

**Minutes of the Special Meeting of the Board of Regents of the University of New Mexico
February 28, 2019
Roberts Room, Scholes Hall
Main Campus**

Members present

Rob Doughty, President; Marron Lee, Vice President; Sandra Begay; Doug Brown; Melissa Henry; Kim Sanchez Rael; Rob Schwartz

Administration present

Garnett S. Stokes, President; Rich Wood, Interim Provost and EVP for Academic Affairs; Paul Roth, Chancellor for Health Sciences; Craig White, Interim SVP for Finance and Administration; Loretta Martinez, Chief Legal Counsel; Francie Cordova, Interim Chief Compliance Officer and Director of OEO; Dorothy Anderson, VP HR; Eddie Nunez, Athletics Director; Liz Metzger, University Controller; Terry Babbitt, President's Chief of Staff; Cinnamon Blair, Chief Marketing & Communications Officer

Advisors present

Becka Myers, President, ASUNM; Boney Mutabazi, President, GPSA; Steve Borbas, President, Retiree Association

Presenters in attendance

Pamela Cheek, Associate Provost for Curriculum & Assessment

Others in attendance

Members of administration, faculty, staff, students, the media and others.

CALL TO ORDER, CONFIRMATION OF A QUORUM, ADOPTION OF THE AGENDA

Regent President Rob Doughty called the meeting to order at 1:02 PM and confirmed a quorum with all members present in person.

The motion to adopt the agenda passed by a unanimous vote (1st Lee; 2nd Rael).

BRIEFING: UPCOMING HLC ACCREDITATION VISIT

President Garnett S. Stokes opened up the briefing. The Higher Learning Commission (HLC) conducts a comprehensive evaluation of the University every ten years; UNM's last evaluation was in 2009. With the upcoming HLC accreditation site visit on March 4 and 5, President Stokes wanted the Regents to receive a briefing on what to expect and the issues the visiting HLC peer review team may want to discuss. It is typical the Provost's office does the lion's share of the work in the process for reaffirmation of accreditation; President Stokes asked Interim Provost Rich Wood and his team to continue the briefing. Dr. Wood spoke about the non-governmental nature of the accrediting body, the HLC, and its attention to every aspect of the University as it relates to the work UNM is doing to best serve its students. During its visit, the peer review team will meet with a broad range of constituents in small groups. It also plans to visit the UNM-Gallup and UNM-Taos Branch Campuses. After the visit, the peer review team will write its report.

Pamela Cheek, Associate Provost for Curriculum and Assessment, discussed details of the accreditation process, referring to slides [Attachment A]. Accreditation matters because funding for UNM students and programs depends on the University's affirmation of accreditation. It also matters for UNM in its responsibility to its community, to demonstrate that it delivers quality student education, quality research and quality patient care. Dr. Cheek discussed the components of accreditation: the Assurance Argument; federal compliance filing; a quality improvement project; and the site visit. The Assurance Argument provides a complete overview of UNM on 5 criteria: 1-mission; 2-integrity: ethical and responsible conduct; 3-teaching and learning; quality, resources and support; 4-teaching and learning: evaluation and improvement; and 5-resources, planning and institutional effectiveness. The Assurance Argument and other documents provided to the HLC are accessible online at, <http://hlc2019.unm.edu/>. Dr. Cheek discussed the 5 major areas of concern outlined in the 2009 report and evidence for UNM's continuous improvement since 2009, including the marked improvement in the 4-year graduation rate as well as UNM's reinvestment in the academic mission, despite yearly budget reductions. Dr. Cheek noted the 8 areas of special focus: governance; financial controls/audit; stability in leadership; budget planning; extended learning; enrollment management; general education; and strategic planning. Certain areas, as outlined by the HLC, will receive more attention than others during the site visit.

Regents asked questions, and there was discussion about aspects of the accreditation process, including: the 2009 report and areas of concern; the full scope of accreditation and the school and program accreditations used as supporting evidence; the format of the public forums during the site visit; ranges of outcomes and the weighting of the different aspects of the process. Terry Babbitt added, the documentation and the site visit weigh out pretty equally, but the visit contributes a lasting impression.

