

**New Mexico Institute of Mining and Technology  
Board of Regents  
10:00 a.m. Sunday, April 12, 2015  
Macey Center, Copper Room  
New Mexico Tech Campus / Socorro, New Mexico**

***MINUTES***

The New Mexico Tech Board of Regents convened at 10:24 a.m. with Board of Regents Chair Deborah Peacock presiding. Other Board members present were Regent Jerry Armijo, Regent David Gonzales, Regent Donald Monette and Student Regent Myissa Weiss. University administrators, staff, and guests who were also present included:

Daniel H. López	John Meason	Lorie Liebrock
Warren Ostergren	Greer Price	Richard Cervantes
Melissa Jaramillo-Fleming	Dave Raymond	Gina Chavez
Van Romero	Leyla Sedillo	Frank Reinow
Lonnie Marquez	Mark Adams	Thomas Guengerich
Lala Garcia	Bill Stone	Valerie Kimble

1. **Proof of Meeting Notice.** The meeting was called to order at 10:24 a.m. by Chair Peacock, following a presentation on the Institute budget. The President affirmed that proper legal notice had been given.
2. **Approval of Agenda.** The Presidential Search was moved from item 11 to item 16 at the request of Chair Peacock. Regent Armijo moved to accept the agenda as amended. Regent Weiss seconded the motion and it passed unanimously.
3. **Minutes.** The Chair noted two corrections to the Minutes from the March 13, 2015 meeting: On page 2, HIPAA should be changed to IPRA (Inspection of Public Records Act). On page 3, a comment by the Chair regarding tuition should be amended to read: . . .in her opinion, tuition at New Mexico Tech “is way too low,” she said. Regent Armijo moved to accept the Minutes as amended. Regent Weiss seconded the motion and it passed unanimously.
4. **Announcements.**  
*Enrollment Updates.* Ms. Jaramillo-Fleming reported that for the period ending March 31, applications were up, with 62 more paid apps than this time last year. Residence numbers also are up. In response to a question from Regent Weiss, the V.P. noted that should space allow, Baca Hall could house singles.

*Final Report on Legislature.* President López delivered his final Legislative report for the session ending March 21, noting that New Mexico Tech would receive an additional \$280,000 for its I&G (Instruction and General) budget, on which he would elaborate during

later discussion on a proposed tuition increase. While the Legislative Finance Committee (LFC) had recommended \$2 million for the University to consolidate its IT functions, no capital projects were funded. The Institute also would try again in 2016 for planning money to refurbish old Jones Hall. The President added that chances were slim for a special session on capital projects funding under a current legislative impasse.

*Report on Advancement.* Ms. Jaramillo-Fleming handed Regents a copy of her monthly report, noting an additional reporting category for the University's foundation. The President explained that the report reflects the dual functions of the Office for Advancement, showing both the foundation fundraising efforts and that for the office itself.

*Faculty Senate Update.* The primary issue for the Senate is the revised Employee Manual, reported Dr. Raymond, adding that the final draft will be posted on April 13 for public review on the University's website. The Chair suggested that comments be accepted through April 24; a request for Board approval will follow at the May 8 meeting. Dr. Raymond noted that faculty felt the section on intellectual property needed work, and the Manual will refer only to an external document which is the current policy guide on intellectual property.

5. **Public Comment.** No public comments were made by those present in the audience.
6. **Degree Conferrals for February 2015.** Degrees were conferred upon 14 students: 11 Master of Science degrees and three Master of Science for Teachers degrees.
7. **Academic Tenure and Promotions Recommendation to Associate Professor.** Chair Peacock noted that it was an honor for Regents to consider recommendations for tenure and promotion. Dr. Ostergren added that candidates go through a lengthy process before recommendations are submitted to the Office for Academic Affairs for review. He then requested tenure and promotion to Assistant Professor for Dr. Steve Simpson, Technical Communication, noting his exceptional contributions to the University's Writing Center and his work with international students. The request was unanimously approved on a motion by Regent Weiss and a second by Regent Armijo.  
**Academic Promotion Recommendations to Full Professor.** Dr. Ostergren presented information on three of the four candidates for promotion to full professor: Dr. Gary Axen, Earth and Environmental Science, is an outstanding teacher who played a critical role for the summer field camp and has served as both associate chair and department chair. The request for promotion was unanimously approved on a motion by Regent Monette and a second by Regent Weiss. Dr. Richard Sonnenfeld, Physics, developed a number of new courses for the department and has a diverse research background with exceptional service to the Institute including former service as president of the Faculty Senate. The request for promotion was unanimously approved on a motion by Regent Armijo and a second by Regent Monette. Dr. Bixiang Wang, Mathematics, has outstanding teacher evaluations and has conducted outstanding research with over 80 publications. The request for promotion was unanimously approved on a motion by Regent Monette and a second by Regent Weiss. Dr. Romero introduced the fourth candidate for promotion, Dr. Ostergren, Mechanical Engineering, noting his legendary reputation as a teacher, and his success in growing the

