a. The APS administrators are identified as Campus Security Authorities (CSA's), and are responsible for tracking and reporting to the NMSUA Vice President for Student Services all Clery Act reportable incidents occurring on the Premises or on the NMSUA campus.
- b. NMSUA will provide annual training to the APS personnel on their responsibilities as CSA's.
- c. Data regarding the occurrence of a Clery Act reportable incidents must be reported to the NMSUA Vice President for Student Services as soon as possible after APS learns of an allegation.
- d. Failure to accurately track and report Clery Act reportable incidents will be considered a material breach of this agreement, and APS will reimburse NMSUA for any fines, penalties, or costs incurred by NMSUA from said breach.

XVII. Title IX

- a. NMSUA and APS prohibit unlawful discrimination on the basis of sex in educational programs and activities and will take steps to ensure that any such discrimination is remediated. Accordingly, NMSUA and APS will comply with Title IX of the Education Amendments Act of 1972.
- b. Reports of discrimination on the basis of sex, received by the ECHS, must be promptly communicated to the NMSUA Title IX Liaison. APS's Title IX Coordinator will have primary jurisdiction and responsibility to investigate all alleged Title IX violations occurring at ECHS. NMSU's Title IX Coordinator will assist and collaborate with APS's Title IX Coordinator to ensure that an impartial and thorough investigation is conducted and reports of discrimination on the basis of sex occurring at the ECHS are promptly remediated or both.

c. Title IX Coordinators:

NMSU:

Laura Castille

New Mexico State University

P.O. Box 30001, MSC 3515

Las Cruces, New Mexico 88003-3515

575-646-3635

APS:

Dr. Johnnie Walker

1211 Hawaii Avenue

Alamogordo, New Mexico 88310

575-812-6000

johnnie.walker@alamogordoschools.org

XVIII. Maintenance of ECHS Grounds and Facilities

- a. NMSUA will be responsible for the maintenance and repair of the premises, and of the NMSUA campus.

XIX. Maintenance of Roads

- a. NMSUA owns and is responsible for the maintenance and operation of the primary roads within and adjacent to the NMSUA campus. The City of Alamogordo, the Bureau of Land Management, and NMSUA owns, operates, and maintains the main entranceways onto the NMSU Alamogordo campus.

XX. Utility Service

- a. All utilities are provided by NMSUA at no additional charge.

XXI. Information Technology

- a. NMSUA agrees to provide the following equipment and IT Services to APS, for use in the operation of the ECHS:
- i. Service for all office, classroom computers, and instructional technology owned by NMSUA;
 - ii. Use of both wired and wireless internet connectivity in classroom space;
 - iii. Phone services, which are the property of NMSUA; and
 - iv. Proctor caching server for testing.
- b. APS agrees to be responsible for, and maintain, all of their personal property that they are using on the premises, including but not limited to all other electronic devices.

XXII. Insurance

- a. APS maintains liability insurance coverage for its activities and operations on the Premises, and NMSUA maintains liability and coverage through State Risk Management for its activities and operations on the Premises.

XXIII. Use of NMSU Alamogordo Facilities and Services

- a. Use and access will be in accordance with NMAC 6.30.7.10 and the New Mexico Secondary and Post-Secondary Dual Credit Program Memorandum of Agreement between NMSU Alamogordo and Alamogordo High School, dated May 27, 2021.

XXIV. Miscellaneous

- a. This Agreement is the entire understanding between the Parties and supersedes and replaces any previous documents, correspondence, conversations and other written or oral understandings related to this agreement which are not consistent with or are not contained herein.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Agreement and said Memorandum shall become effective for all purposes, as of July 1, 2021 or the date of the last signature below whichever comes last.

Regents of New Mexico State University

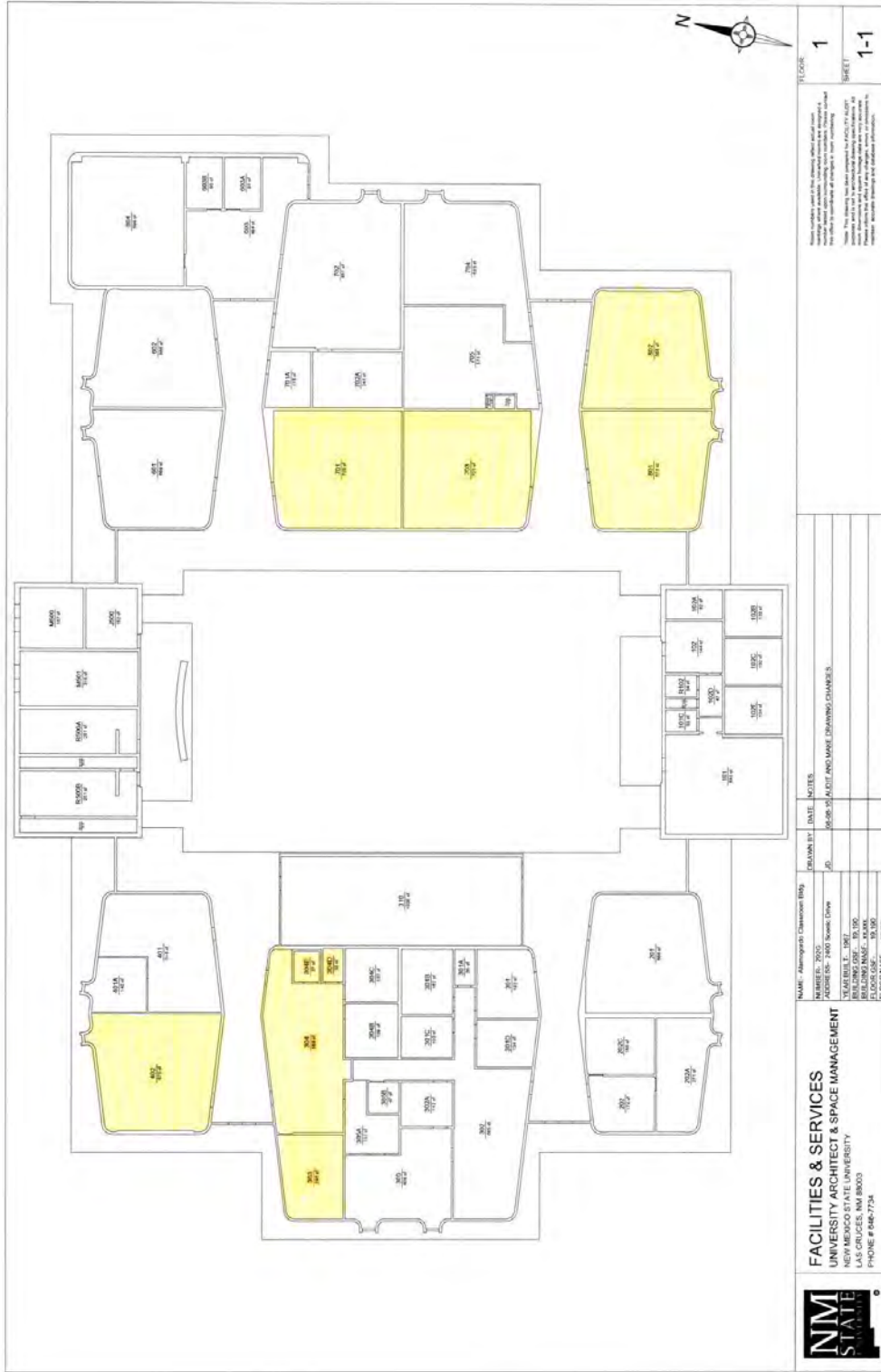
Dan E. Arvizu, Chancellor

Date

Alamogordo Public Schools

Mr. Jerrett Perry, Superintendent

Date



	FACILITIES & SERVICES UNIVERSITY ARCHITECT & SPACE MANAGEMENT 145 CRUISE, 8M 38025 PHONE # 646-7734	NAME: <u>Alamogordo Classroom Bldg</u> NUMBER: <u>2052</u> ADDRESS: <u>2405 Sloat Drive</u> YEAR BUILT: <u>1982</u> BUILDING CODE: <u>80.100</u> PROJECT NUMBER: <u>18.000</u> FLOOR NAME: <u>MAIN</u>	DRAWN BY: _____ DATE: _____ JOB: <u>RE-DOB 20 ADULT INCL MAKE DRAWING CHANGES</u>	FLOOR: 1 SHEET: 1-1
			NOTES: Review drawings with all other drawings, whether architectural, mechanical, electrical, plumbing, fire, etc., before construction begins. Changes to drawings should be made in writing and approved by the architect. The architect is not responsible for errors or omissions on drawings prepared by others. All dimensions shall be as shown unless otherwise indicated.	



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item #: G-7

- Action Item
- Consent Item
- Informational Item

Presented By: Scott Eschenbrenner
Special Assistant to the President

Agenda Item: Corona Ranch Mineral Lease Extension

Requested Action of the Board of Regents: Approval of the Corona Ranch Mineral Lease Extension

Executive Summary:

Resource Restoration Group entered into a one-year agreement to extract caliche from a 10-acre parcel of land on the Corona Ranch. There is an expectation that the Pattern Wind Energy project will be expanded and there will be a need for additional road material to accommodate this expansion. The original agreement is for 150,000 tons of material to be extracted at a rate of \$1.23 per ton. There will be a similar expectation in the next phase of the Pattern Wind Energy project, which could yield an additional 150,000 tons of material or \$184,500 in revenue at current rates. The new agreement will account for inflation in the cost of the materials over time.

References:

Please see attached lease extension.

Prior Approvals:

April 27, 2021 - Regents Real Estate Committee recommended that the matter be put before the board for consideration.

LAND ACCESS AND LEASE AGREEMENT
ADDENDUM

This ADDENDUM entered into as of _____ (the "Effective Date") amends the LAND ACCESS AND LEASE AGREEMENT (the "Agreement") entered into as of 11-5-2020 between Regents of New Mexico State University ("Lessor"), and Restoration Group, Inc., a New Mexico Corporation ("Lessee"):

The original LAND ACCESS AND LEASE AGREEMENT dated 11-5-2020 is attached and made a part of this document. The parties agree to amend the Agreement by the following additions:

35. Lease Extension Options. The Lessor agrees to extend this Agreement by granting the Lessee three (3) Options to extend the terms and conditions of this Agreement. Each Option will extend the Term of this Agreement by one (1) year. The following stipulations are made regarding these Options:

- a. The Lessee must notify the Lessor of its intention to exercise each Option by providing written notice to the Lessor not less than ninety (90) days prior to the end of the Term.
- b. For every Option period, the Lessor will be entitled to an increase in Royalties of 2%.
- c. For every Option period, the Lessee must make a Lease Extension payment to the Lessor of \$5,000.00. All such Lease Extension payments will be refunded (or credited against royalties payable to the Lessor) to the Lessee in the event the Lessee obtains a contract to mine the Mineral Premises.
- d. Upon exercising each Option, the Reclamation obligations stated in paragraph 6 will be delayed until the end of the final Option that is exercised.
- e. In the event the Lessee desires to mine additional Mineral Premises beyond the area specified in the Agreement, such area(s) will be determined upon the agreement of the parties, and at the discretion of the Lessor.

36. Storage Facility. The Lessor grants to the Lessee the right to establish a designated space for equipment storage purposes. The Lessee will pay a sum of \$500.00 per month for such storage facility. The storage facility shall be subject to all other provisions of this Agreement. The storage area must be contained within the Mineral Premises with best efforts to minimize impact on the land for future cattle grazing use.

Except as expressly extended or amended hereby, the Lease Agreement and all terms and conditions contained therein, will remain in full force and effect.

As evidence of their Agreement, each party or their duly authorized representative has signed this document, as of the date(s) indicated below.

LESSOR:
For Regents of New Mexico State University

_____ Date

LESSEE:
For Restoration Group, Inc.

_____ Dustin Pettingill, President

_____ Date

INDIVIDUAL ACKNOWLEDGEMENT

State/Commonwealth of _____

County of _____

On this the _____ day of _____, _____ before me,

DAY MONTH YEAR

_____, the undersigned Notary Public,
NAME OF NOTARY PUBLIC

personally appeared, _____

_____,
SIGNATURE

- personally known to me – **OR** –
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to within the instrument and acknowledged to me that he/she/they executed the same according to the Terms and purposes therein stated.

WITNESS my hand and official seal

SIGNATURE OF NOTARY PUBLIC

OTHER REQUIRED INFORMATION (PRINTED NAME OF NOTARY, RESIDENCE ETC)

PLACE NOTARY SEAL AND/OR STAMP ABOVE

Description of attached document

Title of document: LAND ACCESS AND LEASE AGREEMENT ADDENDUM

Document date: _____ Number of pages: 1

INDIVIDUAL ACKNOWLEDGEMENT

State/Commonwealth of _____

County of _____

On this the _____ day of _____, _____ before me,

DAY

MONTH

YEAR

_____, the undersigned Notary Public,
NAME OF NOTARY PUBLIC

personally appeared, Dustin Pettingill

_____,
SIGNATURE

personally known to me – **OR** –

proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to within the instrument and acknowledged to me that he/she/they executed the same according to the Terms and purposes therein stated.

WITNESS my hand and official seal

SIGNATURE OF NOTARY PUBLIC

OTHER REQUIRED INFORMATION (PRINTED NAME OF NOTARY, RESIDENCE ETC)

PLACE NOTARY SEAL AND/OR STAMP ABOVE

Description of attached document

Title of document: LAND ACCESS AND LEASE AGREEMENT

Document date: _____ Number of pages: 1



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item #: G-8

- Action Item
- Consent Item
- Informational Item

Presented By: Scott Eschenbrenner
President – Aggie Development Inc.

Agenda Item: Ground Lease Agreement with Maverick Inc. on the Corner of University Avenue and Las Alturas Drive

Requested Action of the Board of Regents: Approval of the Ground Lease between Aggie Development Inc. and Maverik Inc.

Executive Summary:

Maverik Convenience Store – Ground Lease Agreement

- Aggie Uptown Development at the corner of Las Alturas and University Avenue
- 1.84-acre site or 80,299 square feet
- 5,637 square foot building with 6 dual sided pumps
- 2 – Vehicle Electric Charging Station

Terms of the Agreement

- 20-year primary term with 8 five-year options to renew – Total of 60-years
 - ADI ground lease from Board of Regents expires June 30, 2090 or 69 years
- Feasibility Period - 120 days after lease is signed by both parties
 - ADI is responsible for delivering utilities to property line by the end of feasibility period
- Construction Period – 180 days after feasibility period
- Rent commences day of opening
- ADI to deliver 2” water line, 6” sewer lateral, 3-phase electrical, gas, telephone & cable to the property line
- Radius Restriction – ADI will not lease to another convenience store or fuel sales within ¼ of mile of the leased premises.
- Tenant to pay real estate taxes and utilities.
- Signage – Tenant to install and display signs and advertising material in connection with operation and identity.
- ADI to pay cost of Tenant’s title insurance policy and leasehold endorsement. Tenant will pay for topographical survey, borings, soil tests and memorandum of lease.
- Nondisclosure of Lease Terms – ADI agrees that the terms of this lease are confidential and constitute proprietary information of Tenant. ADI agrees not to intentionally and voluntarily disclose the terms and conditions of this lease to any third party without prior written consent of the tenant.

- Propose that ADI share in the cost of an access road along the southern boundary of the property from Las Alturas to Telshor. This access will benefit both Maverik and future ADI development in this area.
- Real Estate Commission – Landlord to pay Edwards Commercial Realty (ECR) a 4% commission based on the first 10-years of the lease term and 2% over the next 5-years. Commission to be paid upon rent commencement.

References:

Please see attached lease agreement.

Prior Approvals:

April 27, 2021 – Aggie Development Inc. Board of Directors recommended that the matter be put before the board for consideration.

GROUND LEASE AGREEMENT

between

AGGIE DEVELOPMENT, INC.,
a New Mexico Domestic Nonprofit Corporation,
as “Landlord”

and

MAVERIK, INC., a Utah corporation,
as “Tenant”

SEC of University Ave. & Las Alturas Dr.

GROUND LEASE AGREEMENT

THIS GROUND LEASE AGREEMENT is made and entered into as of the Effective Date (defined in Exhibit A), by and between AGGIE DEVELOPMENT, INC., a New Mexico Domestic Nonprofit Corporation, as Landlord, and MAVERIK, INC., a Utah corporation, as Tenant.

1. **DEFINITIONS.** Capitalized terms used in this Lease have the meanings ascribed to them on the attached Exhibit A or as defined herein.

2. **BASIC LEASE TERMS.** The following Basic Lease Terms are hereby incorporated into the Lease:

2.1 **Premises:** That certain real property located in the County of Dona Ana, State of New Mexico, consisting of approximately 1.81 acres, with an address of SEC of University Ave. & Alturas Dr., as more particularly described on Exhibit B and depicted on the Site Plan on Exhibit C, both attached hereto and incorporated herein.

2.2 **Commencement Date:** The earlier of (i) the date that Tenant opens for business to the public as a convenience store and fuel service station on the Premises; or (ii) one hundred eighty (180) days after Tenant’s delivery to Landlord of the Feasibility Notice.

2.3 **Length of the Initial Term:** Twenty (20) years from Commencement Date.

2.4 **Expiration Date:** The last day of the month in which the twentieth (20th) annual anniversary of the Commencement Date occurs.

2.5 **Extension Options:** Eight (8) options to extend the term of the Lease for a period of five (5) years each.

2.6 **Feasibility Period:** One hundred twenty (120) calendar days from and after the Effective Date.

2.7 **Rent:** Tenant shall pay Rent to Landlord from the Commencement Date and thereafter throughout the Term, as follows:

Period	Annual Rent	Monthly Rent
Year 1-5	██████████	██████████
Year 6-10	██████████	██████████
Year 11-15	██████████	██████████
Year 16-20	██████████	██████████
(First Extension Period)		
Year 21-25	██████████	██████████
(Second Extension Period)		
Year 26-30	██████████	██████████
(Third Extension Period)		
Year 31-35	██████████	██████████

(Fourth Extension Period)

Year 36-40 [Redacted] [Redacted]

(Fifth Extension Period)

Year 41-45 [Redacted] [Redacted]

(Sixth Extension Period)

Year 46-50 [Redacted] [Redacted]

(Seventh Extension Period)

Year 51-55 [Redacted] [Redacted]

(Eighth Extension Period)

Year 56-60 [Redacted] [Redacted]

In addition to the Rent to be paid as and when set forth herein, Tenant shall tender to the Title Company within five (5) days of the Effective Date an amount equal to One Thousand Dollars (\$1,000.00) as additional consideration for this Lease (the “**Additional Consideration**”), which amount shall be: (i) fully refundable to Tenant until such time as Tenant tenders to Landlord a Feasibility Notice (at which time the Additional Consideration shall be non-refundable), and (ii) applicable to the first months’ Rent. If Tenant elects not to send a Feasibility Notice, or if this Lease is otherwise terminated by Tenant, the Additional Consideration shall be refunded by the Title Company to Tenant within five (5) days of the termination of this Lease, without any further documentation or information being provided by Tenant or Landlord to the Title Company.

2.8 Landlord’s Address for Payment of Rent: Aggie Development, Inc.
PO Box 3145
Las Cruces, New Mexico 88003
Attn: Scott Eschenbrenner
Email: sbrenner@nmsu.edu
Phone: 575-646-2356

2.9 Landlord’s Address for Notices: Aggie Development, Inc.
PO Box 3145
Las Cruces, New Mexico 88003
Attn: Scott Eschenbrenner
Email: sbrenner@nmsu.edu
Phone: 575-646-2356

2.10 Tenant’s Address for Notices: Maverik, Inc.
185 S. State Street, Suite 800
Salt Lake City, Utah 84111
Attn: Real Estate Department

With copies to: Maverik, Inc.
185 S. State Street, Suite 800
Salt Lake City, Utah 84111
Attn: Legal Department

And: Maverik, Inc.
185 S. State Street, Suite 800
Salt Lake City, Utah 84111
Attn: Chief Financial Officer

2.11 Tenant's Broker:

Mark Edwards, ECR

2.12 Exhibits: The following Exhibits are attached hereto and incorporated herein by this reference:

Exhibit A:	Defined Terms
Exhibit B:	Legal Description of the Premises
Exhibit C:	Site Plan of the Premises
Exhibit D:	Memorandum of the Lease
Exhibit E:	Confirmation of Lease Terms
Exhibit F:	Construction Specifications

3. **PREMISES.** For the Rent and subject to the terms and conditions hereinafter set forth, Landlord hereby leases to Tenant the Premises, together with the non-exclusive use of all rights, privileges, easements and appurtenances belonging or in any way pertaining to the Premises, but not to exceed Landlord's corresponding use of the rights, privileges, easements and appurtenances.

4. **TERM.**

4.1 **Preliminary Period.** The Preliminary Period is composed of a Feasibility Period and a Construction Period. The Feasibility Period shall commence as of the Effective Date and shall expire upon the commencement of the Construction Period, unless this Lease is otherwise terminated. The Construction Period shall begin upon Tenant delivering the Feasibility Notice to Landlord and shall expire upon the Commencement Date. All the terms and conditions of this Lease shall become effective as of the Effective Date, provided Tenant has no obligation to pay Rent or any other charges or additional rent until after the Commencement Date.

4.2 **Term.** The Term of this Lease is composed of (i) the Initial Term; and (ii) any applicable Extension Periods. Provided the Lease has not been terminated, the Term shall commence on the Commencement Date, and expire on the Expiration Date (subject to Tenant's right to extend the Term as hereinafter described). Once the Commencement Date has been determined, the parties shall confirm in writing the actual Commencement Date and Expiration Date, and the actual dates of the Extension Periods (as hereinafter defined) and the exercise dates therefor, by entering into a Confirmation of Lease Terms in the form attached hereto as Exhibit E.

4.3 **Options to Extend.** Tenant shall have eight (8) options (the "***Extension Options***") to extend the Term for consecutive periods of five (5) additional years each (each additional five (5) year period is hereinafter referred to as an "***Extension Period***" and are collectively known as "***Extension Periods***") with respect to the Premises so that Tenant may extend the Term for a total of forty (40) additional years. All provisions of this Lease shall remain in full force and effect during each Extension Period, except that the annual Rent during the Extension Periods shall be as described in Section 2.7. The Initial Term and all Extension Periods shall be automatically extended, without any action or notice by Tenant, for each Extension Period, unless Tenant gives written notice to Landlord of Tenant's intent not to extend the Initial Term or then current Extension Period, as applicable, which written notice Tenant shall deliver to Landlord no less than ninety (90) days prior to the expiration of the then current Initial Term or Extension Period, as applicable. In the event Tenant gives Landlord written notice of Tenant's intent not to extend the Term of this Lease at least ninety (90) days prior to the expiration of the Initial Term or then current Extension Period, as applicable, this Lease shall automatically expire upon the expiration of the Initial Term or Extended Term, as applicable. The automatic extensions of the Term shall not be effective if the Tenant is any actual or alleged default of this Lease beyond any applicable notice and cure periods.

5. FEASIBILITY REVIEW.

5.1 Access; Landlord's Delivery. As of the Effective Date, Tenant shall have a license to enter the Premises and conduct its due diligence activities as set forth herein. Landlord shall deliver to Tenant actual and exclusive possession of the Premises, without delay, including but not limited to any delay resulting from an event of force majeure, beginning on the commencement of the Construction Period.

5.2 Premises Information. Within five (5) days of the Effective Date, Landlord shall deliver to Tenant originals or copies, as and to the extent in Landlord's possession or control, of any studies and information relating to (a) the physical condition of the Premises, including, without limitation, any soils, geotechnical, hydrological reports, environmental reports, or similar studies or assessments, and any existing real property surveys and topographical surveys of the Premises; (b) the ability to develop and use the Premises; and (c) any notices or correspondence regarding hazardous materials, land use, condemnation or tax notices/assessments that may affect the Premises; (collectively, the "***Premises Information***"). The Premises Information shall be furnished without any representation or warranty whatsoever as to the truth, accuracy or completeness of such information and Tenant shall rely on such information at its sole risk and expense with no recourse against Landlord; provided, however, Landlord represents and warrants that it has provided all of the Premises Information in Landlord's possession or control.

5.3 Feasibility Period. Tenant shall have the Feasibility Period to complete its due diligence investigations with respect to the Premises, including, but not limited to, inspections, tests and/or studies required, in Tenant's sole discretion and at its sole cost, to ensure the suitability of the Premises for Tenant's intended use as a fuel sales facility and convenience store (the "***Feasibility Investigations***"), including, without limitation, the following:

5.3.1 Environmental Conditions. Tenant may (at its sole cost and expense) complete a Phase I Environmental Site Assessment and Tenant may, at Tenant's option from time to time complete one or more Phase II Environmental Site Assessments (at Tenant's sole cost and expense), regarding the environmental condition of the Premises (collectively, the "***ESAs***") during the Feasibility Period. Tenant will promptly provide notice to Landlord when any such assessments are completed and provide Landlord, without representation or warranty and without Landlord relying thereon, with copies of any studies or reports associated with the ESAs. Tenant shall give Landlord written notice (a "***Preexisting Condition Notice***") of the presence of any Preexisting Hazardous Materials identified on the Premises. If Preexisting Hazardous Materials are discovered on the Premises, and if compliance with applicable environmental law requires remediation or removal of such Preexisting Hazardous Materials, Landlord may terminate this Lease without incurring any additional liability, or at Landlord's sole expense, remediate, remove, and dispose of such Preexisting Hazardous Materials in accordance with applicable environmental laws. In the event Landlord elects to terminate this Lease, Landlord shall reimburse Tenant for the actual, reasonable costs of Tenant's Feasibility Investigations. In the event Landlord performs remediation activities and as a result Tenant is delayed in opening for business from the Premises, the Commencement Date will be postponed for a period of time equal to the days of delay resulting from such remediation activity. If such Landlord remediation is required after Tenant opens for business and Landlord's remediation efforts materially and adversely interfere with Tenant's business operations, then Rent shall abate in proportion to the percentage of business that is impacted by the material and adverse interference with Tenant's business operations resulting from such remediation activity;

5.3.2 Utilities. Any and all utilities (public or otherwise) necessary or appropriate for Tenant's development and use of the Premises and the Improvements, including, without limitation, electrical power and stormwater retention/drainage, as may be required by the City and/or any other Governmental Authorities, are or will be sufficient and stubbed to the Premises; and

5.3.3 Governmental Approvals. Any and all required land use, construction and building permits and Governmental Approvals (as hereafter defined), in form and substance acceptable to Tenant in its sole and absolute discretion, which are necessary and desirable for Tenant's construction, development, use, occupancy and/or operation of the Premises. As used herein, "**Governmental Approvals**" shall mean all permits, variances, licenses, certificates, consents, governmental land use and other permits and approvals, building, zoning, subdivision, plat, site plan and architectural approvals, and any other discretionary permit or approval necessary for Tenant's construction, development, use, occupancy and/or operation of Tenant's intended use required pursuant to any Applicable Laws of any Governmental Authority.

5.4 Title Insurance. Within five (5) calendar days of the execution and delivery of this Lease, Landlord shall deliver to Tenant a commitment (the "**Title Commitment**") for an owner's policy of title insurance with standard coverage with a leasehold endorsement (the "**Title Policy**") from the Title Company, the cost and expense of which Title Policy, to the extent based only on the value of the unimproved Premises, shall be the sole responsibility of Landlord; provided that, if such Title Policy shall provide coverage for any Improvements of Tenant, Tenant shall be responsible for the cost of such Title Policy to the extent the Title Policy exceeds the cost of the leasehold policy of title insurance insuring only the value of the unimproved Premises. As part of its Feasibility Investigations, Tenant may determine whether, and to what extent, any of the exceptions and/or encumbrances shown in the Title Commitment are acceptable to Tenant or, alternatively, must be removed. In the event that Tenant objects to any exceptions or encumbrances shown in the Title Commitment by delivering written notice to Landlord at any time during the Feasibility Period, and Landlord elects, by written notice to Tenant within ten (10) days after receiving Tenant's notice of objections, not to remove such exception or encumbrance, Tenant shall have the option, on or prior to the expiration of the Feasibility Period and by written notice to Landlord, either to terminate this Lease or waive such objection. Landlord shall have no obligation to remove any exceptions or encumbrances to which Tenant objects.

5.5 Landlord Cooperation. Landlord shall cooperate with Tenant in all respects in connection with its Feasibility Investigations. Landlord shall cooperate with Tenant in obtaining any and all entitlements required in connection with the Improvements and Tenant's intended use and shall execute such applications and other instruments reasonably necessary to satisfying the requirements of the applicable Governmental Authorities, provided that Landlord shall not be required to pay any application fees or incur any other costs or liability in connection with receiving the necessary approvals and permits for the Project beyond Landlord's fees for any professional advice Landlord desires. Upon reasonable advance notice, Landlord shall appear as a witness in any legal or administrative proceedings to the extent reasonably necessary to satisfy the condition and shall support the Project and application.

5.6 Due Diligence Notice. Notwithstanding any provision hereof, if Tenant fails to deliver to Landlord, on or prior to the expiration of the Feasibility Period, written confirmation from Tenant that the Feasibility Investigations have been completed, satisfied and/or waived, without reservation or condition except as may be otherwise specified in this Lease (the "**Feasibility Notice**"), this Lease shall automatically terminate and be of no further force or effect from and after the expiration of the Feasibility Period. Notwithstanding the foregoing, nothing herein shall constitute an obligation by Tenant to initiate or complete, or to cause to be initiated or completed, any report, evaluation, analysis or testing of the Premises during the Feasibility Period or otherwise. Landlord agrees and acknowledges for the benefit of Tenant that the rights and remedies of Landlord set forth in Section 18 of this Lease are only available to Landlord after receipt by Landlord from Tenant of Feasibility Notice indicating that the Feasibility Investigations have been completed, satisfied and/or waived, without reservation or condition.

6. CONSTRUCTION OF THE PROJECT.

6.1 The Project. Tenant intends to construct the Building and related facilities on the Premises and may install and/or construct all other Improvements and the Equipment on, under, and over the Premises. The site plan and preliminary elevation of the Project are attached as Exhibit C and incorporated in this Lease by this reference. The size, design and manner of construction of the Project shall be determined by Tenant, subject to compliance with Applicable Laws and subject to Landlord approval, which approval shall not be unreasonably withheld, conditioned or delayed, and provided in the event Tenant has not received such Landlord approval (or written notice of Landlord’s disapproval specifying the reasons for such disapproval and any required criteria for approval) within fifteen (15) days of Tenant’s request, such request shall be deemed approved by Landlord.

6.2 Construction. If Tenant elects to construct any Improvements, Tenant will construct the Improvements at Tenant’s sole cost and expense and in accordance with Applicable Laws in effect at the time of construction. In the event any mechanics or materialman’s lien is filed against the Premises as a result of any construction undertaken upon the Premises by Tenant, then Tenant shall cause said lien to be discharged within thirty (30) days of written notice from Landlord, provided, however, if Tenant desires to contest the validity or amount of any such lien, it may do so without payment of disputed amounts.

6.3 Signage and Security. Tenant, at its own expense, shall have the right, subject to Landlord approval, which approval shall not be unreasonably withheld, conditioned or delayed, and provided in the event Tenant has not received such Landlord approval (or written notice of Landlord’s disapproval specifying the reasons for such disapproval and any required criteria for approval) within fifteen (15) days of Tenant’s request, such request shall be deemed approved by Landlord, to install and maintain identification signs on the Premises and such other signs. Necessary security cameras, security related equipment or both, may be installed as determined by Tenant in Tenant’s sole and absolute discretion, for security purposes.

6.4 Easements/Other Documents. Landlord will grant, execute and duly acknowledge and deliver to Tenant, or cause to be granted, executed and duly acknowledged and delivered to Tenant, within ten (10) Business Days of written request therefor, in recordable form acceptable to Dona Ana County and in a form reasonably acceptable to both Landlord and Tenant, any and all utility, sanitary sewer, storm drainage, detention, retention, access, ingress and egress, sign, parking, slope, grading and other easements necessary or desirable, as well as such lot consolidation and/or other required roadway dedications, for Tenant to construct, or cause to be constructed, the Project upon the Premises and for the use and enjoy the Premises for the Permitted Use, as necessary.

6.5 Landlord’s Work. Landlord shall install (at Landlord’s sole cost and expense) prior to the expiration of the Feasibility Period, all of the following improvements (the “**Infrastructure Improvements**”), at and/or to the property line of the Premises as requested by Tenant, and all such Infrastructure Improvements shall have been completed and constructed to the satisfaction and specifications of Tenant and in compliance with applicable state and local building codes, and where applicable fully connected in and to the local municipality and/or Tenant approved service provider, but in all events to allow full buildout and development of the Property:

Infrastructure Improvements		Yes	No	N/A
1.	A below ground power line with 3 phase power	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	A below ground sanitary sewer line (6” lateral)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	A below ground natural gas line	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.	A below ground culinary water line (2”)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.	Compaction and rough grading	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/>
6.	Demolition	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/>
7.	Any required offsite improvements	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/>

Landlord further agrees that the Infrastructure Improvements shall be constructed in accordance with the Construction Specifications attached hereto as Exhibit F. All of the Infrastructure Improvements (including specifically those set forth on Exhibit F attached hereto) shall be designed, engineered and constructed at Landlord's cost and expense. In no event shall the Feasibility Period expire until such time Landlord delivers such Infrastructure Improvements to the Premises, whether or not Tenant has provided Landlord with its Feasibility Notice, and any delay in delivery of such Infrastructure Improvements will result in a day for day delay of the Commencement Date.

7. RENT.

7.1 Rent. Tenant shall pay Rent commencing on the Commencement Date in equal monthly installments as set forth in Section 2.7. Rent shall be payable by check or other United States legal tender. Except as otherwise set forth herein, all such sums are due and payable in advance on the first day of each and every calendar month during the Term at the address specified in Section 2.8 for the payment of Rent, or at such other place as Landlord may in writing designate to Tenant. All Rent payments shall be payable to Landlord or such other name as Landlord may in writing designate to Tenant. Tenant reserves the right to pay Rent and other amounts to Landlord by ACH transfer. Tenant shall pay Rent for any partial month at the beginning of the Term at the same rate as the Rent for the first calendar month. The amount of Rent for any partial month at the beginning of the Term shall be prorated based on the actual number of days in the month.

7.2 Interest. If any installment of Rent is not received by Landlord from Tenant within ten (10) days after it is due, interest shall accrue thereon at the Interest Rate. Landlord and Tenant agree that any such default interest represents a reasonable estimate of the costs and expenses Landlord will incur and is fair compensation to Landlord for its loss suffered by reason of late payment by Tenant.

7.3 No Additional Fees or Expenses. Tenant shall not be obligated to contribute any sums to promotional, marketing, or advertising programs or join any merchant's or development association or pay any fees or dues not expressly set forth in this Lease or pay other miscellaneous fees or expenses (including any common area maintenance and repair charges for common areas). Tenant shall have no obligation to pay any additional rent or charges for any outside or patio seating utilized by Tenant for the conduct of its business.

8. USE.

8.1 The Permitted Use. Any lawful purpose (the "*Permitted Use*"). Landlord warrants to Tenant that Landlord has not granted or otherwise permitted any restriction and no other party has the exclusive right to sell fuel, convenience items, sandwiches or other food items, cigarettes, and/or alcohol upon the Premises. Nothing in this Lease shall be construed to require Tenant to construct, open, or operate any business within or upon the Premises, provided Tenant shall, at all times during the Term of this Lease, continue to pay Rent.

8.2 Radius Restriction. Landlord (or its parents, affiliates, subsidiaries, or other related parties) shall not lease any property owned or acquired by Landlord (or its parents, affiliates, subsidiaries, or other related parties) during the Term and located within one-quarter (1/4) mile of the exterior boundary of the Premises for use as a convenience store or fuel sales facility, unless Landlord obtains the prior written consent of Tenant, which consent may be granted or withheld by Tenant in its sole and absolute discretion. Any violation of this Section 8.2 by Landlord shall be considered an Event of Default, and Tenant may, in addition to other rights and remedies under this Lease, upon ninety (90) days prior written notice to Landlord, abate all Rent and other charges due hereunder from the date of receipt by Landlord of Tenant's

default notice and continuing until such violation is cured. For purposes of this Lease “convenience store” does not include pharmacy stores such as Walgreens, CVS, and Rite Aid.

8.3 Maintenance and Utilities. Tenant shall be solely responsible for the maintenance of the Premises to such standard as described in Section 8.4 or otherwise as required by any Applicable Laws. Tenant shall pay all charges incurred for the use of utility services at the Premises, including without limitation, gas, electricity, water, sanitary sewer, storm sewer, cable, telephone, internet and any other utilities used upon or furnished to the Premises, as well as regular removal of trash from the Premises. Landlord agrees to grant appropriate utility rights of access to such providers as reasonably necessary to secure utility services and, notwithstanding anything herein to the contrary, Landlord shall have no right to procure, perform or interrupt any utility services to the Premises or on behalf of Tenant. If Landlord causes any utility interruption, or such utility interruption is subject to Landlord’s sole and reasonable control, Tenant may, at its sole option, take steps to cure such interruption, in which event Tenant shall be entitled to recover from Landlord or offset Rent payments to recoup the amount reasonably necessary to cure, and all Rent shall be abated from the date Tenant closes for business as a result of such utility interruption until such utility service is restored.

8.4 Maintenance Standard: (1) maintenance activities appear organized with direction; (2) equipment and building components are usually functional and in operating condition; and (3) service and maintenance issues are responded to in a timely manner; and (4) buildings and equipment are regularly maintained in a condition consistent with the surrounding properties and developments.

9. TAXES.

9.1 Impositions. Landlord represents that the Premises are taxed as a separate parcel, separate and apart from any other building or parcel. Beginning on the Commencement Date and throughout the remainder of the Term, Tenant shall receive and pay as and when due directly to the taxing authority each and every one of the following arising during the Term (collectively, the “*Imposition(s)*”):

9.1.1 Real Property Taxes. All real property taxes or other ad valorem taxes, rollback taxes, assessments or payments or any other taxes levied as a substitute, in whole or in part, for any of the foregoing as and when due with respect to the Premises or any portion thereof that are levied against the Premises solely during the Term;

9.1.2 Leasehold Taxes. Taxes due or which may be due upon or with respect to the leasehold estate created by this Lease, but excluding any tax measured by or upon Landlord’s net income;

9.1.3 Personal Property Taxes. All taxes imposed on or with respect to personal property and intangibles, if any, located in or used in connection with the Premises;

9.1.4 Additional Impositions and Charges. All other rents, rates and charges, excises, levies, license fees, permit fees, inspection fees and other authorization fees and other charges, which during the Term may be assessed, levied, confirmed or imposed on or in respect of or right or interest therein, or any occupancy, use or possession of or activity conducted on the Premises or any part thereof, expressly excluding, however, any such items arising directly or indirectly out of any neglect, fault or omission of Landlord, any of Landlord’s predecessors in title or any other person occurring prior to the Commencement Date.

9.2 Landlord Taxes. Nothing contained in this Lease requires, or shall be deemed to require, Tenant to pay, or be liable for, any franchise, estate, gift, settlement, inheritance, succession, capital

levy, or transfer tax of Landlord, or any income, excess profit, or revenue tax, including any of the foregoing applicable to the Rent payable by Tenant under this Lease.

9.3 Impositions Prior to the Commencement Date and After the Term.

9.3.1 Impositions Prior to the Commencement Date. Any Imposition relating to a fiscal period of the taxing authority, a part of which is after the Commencement Date, but during the Term and a part of which is before the Commencement Date or after the Term, whether or not such Imposition shall be assessed, levied, imposed, or become a lien on the Premises or the Improvements, or shall become payable after the Commencement Date and during the Term, shall be apportioned and adjusted between Landlord and Tenant so that Tenant shall pay only the portions that correspond with the portion of such fiscal periods included after the Commencement Date, but during the Term.

9.3.2 Impositions After the Term. Any Imposition relating to a fiscal period of the taxing authority, a part of which is during the Term and a part of which is after the Term, whether or not such Imposition shall be assessed, levied, imposed, or become a lien on the Premises or the Improvements, or shall become payable during the Term, shall be apportioned and adjusted between Landlord and Tenant so that Tenant shall pay only the portions that correspond with the portion of such fiscal periods included during the Term.

9.4 Installments. If by law any Imposition may at the option of the taxpayer be paid in installments, Tenant may exercise such option, and, if so exercised, shall pay all such installments (and interest, if any) becoming due during the Term as the same become due (including any installment with respect to any assessment which may be payable following the Commencement Date) and shall at the end of the Term deposit with Landlord an amount sufficient to pay Tenant's pro rata share of all Impositions for the calendar year in which this Lease expires.

9.5 Permitted Contests. Tenant shall have the right at Tenant's expense to contest or review the amount or validity of any Impositions or to seek a reduction in the assessed valuation on which any Impositions are based, by appropriate legal proceedings. Tenant may defer payment of such contested Impositions.

9.6 Landlord Cooperation with Contests. Any contest as to the validity or amount of any Impositions, or assessed valuation on which such Impositions were computed or based, whether before or after payment, may be made by Tenant in the name of Landlord or of Tenant, or both, as Tenant shall determine, and Landlord agrees that it will, at Tenant's expense, cooperate with Tenant in any such contest to such extent as Tenant may reasonably request, it being understood, however, that Landlord shall not be subject to any liability for the payment of any costs or expenses in connection with any proceeding brought by Tenant, and Tenant covenants to indemnify and save Landlord harmless from any such costs or expenses. Tenant shall be entitled to any refund of any such Impositions and penalties or interest that have been paid.

10. INSURANCE. Commencing with the Commencement Date, Tenant shall procure from an insurance company licensed in the State with an AM Best rating of no less than A- VII and continue in effect commercial general liability insurance in the amount of Two Million Dollars (\$2,000,000.00) annual general aggregate. The proceeds from Tenant's casualty insurance hereunder shall be paid and applied only as determined by Tenant. Any insurance carried by Tenant hereunder, at Tenant's option, may be carried under one or more insurance policies, pursuant to a master policy of insurance or so-called blanket policy of insurance covering other locations of Tenant or its corporate affiliates, or any combination thereof. In addition, Tenant shall keep in force workers' compensation or similar insurance to the extent required by law. Notwithstanding the foregoing, so long as Tenant shall maintain a net worth of not less than Twenty Million Dollars (\$20,000,000.00), insurance required to be maintained pursuant to this section may be self-

insured by Tenant. At all times during this Lease, Tenant shall include Landlord as an additional insured with respect to its commercial general liability insurance described herein, unless Tenant elects to self-insure. Notwithstanding the foregoing, if Tenant shall have elected to self-insure, Tenant shall provide Landlord a letter identifying Tenant's election to self-insure for the coverages otherwise required herein and certify that the minimum net worth requirement has been satisfied. Upon the written request of Landlord, but no more often than once in any calendar year, Tenant shall certify the minimum net worth requirement within thirty (30) days after such written notice. The foregoing shall not require or obligate Tenant to insure or be liable for any claims, suits, occurrences or liability due to the negligence of Landlord or those acting on Landlord's behalf or at Landlord's direction.

11. APPLICABLE LAWS.

11.1 Compliance with Applicable Laws. From and after the Commencement Date, and except as provided in Section 11.2 of this Lease, Tenant shall, in all material respects, comply with Applicable Laws that may apply to the Premises or to Tenant's use of the Premises or the Project. Subject to the participation of Landlord as provided below, Tenant shall pay all costs of compliance with Applicable Laws, but Tenant shall have the right to cease occupation or use of, or to demolish or remove all or any part of the Premises or the Improvements in lieu of compliance with any Applicable Laws that may require expenditures on behalf of Tenant for continued use or occupation of the Premises.

11.2 Contest Applicable Laws. Tenant shall have the right, after prior written notice to Landlord, to contest by appropriate legal proceedings, in the name of Tenant or Landlord or both, without cost or expense to Landlord, the validity or application of any Applicable Laws subject to the following:

11.2.1 Delay in Compliance. If, by the terms of any Applicable Laws, compliance may legally be delayed pending the prosecution of any such proceeding without the incurrence of any lien, charge, or liability of any kind against all or any part of the Premises or the Improvements and without subjecting Landlord to any liability, civil or criminal, for failure to comply, Tenant may delay compliance until the final determination of such proceeding; or

11.2.2 Lien, Charge or Civil Liability. If any lien, charge, or civil liability would be incurred by reason of any such delay, Tenant nevertheless may contest the matter and delay compliance, provided that such delay would not subject Landlord to criminal liability or fine, and Tenant:

11.2.2.1 Security. Furnishes to Landlord security, reasonably satisfactory to Landlord, against any loss or injury by reason of such contest or delay; and

11.2.2.2 Reasonable Diligence. Prosecutes the contest with reasonable diligence.

11.3 Landlord Cooperation with Contest. Landlord shall execute and deliver any appropriate papers that may be necessary or proper to permit Tenant to contest the validity or application of any Applicable Laws.

11.4 Intended Use. Landlord and Tenant acknowledge and agree that Tenant may use, store, generate and sell on or about the Premises gasoline, diesel fuel, other petroleum products and their additives and other vehicle fuels sold by Tenant, as well as maintenance and cleaning supplies used by Tenant in its business, and other products commonly sold by Tenant or provided by Tenant to its customers.

12. ALTERATIONS, ADDITIONS AND NEW IMPROVEMENTS. At any time during the Term and at Tenant's sole cost and expense, Tenant may make or permit to be made any non-structural

modifications or alterations to the Project, including, without limitation, modifications to the size or scope of the Project, with contractors, vendors, consultants or architects that Tenant may select from time to time, without the prior written consent of Landlord, provided there is no existing and unremedied default on the part of Tenant, of which Tenant has received notice of default, under any of the terms, covenants, and conditions of this Lease and such alterations are consistent with Tenant's design standards. Interior modification and alteration do not require Landlord approval. If Landlord's prior written consent is required under this Section 12, such consent shall not be unreasonably withheld, conditioned or delayed, and provided in the event Tenant has not received such Landlord consent (or written notice of Landlord's disapproval specifying the reasons for such disapproval and any required criteria for approval) within fifteen (15) days of Tenant's request, such request shall be deemed approved by Landlord.

13. TITLE TO THE PROJECT. Title to the Project shall be and remain in Tenant. Unless otherwise agreed to by the parties, Tenant may remove the Improvements, Building and/or Equipment, at any time during the Term, upon expiration of the Term or upon any earlier termination of this Lease by the parties. During the Term, Tenant shall be entitled for all taxation purposes to claim cost recovery deductions and the like on the Project. Notwithstanding anything to the contrary set forth herein, the Equipment shall remain the sole property of Tenant after the expiration or termination of this Lease, provided the Equipment is removed no later than ninety (90) days after expiration or earlier termination of this Lease as set forth in Section 21. In the event the Equipment is not removed it shall be deemed abandoned.

14. INDEMNIFICATION.

Landlord and Tenant will each be solely responsible for the liability arising from personal injury, including death, or damage to property arising from the acts or failure to act of the respective party or of its officials, and employees pursuant to the Lease. Landlord liability will be strictly limited by and this Agreement will give full effect to the intent of the Tort Claims Act, Section 41-4-1 et seq., NMSA 1978, and any amendments thereto.

14.1 Indirect, Special or Consequential Damages. In no event shall Landlord or Tenant be liable to the other party for any indirect, special or consequential damages of any kind, whether in contract, tort or otherwise, and whether or not the party has been advised of the possibility of such damages.

15. CONDEMNATION; DESTRUCTION OF THE PREMISES.

15.1 Valuation Date and Methodology. All awards for compensation issued as a result of a condemnation or purchase in lieu of condemnation of all or any portion of the Premises, the Improvements and/or the Equipment shall be calculated as of the day immediately preceding the date the condemning authority obtains possession of the Premises, Improvements and/or Equipment ("**Valuation Date**") and shall be based upon Tenant's leasehold estate for the remainder of the Term, including all exercisable options without taking into account any abatement or reduction of Rent contemplated herein.

15.2 Notice and Negotiation with Condemning Authority. To the extent a condemning authority does not provide notice to both Landlord and Tenant of a potential condemnation, either party so notified shall immediately provide the other with such notice. Further, to the extent local law does not permit Tenant to seek independent payment of just compensation from the condemning authority, Landlord shall not engage in any negotiation with the condemning authority without involving Tenant.

15.3 Total Taking. If (1) all the Premises, the Improvements and/or the Equipment are taken or condemned by right of eminent domain or by purchase in lieu of condemnation, or (2) such portion of the Premises or the Improvements or the Equipment shall be so taken or condemned such that the portion

remaining compromises in any material way Tenant's operations and/or use of the Premises, the Improvements or the Equipment as determined by Tenant in its commercially reasonable judgment, or (3) a temporary taking of the kind described below occurs such that the Premises is rendered unusable by Tenant for at least sixty (60) consecutive days, as determined by Tenant in its commercially reasonable judgment (each a "**Total Taking**"), then Tenant's right to possession of the Premises and Tenant's obligation for Rent shall be suspended from the date the condemning authority obtains possession until the date a total award for such Total Taking is issued, at which time this Lease and the Term shall cease and terminate. In such event, (a) Landlord shall have the right to and shall be entitled to receive directly from the condemning authority an award equal to the value of Landlord's fee estate and the value of any Improvements and/or Equipment installed by and/or belonging to Landlord as of the Valuation Date, and (b) Tenant shall have the right to and shall be entitled to receive directly from the condemning authority the value of its leasehold estate, including all exercisable options, and the value of any Improvements and/or Equipment installed by and/or belonging to Tenant as of the Valuation Date.

15.4 Partial Taking. If during the Term there is a taking or condemnation of the Premises or the Project that is not a Total Taking as set forth above, and is not a temporary taking of the kind described below, or in the event of the change in the grade of the streets or avenues on which the Premises abuts or a material change from the Premises to the public right of way (each a "**Partial Taking**"), then Tenant's right to possession of the Premises so affected and Tenant's obligation for Rent as to the affected Premises shall be suspended from the date the condemning authority obtains possession until the date an award for such Partial Taking is issued, at which time this Lease and the Term shall cease and terminate as to the Premises so taken and thereafter Rent for the remainder of the Term shall be equitably adjusted taking into account the relative values of the portion taken as to the portion remaining. In such event, (a) Landlord shall have the right to and shall be entitled to receive directly from the condemning authority an award equal to the value of Landlord's fee estate for that portion of the Premises so taken and the value of any Improvements and/or Equipment installed by and/or belonging to Landlord as of the Valuation Date, (b) Tenant, at its discretion, shall have the right as of the Valuation Date to receive directly from the condemning authority the value of its leasehold estate, including all exercisable options, as to the Premises so taken, or and (c) Tenant shall have the right to and shall be entitled to receive directly from the condemning authority the value of any Improvements and/or Equipment installed by and/or belonging to Tenant as of the Valuation Date.

15.5 Temporary Use Taking. In the event of a taking of all or a part of the Premises or the Project for temporary use, or access to the Premises or Project is temporarily taken, then this Lease shall continue without modification, as between Landlord and Tenant, and Tenant shall be entitled to the entire award made for such use. Tenant shall further be entitled to file and prosecute any claim against the condemning authority for damages and to recover the same, for any negligent use, waste, or injury to the Premises or the Project throughout the balance of the then-current Term. The amount of damages so recovered shall exclusively belong to Tenant.

15.6 Dispute. In the event of any dispute between Tenant and Landlord with respect to any issue of fact arising out of a taking mentioned in this section, such dispute shall be resolved by the same court in which the condemnation action is brought, in such proceedings as may be appropriate for adjudicating the dispute.

15.7 Destruction of the Premises. If the Project is materially destroyed or damaged at any time during the Term then in effect, Tenant shall, at its sole option, and at its sole cost and expense, either (i) repair, alter, restore, replace or rebuild the Project to such extent and in such manner as Tenant may deem appropriate and this Lease shall continue; or (ii) demolish the remaining portions of the Project and pave, landscape or place gravel on the Premises at which point this Lease shall automatically terminate and the Rent shall be apportioned and paid to the date of such damage or destruction. Tenant shall have

the right to receive the entire amount of the insurance proceeds. There will be no abatement of Rent while the Project is repaired, altered, restored, replaced, rebuilt or demolished.

16. ASSIGNMENT AND SUBLEASE.

16.1 Assignment and Subletting. Tenant shall have the right to transfer or assign any interest in this Lease or sublet the whole or any part of the Premises, from time to time, but only for a term or terms that shall expire upon or before the expiration of the Term; provided, however, that Tenant shall notify Landlord of such assignment or subletting.

17. LEASEHOLD MORTGAGES

17.1 Leasehold Mortgage. Tenant shall have the right, in addition to any other rights granted and without any requirement to obtain Landlord's consent as long as the Tenant is not in Default of the terms of the Lease, to mortgage or grant a security interest in Tenant's interest in this Lease and the Premises, the Project and any subleases, under one or more Leasehold Mortgages, and to assign this Lease and any subleases as collateral security for such Leasehold Mortgages, on the condition that all rights acquired under such Leasehold Mortgages shall be subordinate and subject to each and all of the covenants, conditions, and restrictions set forth in this Lease. If Landlord is provided written notice of such Leasehold Mortgage, Landlord shall provide written notice of any Tenant Event of Default simultaneously to Leasehold Mortgagee and Leasehold Mortgagee may within thirty (30) days after receipt of Notice of Tenant Event of Default cure any such default.

17.2 Agreement. Landlord, within thirty (30) days of request, shall execute, acknowledge, and deliver to each Leasehold Mortgagee an agreement prepared at the sole cost and expense of Tenant, in form reasonably satisfactory to Landlord, Tenant, and the Leasehold Mortgagee.

18. DEFAULT; REMEDIES.

18.1 Landlord's Remedies. Upon the occurrence of an Event of Default by Tenant, Landlord may exercise any of the following remedies:

18.1.1 Cure and Collect as Additional Rent. Landlord may elect to cure an Event of Default on Tenant's behalf, and at Tenant's expense, and the actual, reasonable cost thereof, including interest thereon at the Interest Rate, shall be collected as additional rent under this Lease, as the same shall next accrue.

18.1.2 Repossession. Landlord may in accordance with applicable law any by any suitable action or proceeding at law, at its option, terminate this Lease and re-enter the Premises and repossess and enjoy the same as in its first and former estate and thereupon this Lease and the obligations set forth herein shall cease, provided however, such termination shall be without prejudice to the rights of Landlord to recover from Tenant all Rent due hereunder up to the time of such re-entry and termination. Should Landlord at any time terminate this Lease for any breach, in addition to any other remedies it may have, it may recover from Tenant all damages it may incur by reason of such breach, including the worth at the time of such termination of the excess, if any, of the amount of rents and other charges equivalent to rents reserved in this Lease for the remainder of the stated Term over the then reasonable rental value of the Premises for the remainder of the Term (absent any unexercised Extension Options), all of which amounts shall be immediately due and payable from Tenant to Landlord. Landlord or Landlord's agents and employees may, in accordance with applicable law and by any suitable action or proceeding at law, repossess the same, and may remove any person from the Premises, to the end that Landlord may have, hold, and enjoy the Premises.

18.1.3 .

18.1.4 Waiver of Landlord's Liens. LANDLORD HEREBY SPECIFICALLY DISCLAIMS, WAIVES AND DISAVOWS ANY STATUTORY, CONTRACTUAL OR COMMON LAW LIEN OR RIGHT OF DISTRAINT, IF ANY, ATTACHING OR RELATING TO TENANT'S PERSONAL PROPERTY, INCLUDING WITHOUT LIMITATION, ALL EQUIPMENT, FURNITURE, INVENTORY OR TRADE FIXTURES.

18.1.5 Waiver of Jury Trial. LANDLORD AND TENANT IRREVOCABLY WAIVE ALL RIGHTS TO TRIAL BY JURY IN ANY ACTION, PROCEEDING, COUNTERCLAIM OR OTHER LITIGATION ARISING OUT OF OR RELATING TO THIS LEASE, THE RELATIONSHIP OF LANDLORD AND TENANT REGARDING THE PREMISES, ENFORCEMENT OF THIS LEASE, TENANT'S USE OR OCCUPANCY OF THE PREMISES, ANY CLAIM OF INJURY OR DAMAGE ARISING BETWEEN LANDLORD AND TENANT, OR ANY ACTIONS OF LANDLORD IN CONNECTION WITH OR RELATING TO THE ENFORCEMENT OF THIS LEASE.

18.1.6 Mitigation of Damages. Landlord agrees to use reasonable efforts to mitigate its damages in the event of a default by Tenant.

18.2 Landlord Default; Tenant Remedies. Upon the occurrence of an Event of Default by Landlord, Tenant shall have the right (i) to perform the obligations of Landlord which are the subject of such default and have the right to be reimbursed for the sum Tenant actually expends in the performance of Landlord's obligations, together with interest at the Interest Rate from the date of payment by Tenant to the date of reimbursement by Landlord; (ii) to recover from Landlord the damages caused to Tenant by such default; or (iii) to seek any remedy at law or equity. If Landlord does not reimburse Tenant within thirty (30) days after demand from Tenant for payment pursuant to this Section 18.3, Tenant shall have the right to offset the Rent next coming due equal to the sum Tenant has expended until Tenant has been reimbursed in full with interest accruing at the Interest Rate. In addition to the foregoing, Tenant shall have the right without prior demand or notice, except as required by applicable law, to seek any declaratory, injunctive or other equitable relief, and specifically enforce this Lease, or restrain or enjoin a violation or breach of any provision hereof.

19. SUBORDINATION. Every Fee Mortgage shall be, and state that it is, subject and subordinate to this Lease and shall only attach to Landlord's Estate. A foreclosure sale affecting Tenant's leasehold estate created by this Lease, shall impair no estate or right under any Fee Mortgage and shall transfer only the Tenant's leasehold estate created by this Lease. In addition, Landlord agrees to subordinate any rights, interests or liens of Tenant's Equipment, personal property and trade fixtures to that of any bona-fide third party lender providing financing to Tenant which directly benefits Tenant's operations in the Premises.

20. LANDLORD'S WARRANTIES; QUIET ENJOYMENT.

20.1 Representations and Warranties. Landlord hereby represents and warrants to Tenant as of the Effective Date and again on the Commencement Date, as follows:

20.1.1 Ownership of the Premises. The Regents of New Mexico State University owns fee simple marketable and insurable title to the Premises, free and clear of all tenancies and other possessory interests, security interests, conditional sale, or other title retention agreements, liens, encumbrances, mortgages, deeds of trust, pledges, assessments, easements, rights-of-way, covenants, restrictions, reservations, options, rights of first refusal, defects in title, encroachments, and other burdens, other than the Permitted Exceptions. Landlord represents and warrants that Landlord has full right and authority to enter into this Lease on behalf of said owner of the Premises and said owner agrees to be bound

hereby.

20.1.2 Hazardous Materials. Landlord has not, nor, to the best of Landlord's knowledge, has owner (as identified above) engaged in or permitted any operations or activities upon, or any use or occupancy of the Premises, or any portion thereof, for the purpose of or in any way involving the handling, manufacture, treatment, storage, use, generation, release, discharge, refining, dumping, or disposal of any Hazardous Materials (whether legal or illegal, accidental or intentional), on, under, in, or about the Premises, or transported any Hazardous Materials to, from, or across the Premises, nor are any Hazardous Materials presently constructed, deposited, stored, or otherwise located on, under, in, or about the Premises, nor have any Hazardous Materials migrated from the Premises upon or beneath other properties, nor have any Hazardous Materials migrated or threatened to migrate from other properties upon, about, or beneath the Premises. There is not constructed, placed, deposited, stored, disposed of, or located on the Premises any asbestos or material containing asbestos, nor insulating material containing urea formaldehyde, nor any polychlorinated biphenyls (PCBs), nor transformers, capacitors, ballasts, or other equipment containing or contaminated by PCBs. Within five (5) Business Days after the Effective Date, Landlord shall deliver to Tenant copies of all assessments and reports regarding the environmental condition of the Premises in Landlord's possession or control. Landlord warrants that such assessments and reports are complete, and are all of the assessments and reports in the control or possession of Landlord concerning the previous or current environmental condition of the Premises.

20.1.3 Underground Improvements. No underground improvements, including but not limited to treatment or storage tanks, septic systems, or drain fields, sumps, or water, gas, oil, or underground injection wells are or have ever been located upon the Premises.

20.1.4 Environmental Requirements. Landlord has not, received notice or other communication concerning any alleged violation of Environmental Requirements whether or not corrected to the satisfaction of the appropriate authority, in connection with the Premises, and there exists no writ, injunction, decree, order, lien, or judgment outstanding, nor any lawsuit, claim, proceeding, citation, directive, summons, notice, or investigation, pending or, to the best knowledge of Landlord, threatened, relating to the ownership, use, maintenance, or operation of the Premises, by any person, or from alleged violation of Environmental Requirements, or from the suspected presence of Hazardous Material thereon, nor does there exist any basis for such lawsuit, claim, proceeding, citation, directive, summons, or investigation being instituted or filed.

20.1.5 Applicable Laws. The Premises, on the Effective Date, are in full compliance with all Applicable Laws.

20.1.6 Execution, Delivery and Performance of this Lease. The execution, delivery, and performance of this Lease by Landlord will not result in any breach of, or constitute any default under, or result in the imposition of, any lien or encumbrance on the Premises under any agreement or other instrument to which Landlord is a party or by which Landlord or the Premises might be bound. Landlord has no information or knowledge of any change contemplated in any Applicable Laws, or any action by adjacent landowners, or natural or artificial conditions on the Premises that would prevent, limit, impede, or render more costly the Project. To the best of Landlord's knowledge, there is no significant adverse fact or condition relating to the Premises or the Project that has not been specifically disclosed in writing by Landlord to Tenant, and Landlord knows of no fact or condition of any kind or character whatsoever that adversely affects such intended use of the Premises by Tenant.

20.1.7 Mechanic's Liens. No person has the right to claim any mechanic's or supplier's lien arising from any labor or materials furnished to the Premises before the Commencement Date.

20.1.8 No Violations and Actions. There is no legal or administrative action, suit, proceeding or investigation pending or, to the Landlord's knowledge, threatened, before any agency, court or other governmental authority which relates to the Premises or, to the Landlord's knowledge, the Tenant's use and occupancy of the Premises hereunder.

20.1.9 Condemnation. There is no condemnation proceeding affecting the Premises or any portion thereof, including without limitation, any grade change of any street adjacent to the Premises or any partial condemnation, or, to Landlord's knowledge, is any such proceeding threatened.

20.1.10 Rights of Third Parties. Landlord's entering into this Lease does not violate any rights of third-parties and Landlord has received any and all necessary third-party approvals to enter into this Lease.

20.1.11 Additional Encumbrances. From and after the Effective Date, (i) Landlord shall not (1) enter into any contracts, leases, or agreements related to the Premises, nor take any action under any existing contract, lease or agreement which would materially and adversely affect Tenant's right or use of the Premises pursuant to this Lease, or (2) cause, permit, or allow any agreement, document, encumbrance or lien to be placed, or recorded against, the Premises; and (ii) Landlord shall, in all respects, use its best efforts to preserve the Premises in its current state and not cause, permit, or allow any waste or deterioration of the Premises to occur.

20.1.12 Notice. Landlord has no notice (legal, recorded, or otherwise) of any facts or circumstances that would indicate or suggest that (i) the Premises cannot be developed in substantial accordance with its current entitlements, under the current zoning ordinances applicable thereto, and as a Maverik fuel station and convenience store; (ii) there will be, or could be, any material delays, conditions, prohibitions, restrictions or limitations in connection any such development; or (iii) there exists any approval rights, options, rights of first offer, rights of first refusal or other similar rights of third parties that would prevent or unreasonably delay Tenant from leasing the Premises and developing the same.

20.1.13 Misrepresentation and Adverse Facts. Landlord has made no untrue statements or representations in connection with this Lease and, to the Landlord's knowledge, Landlord has not failed to state or disclose any material fact in connection with the transaction contemplated by this Lease. Any false or misleading representations by Landlord as to any of the foregoing warranties shall be subject to Section 14.

20.2 Covenant of Quiet Enjoyment. Landlord covenants and warrants that Tenant shall peacefully have and enjoy the sole possession of the Premises, free from the adverse claims of any persons, firms or corporations whatsoever, and Landlord will fully protect Tenant in the full, complete and absolute possession of the Premises. Landlord also warrants that the Premises are not subject to any private restrictive covenants, easements or other encumbrances, except for the Permitted Exceptions. If the Premises are subject to any restrictive covenants, Landlord warrants and represents that those covenants permit the use and operation of the Premises as a Maverik Convenience Store with fuel (gasoline, diesel, natural gas, ethanol and electricity) sales facility as such stores customarily operate in the Western United States of America. Landlord agrees to execute any and all easements or rights of way on, over or under the Premises or any part thereof at Tenant's request which are or may be needed or required by Tenant in conjunction with Tenant's use and enjoyment of the Premises and operation of the Project. Landlord agrees not to file, support or cause any land use, zoning change or variance to be made that would affect the Premises without the prior written approval of Tenant, which approval may be withheld or delayed in Tenant's sole discretion.

21. SURRENDER

21.1 Surrender of Possession. Except as otherwise provided, Tenant, on the last day of the Term, shall surrender and deliver up the Premises to the possession and use thereof to Landlord. Any holding over after the expiration of the term hereof or the expiration of any renewal term (other than as set forth in Sections 21.2 below, which shall not be considered holding over by Tenant) shall be construed to be a tenancy from month to month at a monthly minimum rental rate equal to one hundred twenty-five percent (125%) of the minimum rental rate in effect on such expiration date (prorated on a monthly basis) and on the other terms and conditions herein set forth except for those terms which are inconsistent with a month to month tenancy.

21.2 Removal of the Improvements and Equipment. All of the Improvements and Equipment may be removed by Tenant upon the expiration or earlier termination of this Lease, or at any time prior to the expiration or earlier termination of this Lease. Tenant shall have the right to cause any and all Improvements and Equipment to remain on the Premises for a period of ninety (90) days after the expiration of the Term or earlier termination of this Lease. If the Improvements, Equipment or both remain on the Premises for more than ninety (90) days after the expiration or earlier termination of this Lease, Landlord may, at its option, either retain the Improvements and/or Equipment remaining on the Premises or dispose of the same in such manner as Landlord may see fit.

21.3 Expiration Environmental Condition. Upon the later to occur of (i) removal of the Equipment; or (ii) the expiration or earlier termination of this Lease, Tenant shall at its sole cost and expense remove the underground tanks and piping and submit to Landlord a closure and removal notice or other similar indicia that any underground storage tanks and piping have been properly closed and removed (herein "*Expiration Environmental Condition*").

21.4 Tenant's Limitation on Liability. If Landlord fails to provide Tenant with written request for any such recourse or corrective action desired by Landlord in conjunction with this Section 21 within three (3) years of the expiration or earlier termination of this Lease, Tenant shall no longer be liable or responsible for the Expiration Environmental Condition or the obligations as contained in this Section 21.

22. SEVERABILITY. If any provision of this Lease or the application thereof to any person or circumstances shall to any extent be invalid or unenforceable, the remainder of this Lease, or the application of such provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each provision of this Lease shall be valid and be enforced to the fullest extent permitted by law.

23. ESTOPPEL CERTIFICATE. Either party, within fifteen (15) days after a request from time to time made by the other party and without charge, shall give a certification in writing to any person, firm, or corporation reasonably specified by the requesting party stating (i) that this Lease is then in full force and effect and unmodified, or if modified, stating the modifications; (ii) that Tenant is not in default in the payment of Rent to Landlord, or if in default, stating such default; (iii) that to the actual knowledge of the maker of the certificate, neither party is in default in the performance or observance of any other covenant or condition to be performed or observed under this Lease, or if either party is in default, stating such default; (iv) that to the actual knowledge of the maker (if Landlord) of the certificate, no event has occurred that authorized, or with the lapse of time will authorize, Tenant to terminate this Lease, or if such event has occurred, stating such event; (v) that to the actual knowledge of the maker of the certificate, neither party has any offsets, counterclaims, or defenses, or, if so, stating them; (vi) the dates to which Rent have been paid; and (vii) any other matters that may be reasonably requested by the requesting party. Neither Landlord nor Tenant shall have the obligation to comply with any request for an estoppel certificate

more often than once per calendar year. Notwithstanding anything to the contrary set forth in this Lease or in any estoppel certificate, to the extent the terms of this Lease and any estoppel certificate conflict, the terms of this Lease shall govern.

24. **MERGER.** The fee title to the Premises and the leasehold estate of Tenant in the Premises created by this Lease shall not merge but shall remain separate and distinct, notwithstanding the acquisition of said fee title and said leasehold estate by Landlord or by Tenant or by a third party, by purchase or otherwise.

25. **FORCE MAJEURE.** If the performance by either of the parties of their respective obligations under this Lease is delayed or prevented in whole or in part by any Applicable Laws (and not attributable to an act or omission of the party), or by Force Majeure, the performance of the action in question shall be excused for the period of delay and the period for the performance of such act shall be extended for a period equivalent to the period of such delay. In no event will Force Majeure excuse either party's obligation to timely pay its monetary obligations under this Lease..

26. **ADVERTISEMENT.** Landlord shall not post any "for rent," "for lease" or similar signs or advertisements on or about the Premises until the Term has actually expired or this Lease has actually been terminated. For a period of ninety (90) days following the expiration or earlier termination of this Lease, Tenant may install a sign directing customers to the Tenant's new location, if any.

27. **NOTICES.** All notices, demands, requests, or other writings in this Lease provided to be given or made or sent, or which may be given or made or sent, by either party hereto to the other, shall be in writing and may be given personally or may be delivered by confirmed electronic mail or by depositing the same in the United States mails, certified, registered or equivalent, return receipt requested, or nationally-recognized overnight courier service, in any case postage prepaid, properly addressed, and sent to the addresses set forth in Sections 2.8, 2.9 and 2.10, or to such other address as either party may from time to time designate by written notice to the other. Notices given by mail shall be deemed received and effective on the third business day following deposit with the U.S. Postal Service or by overnight courier as aforesaid shall be deemed received and effective on the first business day following such dispatch; provided, however, that if any such notice or other communication shall also be sent by electronic mail, such notice shall be deemed given at the time and on the date of transmittal if the sending party does not receive notice of failed delivery.

