

**NORTHERN NEW MEXICO COLLEGE**



# **BOARD OF REGENTS MEETING**

## **OCTOBER 22, 2021**

# NORTHERN New Mexico College



## NOTICE

The Board of Regents of Northern New Mexico College will hold a regular meeting on **Friday, October 22, 2021, at 9:00AM, Via Zoom** and in person at **Northern New Mexico College Espanola Campus, Espanola, NM.**

Join Zoom Meeting

<https://nnmc.zoom.us/j/95809712157?pwd=ampvSHlvTjRvTS8wUEoxT3dtTGRBZz09>

Meeting ID: 958 0971 2157

Passcode: 533340

One tap mobile

+12532158782,,95809712157# US (Tacoma)

+13462487799,,95809712157# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

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+1 312 626 6799 US (Chicago)

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Meeting ID: 958 0971 2157

Find your local number: <https://nnmc.zoom.us/u/affrrrA5o>

## FINAL AGENDA

- I. CALL TO ORDER**
- II. APPROVAL OF AGENDA**
- III. PUBLIC INPUT**
- IV. COLLECTIVE BARGAINING AGREEMENT FOR NON-EXEMPT STAFF – Action Required**
- V. COMMENTS FROM THE BOARD**
  - A. Board of Regents Subcommittee Reports
    1. Audit/Finance/Facilities Committee – Informational
    2. Academic/Student Affairs Committee – Informational
    3. President’s Evaluation Committee – Informational
    4. Housing Committee - Informational
    5. HERC – Informational
    6. November-December Board of Regents Meeting Date – Action Required
- VI. APPROVAL OF MINUTES**

- VII. PRESIDENT’S REPORT AND ANNOUNCEMENTS**
  - A. Celebrate Northern – Informational
  - B. CUP/NMICC Report – Informational
  - C. NNMC Foundation – Informational
  - D. Eagle Corporation Update – Informational
- VIII. FACULTY SENATE PRESIDENT REPORT**
- IX. STUDENT SENATE PRESIDENT REPORT**
- X. STAFF REPORTS**
  - A. Vice President for Finance & Administration
    - 1. Fiscal Watch Reports – Action Required
    - 2. Budget Adjustment Requests (BARs) – Action Required
    - 3. Tuition & Fees New model for AY-2022 - Action Required
    - 4. Late fee removal -Action Required
- XI. DEEP DIVE**
  - 1. EARTH Shot Project
- XII. EXECUTIVE SESSION**
  - (1) Limited personnel matters related to the hiring, promotion, demotion, dismissal, assignment, resignation, or investigation or consideration of complaints or charges against an employee;
    - a. Presidential Formative Evaluation
  - (2) Bargaining strategy preliminary to collective bargaining
    - a. No items
  - (3) Threatened or pending litigation subject to the attorney-client privilege in which the College may be a participant; and
    - a. No items
  - (4) Real estate acquisition or disposal.
    - a. No Items
- XII. ADJOURNMENT**

***If you have completed the COVID Vaccination Protocol and wish to attend in person, please contact Amy Peña ([amy.pena@nmmc.edu](mailto:amy.pena@nmmc.edu)). Proof of vaccination will be required prior to entering Board of Regents Meeting.***

***In accordance with the Americans with Disabilities Act (ADA), physically challenged individuals who require special accommodations should contact the President’s Office at 505-747-2140 at least one week prior to the meeting or as soon as possible***

Office of the President

**NORTHERN New Mexico College**



## **MEMORANDUM**

**To:** Board of Regents,  
Northern New Mexico College

**From:** Richard J. Bailey, Jr., Ph.D.  
President

**Date:** October 22, 2021

**Re:** Board of Regents Meeting Minutes

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### **Issue**

Northern New Mexico College (NNMC) provides, on a monthly basis, Board of Regents Minutes from the previous month for approval.

### **Recommendation**

Staff recommends that the Board of Regents approve the attached Board of Regents Minutes for September 24, 2021 and October 12, 2021 as submitted or if applicable, as amended.

