

**MINUTES OF THE MEETING OF
THE REGENTS OF THE UNIVERSITY OF NEW MEXICO**

**September 29, 2009
Board of Regents Meeting 9:00 a.m. – 11:300 a.m.
Student Union Ballroom C**

**Board of Regents Executive Session Luncheon
11:30 am. - 1:00 p.m.
Cherry Silver Room**

Attendance:

Regents present:

Raymond G. Sanchez, President
Jack L. Fortner, Vice President
Carolyn J. Abeita, Secretary-Treasurer
James H. Koch
Don L. Chalmers
Gene Gallegos
Cate Wisdom

President present:

David J. Schmidly

Vice Presidents present:

Dr. Paul Roth, Executive Vice President, Health Sciences Center
Suzanne Trager-Ortega, Executive Vice President, Provost
Eliseo Torres, Vice President, Student Affairs
Michael Dougher (for Julia Fulghum), Assoc. Vice President, R& D
Steve Beffort, Vice President, Institutional Support Services
Carmen Alvarez Brown, Vice President, Enrollment Management
Paul Krebs, Vice President, Athletics
Helen Gonzales, Vice President of Human Resources
Ava Lovell, Vice President and Comptroller
John Stropp, President, UNM Foundation
Stephen McKernan, Vice President, Hospital Operations

EVP and Vice Presidents unable to attend:

David Harris, Executive Vice President, CFO, COO
Josephine DeLeon, Vice President, Equity and Inclusion

University Counsel present:

Patrick V. Apodaca, University Counsel

Regents' Advisors present:

Douglas Fields President, Faculty Senate
Elisha Allen President, Staff Council
Ruth Schifani, President Alumni Association
Abdula Feroz, President Pro Tem, for (Monika Roberts), ASUNM
Maria Probasco, President, Parent Association
Beulah Woodfin, President, Retiree Association
Anne Yegge, Chair, UNM Foundation
Lissa Knudsen, President, GPSA

Regent Sanchez presided over the meeting and called the meeting to order at 9:00 a.m.

I. Confirmation of a Quorum; Adoption of the Agenda. Regent Sanchez **Motion approved** unanimously to adopt today's agenda. (1st Koch, 2nd Chalmers).

II. Deferral of approval of summarized minutes of August 11, 2009 BOR Meeting; approval of summarized minutes of August 18, 2009 Special BOR Meeting.
Motion approved unanimously (1st Koch, 2nd Chalmers).

Regent President Raymond G. Sanchez noted that we will not be taking up the issue of the UNM Master Plan at this meeting. We held a meeting with President Schmidly, Steve Beffort, Mary Kenney, and we reviewed the comments, especially the comments from the Faculty relative to their belief they had not been given sufficient input into the process, and in order to accommodate that, we have agreed to put this off to allow more input from the Faculty. We also had several comments from the neighborhood associations. We have an extensive record of meetings that were held throughout the community and in the City of Albuquerque. We will open it up to those individuals who need to have more input into the issue of our Master Plan.

I welcome everyone here to this meeting. It is always good to see people who have an interest in what we are doing at this great University of ours.

III. Approval of Lobo Development Board of Directors Appointments
Steve Beffort, VP Institutional Services

Motion approved unanimously to approve the reappointment of Robert Murphy, Michael Daly, and the appointment of Maria Griego Raby. (1st Koch, 2nd Fortner)

IV. Approval of Appointments to the UNM Labor Management Relations Board.
Helen Gonzales, VP, HR

Motion approved unanimously to approve the annual re-appointments of Carol Oppenheimer; George Cherpelis; and Kathleen McCorkel to the UNM Labor Management Relations Board. The term will be from September 2009 through August 2010. (1st Koch, 2nd Chalmers)

V. President's Administrative Report, David J. Schmidly, President
Newsletter dated 9/29/09 distributed. (#1) President back to full schedule and feeling good again. I express my gratitude to all who expressed their concern, and especially Dr. Paul Roth and UNMH for the great care I received.

Stimulus funding Faculty and Staff gone to great effort by submitting 124 proposals for stimulus funding. We have received over 13 million dollars in funding, spread across the campus, including laboratory renovations, undergraduate research, ecological studies, and development of new diagnostic method for disease detection, substance abuse, and a child care workforce study.

H1N1 Flu preparedness: Emergency operations centers on both sides of campus have been set in operations mode 3 and tracking workforce absences as a way to identify trends and indicators about H1N1 and seasonal flu. Threat of flu is real. We are busy, but not yet overwhelmed. Department chairs are tracking class attendance. Seasonal flu vaccine has been received and is being administered. H1N1 vaccine is anticipated end of October.

Smoke Free Campus:

Petition delivered to office requesting more smoking areas. This is not an anti-smoker policy. Behavioral policies cannot be achieved overnight. Committee continues to meet to monitor, and have asked them to consider the petition.

"Crossing the Finish Line" Completing College at America's Public Universities, William G. Bowen, Matthew M. Chingos, Michael S. McPherson, 2009 Princeton University Press. Copies of publication are being sent to Regents. Accountability and performance in Higher Education is the topic.

Messages include:

1. Overall level of education attainment in U.S. today both too low and stagnant
2. U.S. education system harbors huge disparities in outcomes, as measured by graduation rates that are systematically related to race, gender, and socioeconomic status.
3. Two problems linked: only way to improve overall levels of education attainment is by improving graduation rates for the rapidly growing Hispanic population, under-represented minority students, and low SES backgrounds. This has to happen at public universities.
4. Time-to-degrees matters as well as ultimate graduation rate extensions. Students do not graduate in 4 years, most likely 5, 6, or 7 and 8. High institutional and individual cost.
5. High school grades are a far better incremental prediction of graduation rates than are standard SAT/ACT test scores. This reflects directly on our admission criteria discussion, reflecting more on performance in high school.
6. Students from all backgrounds are generally well advised to enroll at one of the most challenging universities that will accept them. Over matching vs. under matching. Our efforts continue to recruit high achieving students in New Mexico.

7. Overall, transfer students do well. More transfer students can improve graduation rates. We are improving.
8. Money matters-overall we find that students from high income families are significantly more likely to graduate from college, and to graduate on time, than are students with comparable qualifications from low-income families. Making college less expensive for students from modest backgrounds is a key issue in any effort to improve graduation rates. I intend to call for a major study of our Financial Aid process, and to see how our Financial Aid stacks up with need. I will work with faculty and administration to bring back to this board some recommended changes, if necessary.
9. Reliable simple, predictable provision of financial aid is important not just to initial access to college, but to success in graduating. It has to be something they can do easily.
10. Students who live in a university residence hall are more likely to graduate as compared to off-campus students.

This book takes a macro-level view across the country. We need to take a micro level view at UNM. Improving the success of our students is key to UNM, and to the State of New Mexico. This is a serious issue, and my report is concluded.

VI. Comments from Regents' Advisors

FACULTY SENATE, Douglas Fields, President (report attached #2)

STAFF COUNCIL, Elisha Allen, President (report attached #3)

GPSA, Lissa Knudsen, President (report attached #4)

ASUNM, Abdula Feroz for Monika Roberts (verbal report)

(1) ASUNM agencies, Red Rally, 4000 students Lobo Spirit, Elections, planning Homecoming 10/20-24/09.Fall Frenzy 10/9/09.

(2) UNM Master Plan-thanked President and Board for keeping Plan open for feedback.

(3) American Campus Community dorms: express support for this company after having viewed other programs around nations.

ALUMNI ASSOCIATION, Ruth Schifani, President (report in BOR book)

UNM FOUNDATION, Anne Yegge, President (report in BOR book)

PARENT ASSOCIATION, Maria Probasco, President (report attached #5 and Strategic Framework 2009 in BOR book)

RETIREE ASSOCIATION, Beulah Woodfin, President (report in book)
Mimi Swanson has assumed position of President-Elect.

Concern expressed re: student loan cost and debt.

Comments were made by Advisors addressing current Athletic advertising with questions on appropriateness.

VII. Comments from Regents

Discussion- UNM Foundation

Regent James H. Koch requested that the UNM Foundation include in their report cost comparison of running the Foundation before, and cost of running now. Requested that this information be reviewed at next F & F Committee meeting 10/29/09.

Regent Koch questioned moving everything to one place; do we have a reduction of costs?

Foundation Chair Anne Yegge noted we have now captured the cost of fundraising in one place. No, we do not have lower costs and are monitoring the budget closely. We now have a much greater ability to look at the costs of fund-raising versus the money raised.