28. **ATTORNEYS' FEES.** In any proceeding or controversy associated with or arising out of this Lease or a claimed or actual breach thereof, or in any proceeding to recover the possession of the Premises, the prevailing party shall be entitled to recover from the other party, as a part of the prevailing party's costs, all costs and expenses that may arise from enforcing this Lease, including reasonable attorneys' fees, the amount of which shall be fixed by the court and shall be made a part of any judgment rendered or otherwise included in any settlement agreement.

29. **ENTIRE AGREEMENT.** This Lease contains the entire agreement between the parties and, except as otherwise provided, can be changed, modified, amended, or terminated only by an instrument in writing executed by the parties. It is mutually acknowledged and agreed by Tenant and Landlord that there are no verbal agreements, representations, warranties, or other understandings affecting this Lease.

30. **APPLICABLE LAW.** This Lease shall be governed by, and construed in accordance with, the laws of the State in which the Premises is located.

31. **LIMITATION OF LIABILITY.** Notwithstanding anything to the contrary set forth in this Lease and to the greatest extent allowed by applicable law, Tenant's liability hereunder shall be limited

to Tenant's interest in the Premises and the Project.

32. BROKERAGE. Landlord shall be solely responsible to pay any and all brokerage or real estate commission, finder's fee or similar fee or charge with respect to this Lease. Except for Mark Edwards, Edwards Commercial Reality (the "*Tenant's Broker*") who shall be paid by Landlord pursuant to a separate written agreement between the Tenant's Broker, and Landlord. Landlord and Tenant have not hired or involved any other brokers in this Lease. Landlord and Tenant shall and do hereby each indemnify the other against, and agree to hold the other harmless from, any claim, demand or suit for any brokerage or real estate commission, finder's fee or similar fee or charge with respect to this Lease based on any act by or agreement or contract with the indemnifying party, and for all losses, obligations, costs, expenses and fees (including reasonable attorneys' fees) incurred by the other party on account of or arising from any such claim, demand or suit. This provision in no way creates any third-party beneficiary rights in any party nor does it create any liability on the part of Tenant to pay any or all of the commission due Tenant's Broker or Landlord's Broker.

33. COVENANTS TO BIND AND BENEFIT PARTIES. The covenants and agreements contained in this Lease shall bind and inure to the benefit of Landlord, its successors and assigns, and Tenant, its successors and assigns.

34. CAPTIONS AND TABLE OF CONTENTS. The captions of this Lease are for convenience and reference only, and in no way define, limit, or describe the scope or intent of this Lease or in any way affect this Lease. The table of contents preceding this Lease but under the same cover is for the purpose of convenience and reference only, and is not to be deemed or construed in any way as part of this Lease, nor as supplemental or amendatory.

35. RECORDING THE LEASE. Tenant may record a Memorandum of Lease, executed and acknowledged by both parties, in the public records of Dona Ana County, New Mexico at any time after the Feasibility Period in the form set forth on Exhibit D hereto. Landlord shall, upon request of Tenant, execute, acknowledge, and deliver to Tenant an appropriate memorandum in a form reasonably requested by Tenant. Tenant shall pay the recording costs.

36. PROOF OF AUTHORITY. The undersigned hereby acknowledged they have full authority to execute this Lease on behalf of the parties to this Lease.

37. VALIDITY OF LEASE. Landlord and Tenant each represents and warrants to the other that this Lease has been duly authorized, executed and delivered, and is valid and binding. If any term, covenant or condition of this Lease or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Lease, or the application of such term, covenant or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term, covenant or condition of this Lease shall be valid and be enforced to the fullest extent permitted by law.

38. COUNTERPARTS. This Lease may be executed in two (2) or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The counterparts of this Lease and all ancillary documents may be executed and delivered by facsimile or other electronic signature by any of the parties to any other party and the receiving party may rely on the receipt of such document so executed and delivered by any electronic means as if the original had been received.

39. PROPERTY ADDRESS UPDATE. At either party's request and at such time as Tenant has obtained an actual street address for the Premises, Landlord and Tenant agree to execute an amendment

to the Lease memorializing the address of the Premises being leased by Tenant from Landlord.

40. ADVICE OF COUNSEL. Landlord and Tenant each respectively represent that they have the advice and counsel of their own attorneys and that no representation or statement made by any other party has influenced them in executing or induced them to execute this Lease.

41. NONDISCLOSURE OF LEASE TERMS. Landlord acknowledges and agrees that the terms of this Lease are confidential and constitute proprietary information of Tenant. Disclosure of the terms could adversely affect the ability of Tenant to negotiate other leases and impair Tenant's relationship with other landlords. Accordingly, Landlord agrees that it, and its partners, officers, directors, employees, agents, and attorneys, shall not intentionally and voluntarily disclose the terms and conditions of this Lease ("***Confidential Information***") to any third party, either directly or indirectly, without the prior written consent of Tenant, which consent may be given or withheld in Tenant's sole and absolute discretion. Landlord acknowledges that the covenants contained in this Section 41 are fundamental for the protection of the legitimate business and proprietary interests of Tenant and that in the event of any violation by Landlord of any such covenants, remedies at law would be inadequate. Such remedies shall not be deemed to be the exclusive remedies for any breach of this Section 41 but will be in addition to all other remedies available at law or in equity to Tenant. Landlord may disclose any Confidential Information if required to do so by law or valid court order.

42. TIME. Time is of the essence on this Lease and every term, covenant, and condition herein contained.

43. WAIVER. One (1) or more waivers of any covenant or condition by either party shall not be construed as a waiver of a subsequent breach of the same covenant or condition and the consent or approval to or of any subsequent or similar act by either party. No breach of a covenant or condition of this Lease shall be deemed to have been waived by either party, unless such waiver is in writing signed by both parties.

IN WITNESS WHEREOF, Landlord and Tenant have caused this Lease to be executed by their duly authorized officers.

LANDLORD:

TENANT:

AGGIE DEVELOPMENT, INC.,
a New Mexico Domestic Nonprofit
Corporation

MAVERIK, INC., a
Utah corporation

By: _____

By: _____

Name: _____

Name: _____

Its: _____

Its: _____

Date: _____

Date: _____

STATE OF _____)

:ss.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, the _____ of _____, a _____.

NOTARY PUBLIC

STATE OF UTAH)

:ss.

COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, the _____ of Maverik, Inc., a Utah corporation.

NOTARY PUBLIC

EXHIBIT A
DEFINED TERMS

“**Applicable Laws**” mean all laws, ordinances, statutes, orders, rules, regulations, and requirements of federal, state, county, city, and municipal governments applicable to the Premises, or any portion thereof, including without limitation, zoning requirements and Environmental Requirements.

“**Bankruptcy Law**” means Title 11, United States Code, and any other or successor state or federal statute relating to assignment for the benefit of creditors, appointment of a receiver or trustee, bankruptcy, composition, insolvency, moratorium, reorganization, or similar matters.

“**Bankruptcy Proceeding**” means any proceeding, whether voluntary or involuntary, under any Bankruptcy Law.

“**Basic Lease Terms**” mean the basic lease terms set forth in Section 2—Basic Lease Terms of this Lease.

“**Building**” means the building(s) located on the Premises.

“**Business Days**” mean weekdays except national and/or state recognized holidays as designated by Landlord and any holidays or non-working days designated by executive order or necessitated by war, riots, civil disturbances, emergencies, a risk of health or safety (as reasonably determined by Landlord in its sole discretion), or natural catastrophes.

“**Certificate of Occupancy**” means a permanent certificate of occupancy issued by the Governmental Authorities for the Premises for Tenant’s use of the Premises.

“**City**” means the City of Las Cruces.

“**Commencement Date**” means the earlier of (i) the date that Tenant opens for business to the public a convenience store on the Premises; or (ii) one hundred eighty (180) days after Tenant’s receipt of a building permit issued by the City.

“**Condemnation**” means (a) a permanent taking (or a temporary taking for a period extending beyond the end of the Term) pursuant to the exercise of the power of condemnation or eminent domain by any Condemnor, whether by Legal Proceedings or otherwise, or (b) a voluntary sale or transfer by Landlord to any such authority, either under threat of condemnation or while Legal Proceedings for condemnation are pending.

“**Condemnor**” means any public or quasi-public authority, private corporation or individual having the power of condemnation.

“**Confidential Information**” means the Confidential Information specified in Section 41.

“**Construction Period**” means the period of time commencing as of the expiration of the Feasibility Period and expiring upon the Commencement Date.

“**Date of Condemnation**” means the earlier of the date that title to the property taken is vested in the Condemnor or the date the Condemnor has the right to possession of the property being condemned.

“**Effective Date**” means the date this Lease is signed by both Landlord and Tenant as determined by the last date set forth on the signature page for Landlord’s and Tenant’s execution.

“Encumbrance” means any mortgage, deed of trust, ground lease, underlying lease or like encumbrance affecting any part of the Property or any interest of Landlord therein which is now existing or hereafter executed or recorded.

“Environmental Requirements” mean the regulation of Hazardous Materials by any federal, state or local law, rule or regulation pertaining to environmental matters, as now or hereafter enacted or amended, together with any other federal, state or local super lien or other statutes, rules or regulations, as now or hereafter amended in any way pertaining to clean-up; disclosure; water pollution control; air pollution control; regulation of solid waste; hazardous waste management; storage tanks; regulation of environmentally sensitive areas; hazardous and toxic substance reporting; and any other laws, including case law, which might be deemed or referred to as environmental common law.

“Equipment” means all equipment brought upon or installed on the Premises, including but not limited to: canopies, underground tanks, pumps, dispensers, detection and monitoring systems, and related piping valves, satellite dishes or other communication devices, refrigerated cases, compressors, displays, shelving, counters, and security/alarm systems, signs and sign structures and any future additions, replacements, or modifications to such items during the Term of this Lease are referred to in this Lease.

“ESAs” means the ESAs specified in Section 5.3.1.

“Event of Default” means: (i) the failure of either party to pay Rent or such other amounts when due and payable by such party, and such default continues for sixty (60) days after written notice from the other party; (ii) the failure of a party to pay its debts as they become due or admits in writing that it is unable to pay its debts as they become due, or becomes subject to any Bankruptcy Proceeding (except an involuntary Bankruptcy Proceeding dismissed within One Hundred Twenty (120) days after commencement), or a custodian or trustee is appointed to take possession of, or an attachment, execution or other judicial seizure is made with respect to, substantially all of such party’s assets or such party’s interest in this Lease (unless such appointment, attachment, execution, or other seizure was involuntary and is contested with diligence and continuity and vacated and is discharged within One Hundred Twenty (120) days); and (ii) whether by action or inaction, a party’s default of any of its obligations under this Lease (other than a default in the payment of Rent by Tenant) and such default continues and is not remedied for a period of ninety (90) days after a party has given the other party written notice specifying the same, or, in the case of a default that can be cured but not within a period of ninety (90) days, if the defaulting party has not (1) commenced curing such default within such ninety (90) day period; or (2) continuously and diligently pursued to completion the cure of the default.

“Expiration Date” means the Expiration Date specified in Section 2.4.

“Expiration Environmental Condition” means the Expiration Environmental Condition specified in Section 21.3.

“Extension Options” means the Extension Options specified in Section 4.3.

“Extension Period” and **“Extension Periods”** mean the Extension Period or Extension Periods specified in Section 5.3.

“Feasibility Investigations” mean the Feasibility Investigations specified in Section 5.3.

“Feasibility Notice” means the Feasibility Notice specified in Section 5.6.

“Feasibility Period” means the Feasibility Period specified in Section 2.6.

“Fee Mortgage” means any mortgage, deed of trust, security agreement, or sale-leaseback instrument that encumbers all or a part of the Landlord’s Estate.

“Force Majeure” means any delay caused by acts of nature, strikes, lockouts, other labor troubles, riots, civil commotion, insurrection, war, pandemics, governmental orders, decrees, or requirements, or other reason not the fault of the party delayed (financial inability excepted), in which case performance of the action in question shall be excused for the period of delay and the period for the performance of such act shall be extended for a period equivalent to the period of such delay. In order to claim Force Majeure, the claiming party must deliver notice to the other party within thirty (30) days following the occurrence of the Force Majeure event.

“Governmental Approvals” mean the Governmental Approvals specified in Section 5.3.3.

“Governmental Authorities” mean the City of Las Cruces, County of Dona Ana, State of New Mexico or any other applicable governmental or regulatory authority, agency or subdivision.

“Hazardous Materials” mean any (i) hazardous, harmful, dangerous, or toxic waste, item, substance, material, or product (including, without limitation, any and all petroleum based products) as defined by any federal, state, or local environmental and/or health law, act, edict, directive, decree, rule, statute, ordinance, or regulation, including without limitation, (a) the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C.A. Section 9601, et seq., (b) the Hazardous Materials Transportation Act, 49 U.S.C.A. Section 5101, et seq., (c) the Resource Conservation and Recovery Act, 42 U.S.C.A. Section 6901, et seq., (d) the Toxic Substances Control Act, 15 U.S.C.A. Section 2601, et seq., (e) the Federal Water Pollution Control Act, 33 U.S.C.A. Section 1251, et seq., (f) all state or local environmental laws, and (g) any and all regulations related to any of the foregoing; or (ii) other item, substance, material, or product prohibited, limited, or regulated by or under any of the laws, acts, edicts, directives, decrees, rules, statutes, ordinances, or regulations described above.

“Impositions” means the Impositions specified in Section 9.1.

“Improvements” mean the Building and all improvements and facilities constructed, installed, placed, erected, located, modified, added to, removed, replaced or modified, as applicable, from time to time, on, in, under and above the Premises, including, but not limited to, any present or future alterations, additions, replacements, or modifications to the Project, excluding the Equipment.

“Initial Term” means twenty (20) years from the Commencement Date.

“Interest Rate” means twelve percent (12%) per annum.

“Landlord” means the person or entity identified as the landlord in this Lease.

“Landlord’s Acknowledgement” means Landlord’s Acknowledgement specified in Section 5.3.1.

“Landlord’s Estate” means Landlord’s entire right, title, interest, and estate in and to the fee interest in the Premises, including without limitation, Landlord’s reversionary interest.

“Lease” means this Lease Agreement.

“Leasehold Mortgage” means a mortgage, deed of trust, financing statements, security agreements, sale-leaseback instrumentation, and other documentation that the Lending Institution may require.

“Leasehold Mortgagee” means the holder of or secured party under a Leasehold Mortgage.

“Lending Institution” means any commercial, national, or savings bank, savings and loan association, trust company, pension trust, foundation, or insurance company, and any other entity, person, corporation, partnership, or otherwise making a loan on the security of Tenant’s interest in the leasehold estate or all or any part of the Improvements or all or any part of the Equipment.

“Notice Date” means the Notice Date specified in Section 16.2.

“Partial Taking” means the Partial Taking specified in Section 15.4.

“Preliminary Period” means Feasibility Period and the Construction Period.

“Permitted Exceptions” mean those exceptions and/or encumbrances approved by Tenant in writing (or deemed approved, as provided in this Lease) prior to the expiration of the Feasibility Period, other than those exceptions which Landlord may, in its discretion, elect to remove.

“Permitted Use” means the Permitted Use specified in Section 8.1.

“Premises Information” means the Premises Information specified in Section 5.2.

“Preexisting Condition Notice” means the Preexisting Condition Notice specified in Section 5.3.1.

“Preexisting Hazardous Materials” means the Preexisting Hazardous Materials specified in Section 14.2.

“Project” means the Building, the Improvements and the Equipment.

“Rent” means the amounts set forth in Section 2.7.

“State” means the State of New Mexico.

“Tenant” means Maverik, Inc., and its successors and assigns; provided, however, as used in this Lease, so far as covenants or agreements on the part of Tenant are concerned, the term Tenant shall be limited to mean and include only the owner or owners of Tenant’s interest in this Lease at the time in question, and in the event of any transfer or transfers of such interest Tenant herein named (and in case of any subsequent transfer, the then transferor) shall be automatically freed and relieved from and after the date of the assumption of all responsibility on the part of Tenant contained in this Lease thereafter to be performed.

“Term” means the Initial Term and the Extension Periods.

“Title Commitment” means the Title Commitment specified in Section 5.4.

“Title Company” means a licensed title company selected by Tenant within Doña Ana County New Mexico.

“Title Policy” means the Title Policy specified in Section 5.4.

“Total Taking” means the Total Taking specified in Section 15.3.

EXHIBIT B
LEGAL DESCRIPTION OF THE PREMISES

**EXHIBIT C
SITE PLAN OF THE PREMISES**



EXHIBIT D

WHEN RECORDED, RETURN TO:
Maverik, Inc.
Attn: Real Estate Department
185 S. State Street, Suite 800
Salt Lake City, Utah 84111

Parcel ID No.:

[Space Above for Recorder's Use]

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE (“**Memorandum**”) is dated as of the ____ day of _____, 20__ by and between AGGIE DEVELOPMENT, INC., a New Mexico Domestic Nonprofit Corporation, (“**Landlord**”), and MAVERIK, INC., a Utah corporation (“**Tenant**”).

RECITALS

A. Landlord owns certain real property located at _____ in Las Cruces, Dona Ana County, New Mexico, consisting of approximately _____ square feet of land, which is described more particularly on Exhibit A attached hereto (as more fully described in the Ground Lease, and hereinafter defined, the “**Premises**”).

B. Landlord has leased the Premises to Tenant pursuant to a Ground Lease, dated _____, 20__ (the “**Lease**”).

C. Pursuant to this Memorandum, Landlord and Tenant desire to confirm, ratify and give public notice of Landlord’s lease of the Premises to Tenant pursuant to the Lease and of certain of the rights and interests of Tenant and Landlord under the Lease.

Notice is hereby given of the following:

1. Lease. The Lease pertains to real property located at _____ in Las Cruces, Dona Ana County, New Mexico, consisting of approximately _____ square feet of land, which is described more particularly on Exhibit A attached hereto.

2. Term. The Lease provides that the Initial Term of the Lease is twenty (20) years commencing on _____, 20__ (the “**Commencement Date**”). The term of the Lease will be automatically extended for eight (8) additional consecutive periods of five (5) years each, all on the terms and conditions in the Lease, unless Tenant gives written notice to Landlord of Tenant’s intent not to have the term of the Lease so extended.

3. Use and Restrictions. The Lease provides the following restrictions upon Tenant’s use of the Premises.

(a) Tenant may use the Premises for any legal purpose.

4. Memorandum. The foregoing represent only selected provisions of the Lease. Interested parties should contact Landlord or Tenant for more information. This Memorandum, and the rights and obligations of the parties hereunder, are subject to all of the terms and conditions of the Lease. This Memorandum does not add to, supersede, replace, amend or otherwise affect the Lease. To the extent of any conflict or inconsistency between any provisions of this Memorandum and the provisions of the Lease, the Lease, and not this Memorandum, shall control and govern.

[Signature page and acknowledgements follow]

IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the date set forth above.

LANDLORD:

TENANT:

AGGIE DEVELOPMENT, INC., a New Mexico Domestic Nonprofit Corporation,

MAVERIK, INC., a Utah corporation

By: _____
Name: _____
Its: _____

By: _____
Name: _____
Its: _____

STATE OF _____)
: ss.
COUNTY OF _____)

On the ____ day of _____, 20__ personally appeared before me _____ who duly acknowledged to me that _____ executed the foregoing Memorandum of Lease as the _____ of _____.

Notary Public

STATE OF _____)
: ss.
COUNTY OF _____)

On the ____ day of _____, 20__ personally appeared before me _____ who duly acknowledged to me that s/he executed the foregoing Memorandum of Lease as _____ of Maverik, Inc., a Utah corporation.

Notary Public

EXHIBIT E

CONFIRMATION OF LEASE TERMS

THIS CONFIRMATION OF LEASE TERMS (“**Confirmation of Lease Terms**”) is dated as of the ____ day of _____, 20____ (the “**Effective Date**”) by and between MAVERIK, INC., a Utah corporation (“**Tenant**”) and AGGIE DEVELOPMENT, INC., a New Mexico Domestic Nonprofit Corporation, (“**Landlord**”).

RECITALS

A. Landlord and Tenant are parties to that certain Ground Lease Agreement dated _____ (the “**Lease**”), regarding that certain real property located at _____, in Dona Ana County, New Mexico (the “**Premises**”), as such Premises are more fully described in the Lease.

B. Landlord and Tenant desire to confirm certain terms of the Lease, all subject to and based upon the following terms and conditions.

TERMS AND CONDITIONS

1. Term. The Lease provides that the Initial Term of the Lease is twenty (20) years commencing on _____, 20____ (the “**Commencement Date**”). The term of the Lease will be automatically extended for eight (8) additional consecutive periods of five (5) years each, all on the terms and conditions in the Lease, unless Tenant gives written notice to Landlord of Tenant’s intent not to have the term of the Lease so extended.

IN WITNESS WHEREOF, the parties have executed this Confirmation of Lease Terms as of the date set forth above.

LANDLORD:

TENANT:

AGGIE DEVELOPMENT, INC., a New Mexico Domestic Nonprofit Corporation,

MAVERIK, INC., a Utah corporation

By: _____

By: _____

Name: _____

Name: _____

Its: _____

Its: _____

EXHIBIT F

CONSTRUCTION SPECIFICATIONS

1. **Definition.** The following improvements under Section 2 through Section 8, inclusive, of this Exhibit F are included in the definition of Infrastructure Improvements (as defined in the Agreement). All of the Infrastructure Improvements shall be designed, engineered and constructed at Landlord's cost and expense, without contribution from Tenant. Landlord shall obtain all governmental approvals and permits necessary for the construction of the Infrastructure Improvements.

2. **Demolition.** Landlord shall demolish and clear all structures on the Property, to the extent they exist. Landlord's demolition obligations shall include the securing of all permits for demolition; the removal and proper disposal of existing buildings and structure (including any asbestos remediation); the removal and proper disposal of foundations and basement slabs, and the backfill and compaction of areas where foundations/basement slabs are removed; the disconnecting, capping and plugging of all utilities; and, the removal and proper disposal of asphalt or concrete paving areas.

3. **Site Utilities.** Landlord shall provide Tenant all water, sanitary sewer, natural gas, power, and telephone main lines of sufficient size, capacity, flow volume, pressure and depth to meet Tenant's project requirements. Utility laterals including 2-inch diameter culinary water, 6-inch diameter sanitary sewer, and 2-inch diameter gas shall be provided at the property line of the Premises. Landlord shall provide recent flow test data (to include residual, static and GPM flow data) on the water lines to determine final available pressures and flow to assure Tenant's requirements can be satisfied. Landlord shall provide a public fire hydrant, if so required by the local/state fire code or local governing approval authority, at such a location within or adjacent to the development area, to satisfy any fire or building code requirements for Tenant's project. Primary electric (120/208 three phase power) and telephone/cable conduits with pull strings shall be provided within 10 feet of the property line of the Property or within a reasonable distance that would not require significant utility extensions or the aerial, boring, open cut under or over roadways to service Tenant's project.

4. **Delivery and Acceptance of Site.** At substantial completion of the Infrastructure Improvements, Landlord shall provide Tenant written notice of the time during which Tenant shall have an opportunity to inspect and reasonably approve the Infrastructure Improvements (which meeting shall be referred to as the "**Tenant Site Acceptance Meeting**"). Prior to or at the Tenant Site Acceptance Meeting, Landlord shall provide As-Builts sealed by an engineer for utility locations, inverts and grading elevations. Any major objection(s) to the Infrastructure Improvements shall be remedied prior to acceptance by Tenant, and a major objection shall be defined as any material deficiency in the Infrastructure Improvements that Tenant's engineer believes would indicate that the Infrastructure Improvements are not in fact substantially complete. Absent any major objections by Tenant, Tenant's acceptance of the pad site shall not be delayed by the presence of punch list items that require repair, and Landlord shall address and complete all punch list items within thirty (30) days of the Tenant Site Acceptance Meeting. Tenant's acceptance of the site with the Infrastructure Improvements shall not be effective until acknowledged in writing by Tenant, which absent a major objection, shall occur at the Tenant Site Acceptance Meeting and which consent shall not be unreasonably withheld, conditioned or delayed.



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item # G-9

- Action Item
- Consent Item
- Informational Item

Presented By: John Floros
President, New Mexico State University

Agenda Item: Spring 2021 Degree and Certificate Conferral

Requested Action of the Board of Regents: Approval to confer degrees and certificates to named candidates listed in the Spring 2021 Commencement Programs of the institution's five campuses

Executive Summary:

We request approval of the Regents of New Mexico State University to confer degrees and certificates to named candidates listed in the Spring 2021 Commencement Programs of the institution's five 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.

References:

N/A

Prior Approvals:

N/A



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item # G-10

- 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

Resolution No. 2021-05

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

ADOPTED by the Board of Regents of New Mexico State University, on the 14th day of May, 2021, at its Regular Meeting held in Las Cruces, New Mexico.

Ammu Devasthali, Chair, NMSU Board of Regents



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item #: H-1

- Action Item
- Consent Item
- Informational Item

Presented By: Carol Parker, J.D.
Provost and Senior Vice President
for Academic Affairs

Agenda Item: Proposal to merge the College of Education, the College of Health and Social Services, and the Department of Sociology, to create a new college to be named the College of Health, Education and Social Transformation

Requested Action of the Board of Regents: Approval of the proposal to merge the College of Education, the College of Health and Social Services, and the Department of Sociology, to create a new college to be named the College of Health, Education and Social Transformation effective July 1, 2021.

Executive Summary:

The goal of the merger is to create a *high-profile transdisciplinary college*, whose role is to focus on improving Health and Education outcomes in our region by emphasizing transdisciplinary and community-based research and collaboration and inclusion of social science constructs, to:

- Promote degrees that are vital for improving health and educational outcomes in the region
 - *Student enrollment growth, social mobility, and economic development*
- Promote community-based research and engagement in the region
 - *Experiential learning opportunities for students*
 - *Contribute to improving community outcomes*
- Promote transdisciplinary research and faculty collaboration
 - *Increase opportunities for sponsored projects*
 - *Helps support graduate students*

The merger will result in many benefits to students and faculty and will also provide additional benefits through the unified leadership of the merged college under the direction one dean.

References:

Please see attached presentation and supporting documentation.

Prior Approvals:

- Academic Deans Council, January 2021
 - Unanimously recommends approval
- Faculty Senate Scholastic Affairs Committee March 2021
 - Recommends 'do pass,' with amendment
- Faculty in units involved, March 2021
 - Votes in support of the merger: 62 Yes; 33 No (12 abstaining; 21 not voting)

- Faculty Senate April 2021
 - Recommends 'do not pass'
- President Recommends Approval April 2021
- Chancellor Recommends Approval April 2021

* Regents Student Success Committee met on April 19, 2021 and recommended that the matter be put before the board for consideration.

* Regents Financial Strategies Performance and Budget committee was also presented with the proposal on May 1, 2021 (informational presentation) where additional input was gathered.

Repositioning Health, Education and Sociology for Maximum Impact and Future Growth

Board of Regents

Carol Parker
May 14, 2021



Current Proposal

To administratively merge the College of Education, the College of Health and Social Services, and the Department of Sociology, to create a new college to be named the *College of Health, Education and Social Transformation*, effective July 1, 2021.

Strategic Goal

The goal is to create a ***high-profile transdisciplinary college***, whose role is to focus on improving Health and Education outcomes in our region by growing enrollment, emphasizing transdisciplinary and community-based research and collaboration, and inclusion of social science constructs for problem solving, which results in:

- Growth in fields of study that are vital for improving health and educational outcomes in the region
LEADS 2025 Goals 1/3
 - *Student enrollment growth, social mobility and economic development*
- Encouraging community-based research and engagement in the region
LEADS 2025 Goals 1/2/3
 - *Experiential learning opportunities for students*
 - *Contribute to improving community outcomes*
- Encouraging transdisciplinary research and faculty collaboration
LEADS 2025 Goals 1/2
 - *Increase opportunities for externally funded/sponsored projects*
 - *Helps support graduate students*
- Optimizing financial sustainability of these units
LEADS 2025 Goal 4

Administrative Merger Has No Academic Impact

- The proposal results in an administrative merger only
 - No impact on any of the academic areas over which governance is shared
 - No academic department restructuring
 - No faculty positions eliminated
 - No changes to any academic degree programs or curriculum
 - No changes to faculty Promotion and Tenure, or hiring policies
 - No accreditation or HED approvals required
 - No impact to students/enrolled majors

Original Proposal of August 2020 Would Have Included Academic Impact

- Original proposal would also have:
 - Merged at the department level as well, to create multi-disciplinary schools in place of departments
 - Established a Research Center within the new college

Transdisciplinary and Multidisciplinary Trends

During the past two decades many research universities moved away from single-discipline departments in favor of administratively grouping multiple, related disciplines into broader administrative clusters to better support transdisciplinary work organized around problem solving. Helps universities move beyond creation of knowledge within a single domain, to application of knowledge to problem solving and outreach.

- Capaldi, Elizabeth D. *Intellectual Transformation and Budgetary Savings Through Academic Reorganization*. *Change: The Magazine of Higher Learning* (July/Aug 2009, pp. 18-27). <https://doi.org/10.3200/CHNG.41.4.18-27>.

Other Universities who Combined Health and Education in One College

- Utah State University
- University of Arkansas College of Education and Health Professions
- University of Idaho College of Education, Health and Human Sciences
- Montana State University College of Education, Health and Human Development
- Wright State University College of Health, Education and Human Services
College of Education and Human Services

Note: All Land Grant institutions with the exception of Wright State University

Benefits of the Realignment

- University Leadership
- Students
- Faculty
- The Community

Benefits to Leadership (Unification in One Dean)

- Better aligns programs with many common interests – something NMSU has discussed doing since 1997
 - *Currently 42 distinct health programs spread across NMSU System*
 - *Over time, other programs might join; at minimum, Joint Faculty Appointments will be encouraged*
- Focuses efforts to develop medical education, interprofessional education, and joint degree programs with Burrell Osteopathic College of Medicine
- Provides consistent leadership and oversight for the many programs in these units that have specialized programmatic accreditation standards, practicum experiences and additional curricular requirements mandated by licensure and certifications

Benefits to Leadership (Unification in One Dean)

- Coordination of Community-Based Research and Outreach
 - *These disciplines strongly emphasize community-based research and outreach, and have a large experiential learning component*
- Coordination of Transdisciplinary Collaboration
 - *Explore innate connections between Health, Education and Social Sciences*
 - *Higher Education has been moving toward transdisciplinary administrative organization for 20 years*
 - *Better alignment of faculty involvement in LEADS 2025 Grand Challenges projects*
- Improve Fiscal Sustainability
 - *Reduce administrative overhead to shift more revenue to support of enrollment growth in high demand programs*
 - *Larger colleges have greater programmatic opportunities than smaller departments that are administratively siloed*

Benefits to Students

- Increases opportunities for college growth and greater visibility of these fields of study at NMSU
- Ensures degrees remain respected, competitive and high quality through greater funding opportunities
- Creates opportunities for novel, multi-disciplinary degree programs in these fields
- Increases opportunities for community engagement and experiential learning
- Increases opportunities for interdisciplinary undergraduate research
- Increases graduate student opportunities for interdisciplinary research and assistantship support through more grant funding
- Increases interprofessional education opportunities with Burrell College of Osteopathic Medicine

Benefits to Faculty

- Maintains a familiar environment for working with current department colleagues and serving existing academic programs
- Enhances opportunities to collaborate with new colleagues in adapting programs to meet future societal demand in these fields
- Enhances the ability to compete for external funding in the new environment of multidisciplinary research in these fields
- Increases opportunities to engage, collaborate with, and serve the community
- Increases the capacity to evaluate the educational, research, community and economic outcomes of health, education and social transformation (note lack of support has impeded the growth of funded activities)
- Increases funding opportunities for graduate and undergraduate research and enhances longer term stability in this area

Benefits to the Community

- Advances community health, education and social transformation
- Improves the opportunity to place additional high demand graduates in the local and regional community
- Enhances the ability to leverage relationships with the Burrell College of Osteopathic Medicine, and other public and private partners to pool resources and amplify the effects of each
- In collaboration with public and private entities enhances the ability to compete for, and be awarded, external funding leading to improved outcomes
- Promotes the advancement of the regional economy through improved health, educational and societal outcomes
- Improves the attractiveness of the region to industry and individuals through improved health, educational and societal outcomes

Opportunities Ahead



Transdisciplinary Opportunities Ahead

- *Federal funding opportunities, and NMSU LEADS 2025 Global Challenges, require transdisciplinary approaches:*

Pre-K through 20 Education
Food and Agriculture
Water and Natural Resources
Energy
Economic Development
IT & Cybersecurity
Healthy Border Issues
Sustainability
Health

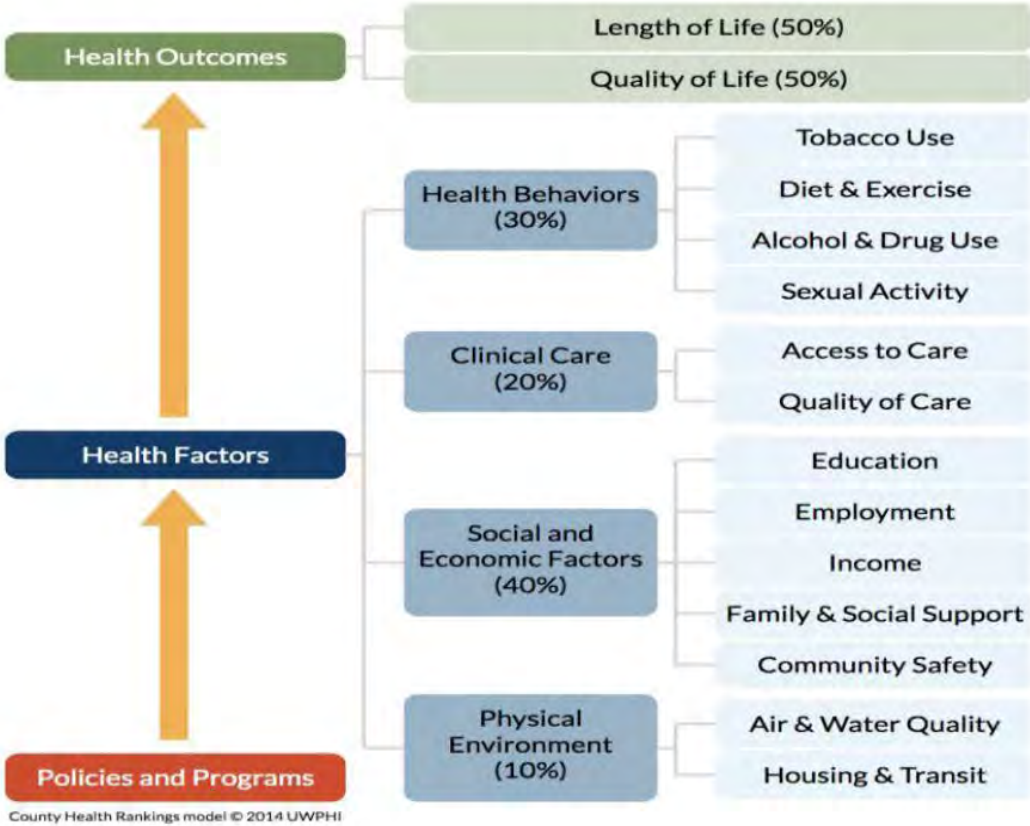
Chancellor's Health "Grand Challenge" Task Force

Externally facing task force worked in early 2020 to identify opportunities for NMSU to increase collaboration with the local health care ecosystem. Report issued June of 2020.

Sonya Cooper, Dean, HHS (Chair)
Monica Torres, President, DACC
Lenny Martinez, NMSU Chief of Staff
Eve Adams, Department Head, Education
Karim Martinez, Faculty Member, ACES
Wayne Savage, Exec Dir., Arrowhead
Tim Washburn, CCO, Electronic Caregiver
Derrick Cuenca, CEO, Mountain View RMC
Don Peska, DO, Dean, Burrell COM
John Andazola, MD, So NM Family Medicine
Sabrina Martinez, CEO, Rehab Hospital
Frieda Adams, Office of Border Health
Lynn Gallagher, NM Secretary for Health
Griselda Martinez, Director, LC Econ Dev

Wisconsin County Health Rankings Model, developed with input from Don Peska, MD, former Dean, Burrell College of Osteopathic Medicine. <https://www.countyhealthrankings.org/explore-health-rankings/measures-data-sources/county-health-rankings-model>

County Health Rankings Model



Community Transformation Initiatives (CTI)

Collaborative, Holistic Strategies for Community Advancement

How will YOUR community RESPOND to an uncertain world?



Better Coordination of Community-Based Research and Outreach

- Leveraging innate connections between Health, Education and Social Sciences in community outreach context
- Expected outcomes include establishment of a research center for community-based research efforts at NMSU – something currently lacking at NMSU but in place at our peers

Transformation Grant and Opportunities

- A multidisciplinary group of faculty is working with the NMSU Foundation to develop funding proposals
- Initial response to concept from potential funders has been positive – much interest expressed in the opportunities the proposed merger presents for this type of work

Fiscal Impact and Sustainability

Current State

- The units to be merged are small
 - HSS -- 57 regular faculty in 3 schools
 - EDU -- 69 regular faculty in 1 school and 3 depts
- Compared with our largest colleges
 - A&S -- 286 regular faculty in 24 depts
 - ACES -- 221 regular faculty in 8 depts, CES and AES
- If combined, HSS, EDU and SOC would become the third largest college – 135 regular faculty

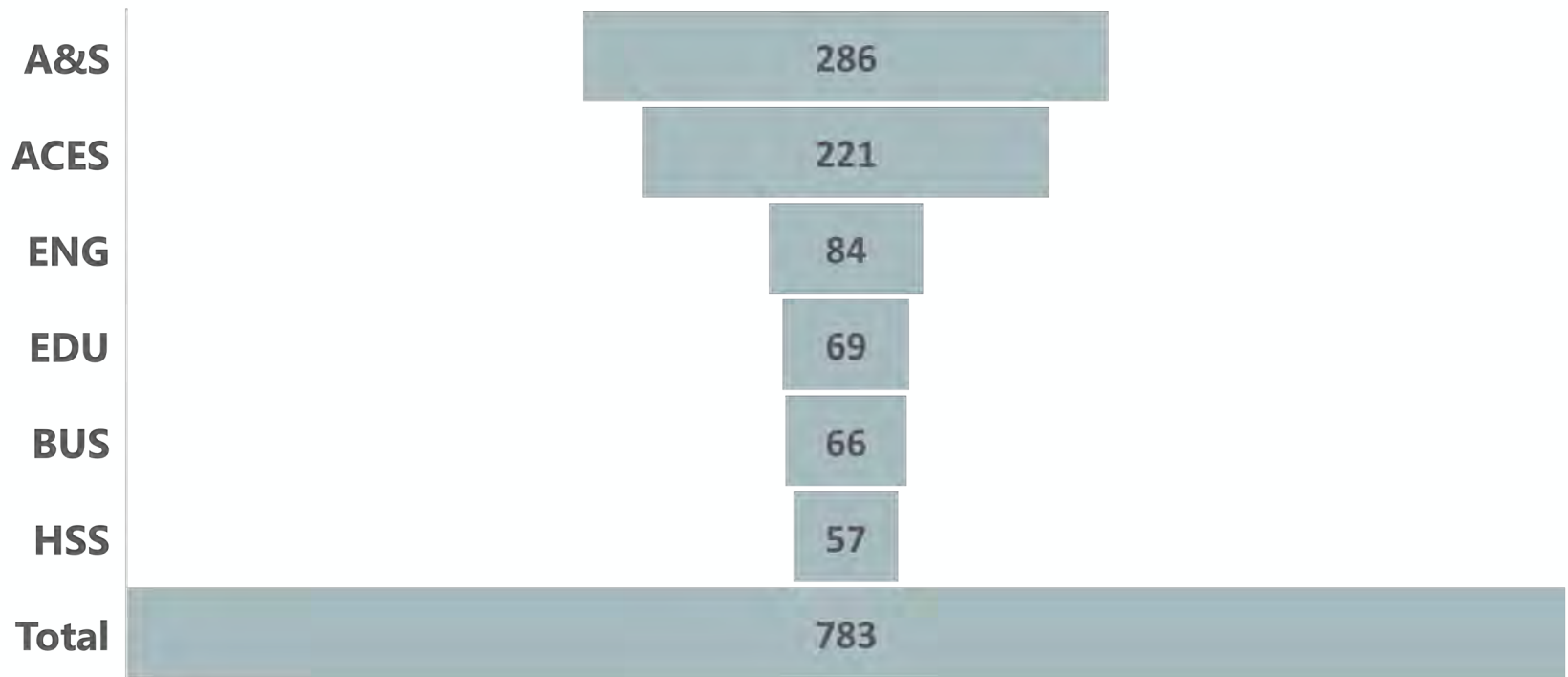
Regular Faculty Who Would be Included in the New College

Currently led by three separate deans:

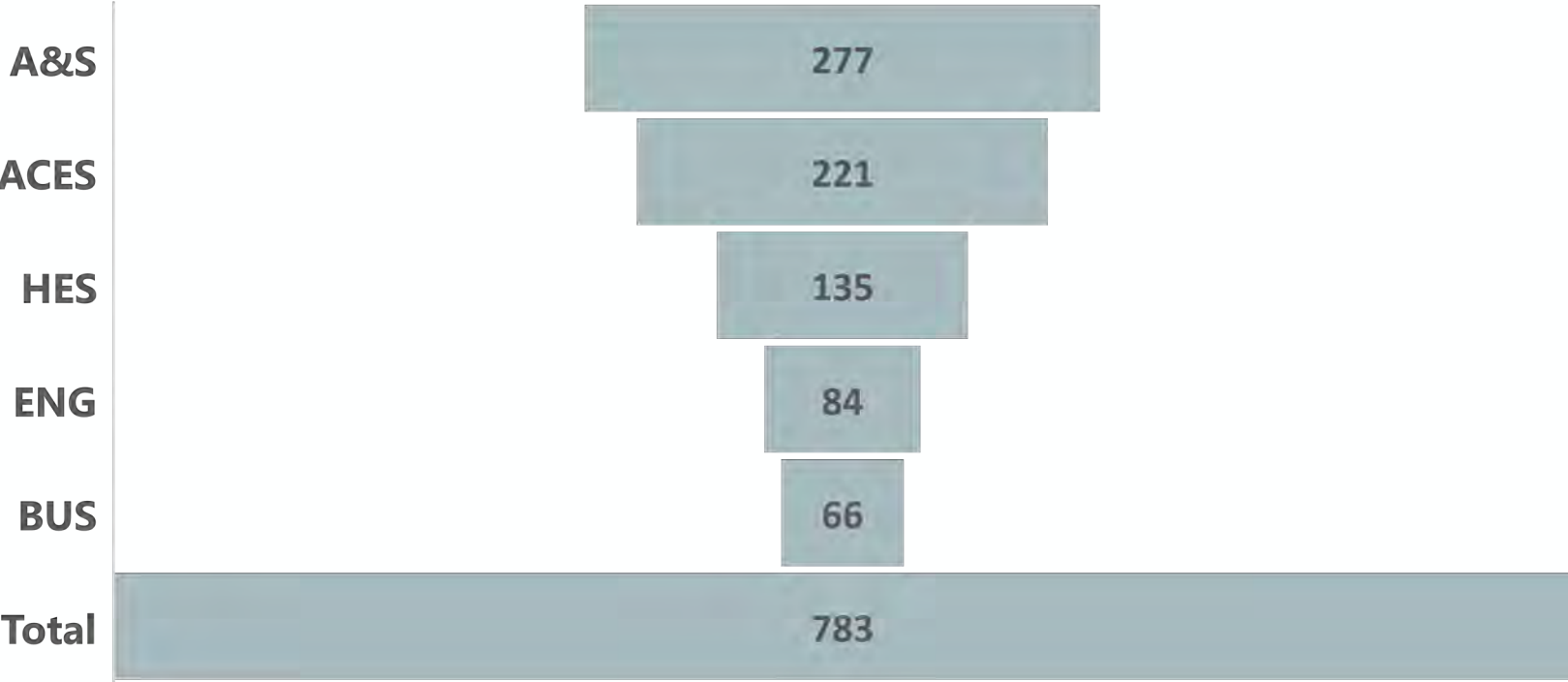
• Nursing	33
• Curriculum & Instruction	28*
• Social Work	14
• Counseling & Ed Psychology	12
• Kinesiology	12
• Communication Disorders	11
• Public Health	10
• Sociology	9
• Education Lead. & Administration	<u>6</u>
	135

*Includes 4 Special Education faculty

Regular Faculty Headcount by College Spring 2021



Proposed Regular Faculty Headcount by College Fall 2021



Reducing Administrative Overhead – Current Comparisons

- Larger colleges cost less to administer
 - A&S - 286 faculty
 - Current faculty:dean cost ratio 3x greater than A&S
 - EDU - 69 faculty
 - Current faculty:dean cost ratio 5x greater than A&S
 - HSS - 57 faculty
 - Current faculty:dean cost ratio 5x greater than A&S

Reducing Administrative Overhead

- HSS and EDU currently each have a dean - both interims
- HSS and EDU currently also have four associate deans between them
- Target salary for a new Health dean is \$250,000
- Target salary for an Education dean is \$200,000
 - Need to search for permanent dean – *will we search for two deans or one???*
- Eliminating one dean salary/benefits conservatively saves ~\$275,000
 - Redirect to new faculty positions to support enrollment growth
- Eliminating two of four associate deans would similarly save ~\$386,000 in salary and fringe
- **Total Potential Savings ~\$660,000 to be shifted into the academic mission**

Financial Sustainability of Academic Programs in the New College

- Health and Education both need to Increase Enrollment but face different challenges:
 - Health programs have more demand than faculty can meet
 - Education programs have more faculty than demand
- Administrative merger is part of overall strategy to reposition the financial posture of their academic programs
 - Shift revenue from administration into faculty positions
 - Tuition differential for highly expensive Nursing program
 - Grow enrollment through potential interdisciplinary degrees and research

Financial Sustainability of Research Programs in the New College

- Health and Education both seek to Increase Grant Proposal submission but have the same challenges in doing so:
 - Each unit is small and thus not well positioned with the staff needed to seek and manage large grants
 - Their administrative processes are organizationally segregated; every collaboration across administrative boundaries requires extra layers to negotiate and often requires internal MOUs.
- Administrative merger is part of overall strategy to reposition the financial posture of their research programs
 - Deans Cooper and Pichon estimate they could double their grant proposal submissions and seek larger grants by combining their grant support and financial staff into one unit
 - Goal is to double their Indirect Cost recovery (IDC)

Proposal Input and Feedback

Input Gathered

- Meetings held
- Memos written
- Website used to publish materials, timeline, FAQs
- Press release; newspaper coverage
- Task force created
- Focus groups interviewed
- Reports written
- Listening sessions held
- Town Hall held
- Surveys used (3 in total)
- Deans' advisory groups consulted (alumni and donors)

Input Timeline

- 8/13/20 Interim Dean Cooper discusses with College of Health and Social Sciences Dean's Advisory Council (alumni and donors) that the proposition is being contemplated in view of Health Task Force report
- 8/18/20-8/19/20 Provost and Deans hold virtual meetings with Health and Social Services, and Education staff and faculty to propose concept; material presented at such meetings was also shared with faculty and staff in other relevant social sciences departments in the College of Arts and Sciences
- 8/24/20 Provost writes NMSU community to propose creating a new college and research center at New Mexico State University with the overall intent of repositioning health, education, social services, and the social sciences for maximum impact and future growth

Input Gathered

- 8/24/20 Provost publishes project **webpage** to share information and track progress
- 8/24/20 **Press Release** announces task force
- 8/25/20 Academic **Deans** Council discusses proposal
- 8/28/20 Provost meets with **faculty** from Borderland and Ethnic Studies program
- Provost and deans hold meetings with Education, Health and Sociology **faculty** in August-September

Input Gathered

- 9/1/20 Provost launches **task force**, chaired by Deans Cooper, Pichon and Pontelli, and charged with designing and executing listening sessions, focus groups, and surveys in order for faculty and staff in the Colleges of Education, Health and Social Services, and Arts and Sciences to express their thoughts, ideas, and concerns about the proposed concept
- 9/17/20 Provost meets with **task force** to discuss project and scope of work
- 9/18/20 Taskforce meets and selects dates for **listening sessions** and organizes **subcommittees** to do the following: 1) structure and questions for the general **listening sessions**, 2) number and structure of the **focus groups**, and 3) design of a **survey**; focus groups were offered on these topics: 1) logistics of creating a new college 2) proposed research center 3) discussion of new college and research center 4) alternative visions for increasing collaborations and synergy across colleges

Input Gathered

- September-October 2020, task force gathers input from faculty and staff in three colleges, led by Deans Cooper, Pichon and Pontelli
 - 9/25/20 **Listening session** (96 participants)
 - 9/30/20 **Listening session** (41 participants)
 - 10/1/20 **Focus group** (18 participants)
 - 10/2/20 **Focus group** (20 participants)
 - 10/5/20 **Focus group** (22 participants)
 - 10/6/20 **Focus Group** (11 participants)
- 10/6/20 Task Force launches **survey** to seek additional perspectives and opinions on the new college and research center concept
- 10/12/20 The task force survey closes with **184 responses**

Input Gathered

- Task Force **report** issued in October 2020; published on website:
 - Majority of the respondents at that point were ‘Not Sure’
 - Most respondents recognized the need for a structure that put health programs together
 - Some wanted larger, consolidated Health college that did not include Education
 - Only Sociology expressed interest on the part of the social sciences, others wanted to wait and see
 - Task Force recommended phased approach, and continuing process of developing optimal organizational structure
 - Task Force recommended phased approach for establishing research center as well
- **As a result of input** the proposal was significantly simplified to create college-level merger only
 - The new dean will lead any future faculty conversations to determine whether further restructuring within college is desired in future

Input Gathered

- 10/19/20 Interim Dean Cooper discussed proposal with College of Health and Social Sciences Dean's Advisory Council (alumni and donors)
- Fall Semester: Interim Dean Cooper held five meetings with faculty and staff within the College of Health and Social Services to discuss the proposal
- Fall Semester Interim Dean Pichon held several meetings within the College of Education to discuss the proposal: (1) TPAL, (1) Executive Council, (1) support services, (1) everyone associated with the college
- Fall Semester Dean Pontelli held several meetings within the College of Arts and Sciences to discuss the proposal: (2) separate department meetings, (4) separate meetings with relevant department heads

Input Gathered

- 11/5/20 Provost holds **Town Hall** with the **Faculty Senate** to discuss proposal, together with Deans Cooper, Pichon and Pontelli
- 11/19/20 Provost meets with **Faculty Senate Leadership Committee** to discuss proposal
- 11/20/20 Interim Dean Pichon discussed proposal with College of Education Dean's Advisory Council (**donors**)
- 1/14/21 Provost meets with **faculty** from Sociology

Ranked Choice Survey Results

- In December 2020, Provosts announces ranked choice survey process will be deployed in January for faculty and staff to share their preferences on five options
- Analysis of January 2021 survey of 138 faculty showed:
 - #1 – 69% of faculty in health-related fields top choice was to be together in a single college
 - but they were divided on how to accomplish
 - 30% favored the proposed, merged college
 - 39% favored combining all health units in the current Health and Social Services College (Education College would be separate and much smaller)

Ranked Choice Survey Results

#2 – Faculty in education-related fields were split between:

- support for the proposed, merged college (42%)
- and wanting no change at all (42%)
- only 8% of the education faculty wanted a stand-alone Education college

#3 – Sociology faculty strongly favored joining the new college (90%)

Proposal Modified in Response to Input Gathered

- No impact on any of the academic areas over which governance is shared
- No academic dept. restructuring
- No faculty positions eliminated
- No changes to any academic degree programs or curriculum
- No changes to faculty Promotion and Tenure, or hiring policies
- No accreditation or HED approvals required
- No impact to students/enrolled majors

Formal Proposition 14/20-21 Delivered January 28, 2021

*That the Board of Regents “authorize, administratively combining the College of Education, the College of Health and Social Services, and the Department of Sociology, to create a new college to be named the **College of Health, Education and Social Transformation** effective July 1, 2021. The individual units involved include: Communications Disorders (EDU); Counseling and Educational Psychology (EDU); Kinesiology (EDU); Nursing (HSS); Public Health (HSS); Social Work (HSS); Sociology (A&S); and Teacher Preparation, Administration and Leadership [consisting of the fields of Curriculum and Instruction; Educational Leadership and Administration; and Special Education] (EDU).”*

<https://facultysenate.nmsu.edu/propositions/2020-2021/14-20-21/>

Input Gathered after Formal Proposition Submitted

- 2/25/21 **President Floros** meets with Faculty Senate leadership to discuss his support for the proposal and make recommendations for Senate's process for gathering input
- 3/16/21 **Senate President** writes faculty requesting input via a **third survey** and shares an **executive summary** of the proposal dated March 11, 2021
- 3/22/21 **President, Provost and Deans** hold **webinar** with faculty from involved academic units
- 3/25/21 **A second President, Provost and Deans** **webinar** is held with faculty from involved academic units
- 3/25/21 **Proposition Sponsors and Provost** meet with Senate's **Scholastic Affairs Committee**

Faculty Senate Survey Results March 2021

Results of Faculty Senate's Survey of 128 Faculty who were asked about their support for Proposition 14/20-21:

Yes	62
No	33
Abstain	12
No Response	21

Result of All Formal Reviews and Recommendations

- Academic Deans Council
 - Unanimously recommend approval in January 2021
- Faculty Senate Scholastic Affairs Committee
 - Recommends 'do pass,' with amendment, in March 2021
- Faculty Senate April 2021
 - Recommends 'do not pass'
- President
 - Recommends Approval April 2021
- Chancellor
 - Recommends Approval April 2021

Governing Policies RPM 1.70, RPM 4.0, ARP 2.15, ARP 1.10

- Regents Policy Manual 4.0, C, states the Board of Regents must approve propositions to create academic units
- RPM 1.70, *Shared Governance*, gives the faculty ‘authority’ over curriculum, methods of instruction, research and faculty status; the faculty are to be ‘involved in’ administrative decisions
 - The merger of existing academic units is administrative decision
- ARP 2.15, Pt. 2, assigns recommendation responsibilities in the decision to create academic units
 - Requires review and recommendation from the Faculty Senate, the Academic Deans Council, and the Chancellor
- The Provost serves as the Rule Administrator for ARP 2.15

Required Process

- ARP 2.15 Pt. 6, spells out substantive criteria for new college propositions
 - Preparation of Proposition 14/20-21 closely followed Pt. 6 criteria
- ARP 2.15, Pt. 6, requires the Senate to review proposition using process set out in Article IX of the Senate's Constitution
- ARP 2.15, Pt. 6, *Creation of New Colleges*, states:
 - “An attitude of flexibility, reality, and organizational feasibility should be maintained in applying these criteria.”
- Provost, as Rule Administrator, confirmed with General Counsel the appropriateness of process used to develop proposition

Potential Board Motion

In consideration of:

- Compelling advantages that would come from combining Health, Education and Sociology to benefit students, faculty, leadership and the community;
- Demonstrated engagement of the university community in consideration and framing of the proposal;
- Clear evidence of support from faculty in the units involved; and
- Increased financial sustainability of academic programs; therefore

The Board of Regents of New Mexico State University vote to approve the creation of the *College of Health, Education and Social Transformation*, effective July 1, 2021.

Discussion

NMSU Board of Regents New College Proposal
May 14, 2020

Supplemental Materials
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1. Chancellor's Approval Recommendation
2. President's Approval Recommendation
3. Academic Deans Council Approval Recommendation
4. Faculty Senate Executive Summary of Proposition 14-20/21
5. Proposition 14-20/21, dated January 28, 2021
6. OIA Report of Ranked Choice Voting Survey
7. Description of Ranked Choice Vote Options
8. Analysis of Faculty's Top Ranked Choice Votes
9. Report of Faculty Senate Faculty Survey
10. Original Proposal, August 2020
11. Provost's Memo to Social Sciences Faculty
12. Provost's Memo to Members of NMSU Community
13. Deans Task Force Charge and Report
14. Health Task Force Report
15. FY20 Net Tuition and Fees Contribution

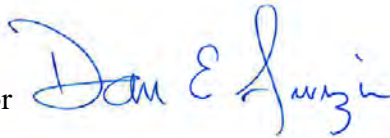
APPENDIX 1

Chancellor's Approval Recommendation

DATE: April 15, 2021

TO: Board of Regents

FROM: Dan E. Arvizu, Chancellor



SUBJECT: Approval of Proposition 14-20/21 to Establish New College

I recommend approval of proposition 14-20/21, <https://facultysenate.nmsu.edu/propositions/2020-2021/14-20-21/>, to administratively combine the College of Education, the College of Health and Social Services, and the Department of Sociology, to create a new college to be named the **College of Health, Education and Social Transformation**, effective July 1, 2021.

APPENDIX 2

President's Approval Recommendation




Office of the President

MSC 3445
New Mexico State University
P. O. Box 30001
Las Cruces, NM 88003-8001
575-646-2127

president.floros@nmsu.edu

April 14, 2021

To: Board of Regents

From: John D. Floros, President 

Re: Approval of Proposition 14-20/21 to Establish New College

I recommend approval of Proposition 14-20/21, <https://facultysenate.nmsu.edu/propositions/2020-2021/14-20-21/>, to administratively combine the College of Education, the College of Health and Social Services, and the Department of Sociology, to create a new college to be named the **College of Health, Education and Social Transformation**, effective July 1, 2021.

Attachment

APPENDIX 3

Academic Deans Council Approval Recommendation

Academic Deans Council (ADC)
January 26, 2021, 1:00–3:0 pm
<https://nmsu.zoom.us/j/99135055718>

Meeting Minutes

The January 26, 2021 meeting of ADC included one business item requiring a vote:

*Whether to recommend to the Board of Regents that it authorize, administratively combining the College of Education, the College of Health and Social Services, and the Department of Sociology, to create a new college to be named the **College of Health, Education and Social Transformation**, effective July 1, 2021. The individual units involved include: Communications Disorders (EDU); Counseling and Educational Psychology (EDU); Kinesiology (EDU); Nursing (HSS); Public Health (HSS); Social Work (HSS); Sociology (A&S); and Teacher Preparation, Administration and Leadership [consisting of the fields of Curriculum and Instruction; Educational Leadership and Administration; and Special Education] (EDU).*

The proposition having been previously discussed at an ADC Meeting in the fall of 2020, Dean Rolando Flores moved to approve the recommendation, Dean Enrico Pontelli seconded it.

The deans unanimously voted to approve the proposition.

APPENDIX 4

Executive Summary of Proposition 14-20/21

**A Summary for a New
College of Health, Education, and Social Transformation (HES)
at New Mexico State University
March 11, 2021**

New Mexico State University is proposing to combine the College of Health and Social Services, the College of Education, and the Department of Sociology in the College of Arts and Sciences into a [new college](#) that will be the academic home for programs focused on health, education, and social transformation. This proposal is currently with the [Faculty Senate](#). The rationale for this move is to:

1. **Create a single home for programs committed to social transformation and justice:** The College of Health, Education, and Social Transformation (HES) will create a readily identifiable home for academic programs that emphasize the interrelationships and common interests among the fields of health, education and the social sciences. The naming of the college conveys NMSU's commitment to this work.
2. **Redirect resources from administration to teaching, research, and outreach.** This proposal reduces the duplication of administration, by consolidating administrative services (Deans, Associate Deans and other related positions), and allowing resources to be reinvested in positions that directly enhance the quality of our students' educational experience. Currently, the College of Education, and the College of Health and Social Services are NMSU's two smallest colleges. Small colleges have limited flexibility to respond to recurring budget cuts. On the contrary, larger colleges are usually better positioned to manage budget cuts through attrition, reallocation of resources, or other means, and to avoid painful workforce reductions, while planning for long-term growth. Given the variability of the state's revenues, periodic budget cuts are likely in the future. This change will allow the new larger college to become more flexible, proactive and robust, to withstand periodic budget cuts in a less painful way, and to better plan for strategic growth in student enrollment, improvement in student success, increase in research and outreach, and better overall performance.
3. **Improve strategic, academic and fiscal strengths.** Such a resilient college will have a blend of strengths that would allow it to bounce back from periodic budget cuts, unplanned enrollment declines, periods of decreased research funding, and other downturns. Such a college is characterized by:
 - Robust undergraduate programs that funnel enrollment to professional MS programs.
 - A cross-disciplinary, externally funded research effort that supports doctoral students.
 - Self-supporting operations that provide professional opportunities for students and possibly independent revenue streams.The new college would improve its portfolio of strengths and enable its programs to grow in quantity and quality, even during periods of inevitable downturns.
4. **Appoint an inaugural dean as a champion for collaborative teaching and research.** Through a national search supported by the Office of the Provost, NMSU will seek a highly qualified leader interested in the challenge of creating a new college and research center. This dean will be asked to reduce barriers to collaboration in teaching and research. In addition, the increased breadth of disciplines will better position the college to develop a case for cluster hires that will increase capacity in emerging areas. The new dean would lead efforts to develop pipeline programs with the Burrell Medical School for NMSU students, such as articulated 3 + 4 degree pathways. The research center will focus on community-based research.

This proposal will not affect:

- Current academic programs, accreditation, or curricula
- Faculty hiring, promotion, or tenure
- Budgets of the academic units involved

Next steps

This process was developed in collaboration with the Faculty Senate Leadership to ensure that the Faculty Senate understands the preferences of faculty who will be involved in the new college.

1. Faculty Senate Leadership will distribute this paper to the 138 faculty who have the opportunity to join the new college.
2. Between now and the end of March, departments and colleges should review materials and meet to discuss this proposal. The President, Provost, Deans, and Task Force members can be invited in the dialogue, at the discretion of the departments and colleges.
3. President Floros will hold two information sessions and invite Provost Parker and Deans Cooper, Pichon and Pontelli. These are tentatively scheduled for 1 pm on Monday, March 22 and Thursday, March 25 at 10:30, and details will be forthcoming from the Office of the President. Any questions not answered in this summary, [the Provost's information](#), or the [proposal to the Faculty Senate](#) can be addressed then.
4. Faculty Senate Leadership will poll affected faculty on the proposal using anonymous voting methods.
5. Proposal will return to Faculty Senate for a vote on April 1.

Prepared by

President John Floros
Provost Carol Parker

APPENDIX 5

Proposition 14-20/21

Proposition: 14/20-21

Title: College of Health, Education and Social Transformation (HES)

Date Submitted: January 28, 2021

Submitter: Carol Parker, Provost and Senior Vice President for Academic Affairs¹

Co-Sponsors: Heike Lehnert-LeHouillier, Ph.D., Assistant Professor, Communication Disorders
Michael Kalkbrenner, Ph.D., Assistant Professor, Counseling and Educational Psychology
Sang-Rok Lee, Ph.D., Assistant Professor, Kinesiology & Dance

Proposed Committee:

Assigned Committee:

Prior Approvals: Academic Deans Council

Proposal Type (please check one):

- Memorial
- Proposition to change policy (please include ARP/RPM reference(s) from <https://arp.nmsu.edu/>)
- Proposition for curriculum addition/change
- Other (please describe below)

Proposition:

The Faculty Senate approves, and recommends to the Board of Regents that it authorize, administratively combining the College of Education, the College of Health and Social Services, and the Department of Sociology, to create a new college to be named the **College of Health, Education and Social Transformation**, effective July 1, 2021. The individual units involved include: Communications Disorders (EDU); Counseling and Educational Psychology (EDU); Kinesiology (EDU); Nursing (HSS); Public Health (HSS); Social Work (HSS); Sociology (A&S); and Teacher Preparation, Administration and Leadership [consisting of the fields of Curriculum and Instruction; Educational Leadership and Administration; and Special Education] (EDU).

¹ NMSU RPM 4.00.C.1., *Academic Matters, Reservation of Authority*; NMSU ARP 2.15, *Modifying Academic Units, Part 6: Creation of New Colleges*, and Part 9: *Relocation or Reorganizing an Academic Unit*.

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Rationale

NMSU, as a public, land-grant, research university is obligated to share the knowledge it creates and to assist and support the public in the application of this knowledge. Not only is this obligation infused throughout our mission (“extension and outreach, and public service”), but it is infused throughout our *LEADS 2025 Strategic Plan* and its grand challenges (“enhance student success and social mobility,” “encourage interdisciplinary thought and creativity at the edges of disciplines,” find “solutions to global challenges,” “creating healthy borders,” “transforming education,” etc.). These themes broadly speak to the work and goals of what can be called *social transformation* – work in which access to health care and education play outsized roles.

All NMSU campuses, branches, academic units, research stations, extension and economic development enterprises already engage in one aspect or another of this work. However, the University currently does not have a single designated ‘academic home’ for work specifically related to health, education and social transformation. Currently this work is diffused across many academic units under the leadership of multiple deans.² By approving this proposition, NMSU will create a readily identifiable focal point for its wide ranging social mobility, social justice and social transformation programs, particularly those in the context of health and education. Locating a large portion of this work under unified leadership within a new college will clearly convey

² As just one example, please see *NMSU Health Programs* (2019), which shows distributed administration of health-related programs. <https://provost.nmsu.edu/provost-office-projects/hes/NMSU-Health-Related-Prgs-2019.pdf>. Regarding education, ACES has Agricultural and Extension Education, and Family and Consumer Sciences programs; however, for now ACES programs were not considered in putting together the proposal.

that NMSU takes its public service obligations seriously. The proposed name of the college better conveys the importance of our work aimed at improving upon the social determinants of health and education. Incorporating ‘social transformation’ into the college name emphasizes and clearly conveys NMSU’s goals and commitment to this work. This represents a new direction for NMSU in terms of its communication strategy. Currently few of the names of NMSU’s colleges reflect anything other than the broad fields of study housed within them.

Bringing together related programs under a single academic leader will allow the University to realize more fully the future potential of each of the units. Administratively combining the academic programs and research support for the fields of health, education and sociology will build upon and synergistically integrate our many capabilities in these areas and will be transformational to these units and to the University. It will also allow for important administrative efficiencies and provides a new point of contact for state and community partners and constituents who also work in these areas (school districts, Burrell College of Osteopathic Medicine, etc.). It eliminates some self-imposed administrative layers. For example, there would no longer be a need to resort to formal joint appointments or burdensome buyouts that currently are occurring between colleges.

Documented Need for the College

- (1) Combining the administration of the College of Education, the College of Health and Social Services, and the Department of Sociology into a single college creates a currently missing, high-profile home for academic programs which emphasize the interrelationships and common interests among the fields of health, education and the social sciences, and centralizes support for students, faculty and staff whose efforts are aimed at improving individual, societal and political outcomes as promoted by these disciplines.
- (2) Combining the leadership and administration of these units better fosters collaboration across their disciplines by eliminating some administrative layers and brings together many programs which are integral to interprofessional education and research in these fields, thus better positioning them to seek and obtain funding for sponsored projects.
- (3) Combining the administration of these units optimally positions NMSU to be more competitive in obtaining funding for sponsored projects in support of community based research dedicated to improving the social and political determinants of education and health outcomes, in partnership with regional community health care providers, educators, agencies and non-profits. Currently we see other universities receiving multi-million-dollar awards for this type of work, while NMSU to date tends to receive smaller awards.³ Together with the leadership of NMSU Foundation, several faculty members from HSS, EDU, SOC and ACES are working on proposal development for a large, multi-year ‘Transformation Grant’ to support this effort. While a successful outcome of the Foundation initiative cannot be guaranteed, the initial feedback has been encouraging, and has been bolstered by NMSU’s efforts to anchor this grant proposal with the creation of a new community-based research center to be linked to the new college. But to be clear, the creation of the new college is not dependent upon the immediate establishment of a research institute or obtaining a large grant. The interdisciplinary nature of the new college would by itself provide more support for broader, more impactful collaborations – not only within the education, health and social sciences, but also within

³ *Rutgers Receives \$15 Million Mellon Foundation Grant for Global Racial Justice*, <https://www.rutgers.edu/news/rutgers-receives-15-million-mellon-foundation-grant-global-racial-justice>.

other NMSU colleges with related work, and in partnership with health and education providers and other supporters working on improving and transforming our community and region.

- (4) Currently interim deans lead both the Colleges of Education, and the College of Health and Social Services, and an interim department head leads the Department of Sociology. Combining the administration of these units under the leadership of a single dean eliminates the need for a second dean salary, and over time potentially eliminates some associate dean and/or department head salaries, thus supporting efforts to reduce administrative overhead and make more of NMSU's recurring revenue available for its primary mission of teaching, research and outreach. This will also assist in efforts to flatten administration and prioritize putting more resources into faculty, staff and administrative support.

What This Proposition Does Not Do

Notably, nothing about this proposition disrupts any aspect of currently offered academic programs. For example, nothing in it adversely affects preexisting authorizations or accreditation of programs. Programs enrollments in majors and other programs of study are not affected by the proposition. Similarly, nothing contained here impacts faculty hiring or promotion and tenure standards.

The proposed administrative combining in this proposition extends only to the highest level of executive leadership and administration (dean and potentially associate deans). It does not impact preexisting departmental structures. *This is a change from the original proposal made in August 2020.*⁴

Nevertheless, there are ongoing discussions about administrative consolidation of academic units below the college level occurring across the University in virtually every college. These conversations are being driven by strategic budget realignment goals. This proposition leaves any additional consolidation of programs or units to the purview of the faculty and leadership of their colleges for planning, discussion and consideration in accordance with current policies and procedures. In other words, any lower level consolidation proposals are occurring despite the proposition to create a new college, not because of it.