# NORTHERN New Mexico College



## NORTHERN NEW MEXICO COLLEGE BOARD OF REGENTS MEETING SEPTEMBER 24, 2021

### I. CALL TO ORDER

A Regular Meeting of the Board of Regents of northern New Mexico College was held on Friday, September 24, 2021, in the Board Room of Northern New Mexico College, Espanola Campus. Regents Present Michael A. Martin (in person), Ruben Archuleta (in person), Porter Swentzell (in person), Erica Velarde (via Zoom), Evelyn Juarez (via Zoom).

Northern New Mexico College Staff Present: President Richard J. Bailey, Jr., Ph.D. (in person); Ricky Bejarano, Vice President for Finance & Administration (via Zoom); Vince Lithgow, Comptroller (via Zoom), Ivan Lopez Hurtado, Ph.D., Provost & Vice President for Academic Affairs (in person); Chris Trujillo, IT (in person); Jimi Montoya, IT Director (in person), Juan Gallegos, IT (in person); Don Appiarius (in person); Henry Ocana, Facilities, Shawn Madrid, Facilities and Security Director; Ryan Cordova (in person); and Amy Pena, Executive Assistant to the President/Board Secretary.

Others Present: Jake Arnold, Roberta Orona Cordova, Leo Valdez, Geno Zamora, Rio Grande Sun Reporter, Bruno Guedes, Victor Navajas de Faria, Tim Crone and Commissioner Christine Bustos.

### I. CALL TO ORDER

Board President Martin called the meeting to order at 9:07AM

### II. APPROVAL OF AGENDA

Board President Martin entertained a motion to approve the agenda.

**Regent Swentzell moved to approve the agenda as presented. Second – Regent Archuleta. A roll call vote was taken. Board President Martin – yes, Regent Velarde – yes, Regent Swentzell – yes, Regent Archuleta – yes, Regent Juarez – yes. Motion passed unanimously.**

### III. STUDENT SENATE PRESIDENT REPORT

#### 1. Introduction of Student Senate

Don Appiarius introduced Student Senate President Bruno Guedes and Student Senator, Victor Navajas de Faria. Mr. Guedes stated he is an international student from Brazil and this is his fourth year at Northern New Mexico College. He took one year off because of COVID. He has been involved in Student Senate since his first year. Richard Sedillo asked him to be a student ambassador his first year. Last year he was invited by Don Appiarius to join Student Senate and he was the Student Senate Treasurer. Ms. Juarez was an amazing President and this year he took a step up and is student senate president and hopes to follow Ms. Juarez. He is really excited because they have a lot to work on and also the transition they have to work on. Mr. Guedes

introduced the Senators. He is the President, Vice President is David Chaloupa, Secretary is Sara Collins, Treasurer is Chrisalee Tierra. There are a lot of student athletes in the Senate this year and it is amazing because they know each other from inside the court and now they will get to know each other outside the court and it will be amazing. The Reporter is Dolores Sanchez, Centennial is Angelina Ortiz and three Senators, Victor Faria, Kyle Julian and Ally Fierro. There is a full body of Senators that will help him a lot during this time and support him a lot. He already knows this because they have supported him and the others are really awesome.