Regent Koch, noted you have a full time attorney; you did not have to pay for in the past. Mrs. Yegge noted that UNM paid for the attorney.

Regent Koch requested the costs of running the Foundation and also would like to see how that compares with what it was before. I understand having all the fundraisers under one source, but we have transferred a lot to you, and I think. I would like a report on the costs, as compared to the past.

Regent Gallegos looked at BOR minutes from 5/12/2009, allowing an increase in the administrative allocation from the Consolidated Investment Fund was approved for the Foundation on conditions-including quarterly review by Finance and Facilities Committee and, Hammond Reports and Foundation Reports provided monthly to the Regents. Where does that stand? I have not received them. Regent Gallegos requested that the Foundation come before F & F at their next meeting to report. That increase was not in stone.

Foundation President John Stropp, reported receipt of quarterly investment reports, and will provide all reports on a timely basis. He noted we are in a much better position to determine real costs, and to prove it is cost effective organization. I & G funding going forward, will not be used. The Foundation will be totally independent.

President Schmidly noted that the fund raising dashboard report is great step in the right direction. Indications provided are appropriate, including one cost of fund-raising per dollar raised, showing a substantial increase in 05 and 06.

Chair Anne Yegge noted this is an important step for us, and we acknowledge the request of the Regents.

Regent Sanchez noted that this is important since they are actually requirements, not necessarily requests. We need to follow what we said would be done and the conditions pointed out by Regent Gallegos.

Regent Chalmers noted he appreciates being brought up to date by the Regent Advisors, and the comments by Douglas Fields, Elisha Allen, and Lissa Knudsen, would appreciate copies in writing. Congratulations to the Foundation and look forward to more accountability through the Finance committee reports. Good accomplishments in this economy.

Additional comments:

Regent Fortner; I was not happy with the Route 66 ad, nor was I happy with the coach incident, but I am happy with leadership of Paul Krebs, and we have confidence in you. Regarding the Route 66 ads, it confused me that comments would be made that some of the professors and staff feel like they should not complain to the administration or Regents, fearing retribution, so they went to the Faculty Senate. It is not the culture at UNM, especially after the Faculty vote of no confidence. The President re-doubled his efforts at cooperation and openness. We all will not agree on everything. We have advisors here to provide your opinion, and to differ with us, which grows us as Regents and administrators. It enriches us. I would hope you would encourage a culture of freely expressed ideas, with no thought of retribution. Please continue to encourage it, and the Regents know they are not always right.

VIII. Public Comments re: agenda items

None

IX. Regent Committee Reports

Academic/Student Affairs and Research Committee, Regent Carolyn Abeita, Chair

A. Approval of Summer 2009 Degree Candidates

Total 590

Doctoral and MFA =61; Master's Degree = 199

Bachelors Degree =303; Associates Degree = 27

Motion approved unanimously (1st Abeita, 2nd Koch)

B. Approval of Los Alamos Operating Agreement

Amendments include changing the reporting responsibilities of the Executive Director from the Provost to the UNM President in Policies 1,6,7,11, and 20. Policy 15 also includes updated language regarding Bernalillo Education Center.

Motion approved unanimously (1st Abeita, 2nd Fortner)

Information: Regent Abeita noted the following item is presented as information.

C. Admission Standards as discussed at Academic Affairs Meeting 9/23/09

UNM Web Site will be active 10/1/09 and include a public comment section requesting input on changing admission standards. We had discussion in Academic Affairs committee regarding changing the admission standards. We ask for input and comment on this due to far reaching impacts, especially in the State of New Mexico. We seek comment from all constitution groups, although there has been outreach to the community. We will bring back to Regents in the future.

D. Enrollment Report, Fall 2009, Carmen Alvarez Brown, VP Enrollment, Terry Babbitt, AVP Enrollment

UNM has broken enrollment records. We want to recognize efforts of Deans, Faculty and Staff. Major increases in recruitment of national scholars, transfer students, and out of state students. Office and Financial Aid target the application process for 24 hours completion of application. Regent Koch has asked about graduate enrollment. Fall 2009 you can see the growth due to the work of our department. Fall 2009 total headcount, total credit hours, and transfer. Increase 5.75%. Freshman increased 5.7% in non-resident, including 38 to 73 this year. ACT scores increased from 21.87 to 21.99. SAT scores increased from 1072 to 1090. Hispanic students are the largest sub-group in freshman cohorts. Transfer students 28.9, non resident 40% increase. Economy has had an impact on increase. Graduate enrollment increased by 20%.

One stop service center has been successful. Our goal is 90-97% satisfaction rate. Long hours of wait are gone, average wait is 7 minutes. Enrollment management team came together to support an effective process for students. Branch campuses enrollments are increasing, Valencia, Taos, Los Alamos, and Gallup, in that order. 200 students participated in a survey, and included positive comments on the process, new office, people ready to help, great follow-up, and personal welcome, fast easy, convenient.

Discussion on Enrollment:

Regent Koch noted that as a Regent for 6 years, if we had this kind of growth, we would have broken the band gotten more state dollars. Regarding the readmit 13%. Do we go after students that drop out? VP Enrollment Brown responded we do allow and offer assistance. Regent Koch asked if State counts these students. VP Brown, responded eventually it will contribute to our graduation rate.

Regent Koch asked where transfer students are from. VP Brown responded some from NM, CNM and out of state students. President Schmidly noted our cooperation with CNM contributes to this dramatic increase. VP Brown noted we have a presence at CNM, and are doing on the spot admissions. Regent Koch asked can person enroll at community college, and participate at the University as a formal program.

President Schmidly noted we have the Gateway program. The Provost wanted me to mention that our Branch campuses are being directly recruited

Regent Koch notes the increases are important and shows the positive results of cooperation with community colleges. Are you going to track these students from CNM? President Schmidly responded we will track, and will see the success rate of transfer in students will be equal to success rate of entering freshman, as noted in national data. President noted the partnership has paid off, and also that CNM and UNM are reaching out to Albuquerque Public Schools, but main thing is the establishment of a division on Enrollment Management where centralization has improved services to our students, especially our students who need more help. Enrollment at Rio Rancho is at 600, (500 last year) equal a 20% increase. The new building will be occupied January 4, 2010.

Audit Committee, Regent Gene Gallegos, Chair

- A. Approval of the Audit Committee recommendation regarding the agreed upon procedures engagement of Moss Adams, LLC for select accounts.

Regent Gallegos reported that the Audit Committee held a special meeting on 9/18/09 to address the request of the faculty for audits on certain subjects. The request is embodied in resolution by Faculty in February, 2009. After discussion the motion was adopted by committee with four subjects requested, and that fiscal year 2003 and 2004 to be included in the audit, but they were not. In substance what we decided to do and to recommend to the Board is to engage the services of Moss Adams to address the agreed upon procedures for items 1, 3, 4. The scope includes 2003 and 2004 but because UNM changed to Banner in 2005, it is not practical to include those earlier years, but we will have a 5 year look. Internal Audit has set forth the scope subject to review by Moss Adams, who is expected to have fees of \$50,000 or less. We will proceed with the contract which includes obtaining approval by the NM State Auditor. Audit cost should be reduced since records and source data will be provided by UNM to Moss Adams.

Faculty Senate President Fields is to be kept informed of the process. Item 2 was excluded due to the fact that it has received 2 audits. We believed that had been accomplished and is not in this engagement process.

We recommend the Regents adopt current scope of engagement on page 3, and move for adoption.

Discussion on Audit:

Regent Koch; I felt we should have adopted the letter from faculty and state auditor to do all four items as requested, and that is why I voted against that. I have heard a lot of discussion and felt that we should do all four. I still believe we should. I felt it was clear that is what we were going to do based on February 26, 2009 and August 3,

2009 letters. I offered a separate motion at Finance and Facilities Committee that we do all four. I wanted to clarify my position.

Regent Chalmers; asked Faculty Senate President Fields if this is something the faculty wholeheartedly supports, this scope of work?

Faculty Senate President Fields; clarified that this is the first time I have seen the purpose and scope, although it was offered to me yesterday. The Faculty Senate resolution gave me fairly broad range of authority to chicken out, as someone put it, but are happy with exception of FY 2003-2004. I believe it is reasonable reduction in the scope. and difficult to compare those numbers directly. Item 3 is not what I understood from Audit Committee meeting. "*Review the detailed analysis prepared by the University administration.*" My understanding was that there would be two audits; maybe this is the same thing, but that the administration would prepare a review of those costs, and Moss Adams would prepare a review of the costs, and we could compare those two. This is basically the same thing. The University prepares a review of the costs and then Moss Adams audits that review. I am not completely comfortable with that change. I am open to discuss.