Similarly, no space or location changes are proposed or would be mandated by this proposition. Any decision to undertake space changes affecting academic units within the new college will also be left to the faculty and leadership of the new college for further consideration, in collaboration with the university architect, and university leadership, and in accordance with current policies and procedures.

Finally, the door is always open for other programs from the social sciences to be part of the social transformation efforts in the future. The original proposal suggested that in view of the obvious synergies that exist with other departments and potential programs in Arts and Sciences including Interdisciplinary Studies, Ethnic Studies, Government, Anthropology, Criminal Justice, and Psychology, and other units as may come forward over time. Feedback provided during listening sessions indicated that joint appointments for faculty between the new college and Arts and Sciences would allow us to begin strengthening efforts aimed at social transformation, especially with persons whose research, teaching, service and outreach are closely aligned with socio-economic, health, and education issues.

⁴ The initial proposal recommended further administrative consolidation of some departments to create new schools within the new college to further reduce administrative overhead costs.

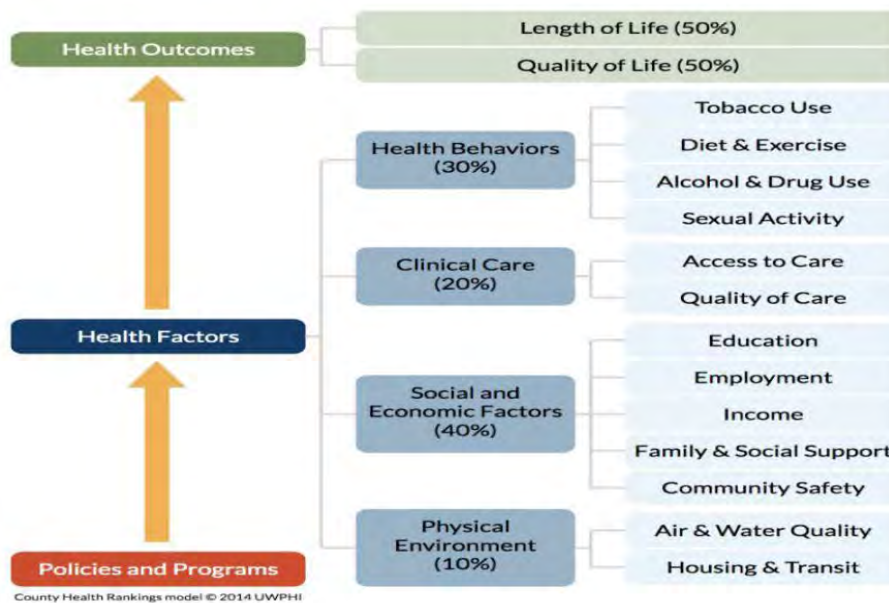
Recognized Groupings of Disciplines

The individual units/disciplines involved include:

1. Communications Disorders (EDU)
2. Counseling and Educational Psychology (EDU)
3. Kinesiology (EDU)
4. Nursing (HSS)
5. Public Health (HSS)
6. Social Work (HSS)
7. Sociology (A&S)
8. School of Teacher Preparation, Administration and Leadership (EDU) (consisting of Curriculum and Instruction; Educational Leadership and Administration; and Special Education)

There is a long-recognized, and strong connection between the fields of health, education, and the social sciences, as all are dedicated to understanding and improving upon individual and community outcomes through institutional change which seeks to influence the social determinants of socio-economic, health and educational outcomes. These interdependencies in the context of *health* are depicted on the following graphic.⁵

County Health Rankings Model



⁵ Wisconsin County Health Rankings Model, developed with input from Don Peska, MD, former Dean, Burrell College of Osteopathic Medicine. The Wisconsin County Health Rankings Model shows that quality of life and longevity are affected by four Health Factors, including: (1) Health Behaviors (30%), (2) Clinical Care (20%), (3) Social and Economic Factors, including Education (40%), and (4) the Physical Environment (10%). Each of the factors contributing to a person's health and well-being are further defined by specific conditions and behaviors, including tobacco use, access to care, personal income, educational attainment, and air quality to name a few. <https://www.countyhealthrankings.org/explore-health-rankings/measures-data-sources/county-health-rankings-model>

Grouping these disciplines together strengthens the connections between them and makes it easier for faculty in these units to undertake the transdisciplinary work needed to meet NMSU’s global challenges. There is a nexus between sociology and health and education that exists in the context of fostering policy, community, individual and institutional change. Infusing all of the instruction, research, scholarship, outreach and service in these disciplines with the broad themes and context of social transformation makes explicit to our students that the analytic capacities, professional skills, and/or other abilities they gain while at NMSU will equip them to contribute to social progress and/or economic development in New Mexico and beyond. The new college – the whole being greater than the sum of its parts – will bring desirable professional recognition and support for new emphasis on the concept of social transformation.

Sufficiency of Faculty and Enrollment

This is a proposed transfer of preexisting academic units and their programs to the new college. Starting enrollments in the new college will easily exceed the minimum standards for enrollment, and the minimum standards for sufficiency of faculty positions needed to maintain with distinction the new college’s academic undergraduate and graduate programs are already met. Before and after depictions of faculty headcounts are shown below, as are projected enrollments based on Spring Semester 2021.

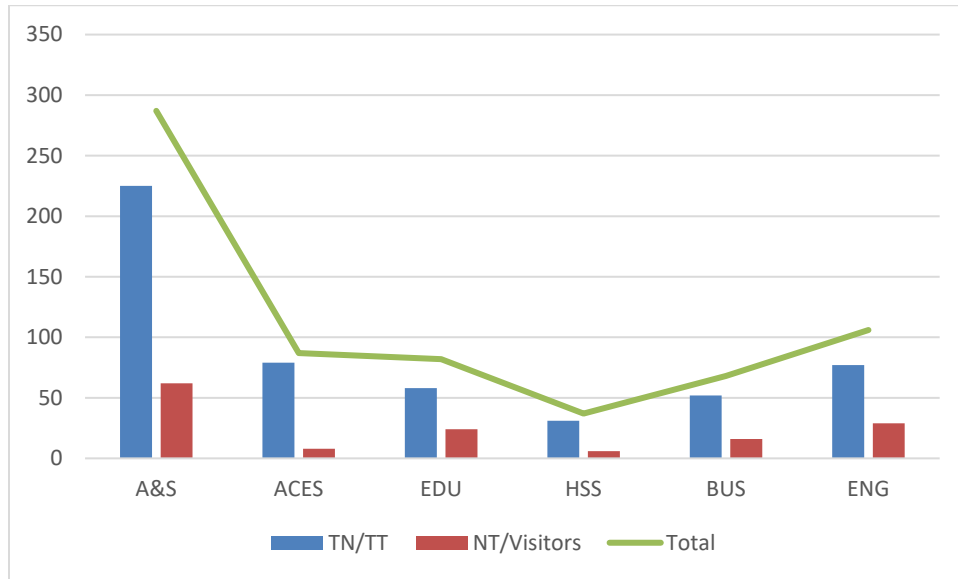
Projected Enrollment Spring Semester 2021⁶

Education	Undergraduate	1,159
	Graduate	505
Health and Social Services	Undergraduate	1,063
	Graduate	382
Sociology	Undergraduate	79
	Graduate	42
Total	Undergraduate	2,301
	Graduate	929

⁶ Enrollment data obtained from Cognos on January 17, 2021, with 12 days remaining until official census date.

Regular Faculty Headcount in Degree-Granting Units Before Reorganization (Fall 2020)⁷

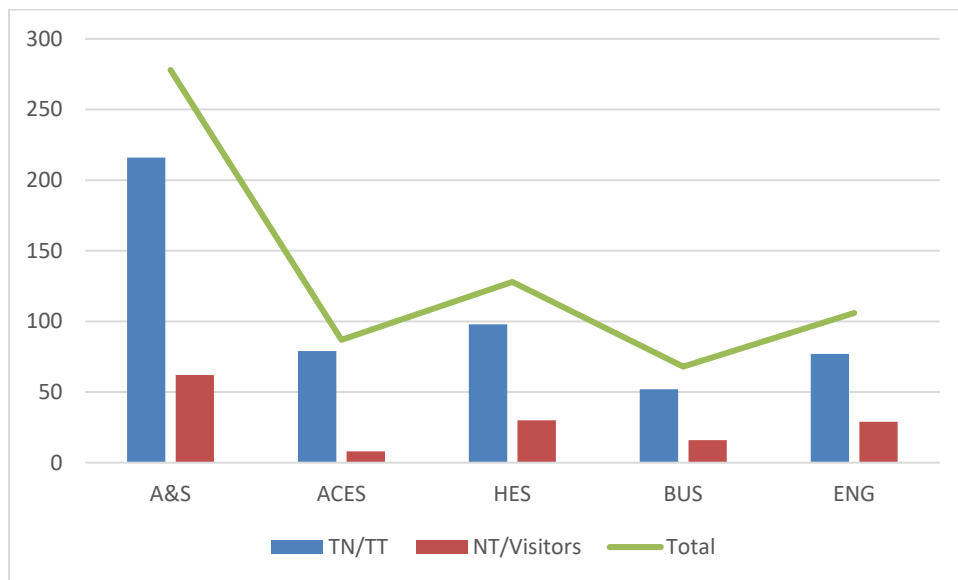
	<u>TN/TT</u>	<u>NT/Visitors</u>	<u>Total</u>
A&S	225	62	287
ACES	79	8	87
EDU	58	24	82
HSS	31	6	37
BUS	52	16	68
ENG	77	29	106
Totals	522	145	667



⁷ HRS data as of September 28, 2020; includes 9- and 12-month contract faculty for units producing academic degrees (does not include AES and CES units within ACES in order to provide more directly relevant comparisons of staffing levels of degree-granting programs). TN = Tenured, TT = Tenure Track, NT = Non-Tenured Regular.

Regular Faculty Headcount in Degree-Granting Units After Reorganization (Fall 2021)⁸

	TN/TT	NT/Visitors	Total
A&S	216	62	278
ACES	79	8	87
HES	98	30	128
BUS	52	16	68
ENG	77	29	106
Totals	522	145	667



⁸ HRS data as of September 28, 2020 organized as if the proposed College of Health, Education and Social Transformation is implemented; includes 9- and 12-month contract faculty for units producing academic degrees (does not include AES and CES units within ACES). TN = Tenured, TT = Tenure Track, NT = Non-Tenured Regular.

Support for Research

This proposition mandates no changes to current staffing, graduate assistantships, faculty ranks, or budgetary support other than elimination of one dean position. Immediately upon completion of the administrative reorganization, financial support for research will be at the same level as the before. However, in view of the potential to grow the level of sponsored projects awarded to faculty in the new college as described in Rationale #4 above, financial support for research is anticipated to grow over time⁹

University Financial Commitment to New College

This proposition mandates no changes to current staffing or budgetary levels other than elimination of one dean position. This should ensure the same level of financial support for the new college as in the current year.¹⁰

In addition, the Provost's Office is prepared to provide financial support to the new college to ensure it will be off to a strong start. First and foremost, will be financial support for a national search to identify an inaugural dean for the new college. It is anticipated that the work of establishing the new college, and potentially a new research institution, will be sufficiently interesting to recruit many highly qualified candidates. Also, in order to recruit a highly qualified dean, it will be necessary to provide a startup package. A decanal startup package typically includes one-time revenue to support new initiatives, and recurring revenue to support establishing some new faculty positions. The Provost's Office is prepared to offer this type of startup package to recruit a strong, experienced dean.

Opinions of Faculty and Staff Directly Affected

A vote was administered by the Office of Institutional Analytics (OIA) to gauge the level of support among the faculty and staff for the proposition. A ranked-choice voting survey, consisted of five options, was made available to all faculty and staff in the College of Education, College of Health and Social Services, and the Department of Sociology. The five ballot options are summarized below.¹¹ The survey instrument was sent via email to qualified candidates as determined by a current employee list provide by the Human Resource Services office as of December 18, 2020. The survey was distributed on January 14, 2021 and was made available until

⁹ It should be noted that last year HSS and Education started working on creating a shared service center to administratively support their research missions, as part of the strategic budget realignment initiative and to better support the common interests within their research portfolios. This effort will continue regardless of the outcome of the proposition.

¹⁰ There may be budgetary changes related to the ongoing *Budget Realignment Initiative* the University has undertaken to respond to the current budgetary shortfall created by the recent reduction in funding from the State, but those are not being driven by this proposal.

¹¹ For a fuller description of the voting process and the ballot language, please see the December 16, 2020, communication on the Provost's website. <https://provost.nmsu.edu/provost-office-projects/hes/HES%20Vote%20Memo%2012.16.20.pdf>

midnight, January 22, 2021. Five reminders were sent out during that time period. The survey was sent to 275 faculty and staff and had a response rate of 52% (142 completed).

Ranked Choice Voting Options:

- A. The College of Health and Social Services, the College of Education, and the Department of Sociology should be administratively combined to establish a new college, to be named the College of Health, Education and Social Transformation.
- B. The College of Health and Social Services and the College of Education should be administratively combined to establish a new college, to be named the College of Health and Education
- C. The health-related units in the College of Education should move to the College of Health and Social Services, and the education-related units should remain in College of Education (College of Health and Social Services becomes larger, while the College of Education becomes smaller).
- D. The College of Health and Social Services and the College of Education should be administratively combined to establish a new college, to be named the College of Health, Education and Social Transformation, and the Sociology Department should have up to one year to decide to join (phased approach).
- E. All current college administrative structures should remain unchanged.

The ranked choice voting process, which was tallied on January 25, 2021, showed a majority preference for Option A.

Methodology

The Proposal to Establish a New College, the College of Health, Education and Social Transformation, was assessed by a ranked-choice voting survey initiated by the Office of the Provost, and designed to capture insight into whether there is interest in pursuing a new college and what alternatives to the new college might be preferred. Ranked-choice voting (RCV) was used to conduct this survey. RCV is a voting system that allows voters to rank a series of choices, candidates, or other alternative options, ranking the choices in order of preference. This survey used a numbering sequence of one (1) to four (4), with one being the voter's top choice, and four the voters least favorite choice. Voters had the option to rank only one choice or up to four of the five choices available.

For any single voting option to be selected as the winning choice, it must receive at least 50% of the vote. If a voting choice receives a majority (more than 50%) of first-choice votes after the initial voting process, that option wins outright. If no voting choice receives a majority of first-preference votes, a winner is decided by an Instant-runoff. In the process of an instant runoff, the choice with the fewest number of votes is eliminated. The first-preference votes for the lowest choice are eliminated, and the second-preference choice are added to the remaining candidate they voted for.

Data

In the initial round, no one voting choice received a majority of first-preference votes. Choice A received 28% (40) first-choice votes; Choice B received 8% (11) first-choice votes; Choice C received 27% (38) first-choice votes; Choice D received 8% (11) first-choice votes; and Choice E received 30% (42) first-choice votes. This created an instant-runoff of the ranked-choice voting. Voting choice B and D were eliminated as they tied for the lowest vote count. Both B and D's first-choice votes were eliminated, and their second-choice votes were distributed to the remaining choices, respectively.

The first instant-runoff round did not produce a majority percentage for any one voting option. After the votes were distributed, the first instant-runoff round had Choice A at 37% (52), Choice C at 30% (43), and Choice E at 32% (46). Consequently, Choice C was eliminated, and Choice C's second-preference votes were distributed among the remaining two voting choices.

In the second and final instant-runoff round, a majority of 53% was reached for voting option A, to combine the listed academic units as quickly as possible to establish a new college, to be named the College of Health, Education and Social Transformation.

Further analysis examining voting distributions by college, primary group (faculty/staff), and appointment types is included in the full OIA report which is attached as an Appendix.

Process and Timeline Used to Develop Proposition

1/17/20 Chancellor convenes Health Care Task force <https://provost.nmsu.edu/provost-office-projects/hes/011720-HCHS-Task-Force-charge.pdf>

6/24/20 Health Care Task Force Report released <https://provost.nmsu.edu/provost-office-projects/hes/Health-Care-and-Health-Services-Task-Force-report-6.24.20.pdf>

8/13/20 Interim Dean Cooper discusses with College of Health and Social Sciences Dean's Advisory Council (alumni and donors) that the proposition is being contemplated in view of Task Force report

8/18/20-8/19/20 Provost holds separate virtual meetings with Health and Social Services, and Education staff and faculty, and the Sociology Department faculty, and proposes they be administratively merged to create a new college; material presented at such meetings was also shared, via email, with faculty and staff in other relevant social sciences departments in the College of Arts and Sciences <https://provost.nmsu.edu/provost-office-projects/hes/HES%20Intro%208.20.pdf>

8/24/20 Provost writes to NMSU community to propose creating a new college and research center at New Mexico State University with the overall intent of repositioning health, education, social services, and the social sciences for maximum impact and future growth https://provost.nmsu.edu/Communications/Memo_to_System-8.24.20.pdf

8/24/20 Provost published project webpage, including FAQs, to share information and track progress <https://provost.nmsu.edu/provost-office-projects/hes/index.html>

8/24/20 News Release announces task force <https://newscenter.nmsu.edu/Articles/view/14377/nmsu-announces-task-force-to-examine-realignment-of-academic-units>

8/25/20 Academic Deans Council discussed proposal

8/28/20 Provost meets with faculty from Borderland and Ethnic Studies program

9/1/20 Provost launches Taskforce, chaired by Deans Cooper, Pichon and Pontelli, and charged with designing and executing listening sessions, focus groups, and surveys in order for faculty and staff in the Colleges of Education, Health and Social Services, and Arts and Sciences to express their thoughts, ideas, and concerns about the proposed concept <https://provost.nmsu.edu/provost-office-projects/hes/Memo-to-Launch-Task-Force-9.1.201.pdf>

9/17/20 Provost meeting with task force to provide charge

9/18/20 Taskforce met and selected the date of the first listening session and organized into subcommittees to do the following: 1) structure and questions for the general listening sessions, 2) number and structure of the focus groups, and 3) design of a survey; focus were offered on the dates below for these topics: 1) logistics of creating a new college 2) proposed research center 3) discussion of new college and research center 4) alternative visions for increasing collaborations and synergy across colleges)

9/25/20 Taskforce listening session (96 participants)

9/29/20 Provost meeting with faculty in Sociology Department

9/30/20 Taskforce listening session (41 participants)

10/1/20 Taskforce focus group (18 participants)

10/2/20 Taskforce focus group (20 participants)

10/5/20 Taskforce focus group (22 participants)

10/6/20 Taskforce focus group (11 participants)

10/6/20 Taskforce launches survey to seek additional perspectives and opinions on the new college and research center concept

10/12/20 The survey closed with 184 participants completing the survey. The results of the survey are summarized with in Task Force report

10/16/20 Taskforce report published <https://provost.nmsu.edu/provost-office-projects/hes/Task-Force-Report-10.16.20.pdf#findings1>

11/5/20 Provost holds Town Hall for the Faculty Senate to discuss proposal, together with Deans Cooper, Pichon and Pontelli <https://provost.nmsu.edu/faculty-senate-town-hall/index.html>

Fall Semester Interim Dean Cooper held five meetings with faculty and staff within the College of Health and Social Services to discuss the proposal

- 10/19/20 Interim Dean Cooper discussed proposal with College of Health and Social Sciences Dean's Advisory Council (alumni and donors)
- Fall Semester Interim Dean Pichon held several meetings within the College of Education to discuss the proposal: (1) TPAL, (1) Executive Council, (1) support services, (1) everyone associated with the college
- Fall Semester Dean Pontelli held several meetings within the College of Arts and Sciences to discuss the proposal: (2) separate department meetings, (4) separate meetings with relevant department heads
- 11/19/20 Provost meets with Faculty Senate Leadership Committee to discuss proposal
- 11/20/20 Interim Dean Pichon discussed proposal with College of Education Dean's Advisory Council (donors)
- 12/16/20 Provosts notifies faculty and staff in Colleges of Health and Social Services, Education, and the Sociology Department, of upcoming ranked choice voting process to share their preferences on the proposal. <https://provost.nmsu.edu/provost-office/projects/hes/HES%20Vote%20Memo%2012.16.20.pdf>
- 1/14/21 Ranked choice voting process opens, administered by Office of Institutional Analytics
- 1/14/21 Provost meets with faculty from Sociology
- 1/22/21 Ranked choice voting process closes
- 1/26/21 Formal Proposition is submitted to Faculty Senate Leadership Committee
- 1/28/21 Provost discusses proposition with Faculty Senate Leadership Committee
- 2/4/21 Provost presents proposition to Faculty Senate (proposed)
- 3/4/21 Faculty Senate votes on proposition (proposed)
- 3/24/21 Provost presents proposition to Board of Regents (proposed)

APPENDIX 6

OIA Report of Ranked Choice Voting Survey



Proposal to Establish a New College: The College of Health, Education and Social Transformation.

Ranked-Choice Voting Survey Results

New Mexico State University – Las Cruces

Office of Institutional Analysis



Introduction

A vote was administered by the Office of Institutional Analytics (OIA) to gauge the level of support among the faculty and staff for the proposition. A ranked-choice voting survey, consisted of five options, was made available to all faculty and staff in the College of Education, College of Health and Social Services, and the Department of Sociology. The five ballot options are summarized below.¹ The survey instrument was sent via email to qualified candidates as determined by a current employee list provide by the Human Resource Services office as of December 18, 2020. The survey was distributed on January 14, 2021 and was made available until midnight, January 22, 2021. Five reminders were sent out during that time period. The survey was sent to 275 faculty and staff and had a response rate of 52% (142 completed).

Ranked Choice Voting Options:

- A. The College of Health and Social Services, the College of Education, and the Department of Sociology should be administratively combined to establish a new college, to be named the College of Health, Education and Social Transformation.
- B. The College of Health and Social Services and the College of Education should be administratively combined to establish a new college, to be named the College of Health and Education.
- C. The health-related units in the College of Education should move to the College of Health and Social Services, and the education-related units should remain in College of Education (College of Health and Social Services becomes larger, while the College of Education becomes smaller).
- D. The College of Health and Social Services and the College of Education should be administratively combined to establish a new college, to be named the College of Health, Education and Social Transformation, and the Sociology Department should have up to one year to decide to join (phased approach).
- E. All current college administrative structures should remain unchanged.

The ranked choice voting process, which was tallied on January 25, 2021, showed a majority preference for Option A.

¹ For a fuller description of the voting process and the ballot language, please see the December 16, 2020, communication on the Provost's website. <https://provost.nmsu.edu/provost-office-projects/hes/HES%20Vote%20Memo%2012.16.20.pdf>

Methodology

The Proposal to Establish a New College, the College of Health, Education and Social Transformation, was assessed by a ranked-choice voting survey initiated by the Office of the Provost, and designed to capture insight into whether there is interest in pursuing a new college and what alternatives to the new college might be preferred. Ranked-choice voting (RCV) was used to conduct this survey. RCV is a voting system that allows voters to rank a series of choices, candidates, or other alternative options, ranking the choices in order of preference. This survey used a numbering sequence of one (1) to four (4), with one being the voter's top choice, and four the voters least favorite choice. Voters had the option to rank only one choice or up to four of the five choices available.

For any single voting option to be selected as the winning choice, it must receive at least 50% of the vote. If a voting choice receives a majority (more than 50%) of first-choice votes after the initial voting process, that option wins outright. If no voting choice receives a majority of first-preference votes, a winner is decided by an Instant-runoff. In the process of an instant runoff, the choice with the fewest number of votes is eliminated. The first-preference votes for the lowest choice are eliminated, and the second-preference choice are added to the remaining candidate they voted for.

Demographics

Demographic questions were included at the end of the survey. Respondents were asked to provide their first and last name, job title, and department. These were then matched against the employee list provided by Human Resource Services. The survey was distributed to a total of 275 faculty and staff from the College of Education, College of Health and Social Services, and the Department of Sociology. Of this population, 150 (55%) were faculty and 125 (45%) were staff members. The College of Education had the highest number of participants with 172. The College of Health and Social Services followed with 91 participants, and the Department of Sociology consisted of a total of 13 participants.

The response rate was 52% (142 completed). This included 98 faculty members and 44 staff members who entered at least one voting choice. Thirteen belonged to the department of Sociology, 56 to the College of Health and Social Services, and 73 responded from the College of Education.

Faculty consisted of Tenured, tenure track, and non-tenure track. Staff were both exempt and non-exempt.

Data

In the initial round, no one voting choice received a majority of first-preference votes. Choice A received 28% (40) first-choice votes; Choice B received 8% (11) first-choice votes; Choice C received 27% (38) first-choice votes; Choice D received 8% (11) first-choice votes; and Choice E received 30% (42) first-choice votes. This created an instant-runoff of the ranked-choice voting. Voting choice B and D were eliminated as they tied for the lowest vote count. Both B and D's first-choice votes were eliminated, and their second-choice votes were distributed to the remaining choices, respectively.

The first instant-runoff round did not produce a majority percentage for any one voting option. After the votes were distributed, the first instant-runoff round had Choice A at 37% (52), Choice C at 30% (43),

and Choice E at 32% (46). Consequently, Choice C was eliminated, and Choice C's second-preference votes were distributed among the remaining two voting choices.

In the second and final instant-runoff round, a majority of 53% was reached for voting option A, to combine the listed academic units as quickly as possible to establish a new college, to be named the College of Health, Education and Social Transformation.

Data analysis in the initial round of voting included all faculty and staff from both colleges and the Sociology Department. Subsequent analysis was parsed out using demographic data provide by HRS. This included analyzing respondent's votes by employment grouping (faculty or staff) and summary organization (CoE, HSS, Sociology department).

See attached report for further analysis parsed out by faculty/staff and summary organization.

Ranked-Choice Voting - New College Preferred Choice (all Faculty and Staff)*

Please vote your preference on the proposed New College. Ranking your favorite choice as 1 and your least favorite choice as 4.

Question	Choice 1	N	Choice 2	N	Choice 3	N	Choice 4	N
A. The following academic units should be administratively combined as quickly as possible to establish a new college, to be named the College of Health, Education and Social Transformation: Eligibility to Rank this Option: All Groups Communications Disorders (EDU) Counseling and Educational Psychology (EDU) Kinesiology (EDU) Nursing (HSS) Public Health (HSS) Social Work (HSS) Sociology (A&S) Teacher Preparation, Administration and Leadership (EDU)	28%	40	15.83%	22	20.49%	25	25.23%	28
B. The following academic units should be administratively combined as quickly as possible to establish a new college, named the College of Health and Education: Eligibility to Rank this Option: All but Sociology group members Communications Disorders (EDU) Counseling and Educational Psychology (EDU) Kinesiology (EDU) Nursing (HSS) Public Health (HSS) Social Work (HSS) Teacher Preparation, Administration and Leadership (EDU)	8%	11	25.90%	36	35.25%	43	18.92%	21
C. The following academic units should be administratively combined as quickly as possible into the preexisting College of Health and Social Services, i.e., the current College of Health and Social Services becomes larger; the current College of Education continues but becomes smaller: Eligibility to Rank this Option: All but Sociology group members College of Health and Social Services: Communications Disorders (EDU) Counseling and Educational Psychology (EDU) Kinesiology (EDU) Nursing (HSS) Public Health (HSS) Social Work (HSS) College of Education: Teacher Preparation, Administration and Leadership (EDU)	27%	38	20.14%	28	13.11%	16	19.82%	22
D. The following College of Health and Social Services and Education academic units should be administratively combined as quickly as possible to establish a new college to be named the College of Health, Education and Social Transformation (Phase I), and Sociology should have up to one year to join (Phase II): Eligibility to Rank this Option: All Groups Communications Disorders (EDU) Counseling and Educational Psychology (EDU) Kinesiology (EDU) Nursing (HSS) Public Health (HSS) Social Work (HSS) Sociology (A&S) Teacher Preparation, Administration and Leadership (EDU)	8%	11	25.18%	35	22.95%	28	25.23%	28
E. All current college administrative structures should remain unchanged. Eligibility to Rank this Option: All Groups	30%	42	12.95%	18	8.20%	10	10.81%	12
Total	100%	142	100%	139	100%	122	100%	111

*Initial Vote
Includes faculty and staff from all departments

Ranked-Choice Voting - New College Preferred Choice (all Faculty and Staff)**

Please vote your preference on the proposed New College. Ranking your favorite choice as 1 and your least favorite choice as 4.

Question	Choice 1	N
<p>A. The following academic units should be administratively combined as quickly as possible to establish a new college, to be named the College of Health, Education and Social Transformation: Eligibility to Rank this Option: All Groups</p> <p>Communications Disorders (EDU) Counseling and Educational Psychology (EDU) Kinesiology (EDU) Nursing (HSS) Public Health (HSS) Social Work (HSS) Sociology (A&S) Teacher Preparation, Administration and Leadership (EDU)</p>	37%	52
<p>B. The following academic units should be administratively combined as quickly as possible to establish a new college, named the College of Health and Education: Eligibility to Rank this Option: All but Sociology group members</p> <p>Communications Disorders (EDU) Counseling and Educational Psychology (EDU) Kinesiology (EDU) Nursing (HSS) Public Health (HSS) Social Work (HSS) Teacher Preparation, Administration and Leadership (EDU)</p>	0.00%	0
<p>C. The following academic units should be administratively combined as quickly as possible into the preexisting College of Health and Social Services, i.e., the current College of Health and Social Services becomes larger; the current College of Education continues but becomes smaller: Eligibility to Rank this Option: All but Sociology group members</p> <p>College of Health and Social Services: Communications Disorders (EDU) Counseling and Educational Psychology (EDU) Kinesiology (EDU) Nursing (HSS) Public Health (HSS) Social Work (HSS) College of Education: Teacher Preparation, Administration and Leadership (EDU)</p>	30%	43
<p>D. The following College of Health and Social Services and Education academic units should be administratively combined as quickly as possible to establish a new college to be named the College of Health, Education and Social Transformation (Phase I), and Sociology should have up to one year to join (Phase II): Eligibility to Rank this Option: All Groups</p> <p>Communications Disorders (EDU) Counseling and Educational Psychology (EDU) Kinesiology (EDU) Nursing (HSS) Public Health (HSS) Social Work (HSS) Sociology (A&S) Teacher Preparation, Administration and Leadership (EDU)</p>	0.00%	0
<p>E. All current college administrative structures should remain unchanged. Eligibility to Rank this Option: All Groups</p>	32%	46
Total		142

**Runoff Round one
 Includes faculty and staff from all departments*

Ranked-Choice Voting - New College Preferred Choice (all Faculty and Staff)***

Please vote your preference on the proposed New College. Ranking your favorite choice as 1 and your least favorite choice as 4.

Question	Choice 1	N
<p>A. The following academic units should be administratively combined as quickly as possible to establish a new college, to be named the College of Health, Education and Social Transformation: Eligibility to Rank this Option: All Groups</p> <p>Communications Disorders (EDU) Counseling and Educational Psychology (EDU) Kinesiology (EDU) Nursing (HSS) Public Health (HSS) Social Work (HSS) Sociology (A&S) Teacher Preparation, Administration and Leadership (EDU)</p>	53%	75
<p>B. The following academic units should be administratively combined as quickly as possible to establish a new college, named the College of Health and Education: Eligibility to Rank this Option: All but Sociology group members</p> <p>Communications Disorders (EDU) Counseling and Educational Psychology (EDU) Kinesiology (EDU) Nursing (HSS) Public Health (HSS) Social Work (HSS) Teacher Preparation, Administration and Leadership (EDU)</p>	0.00%	0
<p>C. The following academic units should be administratively combined as quickly as possible into the preexisting College of Health and Social Services, i.e., the current College of Health and Social Services becomes larger; the current College of Education continues but becomes smaller: Eligibility to Rank this Option: All but Sociology group members</p> <p>College of Health and Social Services: Communications Disorders (EDU) Counseling and Educational Psychology (EDU) Kinesiology (EDU) Nursing (HSS) Public Health (HSS) Social Work (HSS) College of Education: Teacher Preparation, Administration and Leadership (EDU)</p>	0.0%	0
<p>D. The following College of Health and Social Services and Education academic units should be administratively combined as quickly as possible to establish a new college to be named the College of Health, Education and Social Transformation (Phase I), and Sociology should have up to one year to join (Phase II): Eligibility to Rank this Option: All Groups</p> <p>Communications Disorders (EDU) Counseling and Educational Psychology (EDU) Kinesiology (EDU) Nursing (HSS) Public Health (HSS) Social Work (HSS) Sociology (A&S) Teacher Preparation, Administration and Leadership (EDU)</p>	0.00%	0
<p>E. All current college administrative structures should remain unchanged. Eligibility to Rank this Option: All Groups</p>	42%	60
Total	Total	142

***Runoff Round Two
 Includes faculty and staff from all departments

Ranked-Choice Voting - Sociology Faculty

Question	N	%
A. The following academic units should be administratively combined as quickly as possible to establish a new college, to be named the College of Health, Education and Social Transformation: Eligibility to Rank this Option: All Groups		
Choice 1	10	83%
Choice 2	0	0%
Choice 3	1	8%
Choice 4	0	0%
B. The following academic units should be administratively combined as quickly as possible to establish a new college, named the College of Health and Education: Eligibility to Rank this Option: All but Sociology group members		
Choice 1		
Choice 2		
Choice 3		
Choice 4		
C. The following academic units should be administratively combined as quickly as possible into the preexisting College of Health and Social Services, i.e., the current College of Health and Social Services becomes larger; the current College of Education continues but becomes smaller: Eligibility to Rank this Option: All but Sociology group members		
Choice 1		
Choice 2		
Choice 3		
Choice 4		
D. The following College of Health and Social Services and Education academic units should be administratively combined as quickly as possible to establish a new college to be named the College of Health, Education and Social Transformation (Phase I), and Sociology should have up to one year to join (Phase II): Eligibility to Rank this Option: All Groups		
Choice 1	0	0%
Choice 2	11	92%
Choice 3	0	0%
Choice 4	0	0%
E. All current college administrative structures should remain unchanged. Eligibility to Rank this Option: All Groups		
Choice 1	2	17%
Choice 2	1	8%
Choice 3	6	50%
Choice 4	0	0%

Total Sociology Faculty = 12

See section one for complete list of groups allowed to vote within each question.

Ranked-Choice Voting - Health & Social Services Faculty

Question	N	%	2nd Round N	%	3rd Round N	%	4th Round N	%
A. The following academic units should be administratively combined as quickly as possible to establish a new college, to be named the College of Health, Education and Social Transformation: Eligibility to Rank this Option: All Groups								
Choice 1	9	26%	9	26%	12	35%	16	47%
Choice 2	5	15%	5	15%	5	15%	5	15%
Choice 3	6	18%	6	18%	6	18%	6	18%
Choice 4	6	18%	6	18%	6	18%	6	18%
B. The following academic units should be administratively combined as quickly as possible to establish a new college, named the College of Health and Education: Eligibility to Rank this Option: All but Sociology group members								
Choice 1	1	3%						
Choice 2	11	32%						
Choice 3	9	26%						
Choice 4	6	18%						
C. The following academic units should be administratively combined as quickly as possible into the preexisting College of Health and Social Services, i.e., the current College of Health and Social Services becomes larger; the current College of Education continues but becomes smaller: Eligibility to Rank this Option: All but Sociology group members								
Choice 1	13	38%	13	38%	14	41%	18	53%
Choice 2	5	15%	5	15%	5	15%	5	15%
Choice 3	4	12%	4	12%	4	12%	4	12%
Choice 4	5	15%	5	15%	5	15%	5	15%
D. The following College of Health and Social Services and Education academic units should be administratively combined as quickly as possible to establish a new college to be named the College of Health, Education and Social Transformation (Phase I), and Sociology should have up to one year to join (Phase II): Eligibility to Rank this Option: All Groups								
Choice 1	4	12%	5	15%				
Choice 2	6	18%	6	18%				
Choice 3	7	21%	7	21%				
Choice 4	7	21%	7	21%				
E. All current college administrative structures should remain unchanged. Eligibility to Rank this Option: All Groups								
Choice 1	7	21%	7	21%	8	24%		
Choice 2	7	21%	7	21%	7	21%		
Choice 3	2	6%	2	6%	2	6%		
Choice 4	3	9%	3	9%	3	9%		

Total HSS Faculty = 34

See section one for complete list of groups allowed to vote within each question.

Ranked-Choice Voting - Education Faculty

Question	N	%	2nd Round N	%	3rd Round N	%	4th Round N	%
A. The following academic units should be administratively combined as quickly as possible to establish a new college, to be named the College of Health, Education and Social Transformation: Eligibility to Rank this Option: All Groups								
Choice 1	14	27%	15	29%	19	37%	32	62%
Choice 2	10	19%	10	19%	10	19%	10	19%
Choice 3	11	21%	11	21%	11	21%	11	21%
Choice 4	9	17%	9	17%	9	17%	9	17%
B. The following academic units should be administratively combined as quickly as possible to establish a new college, named the College of Health and Education: Eligibility to Rank this Option: All but Sociology group members								
Choice 1	6	12%	8	15%				
Choice 2	16	31%	16	31%				
Choice 3	16	31%	16	31%				
Choice 4	8	15%	8	15%				
C. The following academic units should be administratively combined as quickly as possible into the preexisting College of Health and Social Services, i.e., the current College of Health and Social Services becomes larger; the current College of Education continues but becomes smaller: Eligibility to Rank this Option: All but Sociology group members								
Choice 1	11	21%	12	23%	14	27%		
Choice 2	11	21%	11	21%	11	21%		
Choice 3	6	12%	6	12%	6	12%		
Choice 4	12	23%	12	23%	12	23%		
D. The following College of Health and Social Services and Education academic units should be administratively combined as quickly as possible to establish a new college to be named the College of Health, Education and Social Transformation (Phase I), and Sociology should have up to one year to join (Phase II): Eligibility to Rank this Option: All Groups								
Choice 1	4	8%						
Choice 2	11	21%						
Choice 3	14	27%						
Choice 4	12	23%						
E. All current college administrative structures should remain unchanged. Eligibility to Rank this Option: All Groups								
Choice 1	17	33%	17	33%	19	37%	20	38%
Choice 2	3	6%	3	6%	3	6%	3	6%
Choice 3	2	4%	2	4%	2	4%	2	4%
Choice 4	5	10%	5	10%	5	10%	5	10%

Total Education Faculty = 52

See section one for complete list of groups allowed to vote within each question.

Ranked-Choice Voting - Health & Social Services Staff

Question	N	%	2nd Round N	%	3rd Round N	%
A. The following academic units should be administratively combined as quickly as possible to establish a new college, to be named the College of Health, Education and Social Transformation: Eligibility to Rank this Option: All Groups						
Choice 1	3	14%	4	18%		
Choice 2	3	14%	3	14%		
Choice 3	3	14%	3	14%		
Choice 4	6	27%	6	27%		
B. The following academic units should be administratively combined as quickly as possible to establish a new college, named the College of Health and Education: Eligibility to Rank this Option: All but Sociology group members						
Choice 1	0	0%				
Choice 2	4	18%				
Choice 3	9	41%				
Choice 4	3	14%				
C. The following academic units should be administratively combined as quickly as possible into the preexisting College of Health and Social Services, i.e., the current College of Health and Social Services becomes larger; the current College of Education continues but becomes smaller: Eligibility to Rank this Option: All but Sociology group members						
Choice 1	8	36%	8	36%	10	45%
Choice 2	6	27%	6	27%	6	27%
Choice 3	3	14%	3	14%	3	14%
Choice 4	1	5%	1	5%	1	5%
D. The following College of Health and Social Services and Education academic units should be administratively combined as quickly as possible to establish a new college to be named the College of Health, Education and Social Transformation (Phase I), and Sociology should have up to one year to join (Phase II): Eligibility to Rank this Option: All Groups						
Choice 1	1	5%				
Choice 2	4	18%				
Choice 3	1	5%				
Choice 4	6	27%				
E. All current college administrative structures should remain unchanged. Eligibility to Rank this Option: All Groups						
Choice 1	10	45%	10	45%	12	55%
Choice 2	3	14%	3	14%	3	14%
Choice 3	1	5%	1	5%	1	5%
Choice 4	0	0%	0	0%	0	0%

Total HSS Staff = 22

See section one for complete list of groups allowed to vote within each question.

Ranked-Choice Voting - Education Staff

Question	N	%	2nd Round N	%	3rd Round N	%	4th Round N	%
A. The following academic units should be administratively combined as quickly as possible to establish a new college, to be named the College of Health, Education and Social Transformation: Eligibility to Rank this Option: All Groups								
Choice 1	4	19%	5	24%	8	38%	15	72%
Choice 2	4	19%	4	19%	4	19%		
Choice 3	4	19%	4	19%	4	19%		
Choice 4	6	29%	6	29%	6	29%		
B. The following academic units should be administratively combined as quickly as possible to establish a new college, named the College of Health and Education: Eligibility to Rank this Option: All but Sociology group members								
Choice 1	3	14%	3	14%				
Choice 2	5	24%	5	24%				
Choice 3	6	29%	6	29%				
Choice 4	4	19%	4	19%				
C. The following academic units should be administratively combined as quickly as possible into the preexisting College of Health and Social Services, i.e., the current College of Health and Social Services becomes larger; the current College of Education continues but becomes smaller: Eligibility to Rank this Option: All but Sociology group members								
Choice 1	6	29%	6	29%	7	33%		
Choice 2	4	19%	4	19%	4	19%		
Choice 3	3	14%	3	14%	3	14%		
Choice 4	3	14%	3	14%	3	14%		
D. The following College of Health and Social Services and Education academic units should be administratively combined as quickly as possible to establish a new college to be named the College of Health, Education and Social Transformation (Phase I), and Sociology should have up to one year to join (Phase II): Eligibility to Rank this Option: All Groups								
Choice 1	2	10%						
Choice 2	4	19%						
Choice 3	5	24%						
Choice 4	2	10%						
E. All current college administrative structures should remain unchanged. Eligibility to Rank this Option: All Groups								
Choice 1	6	29%	7	33%	7	33%		
Choice 2	4	19%	4	19%	4	19%		
Choice 3	0	0%	0	0%	0	0%		
Choice 4	3	14%	3	14%	3	14%		

Total Education Staff = 21

See section one for complete list of groups allowed to vote within each question.

Rank-Choice Voting by College (Faculty & Staff)

College		N
Arts and Sciences College	A. The following academic units should be administratively combined as quickly as possible to establish a new college, to be named the College of Health, Education and Social Transformation: Eligibility to Rank this Option: All Groups	
	Choice 1	10
	Choice 3	1
	Choice 4	1
	B. The following academic units should be administratively combined as quickly as possible to establish a new college, named the College of Health and Education: Eligibility to Rank this Option: All but Sociology group members	
	Choice 1	1
	Choice 3	3
	C. The following academic units should be administratively combined as quickly as possible into the preexisting College of Health and Social Services, i.e., the current College of Health and Social Services becomes larger; the current College of Education continues but becomes smaller: Eligibility to Rank this Option: All but Sociology group members	
	Choice 2	2
	Choice 4	1
Education College	D. The following College of Health and Social Services and Education academic units should be administratively combined as quickly as possible to establish a new college to be named the College of Health, Education and Social Transformation (Phase I), and Sociology should have up to one year to join (Phase II): Eligibility to Rank this Option: All Groups	
	Choice 2	10
	Choice 3	1
	Choice 4	1
	E. All current college administrative structures should remain unchanged. Eligibility to Rank this Option: All Groups	
	Choice 1	2
	Choice 2	1
	Choice 3	5
	Choice 4	1
	A. The following academic units should be administratively combined as quickly as possible to establish a new college, to be named the College of Health, Education and Social Transformation: Eligibility to Rank this Option: All Groups	
	Choice 1	18
choice 2	14	
Choice 3	15	
Choice 4	15	
B. The following academic units should be administratively combined as quickly as possible to establish a new college, named the College of Health and Education: Eligibility to Rank this Option: All but Sociology group members		
Choice 1	9	
choice 2	21	
Choice 3	22	
Choice 4	12	

	C. The following academic units should be administratively combined as quickly as possible into the preexisting College of Health and Social Services, i.e., the current College of Health and Social Services becomes larger; the current College of Education continues but becomes smaller: Eligibility to Rank this Option: All but Sociology group members	
	Choice 1	17
	choice 2	15
	Choice 3	9
	Choice 4	15
	D. The following College of Health and Social Services and Education academic units should be administratively combined as quickly as possible to establish a new college to be named the College of Health, Education and Social Transformation (Phase I), and Sociology should have up to one year to join (Phase II): Eligibility to Rank this Option: All Groups	
	Choice 1	6
	choice 2	15
	Choice 3	19
	Choice 4	14
	E. All current college administrative structures should remain unchanged. Eligibility to Rank this Option: All Groups	
	Choice 1	23
	choice 2	7
	Choice 3	2
	Choice 4	8
Health and Social Services College	A. The following academic units should be administratively combined as quickly as possible to establish a new college, to be named the College of Health, Education and Social Transformation: Eligibility to Rank this Option: All Groups	
	Choice 1	12
	choice 2	8
	Choice 3	9
	Choice 4	12
	B. The following academic units should be administratively combined as quickly as possible to establish a new college, named the College of Health and Education: Eligibility to Rank this Option: All but Sociology group members	
	Choice 1	1
	choice 2	15
	Choice 3	18
	Choice 4	9
	C. The following academic units should be administratively combined as quickly as possible into the preexisting College of Health and Social Services, i.e., the current College of Health and Social Services becomes larger; the current College of Education continues but becomes smaller: Eligibility to Rank this Option: All but Sociology group members	
	Choice 1	21
	choice 2	11
	Choice 3	7
	Choice 4	6
	D. The following College of Health and Social Services and Education academic units should be administratively combined as quickly as possible to establish a new college to be named the College of Health, Education and Social Transformation (Phase I), and Sociology should have up to one year to join (Phase II): Eligibility to Rank this Option: All Groups	
	Choice 1	5
	choice 2	10
	Choice 3	8

	Choice 4	13
	E. All current college administrative structures should remain unchanged. Eligibility to Rank this Option: All Groups	
	Choice 1	17
	choice 2	10
	Choice 3	3
	Choice 4	3

See section one for complete list of groups allowed to vote within each question.

APPENDIX 7

Description of Ranked Choice Vote Options

December 16, 2020

MEMORANDUM

From: Carol Parker, Provost and Senior Vice President for Academic Affairs

To: Faculty and Staff of the Colleges of Education, Health and Social Services, and Department of Sociology

cc: Faculty Senate Leadership Committee
University Administrative Council Members
Calixto Melero, Director, Office of Institutional Analytics

Re: Request for Participation in Ranked Choice Voting on a Proposal to Establish a New College:
The College of Health, Education and Social Transformation

I write to request your participation in a ranked choice voting process intended to elicit your opinion on the merits of the recent proposal to administratively consolidate the following academic units to establish a new college, *The College of Health, Education and Social Transformation*, to be led and administered by one dean. The results of the voting will be shared with the Faculty Senate as part of a formal Proposition which I plan to submit on February 4, 2021. Undertaking this vote is a precondition of submitting a formal Proposition to the Faculty Senate. After the Faculty Senate review, the Board of Regents will need to consider the proposition as well.

The academic units involved in the voting will be:

Communications Disorders (EDU)
Counseling and Educational Psychology (EDU)
Kinesiology (EDU)
Nursing (HSS)
Public Health (HSS)
Social Work (HSS)
Sociology (A&S)
Teacher Preparation, Administration and Leadership (EDU)

Separate ballots will be issued and analyzed for nine separate groups:

- All Regular Faculty in the Colleges of Education, and Health and Social Services, and in the Department of Sociology (tenure stream and college track appointments) (three groups in total)
- All Contingent Faculty in the Colleges of Education, and Health and Social Services, and in the Department of Sociology (research, term and temporary appointments) (three groups in total)
- All Regular Staff employees in the Colleges of Education, and Health and Social Services, and in the Department of Sociology (three groups in total)

Rationale for Establishing a New College

- (1) Each of the disciplines involved are integral to interprofessional and transdisciplinary education and research in fields that contribute to efforts to transform and improve societal outcomes. Consolidating the administration of these units into a single, high-profile college would create a focus point for units at NMSU that emphasize the relationships and common interests between the fields of health, education and the social sciences; as well as support NMSU student, faculty and staff efforts aimed at improving individual, societal and political outcomes as developed, disseminated, and promoted by these disciplines.
- (2) Consolidating the administration of these units would bring many of our education, health, and social science programs into a single college, more easily fostering collaboration across these disciplines, reducing self-imposed administrative layers that must be navigated, and repositioning these disciplines for maximum future impact and program growth.
- (3) Consolidating the administration of these units would eliminate the need for one dean salary. Presently, interim deans lead both Education and Health and Social Services. Assuming a new college is approved, I could immediately initiate a search for a new dean to lead it and to further assist with the administrative restructuring that would result.
- (4) With the assistance of the NMSU Foundation, and a multidisciplinary faculty steering committee, we are actively working on proposals and engaging with multiple foundation partners to secure a large, multi-year, Transformation Grant, to establish a new Research Center. The new center will focus on improving the social and political determinants of education and health outcomes in our region, in partnership with community health care providers, educators, social service agencies and non-profits. While a successful outcome of this effort cannot be guaranteed, the initial feedback has been encouraging. Securing a transformation grant would anchor the research and community engagement missions of the new college for years to come by providing additional means of supporting broad collaborations – not only within the education, health and social sciences, but also with other academic units in NMSU colleges.

Voting Methodology

The Office of Institutional Analytics (OIA) will implement the balloting and analyze and report the results. Ranked Choice Voting will be used, i.e., each voter may cast up to four votes ranking their preferences among the options presented; no single option may be repeatedly ranked to attempt to weight it more heavily than other options. *The Ranked Choice Voting ballot OIA will administer is attached as **Appendix A**.*

All voters must be identifiable, i.e., no one may vote anonymously in order to ensure eligibility to vote, and to ensure that the voice of individuals in any one unit or in combination, may not override the voice of individuals in other smaller units or combinations. Quorums will not be used for this ballot but the total percentage of eligible voters who participate will be reported.

The Ranked Choice Vote outcomes will provide insight into not only whether there is interest in pursuing the proposed new college, but also whether alternative combinations are preferred. Such alternatives would include: (1) retaining both the Education and Health Colleges, but moving all health programs to the Health College (Education College becomes smaller; Health College becomes larger), or (2) combining Education and Health Colleges into a single unit but leaving Sociology in Arts and Sciences, or perhaps including Sociology and other potential social science units as part of a later, phased approach that would require additional voting in the future; or (3) encouraging individual faculty to seek joint appointments in various colleges. Offering alternative combinations was a recommendation that came out of the Fall Semester 2020 listening sessions.

Voting Timeline

The proposed timeline is as follows:

December 15, 2020. Explanatory memorandum and sample ballot released

January 14, 2021 to January 21, 2021. Ranked Choice ballot is available for voting (OIA conducts)

January 28, 2021. Formal proposition is reviewed by the Faculty Senate Leadership Committee (FSLC)

February 4, 2021. FSLC presents the formal proposition to the Senate for committee assignment

Additional Information

College Name. It is important to know if the proposed name has support. But if not, please recall that the name of a college can always be changed at any time in the future. Please focus on the substance of the proposal.

Academic Unit Restructuring. The initial proposal to establish a new college included concurrent restructuring to create schools in lieu of departments. Given feedback received during the Fall 2020 Semester, any additional restructuring should occur as separate conversations, subject to a process

directly involving the immediate stakeholders. In other words, the faculty and administrative leadership in the academic units can determine how best to internally organize themselves within their colleges, e.g., schools vs. departments, and/or whether any other novel internal combinations are desired.

Implementation Timeline. How much time is required for implementation depends on which administrative and organizational combinations are ultimately approved by the Board of Regents, and when. However, there is a pressing administrative need to resolve the question of permanent leadership for the units involved in this proposal.

Budget Impact. Aside from any adjustments that result from the ongoing budget realignment efforts, no change to units' current revenue allocations are contemplated. Budgets would simply be consolidated as well, in alignment with how organizational units themselves are consolidated.

Space. Understandably, many have asked if they would have to move to another building if a new college is created. At the present time, there is no accompanying space plan or proposal for the new college, and it is anticipated that everyone will initially stay where they are. The question of optimal program and office locations will evolve naturally, dependent on many factors: what final administrative and organizational combinations are made, who is involved, and what future space priorities develop based on academic program proposals, whether or not a research center is created, and perhaps most significantly, whether we begin to think about space differently in a post-COVID environment that appears likely to include more remote work and more hybrid instruction than has been the case prior to the pandemic. Any future space proposals would be reviewed by the NMSU Space Committee.

Joint Appointments. Faculty in other academic units from across the campus would be encouraged to consider a joint appointment with the new college to foster more collaboration. A joint appointment is shared by two or more academic units, including sharing of workload allocation and base contract compensation. The workload assignment can vary, e.g., it might involve a 50/50 workload split, or it might include some other proportion. A joint academic appointment might encompass two or more academic units, or it might include research centers. The units involved are jointly responsible for supporting the faculty member in successfully balancing their obligations, but one unit must be identified as the administrative home. The respective deans would need to approve joint appointments.

Supporting Materials

- New College Project Webpage, <https://provost.nmsu.edu/provost-office-projects/hes/index.html>
- Ranked Choice Voting, [https://en.wikipedia.org/wiki/Ranked_voting#Ranked_Choice_Voting_\(RCV\)](https://en.wikipedia.org/wiki/Ranked_voting#Ranked_Choice_Voting_(RCV)). You may recall ranked choice voting was used by the City of Las Cruces for its 2019 mayoral election.
- New College [Task Force Report 10.16.20](#)
- New College [Task Force Charge Letter and Membership 9.1.20](#)
- [Memo: Creating a New College and New Research Center at New Mexico State University 8.24.20](#)
- New College [Concept Introduction 8.20.20](#)
- Health Care Task Force Report [6.24.20](#)
- Health Care Task Force Charge Letter and Membership [1.17.20](#)
- NMSU System Health-Related Programs ([2019](#))
- ARP 2.15. Modifying Academic Units
- RPM 4.0, C. Academic Matters

APPENDIX A – REVISED Ranked Choice Ballot Options

Ranked Choice Voting will be used, i.e., voters may rank up to **four options** from among those presented. Voters do not have to exercise all four ranking options; however, no single option may be repeatedly ranked to attempt to weight it more heavily than other options.

These options will be available to the various groups:

- A. *The following academic units should be administratively combined as quickly as possible to establish a new college, to be named the College of Health, Education and Social Transformation:***

Communications Disorders (EDU)
Counseling and Educational Psychology (EDU)
Kinesiology (EDU)
Nursing (HSS)
Public Health (HSS)
Social Work (HSS)
Sociology (A&S)
Teacher Preparation, Administration and Leadership (EDU)

Eligibility to Rank this Option: All Groups

- B. *The following academic units should be administratively combined as quickly as possible to establish a new college, named the College of Health and Education***

Communications Disorders (EDU)
Counseling and Educational Psychology (EDU)
Kinesiology (EDU)
Nursing (HSS)
Public Health (HSS)
Social Work (HSS)
Teacher Preparation, Administration and Leadership (EDU)

Eligibility to Rank this Option: All but Sociology

- C. The following academic units should be administratively combined as quickly as possible into the preexisting College of Health and Social Services, i.e., the current College of Health and Social Services becomes larger; the current College of Education continues but becomes smaller**

Communications Disorders (EDU)
Counseling and Educational Psychology (EDU)
Kinesiology (EDU)
Nursing (HSS)
Public Health (HSS)
Social Work (HSS)
~~**Teacher Preparation, Administration and Leadership (EDU)**~~

Eligibility to Rank this Option: All but Sociology

- D. The following College of Health and Social Services and Education academic units should be administratively combined as quickly as possible to establish a new college to be named the College of Health, Education and Social Transformation (Phase I), and Sociology should have up to one year to join (Phase II):**

Communications Disorders (EDU)
Counseling and Educational Psychology (EDU)
Kinesiology (EDU)
Nursing (HSS)
Public Health (HSS)
Social Work (HSS)
Sociology (A&S)
Teacher Preparation, Administration and Leadership (EDU)

Eligibility to Rank this Option: All Groups

- E. All current college administrative structures should remain unchanged.**

Eligibility to Rank this Option: All Groups

APPENDIX 8

Analysis of Faculty's Top Choices in Ranked Choice Voting Survey

OUTCOMES OF JANUARY 2021 RANKED CHOICE VOTE ON PROPOSED COLLEGE MERGER

SUBMITTED TO FACULTY SENATE CHAIR FEBRUARY 24, 2021

HIGH LEVEL ANALYSIS OF TOP CHOICE SELECTIONS BY COLLEGE

There is strong support among faculty respondents from the health-related disciplines to work together in a single college, as opposed to continuing the current distribution of health-related units across two colleges (69%), but they are divided on whether they should work together in the proposed new multi-disciplinary college (30%), or be joined the Health and Social Services College (39%). Few health-related faculty favor combining all health- and all education- units into a single college which excludes sociology (7%).

Education faculty respondents are split evenly between support for the proposed new multi-disciplinary college (42%) and wanting to keep things exactly as they are now (42%). Few Education faculty want to go it alone in a stand-alone, education-only college (8%). Similarly, few education faculty favor the option of combining all health- and all education-related units into a single college which excludes sociology (8%).

Sociology faculty strongly support joining the proposed new multi-disciplinary college (90%).

DISTRIBUTION BY ACADEMIC UNIT OPPOSING ANY CHANGE

Top Choice Was No Change (Option E)

Faculty Respondents Choosing No Change (25/90)	28%
Education and HSS Faculty Choosing No Change (24/80)	30%
Education-related Faculty Choosing No Change (CI/ELA) (11/26)	42%
Health-related Faculty Choosing No Change (CD/CEP/KIN/NUR/PH/SW) (13/54)	24%
Sociology Faculty Choosing No Change (1/10)	10%

DISTRIBUTION BY ACADEMIC UNIT IN SUPPORT OF CHANGE

Faculty Respondents Choosing One of the Change Options (65/90)	72%
Education and HSS Faculty Choosing One of the Change Options (56/80)	70%

Whose Top Choice Was Combine HSS, Education and Sociology into New College (Options A and D)¹

Faculty Respondents Choosing This Option (36/90)	40%
Education and HSS Faculty Combined Choosing This Option (27/80)	34%
Education-related Faculty Choosing this Option (CI/ELA) (11/26)	42%
Health-related Faculty Choosing this Option (CD/CEP/KIN/NUR/PH/SW) (16/54)	30%
Sociology Faculty Choosing this Option (9/10)	90%

Whose Top Choice Was Combine all Health-related units in separate HSS college; and Education-related units in separate Education college (Option C - Sociology Ineligible to select this option)

Education and HSS Faculty Combined Choosing This Option (23/80)	29%
Health-related Faculty Choosing this Option (CD/CEP/KIN/NUR/PH/SW) (21/54)	39%
Education-related Faculty Choosing this Option (CI/ELA) (2/26)	8%

Whose Top Choice Was Combine HSS and Education into New College (without Sociology) (Option B – Sociology Ineligible to select this option)

Education and HSS Faculty Combined Choosing This Option (6/80)	8%
Education-related Faculty Choosing this Option (CI/ELA) (2/26)	8%
Health-related Faculty Choosing this Option (CD/CEP/KIN/NUR/PH/SW) (4/54)	7%

DISTRIBUTION BY DISCIPLINE IN SUPPORT OF CHANGE

Total Health-related Faculty (CD/CEP/KIN/NUR/PH/SW)	54
Combine all Health-related units in HSS without CI/ELA or SOC (21/54)	39%
Combine HSS, Education and Sociology into New College (16/54)	30%
Combine HSS and Education into New College without SOC (4/54)	7%

Total Education-related Faculty (CI/ELA)	26
Combine HSS, Education and Sociology into New College (11/26)	42%
Education-related units form Education college without CD/CEP/KIN (2/26)	8%
Combine HSS and Education into New College without Sociology (2/26)	8%

Total Sociology Faculty	10
Combine HSS, Education and Sociology into New College (9/10)	90%

¹ Two Options called for fully combining all units: A and D. The distinction between them reflects the timing of Sociology's move, as Option D gave Sociology up to one year to decide whether to combine. It received 7/90 top choice selections (8%), all of which were from non-Sociology faculty.

DEMOGRAPHICS OF REGULAR FACULTY WHO PARTICIPATED IN RANKED CHOICE VOTING SURVEY ON PROPOSAL TO CREATE NEW COLLEGE

TOTAL RESPONDENTS

Number of Regular Faculty Invited	138
Number of Regular Faculty Who Responded	90

RESPONSE RATES BY TOTAL INVITED 65%

RESPONSE RATES BY COLLEGE

Arts and Sciences	100%
Education	69%
Health and Social Services	54%

RESPONSE RATES BY DEPARTMENT or SCHOOL

Sociology	100%
Curriculum and Instruction	76%
Public Health Sciences	73%
Social Work	71%
Communication Disorders	70%
Educational Leadership and Admin	67%
Kinesiology	67%
Counseling and Educational Psychology	57%
Nursing	40%

TOTAL RESPONDENTS BY COLLEGE

Number of Regular Faculty Invited in Health and Social Services	57
Number of Regular Faculty who Responded in Health and Social Services	31
Percentage of Total Respondents Represented by Health and Social Services (31 of 90)	35%

Number of Regular Faculty Invited in Education	71
Number of Regular Faculty who Responded in Education	49
Percentage of Total Respondents Represented by Education (49 of 90)	55%

Number of Regular Faculty Invited in Arts and Sciences	10
Number of Regular Faculty who Responded in Arts and Sciences	10
Percentage of Total Respondents Represented by Arts and Sciences (10 of 90)	11%

TOTAL RESPONDENTS BY ACADEMIC UNIT

Faculty Invited in Communication Disorders	10
Faculty who Responded in Communication Disorders	7
Percentage of All Respondents Represented by Communication Disorders	8%
Faculty Invited in Counseling and Educational Psychology	14
Faculty who Responded in Counseling and Educational Psychology	8
Percentage of All Respondents Represented by Counseling and Educational Psychology	9%
Faculty Invited in Curriculum and Instruction	29
Faculty who Responded in Curriculum and Instruction	22
Percentage All Respondents Represented by Curriculum and Instruction	24%
Faculty Invited in Educational Leadership and Admin	6
Faculty who Responded in Educational Leadership and Admin	4
Percentage of All Respondents Represented by Educational Leadership and Admin	4%
Faculty Invited in Kinesiology	12
Faculty who Responded in Kinesiology	8
Percentage of All Respondents Represented by Kinesiology	9%
Faculty Invited in Nursing	32
Number of Faculty who Responded in Nursing	13
Percentage of All Respondents Represented by Nursing	14%
Faculty Invited in Public Health Sciences	11
Faculty who Responded in Public Health Sciences	8
Percentage of All Respondents Represented by Public Health Sciences	9%
Faculty Invited in Social Work	14
Faculty who Responded in Social Work	10
Percentage of All Respondents Represented by Social Work	11%
Faculty Invited in Sociology	10
Faculty who Responded in Sociology	10
Percentage of All Respondents Represented by Sociology	11%

APPENDIX 9

Results of Faculty Senate's Faculty Voting Survey

Response from NMSU Faculty Impacted by Proposed College Merger

March 24, 2021

Prepared by Susan E. Beck, Vice-Chair, NMSU
Faculty Senate, 2020-21

Overview

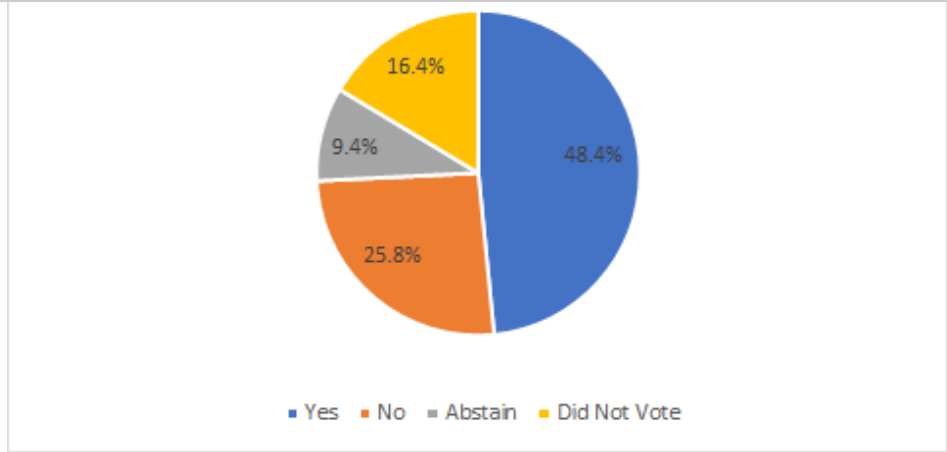
The following e-mail was sent to department heads of the nine impacted departments on Monday, March 15, 2021 with a requested reply date of Tuesday, March 23, 2021. All nine department heads replied with their vote tallies by the deadline.

Dear <DH NAME>

I am contacting you on behalf of the Faculty Senate to learn the level of support in your department for the merger of the Colleges of Health and Social Services and the Education and the Department of Sociology, which the Senate is considering as Proposition 14-20/21.

NMSU Administrative Rules and Procedures requires specific documentation before the Senate can vote on this proposition (as specified in ARP 2.15 and ARP 2.15A). We are asking departments impacted by the merger to poll faculty and provide us with the total number of yes and no votes from faculty, including yourself, to indicate support for the merger (or not). We

Response from NMSU faculty impacted by proposed college ... Updated automatically every 5 minutes



College of Arts & Sciences

Sociology

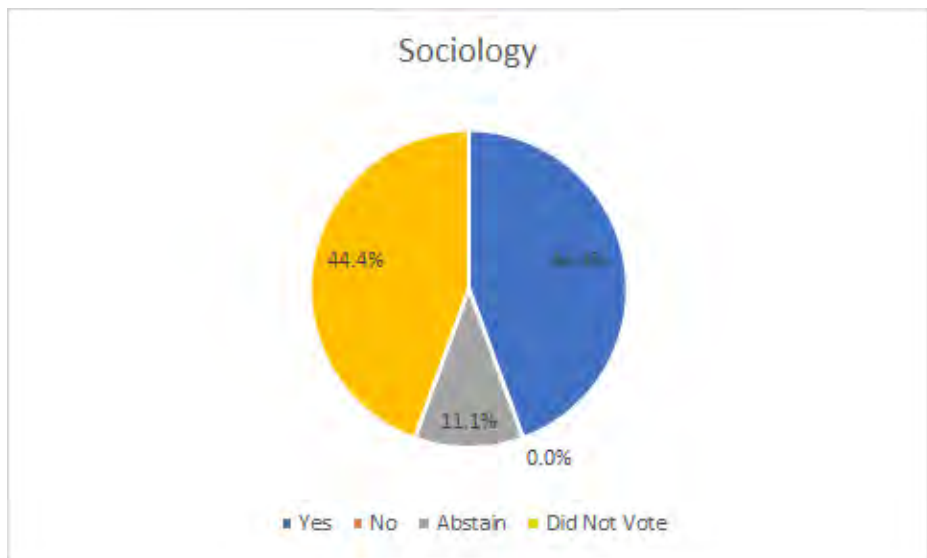
Total Faculty: 9

Yes 4

No 0

Abstain 1

Did not vote 4



Response from NMSU faculty impacted by proposed college ... Updated automatically every 5 minutes

- Sociology faculty would have more voice in the direction of the new College as compared to being in the College of Arts & Sciences.
- There would be a greater chance of creating or facilitating a new interdisciplinary program within the new College. That is, there is an underlying connection between Education and the Social Sciences, and specifically Sociology. This also applies to Social Work and Public Health. Part of the theoretical foundation for Education in the United States involves the Laboratory School at the University of Chicago which began in 1896. The work conducted there assisted in learning not only efficient ways in which children learned but also how children and adults developed. These processes were then used in the social sciences, including Social Work in understanding the socialization processes, the development of selves and identities, as well as consciousness. Given that Education graduate students do take courses in Sociology as electives, there is a possibility to create an interdisciplinary program integrating current courses, or potential new courses to reach this end.
- Sociology's focus on research methodologies, whether they be traditional qualitative and quantitative methods, or big data, such as textual analysis, data visualization or network analysis lends themselves naturally for interdisciplinary research and education. Currently with research grants with Engineering and Education, and grant proposals written with Computer Science, there is ample opportunity. In addition, recent discussions with faculty outside Sociology has demonstrated the possibility for research on people with disabilities and/or development disabilities. This could include faculty

Response from NMSU faculty impacted by proposed college ... Updated automatically every 5 minutes

- The new College will also facilitate more thinking outside the box, with 'opportunity' being identified and acted upon, as opposed to the traditional 'historical antecedents' arguments used to prohibit changes occurring on the NMSU campus.
- There is also the possibility of a new research center which could help orchestrate more connections for interdisciplinary work.
- There is also an opportunity to see similarities in differences, whereas individual departments can maintain their own unique identities, yet also serve together with
- There is potential for the new College to lead by example to the other Colleges. That is, the new College would reflect changes occurring around the country. Instead of being behind the curve, NMSU could potentially be more of a leader in this regard. The new College could take that lead.

Cons of the merger

- Fear of change. While academics teach their students to boldly go and facilitate change, academics are also notorious for not wanting to change at all.

