

**Minutes of the Special Meeting of
The Board of Regents of the University of New Mexico
August 5, 2021; 7:30 AM Open Session
Virtual meeting via Zoom; livestreamed for public viewing**

Members Present

Douglas Brown, President
Kim Sanchez Rael, Vice President
Sandra Begay, Secretary/Treasurer
Jack Fortner
Randy Ko
William Payne
Robert Schwartz

Administration Present

Garnett S. Stokes, President; Douglas Ziedonis, EVP of UNM Health Sciences and CEO of the UNM Health System; Loretta Martinez, University Counsel; James Holloway, Provost and EVP for Academic Affairs; Michael Richards, Vice Chancellor for Clinical Affairs; Terry Babbitt, President's Chief of Staff, and others

Presenter

Dr. Nestor Sosa, MD, FACP, Division Chief of Infectious Disease at UNM

CALL TO ORDER AND CONFIRMATION OF A QUORUM

Regent President Douglas M. Brown called the meeting to order at 7:32 AM and confirmed a quorum with 6 members present – Brown, Begay, Rael, Fortner, Ko, and Schwartz. After the call to order, Regent Payne joined the meeting, making all 7 members present.

VOTE TO ADOPT THE AGENDA

The motion to adopt the agenda passed unanimously (1st Rael; 2nd Fortner; roll call vote – all members voted yes).

AFFIRMATION OF THE MANDATORY COVID-19 VACCINATION POLICY FOR FACULTY, STAFF AND STUDENTS

Regent Brown said he wanted to begin with comments from President Stokes, followed by comments from the Health Sciences Center experts.

President Stokes delivered the following introductory comments:

Good morning. Throughout the COVID-19 pandemic, we at The University of New Mexico have worked very hard to uphold our values and principles, guided by science, evidence-based strategies and the expertise of our own UNM health leaders, as well as local, state and national health authorities. Of course, there is no "playbook" for how to manage this crisis, but UNM has continued to remain nimble in its approach and response to the numerous challenges and rapidly changing circumstances during the past year and a half, in a concerted effort to keep our communities safe and healthy. UNM has consistently and repeatedly encouraged members of our community to get vaccinated against COVID-19. We've made vaccination clinics available on campus and offered incentives to become fully vaccinated.

Nearly 9,000 Lobos have already submitted their documentation. Last month, we ambitiously sought to begin the fall semester with a significantly vaccinated population. Unfortunately, with the emergence of more contagious variants and infections increasing around the state and the nation, our vaccination rate has not kept pace in a manner sufficient to protect our communities, especially those which are most vulnerable. This week we strengthened our approach by requiring COVID-19 vaccinations for all UNM students, faculty and staff across our campuses, joining nearly 650 U.S. colleges and universities that have announced similar vaccination requirements. Today, we come before you seeking your endorsement of the administrative mandate on required vaccination that I have developed in consultation with my leadership team. We are deeply appreciative of the support and counsel of the Board of Regents during this time, as well as our Lobo community.

Many thoughtful and valid questions have been raised about this mandate, our rationale for adopting it, and how it will be administered in the coming months. Such queries are welcome, and to be expected, when implementing a complex requirement at a large, diverse institution like UNM. The most common questions relate to the exemption rules, the testing protocols, and issues of due process and consequences for non-compliance. It is impossible to anticipate every scenario we may encounter, but I do want to assure you that we have task groups and relevant offices working to best operationalize and communicate these requirements.

The exemptions emphasize accommodation protections for disabilities and medical conditions; sincerely held personal religious convictions; concerns about the Emergency Use Authorization status of the vaccines; and consideration for those not accessing campus in person. These exemptions do impose a testing requirement that is intended to be effective based on the latest information and best practices. Much information is being considered including capacity, convenience and cost to name a few. We will keep you informed as details are finalized. Our policies and procedures for student and employee non-compliance with University rules and regulations are well documented and include a successful progressive process that is composed of education, support, consideration of unique circumstances and opportunities to comply.

We understand that there are disagreements about vaccine mandates, and that there are legal challenges and legislative activity in our country relating to the thousands of organizations, companies and institutions that have adopted vaccine mandates to protect their employees and students. We are also aware that the vaccinations at issue are still currently under Emergency Use Authorization (EUA) by the FDA. We have sincere respect for the FDA's ongoing process which is incorporated into our administrative mandate.