Regent Gallegos; responded maybe it is the wording. The intent is that UNM will prepare an analysis and Moss Adams will prepare an analysis and then we see if they match up.

Faculty Senate President Fields; is not certain what is written says that.

Regent Gallegos; noted that Moss Adams will review the detailed analysis prepared by the University administration. UNM does one and Moss Adams sees if they agree with it. If there is lack of clarity, the Controller can comment.

Controller Ava Lovell; noted that Moss Adams being the auditor cannot prepare and audit their own document. We must prepare and they must audit and pass a judgment on it. That is why it is written that way. To prepare and audit your own documents does not give you anything.

Regent President Sanchez noted we have had adequate discussion. It is clear the way it is written that Moss Adams will review and give us an idea on it. The language clearly sets out what I heard was a concern at the Audit Committee meeting, which I attended. Again, we all have to at least trust one another to some degree. Reading this legally, it says, Moss Adams will do the following- will review and prepare, and it should cover whatever concerns you may have.

Regent Chalmers; noted it started with the question are you comfortable with this? It seems to me, on the Moss Adams report, review of our findings, they would report any adjustment to our numbers. Does that satisfy you Doug?

Faculty President Fields; responded yes sir. The other two items included in the document, for the minutes of this meeting, are that University Counsel was going to prepare a document so that I could have access to the documents of the F & A Audit. I have not heard anything on that, but assume it is still progressing. The other is my role in the process is still not completely clear to me, but I am looking forward to the discussion with University Counsel and Internal Audit Office of how I will keep informed concurrently with the process. Yes, Regent Chalmers, as stated here, I am comfortable with this.

Regent Chalmers; the motion has to do with just the purpose and scope of this engagement, is that correct?

Regent Gallegos; said that is correct. The information in this report will be of considerable value to the Regents and will probably be more helpful to us even than the faculty, so I think it is a healthy endeavor.

Motion approved (1st Gallegos, 2nd Abeita) Voting nay (Regents Fortner and Koch)

Health Sciences Committee, Regent Jack Fortner, Chair

A. Approval of Amendment to Regents Policy 2.13.4, "University HIPAA Policy"

Helen Gonzales, Vice President, Human Resources Since adoption of self-insured health plan, we needed to modify the BOR HIPAA compliance policy to add the UNM Medical Plan which is our self-insured plan.

Motion approved unanimously (1st Fortner, 2nd Chalmers)

Finance and Facilities Committee, Regent Don Chalmers, Chair

A. Consent Agenda (Finance and Facilities Committee Meeting 9/11/09)

- 1) Disposition of Surplus Property on Lists dated May 10 and August 28, 2009
- 2) Approval of Contract: Center for High Technology Materials-VEECO
- 3) Approval of
 - a. Capital Project-UNMH Fire Suppression Support Infrastructure Addition
 - b. Capital Project-UNMH Urgent Care Clinic
 - c. Capital Project-UNMH Community Based Clinics (SW Hts., Central & Unser)
 - d. Architect Selection-UNMHSC Orthopedic Clinic
 - e. Architect Selection-UNMY Ophthalmology Clinic
 - f. Capital Project-Student Family Housing Pavement
 - g. Capital Project-Student Family Housing Roof Replacement
- 4) Approval of STC.UNM Board of Director Appointment-Douglas Brown, Dean, Anderson Schools of Management

- 5) Approval of change to Anderson Schools of Management Student Investment Policy and request to add Exchange Traded Funds to their portfolio
- 6) Approval of Carrie Tingley Hospital Advisory Board Appointments- Gabrielle Graham, Patty Buffett
- 7) Approval of UNM Carrie Tingley Hospital Restated Bylaws
- 8) Approval of Hospital Quality Assessment/Performance Improvements (QA/PI Plan

Motion approved unanimously to approve all Consent Agenda items (1st Chalmers, 2nd Fortner

Action items:

- B. Approval of Real Property Purchase-Medical Office Building 1101-4 Medical Arts Avenue, NE. Kim Murphy, Director Real Estate.

Discussion: This agenda item has been referred from BOR last month (8/11/09) to Finance and Facilities Committee (9/11/09) and back to full Board. Approval to exercise an option to purchase the property. We provided information on purchase price and economic benefit to the hospital of owning vs. leasing. Conservative estimate of 1.4 million dollars present value over remaining term of the ground lease.

Motion approved unanimously (1st Chalmers, 2nd Fortner)

- C. Approval of Master Agreement for Lease of UNM Sites for Student Housing (American Campus Communities, Inc., Regents of UNM, and LOBO Development Corp). Kim Murphy, Director Real Estate

Discussion: This is a project of importance to UNM, in alignment to administrative goals to recruit and retain students, to have modern up to date attractive housing on campus.

AVP Student Affairs Walter Miller;

Representatives from American Campus Communities are here today. This project started in 2006; currently we have about 2400 beds, with 65% built 1957-69. As enrollment tracked high, have not done anything with beds and our students have changed to expect privacy, freedom, more amenities. Institutions have made major changes to be competitive. We have done the fact-finding in 2006 to look at our student housing for the future. We had under usage of 2000 people we could house if we had facilities. Enrollment is increasing, but we are the same. Student Housing very beneficial for student success for retention, graduation rate, time to degree. Living near is not the same as living on the campus. Our goals are dramatic. We see doubling of our beds, to have 65% of our freshman have opportunity to live on campus. The process began in August 2008 for an RFP and we reviewed companies doing housing including ACC. In March 2009, the Board of Regents approved a

contract to ACC. Focus groups were done, surveys and a design summit including all parts of campus community. Student leadership traveled to see other institutions in the Southwest area. We had 400 people looking for space this fall that we could not provide. This project is a little different. We need to open for fall 2011 academic year. Proposing looking August 2011 for first phase.

Brian Wilhelm, CEO, ACC;

American Campus Properties presentation focusing on ACC and strong financial partner. Brief presentation on purpose of ACC. We own 139 community premier campus housing companies nation-wide.

Director of Real Estate Kim Murphy

Master Agreement between UNM, ACC, and Lobo Development Corporation, which will provide a key role in delivering new student housing, multi phase, multi year agreement which sets out process for project development, information, comment, and revisions if necessary. Each specific project will be presented at Lobo Development and to the Board of Regents in a process that will allow three steps for approval for each project. Our staff has already begun a process of engaging all constituencies, student leaders, faculty senate, neighborhood groups, and we will continue to broaden this effort to ensure all individuals and groups have information and can provide comment into project development. The focus today is the Master Agreement.

University Counsel Patrick Apodaca

Present broad overview of Master Agreement, legal document before you today for approval. This agreement sets out only the legal framework and process to get to further study and analysis of each project site, leading up to the point when we negotiate ground leases that UNM will grant to ACC, and when projects will be constructed. The Master Agreement is in tab 21 of BOR book, including summary of key points. The Master Agreement between UNM, Lobo Development Corporation and ACC, and we are asking your approval. It has been approved by Lobo Development Corporation and by the Finance and Facilities Committee.

Key terms of process: The Master Agreement -Regents authorize Lobo Development to provide real estate management and development service for the project. Lobo Development Corporation will review the ACC submittals and make recommendations to the Board of Regents regarding each of three possible housing components. Lobo Development Corporation will also negotiate the ground lease terms, if a particular is component is approved.

The three housing components are: (1) new apartment style housing project for upper classmen on South campus consisting of approximately 700-1100 beds. This phase has to be completed under agreement, by August 15, 2011 under terms in the

agreement. (2) A residence hall on main campus consisting of approximately 1300 beds, and the completion date for this phase is Aug. 25, 2013. (3) is the balance of number of beds called for in Lobo Development Corporation approved Strategic Housing Plan, providing there has to be at least 1000 beds net gain on main campus. ACC will prepare a proposed Strategic Housing Plan, a key document including overall housing market study, development sites, and a feasibility analysis including recommendations for existing housing development, phasing and schedule. Strategic Housing Plan will be submitted to Lobo Development for administrative review, comment and approval, and then Lobo will seek UNM input before it considers final approval. If Lobo Development approves, ACC takes next step to notify of its intent to proceed with a particular component. ACC set out details of component project. Except for component 1, phase 2 and 3 need to wait for approval of the Strategic Housing Plan. Preliminary materials will define concept of site, architectural plans, preliminary budgets, housing supports and service plans, including parking, utilities, impact on current residents, student housing support services by UNM.