Other comments

My current understanding is that the Sociology faculty believe this move would:

- allow us to have more control over our own course offerings and

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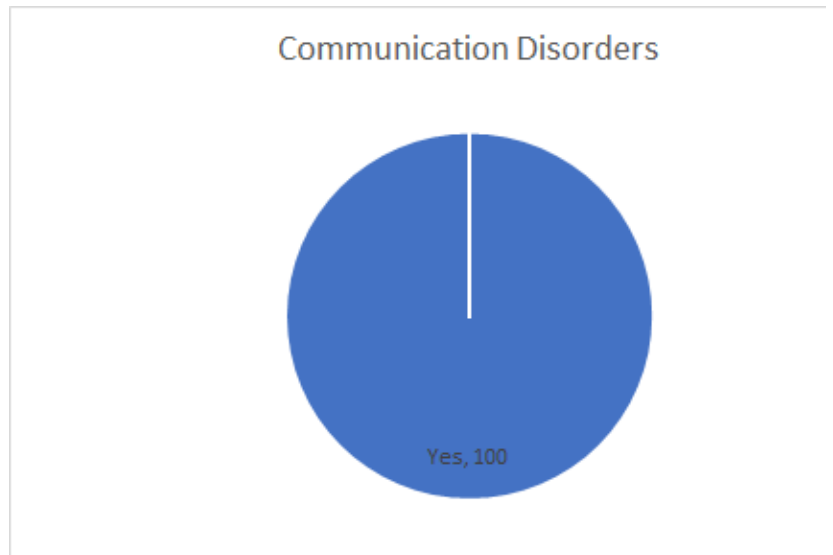
- allow us to participate in shaping the direction of possible new interdisciplinary programs within the new College, and
- allow us to participate in shaping the direction of a possible new research center (which could help orchestrate more connections for interdisciplinary work).

College of Education

Communication Disorders

Total faculty: 8

Yes	8
No	0
Abstain	0
Did not vote	0



No Pro's/Con's or other comments provided

Response from NMSU faculty impacted by proposed college ... Updated automatically every 5 minutes

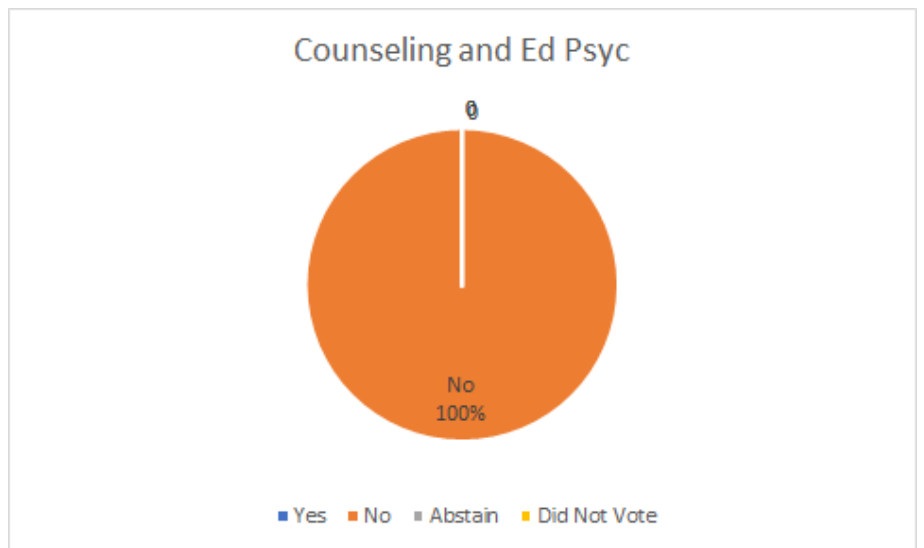
Total faculty: 9

Yes 0

No 9

Abstain 0

Did not vote 0



Pros of the merger

- Greater flexibility in creating working groups that might generate more grants
- Expand, with the right amount of resources, curriculum, certificates, etc.
- Encourages innovation

Cons of the merger

- Protection of staff in the merger and written in to the proposal
- Are the efficiencies in this merger

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- Inaugural Dean is also head of a research center, which is not comparable to other colleges on campus (no other days doing both of these jobs), Dean should be in charge of college with a new Dean for the research center
- Message has been that academic unit budgets will not be impacted, however, another message “there may be budgetary changes” – mixed messages about budget and the budget issues have not been clarified, there have been no dollar amounts provided- cost-benefit analysis is necessary
- Little information about how they anticipate how this merger will benefit faculty, staff and students – only messages about how the university will benefit
- Disruption causes stress and anxiety, especially with the uncertainty of the information that has been shared and if resources will be distributed equitably
- Structure not clear and may change depending on a New Dean, so may change – no organizational chart has been provided
- Recommend more time to develop the proposal to address the concerns before moving through approval processes
- Not clear what incentives are for faculty and students
- Student voice has not been included throughout this process

Kinesiology (programs: Kinesiology, Athletic Training, and Dance)

Total faculty members: 14

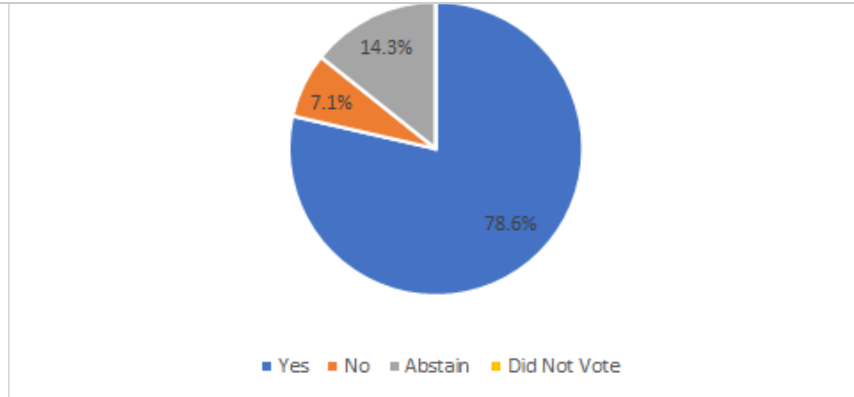
Yes 11

No 1

Abstain 2

Did not vote 0

Response from NMSU faculty impacted by proposed college ... Updated automatically every 5 minutes



No Pro's/Con's provided

Other comments

- I'm in favor but I do have concerns about the structure and potential leadership roles. I think finding someone who actually understands all the programs that this college will house is going to be a huge challenge. And I do worry that we may be marginalized again as we once were if whoever is in charge does not understand us. I think this is potentially a concern for other small programs as well.
- At the end of the day, I feel like this is going to happen with or without our support.
- I just want to be involved in some of the decision making to be certain that all programs are given equal opportunities and allowed a voice.
- I vote no....And the reason I vote no is because I do not believe they have put appropriate thought into the logistics of this. While it MIGHT be a good idea, we do not know given the info shared to date. It reminds me of what Pope Davis did and we see that mess. And I DO think it's totally inappropriate for our votes to not be anonymous, so why they are asking again after already asking means they didn't like the first response.
- No one seems to be able to say whether this includes the Dance Program

Response from NMSU faculty impacted by proposed college ... Updated automatically every 5 minutes

and Leadership

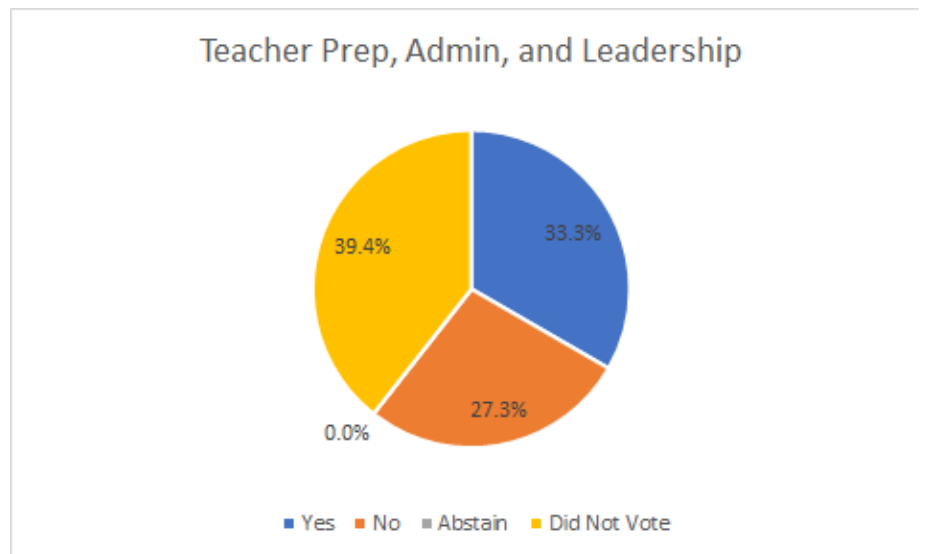
Total faculty: 33

Yes 11

No 9

Abstain 0

Did not vote 13



Pros of the merger

- Cross-collaboration with similar disciplines; greater numbers = greater advocacy power; streamlining administrative excess; reduction in administrative redundancies
- provides the greatest fiscal savings
- interdisciplinary social justice related programs, projects, grants
- Nonexistent
- A timely, well-thought-out merger may behoove all of us in due time. It may bring about synergy to programs and connectivity between Schools.
- Cross-collaboration regarding research and teaching but in the

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Response from NMSU faculty impacted by proposed college ... Updated automatically every 5 minutes

mission of NMSU.

- Faculty in the college of ed will feel pride in being part of this dramatic move to galvanize defenders of social justice.
- Fiscal support for programs struggling with low enrollment
- We will finally be able to hire non-interim personnel like a dean, associate deans, and department heads. I mean this many years without permanent leadership is ridiculous!
- More funding for research and graduate assistants
- The focus on social justice and transformation
- It was initially implied that such a merger would enable NMSU to conduct work and research that would advance Southern NM in its quest for social justice for the people we serve. However, I have not seen any details or specifics as to how this would be manifested as a collaborative effort in a college merger. What would be the difference if we remained separate colleges? What would be the benefits if we merged? I cannot make a decision when a full analysis is not provided for the stakeholders.
- I am not in favor of this merger. I am only voting yes because I believe our department will be punished by the provost and upper administration if we do not go along with this merger. I see no clear benefits that have been presented at any of the presentations. I see threats all around to our department if we do not vote to merge. I want us to be able to continue our important work in the department so I see this as the best possible option for ensuring a safe future for our department.
- TPAL and COE does not have experienced or visionary leadership, resulting in managerial-style policies and practices. This creates numerous structural barriers that hampers the ability of faculty to be creative and innovative in our research and teaching endeavors. TPAL has a well-documented history of gatekeeping, manipulation, and retaliation that is perpetuated by the complicit few who are driven by self-interest and

Response from NMSU faculty impacted by proposed college ... Updated automatically every 5 minutes

leadership/mentorship and safe spaces for faculty and students to continue developing as scholars.

Also, there's a pandemic and we prepare educators. It would be great to have a more collaborative, interdisciplinary space that is conducive to the exchange and birth of new ideas that would allow us to prepare our students to respond to this new reality.

- Short term solution to saving money
- Opportunity to improve organizational structure
- Decreased budget toward deans, increased ability to collaborate

Cons of the merger

- Having a dean who is capable of understanding the nuances of several divergent programs; the ability to create faculty cohesion when faculty in this college are going to be spread across campus; ease of access to the dean when faculty will be located in several buildings across campus; there is too much potential for the transition to be rocky since the proposal is vague and lacks detail essential to the day-to-day functioning of the new college; impact on the P&T process has not yet been realistically identified; faculty and staff have not been sufficiently involved in strategically planning this merger; if this proposal were not being rushed, I think I could be in favor of it
- the ways that tenure and promotion will be evaluated is a concern
- TPAL needs to establish itself first with a strong foundation before a merger can possibly happen.
- You all know in depth my thoughts. Briefly though - there is no budget, no org chart, no mention of the impacts on students, staff, or early career faculty, when was Sociology added into the mix (they are a SUPER HOT mess), and the Provost has built a wasp nest of mistrust upon a den of wolves in which a lair of serpents lie await. Her motives cannot be trusted and the fact the Dean of the COE

Response from NMSU faculty impacted by proposed college ... Updated automatically every 5 minutes

have happened to me if I had done the same? I would have had a litany of grievances and Ethics Points before sun down that same day. Oh, and the fact she is using the ROI and scorecard data as a punitive measure to force everyone into this is further evidence her intentions are not good and her motives are neither altruistic nor student/faculty centered. Ask yourselves, who is going to clean up this mess when she and Henrietta are gone? Cleaning up DPD's was NOT fun, and we are still picking up the dirty pieces.

- The disadvantages may come from the conflicts in the way of thinking of different disciplines and current research shows, this may cause problems in college merging or after merging, it is still like two colleges if enough planning is not had prior to the actual merger. In addition, the decision-making process around this merger could be costly, as we have yet to see the final budget or how this merger will fiscally benefit all units involved. Something to consider are the mistakes of universities who have merged colleges together and have not incorporated the seven key elements for mergers, which none of these have been addressed by the Provost Parker.

1. A compelling unifying vision
2. A committed and understanding governing body
3. Leadership (one dean, two deans, unit leaders, director, etc)
4. An appropriate sense of urgency
5. A strong system of project management
6. A robust communication plan
7. Sufficient dedicated resources

<https://www.insidehighered.com/quicktakes/2017/09/29/report-looks-mergers-benefits-and-costs>

(Ed note: Here's a better link

<https://www.tiaainstitute.org/publication/mergers-higher-education>)

In addition, how many faculty and/or staff are planning on leaving when many units are already understaffed and overloaded with responsibilities? My final thoughts are not right now because there has to be a better plan in place to make this merger successful and not another failure in higher education. Considering we are

Response from NMSU faculty impacted by proposed college ... Updated automatically every 5 minutes

- to make a cognitive decision.
- Many faculty members don't like change and will express hostility, contributing to low morale among faculty, particularly new assistant professors. Continued distrust and adversarial attitudes toward upper administration from those who are opposed.
 - Given the emphasis on research, and the lack of vision for all faculty makes me a bit uneasy. As though my contributions will not be valued as college faculty, and I will not be seen as integral to be "reinvested in positions that directly enhance the quality of our students' educational experience".
 - The acronym for the new college would be CHEST. This acronym or any derivative is inappropriate and will impact the branding of the new college. A change to the proposed name is required before moving forward. Additionally, a request was made for information about the consequences of not merging. When will that information be shared publicly?
 - potential ignorance of education field among leadership, and more changing policies (we've been through so many already) and inconsistency with allocation of effort and evaluation Possibility for so much effort and work to be done and then people move or change and all plans are dropped/abandoned as was the case with the School of TPAL in the COE. Top down process without administrations significant attempts made to listen to faculty and staff's perspectives and ideas.
 - I need more information about what the merger would look like in the near future.
 - In the last listening session we asked for a comparative analysis as to what the benefits would be for such a merger and what would be the consequences or sacrifices. Additionally, we asked to see a budget for the merger. I cannot make a decision when a full analysis is not provided for the stakeholders.

SERVICES

Nursing

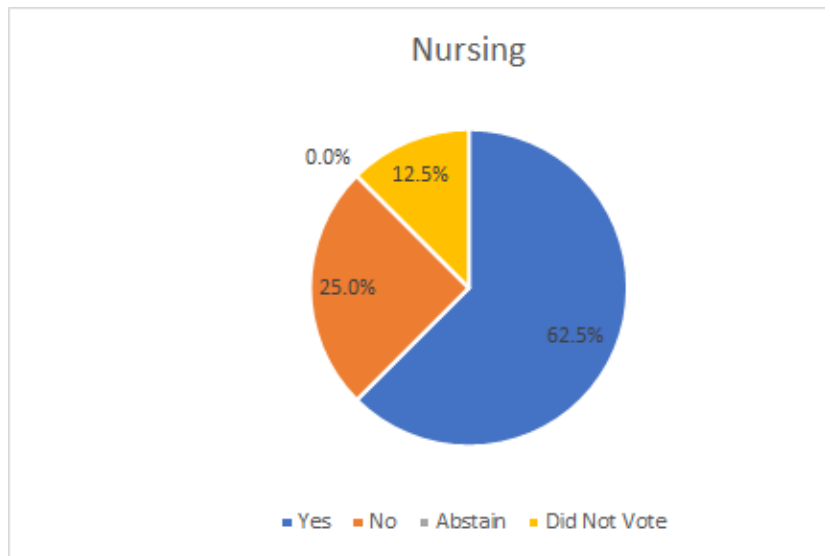
Total faculty: 32

Yes 20

No 8

Abstain 0

Did not vote 4



No Pro's/Con's or other comments provided

Public Health Services

Total faculty: 10

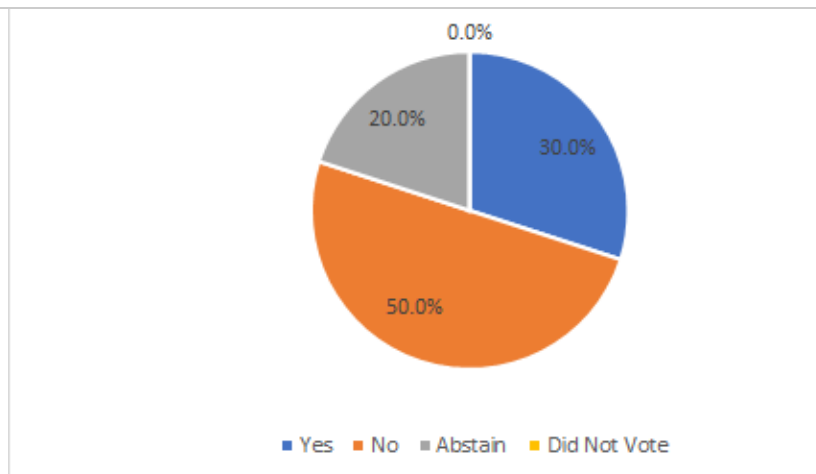
Yes 3

No 5

Abstain 0

Did not vote 2

Response from NMSU faculty impacted by proposed college ... Updated automatically every 5 minutes



Pros of the merger

- College of Education has health-related programs, which would fit nicely within a combined college (e.g. Counseling). NMSU could save money by removing a dean position.
- Perhaps some modest cost savings
- Perhaps greater combined support services to support research.
- We need a stronger voice at NMSU, and we need a larger share of NMSU resources. A larger college will help with these. In addition, merging with CofEd (all units) will allow more efficient use of the resources we already have between us and facilitate greater collaboration among faculty.
- we had proposed an alternative to invite units into CHSS as health is a critical area in the spotlight these days; I think the units should be brought to CHSS so I am not against a collaboration but do not want to have our identity diluted by joining a new college
- There are NO pros to this merger.
- Listed in the proposal itself - consolidation of resources, positioning for funding, enhanced voice within the university structures are key

Response from NMSU faculty impacted by proposed college ... Updated automatically every 5 minutes

- This effort has always felt imposed, with faculty input in the affected colleges coming after decisions had been made. Meanwhile, a genuinely faculty-driven effort seems to have been ignored.
- The merger feels like a mashup of two small colleges. The creation of a new college should be thoughtful. The new college should share aims, goals, and ideologies, especially given the overlap in college level processes, such as P&T.
- The survey of merger preferences was confusing and flawed. No matter how you try to slice and dice the results, it's garbage-in, garbage-out.
- I really don't see any CONS - just PROs.
- by not bringing units into Health, CHSS, the identity and strong reputation we have in the community will be eroded
- While departments like Communication Disorders and Kinesiology have teaching and research synergies with Nursing and Public Health Sciences, there is less affinity between CHSS disciplines and the newly established School of Teacher Preparation, Administration, & Leadership. This stand-alone school can be merged in a college where it will thrive, such as College of A&S along with STEM sciences. Such a merger to the A&S would be in keeping with recent trends for K-12 school districts to prefer/require that new teachers possess a degree in a content area (e.g., biology) with a teaching certificate. Given the emphasis on STEM education nationwide, it makes sense for Teacher prep to be closely aligned with the STEM disciplines. This close connection also benefits teacher prep in the social sciences and liberal arts. Moreover, as a non-research intensive discipline, Teacher Prep will be lost in the new College of Health and Social Equity Sciences.
- Revenues generated from merger will not go to benefit the faculty of the affected units; that is, the faculty will bear the cost while the benefits

CoE may otherwise make sense. The idea that it can be instrumental in addressing health equity is the equivalent of stating that the colleges of A&S, ACES, and Engineering can help address health equity. As with TPAL, there is little affinity between CHSS and these other disciplines, although all could potentially play a role in addressing health equity.

- Forcing such a merger without faculty buy-in could be detrimental and result in low morale and attrition of productive faculty.
- The top-down approach to deciding the merger
- Incomplete - does not go far enough. There are other majors dedicated to health and/or social justice that are not included. I am for the merger generally, but this is not the right structure for it. Suggest a revision of who is to be invited into the new structure.

Other comments

- I am skeptical that the merger will go smoothly without faculty support and buy-in. Faculty should have a say in the construction of the new college not just a "yes" or "no".
- why are we not voting on the alternative proposal put forth by CHSS?
- NMSU should commit resources to expanding a college of health. A strong health workforce is necessary to address major threats to human health, including the widespread growth of obesity, chronic diseases, new and re-emerging infectious diseases, environmental contaminants, global warming, and others. A strong health workforce can also serve to address health disparities among racial/ethnic minorities and other underserved groups in the state of New Mexico, the U.S. Mexico border region, and the nation as a whole.
- There are several factors limiting the nation's health capabilities. For example, the Association of Schools of PH estimates that by 2020, the

for this is an aging PH workforce, with 25% or more eligible to retire as of 2012. In the face of budget constraints, this progressive loss of highly skilled PH workers is creating many challenges for health departments nationwide in ensuring the nation's public health capabilities and preparedness. Furthermore, according to the Bureau of Labor Statistics, the projected job growth rate from 2012 to 2022 is 21% for Community Health Educators and 23% for Health Management, both PH concentrations demonstrating a faster growth rate relative to the average growth rate for all occupations (i.e., 11%). With its concentrations in Community Health Education and Health Management, Administration, and Policy, the NMSU MPH program is well situated to meet the need in these rapidly growing Public Health occupations.

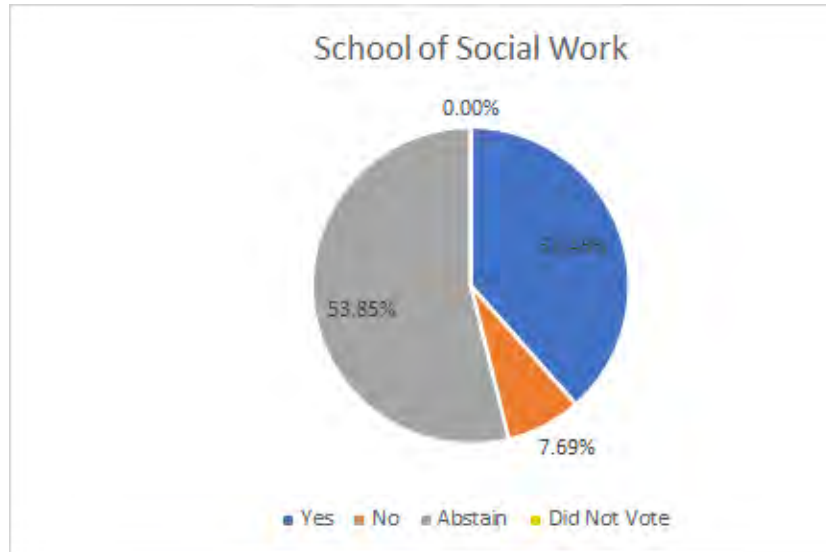
- Compounding PH workforce shortages is the rapid population growth in the U.S., particularly in the U.S.-Mexico border region. The U.S.-Mexico border region is currently home to over 14 million people. NMSU and its PH programs are optimally located to study and address the public health needs of this expansive border region and its disadvantaged and underserved communities. The US/Mexico border population is expected to double by 2030, further increasing the need and demand for a qualified, culturally competent public health workforce. With this border's growth rates exceeding growth rates of each country by more than 40%, the demand for PH services and shortages in the PH workforce will provide significant challenges to protecting public health in the border region. Again, the NMSU MPH program is perfectly situated to meeting existing and growing PH needs of the border region.

School of Social Work

Response from NMSU faculty impacted by proposed college ... Updated automatically every 5 minutes

Abstain 7

Did not vote 0



No Pro's/Con's provided

Other comments

- My only comment is that there needs to be a structure/process in place for existing administrators, faculty, and staff to help guide and inform the process.
- I think it will expand our ability to at both the undergrad and grad level and offer new opportunities for interdisciplinary research and teaching (such as certificate programs). My only concern is preserving all the structures necessary to ensure our continued accreditation.
- Hello Dr. Diaz, thank you for collecting our input. My vote would be "yes," as partnering with Counseling-Ed has always been a good experience with me in the past and I know that some social work colleagues on our faculty would look forward to connecting with those in Education.

APPENDIX 10

Initial August 2020 Proposal Presentation

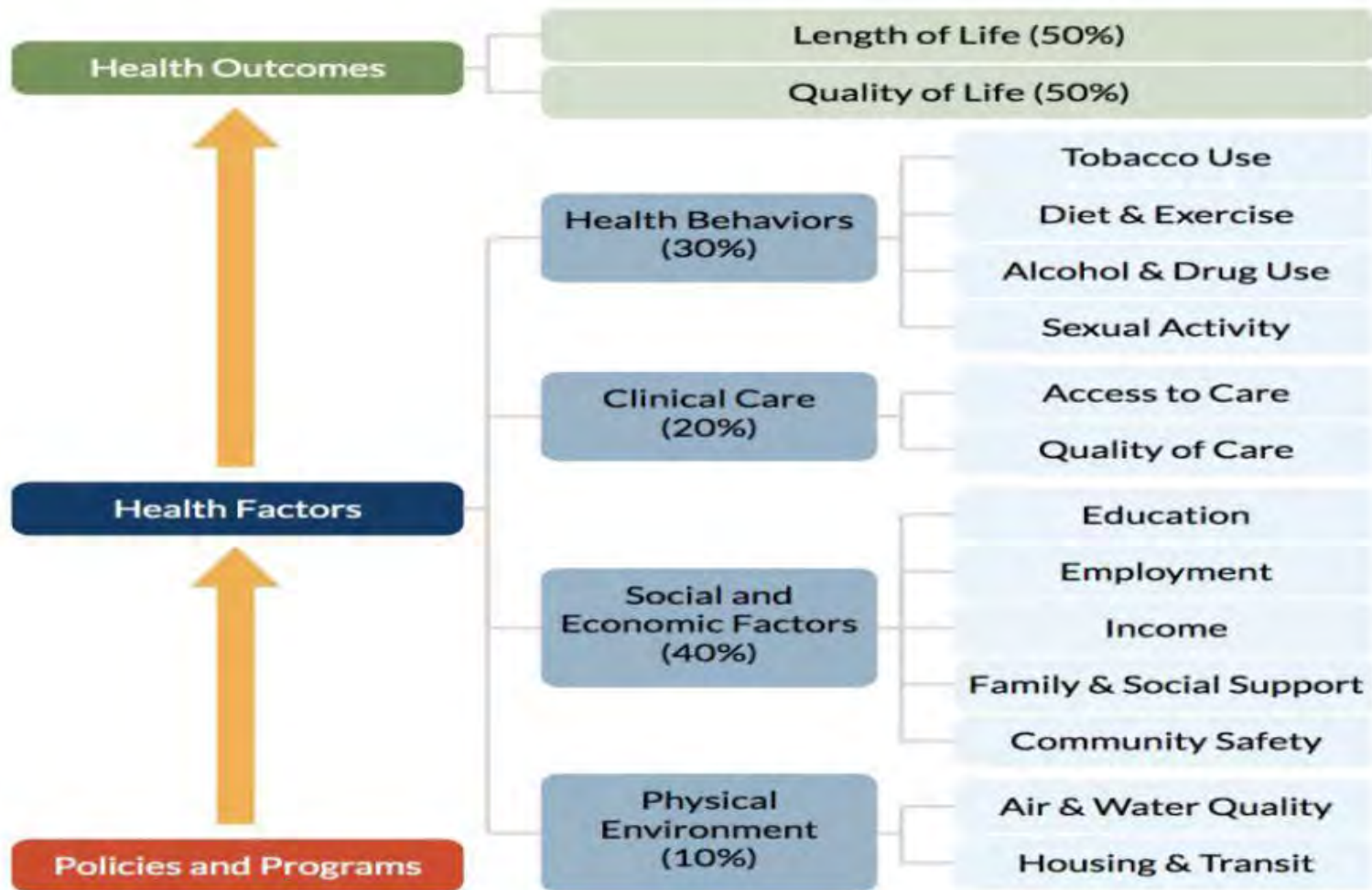
Repositioning Health, Education and Social Sciences for Maximum Impact and Future Growth

Carol Parker
August, 2020

Why Reposition?

- Support synergy among researchers and academic programs focusing on promoting health, education, social mobility, economic opportunity, and eliminating the downstream effects of poor policies, systemic bias and racism
 - emphasis on and support for work that improves access to health care, education, and improving socio-economic and criminal justice outcomes
- Support growth of academic programs in areas of high priority need for regional workforce development

County Health Rankings Model



County Health Rankings model © 2014 UWPHI

Why Reposition?

- Grow interdisciplinary research, proposal submittals, and graduate education in these areas
 - *Grand Challenges* alignment
- Create larger, more fiscally balanced academic units
 - greater opportunities than smaller standalone units have
- Create potential to reduce administrative overhead by consolidating leadership and admin positions

How?

Establish New College of Health, Education and the Social Environment/Social Sciences*

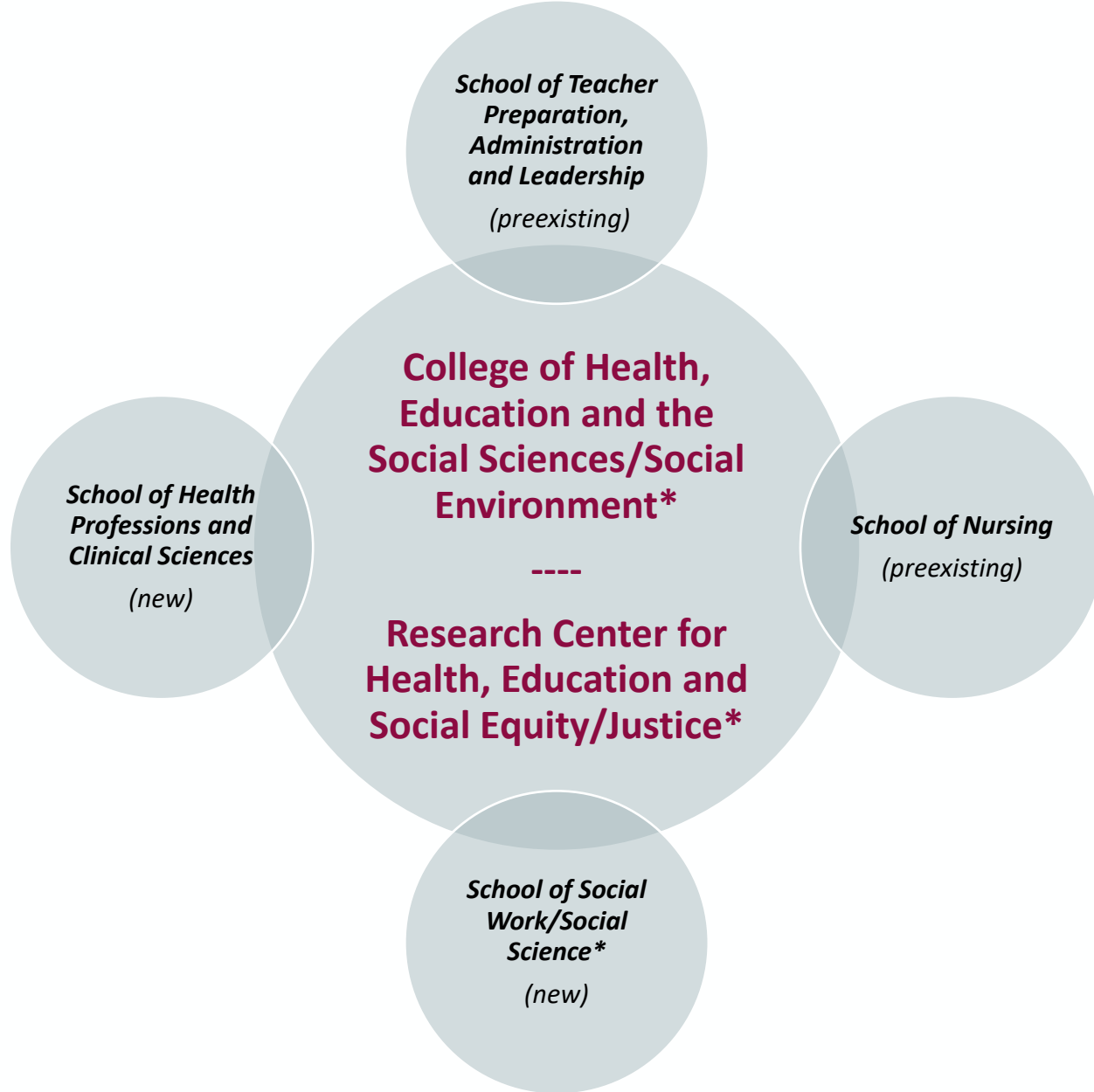
- Organize as non-departmentalized Schools
- Focus on growing academic programs that improve health, education and social outcomes/equity
- Focus on growing academic programs with high impact on regional job creation
- National search for new dean

*or similar name

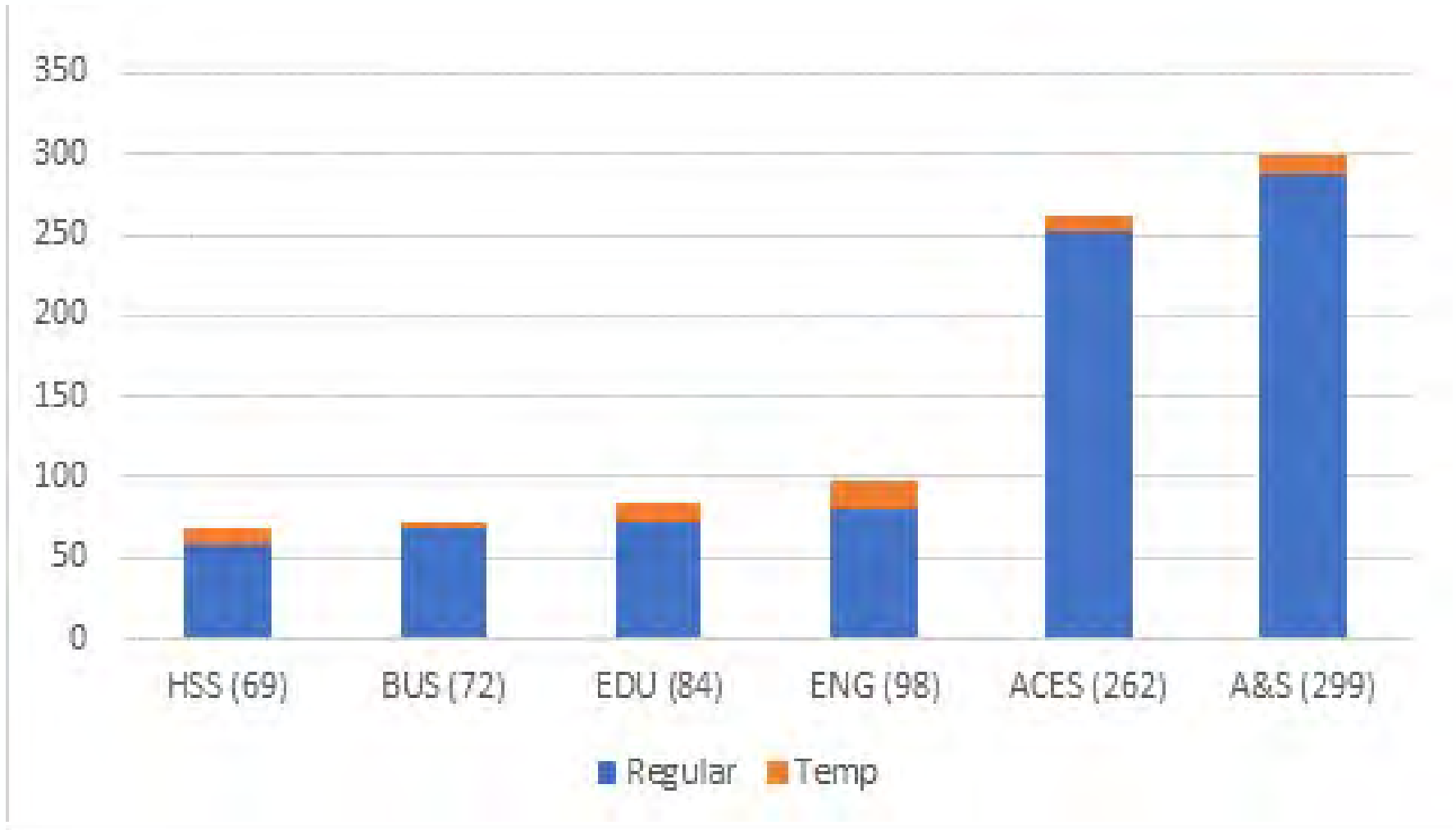
Establish New Research Center*

- Focus on interdisciplinary research that improves health, education and social outcomes/equity
- A&S, ACES, BUS & ENG all potential PI's
- Focus on extramural funding
- Seek Transformation Grant to launch
- Dean serves as Executive Director

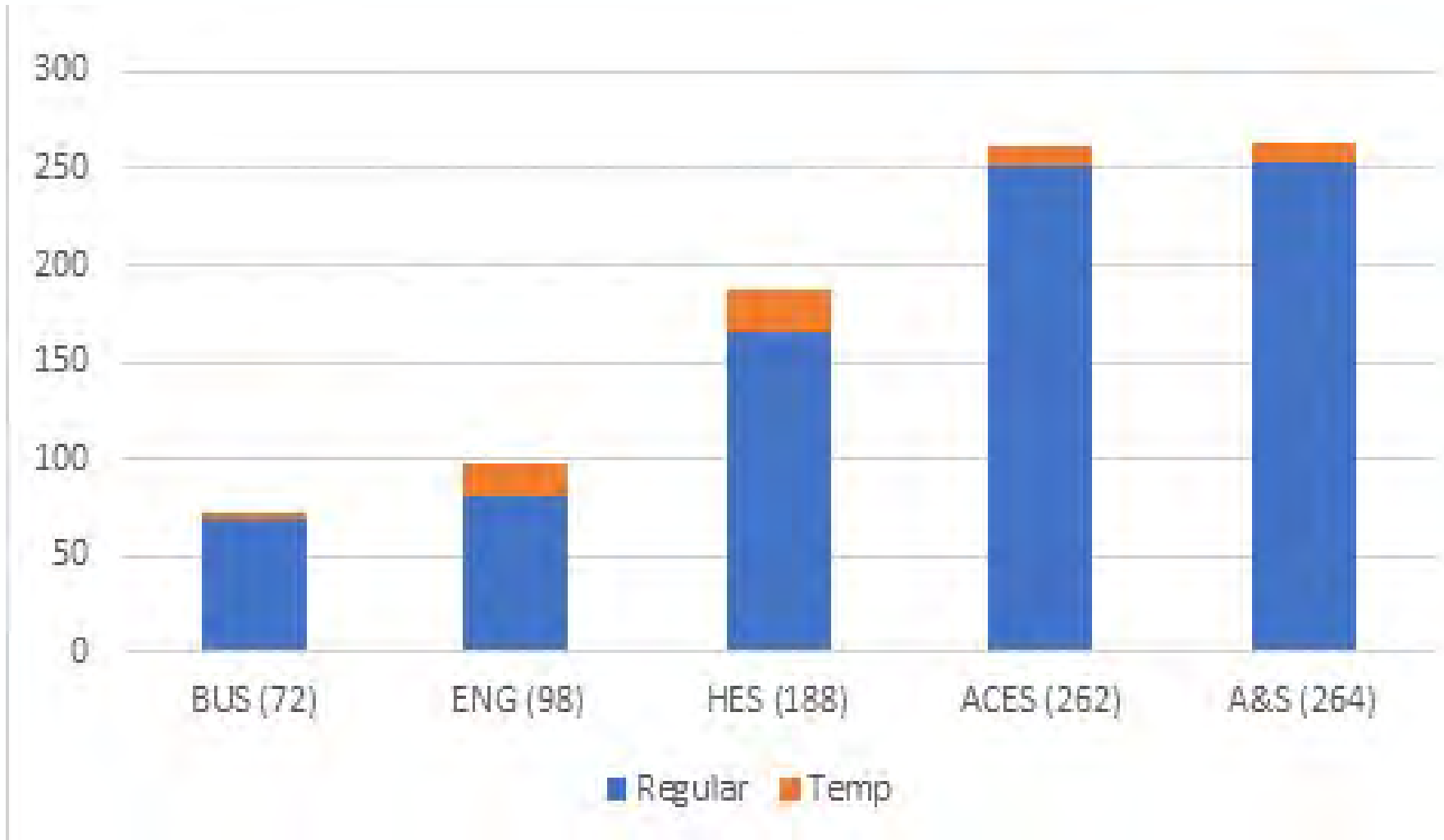
*needs name



AY20-21 Faculty FTE (6 colleges)



AY21-22 Faculty FTE (5 colleges)



HES Academic Components: Non-Departmentalized Schools

- *School of Teacher Preparation, Administration and Leadership* (existing)
- *School of Social Work/Social Science* (new)*
 - Social Work, Sociology, Criminal Justice, Ethnic Studies, Philosophy, Government, Gender and Sexuality Studies, Public Administration, Public Policy, etc.
 - Other new programs?

*Task Force helps sort it out

HES Academic Components: Non-Departmentalized Schools

- *School of Nursing* (existing)
- *School of Health Professions and Clinical Sciences* (new)*
 - Public Health, Counseling Ed Psych, Communication Disorders, Kinesiology, Psychology?, etc.
 - Potential for new programs, e.g., Med Lab Tech, etc.
 - BCOM Affiliation, BS/MD (3+4), Health Sciences BS
 - Other new programs?

*Task Force helps sort it out

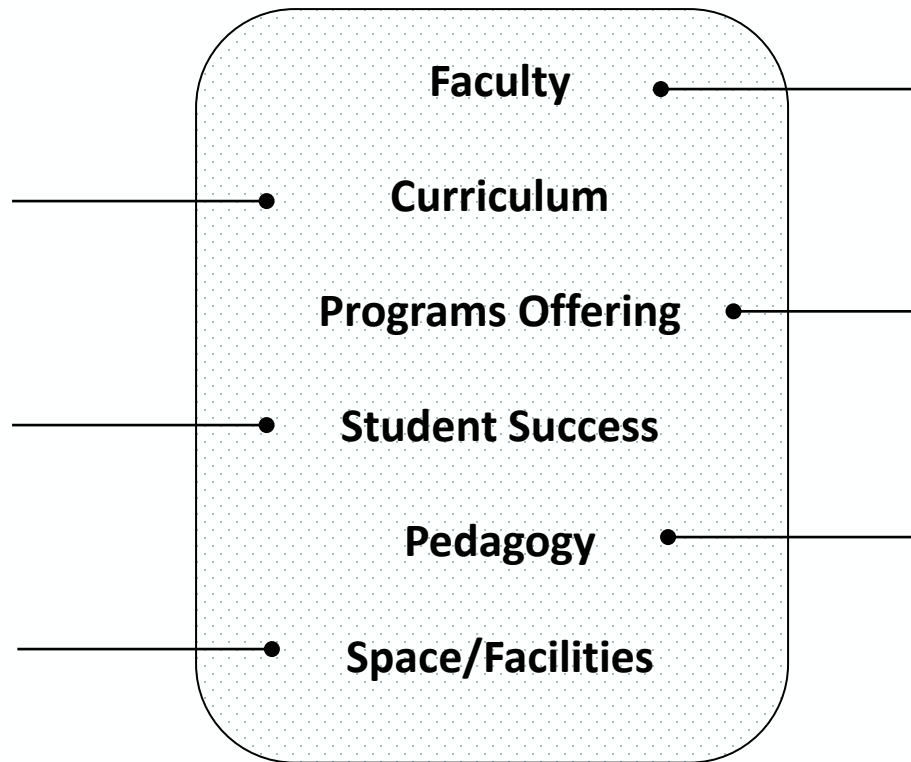
Traditional Department Framework

Department Head

- Majors
- Course Offerings
- Gen Eds

- Advising
- Mentoring
- Credit Transfers

- Course Scheduling
- Offices
- Labs



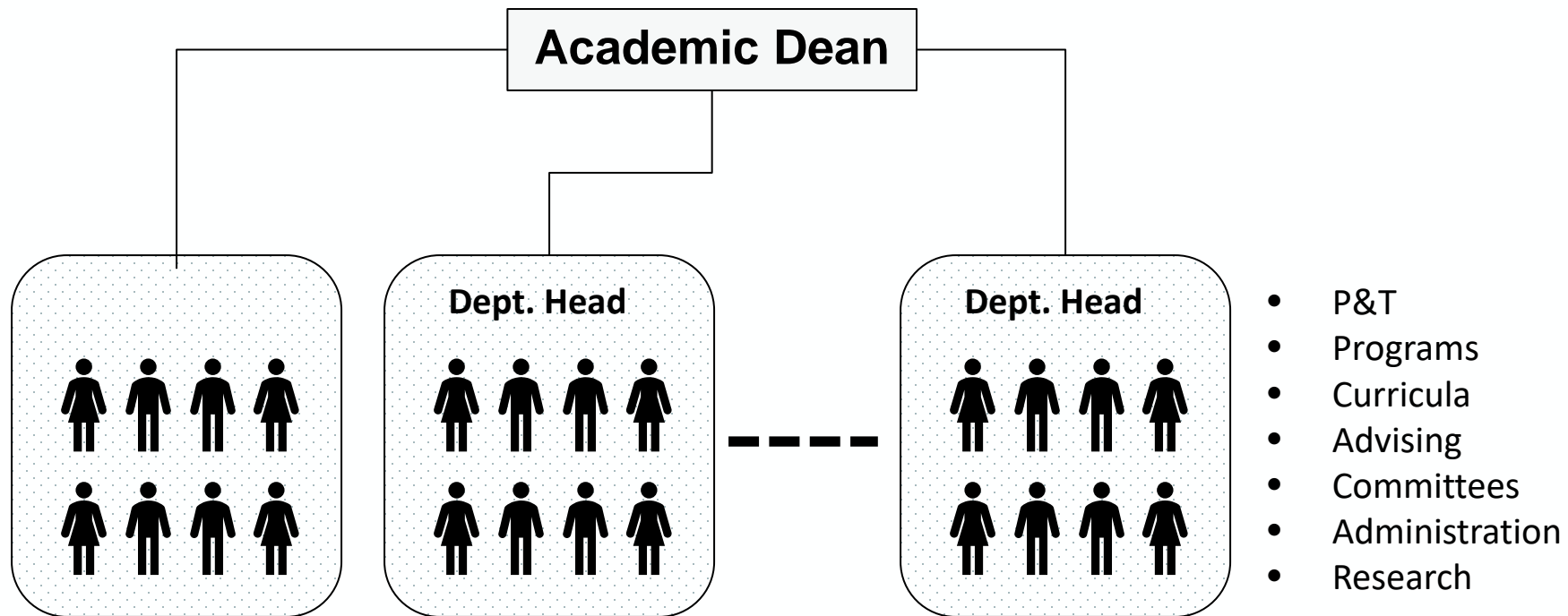
Dean

- Hires
- P&T
- Workload

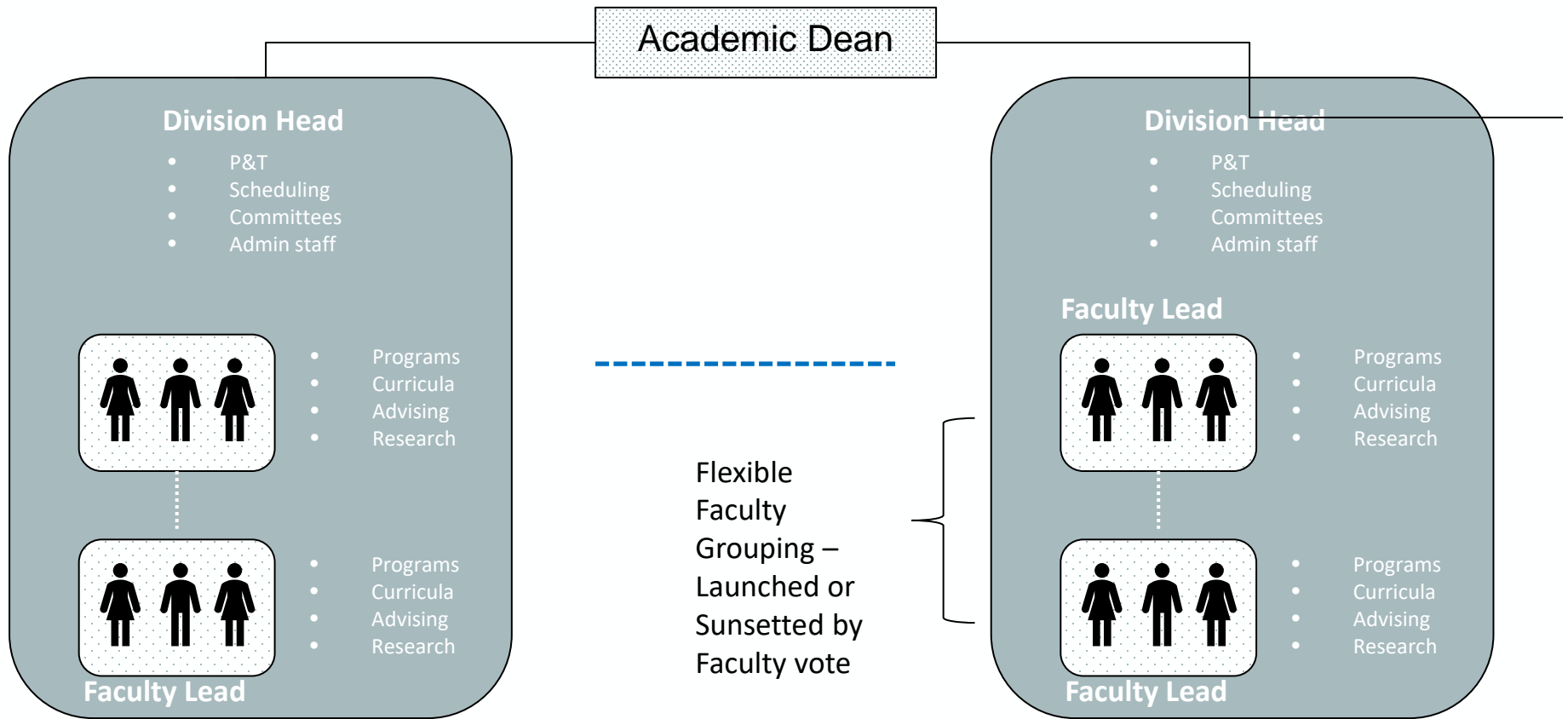
- Majors
- New Programs

- Online initiatives
- Training programs

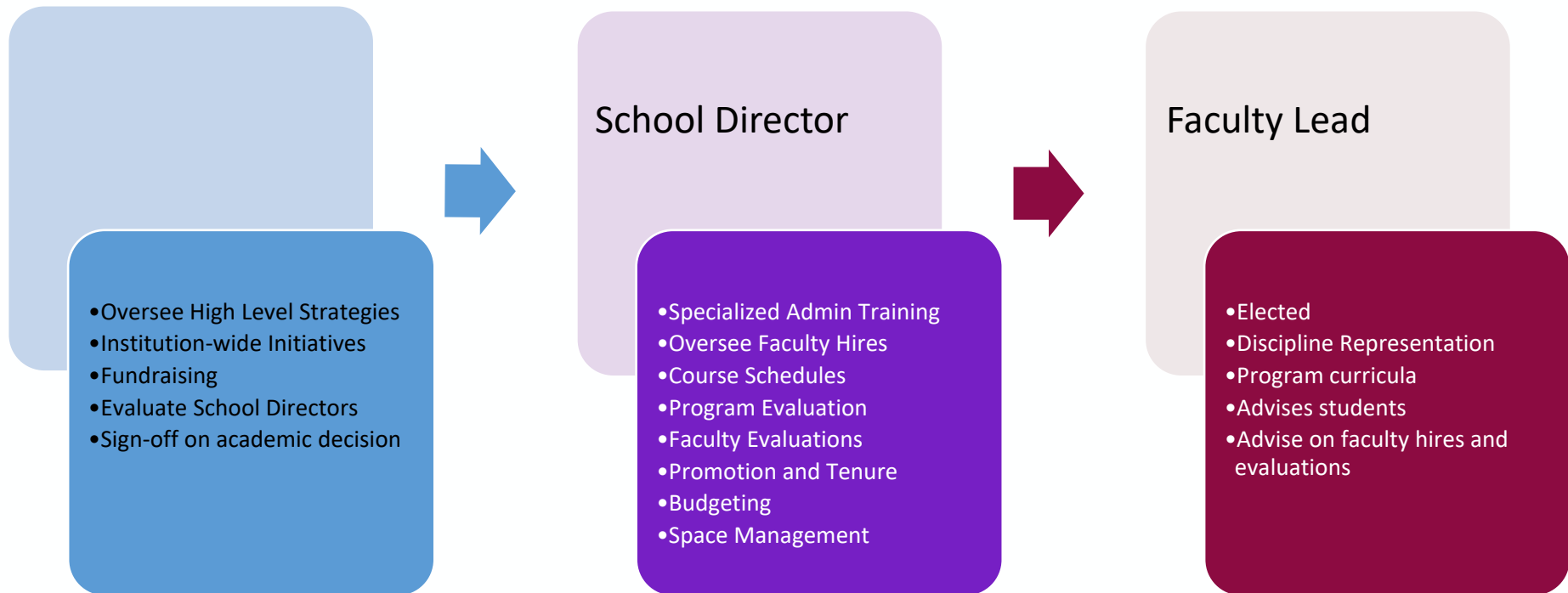
Traditional Disciplinary Org Structure (Silos)



Multidisciplinary Non-Departmentalized Framework



Multidisciplinary Non-Departmentalized Framework



HES Research Components

- *New Interdisciplinary Center.* Administers, in coordination with VPR goals, all health, education and social science/social environment research within new college together with interested faculty from other units across the system, and community organizations – possible collaborators:
 - Economics, Applied Stats and Finance in BUS
 - Nutrition, Consumer and Family, Extension Education in ACES
 - DA Wellness Institute; Burrell COM
 - Others?

HES Research Components

- PI's academic homes get all credit for research expenditures
- Center operations funded by IDC
- *Transformation Grant Potential.* Seek start up support from foundations, etc.
- Consider emphasis on borderlands region, international
 - in collaboration with BEST, CLABS, Beyond Borders, etc.?

Internal Promotional Opportunities in New College

- Associate Dean for Academic Affairs
- Associate Dean for Research/Associate Director of Research Center
- Director of School of Teacher Preparation, Administration and Leadership
- Director of School of Health Professions and Clinical Sciences
- Director of School of Social Science/Social Environment

Challenges or Concerns

- Shifts in Authority?
 - Dean better able to focus on fund raising, strategy, leadership
 - School Directors serve as frontline academic administrators
- Faculty Governance?
 - Unchanged
- Maintaining Disciplinary Excellence?
 - Faculty can still organize along disciplinary lines within school
- Academic Programs Elimination Worries?
 - Reduction of administrative costs from smaller programs may help preserve them

Challenges or Concerns

- Tenure Process Disrupted?
 - Policies, standards and procedures will have to be retooled*
- Faculty judged by another discipline's standards?
 - Should serve as a source of disciplinary growth
 - Schools may enrich disciplinary excellence with other mission priorities
- Accreditation/State Authorizations?
 - Robust infrastructure is in place to ensure compliance

*Preexisting probationary appointments could continue under prior standards

Relevant Policies

- NMSU Regents Policy Manual, 4.00, Academic Matters
- NMSU Administrative Rules and Procedures, 2.15, Modifying Academic Units

Timeline

Fall 2020

- Task Force co-led by deans of Health, Education and A&S gathers faculty input, and devises blueprint for new schools
- Hire search consultant; develop dean posting to begin search as soon as feasible
- Reach out to foundations and funding agencies for transformation grant
- Communication campaign; presentations to Faculty Senate and Board of Regents

Spring 2021

- Commence internal searches for associate deans, school directors of schools where needed
- Formal Faculty Senate and Board of Regents approval
- Commence organizational and financial restructure in Banner July 2021

Timeline

Fall 2021

- Launch! New dean in place
- Initiate set up of research center
- Transformational grant in place, or pending

Resources

- *Burrell College of Osteopathic Medicine*, academic affiliate of NMSU since June 10, 2014
- Mary Alice Scott, Assoc. Prof., Anthropology, <https://anthropology.nmsu.edu/anthropology-faculty/dr-mary-alice-scott/>
- ACES Cooperative Extension Service <https://extension.nmsu.edu/index.html> (Health, Economic Dev, etc.)
- Dona Ana Wellness Institute, <https://www.communityfoundationofsouthernnewmexico.com/working-together/dona-ana-wellness-institute/>
- Domenici Institute, <https://domenici.nmsu.edu/>
- NMSU Health Care and Health Services Task Force report, June 24, 2020
- U.S. Is Lagging Behind Many Rich Countries (July 2, 2020, NYT), <https://www.nytimes.com/interactive/2020/07/02/opinion/politics/us-economic-social-inequality.html>

APPENDIX 11

Provost's Memo to Social Sciences Faculty

August 20, 2020

MEMORANDUM

TO: Faculty Members in Sociology, Government, Philosophy, Criminal Justice and Interdisciplinary Studies
FROM: Provost Carol Parker
CC: Dean Enrico Pontelli
RE: Creation of New College and New Research Center for Health, Education and Social Sciences/Social Environment*

Dear Colleagues - I propose that we reposition academic units currently located in three separate colleges into a new, larger, college. The vision for this new college would administratively combine academic units presently in the Colleges of Arts and Sciences, Social Sciences division; Education; and Health and Social Services.

Functionally, this would formally bring together the majority of NMSU faculty whose work is focused on promoting improved outcomes in health, education, social mobility, criminal justice, and socio-economic opportunity. It would position NMSU to better support evolving learning outcomes through current and emerging **academic programs in areas of high demand for regional workforce development** (health, education, criminal justice, etc.). It would also position NMSU to increase support for interdisciplinary research, proposal submittals, and **graduate education** in these fields of study. I further believe that this ambitious initiative could position NMSU to seek extramural funding in support of the creation of a new research center dedicated to eliminating the downstream effects of inadequate or counterproductive public policy, systemic bias and racism, which adversely impacts outcomes in health, education, social mobility, criminal justice and economic opportunity.

I also propose that the new college would be organized into large, non-departmentalized Schools; however, faculty would, of course, retain the ability to organize by disciplines and field of study. Organizationally, this new structure would allow us to reduce administrative overhead by consolidating several leadership and administrative positions.

An overview of the concept can be found on my website: <https://provost.nmsu.edu/provost-office-projects/hes/index.html>. This is a concept not a blueprint. I have asked the deans of the Colleges of Arts and Sciences, Education and Health and Social Services to lead a Task Force to gather input and make recommendations. No decisions have been made at this point; the ultimate decision of whether to proceed in this direction would be made by the Board of Regents (RPM 4.0.C.).

However, in my opinion, there is a real sense of urgency related to the need to genuinely consider this restructuring. The faculty at NMSU are capable of enormous personal growth and capacity for change in short periods of time, as was demonstrated by our recent rallying to face the educational crisis caused by the ongoing pandemic. I know we are similarly capable of rallying to do the necessary work of restructuring to face the concurrent fiscal crisis in higher education. It is through initiatives such as this that NMSU will come through the current pandemic and fiscal crises stronger, rather than weaker, and well positioned for future growth, rather than stagnation.

I would welcome an opportunity to discuss with you as I know you have many questions. I will ask Dean Pontelli to facilitate a gathering at your earliest opportunity.

*This is a conceptual description; actual participants and new college name remain to be determined.

APPENDIX 12

Provost's Memo to NMSU Community



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

August 24, 2020

MEMORANDUM

TO: Members of the NMSU Community
FROM: Provost Carol Parker
RE: Creating a New College and New Research Center at New Mexico State University: Repositioning Health, Education, Social Services and the Social Sciences for Maximum Impact and Future Growth*

Carol A. Parker

Digitally signed by Carol A. Parker
DN: cn=Carol A. Parker, o=New
Mexico State University,
ou=Provost and Sr. Vice President
for Academic Affairs,
email=cparker@nmsu.edu, c=US
Date: 2020.08.24 09:35:55 -0600

I want to share with you the news that I will soon be launching a task force to evaluate a proposal to reposition academic units currently located in three different Las Cruces campus colleges into a new, larger, college. The vision for this new college would administratively combine academic units presently in the Colleges of Arts and Sciences, Social Sciences division; Education; and Health and Social Services.

Functionally, this would formally bring together many of our NMSU faculty whose work is focused on promoting improved outcomes in health, education, social services, social mobility, criminal justice, and socio-economic opportunity. It would position NMSU to better support current and emerging academic programs in areas of high demand for regional workforce development (health, education, criminal justice, etc.). It would also position NMSU to increase support for interdisciplinary research, proposal submittals, and graduate education in these fields of study. I further believe this initiative could position NMSU to seek extramural funding in support of the creation of a new research center dedicated to eliminating the downstream effects of inadequate or counterproductive public policy and systemic bias and racism, which adversely affect outcomes in health, education, social mobility, criminal justice and economic opportunity.

I have asked the deans of the Colleges of Arts and Sciences, Education and Health and Social Services to lead the Task Force to gather input via listening sessions, surveys and other communication tools. An overview of the concept can be found on my website: <https://provost.nmsu.edu/provost-office-projects/hes/index.html>. The website will develop over time to serve as an information hub about the task force's work and progress as it is made.

Please know that this is a concept not a blueprint. No decisions have been made at this point; the ultimate decision of whether to proceed in this direction would be made by the Board of Regents (RPM 4.0.C.). In my opinion, however, there is a real sense of urgency related to the need to genuinely consider restructuring. If done well, the restructuring can reduce administrative costs. The faculty at NMSU are capable of enormous personal growth and capacity for change in short periods of time, as was demonstrated by our recent rallying to face the educational crisis caused by the ongoing pandemic. I know we are similarly capable of rallying to do the necessary work of some academic restructuring to meet the concurrent fiscal crisis in higher education. It is through initiatives such as this that NMSU will come through the current pandemic and fiscal crises stronger, rather than weaker, and well positioned for future growth.

*This is a conceptual description; actual participating units and the new college name would need to be determined.

APPENDIX 13

Deans Task Force Charge and Final Report

September 1, 2020

MEMORANDUM

TO: Task Force Invitees
FROM: Provost Carol Parker
cc: President John Floros
Faculty Senate Chair Julia Parra
RE: Task Force to Gather Input to Assist in the Development of a Formal Faculty
Senate Bill Proposing a New College and New Research Center

I write to invite you to serve on a Task Force to gather input from the NMSU Community regarding my proposal to administratively combine several academic units within the Social Sciences, Education, Health and Social Services, in order to create a new College and a new Research Center. Background materials are on my website. If you are unable to serve in this effort, please let me know as soon as possible; otherwise, the membership of the task force will be:

Co-Chairs

Interim Dean Sonya Cooper, College of Health and Social Services

Interim Dean Henrietta Pichon, College of Education

Dean Enrico Pontelli, College of Arts and Sciences

Members

Dr. Blanca Araujo, Associate Professor of Curriculum and Instruction, College of Education

Dr. Susan Brown, Senior Academic Administrator and former Interim Dean, College of Education

Dr. Hector Diaz, Professor and Director, School of Social Work, College of Health and Social Services

Dr. Sam Fernald, Director of New Mexico Water Resources Research Institute, Professor of Watershed Management, College of Agricultural, Consumer and Environmental Sciences

Dr. Dennis Giever, Professor and Department Head of Criminal Justice, and Interim Department Head of Sociology, College of Arts and Sciences

Dr. Natalie Goldberg, Professor and former Interim Department Head of Extension Plant Sciences, and former Interim Associate Dean of Research, College of Agricultural, Consumer and Environmental Sciences

Dr. Neil Harvey, Professor and Department Head of Government College of Arts and Sciences

Dr. Jagdish Khubchandani, Professor of Public Health, College of Health and Social Services

Dr. Phillip Post, Professor of Kinesiology, and Interim Associate Dean, College of Education

Dr. Mary Alice Scott, Associate Professor of Anthropology, College of Arts and Sciences

Dr. Linda Summers, Associate Professor of Nursing, College of Health and Social Services

Dr. Luis Vazquez, Regents Professor of Counseling and Educational Psychology, College of Education, and Associate Vice President for Research and Graduate Studies

Dr. Patti Wojahn, Professor of English and Interdisciplinary Studies Department Head, College of Arts and Sciences

Charge and Timeline

You are charged with collecting input from the NMSU Community with respect to the suggestion that NMSU administratively combine several academic units within the Colleges of Arts and Sciences, Social Sciences division; Education; and Health and Social Services, in order to create a new College. I am interested in: (1) input on the opportunities and challenges the proposal presents; (2) potential names of the new college; and (3) ideas for how to improve upon the concept if possible. Feel free to use small working groups, listening sessions, surveys, etc.

The input you collect should be organized and provided to the Provost's Office by October 16, 2020. I will use it to prepare a formal Bill for submittal to the Faculty Senate seeking its review and recommendation, per APR 2.15. I must submit the Bill no later than October 27, 2020 for it to be introduced at the November 5, 2020 meeting.

Thank you!

New College and Research Institute—Task Force Executive Summary

Presented to Provost Carol Parker

October 16, 2020

Background

On August 24, 2020, Provost Parker sent an email to the members of the NMSU community announcing the concept of creating a new college and research center at New Mexico State University with the overall intent of repositioning health, education, social services, and the social sciences for maximum impact and future growth. <https://provost.nmsu.edu/Communications/Memo-to-System-8.24.20.pdf>

On September 1, Provost Parker launched the New College and Research Institute Taskforce with the charge of designing and executing listening sessions, focus groups, and surveys in order for faculty and staff in the Colleges of Education, Health and Social Services, and Arts and Sciences to express their thoughts, ideas, and concerns about the proposed concept: <https://provost.nmsu.edu/provost-office-projects/hes/index.html>

Prior to establishing the Taskforce, the Provost held virtual meetings with Health and Social Services and Education staff and faculty, and the Sociology Department faculty, and presented the concept at those meetings. Material presented at such meetings was also shared, via email, with faculty and staff in relevant departments in the College of Arts and Sciences.

The Taskforce met after the charge was delivered by Provost Parker on September 18. At that meeting, the group selected the date of the first listening session and organized into subcommittees to determine the following: 1) structure and questions for the general listening sessions, 2) number and structure of the focus groups, and 3) design of a survey. Ultimately, the group decided to implement:

- Two general listening sessions: September 25 (96 participants) and September 30 (41 participants)
- Twelve focus groups: (Participants had the choice of signing up for the following topics, each offered on some or all of the dates below: 1) logistics of creating a new college 2) proposed research center 3) discussion of new college and research center 4) alternative visions for increasing collaborations and synergy across colleges.)
 - October 1 (18 participants)
 - October 2 (20 participants)
 - October 5 (22 participants)
 - October 6 (11 participants)

Additionally, a survey was designed and launched on October 6, to seek additional perspectives and opinions on the new college and research center concept. The survey closed on October 12. 184 participants completed the survey. The results of the survey are summarized with this report.

Summary

The entire taskforce met to discuss the summaries of the listening and focus group sessions. The meeting aimed at organizing the feedback received according to four categories:

1. *Potential* of the proposed concept;
2. *Opportunities* that may be realized by the proposed concept;
3. *Concerns* regarding the proposed concept; and
4. *Other Viable Options* that could revise or replace the proposed concept.

Potential

In general, a new college and research institute has the potential for more collaborations when related disciplines are organized together and may provide a promising structure for interdisciplinary work. This re-organization could be designed with the intent to break any existing silos and encourage groups of similar interests to identify additional and more in-depth opportunities. A properly designed organizational structure that emphasizes new processes and resources could be more effective than existing organizations in recognizing and rewarding interdisciplinary work. There is a potential for more faculty involvement and the hiring of new faculty. Students could more clearly see how they are able to work across disciplinary divides. More faculty working together in an environment that magnifies and supports similar discipline subject areas, research interests, and specializations could lead to additional outreach.

The establishment of schools with a coherent underlying theme could consolidate disciplines that are currently fragmented across multiple smaller units, providing them with a stronger voice, a greater potential of having an influence on institution-wide priorities, and greater potential to secure resources (internally and externally). This could also improve visibility of work performed within such schools.

Opportunities

The highlighted opportunities include meeting new people, administrative efficiency, ability to seek and participate in larger-scale grants, and an ability to accommodate large interdisciplinary teams. From a student's perspective, opportunities include the possibility of new interdisciplinary degree programs and a structure for students interested in a broad category (e.g., meta-majors) to explore more effectively diverse career options. There is an opportunity for new management and administration structures, procedures, and resource sharing. There are opportunities for curriculum re-design such as looking at similar courses offered and updating to a singular offering. Additionally, there are opportunities for new academic programs to be considered.

Concerns

Listening, Focus Group, and Survey participants in general are leery of a new college. They are concerned about the process and timeline. They feel the purpose is not clear, and that there is a lack of information. Exploring this concept should actually be a university-wide exercise, inclusive of other colleges beyond those addressed in the proposal, with a greater faculty, staff, and student involvement in the design and planning process. Many feel we are already accomplishing some of the goals identified in the concept proposal, especially in terms of interdisciplinary research. A common opinion is that this action is primarily budget driven, and some expressed that they would like to look at the financial breakdown showing the real cost savings in creating a multi-tiered new college along with a research center, with budgetary needs for each. Participants wanted more information on how a multi-program school works. Some questioned GA allocation. Many cited accreditation concerns; those working in accredited programs listed distinct concerns from those not in accredited programs. There were concerns about physical space and who would move. Promotion and Tenure criteria and processes were questioned. Many expressed concerns that important efforts now working well could be devalued, if not obstructed. Some expressed concerns about maintaining their own research trajectories if required to move into a new college. Others expressed concerns about how this proposal overall is aimed at supporting student learning and majors within specific disciplines or fields. The timing of this sizable effort is contributing to interruptions already existing in adapting current teaching, research, and service in the midst of budget cut concerns and the pandemic, with all three being experienced by some as crises. We also heard concerns expressed by staff regarding potential layoffs and/or the assignment of more duties as people retire and staff positions are not potentially filled, and that the Task Force lacked a staff member. The lack of information and the fast timeline has created a lot of stress for staff

(and faculty) whose units may be most directly affected by this proposal.