department into the largest one on campus. The V.P. added that he looks at submissions from outside reviewers in considering promotion, noting that Dr. Ostergren's came from academic and industrial colleagues as well as agencies. The request for promotion was unanimously approved on a motion by Regent Armijo and a second by Regent Monette. The President said he fully endorses and supports promotion for Dr. Ostergren, calling him organized, thoughtful and considerate. The Board and audience applauded "Dr. O." after the vote. No other candidates attended the meeting.

8. **Financial Analysis for February 2015.** Mr. Marquez reported the financial analysis for February, noting that the report has been reformatted at the request of Regent Gonzales. The V.P. requested formal Board approval. Tuition and overhead are up from last year, with expenditures tracking about the same. During discussion, Board members raised several issues related to the budget and which would resurface during a lengthy discussion on a tuition increase. Both Mr. Marquez and Ms. Sedillo explained the internal budget processes, addressing issues such as timing, accruals, and changes related to the revised funding formula for higher education. "I just want to make sure we're not blindsided and then having to play catch-up," said Regent Gonzales, who voiced his objection to a tuition hike in light of anticipated scholarship funds from the University's endowments. Following discussion, Regent Armijo moved for approval. Regent Weiss seconded the motion and it passed unanimously.
9. **Final Budget Adjustment Request for FY '15 (Unrestricted funds).** Ms. Sedillo presented details of the financial BAR as follows: 1. Adjust carry-forward balances (\$451,691) and capital outlay (-\$689,152) to agree with the result of end-of-the-year accounting entries. 2. Adjust tuition budget to reflect actual amount of revenue received (\$1,491,992). 3. Transfer \$100,000 from a reserve account to support a University development account. 4. Transfer \$92,400 from Institutional Support to Instruction for faculty salary increases for the second semester of FY15. 5. Transfer excess tuition revenue to cover a deficit in scholarships (\$840,074) and 6. Transfer a state appropriation of \$200,000 from Research to Instruction to fund two faculty positions. The BAR request was unanimously approved on a motion by Regent Monette and a second from Regent Gonzales.
10. **Tuition & Fees.** President López provided some background on the issue, noting that 2008 was New Mexico Tech's peak budget year; since then, the University is still \$250,000 lower in I&G funding; and gained in the same time-frame some 400 additional students: "We're doing a lot more with a lot less," said the President who proposed a 5 percent increase in tuition and an additional \$30 in student fees. In a separate but related issue, students opted to "tax themselves" an additional \$16 per semester to hire another mental health counselor. A lengthy discussion ensued, with new Board members asking detailed questions regarding the budget and other funding issues. Regent Weiss voiced her hesitation in supporting a tuition hike, as the student representative on the Board, while Regent Gonzales reiterated his opposition to the increase. Regent Monette noted that even a 5 percent tuition increase, in his view, would be insufficient to boost salaries by a proposed 2 percent. Regent Armijo, who called the tuition proposal "the prudent thing for us to do," moved to accept the administration's recommendation, in conjunction with

student input, to increase tuition by 5 percent and student health center fees by \$30. Regent Monette seconded the motion, which passed on a four-to-one vote. Regent Gonzales cast the sole “nay” vote, saying he wanted to “force the issue” of seeking alternative funding sources or strategies. The President thanked the Board for the discussion, noting that the next year can be used to assess the situation. He next recommended Regent approval for \$16 in student fees, in addition to the \$30 tied to the tuition increase, to hire another mental health counselor as per a student petition. Regent Gonzales raised the issue of the University taking on additional responsibilities; however, it was noted that the school has no way of avoiding those that want to sue the University. It was noted, however, that Risk Management covers the cost of such lawsuits. After a short discussion, Regent Armijo moved to accept the student-led proposal. Regent Weiss seconded the motion, and it passed unanimously.