Once ACC delivers preliminary materials to Lobo Development Board acts on, and if approval, Lobo Development presents to Regents for approval, then we have specific details of a component plan. Next step is to negotiate a ground lease, for that approved component, and Lobo will handle the negotiations on behalf of the Regents. If a ground lease is signed for a particular component, ACC then performs pre-development Services and prepares final materials. Details of final project requirements for the ground lease, specs, budget, including construction schedule, etc. Lobo Development has to approve or at least review and comment. That is basically the process. A Provision in agreement that could require UNM to reimburse ACC for certain out of pocket costs. Percentages varies-becomes progressively higher the later Lobo or UNM opts out of a project as it has a right to do under the agreement. Master agreement exhibit B includes ground lease and term sheet of basic terms included to be negotiated in each ground lease.

Discussion on ACC Student Housing Proposal:

Regent Chalmers; can you explain UNM in middle of master plan for UNM Section 1.6 of our agreement refers to that, and how from timing standpoint does that affect the process. We are not ignoring that we have a master plan in process and there are some timing issues that are dealt with in 1.6 in the contract. ACC is well aware we are in process of doing a master plan. There are timing issues between strategic housing plan and the UNM master plan, page 7, 1.6 of the master agreement. For those people who wonder why we are moving forward like this we have a need and demand for student housing to further our mission and we are on a tight schedule. If we miss it by a month, we miss it by a year because all students will have signed leases for housing for a year. ACC would not want to miss for year and neither would we.

University Counsel Apodaca; Provision in agreement acknowledges existence of the master plan. Master plan and strategic housing plan must be consistent. Ultimately

the Master plan, a much broader picture, would then confirm with whatever is in the strategic housing plan.

Regent Koch; we have to realize why it is so important on the master plan the biggest problem we have is not that we can build very easily student housing on the main campus, but where will we put new dorm on this campus, will we have tear downs, or what, but when we start looking at the master plan to see where we will build future student housing on this campus, hopefully by 2013. Everyone has to understand that 2011 for opening of South campus can be achieved if we move quickly. If we don't do it, it will be 2013 before we have any relief for students.

If I was a student, I will not have an opportunity for a new facility. Master Plan will go back to faculty, students, to look at. Our biggest problem is where we put student housing on this main campus. What do we do, tear down, remodel? Over 400 students we could have had enrolled with housing. When we have 3 students to a dorm it is unacceptable. I am pleased students have gone to see ACC facilities. I don't know if we will adopt a master plan in the next 3-4 months. In 2006 we started talking about dorms and 3 years is gone and we still don't have new facilities.

This agreement has been carefully talked about. ACC will build the first one, and the commitments by 2013 to build at least 1000 rooms on main campus. Key is for student housing. South campus land vacant, parking available, utilities there, no neighborhood association problems, and no congestion problems. But when we come on main campus, they will be issues of discussion. That will be a big debate, like parking structure, north golf course. Students are primary at this university, we are showing some growth, and if we do not act now, it will be 2013 before we can do something about student housing. If we miss it by a month, it will be 2012.

Regent Chalmers; noted this discussed in Lobo Development that if we do not act --in 2013 what happens? We would have fewer housing units not more.

Student Regent Wisdom; as a student and having lived on campus for 3 years, I can testify to what President Schmidly said about the importance of living on campus and student success, to network, and experience the diversity of our campus. I have visited ACC on other campuses. We do not have comparable upper classmen housing. Students do not want to miss out on programs and growth opportunities that our campus offers. So I think a project like this is very important to have at UNM, even though it is at South campus, there is an opportunity to grow and develop and include amenities. We have a need for upper classmen n housing at UNM.

Regent Chalmers; Financial strength, idea of partnering, ACC is is an advantage to UNM, only way frankly, we can build and finance student housing without it affecting the bond rating for the university, therefore it makes other projects possible. We are proposing to approve a master agreement here, with different points where we can opt out if the Regents are not satisfied with some of the plans ACC might put forth, and finally because it is on the South campus, issues of transportation have

been talked about, and it is an obligation of UNM to provide between South and Main campus. That is where master planning comes into play.

Regent Gallegos; wanted to call attention to financial strength. The public corporation that the ACC representative spoke about is not, I repeat, is not the corporate entity that will be building these residence halls. The agreement provides that every construction project will have its own separate special purpose corporation, which is basically just a shell which means it's absolutely vital that when the ground leases are prepared that there are guarantees of performance made by ACC or we actually do not have the financial responsibility that we expect. That message needs to be clear and I understand that is expected to be covered in the ground lease.

Regent Koch; Lobo Development addressed and agreed to this, we agreed to this point, and have talked to ACC, to cover the Regents, it goes to Lobo Development, then Finance and Facilities, then full Board, so those particular questions have been raised and we have a satisfactory response. That is a point that Regent Gallegos is correct on.

Regent Chalmers; part of my thinking is it does not affect the financial bond rating for UNM and unless we get assurances to satisfy us, and Wall Street. We are very cognizant of that and it has been discussed thoroughly in Lobo Development as well as the F & F committee.

University Counsel Apodaca; that was heavily discussed in the negotiations. This will be discussed in the term sheet and there is a specific provision that would require that ACC would provide a guarantee of obligations of its affiliates, the special purpose entity that would be reasonably satisfactory to UNM, and that would either be provided by the large operating corporation of ACC, operating partnership LLP or another guarantor that is we are reasonably satisfied with. So that will be a specific point of the negotiation, at least the refinement of that element, in the ground lease.

Regent Sanchez; item covered under Exhibit B, item 14, is a good point, and glad you brought it up. We have to be aware that there are separate entities but the assurances granted are in the term sheet. I see John Salazar, who is representing UNM as his client; this will not go unattended, am I right?

Motion approved unanimously. (1st Koch, 2nd Chalmers)

D. Approval of Medical Staff Appointments and Reappointments and Expansion of Privileges dated June 5, 2009, August 6, 2009, August 14, 2009, and September 4, 2009. Steve McKernan, CEO, UNM Hospitals

Motions approved unanimously for each listing, noting one duplicate list included in error. (1st Fortner, 2nd Abeita)

Information:

E. Lobo Energy Board Climate Action Plan, Mary Vosevich, Director Physical Plant

President's climate commitment commits UNM to work toward climate neutrality. Plan is a requirement and talks in 5 year increments how we can reduce our greenhouse emissions by 2030, target reducing by 80%. Plan talks about a sustainable community at UNM

F. UNM Hospital Monthly Activity Update, Steve McKernan, CEO UNM Hospitals

G. UNM Hospital Dashboard Report, Steve McKernan

X. Public Comment

Sireesha Manne, Staff Attorney, NM Center on law and poverty Remarks included as an attachment to the minutes (#6)

Carol Anda, CCHA, thanked Regent Sanchez for his welcome, and noted that CCHA plans to attend every BOR meeting until the issues are resolved.

Bianca _____, expressed concerns about health care affordability and access.

Isaac Grody-Patinkin CCHA, also expressed concerns about health care affordability and access.

Regent Raymond G. Sanchez thanked the individuals providing public comment, and noted they are welcome to attend Board of Regent meetings. UNM Hospital Board of Trustees has been directed to address your concerns.

XI. Adjournment

Motion approved unanimously to adjourn the meeting and proceed in Executive Session at 12:21 p.m. (1st Chalmers, 2nd Abeita)

XII. Executive Session –Cherry Silver Room

- A. Discussion and determination where appropriate of limited personnel matters pursuant to Section 10-15-1-H (2) NMSA (1978)
- B. Discussion and determination where appropriate of matters subject to attorney-client privilege pertaining to threatened or pending litigation and discussion and determination where appropriate of potential purchase, acquisition or disposal of real property, pursuant to Sections 10-15-1-H (7 & 8), NMSA (1978).
- C. Discussion and determination where appropriate of potential purchase, acquisition or disposal of real property pursuant to Section 10-15-1.H (8), NMSA (1978).
- D. Vote to re-open the meeting.