Other Viable Options

The participants offered several other options. One is the creation of a School of Social Sciences within the College of Arts and Sciences. Another option is to combine Health and Education at first and then phase in other relevant programs. Some participants mentioned the concept of dual appointments in order to maintain their current academic home while participating in the new project. Participants also expressed that the research institute should be a university wide research center with an eye to not duplicating work already occurring in the VPR offices. Some participants also recommended a review of existing research centers on campus to identify where we may already be doing some of the work envisioned by a new research center to ensure that we are building on existing resources and strengths. Some suggested that changing processes in existing colleges could achieve similar objectives as those proposed for a new college, by eliminating obstacles to and challenges of interdisciplinary efforts by implementing resources, changed procedures/policies, and reward structures.



The feedback indicates that a *phased* approach of the proposed concept may facilitate moving forward at this time. Based on what we heard from faculty, staff, and students, there was a majority opinion that it makes sense to structure the health-related programs together, especially to strengthen resources for the clinical health and education programs. Notably, not all targeted programs or departments in education or social sciences fit aims of health-related programs. It should be pointed out that there were some consistent dissenting views to this plan. The exploration and development of an organizational structure to address the governing principles of the proposed concept: *to build transformational processes at NMSU to address health equity, education equity, human rights, and justice in a concerted way to best impact student learning and community needs*, should be a process that continues with faculty, staff, students, community members, employers, and other key stakeholders. A phased approach to the research center, similar to that proposed for a new college, will allow important concepts to be implemented so we can see benefits sooner rather than later, while still allowing for thoughtful feedback and planning of the other important desired outcomes. This may include merging the existing research centers in the respective colleges and expanding thereafter as the college evolves.

Please let us know if you have questions or need further information.

- *Members of the Task Force*

APPENDIX 14

Health Task Force Charge and Final Report

Health Care and Health Services Taskforce Report and Recommendations June 2020

Prepared for Provost Carol Parker



NM
STATE

BE BOLD. Shape the Future.
New Mexico State University
URL

Report and Recommendations for Provost Carol Parker

NMSU Health Care and Health Services Task Force

June 23, 2020

Introduction

On January 17, 2020, NMSU Chancellor Dan Arvizu delivered an email to community health leaders requesting guidance regarding how best to serve our students and our community with respect to health care and health services in the Southern New Mexico Border Region. This request followed the presentation of NMSU's Strategic Plan, NMSU LEADS 2025, that identifies "Health" as a Grand Challenge area confronting the university. This group became the Health Care and Health Services Task Force with the overall charge of optimizing our current health-related programs and talent by identifying new opportunities for partnerships leading to larger impacts and more effective outcomes in our community and region.

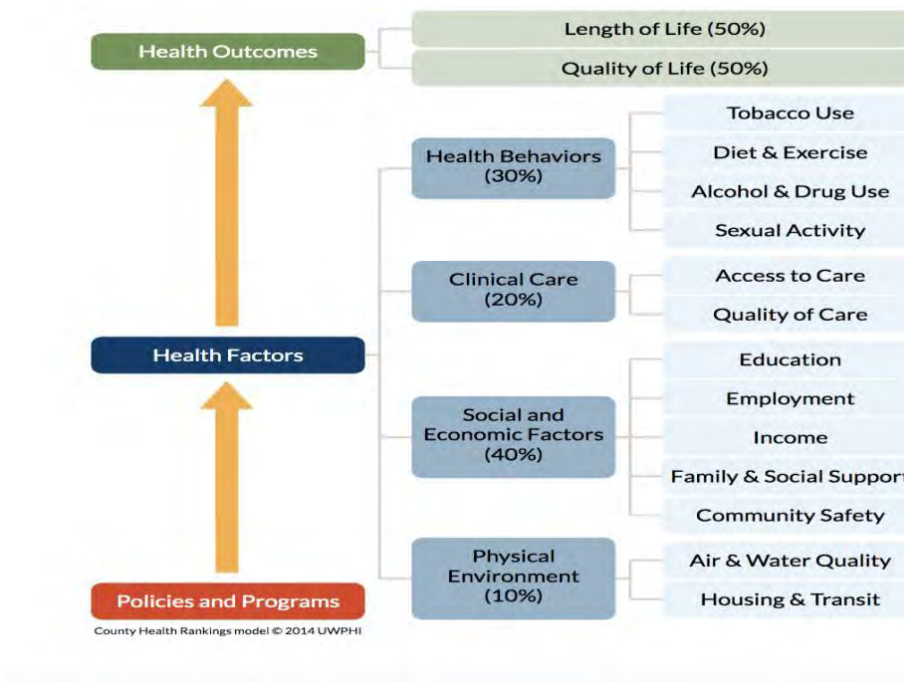
There is tremendous community talent that can be captured and leveraged. The current Health Care and Health Services Task Force (Health Task Force) is a triple helix composed of university, business, and government representatives. It will take all three to build a successful infrastructure. Our existing and future partnerships will rely upon past lessons learned to implement best practices. The COVID-19 pandemic has created a new necessary speed of innovation, and we have the opportunity now as a university to convene the appropriate expertise for strategic conversations and action.

As a key source of talent, NMSU is positioned to lead this effort with participating agencies and local industry to provide critical information, guidance, and cooperative support. The university system can partner with the county and state to assume a coordinating role for health infrastructure in Southern New Mexico. We define health infrastructure as the availability of planning and resources to sufficiently offer the necessary health services, programs, and quality of life to all of our citizens. NMSU will serve as the education and research center for

infrastructure development, management and sustainability. Eventually, we will transform the Task Force into a formal Advisory Board to help inform critical decision-making by the Chancellor and Provost.

A fundamental goal is to provide effective structures of health intervention—a proactive approach that focuses on the causes of illness rather than treating only the illness itself. The Task Force enthusiastically adopted a model developed by the University of Wisconsin Public Health Institute known as the County Health Rankings Model. This model, which reflects the vision of the Task Force, is “rooted in a deep belief in health equity, the idea that everyone has a fair and just opportunity to be as healthy as possible, regardless of ethnicity, gender, income, location, or any other factor,” and that increasing opportunities for everyone “can reduce gaps in health.” For additional information regarding the Wisconsin’s County Health Rankings Model, please go to: <https://www.countyhealthrankings.org/explore-health-rankings/measures-datasources/county-health-rankings-model>.

County Health Rankings Model



Source: <https://www.countyhealthrankings.org/explore-health-rankings/measures-datasources/county-health-rankings-model>

The *County Health Rankings Model* graphic illustrates that quality of life and longevity are affected by four Health Factors, including: (1) Health Behaviors, (2) Clinical Care, (3) Social and Economic Factors, and (4) the Physical Environment. Each of the factors contributing to a person's health and well-being are further defined by specific conditions and behaviors, including tobacco use, access to care, personal income, and air quality to name a few.

The NMSU system can be the leader to build capacity in each of these areas by integrating health and social science education, research, development, and outreach. System-wide, NMSU has more than 50 health and social science programs that directly address health behaviors, clinical care, social and economic factors, and the physical environment.

Recommendations

The Health Task Force recommends establishing a comprehensive, collaborative Institute to support the best healthcare possible, where NMSU serves as the education and research center for infrastructure development, management and sustainability in support of the community's adoption of a more integrated and successful healthcare delivery system. The Institute will analyze current threats that jeopardize our citizens' wellbeing and will combine healthcare, education, and economic strategies to transform those threats into a resilient future. Once in motion, the Institute will develop a body of research through skilled partnerships, driven by participants who regularly collect data, inventory programs and analyze what we have and what we need to fill gaps through training and workforce development. This will create ample opportunities for NMSU to support the supply chain for healthcare delivery through education and innovation. For example, the Institute, with private and government partners, will collect data on existing numbers and titles of health personnel, existing numbers and conditions of facilities and equipment, existing services and operations, and existing organizational structures. The Institute and its partners will determine needs based on population and its vigorous achievement of the health factors listed in the above model. The Institute along with its advisors will create and prioritize solutions. Solutions will be implemented strategically and collaboratively to sustain health well-being and healthcare delivery.

The Institute’s top priority will be to improve health outcomes in Doña Ana County, southern New Mexico, and the Border region through data-informed problem-solving. The goals are to enhance access to home, clinical, and tele-health care, improve lifestyle decisions, and enrich social, environmental, and economic factors. The opportunity for Institute partners to exist in the same space is highly beneficial for interdisciplinary training, ease of collaboration, strong communication, and synergistic impact. The physical space and co-location of partners aligns with the strategic vision of NMSU and Institute collaborators. The Institute will function as a collaborative enterprise: A space for internal/external synthesized efforts, including applied research using “real-life” data to study effects and produce solutions that can be immediately implemented in Doña Ana County and the Frontera region.

Community of Practice

While the Institute is being formulated, a Community of Practice (CoP) will produce healthcare resources and interventions. The CoP can be initially implemented in a digital or hybrid digital/face-to-face format and can facilitate designed, intentional, efforts driven by data, continuous improvement and collective impact methodologies. A CoP also prioritizes coordinated, unified, and strategic internal and external communication. In the health sector, Communities of Practice:

provide a collaborative framework for public and private health professionals to work together to identify and leverage best practices and standards. Through these evolving collaborative efforts and sharing of lessons learned in the community building process, the community of practice approach is being implemented in many public health areas as a model for how public health partners work together.

Source: www.cdc.gov/phcommunities/index.html

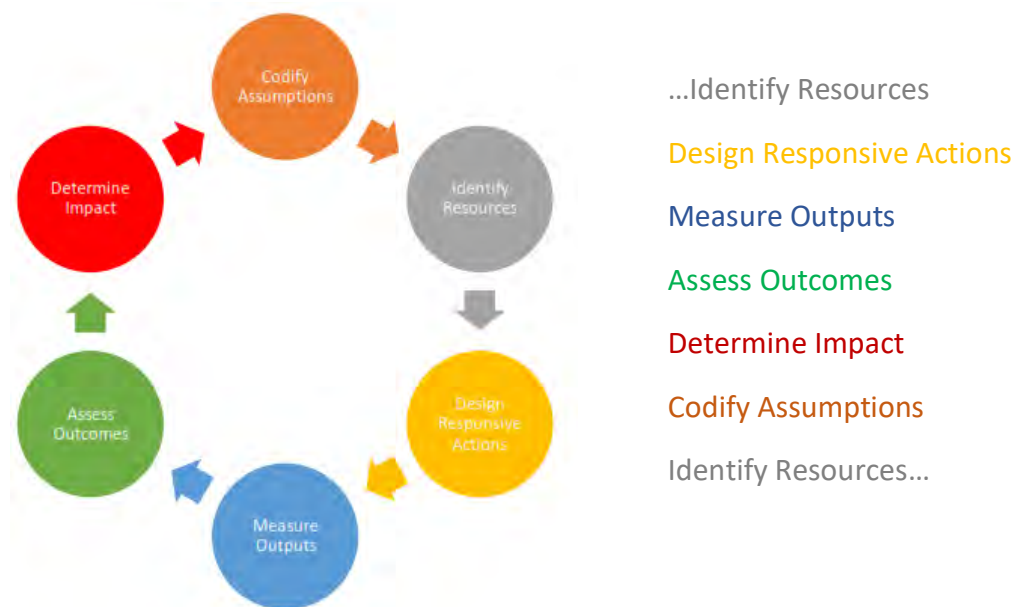
In 2014, Health Task Force member and College of Health and Social Services Advisory Board Member John Andazola, MD., co-founded a consortium of healthcare stakeholders in Doña Ana County—the Doña Ana Wellness Institute (WI). The WI’s goal is to bring together various

community stakeholders to work on a proactive and collaborative approach to address the county’s healthcare needs. Currently, the WI has several representatives from New Mexico State University including members of the Nursing, Social Work, Public Health, Anthropology, and Counseling and Education Psychology departments. Also included are the Doña Ana County Health and Human Services leadership, La Clinica de Familia, Las Cruces Public Schools, Las Cruces Police Department, Las Cruces Fire Department, Western Sky Medicare plan, the Center for Health Innovations, and others. The WI—itself analogous to a Community of Practice— is an asset that can be leveraged for developing the Community of Practice and the Institute.

Community of Practice/Institute Focus Areas

In addition to utilizing Wisconsin’s County Health Ranking Model that tracks and mitigates unhealthy behaviors and conditions, the Health Task Force proposes that the Institute utilizes the following steps:

- (1) Identify threats, gaps, and vulnerabilities through surveys and inventories of regional resources
- (2) Establish shared metrics and baselines, and delineate the roles that each partner entity plays to ensure accountability
- (3) Envision and execute effective, data-driven solutions



Source: <https://www.countyhealthrankings.org/explore-health-rankings/measures-datasources/county-health-rankings-model>

With these imperatives in mind, the Task Force recommends three areas of focus to begin with:

Focus Area #1: Access to Mental Health

- Bring together NMSU's behavioral health programs to lead this effort.
- Leverage shared expertise for inter-disciplinary training including partners such as: NMSU and its various colleges, the Burrell College of Osteopathic Medicine, The Doña Ana Wellness Institute, Memorial Medical Center, Doña Ana Community College, NM Children, Youth & Families Department (CYFD), Families & Youth, Inc. (FYI), The Bridge of Southern New Mexico, La Clinica de Familia, Mountain View Medical Center, clinics, Electronic Caregiver, and others.
- Work with the New Mexico chapter of the National Alliance on Mental Illness (NAMI) to undertake a region-wide pilot study focused on Mental and Behavioral Health.
- Enhance innovations and support for tele-mental health. Emphasize education for well-being across the county. Impact community with increased positive childhood experiences. Support domestic stability within households.
- Work with the Inter-Agency Council listserv to reach regional non-profit providers. Establish and provide necessary training programs for all levels of caregivers, from promotors to licensed providers.

Focus Area #2: Accelerate Rural Access to Healthcare

- Bring together NMSU's Public Health, Family Support, Physical Health, Cooperative Extension Service (CES), and Engineering programs to lead this this effort.
- Increase coordination, communication, and job pathways in areas of tele-health.

- Offer expanded professional development and cross-training for CES agents with the health sector.

Focus Area #3: Border Region Health Policy and Equity

- Host policy-focused discussions on achieving health equity in the Border Region.
- Direct collaborative efforts toward eliminating health disparities and increasing healthcare access.
- Include current practitioners and build new practitioners in scholarly outreach and research.
- Create measurable prevention and intervention models for prioritized Border health issues.

The new Community of Practice should include the following dedicated program support:

- A full-time Director who provides advanced professional/technical leadership, consultation, and expertise within the program's areas of focus, and administrative and functional management of the program's activities and staff. The Director is also responsible for managing NMSU's relationship with the Task Force/Advisory Board. The Director sets strategic direction, develops and implements scopes of work, establishes funding, and provides operational planning, budgeting, and assessment.
- A full-time Project Manager to oversee relationships and communication with NMSU and external industry/government/and community champions and to manage the effective collection and assessment of data that will inform solutions. Explores

intersections of training and technology, and engages students to help create innovative ways of doing and collaborating.

- Project Coordinators (at least .25FTE) to focus on data collection, and to track and report on targeted health outcomes and other metrics.
- Project support roles will design, implement, and maintain a communication plan for all stakeholders including the Advisory Board (potentially members of the current Health Task Force and members of the Wellness Institute).
- Staff will provide close coordination with Arrowhead Center for entrepreneurial programming.

Next Steps

After the Focus Areas are refined with the Provost's input, the Community of Practice tasks may commence. These Focus Areas can be communicated through meetings with the current stakeholders, and others who will be identified throughout the process. The inventory of community health resources and the model of an ideal health infrastructure for southern New Mexico could occur simultaneously. Ideally, the new Dean for the CHSS will serve as the hands-on leader to work with the Community of Practice to create and help administer the Institute.

Appendix A: Initial Charge from Chancellor Arvizu



Office of the Chancellor

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New Mexico State University
P.O. Box 30001
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575-646-2035, fax: 575-646-6334
chancellor.arvizu@nmsu.edu

DATE: January 17, 2020

TO: Task Force Nominees

Monica Torres, President, DACC
Lenny Martinez, NMSU Chief of Staff
Tim Washburn, Chief Clinical Officer,
Electronic Caregiver
Derrick Cuenca, CEO, Mountain View RMC
Griselda Martinez, Director, LC Econ Dev
Wayne Savage, Exec. Dir., Arrowhead Park
FROM: Dan Arvizu, Chancellor

Don Peska, DO, Dean, Burrell COM
John Andazola, MD, So NM Family Med
Sabrina Martin, CEO, Rehab Hospital
Frieda Adams, Office of Border Health
Lynn Gallagher, City of Las Cruces

SUBJECT: Health Care and Health Services Task Force

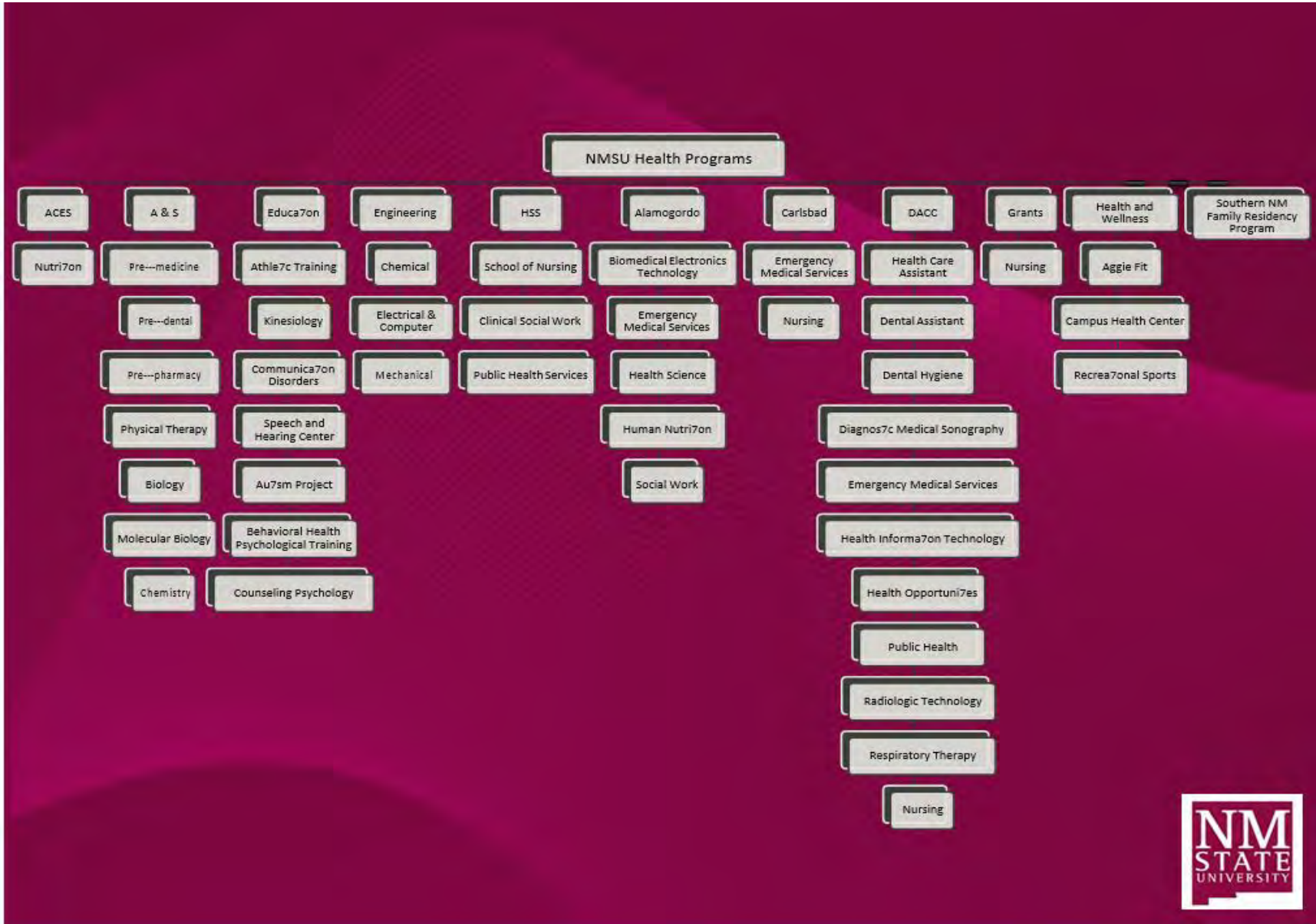
NMSU is moving in an exciting new direction and is well poised to capitalize on our state's strong economic climate, new and potential regional partners, a robust higher education system and strong state support for public education, and tremendous talent. Our Strategic Plan, NMSU LEADS 2025 offers a roadmap for this direction and identifies "Health" as a Grand Challenge area on which the university desires to focus <https://leads2025.nmsu.edu/>.

To help us develop future strategies related to Health as a focus for our work, we are convening a taskforce to study and provide recommendations to guide how NMSU might proceed in order to better service our students and our community with respect to health care and health services in the Southern New Mexico Border Region. You have been nominated to serve on the task force! Please contact Task Force Chair Dr. Sonya Cooper at socooper@nmsu.edu if you agree to serve.

Charge: Given NMSU's current (42) health-and social sciences-related programs (see attached), please recommend major areas of synergy in terms of educational programs, research, outreach and extension opportunities, capitalizing on our location, and identifying local governmental and non-profit partners, and industry and economic/workforce development partners with whom we might work in the future. How do we better align related efforts currently underway across the NMSU system and amplify the full potential of our programs and mission? How do we make more visible the health care and health services we already provide? Please identify new opportunities and strategies. What new potential partners in the community and region might exist? Finally, please identify any current barriers to achieving this vision which would need to be addressed in order to move forward with newly identified opportunities and strategies.

cc: Sonya Cooper, Task Force Chair and Interim Dean, Health Sciences and Services
John Floros, President
Carol Parker, Provost and Sr. VP Academic Affairs

Attachment



Appendix B: Community Resource Categories

Health Related Facilities

- Wellness and Maintenance
 - Ambulatory clinics
 - Pharmacies
 - Radiology Services
 - Laboratories
 - Nutrition
 - Physical Health and Activity
 - Healthy Homes
 - Family-engaged Programs
 - Prevention
- Acute Care
 - Hospitals
 - Mental Health Facilities
 - Ambulatory Treatment Centers
- Chronic Care
 - Rehabilitation Hospitals
 - Extended Care Facilities
 - Primary Providers

Health Related Providers

- Primary Providers (MD, DO, NP, PA, CRNA, DC, DPM, DDS, PharmD, OD)
- Support Services (PT, OT, RT, RN, LVN, RDN, MSW)
- Management

Health-Related Supply Chain

- Provider Education and Training
- Management Education and Training
- Community Education
- Biotechnology Support
- Pharmaceuticals
- Food Services
- Medical Supplies
- Transportation
- Finance

Appendix C: Health Taskforce Asset Charts

The assets below were collected during the March convening of the Health Taskforce. These charts are meant to serve as a starting point for identifying ways to leverage assets to create new opportunities through partnership.

Assets Group 1: Mónica, Sonya

<p>Social</p> <ul style="list-style-type: none"> • education networks K-20 (NMSU system network) • Higher Ed Collaboration (networks: faculty, teaching, research, outreach, and service) • dissemination of information across many networks • relationship with Cooperative Extension faculty 	<p>Physical</p> <ul style="list-style-type: none"> • instructional facilities at NMSU and DACC (and auxiliary facilities, eg, IT libraries, etc) • NMSU Extension sites
<p>Skills/Knowledge</p> <ul style="list-style-type: none"> • Higher Ed Collaboration (as a skill in itself) • How to disseminate information effectively • Administrator skills • network of NMSU system health-related course offerings 	<p>Capital</p> <ul style="list-style-type: none"> • tuition • state funding (including bonds, capital outlay, I&G, RPSP) • Faculty (AOE) allotment of effort • Administrator (AOE) allotment of effort

Assets Group 2: John, Sabrina, Griselda

<p>Social</p> <ul style="list-style-type: none"> • connections to community leaders • access to experts in upstream medicine • 85 hospitals/30 states (access to networks) • local decision making (City Council) • statewide connections • interdisciplinary connections 	<p>Physical</p> <ul style="list-style-type: none"> • space • targeted/strategic efforts, workforce/ sector/industries • hospital for experiential learning
<p>Skills/Knowledge</p> <ul style="list-style-type: none"> • unrestricted opinion • knowledge upstream model social determinants of health 	<p>Capital</p> <ul style="list-style-type: none"> • alumni/invested persons • 25 physicians (Family Practice) • residency program

Appendix C: Health Taskforce Asset Charts (continued)

<ul style="list-style-type: none"> ● metrics on wellbeing ● IPE, physicians, social workers, pharmacists, nurses ● collective message approach to issues/challenges ● DA Wellness Institute 	
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Assets Group 3: Tim, Don, Wayne, Derrick

<p>Social</p> <ul style="list-style-type: none"> ● Hospital executive network ● Subject Matter Expert network ● FQHC Network ● Hosp Hed Group network ● Government affairs connections ● Border Health office 	<p>Physical</p> <ul style="list-style-type: none"> ● Computer Lab -- BCOM/ECG ● Hosp -- 2 regional facilities ● Sim LABS ● classrooms ● lecture halls ● early college hs sim lab
<p>Skills/Knowledge</p> <ul style="list-style-type: none"> ● IT programming ECG ● Networking ● Basic science ● clinical ● GME program faculty ● Public Health program 	<p>Capital</p> <ul style="list-style-type: none"> ● Physicians/NP/PA ● Hospital auxiliary (volunteers) ● Med staff vol ● 15+ acute care hubs

Appendix D: NMSU Health Charge Questions

The following questions were included in the charge from the Chancellor to the Health Taskforce. These questions produced foundational feedback that contributed to this report.

Health Value- how do you define value in your own area of the health services sector?

How does your organization or workplace optimize value in the health services you provide?

How does NMSU currently support your organization in improving the value of your services?

Are there areas of cooperation or collaborative efforts that you see as a source of synergy?

Are there gaps or shortcomings in any cooperative or collaborative relationship that concern you?

How do we better align related efforts currently underway across the NMSU system and amplify the full potential of our programs and mission? How do we make more visible the health care and health services that we already provide?

Where do we fall short in providing educational pipelines?

Are there individuals, community partners or affiliates in the best position to analyze and address the gaps or shortcomings you have identified?

Are there Public/Private partnerships either already in place or that need to be developed to address the gaps and shortcomings?

Are there community individuals, groups or organizations that could be invited to help improve our collaborative/cooperative partnerships?

What are best ways to communicate to our community and stakeholders how we are able to assist and support them to improve the value of the health services they deliver?

What are your major resource concerns that, if better aligned with NMSU, could help you improve the value of your health service outcomes?

Are there partnerships or collaborations internal to NMSU that you think would be a valued addition to the health services industries in Southern New Mexico and the rest of the state?

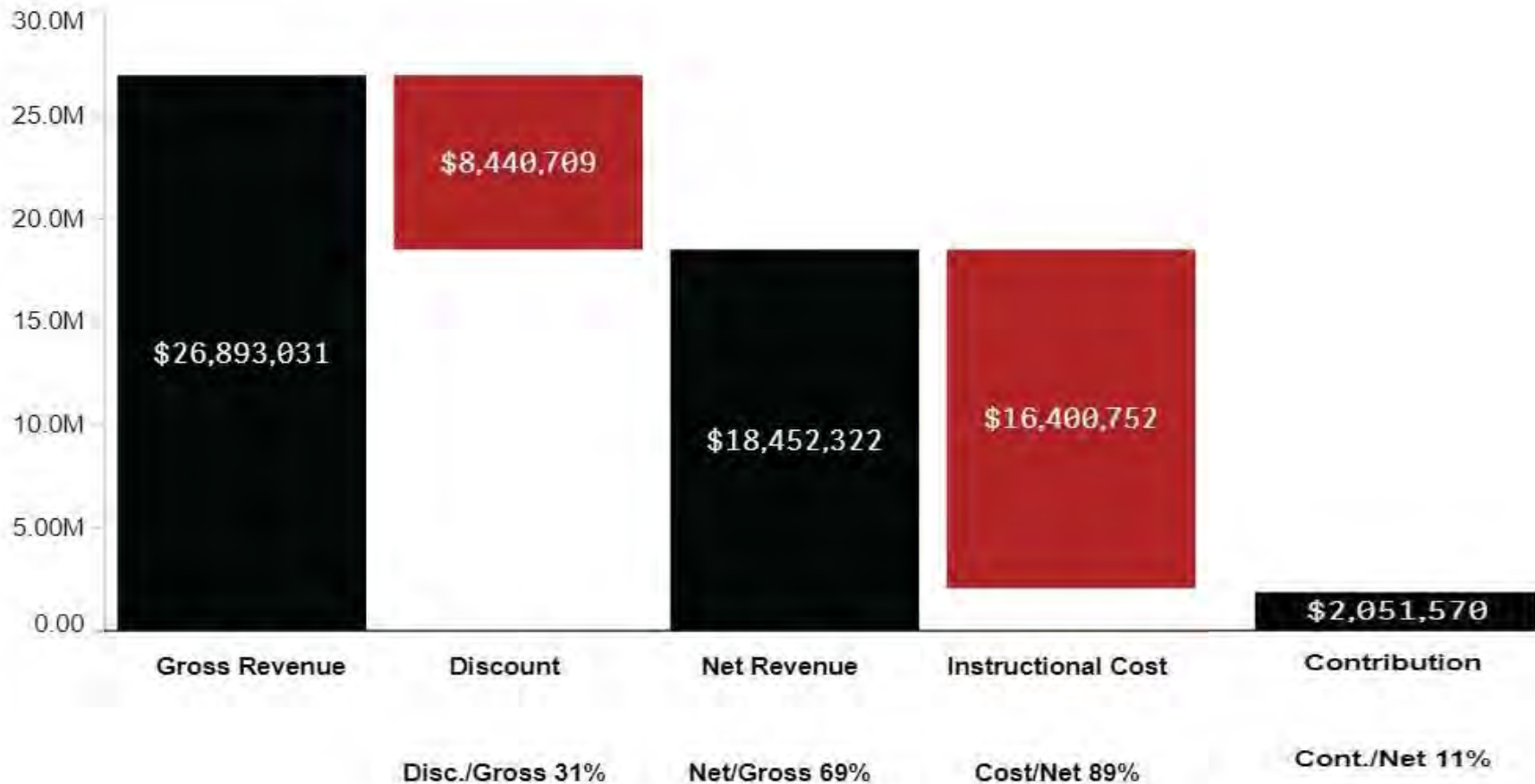
What research areas will best support our knowledge base in order to best affect your services?

How do you or your organization use research findings? Do you have in-house research units? If yes, do they work with NMSU? What research needs does your organization have?

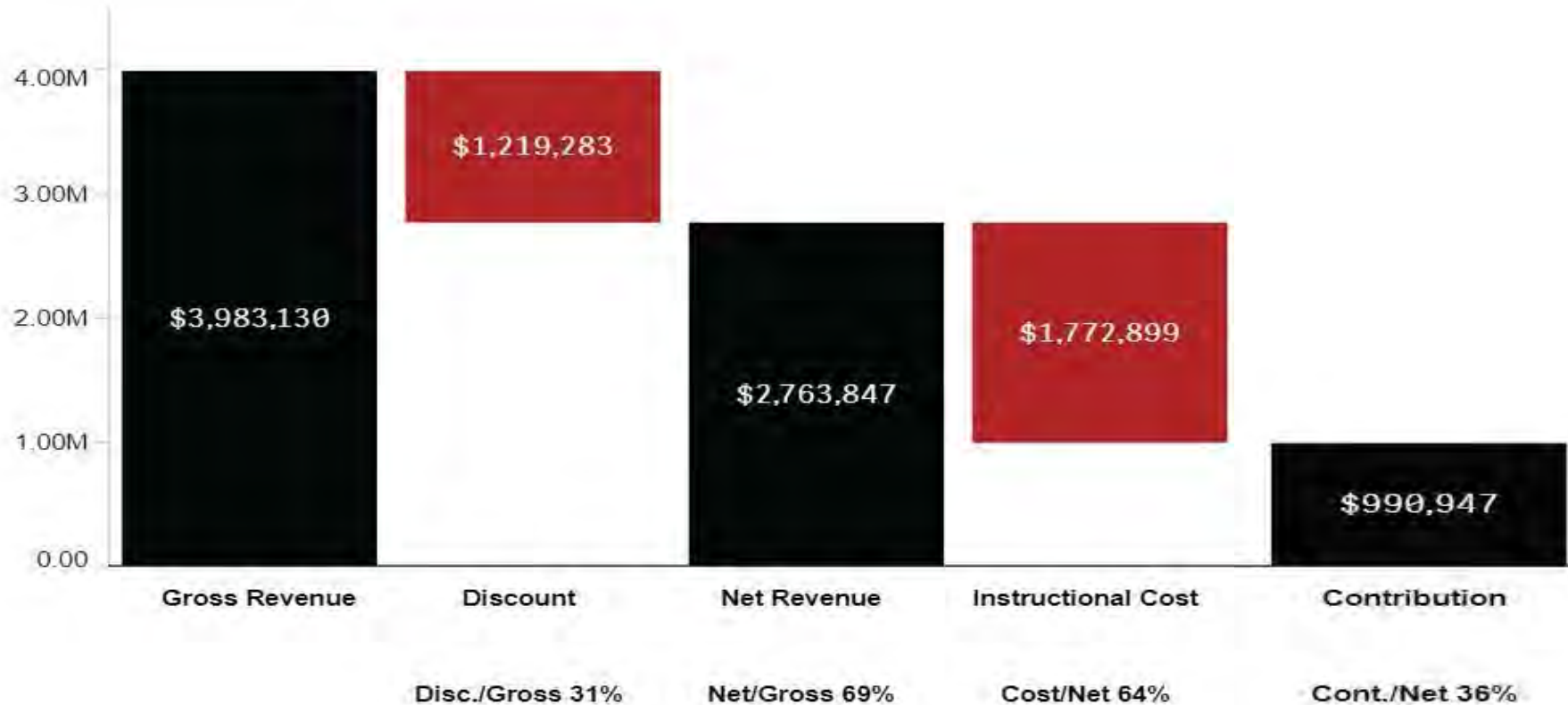
APPENDIX 15

FY20 Net Tuition and Fees Contribution

EDU, HSS and SOC (Combined) Net Tuition and Fees Contribution FY20 \$2,051,570 (11%)



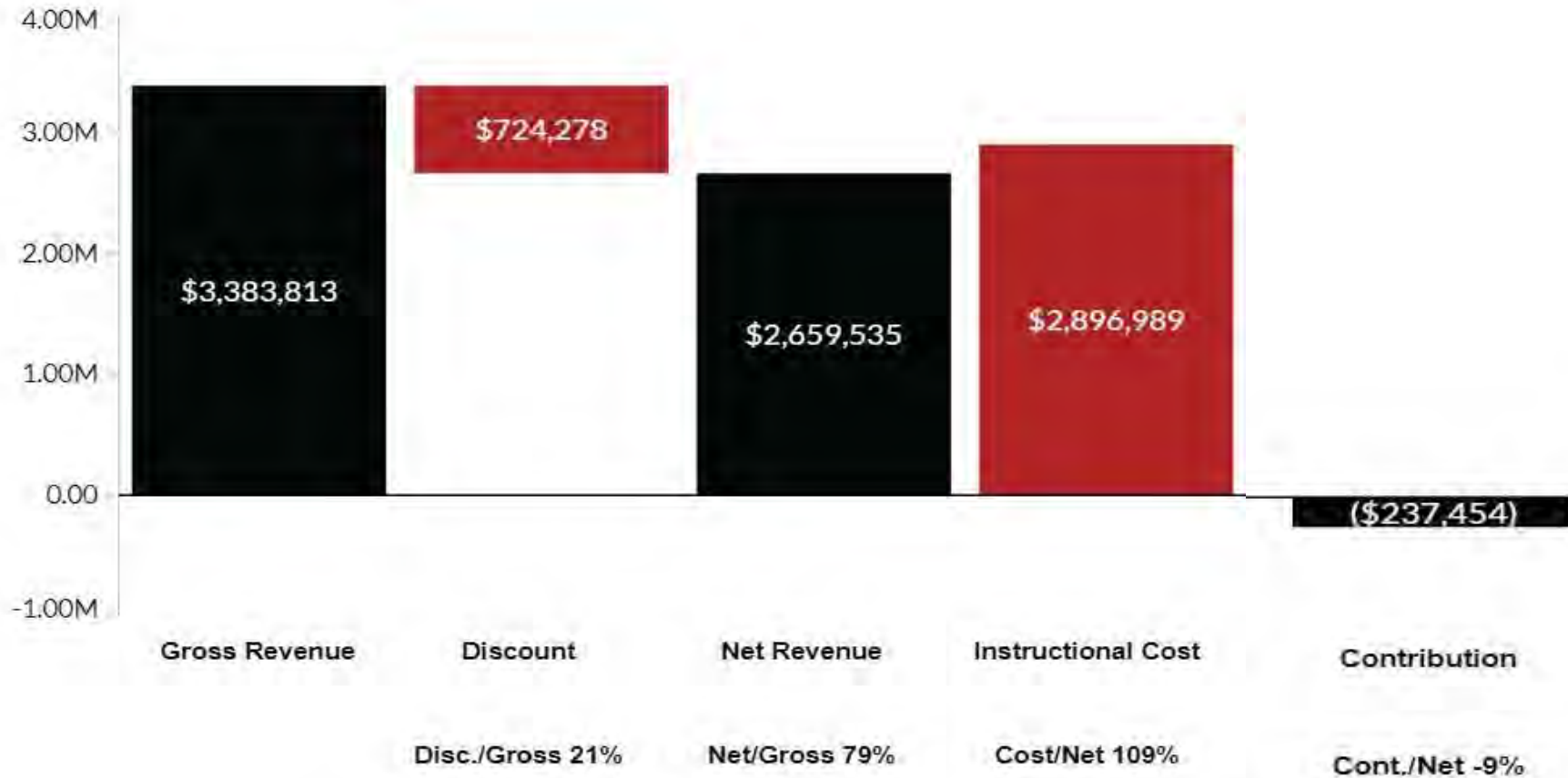
Counseling & Educational Psychology Net Tuition and Fees Contribution FY20 \$990,947 (36%)



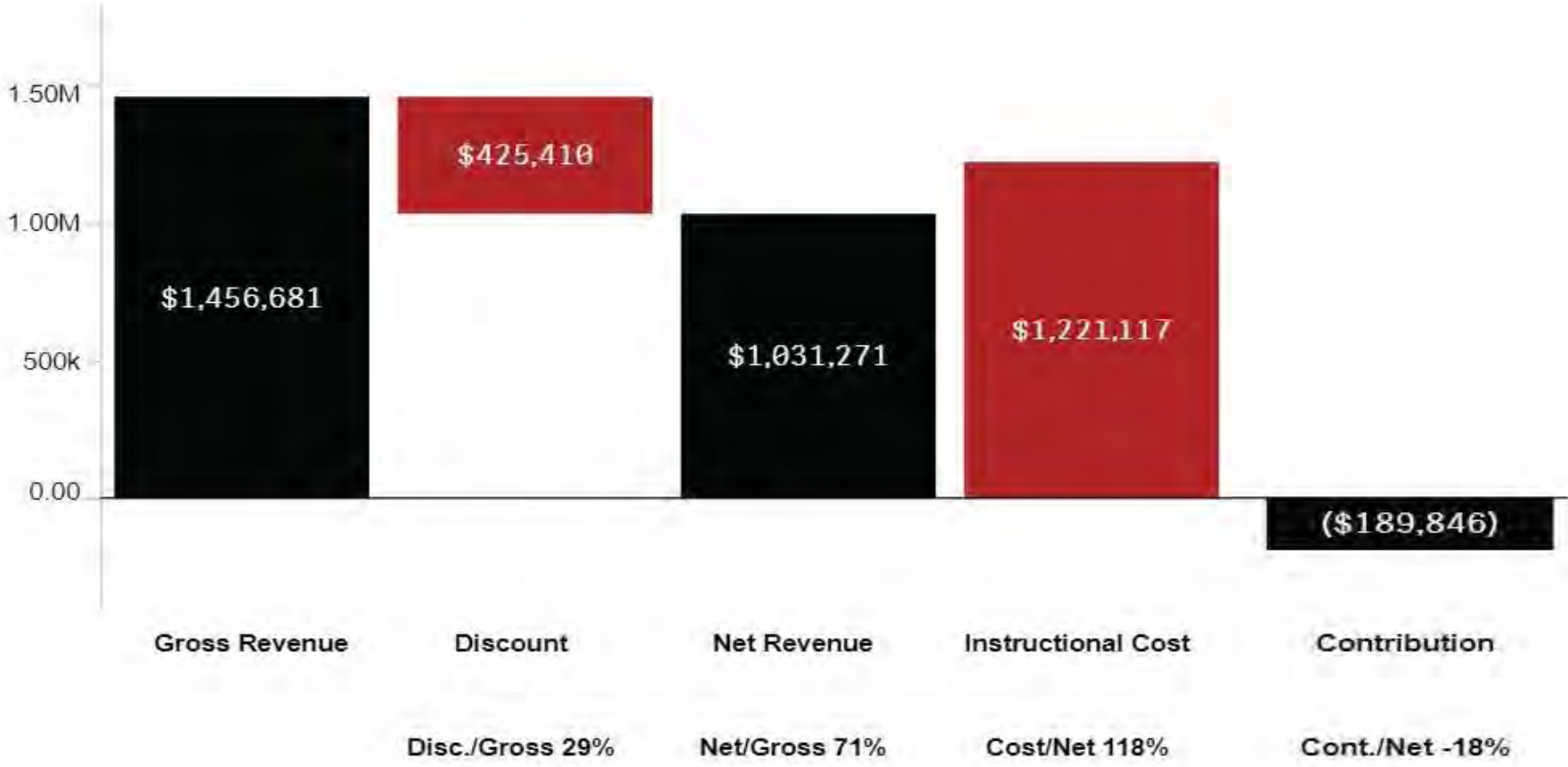
Curriculum & Instruction

Net Tuition and Fees Contribution FY20

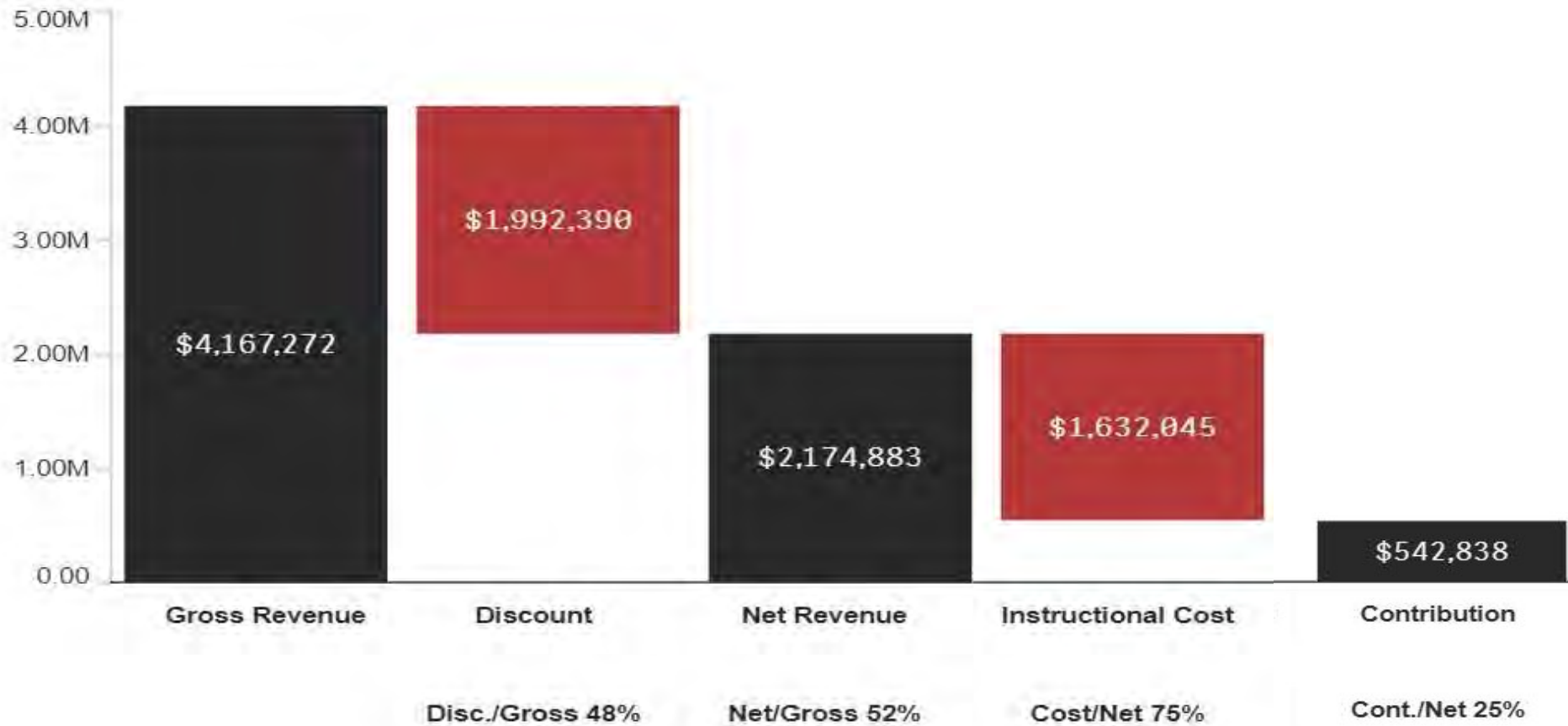
(-\$237,454) (-9%)



Educational Leadership & Administration Net Tuition and Fees Contribution FY20 -\$189,849 (-18%)

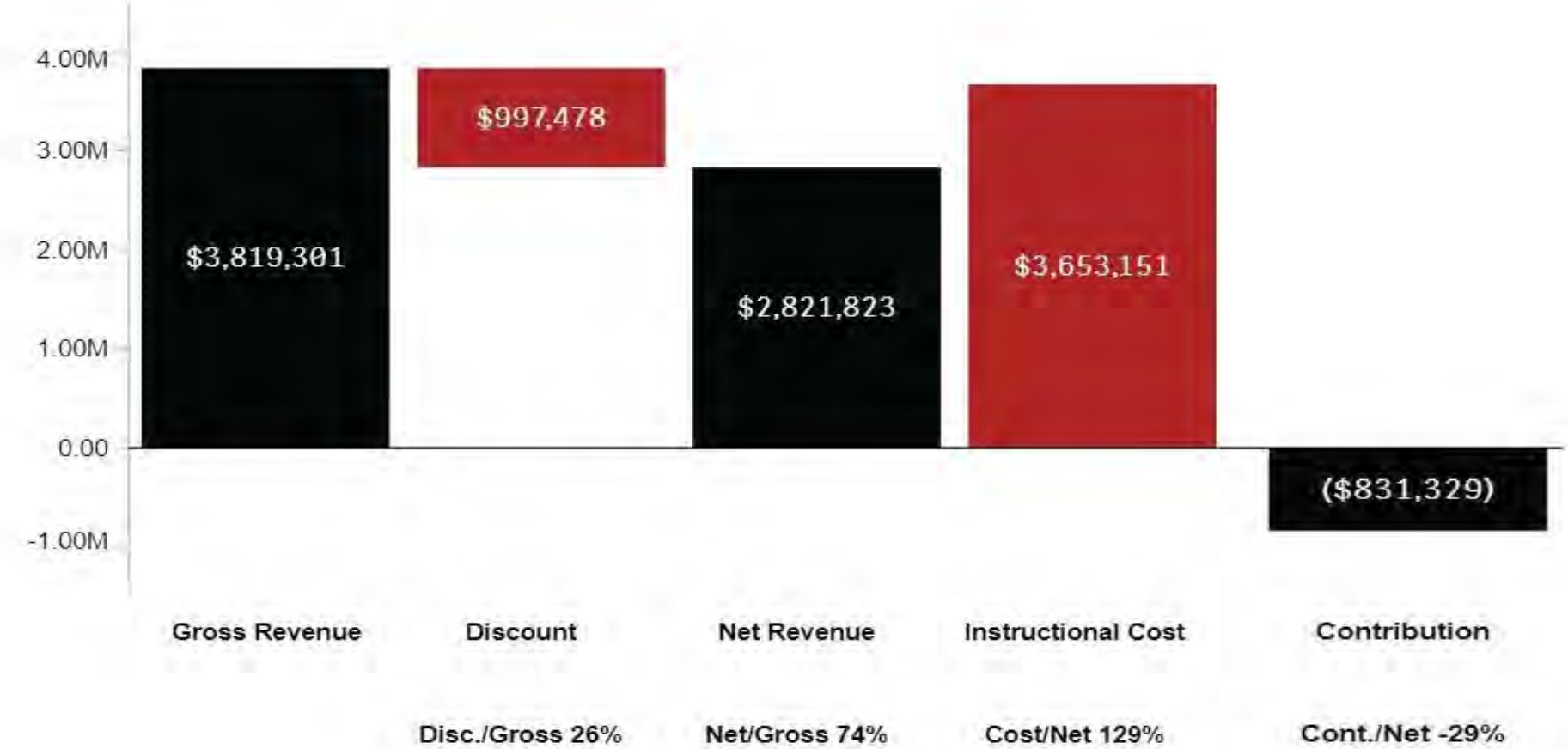


Kinesiology Net Tuition and Fees Contribution FY20 \$542,838 (25%)

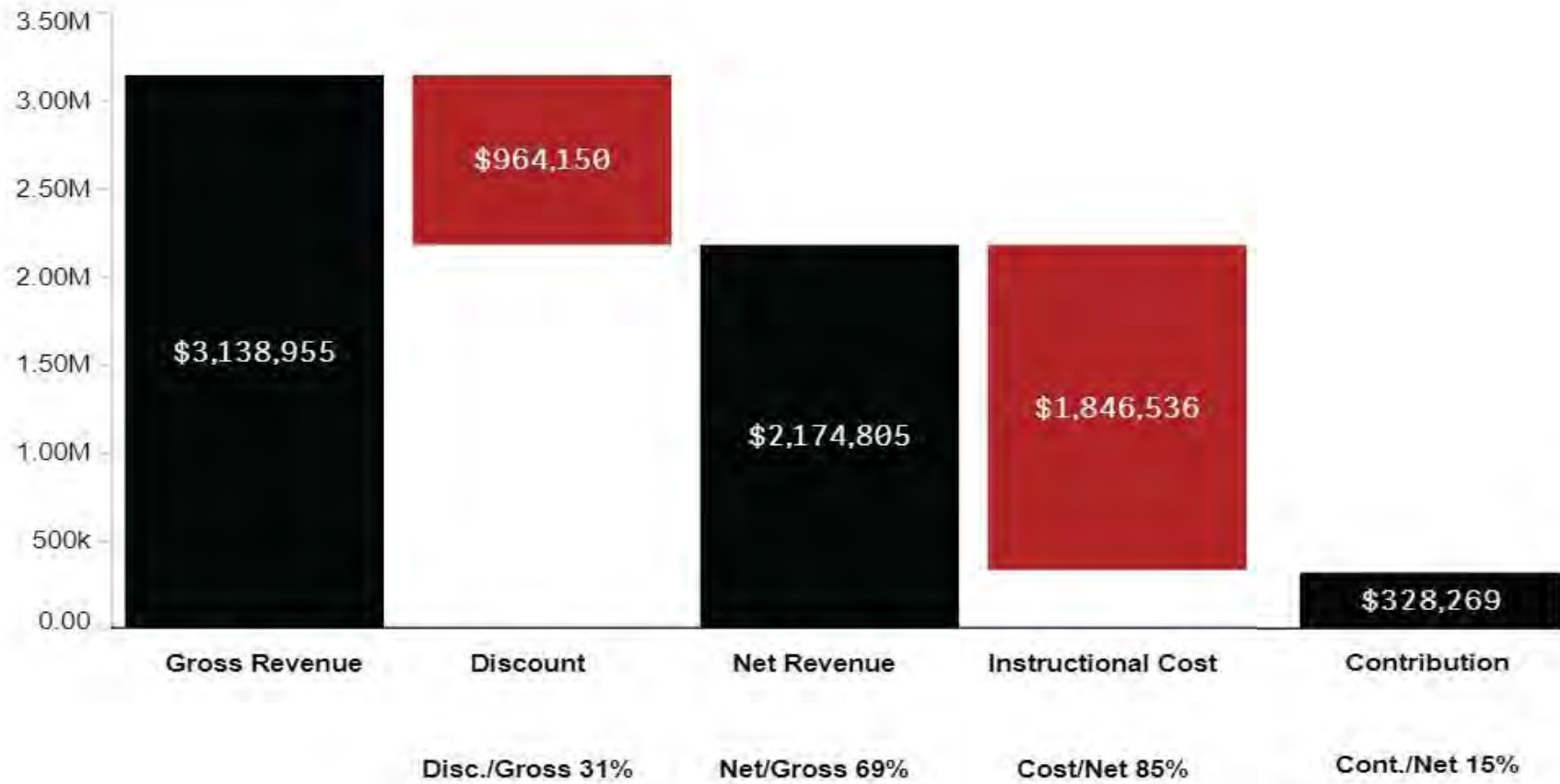


Nursing Net Tuition and Fees Contribution FY20

-\$831,329 (-29%)

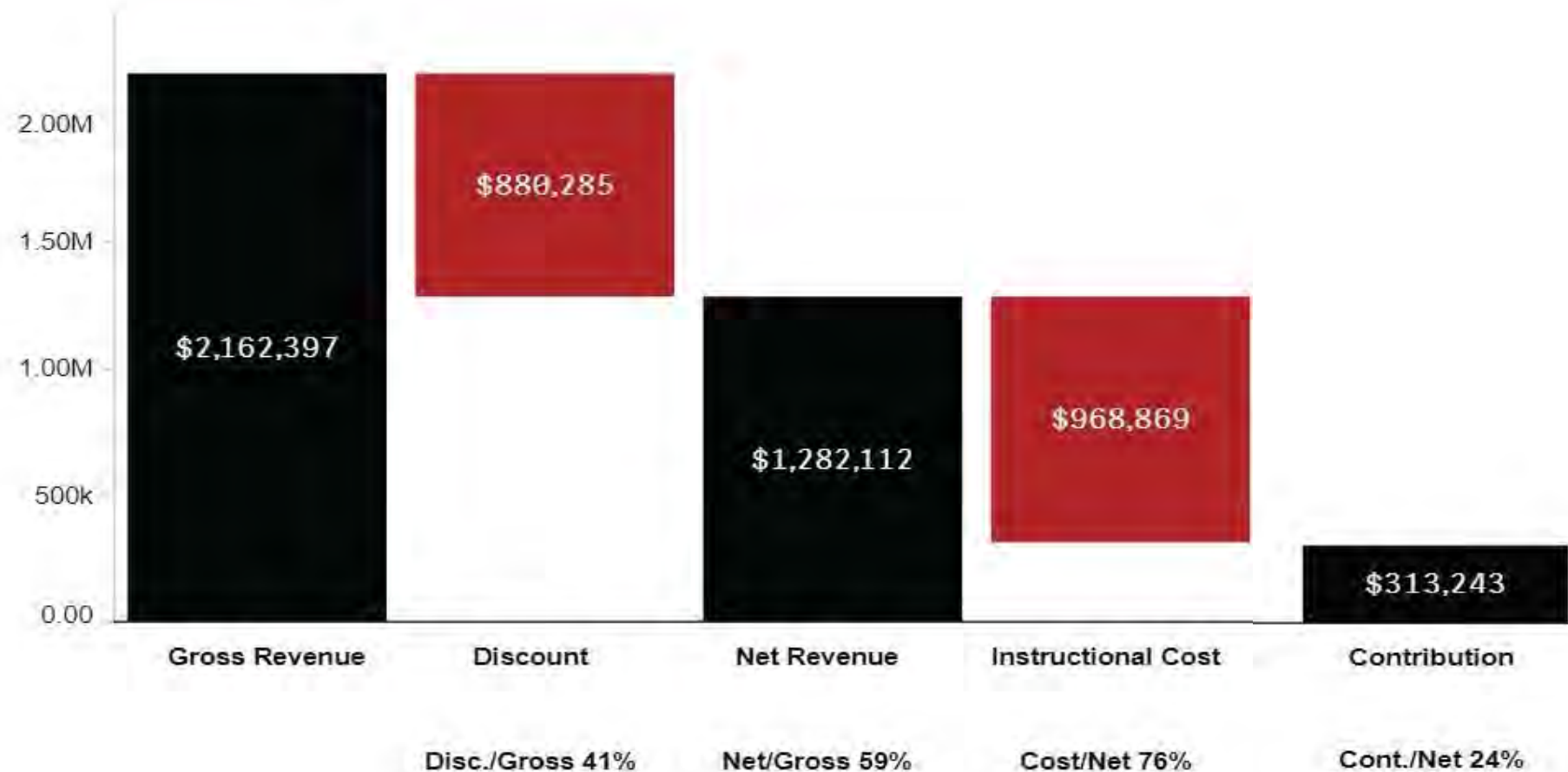


Public Health Net Tuition and Fees Contribution FY20 \$328,269 (15%)



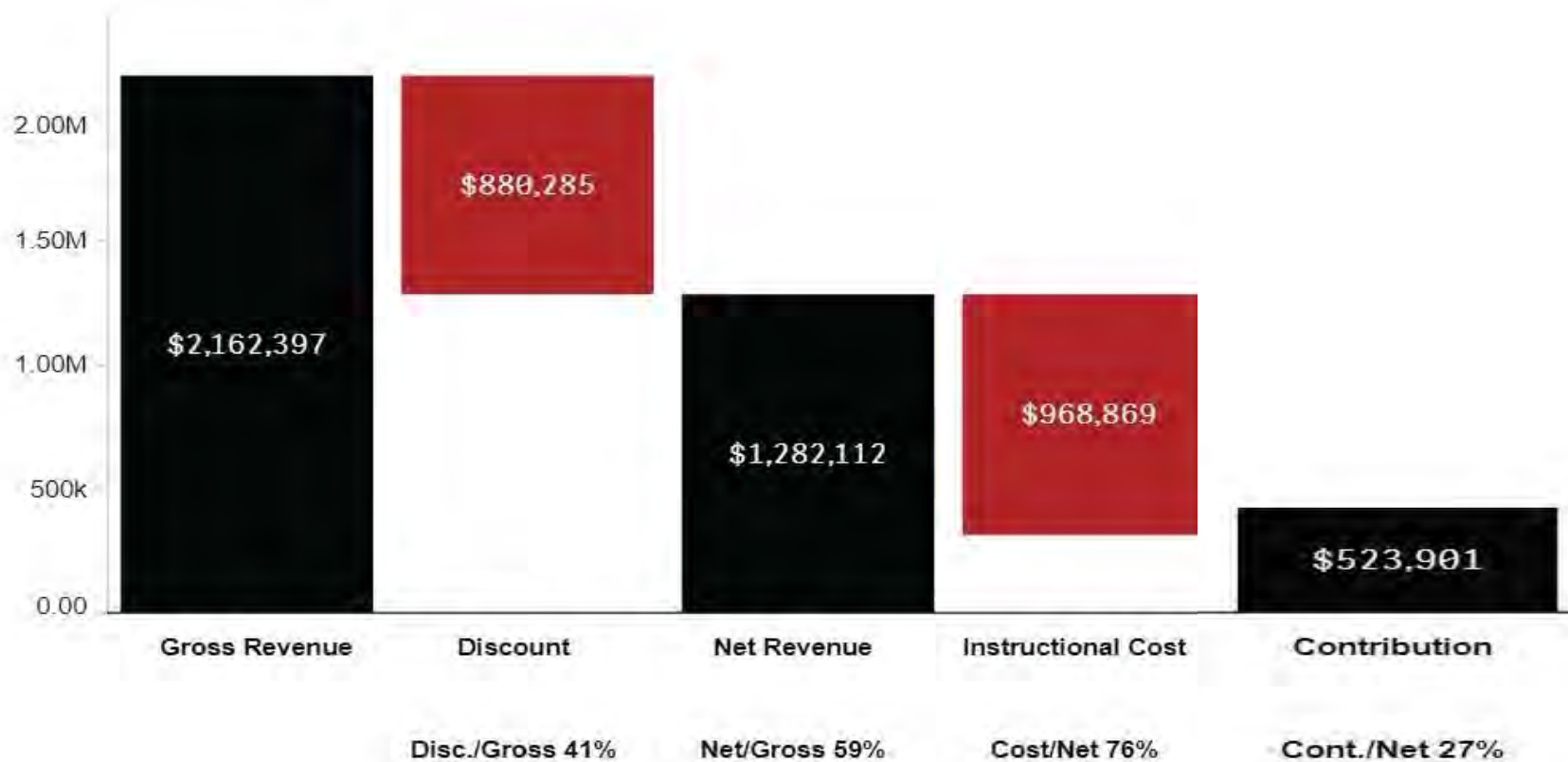
Social Work Net Tuition and Fees Contribution FY20

\$313,243 (24%)



Sociology Net Tuition and Fees Contribution FY20

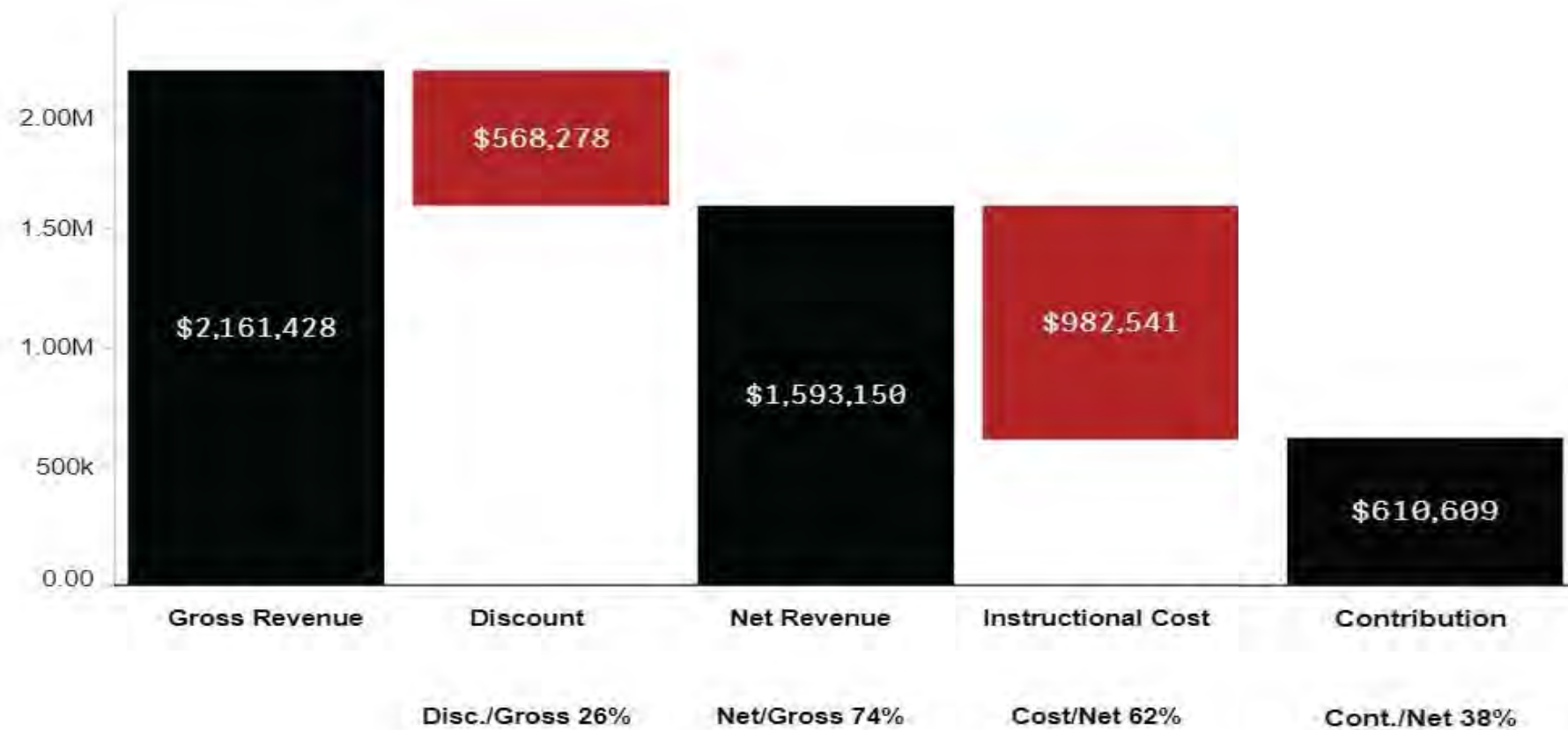
\$523,901 (27%)



Special Education-Communication Disorders*

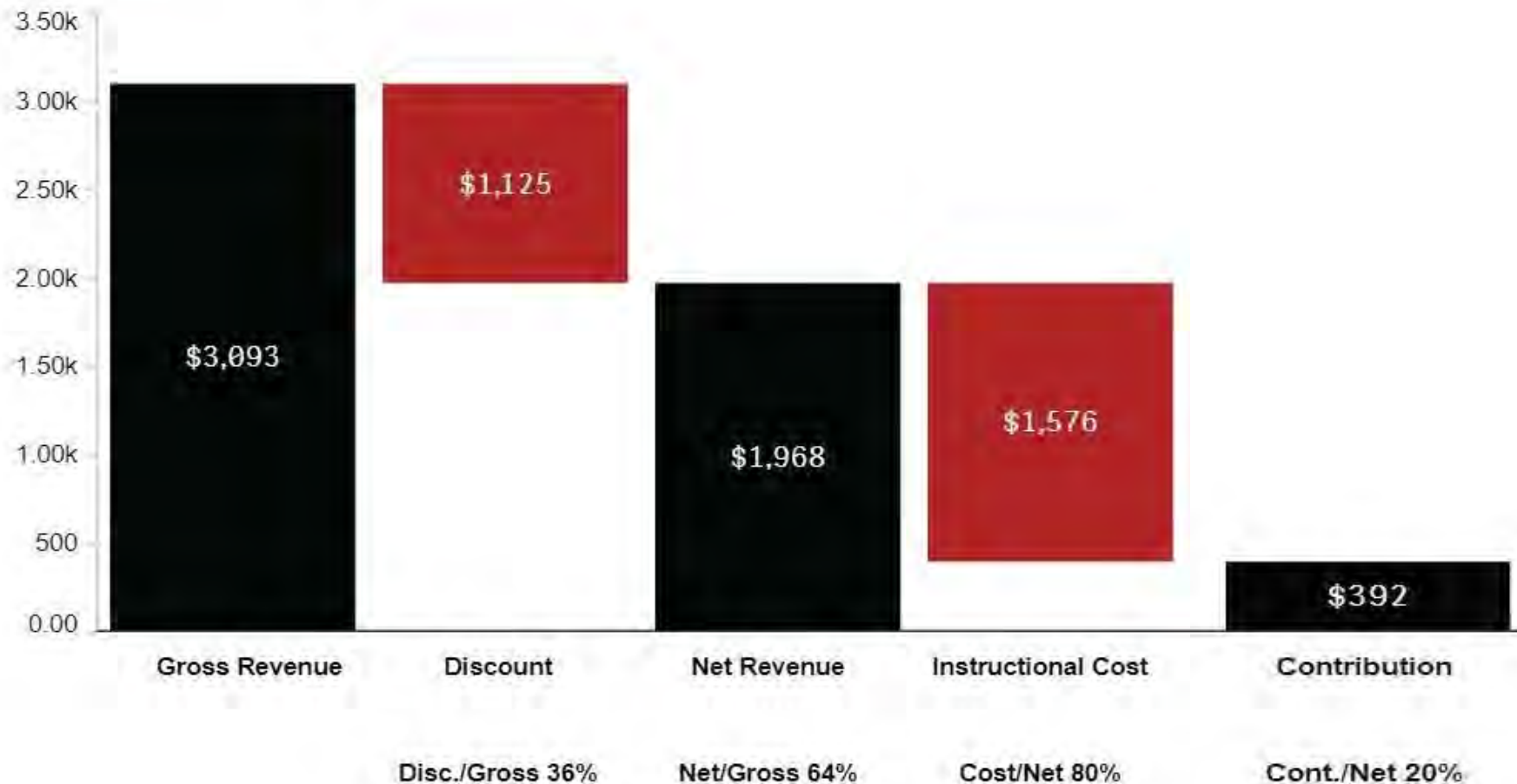
Net Tuition and Fees Contribution FY20

(\$610,609) (38%)



*Available FY20 Financial Reports do not reflect Special Education's move to TPAL (Administrative Separation from Communication Disorders)

Health and Social Services College (Unspecified) Net Tuition and Fees Contribution FY20 \$392 (20%)



Net Tuition and Fees Contributions and Costs FY20 (all semesters)

Academic Unit	Tuition & Fee Revenue Contributed After Instr Costs	Contribution as Percentage of Net Tuition & Fees Before Costs	UG Enrolled Students (all Semesters)	UG SCH Delivered (all Semesters)	Avg Net Tuition & Fees Paid per UG SCH	Avg Instructional Cost per UG SCH	GRAD Enrolled Students (all Semesters)	GRAD SCH Delivered (all Semesters)	Avg Net Tuition & Fees Paid per GRAD SCH	Avg Instructional Cost per GRAD SCH
Kinesiology and Dance	\$542,838	25%	1,958	10,598	\$199	\$134	26	137	\$505	\$1,537
Counsel/Edctnl Psy.	\$990,947	36%	1,738	7,577	\$222	\$61	192	2,490	\$434	\$526
Public Health Sci.	\$328,269	15%	1,501	6,667	\$244	\$135	140	1,755	\$312	\$541
Sociology	\$313,243	27%	1,048	4,669	\$218	\$131	96	698	\$379	\$510
Curriculum & Instr.	(\$237,454)	-9%	725	6,047	\$225	\$177	422	3,391	\$383	\$539
Educ Lead. & Adm	(\$189,846)	-18%	785	2,487	\$221	\$172	131	1,039	\$463	\$764
Special Educ/Comm D	\$610,609	38%	701	3,846	\$215	\$121	211	2,127	\$361	\$242
Social Work	\$523,901	24%	570	3,801	\$227	\$136	141	3,470	\$313	\$261
Nursing	(\$831,329)	-29%	531	9,046	\$255	\$307	100	1,191	\$432	\$738
TOTALS	\$2,051,178		9,557	54,738			1,433	16,161		

May 14, 2021



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item # H-2

- Action Item
- Consent Item
- Informational Item

Presented By: Senior Vice President Andrew J. Burke, Ed.D.