- 11. Proforma Budget.** Mr. Marquez requested Board approval for the proforma budget which includes a 2 percent pay raise, faculty hires, institutionalizing Title V positions, \$90,000 for the N.M. Bureau of Geology and Mineral Resources, and \$75,000 for the new aerospace program in Mechanical Engineering. It also includes funds expected to be generated by the 5 percent tuition increase. Regent Armijo moved to accept the proforma budget. Regent Monette seconded the motion, which passed on a four-to-one vote. Regent Gonzales cast the sole “nay” vote, explaining that the proposed budget reflects the tuition increase, which he voted against.
- 12. Bank Resolutions.** Mr. Marquez explained that the bank is requesting new resolutions, as the University is removing one name from four accounts, and is adding Ms. Jaramillo-Fleming and Mr. Cervantes to the payroll account. The motion passed unanimously on a motion by Regent Armijo and a second from Regent Monette.
- 13. Strategic Plan.** Ms. Jaramillo-Fleming noted that the most recent edits were made the previous night by Dr. Liebrock, in addition to grammatical errors corrected by Mr. Guengerich; however, these edits did not alter the content of the plan which had been given to the Board for review. The Strategic Plan is the third in Institute history, all developed under President López. Regent Monette moved to approve the plan. Regent Armijo seconded the motion which passed on a four-to-one vote. Regent Weiss abstained from voting, because she did not have enough time for a thorough study of the five-year plan.
- 14. Property Items to be Removed.** Based on administrative recommendations, Regent Armijo moved to accept all four resolutions related to removing property items from inventory (150412-01, 150412-02, 150412-03, 150412-04). Regent Monette seconded the motion, and it passed unanimously.
- 15. Presidential Search.** Regents agreed with the Chair’s suggestion of a three-question questionnaire providing an opportunity to for the New Mexico Tech community regarding their input in the search for a successor to President López, noting that individuals could reply anonymously through Dropbox. The questions were short and to the point, with one open-ended, thereby encouraging comments, said Regent Armijo. Chair Peacock requested that the questionnaire be sent out as soon as possible, with a deadline of April

30 for comments to allow the Board time to review them before their May 8 meeting. According to the President's suggestions, student government leaders would conduct their own surveys, and he would work to finalize the job announcement. An advisory committee will be assembled with faculty, staff, alumni and community members, with the Board selecting its chair. It was suggested that the job posting close on Feb. 28, 2016 to allow for sufficient time to select and negotiate a contract with the selected individual prior to July 1, 2016.

16. **New Business.** None.

17. **Employee Benefit Trust.** Regents recessed their regular meeting at 1:01 p.m. to convene as the Benefit Trust. Mr. Marquez reported revenues of \$5.6 million and claims of \$5.2 million. The Trust owes New Mexico Tech a balance of \$450,000 on its loan. Meanwhile, claims are down and the month of February ended with a balance of \$508. Chair Peacock suggested that the Benefit Trust and the issue of insurance be the subject of the Board's next educational segment. Regent Gonzales moved to accept the report, followed by a second from Regent Monette. The motion passed unanimously. The Trust adjourned at 1:03 p.m.

18. **Individual Board Member Comments.** Regent Monette thanked the President for acknowledging his father at the President's Annual Dinner the previous evening. Chair Peacock called the dinner a great event, adding that she also enjoyed meeting the HLC reaccreditation review team and heard some positive comments. Regent Gonzales pronounced the reaccreditation process an impressive sum of work, with hats off to everyone involved. President López told Regents he has written a series of goals for his final year as chief executive, and would ask them to codify them at the next meeting. In response to a request from Regent Gonzales, the President said he would forward to him year-to-date data on research and overhead by department. Dr. Romero then invited the Board member to meet with him to view "the big picture" regarding the issue of profitability.

19. **Executive Session (If Needed).** Session not required.

20. **Adjournment.** There being no further business to come before the Board, the Chair adjourned the meeting at 1:15 p.m.

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Secretary-Treasurer

Attest:

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President