Motion approved unanimously to reopen the meeting at 1:38 p.m. (Abeita, Gallegos)

- E. Certification that only those matters described in Agenda item XII were discussed in Executive Session and if necessary, ratification of actions, if any, taken in Executive Session.

Motion approved unanimously to ratify resolution. (1st Abeita, 2nd Gallegos)

Motion approved unanimously to adjourn at 1:40 p.m. (Abeita, Wisdom)



Regent Raymond G. Sanchez



Regent Carolyn J. Abeita

President

Secretary/Treasurer

Attachments:

1. President's Administrative Report
2. Faculty Senate Report
3. Staff Council Report
4. GPSA Report
5. Parent Association Report
6. Public Comment, NM Center on Law & Poverty



Faculty Senate President
Douglas Fields

Regent's President Sanchez, Regents, President Schmidly,

Good morning, and thank you for the opportunity to speak to you and the campus community. As you are aware, Faculty Senate has been quite busy since the last time I presented to this body. I've heard through the rumor mill that some people in Scholes Hall feel that the faculty want "to run everything". Let me assure you that this is emphatically not the case, and most everyone I know would prefer to spend their time with their students, colleagues and families. However, as we do our research, teach our classes, and interact with the public in our community service, we also want to feel supported in our efforts, proud of our institution, and secure in the future of this institution as New Mexico's flagship institution and the only research extensive institution.

To that purpose, we have worked with the administration in several important areas, and, where we have felt the need, we have spoken out in several circumstances just over the past few weeks. Allow me to give you a brief of where we have tried to serve the best interests of the University, why we felt it was necessary, and where we feel that things went wrong, how we think these situations could have been avoided.

Retirement Incentive (Richard Wood)

As Provost Ortega and Deputy Provost Holder have been exploring the possibilities of offering the faculty Retirement Incentives, we have worked to help frame the discussion in a way which will make any program work, not just for faculty members who might choose to retire under the program, but also for the departments which may lose significant numbers faculty, and for UNM, which has a financial interest in the success of the program. An extensive and comprehensive report discussing retirement incentive issues at UNM, penned by Richard Coughlin of the Sociology department, has been submitted to the Provost, and is available from the Faculty Senate web site. Absolutely critical to any retirement incentive program, if faculty are to support it, will be guarantees that any money saved will be put back into tenure-track faculty hiring. Only this will prevent further erosion of the core faculty that drive UNM's academic mission.

Faculty Workload (Howard Snell)

Faculty workload issues have been presented as a part of President Schmidly's work plan for the upcoming year. For several years the Faculty Senate has been trying to compile data that presents a complete picture of faculty numbers at UNM together with a picture of the number of student credit hours, financial resources for the various units, faculty research productivity, etc.

A preliminary analysis of trends in the number of student credit hours taught per faculty member at UNM suggests an 88% increase since 1998. However as the number of tenure track faculty on the main campus has decreased approximately 27%, the number of graduate student credit hours taught

per faculty has decreased approximately 10%. Within Colleges on the main campus, those that lost the least tenure-track faculty, or in some cases increased their numbers, have shown the least decline in graduate student credit hours as well as greater rates of increase in total student credit hours. While these numbers need to be finalized and coordinated with the Office of Institutional Research, it is clear that declines in the numbers of our tenure-track faculty have direct consequences for our ability to generate state funding via the legislative formula as well as the quality of our academic programs.

Howard Snell, last year's Faculty Senate President has made a presentation to the Academic and Student Affairs Committee of the Regents, and will continue to engage the Provost's office and others to gather and analyze pertinent data which should help frame financial decisions at UNM.

Campus Planning and South Campus Dorms (Mary Lipscomb and Doug Fields)

There has been a grassroots effort to give the neighborhoods surrounding UNM a more substantial voice in determining UNM's Master Plan and in influencing individual development projects. Recently, GPSA passed a resolution asking that the Neighborhood associations be given a vote on the Faculty Senate Campus Planning and Development committee (CDAC), and asked that the Faculty Senate pass a similar resolution. The OPS committee of the Faculty Senate considered the resolution as presented by the GPSA, and while we are supportive of there being a forum which gives the neighborhoods a vote on such issues, we are uncomfortable with CDAC losing its primary focus of giving a faculty perspective on these issues. What we have (informally) proposed instead is that UNM form a UNM/Albuquerque Development Board that would give voting rights to a broad spectrum of internal (faculty, staff, students, etc.) and external (neighborhood associations, etc.) constituents in order to form consensus on the UNM Master Plan and individual UNM developments. I have met with the other constituency leaders, Representative Chasey and City Councilman Benton together with CDAC chairman Alf Simon. We discussed many of the common concerns of the community, faculty and students and will soon have a recommendation from CDAC for consideration by the UNM Planning Authority. While the Faculty Senate appreciates the extended time frame to consider the Master Plan suggested by VP Beffort and approved by President Schmidly, we hope that these common concerns can be addressed to the mutual benefit of all, rather than just acknowledged and dismissed. Councilman Benton has assured me that the city council is reaching out to work together with UNM, and is very serious about supporting, both financially and in principle, bringing in someone who can help the administration navigate through the process of building healthy relationships with all of its stakeholders - from students, staff, and faculty to neighborhoods and the city.

The Faculty Senate leadership has noted that while the Master Plan approval has been delayed per our request, approval of the Memorandum of Agreement with ACC is still on the agenda for today's meeting. In principle, we oppose moving forward with a project without a Master Plan in which to put it in context. However, we will not oppose moving ahead with the MoA, if there can be assurances that it will not lock the university into a particular site or a particular design. An integral part of any time-line for this, or any project, should be the inclusion of planned and facilitated meetings with the affected constituency groups.

HLC Report Survey (Tim Ross)

The Faculty Senate has followed closely the visit of the Higher Learning Commission accreditation team, their report, and the administration's reaction and actions towards fulfilling the requests of the report, in particular those dealing with shared governance. A survey can play an important role in getting a quantitative measure of the success or failure of efforts aimed at creating an environment of collaborative and congenial shared governance. However, the process of taking a survey, in and of itself does not, in our opinion, address the concerns of the site visit team. As always, we look forward to working with President Schmidly to create policies and procedures which will codify our mutual commitment to shared governance.

Faculty Requested Audit (Doug Fields)

On Friday, September 18th, I made a presentation to Regent's Audit Committee on the Faculty requested audit. The Committee discussed each of the recommended scope items from the office of the State Auditor:

Item #1: Budget comparisons of "restricted" Instruction and General (I & G) funds expenditures/revenues at the college or office level, broken down into the following categories: (a) instructional; (b) academic support; (c) student services; (d) institutional support; (e) physical plant (f) any other units receiving I & G for FY03, FY04, FY05, FY06, FY07, FY08 and FY09.

Item # 2: A detailed analysis of Facilities and Administration (F & A) revenues and allocations/expenditures sufficient to explain the Office of the Vice President for Research (OVPR) debt and the reduction in the F & A return to the units for FY03, FY04, FY05, FY06, FY07, FY08 and FY09. Include a comparison of budgeted amounts to actual expenditures/revenues.

Item # 3: A detailed analysis of the amount of funds that were "harvested" (including the tax on growth in fund balances), and where the money was transferred for FY03, FY04, FY05, FY06, FY07, FY08 and FY09. This analysis should include details of revenues and transfers into and out of the Reserves (I&G contingency account or Undesignated Fund Balances.) Include a comparison of budgeted amounts to actual expenditures/revenues where applicable.

Item # 4: A detailed analysis of how the current operations of the Rio Rancho campus are being funded including the impact on the I&G budgets for FY 10 and FY 11.

In the course of the Regent's Audit Committee meeting, it was decided that:

Information from FY03 and FY04 were difficult to compile in a way which would be simple to compare with the other years because of the change from the old accounting system to Banner. The committee decided to drop these years and to make it a five year study (from FY04).

Item #2 was already accomplished in the 2007 audit of the OVPR's office. The Faculty Senate President and an audit specialist from the faculty will be given access to the working documents of the audit to verify that the audit was not significantly redacted from its original.

The term "restricted" will be removed from Item #1, and the sentence "Include a comparison of budgeted amounts to actual expenditures/revenues." will be added to the end of Item #1. The

Faculty Senate President will be given access to any discussions or working papers of the auditing firm, subject to NM state law and standards of auditing practices.