Agenda Item: Transfer of Uncollectible Accounts Receivable to Inactive Accounts for fiscal year 2020 – 2021.

Requested Action of the Board of Regents: Approval of the transfer of Uncollectible Accounts Receivable to Reserve for Inactive Accounts for the fiscal year 2020-2021.

Executive Summary: State law precludes the University from writing off uncollectible accounts. Accordingly, we request approval to transfer accounts deemed uncollectible in the amount of \$2,826,526 to the Reserve for Inactive Accounts. The amount transferred is offset by recoveries from prior year transfers of \$1,187,560 resulting in a net impact of \$1,638,966 to the Reserve for Inactive Accounts. In addition, we assessed \$572,930 in deferred payment charges. The total uncollectible accounts transferred represent approximately 1.98% of the related tuition, housing and other fee income.

References:

N/A

Prior Approvals:

Regents Financial Strategies, Performance and Budget Committee 05/01/2021

New Mexico State University
Accounts Receivable Transfers to Inactive Status for
Fiscal Year 2020-2021 Compared with Fiscal Year 2019-2020
Dated April 15, 2021

Transfers to Inactive Status		2020 - 2021	2019 - 2020	
	Alamogordo	125,510	148,597	
	Carlsbad	87,772	93,593	
	Dona Ana	631,737	759,743	
	Grants	59,504	73,278	
	Las Cruces	1,922,003	2,029,878	
		2,826,526	3,105,090	
LESS:				
Deferred Payment Charge		2020 - 2021	2019 - 2020	
	Alamogordo	16,270	17,760	
	Carlsbad	17,790	23,130	
	Dona Ana	144,310	149,670	
	Grants	4,810	5,520	
	Las Cruces	389,750	406,271	
		572,930	602,351	
Recoveries from Prior Year Transfers		2020 - 2021	2019 - 2020	
	Alamogordo	58,792	39,463	
	Carlsbad	39,819	30,669	
	Dona Ana	264,384	195,465	
	Grants	33,647	22,911	
	Las Cruces	790,917	543,746	
		1,187,560	832,255	
Inactive Transfer less Revenue		1,066,036	1,670,484	
Percent of Transfer Compared to Total Student Charges				
	2006-2007	1,398,423	97,702,024	1.43%
	2007-2008	1,257,445	99,494,518	1.26%
	2008-2009	1,804,097	111,325,161	1.62%
	2009-2010	2,409,644	127,302,029	1.89%
	2010-2011	3,688,985	140,205,045	2.63%
	2011-2012	3,462,218	139,541,552	2.48%
	2012-2013	3,937,814	142,434,524	2.76%
	2013-2014	3,305,537	140,078,124	2.36%
	2014 -2015	3,525,181	138,342,682	2.55%
	2015-2016	3,386,709	135,862,090	2.49%
	2016-2017	3,485,182	133,245,055	2.62%
	2017-2018	3,149,863	131,975,385	2.39%
	2018-2019	2,919,887	135,438,418	2.16%
	2019-2020	3,105,090	139,196,306	2.23%
	2020-2021	2,826,526	142,540,599	1.98%
Transfer to Inactive Status Breakdown				
		2020 - 2021	2019 - 2020	
	AUX - BOOKSTORE	49,409	69,812	
	AUX - HOUSING	348,591	358,063	
	AUX - MEALS	148,242	161,265	
	DPT - ART STORE	0	0	
	DPT - ATHLETICS	161	1,979	
	DPT - BAND	455	227	
	DPT - CHEMISTRY	280	188	
	DPT - ENGINEERING	3,483	4,934	
	DPT - INTL BORDER PROGRAMS	11,085	12,075	
	DPT - LIBRARY	774	885	
	DPT - MATH	380	121	
	DPT - MUSIC	1,190	1,595	
	DPT - TELECOM	4,253	242	
	FEES - COURSE DELIVERY	137,300	167,615	
	FEES - COURSE FEES	14,999	15,919	
	FEES - GENERAL	3,909	18,133	
	FIN AID - GRNTS	122,411	135,537	
	FIN AID - LOANS	122,147	115,691	
	FIN AID - SCHOLARSHIPS	1,340	0	
	HLTH CTR/ACTIVITY	8,713	10,504	
	PAYMENT	0	0	
	MISC	22,808	6,184	
	RETURNED ITEMS	1,295	495	
	STUDENT SERVICES	24,632	25,903	
	TOOLS/SUPPLIES	4,648	1,372	
	TUITION	1,794,022	1,996,351	
		2,826,526	3,105,090	



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item # H-3

- Action Item
- Consent Item
- Informational Item

Presented By: Senior Vice President Andrew J. Burke, Ed.D.

Agenda Item: Budget Adjustment Requests (BARs) for fiscal year 2020 – 2021

Requested Action of the Board of Regents: Recommend approval of Budget Adjustment Request (BARs) for 2020-2021.

Executive Summary: On an annual basis, the university requests approval from the Board of Regents to adjust our expenditure budget authority to align with our estimated Actuals to adhere to the rules of the New Mexico Higher Education Department (HED) and State statutes

References:

N/A

Prior Approvals:

Regents Financial Strategies, Performance and Budget Committee 05/01/2021

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Las Cruces

FY 2020-2021

Adjustment to Fund: Unrestricted

Request # 3

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
REVENUES			
Instruction and General	228,934,880	6,820,584	235,755,464
Student Social & Cultural Activities	2,882,278	80,206	2,962,484
Research	18,829,649	5,370,308	24,199,957
Public Service	20,430,605	378,798	20,809,403
Internal Service Dept.	2,540,135	3,899,524	6,439,659
Student Financial Aid	75,000	0	75,000
Auxiliary Enterprises	27,672,442	(995,803)	26,676,639
Athletics	14,939,992	(669,945)	14,270,047
Independent Operations	17,622,200	1,910,882	19,533,082
Subtotal Current Funds	333,927,181	16,794,554	350,721,735
Capital Outlay	18,765,000	207,800	18,972,800
Renewals & Replacements	110,000	(68,350)	41,650
Retirement of Indebtedness	3,792,769	(1,312,302)	2,480,467
Subtotal Plant Funds	22,667,769	(1,172,852)	21,494,917
TOTAL REVENUES	356,594,950	15,621,702	372,216,652
BEGINNING BALANCES			
Instruction and General	19,154,032	0	19,154,032
Student Social & Cultural Activities	2,333,554	0	2,333,554
Research	18,866,934	0	18,866,934
Public Service	6,870,113	0	6,870,113
Internal Service Dept.	6,122,534	0	6,122,534
Student Financial Aid	1,148,869	0	1,148,869
Auxiliary Enterprises	1,597,035	0	1,597,035
Athletics	(2,547,108)	0	(2,547,108)
Independent Operations	3,675,333	0	3,675,333
Subtotal Current Funds	57,221,296	0	57,221,296
Capital Outlay	43,506,967	0	43,506,967
Renewals & Replacements	22,264,561	0	22,264,561
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	65,771,528	0	65,771,528
TOTAL BEGINNING BALANCES	122,992,824	0	122,992,824
TOTAL AVAILABLE			
Instruction and General	248,088,912	6,820,584	254,909,496
Student Social & Cultural Activities	5,215,832	80,206	5,296,038
Research	37,696,583	5,370,308	43,066,891
Public Service	27,300,718	378,798	27,679,516
Internal Service Dept.	8,662,669	3,899,524	12,562,193
Student Financial Aid	1,223,869	0	1,223,869
Auxiliary Enterprises	29,269,477	(995,803)	28,273,674
Athletics	12,392,884	(669,945)	11,722,939
Independent Operations	21,297,533	1,910,882	23,208,415
Subtotal Current Funds	391,148,477	16,794,554	407,943,031
Capital Outlay	62,271,967	207,800	62,479,767
Renewals & Replacements	22,374,561	(68,350)	22,306,211
Retirement of Indebtedness	3,792,769	(1,312,302)	2,480,467
Subtotal Plant Funds	88,439,297	(1,172,852)	87,266,445
GRAND TOTAL AVAILABLE	479,587,774	15,621,702	495,209,476

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Las Cruces

FY 2020-2021

Adjustment to Fund: Unrestricted

Request # 3

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>	
EXPENDITURES				
Instruction and General	177,199,560	12,051,282	189,250,842	
Student Social & Cultural Activities	3,674,557	(538,273)	3,136,284	
Research	34,107,573	6,025,642	40,133,215	
Public Service	23,476,614	544,875	24,021,489	
Internal Service Dept.	(102,723)	6,529,875	6,427,152	
Student Financial Aid	21,685,986	1,253,800	22,939,786	
Auxiliary Enterprises	20,996,551	658,290	21,654,841	
Athletics	18,981,614	(1,042,337)	17,939,277	
Independent Operations	17,300,137	3,096,247	20,396,384	
Subtotal Current Funds	317,319,869	28,579,401	345,899,270	
Capital Outlay	20,705,700	7,754,200	28,459,900	
Renewals & Replacements	14,475,000	(4,007,800)	10,467,200	
Retirement of Indebtedness	13,605,453	(1,202,742)	12,402,711	
Subtotal Plant Funds	48,786,153	2,543,658	51,329,811	
TOTAL EXPENDITURES	366,106,022	31,123,059	397,229,081	
TRANSFERS IN (OUT)				
Instruction and General	(51,735,320)	(5,437,744)	(57,173,064)	
Student Social & Cultural Activities	462,171	(111,760)	350,411	
Research	15,672,914	(781,455)	14,891,459	
Public Service	1,618,144	5,870,829	7,488,973	
Internal Service Dept.	(3,417,924)	(122,366)	(3,540,290)	
Student Financial Aid	21,610,986	749,000	22,359,986	
Auxiliary Enterprises	(7,563,142)	418,898	(7,144,244)	
Athletics	4,202,538	(343,551)	3,858,987	
Independent Operations	(337,652)	(1,995,277)	(2,332,929)	
Subtotal Current Funds	(19,487,285)	(1,753,426)	(21,240,711)	
Capital Outlay	1,096,325	815,251	1,911,576	
Renewals & Replacements	8,677,762	127,191	8,804,953	
Retirement of Indebtedness	9,812,684	109,560	9,922,244	
Subtotal Plant Funds	19,586,771	1,052,002	20,638,773	
NET TRANSFERS	99,486	(701,424)	(601,938)	
ENDING BALANCES				
Instruction and General	19,154,032	(10,668,442)	8,485,590	4%
Student Social & Cultural Activities	2,003,446	506,719	2,510,165	80%
Research	19,261,924	(1,436,789)	17,825,135	44%
Public Service	5,442,248	5,704,752	11,147,000	46%
Internal Service Dept.	5,347,468	(2,752,717)	2,594,751	40%
Student Financial Aid	1,148,869	(504,800)	644,069	3%
Auxiliary Enterprises	709,784	(1,235,195)	(525,411)	-2%
Athletics	(2,386,192)	28,841	(2,357,351)	-13%
Independent Operations	3,659,744	(3,180,642)	479,102	2%
Subtotal Current Funds	54,341,323	(13,538,273)	40,803,050	12%
Capital Outlay	42,662,592	(6,731,149)	35,931,443	126%
Renewals & Replacements	16,577,323	4,066,641	20,643,964	197%
Retirement of Indebtedness	0	0	0	0%
Subtotal Plant Funds	59,239,915	(2,664,508)	56,575,407	110%
TOTAL ENDING BALANCES	113,581,238	(16,202,781)	97,378,457	25%
TOTAL EXPENDITURES, TRANSFERS, BALANCES	479,587,774	15,621,702	495,209,476	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Las Cruces

FY 2020-2021

Adjustment to Fund: Unrestricted

Request # 3

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
INSTRUCTION & GENERAL:			
REVENUES			
Tuition and Fees	92,628,844	1,118,618	93,747,462
Federal Government Appropriations	0	0	0
State Government Appropriations	115,952,500	134,900	116,087,400
Local Government Appropriations	0	0	0
Federal Grants/Contracts	130,000	4,920	134,920
State Grants/Contracts	0	0	0
Local Grants/Contracts	0	0	0
Private Gifts/Grants/Contracts	0	0	0
Endowment/Land/Permanent Fund	3,097,136	300,000	3,397,136
Sales & Services of Ed Activities	546,500	0	546,500
Other Sources	16,579,900	5,262,146	21,842,046
TOTAL REVENUES	228,934,880	6,820,584	235,755,464
BEGINNING BALANCE	19,154,032	0	19,154,032
TOTAL AVAILABLE	248,088,912	6,820,584	254,909,496
EXPENDITURES			
Instruction	106,781,561	7,753,061	114,534,622
Academic Support	17,805,070	2,372,249	20,177,319
Student Services	12,450,278	(58,341)	12,391,937
Institutional Support	21,502,355	1,743,717	23,246,072
Operation & Maintenance of Plant	18,660,296	240,596	18,900,892
TOTAL EXPENDITURES	177,199,560	12,051,282	189,250,842
TRANSFERS (IN) OUT OF I&G			
Student Social & Cultural Activities	322,050	(71,455)	250,595
Research	16,314,811	5,292,032	21,606,843
Public Service	1,847,376	(123,717)	1,723,659
Internal Service Dept.	115,000	0	115,000
Student Financial Aid	21,175,986	849,000	22,024,986
Auxiliary Enterprises	55,010	(200)	54,810
Intercollegiate Athletics	3,878,514	(337,851)	3,540,663
Independent Operations	0	0	0
Capital Outlay	1,220,044	128,705	1,348,749
Renewals & Replacements	5,271,296	(427,130)	4,844,166
Retirement of Indebtedness	1,343,397	(12,274)	1,331,123
Non-Budgetary Exhibits:			
Endowment Fund	0	0	0
Other (from Community Colleges)	191,836	140,634	332,470
Other (Specify)	0	0	0
NET TRANSFERS	51,735,320	5,437,744	57,173,064
ENDING BALANCE	19,154,032	(10,668,442)	8,485,590

Prepared by: Kimberly G. Rumford

Date Approved by BOR 14-May-2021

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 _____	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : **New Mexico State University - Alamogordo**

FY **2020-2021**

Adjustment to Fund: **Unrestricted**

Request # **3**

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
REVENUES			
Instruction and General	9,998,700	(154,221)	9,844,479
Student Social & Cultural Activities	10,472	(3,932)	6,540
Research	0	0	0
Public Service	2,000	(2,000)	0
Internal Service Dept.	0	0	0
Student Financial Aid	0	0	0
Auxiliary Enterprises	27,115	(18,315)	8,800
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	10,038,287	(178,468)	9,859,819
Capital Outlay	2,562,798	(423,906)	2,138,892
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	2,562,798	(423,906)	2,138,892
TOTAL REVENUES	12,601,085	(602,374)	11,998,711
BEGINNING BALANCES			
Instruction and General	2,802,299	0	2,802,299
Student Social & Cultural Activities	35,205	0	35,205
Research	0	0	0
Public Service	41,726	0	41,726
Internal Service Dept.	0	0	0
Student Financial Aid	117,391	0	117,391
Auxiliary Enterprises	119,535	0	119,535
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	3,116,156	0	3,116,156
Capital Outlay	3,772,056	0	3,772,056
Renewals & Replacements	308,401	0	308,401
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	4,080,457	0	4,080,457
TOTAL BEGINNING BALANCES	7,196,613	0	7,196,613
TOTAL AVAILABLE			
Instruction and General	12,800,999	(154,221)	12,646,778
Student Social & Cultural Activities	45,677	(3,932)	41,745
Research	0	0	0
Public Service	43,726	(2,000)	41,726
Internal Service Dept.	0	0	0
Student Financial Aid	117,391	0	117,391
Auxiliary Enterprises	146,650	(18,315)	128,335
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	13,154,443	(178,468)	12,975,975
Capital Outlay	6,334,854	(423,906)	5,910,948
Renewals & Replacements	308,401	0	308,401
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	6,643,255	(423,906)	6,219,349
GRAND TOTAL AVAILABLE	19,797,698	(602,374)	19,195,324

*NMHED/DFA Approval moved to Page 3

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : **New Mexico State University - Alamogordo**

FY **2020-2021**

Adjustment to Fund: **Unrestricted**

Request # **3**

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>	
EXPENDITURES				
Instruction and General	9,892,353	30,821	9,923,174	
Student Social & Cultural Activities	32,112	(14,367)	17,745	
Research	0	0	0	
Public Service	12,000	(3,000)	9,000	
Internal Service Dept.	0		0	
Student Financial Aid	146,830	117,391	264,221	
Auxiliary Enterprises	48,000	0	48,000	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	10,131,295	130,845	10,262,140	
Capital Outlay	3,433,145	502,273	3,935,418	
Renewals & Replacements	182,234	308,401	490,635	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	3,615,379	810,674	4,426,053	
TOTAL EXPENDITURES	13,746,674	941,519	14,688,193	
TRANSFERS IN (OUT)				
Instruction and General	(106,347)	(814,958)	(921,305)	
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	146,830	0	146,830	
Auxiliary Enterprises	0	0	0	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	40,483	(814,958)	(774,475)	
Capital Outlay	29,083	1,000,000	1,029,083	
Renewals & Replacements	182,234	0	182,234	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	211,317	1,000,000	1,211,317	
NET TRANSFERS	251,800	185,042	436,842	
ENDING BALANCES				
Instruction and General	2,802,299	(1,000,000)	1,802,299	18%
Student Social & Cultural Activities	13,565	10,435	24,000	135%
Research	0	0	0	#DIV/0!
Public Service	31,726	1,000	32,726	364%
Internal Service Dept.	0	0	0	#DIV/0!
Student Financial Aid	117,391	(117,391)	0	0%
Auxiliary Enterprises	98,650	(18,315)	80,335	167%
Athletics	0	0	0	#DIV/0!
Independent Operations	0	0	0	#DIV/0!
Subtotal Current Funds	3,063,631	(1,124,271)	1,939,360	19%
Capital Outlay	2,930,792	73,821	3,004,613	76%
Renewals & Replacements	308,401	(308,401)	0	0%
Retirement of Indebtedness	0	0	0	#DIV/0!
Subtotal Plant Funds	3,239,193	(234,580)	3,004,613	68%
TOTAL ENDING BALANCES	6,302,824	(1,358,851)	4,943,973	34%
TOTAL EXPENDITURES, TRANSFERS, BALANCES	19,797,698	(602,374)	19,195,324	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Alamogordo FY 2020-2021

Adjustment to Fund: Unrestricted Request # 3

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
INSTRUCTION & GENERAL:			
REVENUES			
Tuition and Fees	2,279,380	(832,255)	1,447,125
Federal Government Appropriations	0	0	0
State Government Appropriations	6,900,400	8,299	6,908,699
Local Government Appropriations	734,210	33,450	767,660
Federal Grants/Contracts	2,160	(660)	1,500
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	0	0	0
Other Sources	82,550	636,945	719,495
TOTAL REVENUES	9,998,700	(154,221)	9,844,479
BEGINNING BALANCE	2,802,299	0	2,802,299
TOTAL AVAILABLE	12,800,999	(154,221)	12,646,778
EXPENDITURES			
Instruction	4,812,743	641,826	5,454,569
Academic Support	1,471,319	(164,303)	1,307,016
Student Services	799,550	(29,939)	769,611
Institutional Support	1,924,383	(373,632)	1,550,751
Operation & Maintenance of Plant	884,358	(43,131)	841,227
TOTAL EXPENDITURES	9,892,353	30,821	9,923,174
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	146,830	0	146,830
Auxiliary Enterprises	0	0	0
Intercollegiate Athletics	0	0	0
Independent Operations	0	0	0
Capital Outlay	29,083	1,000,000	1,029,083
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)	(251,800)	(185,042)	(436,842)
Other (Specify)	0	0	0
NET TRANSFERS	106,347	814,958	921,305
ENDING BALANCE	2,802,299	(1,000,000)	1,802,299

Prepared by: Kimberly G. Rumford Date Approved by BOR 14-May-2021

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 _____	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Carlsbad FY 2020-2021

Adjustment to Fund: Unrestricted Request # 3

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
REVENUES			
Instruction and General	12,023,114	5,078,805	17,101,919
Student Social & Cultural Activities	120,000	(27,600)	92,400
Research	0	0	0
Public Service	218,900	0	218,900
Internal Service Dept.	120,000	(30,000)	90,000
Student Financial Aid	0	0	0
Auxiliary Enterprises	78,000	(62,000)	16,000
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	12,560,014	4,959,205	17,519,219
Capital Outlay	1,500,000	325,000	1,825,000
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	1,500,000	325,000	1,825,000
TOTAL REVENUES	14,060,014	5,284,205	19,344,219
BEGINNING BALANCES			
Instruction and General	6,044,521	0	6,044,521
Student Social & Cultural Activities	220,907	0	220,907
Research	0	0	0
Public Service	192,618	0	192,618
Internal Service Dept.	22,982	0	22,982
Student Financial Aid	107,464	0	107,464
Auxiliary Enterprises	66,384	0	66,384
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	6,654,876	0	6,654,876
Capital Outlay	21,882,499	0	21,882,499
Renewals & Replacements	14,841,981	0	14,841,981
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	36,724,480	0	36,724,480
TOTAL BEGINNING BALANCES	43,379,356	0	43,379,356
TOTAL AVAILABLE			
Instruction and General	18,067,635	5,078,805	23,146,440
Student Social & Cultural Activities	340,907	(27,600)	313,307
Research	0	0	0
Public Service	411,518	0	411,518
Internal Service Dept.	142,982	(30,000)	112,982
Student Financial Aid	107,464	0	107,464
Auxiliary Enterprises	144,384	(62,000)	82,384
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	19,214,890	4,959,205	24,174,095
Capital Outlay	23,382,499	325,000	23,707,499
Renewals & Replacements	14,841,981	0	14,841,981
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	38,224,480	325,000	38,549,480
GRAND TOTAL AVAILABLE	57,439,370	5,284,205	62,723,575

*NMHED/DFA Approval moved to Page 3

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : **New Mexico State University - Carlsbad** FY **2020-2021**

Adjustment to Fund: **Unrestricted** Request # **3**

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>	
EXPENDITURES				
Instruction and General	10,446,474	209,215	10,655,689	
Student Social & Cultural Activities	55,158	(8,050)	47,108	
Research	0	0	0	
Public Service	235,357	(41,542)	193,815	
Internal Service Dept.	120,000	(7,018)	112,982	
Student Financial Aid	69,708	107,464	177,172	
Auxiliary Enterprises	174,594	13,689	188,283	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	11,101,291	273,758	11,375,049	
Capital Outlay	1,500,000	445,000	1,945,000	
Renewals & Replacements	500,000	(275,000)	225,000	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	2,000,000	170,000	2,170,000	
TOTAL EXPENDITURES	13,101,291	443,758	13,545,049	
TRANSFERS IN (OUT)				
Instruction and General	(1,597,077)	(8,705,942)	(10,303,019)	
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	69,708	0	69,708	
Auxiliary Enterprises	96,594	10,260	106,854	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	(1,430,775)	(8,695,682)	(10,126,457)	
Capital Outlay	666,417	4,400,000	5,066,417	
Renewals & Replacements	767,326	4,302,958	5,070,284	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	1,433,743	8,702,958	10,136,701	
NET TRANSFERS	2,968	7,276	10,244	
ENDING BALANCES				
Instruction and General	6,024,084	(3,836,352)	2,187,732	21%
Student Social & Cultural Activities	285,749	(19,550)	266,199	565%
Research	0	0	0	#DIV/0!
Public Service	176,161	41,542	217,703	112%
Internal Service Dept.	22,982	(22,982)	0	0%
Student Financial Aid	107,464	(107,464)	0	0%
Auxiliary Enterprises	66,384	(65,429)	955	1%
Athletics	0	0	0	#DIV/0!
Independent Operations	0	0	0	#DIV/0!
Subtotal Current Funds	6,682,824	(4,010,235)	2,672,589	23%
Capital Outlay	22,548,916	4,280,000	26,828,916	1379%
Renewals & Replacements	15,109,307	4,577,958	19,687,265	8750%
Retirement of Indebtedness	0	0	0	#DIV/0!
Subtotal Plant Funds	37,658,223	8,857,958	46,516,181	2144%
TOTAL ENDING BALANCES	44,341,047	4,847,723	49,188,770	363%
TOTAL EXPENDITURES, TRANSFERS, BALANCES	57,439,370	5,284,205	62,723,575	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Carlsbad FY 2020-2021

Adjustment to Fund: Unrestricted Request # 3

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
INSTRUCTION & GENERAL:			
REVENUES			
Tuition and Fees	1,165,484	(321,587)	843,897
Federal Government Appropriations	0	0	0
State Government Appropriations	4,147,300	960	4,148,260
Local Government Appropriations	6,530,000	4,878,300	11,408,300
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	0	0	0
Other Sources	179,830	521,132	700,962
TOTAL REVENUES	12,023,114	5,078,805	17,101,919
BEGINNING BALANCE	6,044,521	0	6,044,521
TOTAL AVAILABLE	18,067,635	5,078,805	23,146,440
EXPENDITURES			
Instruction	4,768,194	19,659	4,787,853
Academic Support	819,777	(17,653)	802,124
Student Services	1,206,827	1,945	1,208,772
Institutional Support	2,218,866	247,591	2,466,457
Operation & Maintenance of Plant	1,432,810	(42,327)	1,390,483
TOTAL EXPENDITURES	10,446,474	209,215	10,655,689
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	69,708	0	69,708
Auxiliary Enterprises	124,394	(86,931)	37,463
Intercollegiate Athletics	0	0	0
Independent Operations	0	0	0
Capital Outlay	666,417	4,400,000	5,066,417
Renewals & Replacements	739,526	4,400,000	5,139,526
Retirement of Indebtedness	0	0	0
Non-Budgetary Exhibits:			
Endowment Fund	0	0	0
Other (To Las Cruces Campus)	(2,968)	(7,127)	(10,095)
Other (Specify)	0	0	0
NET TRANSFERS	1,597,077	8,705,942	10,303,019
ENDING BALANCE	6,024,084	(3,836,352)	2,187,732

Prepared by: Kimberly G. Rumford Date Approved by BOR 14-May-2021

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 _____	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Doña Ana FY 2020-2021

Adjustment to Fund: Unrestricted Request # 3

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
REVENUES			
Instruction and General	40,155,290	(477,732)	39,677,558
Student Social & Cultural Activities	390,655	(152,130)	238,525
Research	0	0	0
Public Service	125,400	101,000	226,400
Internal Service Dept.	1,850	(1,843)	7
Student Financial Aid	0	0	0
Auxiliary Enterprises	635,025	(425,163)	209,862
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	41,308,220	(955,868)	40,352,352
Capital Outlay	9,390,000	641,768	10,031,768
Renewals & Replacements	0	0	0
Retirement of Indebtedness	400,000	0	400,000
Subtotal Plant Funds	9,790,000	641,768	10,431,768
TOTAL REVENUES	51,098,220	(314,100)	50,784,120
BEGINNING BALANCES			
Instruction and General	7,908,731	0	7,908,731
Student Social & Cultural Activities	122,183	0	122,183
Research	0	0	0
Public Service	232,132	0	232,132
Internal Service Dept.	163,397	0	163,397
Student Financial Aid	215,080	0	215,080
Auxiliary Enterprises	123,798	0	123,798
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	8,765,321	0	8,765,321
Capital Outlay	10,818,920	0	10,818,920
Renewals & Replacements	7,653,667	0	7,653,667
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	18,472,587	0	18,472,587
TOTAL BEGINNING BALANCES	27,237,908	0	27,237,908
TOTAL AVAILABLE			
Instruction and General	48,064,021	(477,732)	47,586,289
Student Social & Cultural Activities	512,838	(152,130)	360,708
Research	0	0	0
Public Service	357,532	101,000	458,532
Internal Service Dept.	165,247	(1,843)	163,404
Student Financial Aid	215,080	0	215,080
Auxiliary Enterprises	758,823	(425,163)	333,660
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	50,073,541	(955,868)	49,117,673
Capital Outlay	20,208,920	641,768	20,850,688
Renewals & Replacements	7,653,667	0	7,653,667
Retirement of Indebtedness	400,000	0	400,000
Subtotal Plant Funds	28,262,587	641,768	28,904,355
GRAND TOTAL AVAILABLE	78,336,128	(314,100)	78,022,028

*NMHED/DFA Approval moved to Page 3

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : **New Mexico State University - Doña Ana** FY **2020-2021**

Adjustment to Fund: **Unrestricted** Request # **3**

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>	
EXPENDITURES				
Instruction and General	40,067,742	910,669	40,978,411	
Student Social & Cultural Activities	375,955	(144,730)	231,225	
Research	0	0	0	
Public Service	121,841	185,494	307,335	
Internal Service Dept.	41,139	(194,687)	(153,548)	
Student Financial Aid	435,243	0	435,243	
Auxiliary Enterprises	586,515	(402,642)	183,873	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	41,628,435	354,104	41,982,539	
Capital Outlay	12,225,777	(5,410,751)	6,815,026	
Renewals & Replacements	1,300,000	369,679	1,669,679	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	13,525,777	(5,041,072)	8,484,705	
TOTAL EXPENDITURES	55,154,212	(4,686,968)	50,467,244	
TRANSFERS IN (OUT)				
Instruction and General	(1,015,448)	(4,228,080)	(5,243,528)	
Student Social & Cultural Activities	(27,200)	0	(27,200)	
Research	0	0	0	
Public Service	0	0	0	
Internal Service Dept.	(45,000)	0	(45,000)	
Student Financial Aid	435,243	0	435,243	
Auxiliary Enterprises	(45,000)	0	(45,000)	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	(697,405)	(4,228,080)	(4,925,485)	
Capital Outlay	360,339	2,347,768	2,708,107	
Renewals & Replacements	721,152	1,658,907	2,380,059	
Retirement of Indebtedness	(400,000)	0	(400,000)	
Subtotal Plant Funds	681,491	4,006,675	4,688,166	
NET TRANSFERS	(15,914)	(221,405)	(237,319)	
ENDING BALANCES				
Instruction and General	6,980,831	(5,616,481)	1,364,350	3%
Student Social & Cultural Activities	109,683	(7,400)	102,283	44%
Research	0	0	0	#DIV/0!
Public Service	235,691	(84,494)	151,197	49%
Internal Service Dept.	79,108	192,844	271,952	-177%
Student Financial Aid	215,080	0	215,080	49%
Auxiliary Enterprises	127,308	(22,521)	104,787	57%
Athletics	0	0	0	#DIV/0!
Independent Operations	0	0	0	#DIV/0!
Subtotal Current Funds	7,747,701	(5,538,052)	2,209,649	5%
Capital Outlay	8,343,482	8,400,287	16,743,769	246%
Renewals & Replacements	7,074,819	1,289,228	8,364,047	501%
Retirement of Indebtedness	0	0	0	#DIV/0!
Subtotal Plant Funds	15,418,301	9,689,515	25,107,816	296%
TOTAL ENDING BALANCES	23,166,002	4,151,463	27,317,465	54%
TOTAL EXPENDITURES, TRANSFERS, BALANCES	78,336,128	(314,100)	78,022,028	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Doña Ana FY 2020-2021

Adjustment to Fund: Unrestricted Request # 3

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
INSTRUCTION & GENERAL:			
REVENUES			
Tuition and Fees	11,047,833	(2,125,044)	8,922,789
Federal Government Appropriations	0	0	0
State Government Appropriations	22,967,800	17,038	22,984,838
Local Government Appropriations	5,815,000	0	5,815,000
Federal Grants/Contracts	500	4,500	5,000
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	(18,500)	23,000
Other Sources	282,657	1,644,274	1,926,931
TOTAL REVENUES	40,155,290	(477,732)	39,677,558
BEGINNING BALANCE	7,908,731	0	7,908,731
TOTAL AVAILABLE	48,064,021	(477,732)	47,586,289
EXPENDITURES			
Instruction	23,098,891	(603,612)	22,495,279
Academic Support	4,965,363	136,664	5,102,027
Student Services	3,252,327	(357,795)	2,894,532
Institutional Support	5,675,352	1,760,875	7,436,227
Operation & Maintenance of Plant	3,075,809	(25,463)	3,050,346
TOTAL EXPENDITURES	40,067,742	910,669	40,978,411
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	195,339	2,447,768	2,643,107
Renewals & Replacements	296,934	1,908,907	2,205,841
Retirement of Indebtedness	0	0	0
Non-Budgetary Exhibits:			
Endowment Fund	0	0	0
Other (to Las Cruces Campus)	87,932	(128,595)	(40,663)
Other (Specify)	0	0	0
NET TRANSFERS	1,015,448	4,228,080	5,243,528
ENDING BALANCE	6,980,831	(5,616,481)	1,364,350

Prepared by: Kimberly G. Rumford Date Approved by BOR 14-May-2021

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 _____	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : **New Mexico State University - Grants**

FY **2020-2021**

Adjustment to Fund: **Unrestricted**

Request # **3**

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
REVENUES			
Instruction and General	4,616,400	324,822	4,941,222
Student Social & Cultural Activities	18,000	(9,000)	9,000
Research	0	0	0
Public Service	1,000	0	1,000
Internal Service Dept.	2,000	(1,000)	1,000
Student Financial Aid	0	0	0
Auxiliary Enterprises	20,000	(17,000)	3,000
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	4,657,400	297,822	4,955,222
Capital Outlay	2,250,000	(134,000)	2,116,000
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	2,250,000	(134,000)	2,116,000
TOTAL REVENUES	6,907,400	163,822	7,071,222
BEGINNING BALANCES			
Instruction and General	1,674,232	0	1,674,232
Student Social & Cultural Activities	81,637	0	81,637
Research	0	0	0
Public Service	14,556	0	14,556
Internal Service Dept.	71,397	0	71,397
Student Financial Aid	0	0	0
Auxiliary Enterprises	68,778	0	68,778
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	1,910,600	0	1,910,600
Capital Outlay	4,758,514	0	4,758,514
Renewals & Replacements	4,563,400	0	4,563,400
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	9,321,914	0	9,321,914
TOTAL BEGINNING BALANCES	11,232,514	0	11,232,514
TOTAL AVAILABLE			
Instruction and General	6,290,632	324,822	6,615,454
Student Social & Cultural Activities	99,637	(9,000)	90,637
Research	0	0	0
Public Service	15,556	0	15,556
Internal Service Dept.	73,397	(1,000)	72,397
Student Financial Aid	0	0	0
Auxiliary Enterprises	88,778	(17,000)	71,778
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	6,568,000	297,822	6,865,822
Capital Outlay	7,008,514	(134,000)	6,874,514
Renewals & Replacements	4,563,400	0	4,563,400
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	11,571,914	(134,000)	11,437,914
GRAND TOTAL AVAILABLE	18,139,914	163,822	18,303,736

*NMHED/DFA Approval moved to Page 3

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : **New Mexico State University - Grants**

FY **2020-2021**

Adjustment to Fund: **Unrestricted**

Request # **3**

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>	
EXPENDITURES				
Instruction and General	4,328,331	(74,822)	4,253,509	
Student Social & Cultural Activities	19,025	(10,025)	9,000	
Research	0	0	0	
Public Service	3,000	0	3,000	
Internal Service Dept.	(3,500)	41,000	37,500	
Student Financial Aid	52,823	(5,160)	47,663	
Auxiliary Enterprises	20,000	(15,000)	5,000	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	4,419,679	(64,007)	4,355,672	
Capital Outlay	3,331,000	(675,000)	2,656,000	
Renewals & Replacements	380,000	0	380,000	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	3,711,000	(675,000)	3,036,000	
TOTAL EXPENDITURES	8,130,679	(739,007)	7,391,672	
TRANSFERS IN (OUT)				
Instruction and General	(288,069)	(1,256,504)	(1,544,573)	
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)	9,500	0	
Student Financial Aid	52,823	(5,160)	47,663	
Auxiliary Enterprises	0	0	0	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	(247,746)	(1,252,164)	(1,499,910)	
Capital Outlay	13,681	600,000	613,681	
Renewals & Replacements	259,065	690,500	949,565	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	272,746	1,290,500	1,563,246	
NET TRANSFERS	25,000	38,336	63,336	
ENDING BALANCES				
Instruction and General	1,674,232	(856,860)	817,372	19%
Student Social & Cultural Activities	75,612	1,025	76,637	852%
Research	0	0	0	#DIV/0!
Public Service	14,556	0	14,556	485%
Internal Service Dept.	67,397	(32,500)	34,897	93%
Student Financial Aid	0	0	0	0%
Auxiliary Enterprises	68,778	(2,000)	66,778	1336%
Athletics	0	0	0	#DIV/0!
Independent Operations	0	0	0	#DIV/0!
Subtotal Current Funds	1,900,575	(890,335)	1,010,240	23%
Capital Outlay	3,691,195	1,141,000	4,832,195	182%
Renewals & Replacements	4,442,465	690,500	5,132,965	1351%
Retirement of Indebtedness	0	0	0	#DIV/0!
Subtotal Plant Funds	8,133,660	1,831,500	9,965,160	328%
TOTAL ENDING BALANCES	10,034,235	941,165	10,975,400	148%
TOTAL EXPENDITURES, TRANSFERS, BALANCES	18,139,914	163,822	18,303,736	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : **New Mexico State University - Grants**

FY **2020-2021**

Adjustment to Fund: **Unrestricted**

Request # **3**

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
INSTRUCTION & GENERAL:			
REVENUES			
Tuition and Fees	839,000	(27,861)	811,139
Federal Government Appropriations	0	0	0
State Government Appropriations	3,407,300	0	3,407,300
Local Government Appropriations	260,000	0	260,000
Federal Grants/Contracts	300	50	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	109,800	352,633	462,433
TOTAL REVENUES	4,616,400	324,822	4,941,222
BEGINNING BALANCE	1,674,232	0	1,674,232
TOTAL AVAILABLE	6,290,632	324,822	6,615,454
EXPENDITURES			
Instruction	1,724,132	(150,894)	1,573,238
Academic Support	454,945	67,804	522,749
Student Services	606,010	(24,180)	581,830
Institutional Support	959,672	(8,805)	950,867
Operation & Maintenance of Plant	583,572	41,253	624,825
TOTAL EXPENDITURES	4,328,331	(74,822)	4,253,509
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	47,823	(5,160)	42,663
Auxiliary Enterprises	0	0	0
Intercollegiate Athletics	0	0	0
Independent Operations	0	0	0
Capital Outlay	13,681	600,000	613,681
Renewals & Replacements	249,565	700,000	949,565
Retirement of Indebtedness	0	0	0
Non-Budgetary Exhibits:			
Endowment Fund	0	0	0
Other (To Las Cruces Campus)	(25,000)	(38,336)	(63,336)
Other (Specify)	0	0	0
NET TRANSFERS	288,069	1,256,504	1,544,573
ENDING BALANCE	1,674,232	(856,860)	817,372

Prepared by: **Kimberly G. Rumford**

Date Approved by BOR **14-May-2021**

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 _____	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Las Cruces

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
REVENUES			
Instruction and General	8,295,100	22,500,071	30,795,171
Student Social & Cultural Activities	66,700	37,600	104,300
Research	74,538,745	3,625,174	78,163,919
Public Service	27,409,246	3,541,935	30,951,181
Internal Service Dept.	0	134,200	134,200
Student Financial Aid	52,804,600	15,257,055	68,061,655
Auxiliary Enterprises	51,400	130,000	181,400
Athletics	1,482,352	1,259,012	2,741,364
Independent Operations	2,726,600	876,300	3,602,900
Subtotal Current Funds	167,374,743	47,361,347	214,736,090
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
TOTAL REVENUES	167,374,743	47,361,347	214,736,090
BEGINNING BALANCES			
Instruction and General	0	0	0
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	0	0	0
Auxiliary Enterprises	0	0	0
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	0	0	0
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
TOTAL BEGINNING BALANCES	0	0	0
TOTAL AVAILABLE			
Instruction and General	8,295,100	22,500,071	30,795,171
Student Social & Cultural Activities	66,700	37,600	104,300
Research	74,538,745	3,625,174	78,163,919
Public Service	27,409,246	3,541,935	30,951,181
Internal Service Dept.	0	134,200	134,200
Student Financial Aid	52,804,600	15,257,055	68,061,655
Auxiliary Enterprises	51,400	130,000	181,400
Athletics	1,482,352	1,259,012	2,741,364
Independent Operations	2,726,600	876,300	3,602,900
Subtotal Current Funds	167,374,743	47,361,347	214,736,090
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
GRAND TOTAL AVAILABLE	167,374,743	47,361,347	214,736,090

*NMHED/DFA Approval moved to Page 3

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Las Cruces

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>	
EXPENDITURES				
Instruction and General	8,295,100	22,500,071	30,795,171	
Student Social & Cultural Activities	66,700	37,600	104,300	
Research	74,538,745	3,625,174	78,163,919	
Public Service	27,409,246	3,541,935	30,951,181	
Internal Service Dept.	0	134,200	134,200	
Student Financial Aid	52,804,600	15,257,055	68,061,655	
Auxiliary Enterprises	51,400	130,000	181,400	
Athletics	1,482,352	1,259,012	2,741,364	
Independent Operations	2,726,600	876,300	3,602,900	
Subtotal Current Funds	167,374,743	47,361,347	214,736,090	
Capital Outlay	0	0	0	
Renewals & Replacements	0	0	0	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	0	0	0	
TOTAL EXPENDITURES	167,374,743	47,361,347	214,736,090	
TRANSFERS IN (OUT)				
Instruction and General	0	0	0	
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	0	0	0	
Auxiliary Enterprises	0	0	0	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	0	0	0	
Capital Outlay	0	0	0	
Renewals & Replacements	0	0	0	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	0	0	0	
NET TRANSFERS	0	0	0	
ENDING BALANCES				
Instruction and General	0	0	0	0%
Student Social & Cultural Activities	0	0	0	0%
Research	0	0	0	0%
Public Service	0	0	0	0%
Internal Service Dept.	0	0	0	0%
Student Financial Aid	0	0	0	0%
Auxiliary Enterprises	0	0	0	0%
Athletics	0	0	0	0%
Independent Operations	0	0	0	0%
Subtotal Current Funds	0	0	0	0%
Capital Outlay	0	0	0	#DIV/0!
Renewals & Replacements	0	0	0	#DIV/0!
Retirement of Indebtedness	0	0	0	#DIV/0!
Subtotal Plant Funds	0	0	0	#DIV/0!
TOTAL ENDING BALANCES	0	0	0	0%
TOTAL EXPENDITURES, TRANSFERS, BALANCES	167,374,743	47,361,347	214,736,090	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Las Cruces

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
INSTRUCTION & GENERAL:			
REVENUES			
Tuition and Fees	0	0	0
Federal Government Appropriations	0	0	0
State Government Appropriations	0	0	0
Local Government Appropriations	0	0	0
Federal Grants/Contracts	3,368,100	22,378,389	25,746,489
State Grants/Contracts	334,900	288,171	623,071
Local Grants/Contracts	0	0	0
Private Gifts/Grants/Contracts	4,592,100	(166,489)	4,425,611
Endowment/Land/Permanent Fund	0	0	0
Sales & Services of Ed Activities	0	0	0
Other Sources	0	0	0
TOTAL REVENUES	8,295,100	22,500,071	30,795,171
BEGINNING BALANCE	0	0	0
TOTAL AVAILABLE	8,295,100	22,500,071	30,795,171
EXPENDITURES			
Instruction	6,774,400	21,853,385	28,627,785
Academic Support	946,300	235,825	1,182,125
Student Services	217,400	356,300	573,700
Institutional Support	354,300	49,511	403,811
Operation & Maintenance of Plant	2,700	5,050	7,750
TOTAL EXPENDITURES	8,295,100	22,500,071	30,795,171
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	0	0	0
Auxiliary Enterprises	0	0	0
Intercollegiate Athletics	0	0	0
Independent Operations	0	0	0
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Non-Budgetary Exhibits:			
Endowment Fund	0	0	0
NET TRANSFERS	0	0	0
ENDING BALANCE	0	0	0

Prepared by: Kimberly G. Rumford

Date Approved by BOR 14-May-2021

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 _____				

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Alamogordo

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
REVENUES			
Instruction and General	389,320	1,545,930	1,935,250
Student Social & Cultural Activities	0	0	0
Research	0	0	0
Public Service	704,206	562,914	1,267,120
Internal Service Dept.	0	0	0
Student Financial Aid	1,777,900	865,100	2,643,000
Auxiliary Enterprises	0	0	0
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	2,871,426	2,973,944	5,845,370
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
TOTAL REVENUES	2,871,426	2,973,944	5,845,370
BEGINNING BALANCES			
Instruction and General	0	0	0
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	0	0	0
Auxiliary Enterprises	0	0	0
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	0	0	0
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
TOTAL BEGINNING BALANCES	0	0	0
TOTAL AVAILABLE			
Instruction and General	389,320	1,545,930	1,935,250
Student Social & Cultural Activities	0	0	0
Research	0	0	0
Public Service	704,206	562,914	1,267,120
Internal Service Dept.	0	0	0
Student Financial Aid	1,777,900	865,100	2,643,000
Auxiliary Enterprises	0	0	0
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	2,871,426	2,973,944	5,845,370
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
GRAND TOTAL AVAILABLE	2,871,426	2,973,944	5,845,370

*NMHED/DFA Approval moved to Page 3

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Alamogordo

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>	
EXPENDITURES				
Instruction and General	389,320	1,545,930	1,935,250	
Student Social & Cultural Activities	0	0	0	
Research	0	0	0	
Public Service	704,206	562,914	1,267,120	
Internal Service Dept.	0	0	0	
Student Financial Aid	1,777,900	865,100	2,643,000	
Auxiliary Enterprises	0	0	0	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	2,871,426	2,973,944	5,845,370	
Capital Outlay	0	0	0	
Renewals & Replacements	0	0	0	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	0	0	0	
TOTAL EXPENDITURES	2,871,426	2,973,944	5,845,370	
TRANSFERS IN (OUT)				
Instruction and General	0	0	0	
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	0	0	0	
Auxiliary Enterprises	0	0	0	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	0	0	0	
Capital Outlay	0	0	0	
Renewals & Replacements	0	0	0	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	0	0	0	
NET TRANSFERS	0	0	0	
ENDING BALANCES				
Instruction and General	0	0	0	0%
Student Social & Cultural Activities	0	0	0	#DIV/0!
Research	0	0	0	#DIV/0!
Public Service	0	0	0	0%
Internal Service Dept.	0	0	0	#DIV/0!
Student Financial Aid	0	0	0	0%
Auxiliary Enterprises	0	0	0	#DIV/0!
Athletics	0	0	0	#DIV/0!
Independent Operations	0	0	0	#DIV/0!
Subtotal Current Funds	0	0	0	0%
Capital Outlay	0	0	0	#DIV/0!
Renewals & Replacements	0	0	0	#DIV/0!
Retirement of Indebtedness	0	0	0	#DIV/0!
Subtotal Plant Funds	0	0	0	#DIV/0!
TOTAL ENDING BALANCES	0	0	0	0%
TOTAL EXPENDITURES, TRANSFERS, BALANCES	2,871,426	2,973,944	5,845,370	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Alamogordo

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
INSTRUCTION & GENERAL:			
REVENUES			
Tuition and Fees	0	0	0
Federal Government Appropriations	0	0	0
State Government Appropriations	0	0	0
Local Government Appropriations	0	0	0
Federal Grants/Contracts	117,471	1,483,376	1,600,847
State Grants/Contracts	260,549	2,107	262,656
Local Grants/Contracts	0	0	0
Private Gifts/Grants/Contracts	11,300	60,447	71,747
Endowment/Land/Permanent Fund	0	0	0
Sales & Services of Ed Activities	0	0	0
Other Sources	0	0	0
TOTAL REVENUES	389,320	1,545,930	1,935,250
BEGINNING BALANCE	0	0	0
TOTAL AVAILABLE	389,320	1,545,930	1,935,250
EXPENDITURES			
Instruction	315,220	1,566,832	1,882,052
Academic Support	40,100	(21,600)	18,500
Student Services	23,100	(2,800)	20,300
Institutional Support	10,900	3,498	14,398
Operation & Maintenance of Plant	0	0	0
TOTAL EXPENDITURES	389,320	1,545,930	1,935,250
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	0	0	0
Auxiliary Enterprises	0	0	0
Intercollegiate Athletics	0	0	0
Independent Operations	0	0	0
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Non-Budgetary Exhibits:			
Endowment Fund	0	0	0
NET TRANSFERS	0	0	0
ENDING BALANCE	0	0	0

Prepared by: Kimberly G. Rumford

Date Approved by BOR 14-May-2021

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 _____	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Carlsbad

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
REVENUES			
Instruction and General	1,760,389	1,273,215	3,033,604
Student Social & Cultural Activities	0	0	0
Research	0	0	0
Public Service	178,900	197,236	376,136
Internal Service Dept.	1,700	(1,700)	0
Student Financial Aid	1,039,873	334,468	1,374,341
Auxiliary Enterprises	0	0	0
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	2,980,862	1,803,219	4,784,081
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
TOTAL REVENUES	2,980,862	1,803,219	4,784,081
BEGINNING BALANCES			
Instruction and General	0	0	0
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	0	0	0
Auxiliary Enterprises	0	0	0
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	0	0	0
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
TOTAL BEGINNING BALANCES	0	0	0
TOTAL AVAILABLE			
Instruction and General	1,760,389	1,273,215	3,033,604
Student Social & Cultural Activities	0	0	0
Research	0	0	0
Public Service	178,900	197,236	376,136
Internal Service Dept.	1,700	(1,700)	0
Student Financial Aid	1,039,873	334,468	1,374,341
Auxiliary Enterprises	0	0	0
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	2,980,862	1,803,219	4,784,081
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
GRAND TOTAL AVAILABLE	2,980,862	1,803,219	4,784,081

*NMHED/DFA Approval moved to Page 3

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Carlsbad

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>	
EXPENDITURES				
Instruction and General	1,760,389	1,273,215	3,033,604	
Student Social & Cultural Activities	0	0	0	
Research	0	0	0	
Public Service	178,900	197,236	376,136	
Internal Service Dept.	1,700	(1,700)	0	
Student Financial Aid	1,039,873	334,468	1,374,341	
Auxiliary Enterprises	0	0	0	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	2,980,862	1,803,219	4,784,081	
Capital Outlay	0	0	0	
Renewals & Replacements	0	0	0	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	0	0	0	
TOTAL EXPENDITURES	2,980,862	1,803,219	4,784,081	
TRANSFERS IN (OUT)				
Instruction and General	0	0	0	
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	0	0	0	
Auxiliary Enterprises	0	0	0	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	0	0	0	
Capital Outlay	0	0	0	
Renewals & Replacements	0	0	0	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	0	0	0	
NET TRANSFERS	0	0	0	
ENDING BALANCES				
Instruction and General	0	0	0	0%
Student Social & Cultural Activities	0	0	0	#DIV/0!
Research	0	0	0	#DIV/0!
Public Service	0	0	0	0%
Internal Service Dept.	0	0	0	#DIV/0!
Student Financial Aid	0	0	0	0%
Auxiliary Enterprises	0	0	0	#DIV/0!
Athletics	0	0	0	#DIV/0!
Independent Operations	0	0	0	#DIV/0!
Subtotal Current Funds	0	0	0	0%
Capital Outlay	0	0	0	#DIV/0!
Renewals & Replacements	0	0	0	#DIV/0!
Retirement of Indebtedness	0	0	0	#DIV/0!
Subtotal Plant Funds	0	0	0	#DIV/0!
TOTAL ENDING BALANCES	0	0	0	0%
TOTAL EXPENDITURES, TRANSFERS, BALANCES	2,980,862	1,803,219	4,784,081	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Carlsbad

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
INSTRUCTION & GENERAL:			
REVENUES			
Tuition and Fees	0	0	0
Federal Government Appropriations	0	0	0
State Government Appropriations	0	0	0
Local Government Appropriations	0	0	0
Federal Grants/Contracts	1,486,244	1,284,659	2,770,903
State Grants/Contracts	274,145	(11,444)	262,701
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	0	0	0
TOTAL REVENUES	1,760,389	1,273,215	3,033,604
BEGINNING BALANCE	0	0	0
TOTAL AVAILABLE	1,760,389	1,273,215	3,033,604
EXPENDITURES			
Instruction	345,027	1,130,415	1,475,442
Academic Support	865,584	144,600	1,010,184
Student Services	548,378	(400)	547,978
Institutional Support	1,400	(1,400)	0
Operation & Maintenance of Plant	0	0	0
TOTAL EXPENDITURES	1,760,389	1,273,215	3,033,604
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	0	0	0
Auxiliary Enterprises	0	0	0
Intercollegiate Athletics	0	0	0
Independent Operations	0	0	0
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Non-Budgetary Exhibits:			
Endowment Fund	0	0	0
NET TRANSFERS	0	0	0
ENDING BALANCE	0	0	0

Prepared by: Kimberly G. Rumford

Date Approved by BOR 14-May-2021

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 _____				

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Doña Ana

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
REVENUES			
Instruction and General	3,858,788	2,710,962	6,569,750
Student Social & Cultural Activities	0	0	0
Research	0	0	0
Public Service	637,291	(2,442)	634,849
Internal Service Dept.	49,000	25,600	74,600
Student Financial Aid	16,146,575	3,599,225	19,745,800
Auxiliary Enterprises	72,100	(75,900)	(3,800)
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	20,763,754	6,257,445	27,021,199
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
TOTAL REVENUES	20,763,754	6,257,445	27,021,199
BEGINNING BALANCES			
Instruction and General	0	0	0
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	0	0	0
Auxiliary Enterprises	0	0	0
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	0	0	0
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
TOTAL BEGINNING BALANCES	0	0	0
TOTAL AVAILABLE			
Instruction and General	3,858,788	2,710,962	6,569,750
Student Social & Cultural Activities	0	0	0
Research	0	0	0
Public Service	637,291	(2,442)	634,849
Internal Service Dept.	49,000	25,600	74,600
Student Financial Aid	16,146,575	3,599,225	19,745,800
Auxiliary Enterprises	72,100	(75,900)	(3,800)
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	20,763,754	6,257,445	27,021,199
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
GRAND TOTAL AVAILABLE	20,763,754	6,257,445	27,021,199

*NMHED/DFA Approval moved to Page 3

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Doña Ana

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>	
EXPENDITURES				
Instruction and General	3,858,788	2,710,962	6,569,750	
Student Social & Cultural Activities	0	0	0	
Research	0	0	0	
Public Service	637,291	(2,442)	634,849	
Internal Service Dept.	49,000	25,600	74,600	
Student Financial Aid	16,146,575	3,599,225	19,745,800	
Auxiliary Enterprises	72,100	(75,900)	(3,800)	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	20,763,754	6,257,445	27,021,199	
Capital Outlay	0	0	0	
Renewals & Replacements	0	0	0	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	0	0	0	
TOTAL EXPENDITURES	20,763,754	6,257,445	27,021,199	
TRANSFERS IN (OUT)				
Instruction and General	0	0	0	
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	0	0	0	
Auxiliary Enterprises	0	0	0	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	0	0	0	
Capital Outlay	0	0	0	
Renewals & Replacements	0	0	0	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	0	0	0	
NET TRANSFERS	0	0	0	
ENDING BALANCES				
Instruction and General	0	0	0	0%
Student Social & Cultural Activities	0	0	0	#DIV/0!
Research	0	0	0	#DIV/0!
Public Service	0	0	0	0%
Internal Service Dept.	0	0	0	0%
Student Financial Aid	0	0	0	0%
Auxiliary Enterprises	0	0	0	0%
Athletics	0	0	0	#DIV/0!
Independent Operations	0	0	0	#DIV/0!
Subtotal Current Funds	0	0	0	0%
Capital Outlay	0	0	0	#DIV/0!
Renewals & Replacements	0	0	0	#DIV/0!
Retirement of Indebtedness	0	0	0	#DIV/0!
Subtotal Plant Funds	0	0	0	#DIV/0!
TOTAL ENDING BALANCES	0	0	0	0%
TOTAL EXPENDITURES, TRANSFERS, BALANCES	20,763,754	6,257,445	27,021,199	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Doña Ana

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
INSTRUCTION & GENERAL:			
REVENUES			
Tuition and Fees	0	0	0
Federal Government Appropriations	0	0	0
State Government Appropriations	0	0	0
Local Government Appropriations	0	0	0
Federal Grants/Contracts	2,550,477	2,538,336	5,088,813
State Grants/Contracts	1,120,585	190,838	1,311,423
Local Grants/Contracts	0	0	0
Private Gifts/Grants/Contracts	187,726	(18,212)	169,514
Endowment/Land/Permanent Fund	0	0	0
Sales & Services of Ed Activities	0	0	0
Other Sources	0	0	0
TOTAL REVENUES	3,858,788	2,710,962	6,569,750
BEGINNING BALANCE	0	0	0
TOTAL AVAILABLE	3,858,788	2,710,962	6,569,750
EXPENDITURES			
Instruction	2,642,499	3,652,347	6,294,846
Academic Support	855,810	(660,138)	195,672
Student Services	303,279	(262,347)	40,932
Institutional Support	48,500	(27,100)	21,400
Operation & Maintenance of Plant	8,700	8,200	16,900
TOTAL EXPENDITURES	3,858,788	2,710,962	6,569,750
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	0	0	0
Auxiliary Enterprises	0	0	0
Intercollegiate Athletics	0	0	0
Independent Operations	0	0	0
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Non-Budgetary Exhibits:			
Endowment Fund	0	0	0
NET TRANSFERS	0	0	0
ENDING BALANCE	0	0	0

Prepared by: Kimberly G. Rumford

Date Approved by BOR 14-May-2021

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 _____	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Grants

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
REVENUES			
Instruction and General	328,223	743,258	1,071,481
Student Social & Cultural Activities	2,200	(2,200)	0
Research	0	0	0
Public Service	213,704	(67,479)	146,225
Internal Service Dept.	0	0	0
Student Financial Aid	1,155,000	228,000	1,383,000
Auxiliary Enterprises	0	0	0
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	1,699,127	901,579	2,600,706
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
TOTAL REVENUES	1,699,127	901,579	2,600,706
BEGINNING BALANCES			
Instruction and General	0	0	0
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	0	0	0
Auxiliary Enterprises	0	0	0
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	0	0	0
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
TOTAL BEGINNING BALANCES	0	0	0
TOTAL AVAILABLE			
Instruction and General	328,223	743,258	1,071,481
Student Social & Cultural Activities	2,200	(2,200)	0
Research	0	0	0
Public Service	213,704	(67,479)	146,225
Internal Service Dept.	0	0	0
Student Financial Aid	1,155,000	228,000	1,383,000
Auxiliary Enterprises	0	0	0
Athletics	0	0	0
Independent Operations	0	0	0
Subtotal Current Funds	1,699,127	901,579	2,600,706
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Subtotal Plant Funds	0	0	0
GRAND TOTAL AVAILABLE	1,699,127	901,579	2,600,706

*NMHED/DFA Approval moved to Page 3

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Grants

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>	
EXPENDITURES				
Instruction and General	328,223	743,258	1,071,481	
Student Social & Cultural Activities	2,200	(2,200)	0	
Research	0	0	0	
Public Service	213,704	(67,479)	146,225	
Internal Service Dept.	0	0	0	
Student Financial Aid	1,155,000	228,000	1,383,000	
Auxiliary Enterprises	0	0	0	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	1,699,127	901,579	2,600,706	
Capital Outlay	0	0	0	
Renewals & Replacements	0	0	0	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	0	0	0	
TOTAL EXPENDITURES	1,699,127	901,579	2,600,706	
TRANSFERS IN (OUT)				
Instruction and General	0	0	0	
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	0	0	0	
Auxiliary Enterprises	0	0	0	
Athletics	0	0	0	
Independent Operations	0	0	0	
Subtotal Current Funds	0	0	0	
Capital Outlay	0	0	0	
Renewals & Replacements	0	0	0	
Retirement of Indebtedness	0	0	0	
Subtotal Plant Funds	0	0	0	
NET TRANSFERS	0	0	0	
ENDING BALANCES				
Instruction and General	0	0	0	0%
Student Social & Cultural Activities	0	0	0	#DIV/0!
Research	0	0	0	#DIV/0!
Public Service	0	0	0	0%
Internal Service Dept.	0	0	0	#DIV/0!
Student Financial Aid	0	0	0	0%
Auxiliary Enterprises	0	0	0	#DIV/0!
Athletics	0	0	0	#DIV/0!
Independent Operations	0	0	0	#DIV/0!
Subtotal Current Funds	0	0	0	0%
Capital Outlay	0	0	0	#DIV/0!
Renewals & Replacements	0	0	0	#DIV/0!
Retirement of Indebtedness	0	0	0	#DIV/0!
Subtotal Plant Funds	0	0	0	#DIV/0!
TOTAL ENDING BALANCES	0	0	0	0%
TOTAL EXPENDITURES, TRANSFERS, BALANCES	1,699,127	901,579	2,600,706	

NEW MEXICO HIGHER EDUCATION DEPARTMENT
BUDGET ADJUSTMENT REQUEST

INSTITUTION : New Mexico State University - Grants

FY 2020-2021

Adjustment to Fund: Restricted

Request # 1

	<u>Current Approved Budget</u>	<u>INCREASE (DECREASE)</u>	<u>Revised Budget</u>
INSTRUCTION & GENERAL:			
REVENUES			
Tuition and Fees	0	0	0
Federal Government Appropriations	0	0	0
State Government Appropriations	0	0	0
Local Government Appropriations	0	0	0
Federal Grants/Contracts	87,493	778,379	865,872
State Grants/Contracts	197,864	(39,895)	157,969
Local Grants/Contracts	0	0	0
Private Gifts/Grants/Contracts	42,866	4,774	47,640
Endowment/Land/Permanent Fund	0	0	0
Sales & Services of Ed Activities	0	0	0
Other Sources	0	0	0
TOTAL REVENUES	328,223	743,258	1,071,481
BEGINNING BALANCE	0	0	0
TOTAL AVAILABLE	328,223	743,258	1,071,481
EXPENDITURES			
Instruction	296,216	756,665	1,052,881
Academic Support	14,980	(4,280)	10,700
Student Services	10,500	(2,600)	7,900
Institutional Support	3,227	(3,227)	0
Operation & Maintenance of Plant	3,300	(3,300)	0
TOTAL EXPENDITURES	328,223	743,258	1,071,481
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	0	0	0
Auxiliary Enterprises	0	0	0
Intercollegiate Athletics	0	0	0
Independent Operations	0	0	0
Capital Outlay	0	0	0
Renewals & Replacements	0	0	0
Retirement of Indebtedness	0	0	0
Non-Budgetary Exhibits:			
Endowment Fund	0	0	0
NET TRANSFERS	0	0	0
ENDING BALANCE	0	0	0

Prepared by: Kimberly G. Rumford

Date Approved by BOR 14-May-2021

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: May 14, 2021
Agenda Item Cover Page

Agenda Item # H-4

- Action Item
- Consent Item
- Informational Item

Presented By: Senior Vice President Andrew J. Burke, Ed.D.

Agenda Item: Operating Budgets for Fiscal Year 2021-2022

Requested Action of the Board of Regents: Approval of the Operating Budgets for Fiscal Year 2021-2022

Executive Summary: As part of the annual budget process, the University prepares original budgets for the upcoming fiscal year. Operating budgets for fiscal year 2022 by campus are below:

Campus	Total Expenditures
Las Cruces	\$ 546,682,853
Alamogordo	\$ 16,444,306
Carlsbad	\$ 16,636,102
Dona Ana	\$ 75,739,443
Grants	\$ 8,971,873
Total	\$ 664,474,577

References:

The budget was prepared based on the Sources and Uses approved by the BOR at their April 21 meeting.

Prior Approvals:

Regents Financial Strategies, Performance and Budget Committee 05/01/2021

New Mexico State University Board of Regents

OPERATING BUDGET FOR
FISCAL YEAR 2021-2022

Andrew J. Burke

Senior Vice President for Administration and Finance

The logo for New Mexico State University, featuring the letters "NM" in a large, bold, serif font above the words "STATE" and "UNIVERSITY" in a smaller, bold, serif font. The logo is set against a white background within a dark red square.

NM
STATE
UNIVERSITY

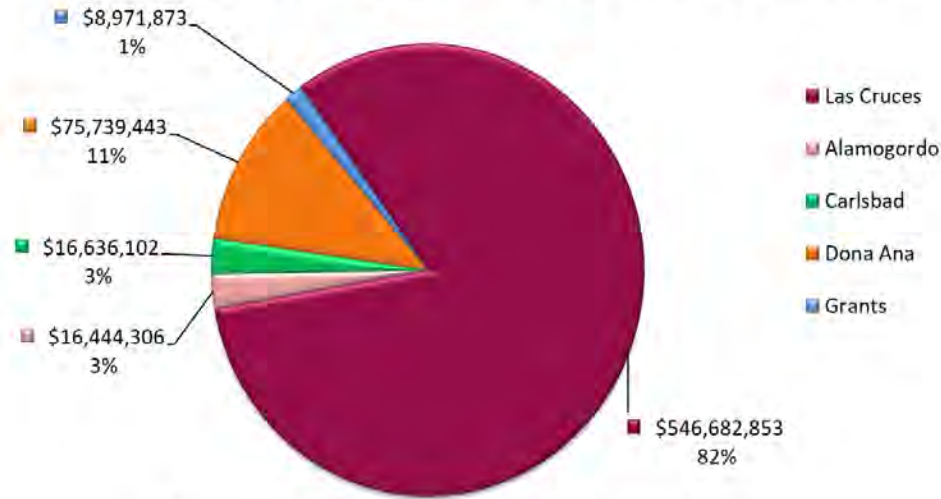
BE BOLD. Shape the Future.