BRIEFING: UNM FACULTY PETITION REGARDING INITIAL CERTIFICATION OF A NEW BARGAINING UNIT

President Stokes opened up the briefing. A group of faculty notified President Stokes a couple weeks before that they had filed a petition to form a collective bargaining unit at UNM for faculty. In summary, the request includes all faculty titles for those individuals on Main Campus and at the Branch Campuses. The Health Sciences Center has been explicitly excluded from the request for a collective bargaining unit. An extension to the date for UNM's response to the petition was granted; UNM is required to respond by March 18. Leadership, in its response, will need to consider what is in the best interest of the University. Dr. Stokes emphasized as a critical step in the process, the importance of an education campaign so to fully inform faculty the ramifications of unionization, how it affects current governance structures and work relationships. The governance structures that are currently in place at the University were outlined in the accreditation process. President Stokes said she welcomes conversations with faculty. Having had experience in unionized environments at other universities, Dr. Stokes discussed the importance of a process to carefully consider all of the aspects that would be affected by any decision. She spoke about the importance of leadership putting in place an educational campaign and keeping the Board of Regents informed about what is in the best interest of the University going forward. President Stokes turned the discussion over to Chief Legal Counsel, Loretta Martinez.

Regent Doughty requested Ms. Martinez give direction and legal advice to the Board on the decision process as it relates to the position of the University and the Board's involvement. Regent Doug Brown agreed the Board needs to be guided at every step by Counsel. Ms. Martinez agreed, the discussions are in the First Amendment zone, and stressed the education campaign that President Stokes mentioned will address the facts on how the infrastructure and relationships will change if there would be a union, versus the current governance structure, and there will also be a continued education campaign to educate on unfair labor practices. Student Regent Henry inquired the relationship of the Board with the faculty if there were to be a union. There was discussion on structures as seen at other universities. Regent Doughty inquired if the petition came through the Faculty Senate; President Stokes responded no, the petition was independent. Regent Kim Rael inquired the prospective timeline. There was discussion on the timeline following the University's response to the petition and the involvement of the Local Labor Board. In some cases, a timeline may see that a union may be voted in, but the negotiations on the collective bargaining unit may not reach resolution until a later date. Regent Sandra Begay inquired more information about the UNM Labor Management Relations Board and about the other unions within UNM. Chief Legal Counsel Martinez explained that New Mexico has the Public Employers Bargaining Act which is very different from the NLRA or NLRB, and in that, each institution that has a petition for a union can establish their own local labor board, so UNM did that in 2006. UNM's Local Labor Board has three members, a management representative, a labor representative, and a neutral representative. The Board of Regents looks at nominations and appoints those individuals. The Labor Board operates under the Board of Regents resolution and authorization, policies and procedures that govern both the existing union and any unions that seek to form. Regent Begay stressed the importance of knowing the precedents that were set in the 2006 process. There was discussion. The UNM Labor Management Relations Board was created by the Board of Regents in 2005.

Before moving into Executive Session, Regent Brown commented as a new Regent on the Board that he was glad to be aboard and looks forward to working with everybody.

Regent Begay acknowledged the first meeting for the new members on the Board. This is not Regent Begay's first time to serve as a Regent. Regent Begay outlined some of her intents and expectations, including the importance of precedents. It is important to know what has been done in the past, and going forward, it is important to remember that Regents' decisions may themselves create precedents for the future. Additionally, transparency is key to what the Board does. With a new administration at the state level, things will move in the positive direction. An active Alumni Association is also very important. Regent Begay clarified that she is really here for the students, and added, "The ultimate goal is to get our students graduated."

Regent Doughty commented the selection process for the University's President was a transparent process. Dr. Stokes was the clear consensus choice among everyone who was involved. March 1 marks President Stokes' one-year anniversary as UNM's President.

EXECUTIVE SESSION

Regent Lee motioned to close the meeting and move into executive session; Regent Brown seconded; the roll call vote was taken on the motion: Regent Henry-yes; Regent Brown-yes; Regent Doughty-yes; Regent Lee-yes; Regent Begay-yes; Regent Rael-yes; Regent Schwartz-yes; motion passed. The meeting closed at 2:24 PM.

Closed Session Agenda

1. Discussion, and determination where appropriate, of threatened or pending litigation as permitted by Section 10-15-1.H(7), NMSA (1978)

Vote to re-open the meeting and certification that only those matters described in the Closed Session Agenda were discussed in Executive Session

The motion to re-open the meeting passed unanimously (1st Schwartz; 2nd Rael); the meeting re-opened at 2:56 PM. The doors to the Roberts Room were opened. Regent Doughty certified that only those matters described in the closed session agenda were discussed, and there were no items upon which action would be taken.

ADJOURN

The motion to adjourn the meeting passed unanimously (1st Lee; 2nd Schwartz). The meeting adjourned at 2:56 PM.