At our September 22 meeting of the Faculty Senate, the following motion was made and unanimously approved:

Whereas, the faculty of the University of New Mexico at our General Faculty Meeting of February 2009 requested an audit of university expenditures in recent fiscal years; and

Whereas, Faculty Senate President Doug Fields has worked to advance that audit in dialogue with the UNM President and Board of Regents;

Therefore, the UNM Faculty Senate hereby endorses the approach adopted by Faculty Senate President Doug Fields in moving ahead with said audit on the revised terms agreed upon at the September 19, 2009 meeting of the Audit Subcommittee of the UNM Board of Regents. We further authorize the Faculty Senate President to withdraw faculty support from that audit process if in his judgment it is not pursued in a reliable and transparent way.

Rt. 66 Casino Advertisements (Pamela Pyle)

While, in general, the “running of the business” of UNM clearly falls into the administrative side of the shared governance equation, I will refer back to my earlier statement that it is important as researchers working in an international environment that we feel pride in our institution. The recent advertisements by Rt. 66 Casino are completely inappropriate, as I believe we all agree, and are detrimental to maintaining a shared sense of community. Understanding how these ads got approved is critical to avoid repeating this embarrassing mistake. At the very least, there should be adherence to the University Business Policies and Procedures Manual 2150, which covers businesses which sell alcoholic beverages and sponsor UNM events. The first bullet of item 2 in this policy states that advertising by these companies:

“should avoid demeaning, sexual, or discriminatory portrayal of people”

The Faculty Senate unanimously approved the following motion:

The Faculty Senate of the University of New Mexico finds offensive the currently-running Route 66 Casino ads utilizing UNM logos and symbols. These ads in no way reflect our mission as an institution of higher learning and they devalue our focus as a Research I institution. We object to this presentation of UNM, as it fails to represent any of the University’s core research and teaching mission.

We hereby request that these ads be removed.

One might ask, “Why was Faculty Senate involved in this issue?” When Faculty Senate brought this issue to the President’s office, we were told that only two people had complained about the advertisements. Yet, we were being bombarded by complaints from faculty, staff, students and alumni. Perhaps it would be instructive to understand why people felt safe in bringing the subject to Faculty Senate, and confident that their complaints would be acted upon.



September 29, 2009

UNM Board of Regents

Good Morning,

I'd like to bring your attention today to the topic of shared governance. This has been a long running discussion on campus, and I had the recent opportunity to provide input into an information gathering session aimed at creating a survey of all Faculty and Staff to measure their perception of governance and communication on campus, now and in the future. I believe the topic is also timely in light of the current discussion of the Campus Master Plan, the proposed student housing project, and the work that was done by American Studies students over the summer on the topic of Community Engagement at UNM.

The point I'd like to raise is that there are many potential definitions of "Shared Governance" and that it would be useful to have a common understanding of what that means before attempting to measure progress toward it. From my perspective, shared governance has to begin with trust, respect, and inclusion. If we don't start with that, it's my firm belief that attempts to resolve issues of shared governance will serve more to hide endemic problems than to provide a way forward that leverages the significant assets that we already have on campus. With that in mind, I propose that we reframe our vision of shared governance away from a picture of shared governance as a problem to be dealt with and constituency input as a hurdle to clear before we can get back to "getting things done."

With a small shift in perspective, it is quite clear that we have significant intellectual and leadership resources here on campus that, if not drawn upon, represent an untapped resource for achieving measurable progress for the university at a time in which new resources are hard to come by. Through engagement and connection with constituencies and constituent leadership we have opportunities to decrease the duplication of effort, draw on one another's strengths, and collectively reach for goals that cannot be reached by any of us alone. While this vision is a dream, the components for getting us there are simple and well within reach: humility and grace in our interactions with one another, and inclusion in decision making structures and problem solving sessions in a way that is timely and allows meaningful input early enough in the process to make a difference. If we start from there, it's easy to see how the university as a community, collectively and individually, has ownership of the solution and will work to make it succeed. It is fundamentally the connection to each other and to a shared purpose that allows the university to act as a single organism. Without that, we end up competing against each other, with the loser being the quality of the services we provide.

In addition to the simple concepts of cooperation and mutual support, there is a real need for constituent leadership to have the tools and resources needed to lead effectively and provide

meaningful input. In the Staff Council, I've been looking at ways to increase our institutional memory and bring new leadership in. One of the ideas that we've been discussing with HR's Employee and Organizational Development is the concept of developing a leadership orientation that would provide a foundation for things such as resolution and policy development, legislative process, budget preparation, and the ins and outs of working with the regents, administration and other constituency groups. In addition to foundational knowledge, time and support for staff taking on leadership roles in campus wide initiatives (both as staff council representatives and otherwise) is a keystone that supports the institution and the process. Along those lines, and with President Schmidly's support, we are looking at ways to strengthen manager and supervisor support for this kind of work. While I am personally lucky to work under the leadership of my supervisor, Debby Knotts, and Vice Provost Jerry Dominguez who know and value this service, not everyone on campus enjoys this support, and there is a clear temptation to pull back on it when things get tight as they are now.

Along those lines, I feel it is also my responsibility to acknowledge and thank some of the people who have been working with me and the council over the last few months to come up with real solutions for issues we face on campus: Marc Saavedra and the Government Relations Office, Helen Gonzales and Duane Arruti from HR, Andrew Cullen and Curt Porter on the budget side of things, Carol Stephens in the Policy Office, Danielle Gilliam at Parking and Transportation Services, and President Schmidly and Marla Wood in his office. While it is clear that resources are as scarce as time, that the challenges we face continue to grow, and that we still have much progress to be made as an institution, the conversations are starting and a shift in approach, whether of volition or necessity, is beginning. Whatever the case, it is clear that the university's ability to weather the state's budget storm is dependent on getting this worked out. While the economic situation didn't create the shared governance issue, it does underscore its importance.

As economic conditions tighten, finding creative ways to show the critical importance and benefit of State investments in Higher Education to the public and the legislature are more important than ever. A university work force that in many areas did not have redundancy or overlapping job duties has been impacted by lack of Cost of Living Adjustment increases and pause and hold strategies, and it is increasingly clear that more cuts cannot be absorbed by staff without impacting the quality of the services that we offer. With that in mind, every decision regarding university priorities, debt service capacity and bond ratings, as well as spending allocations have immediate and far reaching implications on the services we provide. Creativity and fresh perspectives in this regard are nearly as important as early inclusion in decision structures.

In the end, as constituencies and factions we may not agree on everything. However, we can move forward in meaningful ways by focusing on items that we can all agree on as having lasting benefits for the institution. It is a fallacy to believe that we all represent factions with interests that do not significantly overlap. In fact, our common interests largely outweigh our conflicts, with issues of student success and retention, advisement, minimizing state cuts to education, and the furthering of the core missions of the university representing the most easily identifiable places in which this is true. If we can begin with small successes, we can then move on to more controversial subjects once we've proven it to be a successful approach. With that

said, I invite a serious discussion about concrete ways in which we can work together as a university and a larger community to solve real life university problems such as our shared governance concern.

I had a very productive meeting yesterday with the Campus Development Advisory Council Chair Alf Simon, City Councilor Isaac Benton, State Representative Gail Chasey, and the leaders of Faculty Senate and GPSA. In the meeting, we discussed, among other things the connection between the university and the city. I know UNM Planners have felt frustration at community opposition to development plans, much as community leaders have expressed frustration about not being involved in the process. The important point with community engagement, I believe, is much the same as the one I made about shared governance. Our community shouldn't be thought of as an obstacle any more than the university should be thought of as an external entity. A vibrant university breathes into and out of its community, provides services to, and gets support from, its larger base. With a cohesive vision shared by the university, its surrounding businesses, neighbors, the city, and the state, we can solve problems in a way that does not represent a zero sum game. Instead, by drawing on research faculty, support staff, undergraduate and graduate students in new ways, we can make use of living laboratories, and at the same time improve the university and the neighborhoods in which many of us live. My impression from yesterday's meeting is that the approval of the Master Agreement for Lease of UNM Sites for Student Housing is not necessarily a bad decision, as long as it doesn't lock the university into an agreement for a specific site or design that could end up being at odds with a bigger vision built in the coming months as work on the master plan continues. Facilitated meetings like the recent one lead by Tim Karpoff with university officials, the city and neighbors, seem to be a step in the right direction, as is a closer look at successful models used at other institutions such as the University of Washington, Princeton, UNC Chapel Hill, and UPenn.