All Funds and Campuses

**New Mexico Higher Education Department
Budget Approval Form
FY 2021-2022
New Mexico State University**

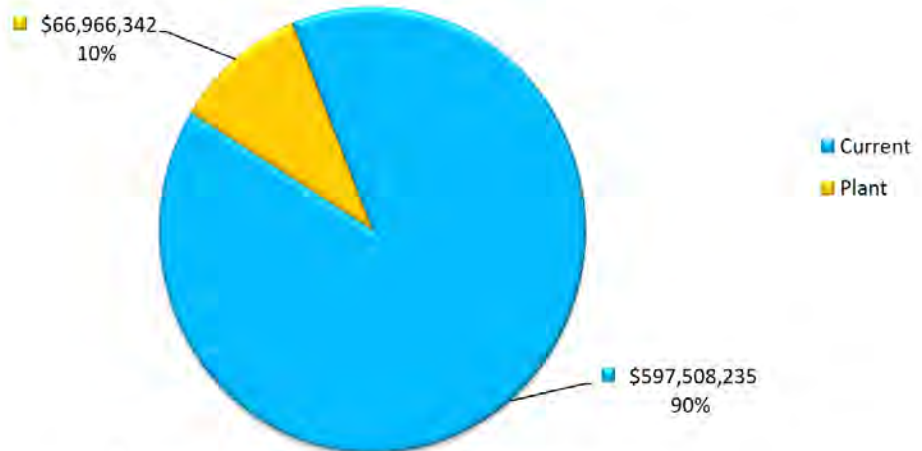
		UNRESTRICTED EXPENDITURES	RESTRICTED EXPENDITURES	TOTAL EXPENDITURES
LAS CRUCES CAMPUS	CURRENT FUNDS	\$ 323,832,553	\$ 175,952,277	\$ 499,784,830
	PLANT FUNDS	46,898,023	N/A	46,898,023
	TOTAL	\$ 370,730,576	\$ 175,952,277	\$ 546,682,853
ALAMOGORDO CAMPUS	CURRENT FUNDS	\$ 9,514,315	\$ 3,847,779	\$ 13,362,094
	PLANT FUNDS	3,082,212	N/A	3,082,212
	TOTAL	\$ 12,596,527	\$ 3,847,779	\$ 16,444,306
CARLSBAD CAMPUS	CURRENT FUNDS	\$ 11,156,161	\$ 3,079,941	\$ 14,236,102
	PLANT FUNDS	2,400,000	N/A	2,400,000
	TOTAL	\$ 13,556,161	\$ 3,079,941	\$ 16,636,102
DOÑA ANA CAMPUS	CURRENT FUNDS	\$ 41,398,185	\$ 22,335,151	\$ 63,733,336
	PLANT FUNDS	12,006,107	N/A	12,006,107
	TOTAL	\$ 53,404,292	\$ 22,335,151	\$ 75,739,443
GRANTS CAMPUS	CURRENT FUNDS	\$ 4,699,693	\$ 1,692,180	\$ 6,391,873
	PLANT FUNDS	2,580,000	N/A	2,580,000
	TOTAL	\$ 7,279,693	\$ 1,692,180	\$ 8,971,873
SUMMARY EXPENDITURES	CURRENT FUNDS	\$ 390,600,907	\$ 206,907,328	\$ 597,508,235
	PLANT FUNDS	66,966,342	N/A	66,966,342
	TOTAL	\$ 457,567,249	\$ 206,907,328	\$ 664,474,577

FY2022 Proposed Expenditure Budget by Campus



Total Proposed Budget - \$664,474,577

FY2022 Proposed Expenditure Budget by Fund Type



Total Proposed Budget - \$664,474,577

Current Funds Combined Campuses and Las Cruces Campus

NMSU Sources of Current Funds

Combined Campuses	Original Budget Approved FY 2020-2021				Original Budget Proposed FY 2021-2022				% Change
	Unrestricted	Restricted	Total		Unrestricted	Restricted	Total		
Tuition & Fees	\$ 121,148,502	\$ -	\$ 121,148,502	19.5%	\$ 119,759,617	\$ -	\$ 119,759,617	19.4%	-1.1%
Federal Appropriations	-	5,035,526	5,035,526	0.8%	-	4,900,000	4,900,000	0.8%	-2.7%
State Appropriations	225,150,100	-	225,150,100	36.3%	212,671,500	-	212,671,500	34.4%	-5.5%
Local Appropriations	13,339,210	2,609,740	15,948,950	2.6%	13,605,690	2,500,000	16,105,690	2.6%	1.0%
Govt Grants & Contracts	133,460	164,788,598	164,922,058	26.6%	145,975	178,415,480	178,561,455	28.9%	8.3%
Private Gifts, Grants & Contracts	20,100	20,289,000	20,309,100	3.3%	63,700	17,756,798	17,820,498	2.9%	-12.3%
Sales & Services	27,401,932	-	27,401,932	4.4%	29,684,080	-	29,684,080	4.8%	8.3%
Indirect Cost Recoveries	15,683,024	-	15,683,024	2.5%	15,654,620	-	15,654,620	2.5%	-0.2%
Other	21,629,574	2,967,048	24,596,622	4.0%	20,313,250	3,365,750	23,679,000	3.8%	-3.7%
Total	\$ 424,505,902	\$ 195,689,912	\$ 620,195,814	100%	\$ 411,898,432	\$ 206,938,028	\$ 618,836,460	100%	-0.2%

Las Cruces Campus	Original Budget Approved FY 2020-2021				Original Budget Proposed FY 2021-2022				% Change
	Unrestricted	Restricted	Total		Unrestricted	Restricted	Total		
Tuition & Fees	\$ 105,138,978	\$ -	\$ 105,138,978	20.3%	\$ 105,802,510	\$ -	\$ 105,802,510	20.4%	0.6%
Federal Appropriations	-	5,035,526	5,035,526	1.0%	-	4,900,000	4,900,000	0.9%	-2.7%
State Appropriations	183,035,100	-	183,035,100	35.3%	172,863,700	-	172,863,700	33.3%	-5.6%
Local Appropriations	-	2,609,740	2,609,740	0.5%	-	2,500,000	2,500,000	0.5%	-4.2%
Govt Grants & Contracts	130,000	137,361,052	137,491,052	26.5%	143,125	148,195,790	148,338,915	28.6%	7.9%
Private Gifts, Grants & Contracts	20,100	19,486,275	19,506,375	3.8%	63,700	17,082,587	17,146,287	3.3%	-12.1%
Sales & Services	26,515,997	-	26,515,997	5.1%	28,808,705	-	28,808,705	5.6%	8.6%
Indirect Cost Recoveries	15,445,800	-	15,445,800	3.0%	15,265,908	-	15,265,908	2.9%	-1.2%
Other	21,182,706	2,882,150	24,064,856	4.6%	19,922,827	3,273,900	23,196,727	4.5%	-3.6%
Total	\$ 351,468,681	\$ 167,374,743	\$ 518,843,424	100%	\$ 342,870,475	\$ 175,952,277	\$ 518,822,752	100%	0.0%



NMSU Uses of Current Funds

Combined Campuses	Original Budget <i>Approved</i> FY 2020-2021				Original Budget <i>Proposed</i> FY 2021-2022				% Change
	Unrestricted	Restricted	Total		Unrestricted	Restricted	Total		
Instruction & General	\$258,691,260	\$ 14,631,820	\$273,323,080	43.9%	\$248,682,258	\$ 17,061,869	\$265,744,127	43.0%	-2.8%
Research	35,528,973	74,538,745	110,067,718	17.7%	34,222,808	76,408,171	110,630,979	17.9%	0.5%
Public Service	25,309,312	29,143,347	54,452,659	8.7%	23,396,557	30,403,832	53,800,389	8.7%	-1.2%
Student Aid	22,390,590	72,923,948	95,314,538	15.3%	22,781,219	78,119,277	100,900,496	16.3%	5.9%
Auxiliary	21,825,660	123,500	21,949,160	3.5%	21,609,643	156,400	21,766,043	3.5%	-0.8%
Athletics	19,282,614	1,482,352	20,764,966	3.3%	19,913,073	1,008,574	20,921,647	3.4%	0.8%
NMDA	18,037,797	2,726,600	20,764,397	3.3%	17,233,985	3,599,400	20,833,385	3.4%	0.3%
Net Transfers	22,186,068	-	22,186,068	3.6%	20,602,443	-	20,602,443	3.3%	-7.1%
Other	4,211,723	119,600	4,331,323	0.7%	2,761,364	149,805	2,911,169	0.5%	-32.8%
Total	\$427,463,997	\$195,689,912	\$623,153,909	100%	\$411,203,350	\$206,907,328	\$618,110,678	100%	-0.8%

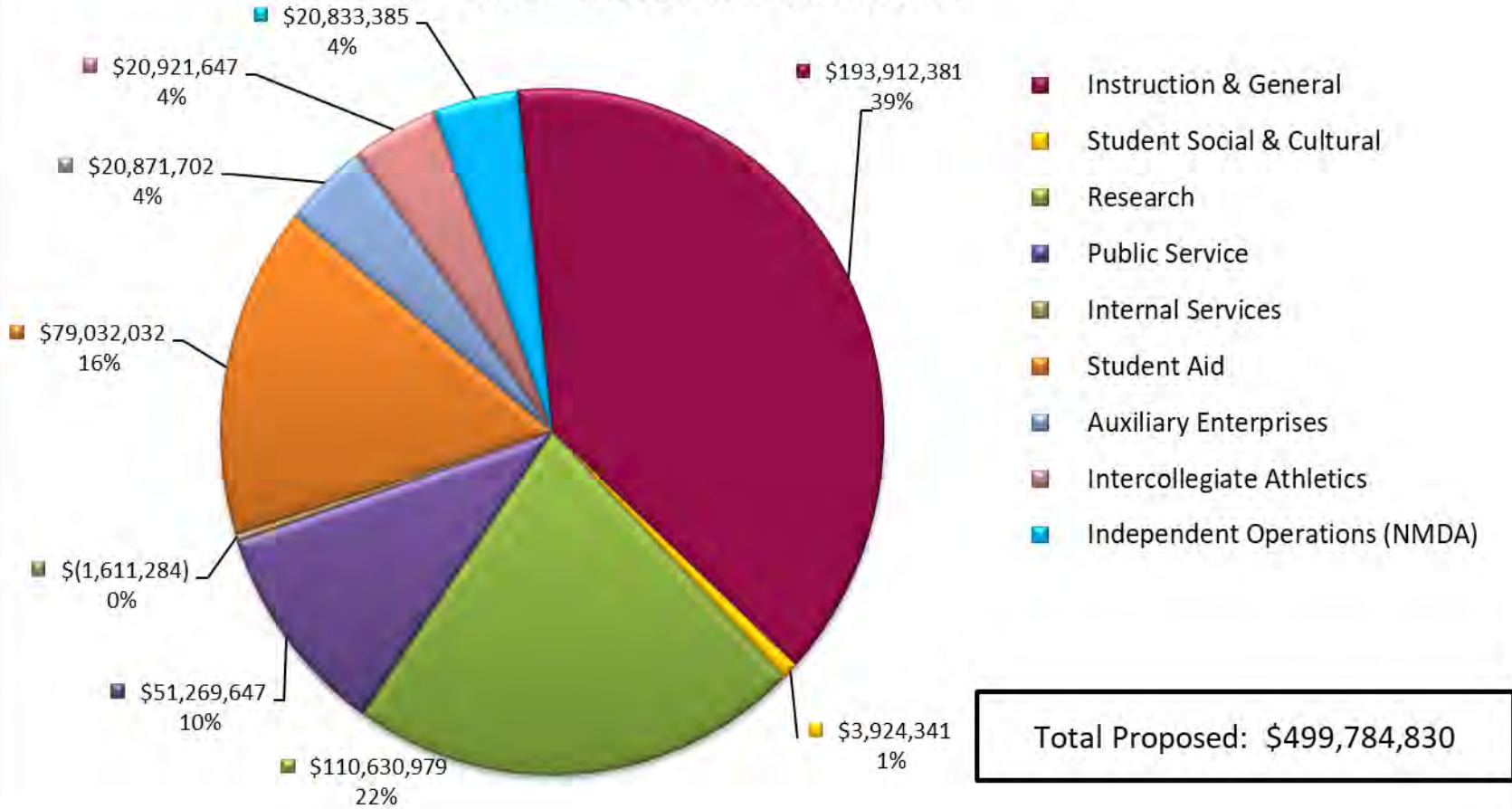
Las Cruces Campus	Original Budget <i>Approved</i> FY 2020-2021				Original Budget <i>Proposed</i> FY 2021-2022				% Change
	Unrestricted	Restricted	Total		Unrestricted	Restricted	Total		
Instruction & General	\$190,784,260	\$ 8,295,100	\$199,079,360	38.2%	\$184,331,786	\$ 9,580,595	\$193,912,381	37.3%	-2.6%
Research	35,528,973	74,538,745	110,067,718	21.1%	34,222,808	76,408,171	110,630,979	21.3%	0.5%
Public Service	24,913,814	27,409,246	52,323,060	10.0%	23,045,261	28,224,386	51,269,647	9.9%	-2.0%
Student Aid	21,685,986	52,804,600	74,490,586	14.3%	22,085,986	56,946,046	79,032,032	15.2%	6.1%
Auxiliary	20,996,551	51,400	21,047,951	4.0%	20,787,402	84,300	20,871,702	4.0%	-0.8%
Athletics	19,282,614	1,482,352	20,764,966	4.0%	19,913,073	1,008,574	20,921,647	4.0%	0.8%
NMDA	18,037,797	2,726,600	20,764,397	4.0%	17,233,985	3,599,400	20,833,385	4.0%	0.3%
Net Transfers	19,500,625	-	19,500,625	3.7%	19,603,787	-	19,603,787	3.8%	0.5%
Other	3,571,834	66,700	3,638,534	0.7%	2,212,252	100,805	2,313,057	0.4%	-36.4%
Total	\$354,302,454	\$167,374,743	\$521,677,197	100%	\$343,436,340	\$175,952,277	\$519,388,617	100%	-0.4%



Las Cruces Campus



Las Cruces FY2022 Current Funds Budget by Function Unrestricted and Restricted



**New Mexico State University - Las Cruces Campus
FY2021-22 Sources & Uses of New I&G Funds**

**Approved
4/5/2021**

Ref. No.	New Sources of Funds / Revenues	
1	I&G State Appropriations	\$ 3,775,200
2	I&G State Appropriations - 1.5% Compensation	2,003,700
3	Enrollment Projection (no change)	-
4	Tuition and Fees Rate Increase, 0%	-
5	Nursing and Engineering Differential Tuition	727,500
6	Other Sources	300,000
7	Savings from Fringe Rate (37.1% to 36.5%)	620,000
8	Budget Reduction and/or Reallocation	2,276,300
9	Total Estimated Sources / Revenues	\$ 9,702,700

Ref. No.	New Uses of Funds / Expenditures	
10	Faculty and Staff Compensation Pool of 1.5%, plus fringes	\$ 2,440,000
11	Staff minimum wage to \$11.50	260,000
12	Faculty Promotion & Tenure Fund (effective 7/1/21)	400,000
13	Faculty and Staff Market Equity Salary Adjustments (0.25% of compensation)	425,800
14	Student minimum wage (increase in operations)	485,000
15	Outstanding FY21 Budget Shortfall	2,276,300
16	Investment in Foundation	938,100
17	Strategic Investments: Enhance Student Success and Social Mobility	400,000
18	Strategic Investments: Elevate Research and Creativity	400,000
19	Strategic Investments: Amplify Extension and Outreach	150,000
20	Strategic Investments: Build a Robust NMSU System	300,000
21	Investment in Graduate Assistant Scholarships (I&G only)	500,000
22	Distribution of Differential Tuition to Nursing and Engineering	727,500
23	Total Estimated Uses / Expenditures	\$ 9,702,700

New Mexico State University - Las Cruces Campus
Approved Tuition and Fee Rates Per Credit Hour with 0% Increase
Fiscal Year 2021-2022

Approved 4/5/2021

	2020-2021 Tuition and Fees			2021-2022 Tuition and Fees			Proposed Increase	Percentage Change
	Tuition	Fees	Total	Tuition	Fees	Total		
<u>Undergraduate Rates</u>								
Resident Students:								
Hourly Rate (1-14)	\$ 251.70	\$ 52.50	\$ 304.20	\$ 251.70	\$ 52.50	\$ 304.20	\$ -	0.0%
135 Mile Texas Rate (1-14)	276.87	52.50	329.37	276.87	52.50	329.37	-	0.0%
Non-Resident Students:								
Hourly Rate (1-6)	314.40	52.50	366.90	314.40	52.50	366.90	-	0.0%
Hourly Rate (1-14) >6	937.80	52.50	990.30	937.80	52.50	990.30	-	0.0%
<u>Graduate Rates</u>								
Resident Students:								
Hourly Rate (1-14)	276.70	52.50	329.20	276.70	52.50	329.20	-	0.0%
135 Mile Texas Rate (1-14)	304.37	52.50	356.87	304.37	52.50	356.87	-	0.0%
Non-Resident Students:								
Hourly Rate (1-6)	345.70	52.50	398.20	345.70	52.50	398.20	-	0.0%
Hourly Rate (1-14) >6	962.80	52.50	1,015.30	962.80	52.50	1,015.30	-	0.0%
<u>NMSU Online Hourly Rates</u>								
Undergraduate Students	380.20	-	380.20	380.20	-	380.20	-	0.0%
Graduate Students	411.50	-	411.50	411.50	-	411.50	-	0.0%
Military	250.00	-	250.00	250.00	-	250.00	-	0.0%

New Mexico State University - Las Cruces Campus
Approved Tuition and Fee Full-Time Rates with 0% Increase
Fiscal Year 2021-2022

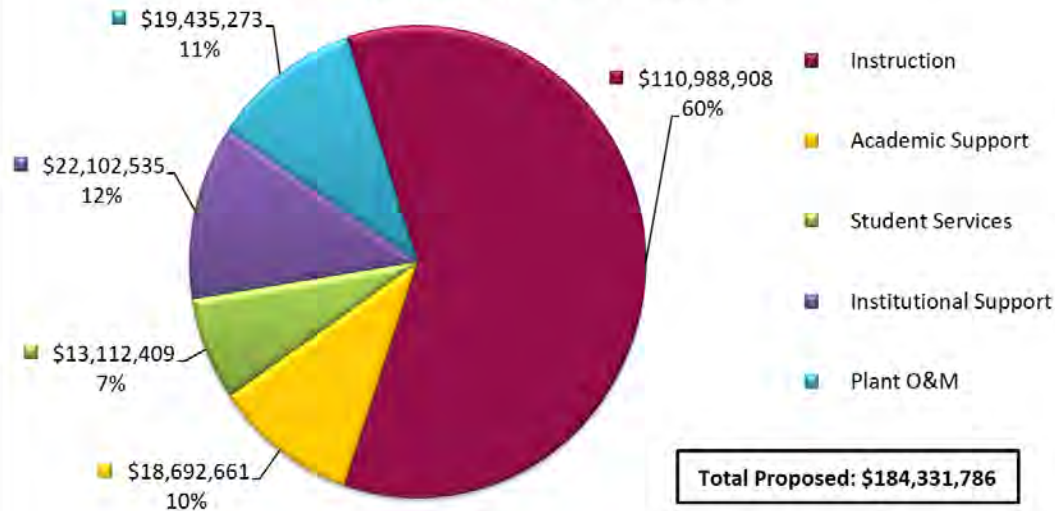
Approved 4/5/2021

	2020-2021 Tuition and Fees			2021-2022 Tuition and Fees			Proposed Increase	Percentage Change
	Tuition	Fees	Total	Tuition	Fees	Total		
<u>Undergraduate Rates</u>								
Resident Students:								
Full Time Rate (12 CH)	\$ 3,020.40	\$ 630.00	\$ 3,650.40	\$ 3,020.40	\$ 630.00	\$ 3,650.40	\$ -	0.0%
Full Time Flat Rate (15 CH and above)	3,234.70	787.50	4,022.20	3,234.70	787.50	4,022.20	-	0.0%
135 Mile Texas Full Time Rate (12 CH)	3,322.44	630.00	3,952.44	3,322.44	630.00	3,952.44	-	0.0%
135 Mile Texas Full Time Flat Rate (15 CH and above)	3,558.17	787.50	4,345.67	3,558.17	787.50	4,345.67	-	0.0%
Non-Resident Students:								
Full Time Rate (12 CH)	11,253.60	630.00	11,883.60	11,253.60	630.00	11,883.60	-	0.0%
Full Time Flat Rate (15 CH and above)	12,045.50	787.50	12,833.00	12,045.50	787.50	12,833.00	-	0.0%
<u>Graduate Rates</u>								
Resident Students:								
Full Time Rate (9 CH)	2,490.30	472.50	2,962.80	2,490.30	472.50	2,962.80	-	0.0%
Full Time Flat Rate (15 CH and above)	3,555.70	787.50	4,343.20	3,555.70	787.50	4,343.20	-	0.0%
135 Mile Texas Full Time Rate (9 CH)	2,739.33	472.50	3,211.83	2,739.33	472.50	3,211.83	-	0.0%
135 Mile Texas Full Time Flat Rate (15 CH and above)	3,911.27	787.50	4,698.77	3,911.27	787.50	4,698.77	-	0.0%
Non-Resident Students:								
Full Time Rate (9 CH)	8,665.20	472.50	9,137.70	8,665.20	472.50	9,137.70	-	0.0%
Full Time Flat Rate (15 CH and above)	12,364.90	787.50	13,152.40	12,364.90	787.50	13,152.40	-	0.0%
<u>NMSU Online Full-Time Rates</u>								
Undergraduate Students (15 CH)	5,703.00	-	5,703.00	5,703.00	-	5,703.00	-	0.0%
Graduate Students (9 CH)	3,703.50	-	3,703.50	3,703.50	-	3,703.50	-	0.0%
Military (12 CH)	3,000.00	-	3,000.00	3,000.00	-	3,000.00	-	0.0%

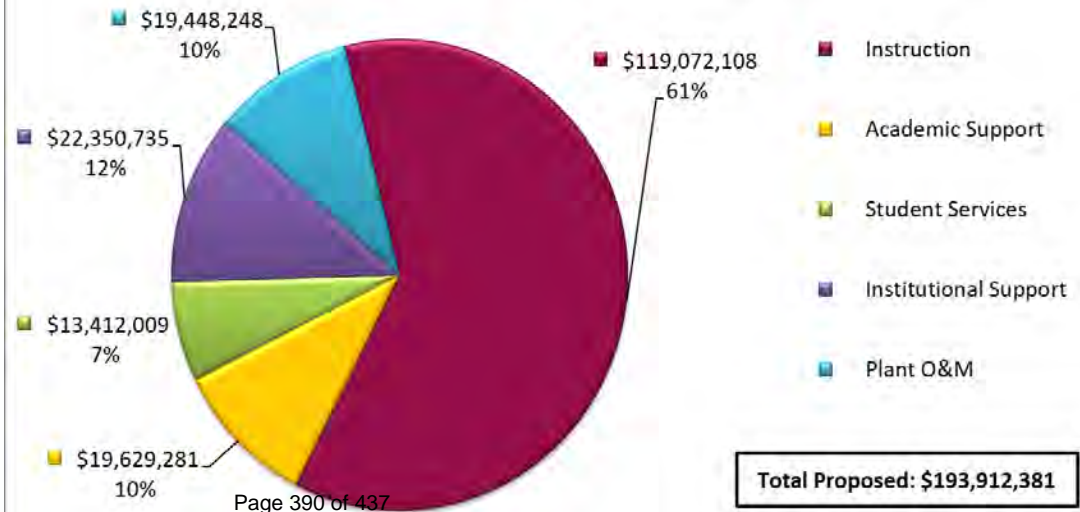
New Mexico State University Fiscal Year 2022 Original Budget Las Cruces Unrestricted I&G

Instruction and General	FY 2022 Original Budget	FY 2022 Original Budget	FY 2022 Original Budget	Proportion
	Unrestricted	Restricted	Total	
REVENUES				
Tuition and Fees	\$ 93,376,409	\$ -	\$ 93,376,409	38.1%
State Appropriations	\$ 121,731,400	\$ -	\$ 121,731,400	49.6%
Grants & Contracts	\$ 134,000	\$ 9,580,595	\$ 9,714,595	4.0%
Endowment/Land & Permanent Income	\$ 3,397,136	\$ -	\$ 3,397,136	1.4%
Sales & Services	\$ 565,500	\$ -	\$ 565,500	0.2%
Other	\$ 16,400,008	\$ -	\$ 16,400,008	6.7%
Total Revenue	\$ 235,604,453	\$ 9,580,595	\$ 245,185,048	100.0%
EXPENDITURES				
Instruction	\$ 110,988,908	\$ 8,083,200	\$ 119,072,108	48.6%
Academic Support	\$ 18,692,661	\$ 936,620	\$ 19,629,281	8.0%
Student Services	\$ 13,112,409	\$ 299,600	\$ 13,412,009	5.5%
Institutional Support	\$ 22,102,535	\$ 248,200	\$ 22,350,735	9.1%
Plant O&M	\$ 19,435,273	\$ 12,975	\$ 19,448,248	7.9%
Total Expenditures	\$ 184,331,786	\$ 9,580,595	\$ 193,912,381	
Net Transfers	\$ 51,272,667	\$ -	\$ 51,272,667	20.9%
TOTAL EXPENDITURES & TRANSFERS	\$ 235,604,453	\$ 9,580,595	\$ 245,185,048	100.0%

Las Cruces FY2022 Proposed I&G Budget by Function - Unrestricted



Las Cruces FY2022 Proposed I&G Budget by Function - Unrestricted & Restricted

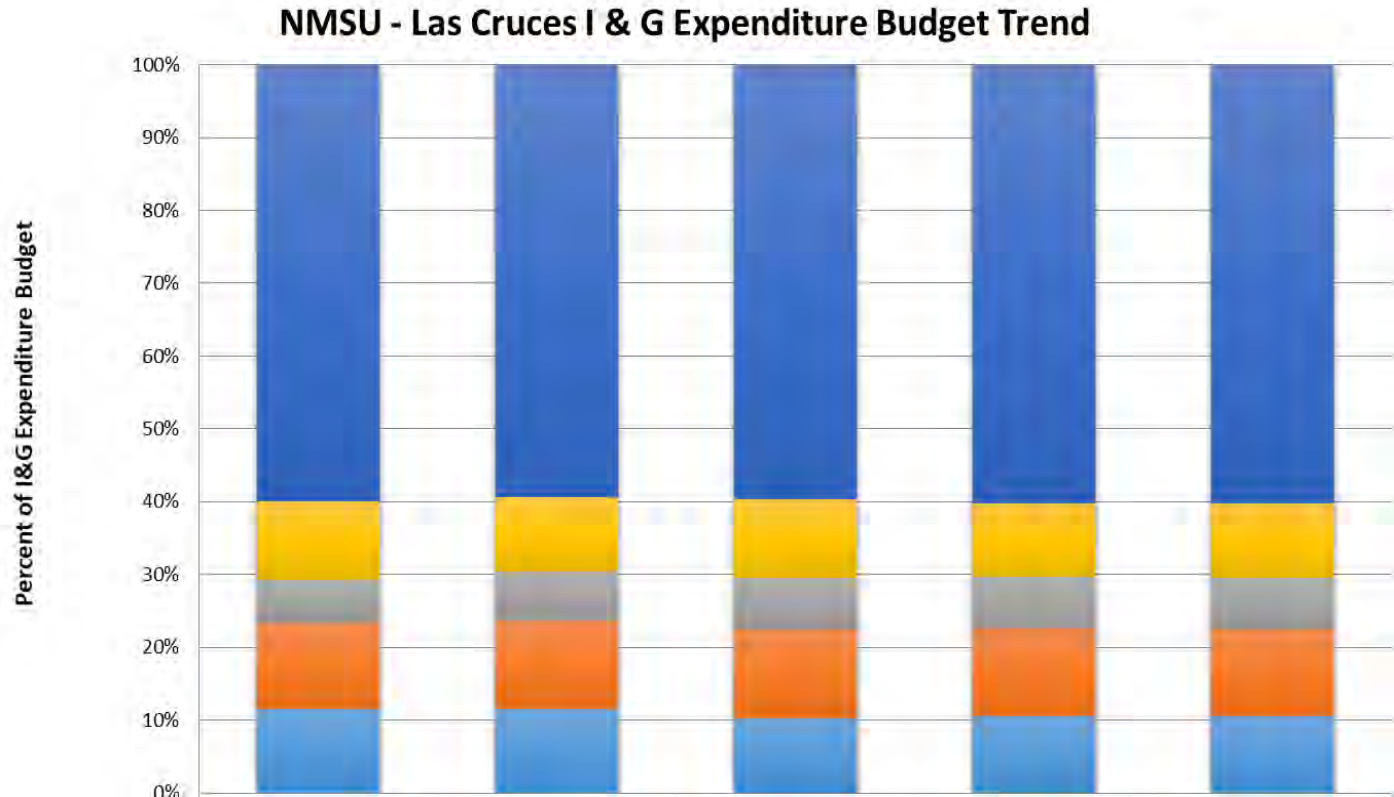


Las Cruces Campus - Unrestricted Current Funds Expenditure Categories for Instruction and General FY2022 Proposed and FY2021 Approved Budgets

Expenditure Category	Operating Budget 2020-2021	Percent of Total	Operating Budget 2021-2022	Percent of Total	Dollar Change	Percent Change
Faculty Salaries	\$ 56,040,542	29.37%	\$ 53,918,087	29.25%	\$ (2,122,455)	-3.79%
Professional Salaries	29,974,259	15.71%	27,868,781	15.12%	(2,105,478)	-7.02%
Support Staff Salaries	15,153,077	7.94%	13,586,488	7.37%	(1,566,589)	-10.34%
GA/TA, Student Salaries	10,810,713	5.67%	11,000,510	5.97%	189,797	1.76%
Other Salaries	26,336	0.01%	26,336	0.01%	-	0.00%
Subtotal Salaries	112,004,927	58.70%	106,400,202	57.72%	(5,604,725)	-5.00%
Fringes	38,808,630	20.34%	34,882,800	18.92%	(3,925,830)	-10.12%
Subtotal Salaries and Fringe	150,813,557	79.04%	141,283,002	76.64%	(9,530,555)	-6.32%
Travel	-	0.00%	-	0.00%	-	N/A
Utilities	7,731,368	4.05%	7,731,368	4.19%	-	0.00%
Supplies and Expenses	22,037,457	11.56%	25,507,927	13.85%	3,470,470	15.75%
Computer Services	12,343,409	6.47%	11,951,629	6.48%	(391,780)	-3.17%
Unallocated	14,119,967	7.40%	14,018,467	7.61%	(101,500)	-0.72%
Less Institutional Support	(10,300,452)	-5.40%	(10,418,652)	-5.65%	(118,200)	1.15%
Less Plant O&M	(5,961,046)	-3.12%	(5,741,955)	-3.12%	219,091	-3.68%
Subtotal Other	39,970,703	20.96%	43,048,784	23.36%	3,078,081	7.70%
Total Expenditures	\$ 190,784,260	100.00%	\$ 184,331,786	100.00%	\$ (6,452,474)	-3.38%

Note: The transition to the Foundation Agreement resulted in a decrease in salaries and fringes offset with an increase in supplies and expenses. Plus an additional \$938,100 investment was added to supplies and expenses to equal the \$3M agreement.

NMSU – Las Cruces I & G Unrestricted Expenditure Budget Proportions by Function Trend



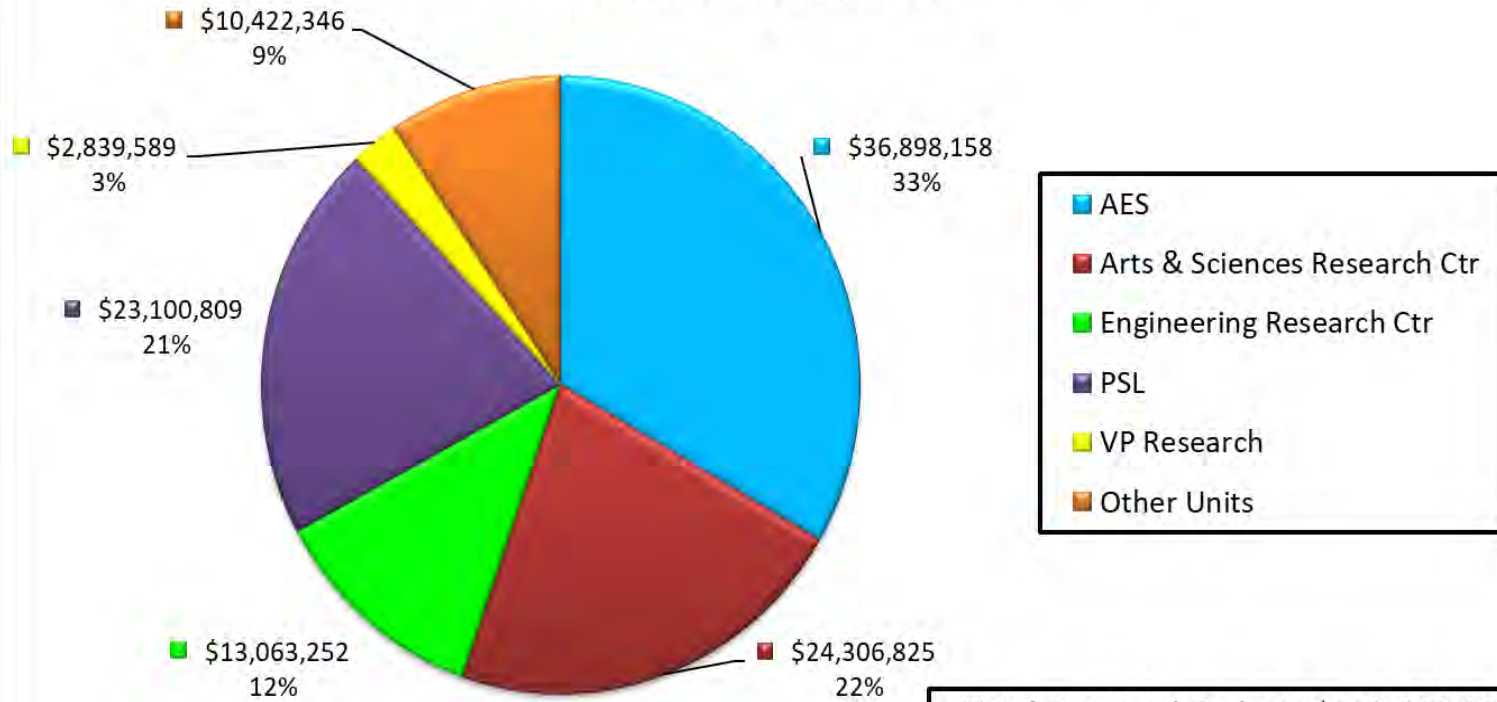
	Budget 2018	Budget 2019	Budget 2020	Budget 2021	Budget 2022
Instruction	59.9%	59.4%	59.7%	60.2%	60.3%
Academic Support	10.8%	10.2%	10.7%	10.1%	10.1%
Student Services	5.9%	6.7%	7.1%	7.0%	7.1%
Institutional Support	11.8%	12.1%	12.3%	12.1%	12.0%
Operation & Maintenance	11.6%	11.6%	10.2%	10.6%	10.5%

Las Cruces Campus-Current Funds (Unrestricted and Restricted) Expenditure Categories for Research FY2022 Proposed and FY2021 Approved Budgets

Expenditure Category	Operating Budget 2020-2021	Percent of Total	Operating Budget 2021-2022	Percent of Total	Dollar Change	Percent Change
Faculty Salaries	\$ 11,101,744	10.08%	\$ 11,122,206	10.04%	\$ 20,462	0.18%
Professional Salaries	18,602,886	16.90%	19,554,704	17.68%	951,818	5.12%
Support Staff Salaries	4,383,053	3.98%	4,443,941	4.02%	60,888	1.39%
GA/TA, Student Salaries	9,952,078	9.04%	10,091,612	9.12%	139,534	1.40%
Other Salaries	767,445	0.70%	784,235	0.71%	16,790	2.19%
Subtotal Salaries	44,807,206	40.70%	45,996,698	41.57%	1,189,492	2.65%
Fringes	14,153,769	12.86%	15,587,256	14.09%	1,433,487	10.13%
Subtotal Salaries and Fringe	58,960,975	53.56%	61,583,954	55.66%	2,622,979	4.45%
Travel	2,502,182	2.27%	1,393,712	1.26%	(1,108,470)	-44.30%
Utilities	470,800	0.43%	504,197	0.46%	33,397	7.09%
Supplies and Expenses	43,086,194	39.15%	42,050,307	38.01%	(1,035,887)	-2.40%
Institutional Support Charges	2,651,717	2.41%	2,812,166	2.54%	160,449	6.05%
Plant O&M Charges	40,613	0.04%	40,527	0.04%	(86)	-0.21%
Equipment	2,355,237	2.14%	2,246,116	2.03%	(109,121)	-4.63%
Subtotal Other	51,106,743	46.44%	49,047,025	44.34%	(2,059,718)	-4.03%
Total Expenditures	\$ 110,067,718	100.00%	\$ 110,630,979	100.00%	\$ 563,261	0.51%

FY2022 Proposed Research Budget by Unit

Unrestricted and Restricted



Total Proposed Budget: \$110,630,979

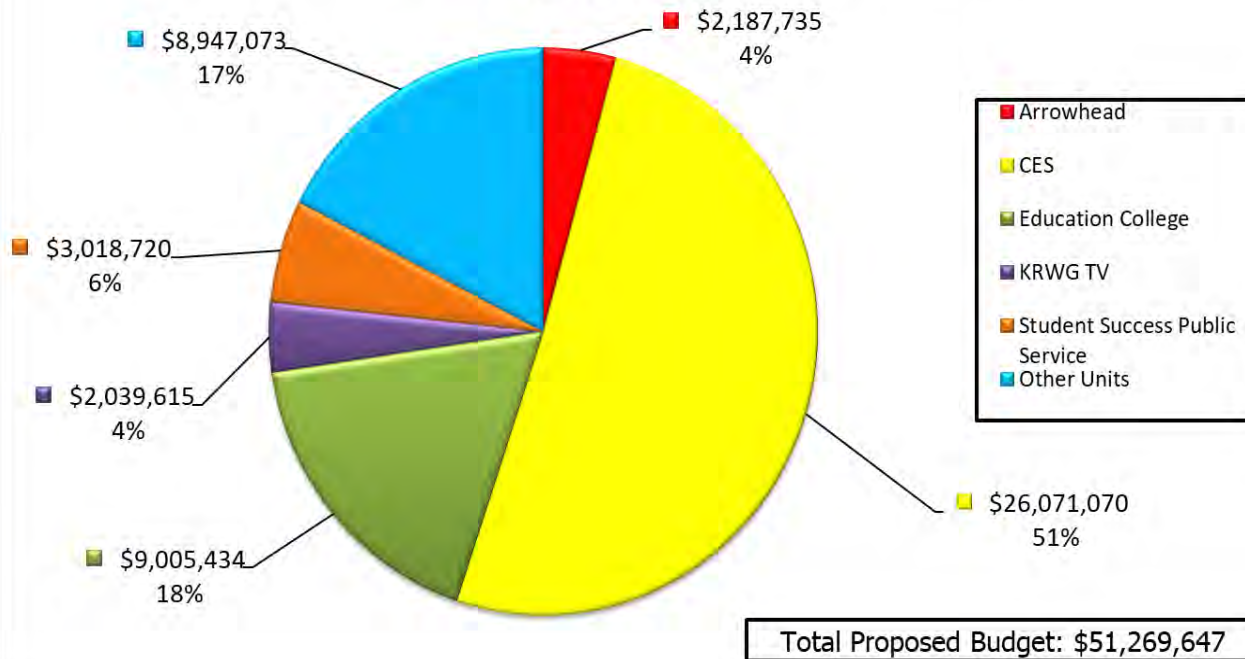
- Other Research Units include:**
- Business Research and Services
 - Clean Drinking Water Technology
 - Education Research Center
 - Health and Social Services
 - NM Space Grants Consortium
 - Sunspot Solar Observatory
 - Sustainable Agricultural Center of Excellence
 - Waste Education Research Consortium
 - Water Resource Research Institute

Las Cruces Current Funds (Unrestricted and Restricted) Expenditure Categories for Public Service FY2022 Proposed and FY2021 Approved Budgets

Expenditure Category	Operating Budget 2020-2021	Percent of Total	Operating Budget 2021-2022	Percent of Total	Dollar Change	Percent Change
Faculty Salaries	\$ 9,601,299	18.35%	\$ 9,426,628	18.39%	\$ (174,671)	-1.82%
Professional Salaries	8,318,284	15.90%	8,717,484	17.00%	399,200	4.80%
Support Staff Salaries	4,378,329	8.37%	4,522,159	8.82%	143,830	3.29%
GA/TA, Student Salaries	2,482,042	4.74%	2,444,018	4.77%	(38,024)	-1.53%
Other Salaries	152,768	0.29%	247,758	0.48%	94,990	62.18%
Subtotal Salaries	24,932,722	47.65%	25,358,047	49.46%	425,325	1.71%
Fringes	8,130,726	15.54%	8,455,490	16.49%	324,764	3.99%
Subtotal Salaries and Fringe	33,063,448	63.19%	33,813,537	65.95%	750,089	2.27%
Travel	2,192,237	4.19%	703,635	1.37%	(1,488,602)	-67.90%
Utilities	90,236	0.17%	82,591	0.16%	(7,645)	-8.47%
Supplies and Expenses	15,912,186	30.41%	15,601,152	30.44%	(311,034)	-1.95%
Institutional Support Charges	806,400	1.54%	871,700	1.70%	65,300	8.10%
Plant O&M Charges	72,153	0.14%	72,032	0.14%	(121)	-0.17%
Equipment	186,400	0.36%	125,000	0.24%	(61,400)	-32.94%
Subtotal Other	19,259,612	36.81%	17,456,110	34.05%	(1,803,502)	-9.36%
Total Expenditures	\$ 52,323,060	100.00%	\$ 51,269,647	100.00%	\$ (1,053,413)	-2.01%

FY2022 Proposed Public Service Budget by Unit

Unrestricted and Restricted



Other Public Service Units include:

- Alliance for Advancement of Teaching & Learning
- Anna Age Eight
- Arts & Sciences Research Center
- Autism Program
- Business Research and Services
- College Assistance Migrant Program
- Engineering Research Center
- HSS Public Service
- Indian Resource Development
- International & Border Programs
- KRWG FM
- Manufacturing Technology
- Science Fair
- STEM Alliance for Minority Participation

Las Cruces Campus – Current Funds (Unrestricted and Restricted) Expenditure Categories for Auxiliary Services FY2022 Proposed and FY2021 Approved Budgets

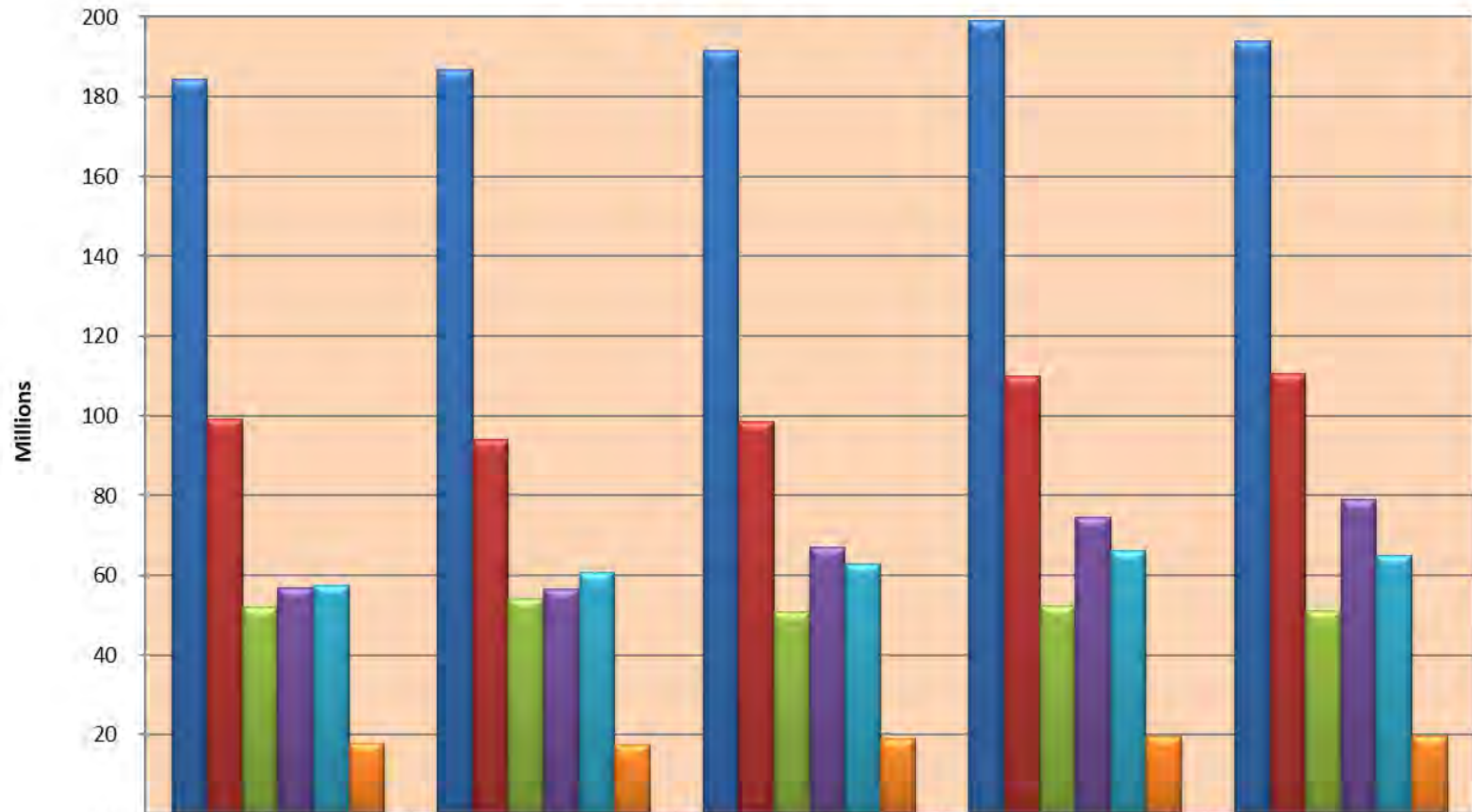
Expenditure Category	Operating Budget 2020-2021	Percent of Total	Operating Budget 2021-2022	Percent of Total	Dollar Change	Percent Change
Faculty Salaries	\$ -	0.00%	\$ -	0.00%	\$ -	N/A
Professional Salaries	4,055,012	19.27%	3,458,971	16.44%	(596,041)	-14.70%
Support Staff Salaries	1,366,369	6.49%	1,456,540	6.92%	90,171	6.60%
GA/TA, Student Salaries	1,814,164	8.62%	1,915,078	9.10%	100,914	5.56%
Other Salaries	57,478	0.27%	47,568	0.23%	(9,910)	N/A
Subtotal Salaries	7,293,023	34.65%	6,878,157	32.69%	(414,866)	-5.69%
Fringes	1,986,697	9.44%	1,777,252	8.45%	(209,445)	-10.54%
Subtotal Salaries and Fringe	9,279,720	44.09%	8,655,409	41.14%	(624,311)	-6.73%
Travel	89,137	0.42%	96,637	0.46%	7,500	8.41%
Utilities	1,941,249	9.22%	2,046,677	9.73%	105,428	N/A
Supplies and Expenses	7,311,074	34.74%	7,832,552	37.23%	521,478	7.13%
Institutional Support Charges	1,364,300	6.48%	1,327,200	6.31%	(37,100)	-2.72%
Plant O&M Charges	675,321	3.21%	691,103	3.28%	15,782	N/A
Equipment	387,150	1.84%	388,950	1.85%	1,800	N/A
Subtotal Other	11,768,231	55.91%	12,383,119	58.86%	614,888	5.22%
Total Expenditures	\$ 21,047,951	100.00%	\$ 21,038,528	100.00%	\$ (9,423)	-0.04%



Las Cruces Campus – Current Funds (Unrestricted and Restricted) Expenditure Categories for Intercollegiate Athletics FY2022 Proposed and FY2021 Approved Budgets

Expenditure Category	Operating Budget 2020-2021	Percent of Total	Operating Budget 2021-2022	Percent of Total	Dollar Change	Percent Change
Faculty Salaries	\$ -	0.00%	\$ -	0.00%	\$ -	N/A
Professional Salaries	6,100,009	29.38%	6,109,000	29.20%	8,991	0.15%
Support Staff Salaries	126,713	0.61%	226,178	1.08%	99,465	78.50%
GA/TA, Student Salaries	254,960	1.23%	209,363	1.00%	(45,597)	-17.88%
Other Salaries	24,480	0.12%	31,300	0.15%	6,820	N/A
Subtotal Salaries	6,506,162	31.34%	6,575,841	31.43%	69,679	1.07%
Fringes	2,320,590	11.18%	2,325,721	11.12%	5,131	0.22%
Subtotal Salaries and Fringe	8,826,752	42.52%	8,901,562	42.55%	74,810	0.85%
Travel	2,609,000	12.56%	2,734,000	13.07%	125,000	4.79%
Utilities	157,200	0.76%	143,000	0.68%	(14,200)	N/A
Supplies and Expenses	8,257,418	39.76%	8,178,313	39.09%	(79,105)	-0.96%
Institutional Support Charges	827,300	3.98%	873,100	4.17%	45,800	5.54%
Plant O&M Charges	67,296	0.32%	66,672	0.32%	(624)	N/A
Equipment	20,000	0.10%	25,000	0.12%	5,000	N/A
Subtotal Other	11,938,214	57.48%	12,020,085	57.45%	81,871	0.69%
Total Expenditures	\$ 20,764,966	100.00%	\$ 20,921,647	100.00%	\$ 156,681	0.75%

Budgeted Uses of Current Unrestricted & Restricted Funds Las Cruces Campus



	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
■ Instruction & General	184,502,035	186,780,418	191,646,280	199,079,360	193,912,381
■ Research	99,273,837	93,951,260	98,579,438	110,067,718	110,630,979
■ Public Service	51,960,492	54,272,498	50,949,531	52,323,060	51,269,647
■ Student Financial Aid	56,731,130	56,475,986	67,003,247	74,490,586	79,032,032
■ Other	57,347,222	60,621,701	62,819,298	66,215,848	64,939,791
■ Net Transfers	17,993,017	17,672,588	19,068,808	19,500,625	19,603,787

Community College Campuses



**New Mexico State University - Alamogordo Campus
FY21-22 Sources and Uses of New I&G Funds
Tuition and Fee Proposal**

Sources/Revenues:	
General Fund I&G Appropriation - (Cares Act Swap Reversal)	\$ 212,000
General Fund I&G Appropriation for Compensation, including 30% Fringes	95,200
Saving from decrease in Fringe Rate (decrease from 37.1% to 36.5%)	-
Tuition & Fees Increase (0% Blended)	-
Enrollment Adjustment - (3%) Decrease	(35,585)
Change in Tax Mil Levy	23,030
IDC (majority is HEER I & II and MCI I & II)	(666,960)
Non-recurring State Appropriations (SB377 - Nursing and Trades Program)	110,000
High Skills received in FY21	(8,299)
Other Sources	(359,842)
Permanent Budget Reduction/Reallocation	
Reduction in Faculty, Professional Staff, and Support Staff, including fringes	695,283
Reduction in Overloads	20,412
Reduction in Supplies and Expense	206,145
Total Sources	\$ 291,384

Uses/Expenditures:	
Faculty and Staff Compensation Increase, including fringes	\$ 60,257
Other Expenditures	
PT Instruction	12,190
Student Salaries	7,537
Travel	75,600
Utilities	25,800
Supplies and Expense related to SB377 (Nursing and Trades Program)	110,000
Total Uses	\$ 291,384

Tuition & Fee Rates - Current and Proposed

	2020-2021 Actual Tuition and Fees				2021-2022 Proposed Tuition and Fees				Full-Time Proposed Increase	Percentage Change
	Tuition	Fees	Total	Full-Time Tuition & Fees	Tuition	Fees	Total	Full-Time Tuition & Fees		
Resident In-District	78	8	86	1,032	78	8	86	1,032	-	0.0%
Resident Out-District	93	8	101	1,212	93	8	101	1,212	-	0.0%
Non-resident	216	8	224	2,688	216	8	224	2,688	-	0.0%

Operational Mil Levy = 1 mil

**New Mexico State University - Carlsbad Campus
FY21-22 Sources and Uses of New I&G Funds
Tuition and Fee Proposal**

Sources/Revenues:

General Fund I&G Appropriation - (Cares Act Swap Reversal)	\$ 202,500
General Fund I&G Appropriation for Compensation, including 30% Fringes	28,600
Tuition & Fees Increase (0% Blended)	-
Enrollment Adjustment - 0% Increase (Decrease)	-
Reduction in Cost of Institutional Fee	82,800
Total Sources	<u>\$ 313,900</u>

Uses/Expenditures:

Faculty and Staff Compensation Increase, including fringes	\$ 249,377
Faculty Promotion and Tenure Fund, including fringes	61,724
Transfer to Capital Project	2,799
Total Uses	<u>\$ 313,900</u>

Tuition & Fee Rates - Current and Proposed (Note 1)

	2020-2021 Actual Tuition and Fees				2021-2022 Proposed Tuition and Fees					
	Tuition	Fees	Total	Full-Time Tuition & Fees	Tuition	Fees	Total	Full-Time Tuition & Fees	Full-Time Proposed Increase	Percentage Change
Resident In-District	41	8	49	638	41	8	49	638	-	0.0%
Resident Out-District	74	8	82	1,034	74	8	82	1,034	-	0.0%
Non-resident	159	8	167	2,054	159	8	167	2,054	-	0.0%

Operational Mil Levy = 3 mils

**New Mexico State University - Dona Ana Campus
FY21-22 Sources and Uses of New I&G Funds
Tuition and Fee Proposal**

Sources/Revenues:

General Fund I&G Appropriation - (Cares Act Swap Reversal)	\$ 927,900
General Fund I&G Appropriation for Compensation, including 30% Fringes	346,900
Savings from decrease in Fringe Rate (decrease from 37.1% to 36.5%)	125,009
General Fund I&G Increases for Dental Clinic	(8,600)
Tuition & Fees Increase (0% Blended)	-
Enrollment Adjustment -(12%) Increase (Decrease)	(995,612)
Reduction of Non Mandatory Cap Outlay/R&R Tsf/Other Tsf (UO Tsf)	195,404
Change in Tax Mil Levy (Growth in tax base)	200,000
Total Sources	<u>\$ 791,001</u>

Uses/Expenditures:

Faculty and Staff Compensation Increase, including fringes	\$ 371,760
Minimum Wage Increase (\$11.50/hour), including fringes (Staff & Students)	100,098
Faculty Promotion and Tenure Fund, including fringes	109,809
RPSP Dental Impact	(8,600)
Institutional Overhead	78,800
Increase in Internal Services	33,151
Faculty Equity Pool	
Other Expenditures (Committed Positions Perkins/Avanza with fringes)	105,983
Total Uses	<u>\$ 791,001</u>

Tuition & Fee Rates - Current and Proposed

	2020-2021 Actual Tuition and Fees				2021-2022 Proposed Tuition and Fees					
	Tuition	Fees	Total	Full-Time Tuition & Fees	Tuition	Fees	Total	Full-Time Tuition & Fees	Full-Time Proposed Increase	Percentage Change
Resident In-District	65.75	8.25	74.00	888.00	65.75	8.25	74.00	888.00	-	0.0%
Resident Out-District	81.75	8.25	90.00	1,080.00	81.75	8.25	90.00	1,080.00	-	0.0%
Non-resident	227.75	8.25	236.00	2,832.00	227.75	8.25	236.00	2,832.00	-	0.0%

Operational Mil Levy = 1.25 mils

**New Mexico State University - Grants Campus
FY21-22 Sources and Uses of New I&G Funds
Tuition and Fee Proposal**

Sources/Revenues:

General Fund I&G Appropriation - (Cares Act Swap Reversal)	\$ 113,000
General Fund I&G Appropriation for Compensation, including 30% Fringes	34,300
Workforce Development Appropriation	50,000
Saving from decrease in Fringe Rate (decrease from 37.1% to 36.5%)	12,037
Tuition & Fees Increase (0% Blended)	-
Enrollment Adjustment - 0% Increase (Decrease)	-
Total Sources	<u>\$ 209,337</u>

Uses/Expenditures:

Faculty and Staff Compensation Increase, including fringes	\$ 29,588
Minimum Wage Increase (\$11.50/hour), including fringes	4,782
New Faculty Positions, including fringes	153,890
New Student Success Coordinator, including fringes	18,264
Other Expenditures	2,813
Total Uses	<u>\$ 209,337</u>

Tuition & Fee Rates - Current and Proposed

	2020-2021 Actual Tuition and Fees				2021-2022 Proposed Tuition and Fees					
	Tuition	Fees	Total	Full-Time Tuition & Fees	Tuition	Fees	Total	Full-Time Tuition & Fees	Full-Time Proposed Increase	Percentage Change
Resident In-District	78	8	86	1,032	78	8	86	1,032	-	0.0%
Resident Out-District	87	8	95	1,140	87	8	95	1,140	-	0.0%
Non-resident	163	8	171	2,052	163	8	171	2,052	-	0.0%

Thank You!





Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item # H-5

- Action Item
- Consent Item
- Informational Item

Presented By: Associate Vice President Luis Campos
University Architect Heather Zack Watenpaugh

Agenda Item: Annual Capital Outlay and Master Planning Process, Five Year Facilities Plan

Requested Action of the Board of Regents: Approval of the Five Year Facilities Plan for the NMSU System and all Capital Projects list (working document).

Executive Summary: The Annual Capital Request Process has been revised this year to coordinate with the NMS LEADS 2025 goals and the NMSU Master Plan. The all Capital Projects List is a working document being developed in which the Five Year Facilities Plans will be pulled from for NMHED Summer Hearings submittal and priorities for capital requests.

References:

N/A

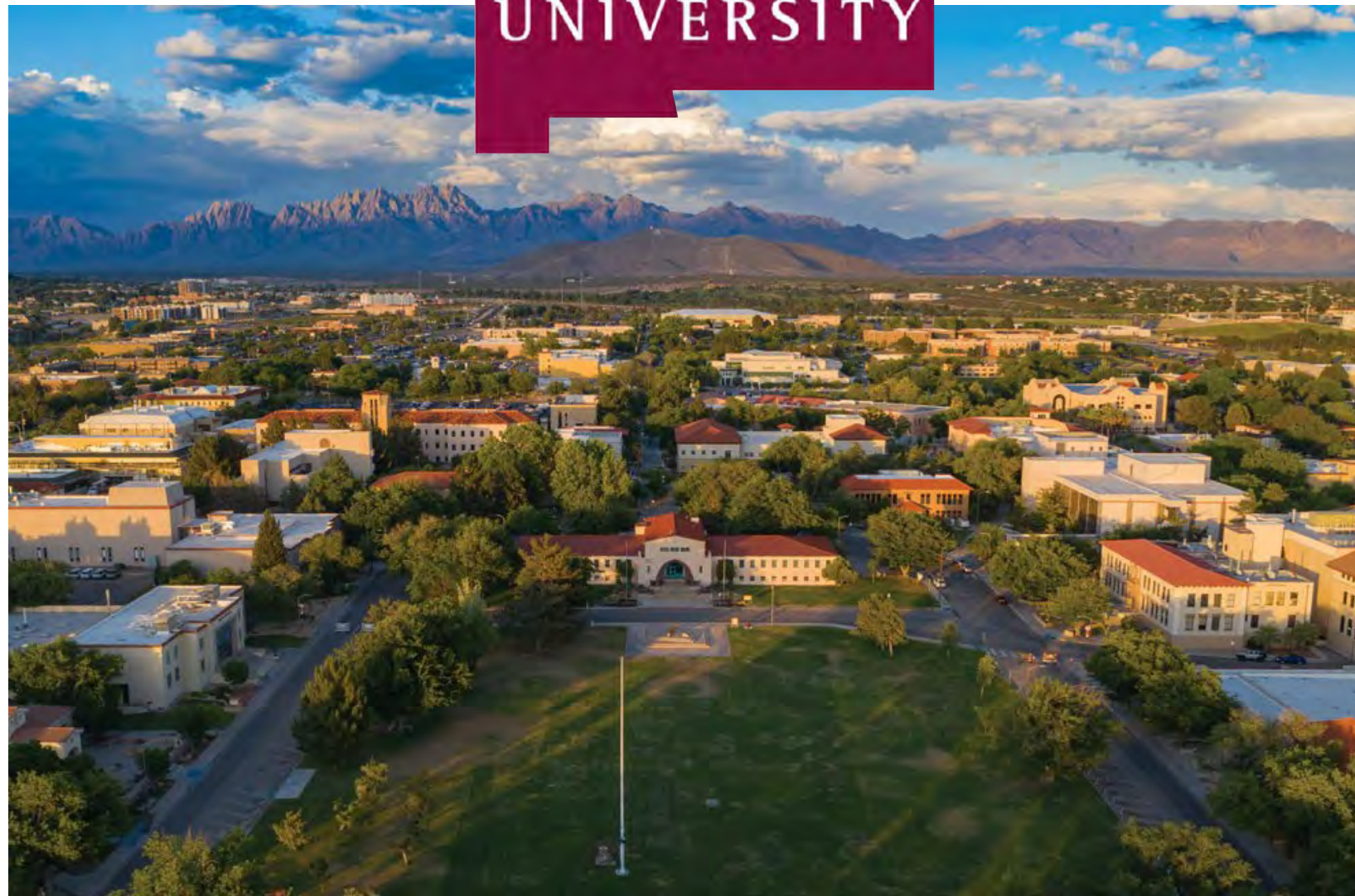
Prior Approvals:

Regents Real Estate Committee 04/27/2021

BE BOLD

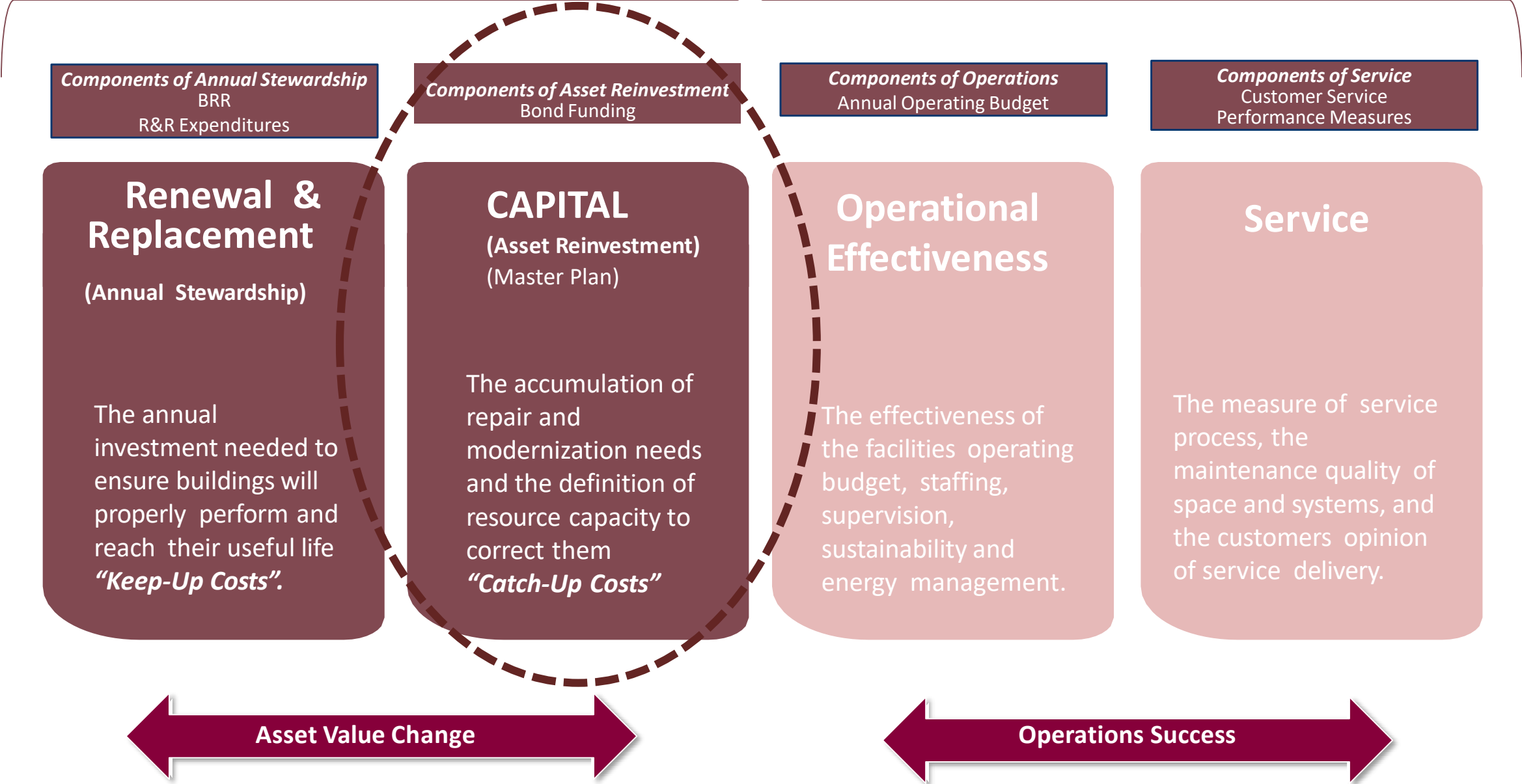
NM
STATE
UNIVERSITY

SHAPE THE FUTURE.



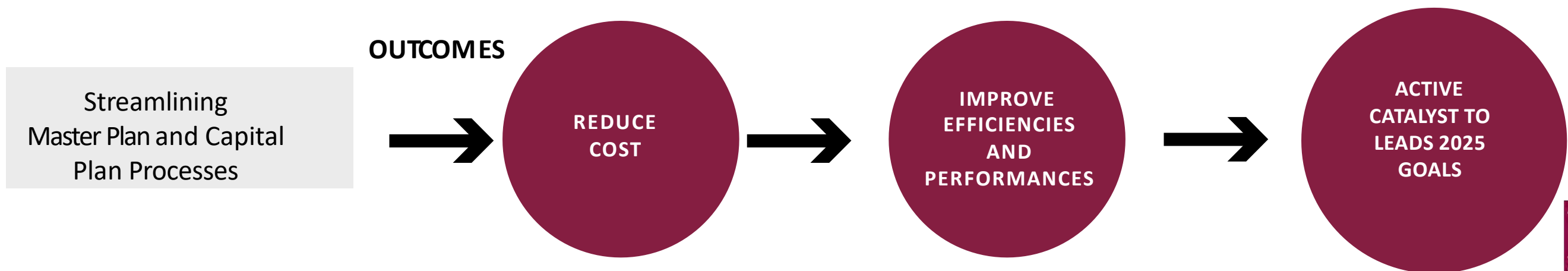
Vocabulary for Facilities

NMSU Facilities Strategic Master Plan





REVIEWING THE CAPITAL/ MASTER PLAN



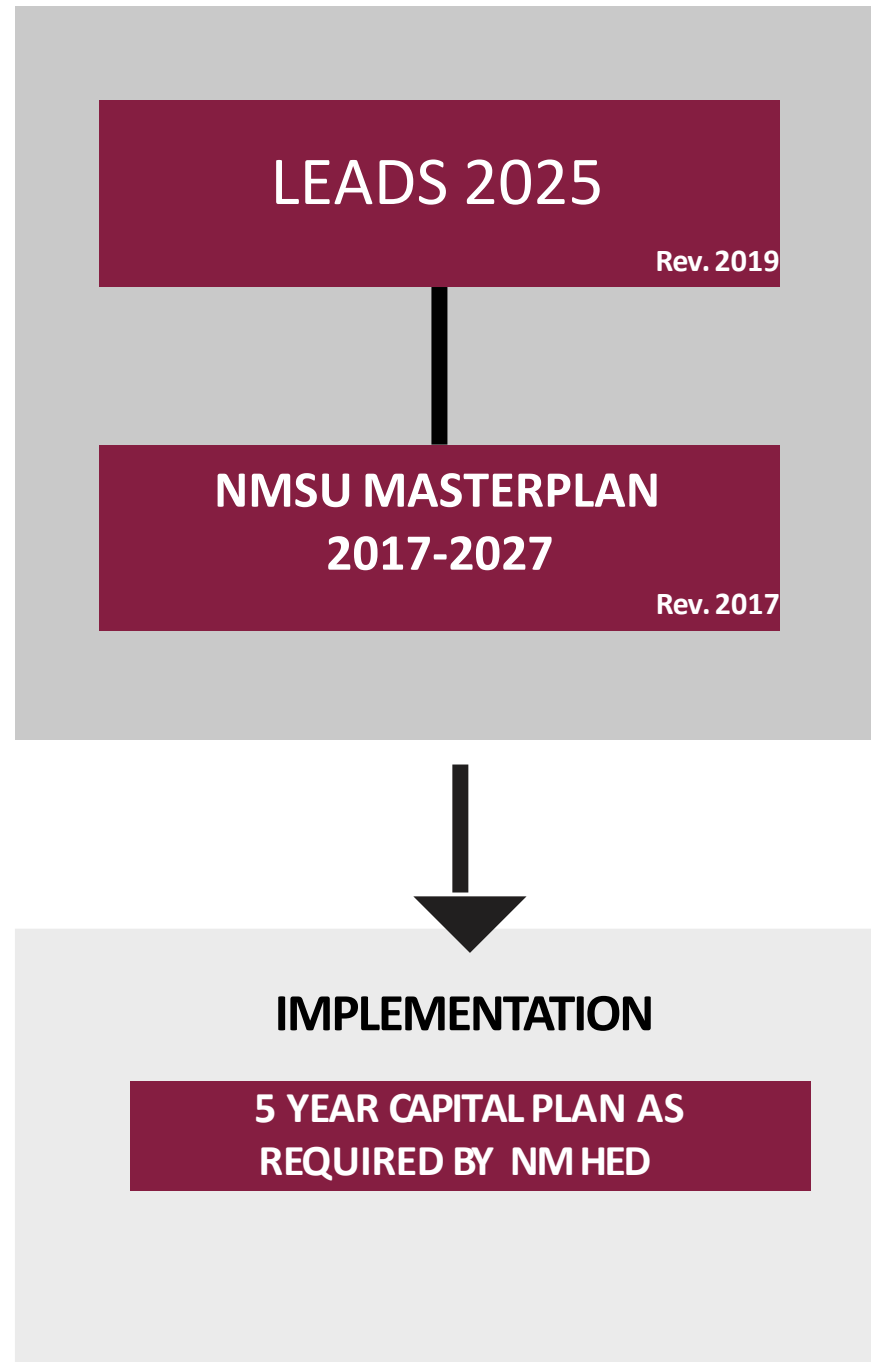
Facilities Master Plan – Informational

Master Plan provides NMSU with a 10 year vision on how best to modernize our portfolio and buildings to meet the evolving needs of the teaching, learning and research for the future.

The Master Plan provides the framework for NMSU to produce a five year implementation plan that is updated annually in response to changing NMSU priorities. The five year plan is referred to five year Capital Plan.