Ultimately, I assure you we have deliberately and dutifully considered the risks and burdens of implementing a mandatory vaccine requirement, as well as the public health benefits that we believe we will achieve. We are confident this is the right decision for our University and our community and that this is the right approach. I'll now turn it over to Dr. Michael Richards, who oversees our health system and who has been on the front lines of our COVID response. Thank you.

Dr. Richards followed up saying that President Stokes outlined an excellent case for why this is such an important issue to address. Vaccines are absolutely critical to controlling, mitigating, and ultimately eliminating the COVID pandemic. New Mexico has seen the dramatic impact

of its vaccination program on controlling disease progression; however, there is currently seen the rise of variants of concern, this is an anticipated evolution of the disease. While some have raised the question about whether this supports or negates the need for vaccination, Dr. Richards emphasized this only heightens the need for UNM to have in place as many vaccinated individuals as possible. Dr. Richards also emphasized the importance of maintaining the non-pharmaceutical interventions, public health measures that include social distancing, hand hygiene and mask wearing, also during this period of time. Dr. Richards introduced Dr. Nestor Sosa to talk about the science behind the vaccination program. Dr. Sosa is professor and chief of the infectious disease division of the UNM Department of Internal Medicine. Before coming to UNM, Dr. Sosa was the director of The Gorgas Institute for Health Studies in Panama, which is equivalent to the National Institute of Public Health for that country. Dr. Sosa has over 25 years of experience in infectious disease clinical care and public health. He has not only been advising UNM HSC leadership, he has also been a very important advisor to the governor's office and the New Mexico Department of Health on the statewide COVID response.

Dr. Sosa spoke about the efficacy of the current vaccines and discussed clinical trials of the vaccines, including their effectiveness in providing protection against severe disease and hospitalization. Dr. Sosa also talked about vaccine safety. The main side effects have been extremely rare. He briefly discussed some of the more severe side effects that have been reported, rare events that have been well documented.

President Stokes thanked Dr. Richards and Dr. Sosa for speaking and sharing their knowledge.

PUBLIC COMMENT

Jerry Godbout, Assistant Professor of Chemistry at UNM-Valencia, spoke in support of the vaccine mandate.

Ernesto Longa, Faculty, Professor, Law Library, spoke in support of the vaccine mandate.

Ryan Regalado, ASUNM VP, spoke in support of the vaccine mandate

Gregory Romero, ASUNM President, spoke in support of the vaccine mandate.

COMMENTS FROM REGENTS

Each of the Regents spoke in support of the vaccine mandate. Regent Rael thanked leadership for the thoughtful briefing and the report on the extensive public comment that the University collected on the draft policy. Regent Begay said that many of her family members have been affected by COVID, some very seriously. Regent Fortner said he appreciated that there are those who don't want to be vaccinated and he hoped there would be a way to hold students harmless. Regent Schwartz said this is the only way UNM can have an in-person semester. He asked for a full report on the implementation plan. Regent Payne said that UNM is unique in that people on campus are in very close confinement and the mandate was timely for the well-being of the University as well as the surrounding community. Student Regent Ko reiterated that students want a safe campus and to stay safe while in person. Regent Brown apologized for the short notice. He talked about the need for quick adjustments as more is known about the Delta variant. He added that UNM is obligated to protect its students, faculty and staff, and also the community.

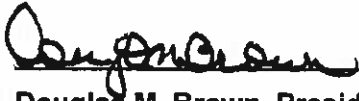
The motion to endorse the administrative mandate on required COVID-19 vaccination passed unanimously (1st Schwartz; 2nd Payne; roll call vote – all members voted yes).

ADJOURN


There being no further business, Regent Brown asked for a motion to adjourn the meeting. Regent Rael motioned; Regent Begay seconded; all were in favor; the meeting adjourned at 8:05 AM.

Approved:

Attest:



Douglas M. Brown, President



Sandra K. Begay (Aug 24, 2021 11:28 PDT)

Sandra K. Begay, Secretary/Treasurer