Leadership, and power, in my experience, comes not from votes, position, titles, or money per se, but rather from one's commitment and ability to share a vision with a larger group of people who are ready to work toward it as an end and support it as an outcome. The bigger and more inclusive that vision is, the broader, more courageous, and bold the projects we approach can be.

Elisha Allen

Staff Council President



GPSA @ UNM

Graduate And Professional Student Association

Board of Regents 9.29.09 Meeting: GPSA President Comments

Good morning Regents, President Sanchez, President Schmidly, and everyone else present,

During the first 6 weeks of classes, the Graduate and Professional Student Association hosted a successful 40 Years of GPSA reception on Sept. 3, we held two GPSA Council Meetings on Aug. 29 and Sept. 12, one Constitutional Convention, and we had fun tailgating together before the State game this last Sat.

The GPSA Council has passed two resolutions regarding the following issues (see attached):

- 1) Call for the observance of veteran's day at UNM
- 2) Call for increased community participation in campus development decisions

Shared Governance and Transparency

Graduate students have asked me to request continued efforts at including graduate and professional students in the decision making processes on campus :

They have asked to be brought to the table as the arrangements between different entities at UNM and Centro Fox continue to be developed.

With regard to campus development, graduate students have asked that student surveys be completed by professional pollsters and/or researchers who do not have a conflict of interest (ie they are not the company hired to design the plans for the project) and have requested that a random sampling technique be employed.

We also strongly encourage the Regents to tap into the resources we have right here on campus with regard to planning. The students, faculty and staff support at the College of Architecture and Planning and within the Public Administration program are a valuable resource that if utilized by the Administration would communicate how respected and proud the Regents and administration are of the quality of education and research UNM is capable of.

With regard to community-university relations, graduate students have asked that models for building and maintaining positive and mutually beneficial town and gown relationships be studied before the Master Plan be developed further. Examples include Washington State, Chapel Hill, and Princeton.

Student Housing

With regard to the Approval of Master Agreement for Lease of UNM Sites for Student Housing, we wholeheartedly support the efforts to develop more on-campus student housing, we also recommend a University approval process for off-campus (non-UNM) housing, however we have serious questions about the South Campus site being proposed and the type of housing being proposed. We would like to see more discussion regarding locating this housing adjacent-to and/or on-campus and to designing higher density structures that honor the historical architectural styles at UNM. Referring to the South Campus as "on-campus" housing is misleading and inaccurate.

Observance of Veteran's Day

Finally, we are in support of the Student Veterans in their request to have UNM take a day off from classes in observance of Veteran's Day. With the new GI bill bringing more Veterans to the University we feel this is an important constituency that deserves our respect.

Read it is resolved from GPSA resolution:

"BE IT RESOLVED that the President and Council of the Graduate and Professional Student Association of the University of New Mexico wish to express gratitude and respect to all Veterans who are part of the University of New Mexico community as students, staff, and educators and hereby call upon the University of New Mexico to permanently recognize Veterans Day, November 11 as such a day to remember those men and women who sacrificed their lives defending our Nation with a day of respite for both staff and students."

If anyone would like a copy of these resolutions, please let us know as we are happy to send you a copy via email.

Sincerely,

Lissa Knudsen, GPSA President

This Resolution of the Graduate and Professional Student Association Concerning Community Engagement in the University of New Mexico's Planning and Development Process is submitted for consideration by the GPSA Council.

WHEREAS plans are currently underway to expand the University of New Mexico over the next twenty years; and

WHEREAS community engagement is a foundational principle of sustainable development, one of four stated goals guiding UNM's plans for growth and expansion, and part of the Campus Development Advisory Committee's (CDAC) core mission; and

WHEREAS graduate and professional students are community members and are invested in successful collaborative relationships between our communities and the university as teaching assistants, research assistants, students, and employees; and

WHEREAS the CDAC is the only official outlet for community and residential involvement for contributing to UNM's development that directly affects hundreds of thousands of residents throughout the City of Albuquerque; and

WHEREAS neighborhood representation on the CDAC is limited to four representatives from neighborhood associations that are located in the four quadrants (north, east, south and west) that are contiguous with the main and north campuses;

WHEREAS several neighborhoods directly affected by UNM's growth have no representation at all; and

WHEREAS neighborhood representatives have no vote on the Campus Development Advisory Committee; and

WHEREAS according to neighborhood residents, the proceedings, findings, and recommendations of the CDAC are neither transparent nor readily available to the public; and

WHEREAS there is no central on-line website or physical location where residents, students, faculty, and interested city officials can go to learn about UNM's growth and development and offer important or relevant feedback or comments on the University's campus development plans; and

WHEREAS the Campus Development Advisory Committee is only an advisory committee with no direct say in whether or not a project should actually be undertaken; and

WHEREAS there are no mechanisms in place to ensure that the Committee's recommendations or the suggestions and concerns of neighbors are actually implemented and there is no way to "track" the implementation of said recommendations; and

WHEREAS historically the CDAC has not been the most effective mechanism for citizen input because it often addresses issues not pertinent to neighborhood concerns; and

WHEREAS Community engagement modeled on the Research Service Learning Program (RSLP), is highly cost effective, and it fulfills UNM's commitment to research, teaching, service, and civic responsibility; and

WHEREAS an effective process for community participation in, and input on, campus planning and development will mitigate the costly delays, legal challenges, and project cancellations that result from a lack of community participation; and

WHEREAS in its 2009 accreditation report, The Higher Learning Commission noted that community engagement is crucial to institutional integrity and that "Open and honest communication is critical not only within the university, but must also be extended from UNM to local community citizens to establish and maintain credibility and trust."¹

THEREFORE, BE IT RESOLVED by this council that the University of New Mexico establish a clearly defined, consistent, open, inclusive, and effective process for community participation in, and input on, campus planning and development,

IT IS RESOLVED that this council calls on the University of New Mexico with the advice of the UNM student body to create a separate entity (be it a board, commission, or committee) to specifically focus on community participation, communication, and relations,

IT IS RESOLVED that this entity be empowered to convene community-university committees as needed to address the concerns of specific neighborhoods relevant to particular development projects,

IT IS RESOLVED that the UNM Board of Regents direct President Schmidly to work with the Office of the Provost, the Office of Institutional Support Services, Campus Planning and Development, neighborhood representatives, and the Campus Development Advisory Committee to:

- develop a process for communicating with neighboring communities and the City of Albuquerque at the outset of its plans for campus construction and campus expansion to begin with the relevant Request for Proposal (RFP).
- allow adequate time for feedback on development plans and to determine and establish shared goals for campus development (i.e. before construction begins).
- communicate with communities, including (but not limited to): the creation of a staffed and interactive website where citizens could provide direct feedback on development plans and where information could be posted, dated, and regularly updated. Hard copies of this information should be available at the Planning and Campus Development Office. Regular and consistent contact with neighborhood leaders and residents through quarterly forums, the production of a monthly or

¹ Higher Learning Commission Report (HLC)
unm.edu/~accred/SupportingDocuments/UNMAAdvance.pdf Pg. 4, 5.

quarterly newsletter, detailing UNM's evolving plans for growth and development and inviting feedback from residents.

- give neighborhood representatives a vote and expand neighborhood representation on the Campus Development Advisory Committee to include any and all neighborhoods with a stake in UNM's development, including those neighboring south campus and the Rio Rancho campus.
- call on the Board of Regents to track and implement the CDAC's recommendations
- facilitate greater community, student, and faculty participation on the CDAC by requiring the committee to meet after working hours in a larger, more open, and more accessible location such as UNM's Continuing Education Building.

IT IS RESOLVED that in the interests of transparency and a more inclusive, democratic, and dynamic planning process that truly and consistently incorporates the needs and concerns of our shared communities that the ideas and feedback of UNM's neighbors are not simply heard but are implemented.