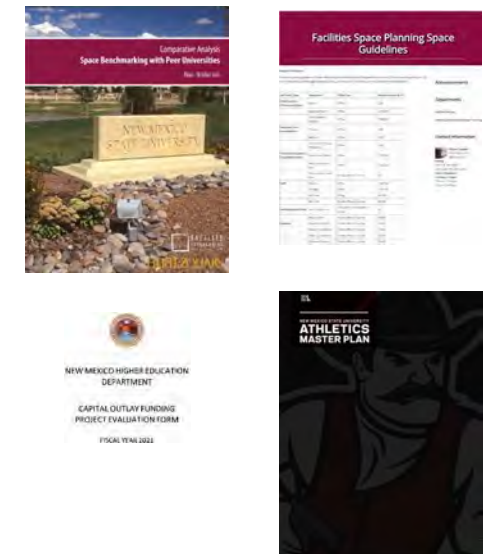
'What We Have'



1. Campus Planning Community (CPC)
2. Space Committee and Space Cabinet (SC SC)
3. Student Technology, Advisory Committee (STAC)

Supporting Documents

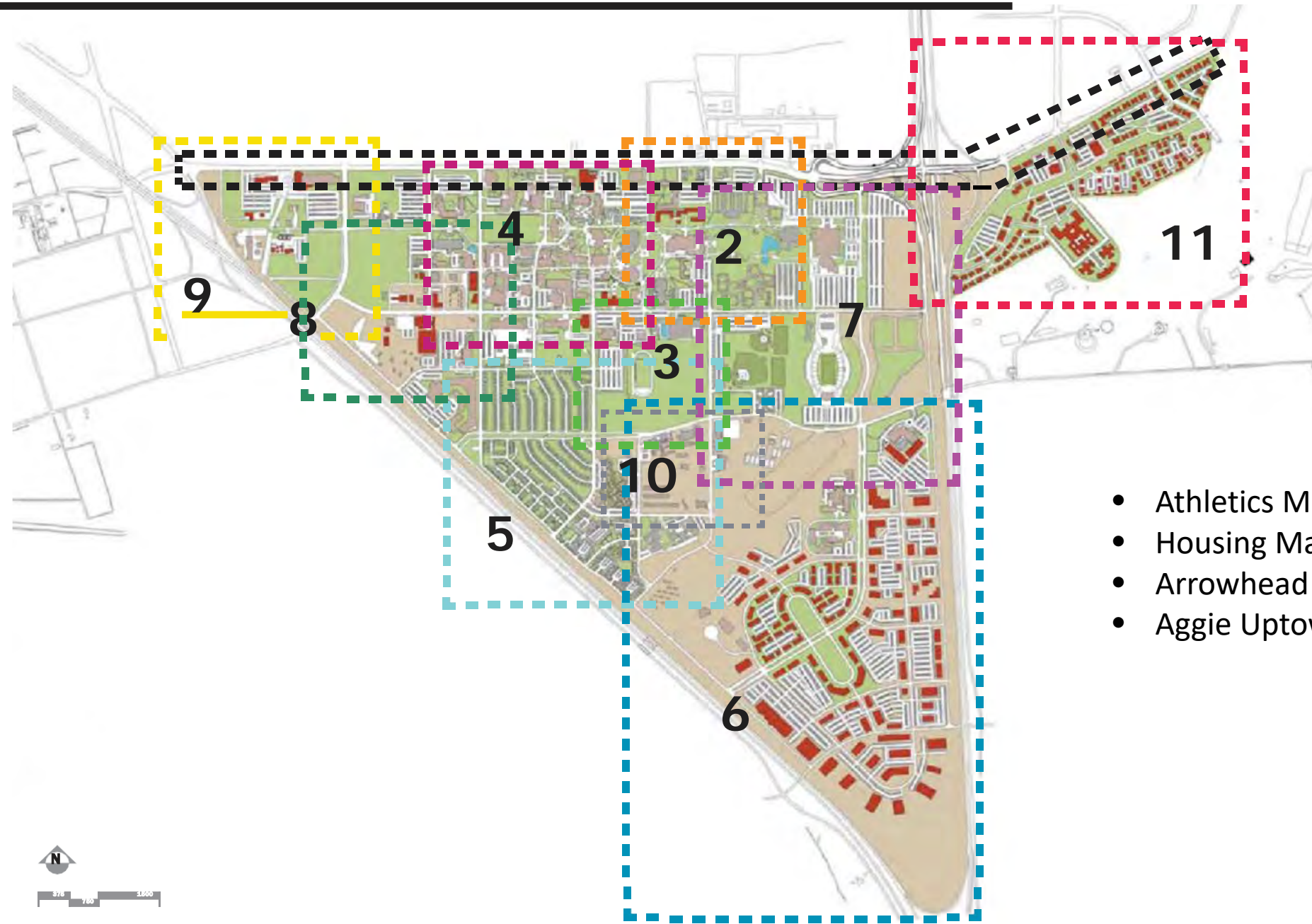
1. 2016 Benchmark Study
2. Facility and Space Guidelines
3. Design Guidelines
4. FCI (Current FCI is 8 years old and only accounts for 1/3 building)
5. Specific Masterplan such as Athletic Masterplan, Housing Masterplan, etc.



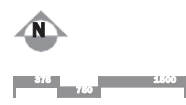
Processes

1. Annual CPP: Oct-Dec
2. F&S Capital Request Flowchart
3. F&S Capital Outlay Flowchart

'Current Master Plan is Based on Districts'



- Athletics Master Plan
- Housing Master Plan
- Arrowhead Master Plan
- Aggie Uptown Master Plan



District Plan



Recently Approved Plans:

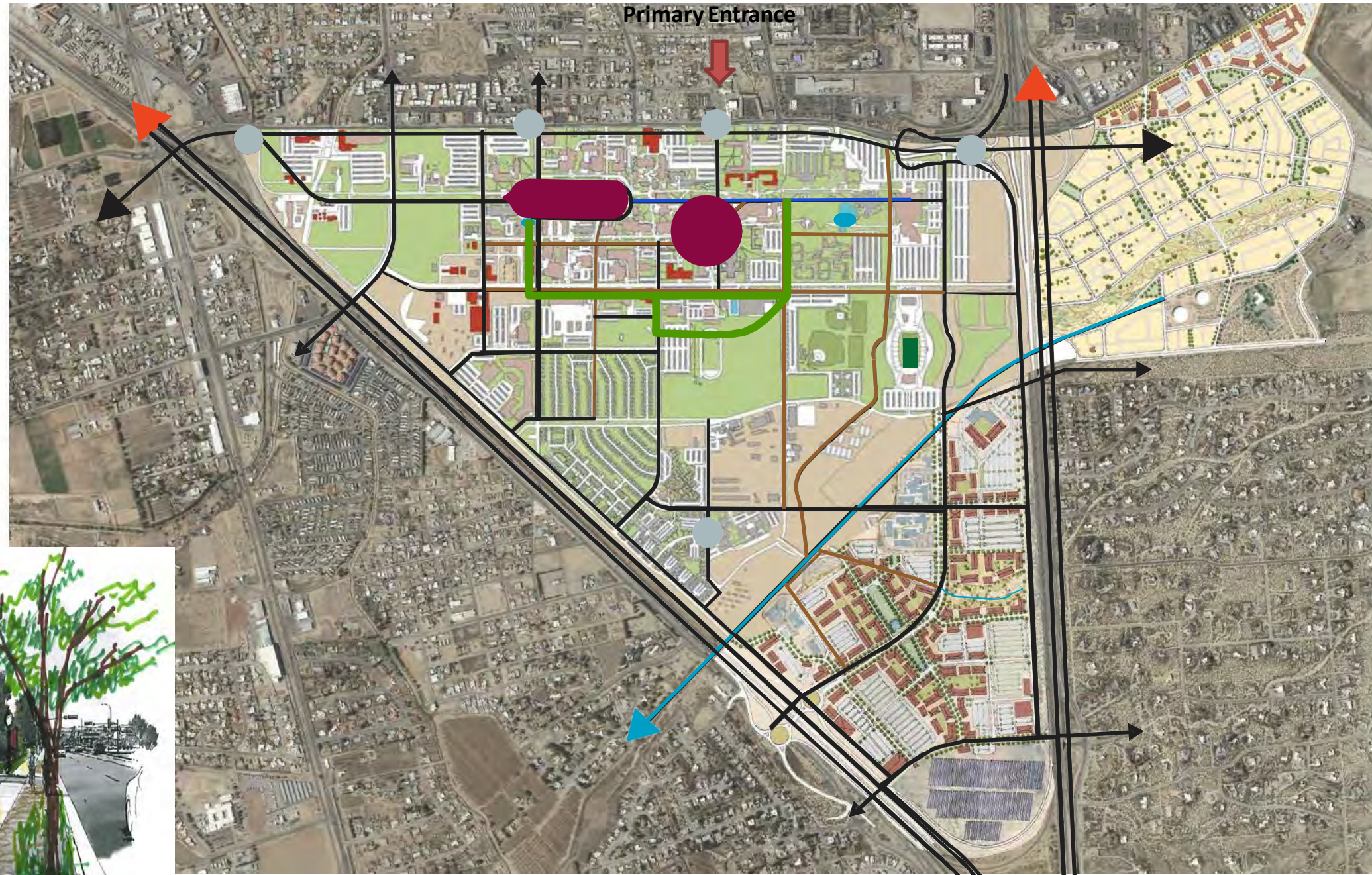
MASTER PLAN UPDATE for AGGIE UPTOWN



MASTER PLAN UPDATE for ARROWHEAD PARK



Future NMSU Master Plan will be a more holistic approach to campus development



CAPITAL FIVE YEAR PLAN – Process

Capital Five Year Plan is required by the NM Higher Education Department

- Governed by the New Mexico Administrative Code NMAC 5.3.10 – Capital Projects
- Updated Annually in response to NMSU priorities



GOALS

LEADS 2025

Rev. 2019

**NMSU MASTERPLAN
2017-2027**

Rev. 2017

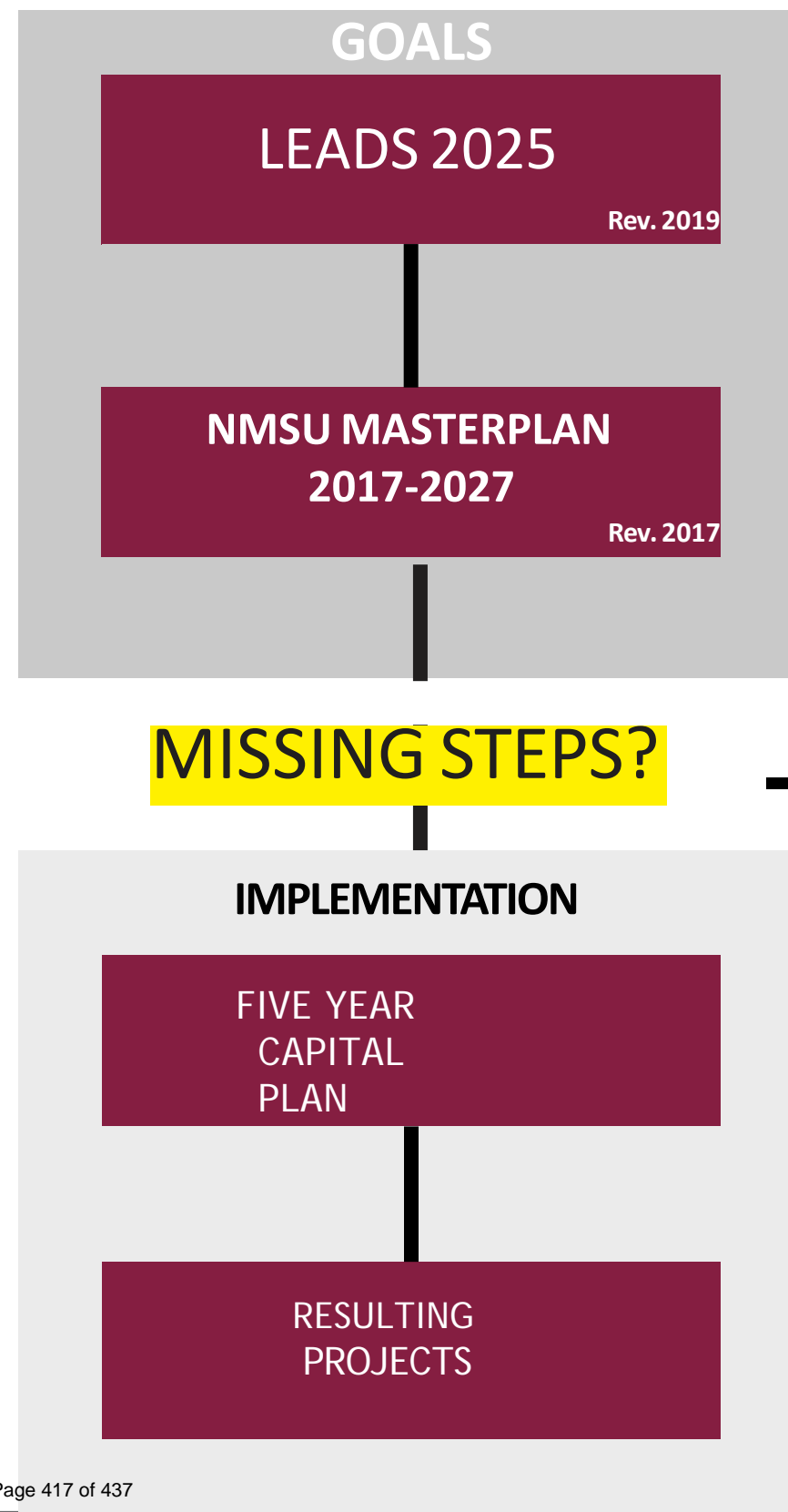
IMPLEMENTATION

**5 YEAR CAPITAL PLAN AS
REQUIRED BY NM HED**

The Master Plan provides the framework for NMSU to produce a five year implementation plan that is updated annually in response to changing NMSU priorities. The five year plan is referred to as a Five Year Capital Plan.

OUTCOME OF CURRENT PROCESS

- This is a reactive process.
- Projects are not generated based on data and savvy space and facility standards.
- Results in constantly having to adjust 5 year plan cost.
- Processes always lag behind in addressing priorities in a timely manner.
- All projects loose.
- Will require very long time to meet LEADS 2025 goals.
- Not sustainable financial model
- Slow and lengthy internal processes are inefficient for both Schedule and Cost.



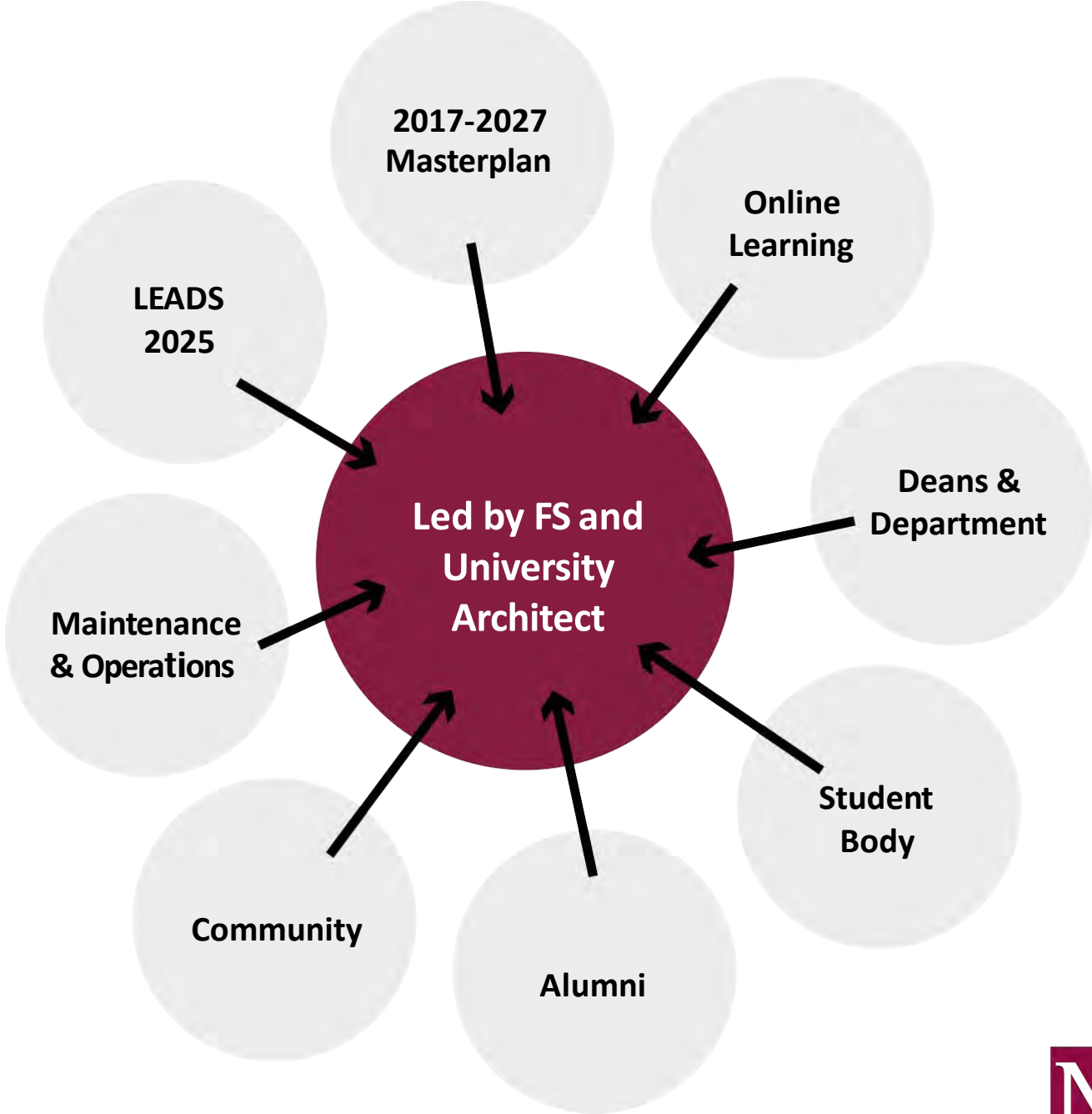
Develop a Proactive 5 Year Capital Plan

New Capital Five Year Process



Conceptual Framework for Capital Request

Facilities Planning should encompass the entire NMSU portfolio, and FS and UA should link all the strategies, goals and objectives and action plans to achieve the future.



Filling in the Missing Steps

USE 2016 PEER
INSTITUTION BENCHMARK
STUDY TO INFORM NMSU
STANDARDS

COMPLETE FACILITY AND
SYSTEMS STANDARDS

EMBED AGGIE IDENTITY

LEADS 2025
Rev. 2019

NMSU MASTER PLAN
2017-2027
Rev. 2017

EXTEND MASTER PLAN
TO PROACTIVE 5 YEAR CMP

POOL RESOURCES/
IMPROVE THE PLAN

Capital

Aggie Uptown Master Plan
Arrowhead Master Plan
NMSU Master Plan
Ag Centers

Renewal and Replacement

Space Utilization Study –
February 2021

Facility Condition Assessment –
February 2021

Space Standards

Building Standards

Operational Effectiveness

Campus Themes Tied to
Strategic Directions

New Construction delivery
methods CMAR

Assets Works Action Plan

Service

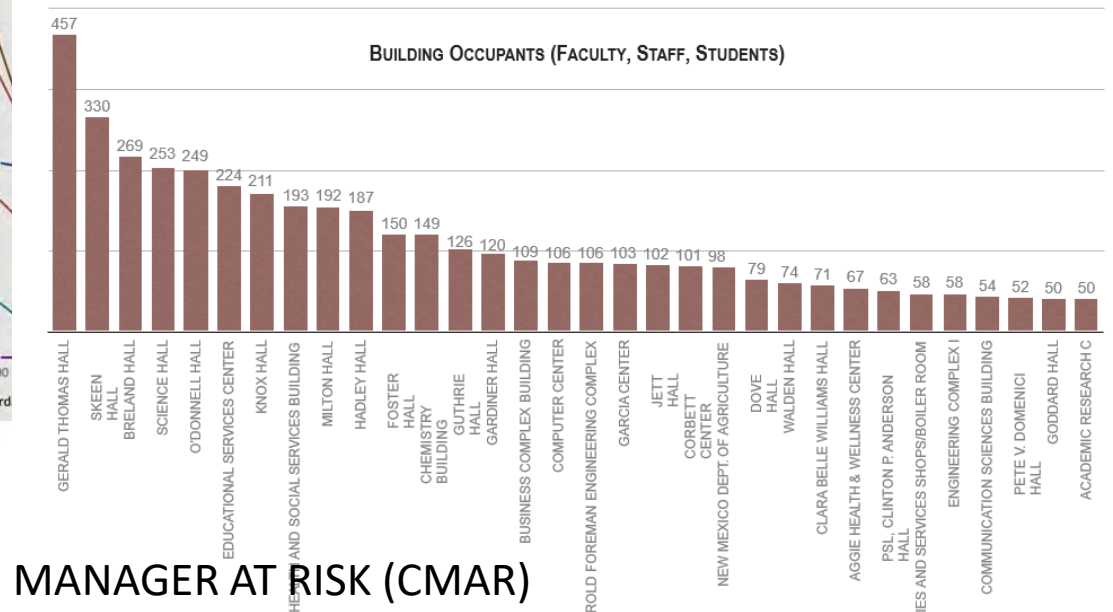
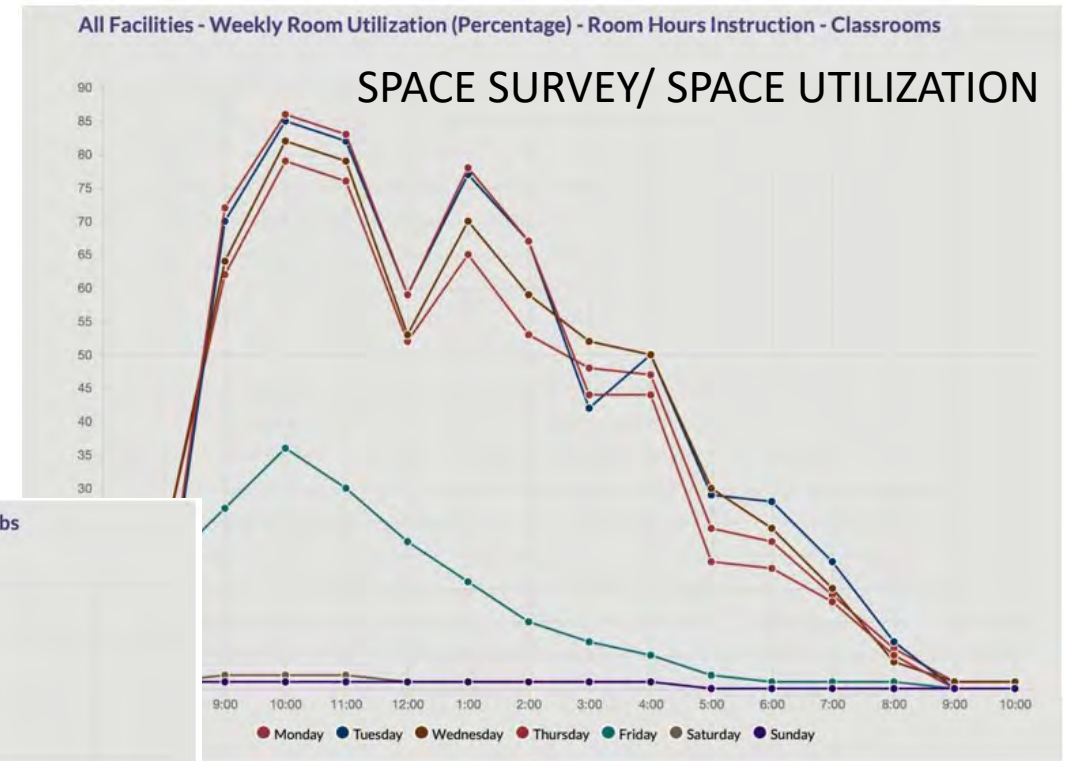
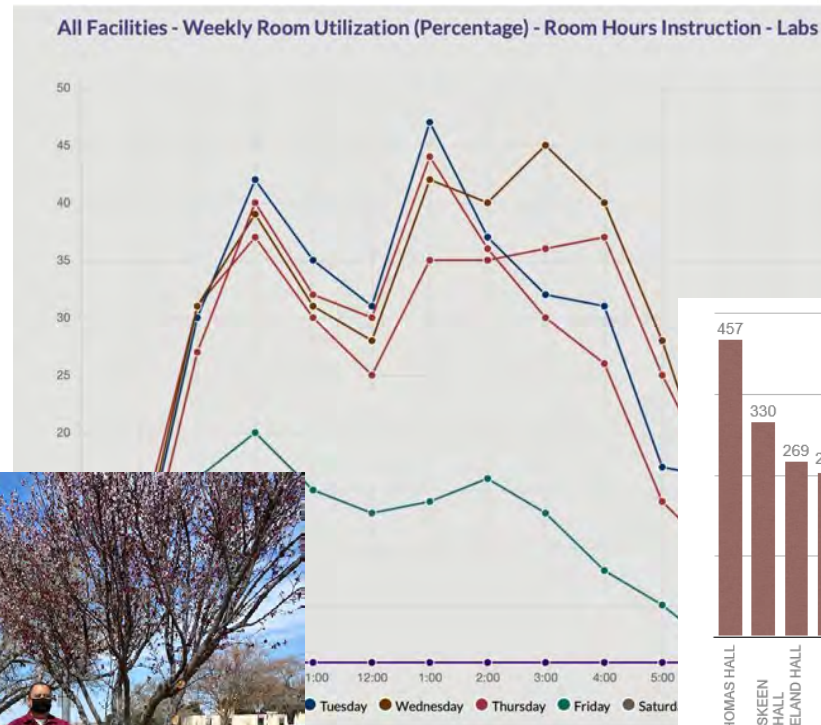
Focus on Academics and fall
term

Student centered customer
service



COLLECTING DATA \ CHANGING PROCESS

A facility condition assessment is a process that analyzes the physical condition of a facility and its equipment. The assessment takes several factors into account including building age, design, assets, materials used and more.



CONSTRUCTION MANAGER AT RISK (CMAR)

Construction manager is made a team member on the project early which creates a benefit by forming design and construction early to get better cost feedback during the design process.

Source: NMSU AUM database

ZOOM Stakeholder Meetings for Capital Outlay

NMSU Deans (8 Meetings)

- **College of Agricultural, Consumer, Environmental Sciences (ACES) – Dean Rolando Flores**

Additional Participants: Tim Nesbitt, Assistant Dean; Leslie Edgar, Associate Dean

- **College of Arts and Sciences – Dean Enrico Pontelli**

Additional Participant: James Murphy, Associate Dean

- **College of Business – Dean James Hoffman**

Additional Participant: Mary Jo Billiot, Interim Associate Dean

- **College of Education – Dean Henrietta Pichon**

Additional Participants: Juanita Hannan, Director, Research & Budgeting; Amanda Romero, Special/Executive Administrative Assistant; Phillip Post, Interim Associate Dean, Academic Affairs

- **College of Engineering – Dean Lakshmi Reddi**
- **College of Health and Social Services (HSS) – Dean Sonya Cooper**
- **Honors College – Dean Phame Camarena**
- **Library – Dean Kate Terpis**

NMSU Vice Presidents, Vice Chancellor, ASNMSU, Secretary of Agriculture, Director of PSL and Athletic Director (10 Meetings)

- **Administration and Finance – Andy Burke**
- **Advancement – Derek Dictson**
- **Government Relations – Ricardo Rel**

Additional Participant: Johnny Montoya, Director State GR

- **Vice President of Research and Dean of Graduate School (VPR) – Luis Cifuentes**

Additional Participant: Alisha Giron, Assistant VP Research Administration

- **Student Success – Renay Scott and Dean of Students Ann Goodman**
- **Vice Chancellor – Ruth Johnston**
- **ASNMSU – Mathew Madrid ASNMSU President**

Additional Participants: Gabriel Ronquillo, ASNMSU Director of Government Affairs (GA) and Nevaeh Fierro, ASNMSU Assistant Director of GA

NMDA – Secretary Jeff Witte

Additional Participant: Anthony Parra, Deputy Director/Secretary of NMDA

- **PSL – Director Eric Sanchez**

Additional Participants: Ed Hussaini, Chief Operations Officer; Larry Ray, PSL Accounting Manager; Marcella Shelby, PSL Strategic Initiatives Officer; Gregory Cooper, Data Security Analyst

- **Athletics – Director of Athletics Mario Moccia**

Additional Participant: Braun Cartwright, Deputy Director of Athletics, COO

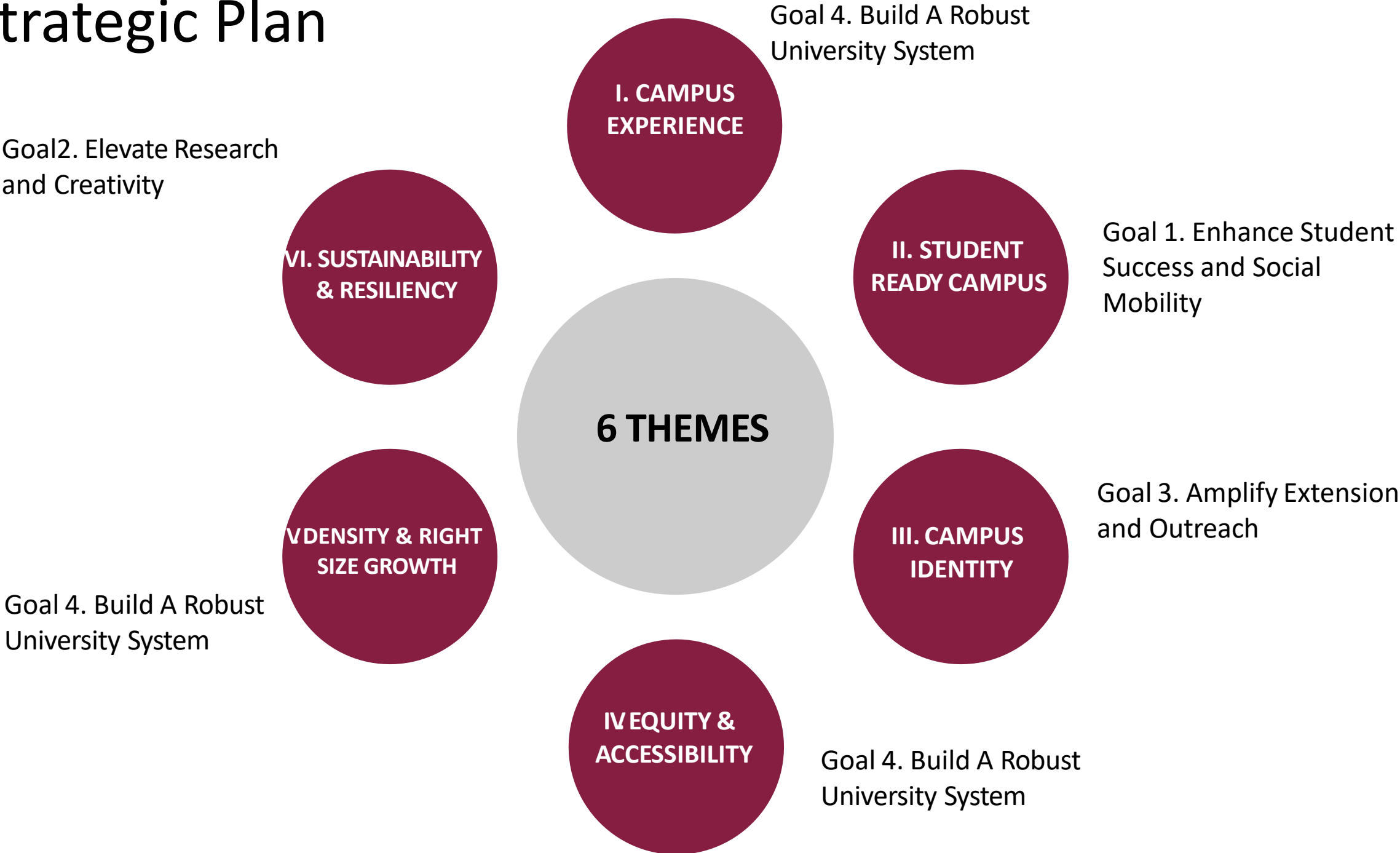
Community Colleges (2 Meetings)

- **Dona Ana Community College (DACC) – President Monica Torres**

Additional Participants: Kelly Brooks, VP Business & Finance DACC; Mike Luchau, Facilities Services Manager

- **Alamogordo, Carlsbad and Grants – Executive Director Ken Van Winkle**

Discussions Generated a Roadmap of Themes that Tie to LEADS 2025 Strategic Plan



Meetings Generated Over 50 Projects

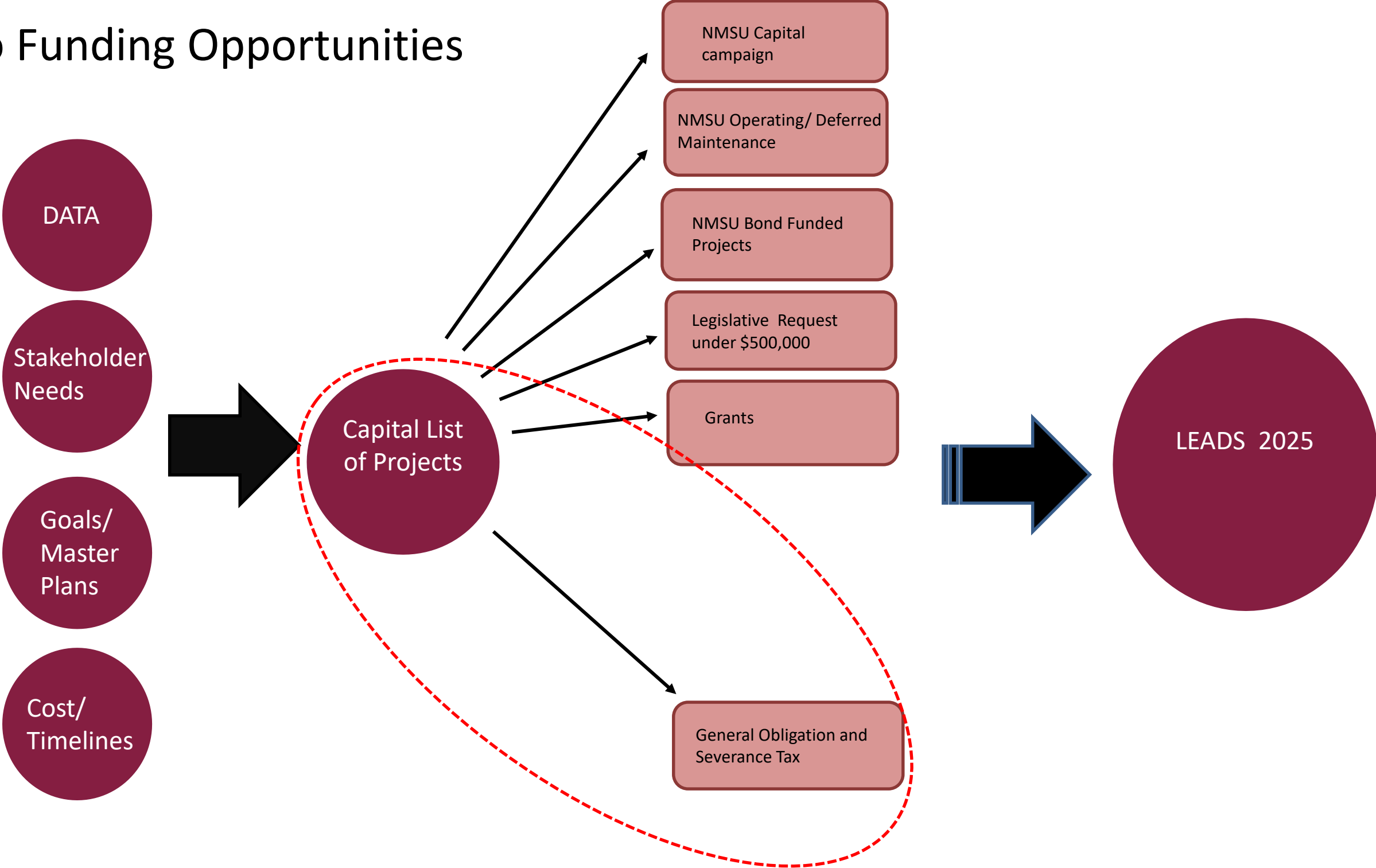
- Next steps review cost and funding potential
- Collaborate with users to establish milestones, performance measures and project scope

 New Mexico State University																						
2021 Annual Capital Outlay - Capital Projects List - DRAFT Summary																						
INSTITUTION: New Mexico State University- Las Cruces (Main Campus)												DATE: 2/12/2021										
Appropriation / Funding Title	Building Name	NMSU Building #	Priority	LEADS 2025 Goals	Strategic Direction	Project Description	Expected Funding Year	Expected Start Date	Project Cost	Anticipated Completion Date	GOB	STB	Other	Percent of GOB or STB	Percent of Other Funding Source	Description of Other Funding Source	New Construction	Renovation	Demo/Decommission	Infrastructure	Square Footage (GSF) of I&G Space	Square Footage (GSF) of non - I&G Space
Thomas and Brown Replacement	Thomas & Brown Hall	301	1	Goal 1		Selective demolition, renovation, additions and construction of College of Engineering Facilities for multidisciplinary experiential learning spaces, including Collaborative Learning Spaces upgrades and repairs.	2022-2023	7/1/2023	\$25,000,000	8/1/2025	X			95%	5%	Donor	X	X			23,000	
College of Health, Education and Social Transformation (HES) Building Renovations	Health and Social Services Building and O'Donnell Hall	287, 290	2			Renovations of Health and Social Services Building and O'Donnell Hall to accommodate new College of Health, Education and Social Transformation (HES)			\$15,000,000		X							X			TBD	
School of Nursing Skills and Simulation Center	Health and Social Services Building	290	3			Renovations of a portion of the Health and Social Services Building to address academic and clinical training needs and simulate training program. In the event that hospitals close to nursing students again due to COVID-19, the School of Nursing must have an adequate facility to continue clinical training.			\$2,000,000				X									
HHS Building Renovation for Nursing Simulation Skills growth	Health and Social Services Building	290	4			Need now 3,000 SF for simulation lab space. Not sure if space swap will solve this issue. Evaluate current Simulation Skills Lab for growth (short-term immediate nursing needs (FDE \$2.4M renovation estimate).					X							X				
Neuro-Biomechanics Research Space at O'Donnell Hall	O'Donnell Hall	287	5	Goal 4	Goal 4: Build a Robust University System	Renovation, additions and construction of College of Education facilities. Consolidate programs that are growing, such as kinesiology, with special education, and speech and hearing. Create a new center of student visitors and welcome center in the heart of campus (McFie Circle). This space will function as the "front door" of the entrance from University Avenue at Jordan Street and the connector between the academic and residential areas of the campus. This project will assemble all student services, registration, admissions, visitors' center into a single One-Stop Center for introduction to the University.	2024-2025		\$7,000,000	12/1/2025	X			95%	5%	Donor	X				13,400	N/A
Admissions and Enrollment Management Center at McFie Circle	Milton Hall	83	6			Complete McFie Circle, a dedicated landscape			\$5,000,000 to \$20,000,000 (with McFie Circle and Milton Hall Renovation)		X						X	X	X	X		

DRAFT



Projects to Funding Opportunities



FIVE YEAR CAPITAL PLAN – Approval

Reviewing the capital list of projects and information, the Facilities and Services department recommends the following list of projects for the Five Year Capital Project Request



CAPITAL REQUEST PRIORITIES – Las Cruces

2022-2023 (GO BOND)

- **COLLEGE OF ENGINEERING, THOMAS AND BROWN REPLACEMENT** \$25,000,000
 - Project entails the replacement of Thomas Brown Hall and creation of multi-disciplinary learning labs to support all colleges
- **NURSING EXPANSION, HEALTH AND EDUCATION RENOVATIONS** \$15,000,000
 - Project includes renovations to O'Donnell Hall and HSS Building
- **CHEMISTRY BUILDING HVAC AND VENTILATION UPGRADES** \$5,000,000
 - Project renovates the Chemistry Building by bringing the HVAC system and lab ventilation up to current codes and standards.
- **INFRASTRUCTURE UPGRADES** \$1,500,000
 - Project includes upgrades of the campus short-distance fibers and HVAC system improvements across campus.

2023- 2024 (SEVERANCE TAX BOND)

- **MULTI-MODAL LEARNING CLASSROOM RENOVATIONS** \$5,000,000
 - Project includes the renovation of various classrooms across campus to meet new technology and teaching models
- **SELECTIVE DEMOLITION** \$1,500,000
 - Project removes building(s) per the space demolition plan
- **AG SCIENCE CENTER IMPROVEMENTS** \$3,000,000
 - Project includes the various improvements to Ag science centers
- **INFRASTRUCTURE UPGRADES** \$3,000,000
 - Project includes additional infrastructure improvement to the NMSU Main Campus

2024-2025 (GO BOND)

- **ADMISSIONS AND ENROLLMENT MANAGEMENT CENTER** \$20,000,000
- **CREATIVE MEDIA INSTITUTE BUILDING** \$12,000,000
- **INFRASTRUCTURE IMPROVEMENTS** \$1,500,000

2025-2026 (SEVERANCE TAX BONDS)

- **SELECTIVE DEMOLITION** \$1,000,000
- **ROADWAY IMPROVEMENTS** \$3,680,000
- **SAFETY AND FIRE INFRASTRUCTURE IMPROVEMENTS** \$3,250,000

2026-2027 (GO BOND)

- **PERSONAL, COLLABORATIVE AND SOCIAL SPACE RENOVATIONS CAMPUS-WIDE** \$15,000,000
- **MULTI-USE ACADEMIC RESEARCH BUILDING** \$10,000,000
- **EXTERIOR STUCCO AND ROOF REPLACEMENT** \$10,000,000
- **SELECTIVE DEMOLITION** \$1,500,000

CAPITAL REQUEST PRIORITIES – Community Colleges

2022-2023 (GO BOND)- Alamogordo

- ROHAVEC FINE ARTS THEATRE ROOF REPLACEMENT/REPAIRS AND RENOVATION \$1,500,000

2023- 2024 (SEVERANCE TAX BOND)- Alamogordo

- SITE IMPROVEMENTS TO INCLUDE PRO TECH AND STUDENT UNION BUILDING WINDOWS AND STUCCO REPAIRS CAMPUS-WIDE \$500,000

2024-2025 (GO BOND)- Alamogordo

- CHILLER/BOILER REPAIR AND REPLACEMENT CAMPUS-WIDE, INCLUDING HVAC RENOVATIONS, REPLACEMENT AND REPAIRS \$1,500,000

2025-2026 (SEVERANCE TAX BONDS)- Alamogordo

- ROADS, SITE AND PARKING LOT IMPROVEMENTS, INC. LIGHTING \$500,000

2026-2027 (GO BOND)- Alamogordo

- CLASSROOM BUILDING RENOVATION \$500,000

2022-2023 (GO BOND)- Carlsbad

- VOCATIONAL TRADES CENTER (ENERGY BUILDING) \$4,000,000

2023- 2024 (SEVERANCE TAX BOND)- Carlsbad

- ART AND MUSIC ROOMS RENOVATIONS (\$500,000)
- MECHANICAL SYSTEM UPGRADES CAMPUS-WIDE \$500,000

2024-2025 (GO BOND)- Carlsbad

- MULTIPURPOSE INSTRUCTIONAL BUILDING \$3,000,000

2025-2026 (SEVERANCE TAX BOND)- Carlsbad

- ADA IMPROVEMENTS \$500,000
- CAMPUS-WIDE BUILDING INFRASTRUCTURE, INCLUDING STUCCO AND ROOF REPLACEMENT \$1,000,000

2026-2027 (GO BOND)- Carlsbad

- SAFETY AND SECURITY CAMPUS-WIDE, INCLUDING ELECTRONIC LOCKS AND CAMERA SYSTEM \$250,000
- PARKING LOT AND SOLAR SYSTEM INSTALLATION \$1,000,000

2022- 2023 (GO BOND)- DACC

- COOLING TOWER AND CHILLER REPLACEMENT ESPINA CAMPUS \$650,000
- SUNLAND PARK ROOF REPLACEMENT \$500,000

2023- 2024 (SEVERANCE TAX BOND)- DACC

- GADSDEN MAIN ROOF REPLACEMENT \$750,000
- DIGITAL MEDIA BUILDING ROOF REPLACEMENT EAST MESA \$500,000

2024-2025 (GO BONDS)- DACC

- GADSDEN CENTER ADVANCED TECHNOLOGY CENTER \$2,500,000
- INFORMATION TECHNOLOGY INFRASTRUCTURE UPGRADES \$325,000

2025-2026 (SEVERANCE TAX BONDS)- DACC

- CLASSROOM INFRASTRUCTURE UPGRADES AND REPLACEMENT \$1,700,000
- INFORMATION TECHNOLOGY INFRASTRUCTURE UPGRADES \$325,000

2026-2027 (GO BONDS)- DACC

- PHYSICAL PLANT FACILITY \$700,000
- INFORMATION TECHNOLOGY INFRASTRUCTURE UPGRADES \$500,000

2022-2023 (GO BOND)- Grants

- MARTINEZ HALL IMPROVEMENTS AND SBDC ROOF \$1,500,000

2023- 2024 (SEVERANCE TAX BOND)- Grants

- MARTINEZ HALL ENERGY UPGRADES (HVAC UNITS AND AUTOMATION) \$550,000
- INFRASTRUCTURE AND SAFETY/SECURITY UPGRADES (\$1,000,000)

2024-2025 (GO BONDS)- Grants

- INFRASTRUCTURE UPGRADES AND REPLACEMENT \$1,000,000

2025-2026 (SEVERANCE TAX BONDS)- Grants

- MCCLURE HALL MECHANICAL AND ELECTRICAL UPGRADES \$1,000,000

2026-2027 (GO BOND)- Grants

- MARTINEZ HALL ENERGY UPGRADES \$800,000
- MARTINEZ HALL STUDENT SERVICES AND ADMIN OFFICES RENOVATION \$1,000,000
- INFRASTRUCTURE UPGRADES AND REPLACEMENT \$500,000

CAPITAL REQUEST PRIORITIES – Review/Approvals

SCHEDULE:

OCTOBER THROUGH DECEMBER

UNIVERSITY ARCHITECT

- ANNUAL CAPITAL OUTLAY MEETINGS WITH DEANS AND SVPS
 - THEMES (6) TIE TO STRATEGIC PLAN
 - AGGIE IDENTITY
- PROVOST

FEBRUARY

PRESIDENT'S EXECUTIVE TEAM AND VICE CHANCELLOR

- ALIGNMENT WITH LEADS 2025 AND NMSU MASTER PLAN
- ALL CAPITAL PROJECTS LIST (WORKING DOCUMENT)
- EXTEND TO FIVE YEAR CAPITAL MASTER PLAN

MARCH

UNIVERSITY ADMINISTRATIVE COUNCIL (UAC)

- CAPITAL PROJECTS LIST
- ANNUAL CAPITAL OUTLAY PROCESS
- MASTER PLAN UPDATES

APRIL

REGENTS REAL ESTATE COMMITTEE

- CAPITAL PROJECTS LIST
- ANNUAL CAPITAL OUTLAY PROCESS
- MASTER PLAN UPDATES

APRIL/MAY

BOARD OF REGENTS

- MASTER PLAN UPDATES
- ANNUAL CAPITAL OUTLAY
- FIVE YEAR FACILITIES PLAN BY CAMPUS (REQUIRED BY STATE)

STATE PROCESS:

JUNE 1ST DEADLINE

SUMMER HEARINGS SUBMITTAL TO NM HIGHER EDUCATION DEPARTMENT (HED)

- CAPITAL PROJECTS SUBMITTAL (All Campuses)
 - SUBMITTAL CERTIFICATION
 - PROJECT EVALUATION FORM (Priority Year)
 - FIVE-YEAR CAPITAL PROJECT FUNDING PLAN
 - I&G SPREADSHEET
 - STATUS OF ALL ACTIVE PROJECTS (2015 to current)
 - STATUS OF ALL CLOSED PROJECTS (2015 to current)
 - I&G CAMPUS-WIDE SPACE VERIFICATION SPREADSHEET

JULY 1ST DEADLINE

INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP) TO DEPARTMENT OF FINANCE AND ADMINISTRATION (DFA)

- LAS CRUCES
- ALAMOGORDO
- CARLSBAD
- DONA ANA
- GRANTS
- NEW MEXICO DEPARTMENT OF AGRICULTURE (State Agency)
- AGENCY CERTIFICATIONS

END OF JULY/EARLY AUGUST

NM HED SUMMER HEARINGS

- UPDATE ON RECENTLY COMPLETED PROJECTS
- NMSU STRATEGIC PLAN
- FIVE YEAR CAPITAL PROJECT PLAN
- MASTER PLAN UPDATES

MID-AUGUST

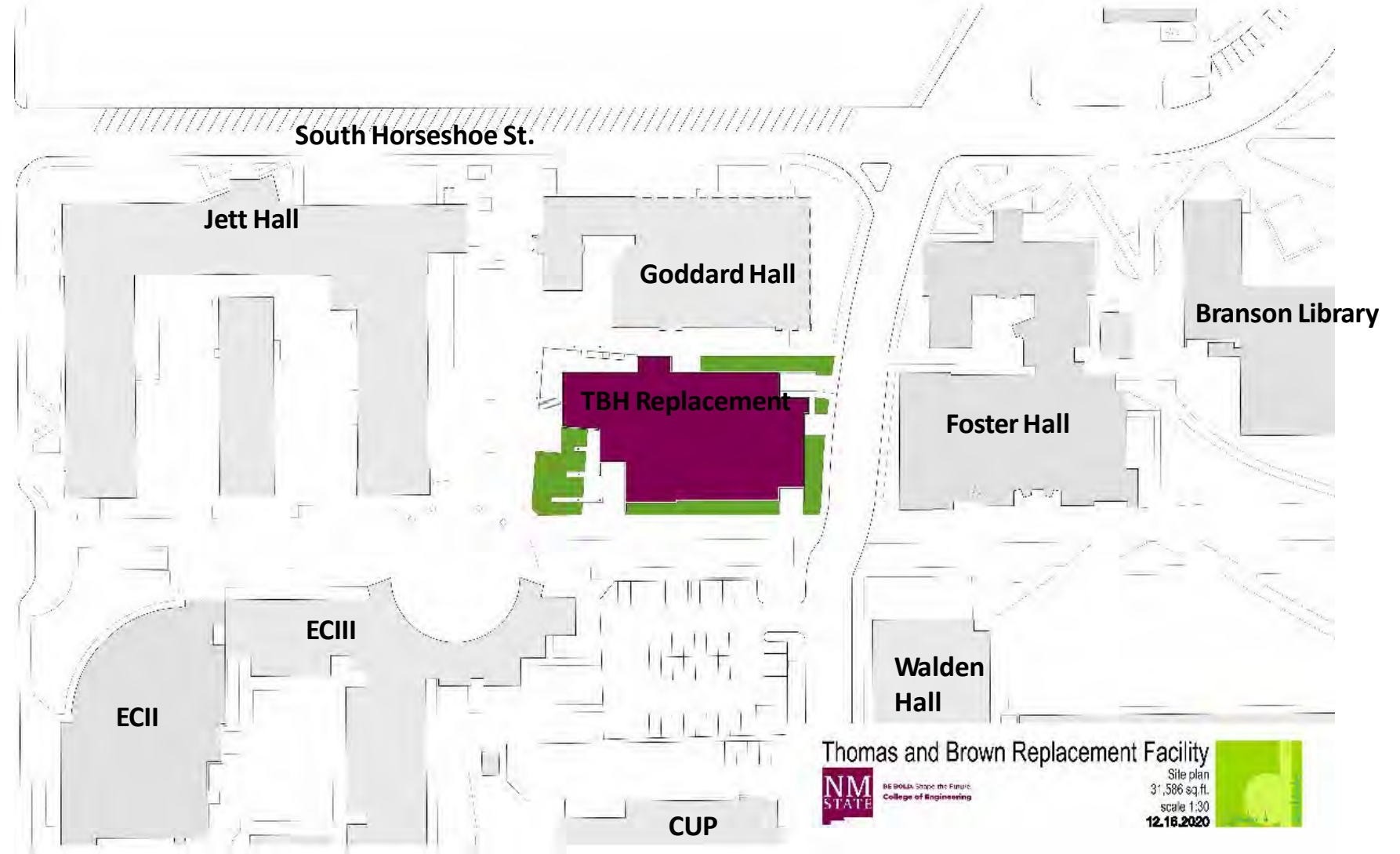
RESUBMITTALS FOR SUMMER HEARINGS DOCUMENTS (Comments)

Thomas and Brown Replacement Facility

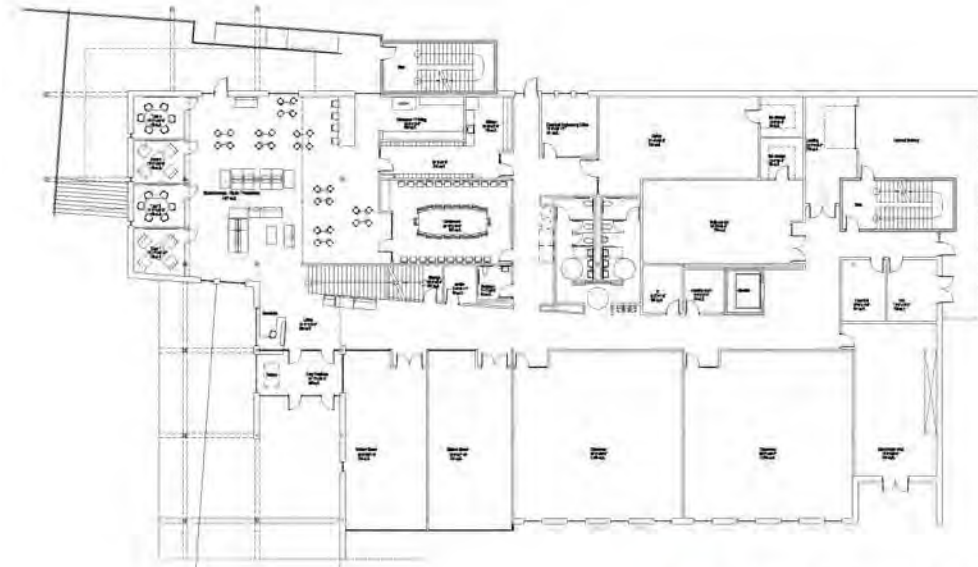


**Proposed Second Floor -
Capstone and Lab spaces**

Thomas and Brown Replacement Facility
 2nd level floor plan
 13,011 sq.ft.
 scale 1/8" = 1'-0"
 12.16.2020



Thomas and Brown Replacement Facility
 Site plan
 31,586 sq.ft.
 scale 1:30
 12.16.2020



**Proposed First Floor - Maker
Space and Multi-use Lab**

Thomas and Brown Replacement Facility
 1st level floor plan
 17,061 sq.ft.
 scale 1/8" = 1'-0"
 12.16.2020

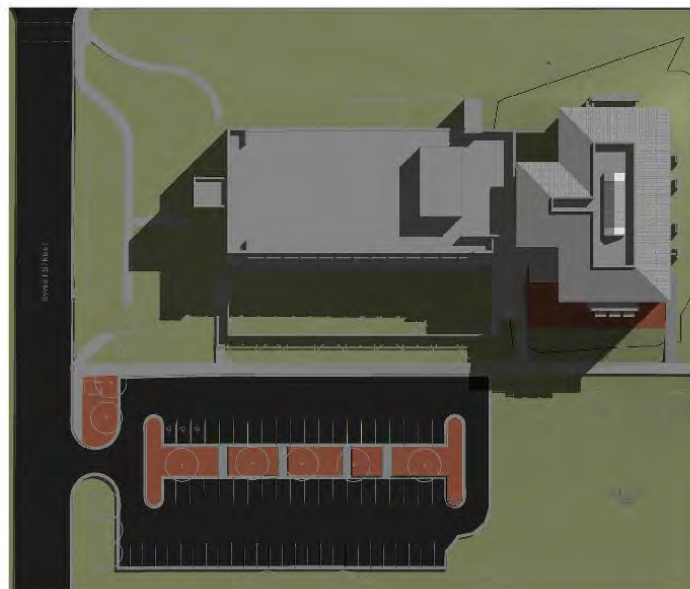


Nursing Expansion, Health and Education Renovations

Summary of Alternatives



Key Metrics	A. Addition	B. Reduced Addition	C. Consolidate without Addition
Cost Range (TPC, \$M)	\$7.0 - 9.5	\$5.0 - 6.7	\$2.4 - 3.0
New Square Footage	28,100	15,400	None
Consolidate CoED Functions?	<input checked="" type="checkbox"/> No CoED facilities remain in the Communication Sciences Building. Offices and clinics are consolidated between OH and RH. Kinesiology labs remain in the Activity Center	<input type="checkbox"/> No CoED facilities remain in the Communication Sciences Building. KIND offices and labs remain in the Activity Center. Offices are not consolidated	<input type="checkbox"/> No CoED facilities remain in the Communication Sciences Building. Kinesiology labs remain in the Activity Center. Three and a half classrooms remain in OH requiring classes to be held elsewhere
Offices	<input checked="" type="checkbox"/> Faculty and staff consolidated between OH and RH	<input type="checkbox"/> KIND offices remain in the Activity Center	<input checked="" type="checkbox"/> Faculty and staff consolidated between OH and RH
Instructional Space	<input checked="" type="checkbox"/> Opportunities for "maker spaces"	<input type="checkbox"/> Classrooms renovated for "maker spaces"	<input type="checkbox"/> Dedicated CoED classrooms are taken out of service
Collaborative Space	<input checked="" type="checkbox"/> Provided	<input checked="" type="checkbox"/> Provided	<input type="checkbox"/> Not provided



SITE PLAN - OPTION C

Scale: 1" = 50'-0"

Space Summary

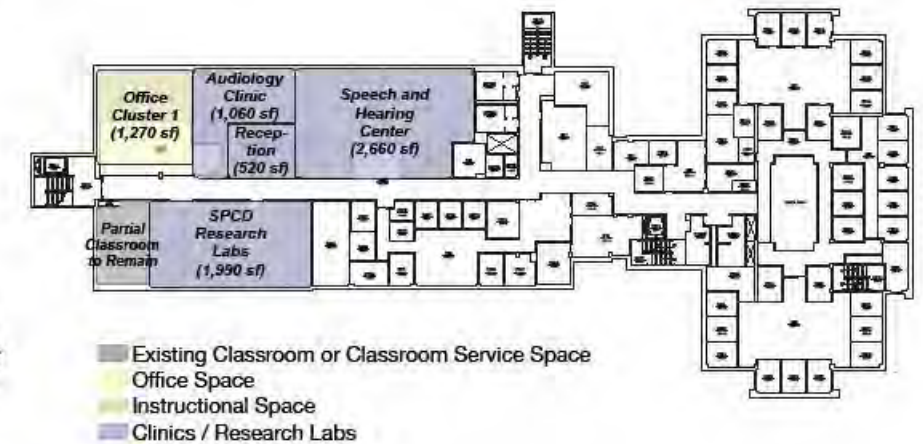
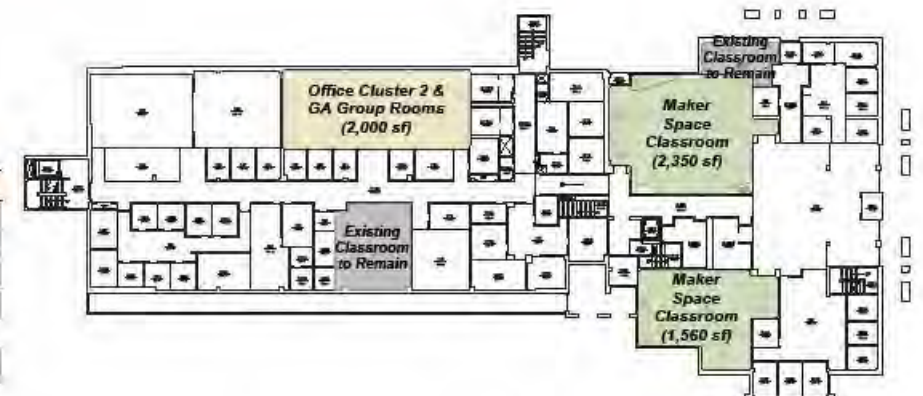
O'Donnell Hall Renovation*

Option 3

Renovation

	Total NASF	DGSF
1. Office Clusters	2,584	3,230
2. Instructional	3,000	3,750
3. Collaborative Spaces	0	0
4. Clinics / Research Laboratories	4,985	6,230

Totals 10,569 13,210

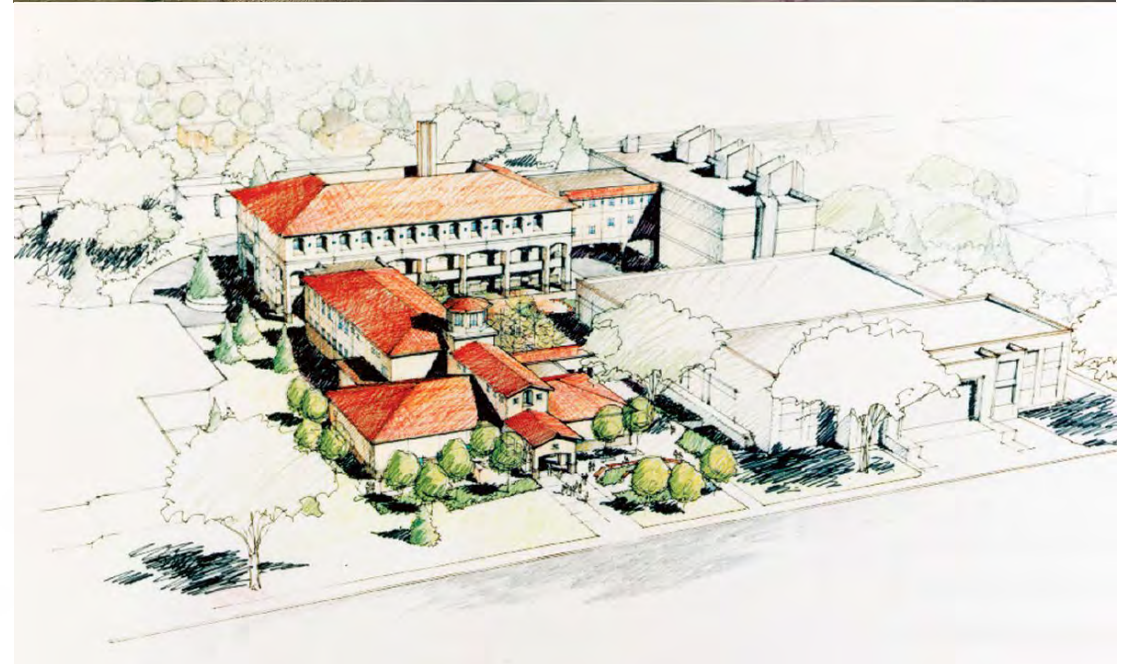


* Removing 14.5 classrooms from use, with 3.5 classrooms remaining. No renovation proposed for the basement or third floor.

O'Donnell Hall and HSS Building Space Utilization

Chemistry Building HVAC and Ventilation Upgrades

Building Name:	Chemistry Building 1957
System Name/Description:	AHU-8A / Dual Duct CAV with Economizer
Location/Area Served:	Rooftop Unit West / 1957 Lecture Hall and Non-Lab Spaces.
Date of Assessment:	July 13, 2020



General Conditions and Identified Deficiencies:

- The mechanical equipment is in moderate mechanical condition. The air filters were recently replaced.
- The heating and cooling systems were found to be in adequate working order.
- This unit is not developing proper cold deck static pressure even though the supply fan is running at 100%. This system needs further investigation to determine if a duct section is broken or collapsed, fire damper closed, terminal units all at max position or failed static pressure sensor. History data shows this pressure has read low since January 2020.
- Sequencing of economizer should be adjusted to optimize coordination of damper assemblies. The damper positions are slightly off during transition.
- Ventilation pathways had moderate amounts of dirt/debris and the coils were somewhat fouled on the air side. Recommendation is to vacuum plenums, damper assemblies and clean coils with approved products to regain thermal performance and reduce potential for microbial outbreak.
- The building does not incorporate CO2 monitoring within the interior spaces but is configured for minimum outside air ventilation into the space.



**Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page**

Agenda Item #: I-1

- Action Item
- Consent Item
- Informational Item

Presented By: Roy Collins III, J.D.
General Counsel

Agenda Item: Summary of Revisions to the Administrative Rules and Procedures of NMSU (ARP) for the period March 25, 2021 through May 14, 2021

Requested Action of the Board of Regents: None – Report for Board’s Information

Executive Summary:

In accordance with ARP 1.10, the attached report gives a brief synopsis for each revision to the Administrative Rules and Procedures of NMSU (ARP) approved by the Chancellor during the above-referenced time period.

Please note that there were no revisions to the ARP for the period March 25, 2021 through May 14, 2021.

References:

Rule 1.10, Part 6 G. 3. provides that a summary of the revisions to the ARP will be submitted as an informational item for the Board’s regular meetings.

Agenda Item Approved By:

**Roy Collins III, J.D.
General Counsel**

5/10/2021

Date



Board of Regents Meeting
Meeting Date: May 14, 2021
Agenda Item Cover Page

Agenda Item #: J

- Action Item
- Consent Item
- Informational Item

Presented By: Jeff Witte
Director/Secretary
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: N/A Information only

Executive Summary:

A quarterly recurring report to the Board of Regents from NMDA.

References:

N/A

Prior Approvals:

N/A

NMDA

New Mexico Department of Agriculture

BOARD OF REGENTS REPORT

MAY 14, 2021

Hemp:

2021 Hemp Statistics as of April 30, 2021

- Continuous licenses: 45
- Continuous license square feet: 10,021,454 sq. ft.
- Annual licenses: 37
- Annual license acreage: 239 acres

Cannabis:

Secretary Witte has been requested by Superintendent Trujillo of the New Mexico Regulation and Licensing Department to participate in the development of cannabis rules.

NMDA expects a number of hemp growers, especially those with greenhouses, to include cannabis in their production

NMDA is working with one of the private testing laboratories to determine if the lack of testing facility in the county will hinder development of a cannabis industry. Customs and Border Protection checkpoints pose a problem with transporting cannabis samples from farms in Dona Ana to one of the two laboratories in Santa Fe for required testing.

Pollinators:

Agreements with Albuquerque City Parks, City of Santa Fe, and Albuquerque Biopark have been finalized regarding the establishment of pollinator gardens to increase public awareness of the importance of landscapes on pollinator health. Signage and outreach will be included in the efforts.

Pecan Weevil:

NMDA is working with the pecan industry on the agenda for a forthcoming zoom call to update pecan growers on the current pecan weevil situation in the state, export requirements, and to discuss possible regulation changes related to the industry to slow the spread of pecan weevil in the state. Infestations currently confined to eastern New Mexico counties.

NMDA received a \$45,000 donation from growers to be directed at slowing the spread of pecan weevil.

Grants:

NMDA has submitted applications to EPA for grants totaling approximately \$500,000 to be directed at pesticide efforts in the state including: water quality testing; endangered species protection; training and certification; and enforcement of state and federal regulations.

Marketing and Development:

Good Food Foundation: Five New Mexico businesses were selected to be featured on the Good Food Foundation Virtual Mercantile Event Wednesday, May 26. During the 45-to-60-minute event, New Mexico companies/agricultural producers will lead 20-to-25 buyers and retailers through a tasting session. During the tasting session, each New Mexico company will have the opportunity to educate buyers about its products, whether it's regarding uniqueness, taste, ingredients or nutritional value. The session will conclude with a question-and-answer segment. Good Food Foundation and staff are continuing recruiting efforts of additional NM companies that meet the specific event criteria for the Virtual Mercantile.

Organic Program Transition Update: NMDA Organic Program (the Program) officially concluded its USDA NOP accreditation effective March 31, 2021. All operations formally certified through the Program transitioned to a new accredited certifying agency (ACA) or voluntarily surrendered their organic certification. Program staff are wrapping up transition work with each of the individual operations on a 1:1 basis; and, are already deploying new education and marketing initiatives for this specialized agricultural segment. Program staff is directly involved in planning efforts of the 2021 Virtual NM Organic Farming Conference scheduled for Fall 2021.

American Agricultural & Food Products Showcase: In coordination with NM Economic Development Division's in-country Taiwan Representative, NMDA facilitated a tradeshow booth at the American Agricultural & Food Products Showcase. This event was sponsored by USDA Foreign Agricultural Service, Agricultural Trade Office (ATO) in Taiwan. Multiple trade leads for pecans, dairy, beef, and value-added products were obtained as a result of our participation in this product showcase. Similar food product showcases will occur in Taiwan this Summer.

Virtual Ag Export Webinar: Staff executed the first virtual Ag Export Webinar via Zoom. The webinar included presentations from WUSATA, our Mexico in-country marketing consultant, and the USDA Ag Attaché from the US Embassy in Ottawa Canada. See picture below. Multiple NM companies participated, gaining insight and direction on how to export to these top export economies. Staff is planning the next Export Seminar focused on the UK and European Union markets (Date TBD).

\$5 Challenge: The \$5 Challenge In-Store Retail Promotion continues in partner grocery stores throughout the state. The second and final \$5 Challenge advertising flight is scheduled for June, 2021.

Recipe Videos: Production of latest NM Chile "Tasty" recipe videos was completed. This latest series included a mix of five traditional recipes and five nontraditional recipes infused with NM Green Chile. Once editing is complete, these videos will post on social media channels.

Staff is developing a national pecan recipe campaign in partnership with “Chefs Roll”. Chef’s Roll produces custom films titled “Featured Ingredient Series” - where together we secure high-profile chefs to film a five (5) dish tasting menu featuring NM pecans to show their depth and diversity. These films are approximately 3-5 minutes in length, and break down into individual videos per dish and post to various social channels. Expected reach is 1.5 million fans and followers.

Biodiesel Mandate:

NMDA’s Standards and Consumer Services (SCS) Division is in the process of gathering data and information regarding the biodiesel mandate. Updated information is currently being collected for analysis. Industry and stakeholders were contacted requesting this information in order to complete a market analysis. In accordance with Section 57-19-28, paragraph C NMSA 1978 and in consultation with the secretary of the Energy, Minerals and Natural Resources Department and pursuant to regular, periodic monitoring of biodiesel supplies and price differentials, New Mexico Department of Agriculture (NMDA) has the authority to issue a temporary suspension of New Mexico's biodiesel mandate. There is currently a suspension in effect and it expires June 15, 2021.