Approved:

Attest:



Douglas M. Brown, President



Sandra K. Begay, Secretary/Treasurer

ATTACHMENT A

**A Attachment to the Minutes of the Feb.28 Board of Regents
Special Meeting**

Higher Learning Commission Accreditation Site Visit Briefing

**Richard L. Wood, Interim Provost/EVP for Academic
Affairs**

**Pamela Cheek, Associate Provost for Curriculum and
Instruction**

Joseph Suilmann, University Accreditation Manager



Accreditation: March 4-5, 2019

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WHAT: Accreditation certifies that UNM meets quality standards on organizational structure, financial sustainability, governance, academics, and other areas.

WHY: It matters for federal funding and student financial aid, for the transfer of student credits and degrees to other institutions, for employers of UNM graduates, and for the general public.

HOW: The Higher Learning Commission conducts a comprehensive evaluation of UNM every ten years, along with other forms of interim monitoring and reporting. The comprehensive evaluation is split into two parts: quality assurance, and quality improvement. UNM's last evaluation was in 2009.



Accreditation: Components

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1. **Assurance Argument** provides a complete overview of UNM on 5 criteria: 1) Mission; 2) Integrity: Ethical and Responsible Conduct; 3) Teaching and Learning: Quality, Resources and Support; 4) Teaching and Learning: Evaluation and Improvement; and 5) Resources, Planning and Institutional Effectiveness.
2. **Federal Compliance Filing** addresses federal compliance requirements (incl. student related policies) which are enforced by the Higher Learning Commission, our accrediting agency.
3. **Quality Improvement Project** demonstrates that UNM undertook a serious improvement measure; 2019: First Year Experience.
4. **Site Visit** enables a 7-person team with embedded audit to visit UNM on March 4-5 and UNM-Gallup and UNM-Taos on March 1. There will be three public forums March 4-5 as well as leadership and regent meetings.

How we have addressed concerns:

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- shared governance
- excessive advising rations
- little evidence of assessment documentation
- general education program
- fiscal and audit lines of reporting and oversight

- continued area of concern
- advising restructure; now better than national advisor to student standards
- extensive collection, documentation and analysis with digital archive
- ongoing program redesign of general education, 2017-2020
- continued area of concern

2009

2019

HLC Visiting Team Members

- Dr. Sandra Gault, Professor Emerita, University of Kansas (Chair)
- Mr. David Cutri, Executive Director of Internal Audit and Chief Compliance Officer, University of Toledo
- Dr. Amy Goodburn, Senior Associate Vice Chancellor & Dean, Undergraduate Ed., University of Nebraska
- Mr. Jason Hornberger, Associate Vice Provost for Finance, University of Kansas
- Dr. Gary Morris, Associate Vice President for Academic Affairs, Glenville State College
- Dr. Mamie Thorns, Special Assistant to the President for Diversity Programs, Saginaw Valley State University
- Dr. Anita Welch, Associate Dean, Teachers College, Ball State University

Three public forums at the following times and locations:

- **March 4, 10:45-12 p.m., Anderson School of Management, MCM 2110 (Criteria 3-4)**
- **March 4, 2-3 p.m., SUB Ballroom A (Criteria 1-2)**
- **March 5, 10-11 a.m., Domenici Center, Room 2720 (Criterion 5)**

LUNCH with HLC site visit team and Board of Regents

Monday, March 4, 12-1:15 p.m.
in Popejoy Lounge

FOCUS AREAS

Governance

Extended Learning

Financial Controls/ Audit

Enrollment Management

Stability in Leadership

General Education

Budget Planning

Strategic Planning

ARGUMENT:

2009–2019: Guided by the 2020 Strategic Vision, UNM has engaged in continuous improvement since 2009, in ways that have a direct impact on the lives of students and community members.

SOME EVIDENCE:

- HSC rural HEROS and establishment of extensive branch and main campus partnerships
- 4-year undergraduate graduation rate rose from 12% to 34.5%
- Sponsored research at UNM's Health Sciences Center grew from \$45 million in FY 1998 to \$151 million in FY 2018; on UNM Main campus, sponsored research grew from \$93 million in FY 2014 to a peak of \$143 million in FY 2016 and 2017, with a dip to \$112 million in FY 2018
- Despite and average yearly budget reduction of \$2.5 million over the past ten years, we have reinvested in the academic mission at a rate of \$1.7 million per year allowing, for example, UNM to reduce advising ratios from 770:1 in some units in 2011 to 325:1 overall in 2018 (better than national standards).

2019—forward:

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Comprehensive studies of all aspects of university life, conducted with faculty, staff, student and community input, have laid the groundwork for the next phase of improvement. UNM's new and incoming leadership has the information necessary to foster another decade of ambitious performance as an R1 and as a school and health care system for a highly diverse and often underserved population.