**A Joint Resolution Calling for Observation of Veterans Day
at the University of New Mexico**

WHEREAS, freedom is not free, it is paid for through the blood and sacrifice of those men and women in service of our Nation, State, and people; and

WHEREAS, throughout our history courageous individuals, from all walks of life, have donned the uniform of our Armed Forces and built a noble tradition of faithful and dedicated service to our Nation; and

WHEREAS, Veterans Day has been set aside as both a national and state holiday to honor the 49 million patriots who served during times of war and peace from the inception of our Nation, and to pay tribute to the over 1.2 million men and women who gave their lives and paid the ultimate sacrifice; and

WHEREAS, Veterans Day is not just another day off of school or work but a day of reflection to honor and remember those who have defended our Nation and to never forget that they are our Nation's true heroes and owed a debt of gratitude that can never be repaid; and

WHEREAS, living Veterans are a blessing to our Nation and State and their valuable contributions and knowledge earned while in military service benefit all walks of life from becoming educators to servants of the community through public service or pursuing higher education and training programs; and

WHEREAS, duly earned Veteran Affairs education benefits provide the University of New Mexico with a financial and economic benefit of over \$6 million for tuition and fees for students in undergraduate and graduate programs per semester; and

WHEREAS, the University of New Mexico President, David Schmidly, has proclaimed that the University of New Mexico will achieve a goal of becoming a "Veteran Friendly" university; and

WHEREAS, the University of New Mexico designates and recognizes Veterans Day as a day of work for students, staff, and faculty for reasons of the negative economic and financial impact and lessening of the number of educational periods of instruction hours mandated; and

WHEREAS, the University of New Mexico can fully address and overcome the impact of economic and financial hardship and the disruption of educational periods of instruction hours mandated by extending the semester one day to make-up for a day-off for Veterans Day in honor of the estimated 1,300 Veterans attending the University of New Mexico in undergraduate, graduate, and professional student status.

NOW, THEREFORE BE IT RESOLVED that the President and Council of the Graduate and Professional Student Association of the University of New Mexico wish to express gratitude and respect to all Veterans who are part of the University of New Mexico community as students, staff, and educators and hereby call upon the University of New Mexico to permanently recognize Veterans Day, November 11 as such a day to remember those men and women who sacrificed their lives defending our Nation with a day of respite for both staff and students.

IN TESTIMONY WHEREOF, the President and Council of the Graduate and Professional Student Association of the University of New Mexico have hereunto subscribed their names and have caused the seal of the Graduate and Professional Student Association to be hereunto affixed in the City of Albuquerque on this 1st day of September, 2009.



**PARENT ASSOCIATION REPORT TO THE BOARD OF REGENTS
BY: PRESIDENT, MARIA PROBASCO
SEPTEMBER 17, 2009**

- The UNM-Parent Association Board of Directors meeting was held on August 13, 2009. Items covered were:
 1. Approval of Strategic Planning Initiatives. (Please see Attachment #1.)
 2. Announcement of Scholarship Recipients. The recipients are:
 - a. Joy Jennifer Marquez (\$1,000)
 - b. Mariela Victoria Leyba (\$1,000)
 - c. Sasha Rose Pellerin (\$500)
 - d. An additional \$1,000 scholarship went to a graduate student who wishes to remain anonymous.
 3. Approval of Kathy Meadows to Chair the Recruitment and Membership Committee.
 4. The Parent Association has a tremendous opportunity to influence student success and enhance UNM's positive image. However, the Parent Association's President's report, addressed concerns brought forward by members of the Board, committee members and Parent Club Chairs on the issue of UNM Administrative support to the association which could keep the Association from meeting its full potential. The need to improve in this area is critical to the organization in order to ensure success.

Subsequent to the Board meeting, in order to address the UNM Administrative support issues to the Parent Association, the Office of Student Affairs structured the "Parent Relations Office and Parent Association Restructuring Proposal." (Please see Attachment #2.)
 5. The Association was very happy to have Provost Suzanne Ortega attend the meeting and speak to the Board. Thank you Dr. Ortega!
 6. The Association was also pleased to have parent Karla Jaramillo, Santa Fe Parent Club Chair attend the meeting and speak of opportunities for the University, parents and students in Santa Fe and the surrounding communities.

- **As Directed by the Association's Board of Directors, the By-Laws Committee is working with Melanie Baise, Associate University Counsel on aligning the Parent Association By-Laws with the Strategic Planning Initiatives.**
- **The Parent Association participated with Move-In week, August 18 through August 21, 2009. Parent volunteers staffed the Parent Association table from 8:00am to 6:00pm and welcomed students and parents at UNM.**
- **Parents also participated in the round-table discussions with Patrick Call, Director of Residence Life and Housing. This was a positive and inviting way to seek feedback from parents regarding Move-in Week, Housing, or any other issue they wanted to discuss.**
- **The Parent Association would like to thank Patrick Call, Director of Residence Life and Housing and all those involved in making this year's Move-In week a good experience. A special thank you goes to Residence Life, Housing, Parking and Transportation, and the Physical Plant Department for all their support and hard work during the move.**
- **Parents volunteered during the Freshman Family Day, August 23, 2009. Although the weather was not in our favor, parents enjoyed welcoming and visiting other parents during the activities in the SUB before the Convocation and for a short time at the Parent Association tent.**
- **On September 1, 2009, the Board of Directors voted the following parents to fill positions on the Board. They are : Michele Mals, Board Secretary; Christina Kitsos, Board Assistant Treasurer; Anthony Gallegos, Chairman of Communications and Marketing Committee.**
- **The UNM Parent Talk sponsored by the Parent Association, Dean of Students Office, Parent Relations Office and Extended University was presented by Ryan Lindquist, with the Student Activities Center and a panel of students on September 2, 2009. The panel focused on the numerous student organizations available, and how to get students involved and connected.**
- **The Parent Association is participating and contributing to the Family Weekend scheduled for October 23 and 24, 2009. This year's events coincide with Homecoming Week and include a 5k walk and treasure hunt, Growers' Market, educational workshops, Ethnic Center Open House, tailgate and football game. We encourage everyone to check out the Family Weekend website and sign-up for all the festivities.**

To: Ellen Wenzel, Special Assistant to the Board of Regents
From: Sireesha Manne, Staff Attorney, New Mexico Center on Law and Poverty
Re: Public Comments to UNM Regents
Date: September 29, 2009

Public Comments to UNM Board of Regents on September 29, 2009

UNM Hospital is a public hospital supported by public funds; it has an obligation to provide care for the uninsured and indigent people in our state. Why then are low income people still getting sent to collections, even after years of community advocates bringing up problems with UNMH about its treatment of indigent patients? The hospital has not responded to fix these problems.

I have taken issues to the Patient Access Committee for the past one year, which is supposed to then take these to the Board of Trustees. The Trustees never replied. I went to Steve McKernan, CEO of the hospital, but he will only talk to me with UNMH legal counsel present. Scot Sauder, UNM legal counsel, told me to take recommendations to the Community Advisory Council (CAC). I went to the CAC who said they have no power except to be an advisory board to Dr. Roth. Dr. Roth has said he does not have the power to address these issues, and says there are some legal issues that we can only discuss with UNM legal counsel. This looks like classic bureaucratic run-around. Where does the buck stop? I think it's here and it's why I've come today.

Numerous patients are getting medical care at UNM hospital, but then they're left with major billing problems. Patients are:

- Slapped with numerous, and a complex maze, of bills.
- Not getting information consistently about financial services.
- Even if they're getting information about services, they may not be eligible; there is a durational residency requirement that requires people to have lived in the county for 3 months. This is illegal and unconstitutional. While UNMH is allowed to have a residency requirement, it cannot make it based on the length of time a person has been in the County. There are also other requirements for the financial assistance programs that are discriminatory.
- Even if patients are found eligible for financial assistance programs, they still get sent to collections. This is unconscionable.
- For Native American patients, the problems are compounded. Even though UNM is under contract to provide priority services and seek payment for their services from the federal government, UNMH does not have even one policy in place yet on how to schedule or bill Native Americans in accordance with this contract.

I currently have a client who is receiving financial assistance that should pay for all his bills, and yet he is still being sent to collections because of a billing error. This is not an isolated incident; community advocates have repeatedly complained to UNMH about this particular error. UNMH legal counsel responded that this was not the hospital's problem and asked me to take this up with UNM Medical Group instead. This goes against everything we have been assured by the hospital about its financial assistance programs, which are supposed to apply to both the Hospital and the Medical Group bills.

The response by UNMH legal counsel is making this patient's life difficult. Unfortunately, it conveys the position that the hospital is not willing to uphold its public mission and that the hospital does not care about low income patients in the sense it will not take steps to assist them – this is the message.

It would be a mistake to ignore the issues that patients are facing. In my opinion, UNM's position is not defensible, and will not be defensible either in a court of law or in the court of public opinion. I ask the Regents to please put these hospital issues on your agenda: 1) UNMH's collections policy; 2) Policies for Native American patients regarding scheduling and billing issues; and 3) Residency & eligibility requirements for Financial Assistance Programs.

Thank you.