#### **IV. COMMENTS FROM THE BOARD**

##### **A. Board of Regents Subcommittee Reports**

###### **1. Alumni Association**

Board President Martin stated he asked the Alumni Association to join the Board Meeting today because they have been instrumental in establishing our memorial orchard in the courtyard and installed a drip irrigation system. Board President Martin asked Roberta Orona Cordova to address the Board of Regents. Ms. Orona Cordova stated she would like to thank the College for giving them permission to set up the irrigation system. They started the memorial wall and memorial orchard and the trees were starting to dry. Steve Archuleta helped a lot and it was hard to keep up with them and the association came up with an irrigation system and came up with the money for this and it was done in three stages over the summer. Victor Romero took leadership on this and one of the grounds people helped. The next project is to get all the tiles on the wall so they are working on that. They are still very active and have an archive of (inaudible) and want to get an archive established in El Rito for the Normal School and for the Vocational School. They are still kicking. She thanked the Regents for their support and Dr. Bailey for always being so supportive. Board President Martin thanked everyone (Mr. Romero, Henry Ocana and Mr. Archuleta) for all their hard work in getting the system installed and he knew it took a lot of time, effort and planning. Mr. Romero stated he would like to thank the Board of Regents, President Bailey and Board President Martin for helping them irrigate and fertilize the fruit trees. Also, Mr. Steve Archuleta for irrigating the trees for the last 3-4 years and Mr. Henry Ocana who helped on his off hours for assisting with the setting up of the irrigation system. His next project will be since he is the mayordomo of the orchard and the wall and is he working on the eradication of the moles. His next project would be to eradicate the moles. We have a situation there where they are eating at the roots of some of the trees. He appreciates the effort and work and the people who helped him during the course of his tenure as mayordomo. Thank you very much to the College, he has a deep-rooted sentiment in his heart because he moved over there when he was four weeks old and his father was band director at that time. He calls El Rito Campus his home and his mother were the Executive Secretary from 1953-1979 with all the presidents there and he calls El Rito his home and the community his extended family. Board President Martin stated he also wanted to recognize Steve for all his years of hard work. He thanked everyone for all their support and for getting the College some life.

###### **2. Audit/Finance/Facilities Committee**

Regent Velarde stated they had a good meeting yesterday and talked about a lot of information. They are doing all the hard work they are doing and we will get an update in a little while. Regent Juarez stated ditto.

### 3. Academic/Student Affairs Committee

Regent Swentzell stated they had a meeting Wednesday and the items discussed will come up later on by the provost. Regent Archuleta stated he was at the Finance Committee meeting.

### 4. President's Evaluation Committee

Regent Velarde stated they had a great couple of meetings, Regent Velarde, Regent Juarez and Dr. Prather. They were able to figure their way out of the little conundrum they found themselves in because of COVID 19. They have some action items to pass. Regent Velarde asked if this was the time to present the action item. Board President Martin stated it is. Regent Velarde stated there are here to present this Resolution because they did not fulfill their obligation to do the President's evaluation during the COVID pandemic and they need to make a record of it and they will then take the steps now to go ahead and start the evaluation of the President for this evaluation year. Regent Velarde and Regent Juarez are asking for the Board approval and signature of this Resolution that states we did not have the opportunity to do the evaluation and we know that it was something that we missed, however, we are suspending it for that one year and are taking over and making sure we do not miss this year. Regent Velarde asked for approval by the Board.

Board President Martin entertained a motion to approve the resolution.

**Regent Swentzell moved to approve. Second – Regent Velarde. A roll call vote was taken. Board President Martin – yes, Regent Velarde – yes, Regent Swentzell – yes, Regent Archuleta – yes, Regent Juarez – yes. Motion passed unanimously.**

### 5. HERC

Regent Velarde stated they had a great meeting in August and talking about ways to come together in the next legislative session. She has been part of the broadband cybersecurity subgroup and they meet on a weekly basis to discuss how Higher Education is going to play a role in the statewide broadband and cybersecurity initiatives that we are all undertaking now. It has been a great experience and great to have a Regent on those calls because when it comes to it a lot of them are talking about how do we approach this and how do we present this to the regents and being able to be on there, she thinks, is a great addition and it has been great to also understand the struggles in rural New Mexico when it comes to the broadband and cybersecurity.

### 6. Audit Entrance Report

Board President Martin attended the audit entrance meeting on the 16<sup>th</sup> day of August with Carr Riggs and Ingram and we are going to try to have it done by the beginning of November. This will be the first time in ten years that we have had the audit done in time. His hat is off to the business office and everyone involved. President Bailey stated we are really grateful not only for the audit report but the entire team is really aggressive right now and we are on track in a way we have not been in the entire time he has been here and this is a testament to Mr. Bejarano and his staff. We are really on a good path.

## 7. Governor Michelle Lujan's Roundtable

Regent Archuleta stated it was a good meeting with the local leaders and students. They talked about the opportunity scholarship which covers tuition, fees, housing and meals for student's pursuing a certificate, associate and bachelor's degree. It is a nice thing that is happening for the students. He was part of it lobbying for the school board. This is renewable every year and it is an excellent idea for our students. This helps students go back to college, there were wonderful stories from student's, some stories that were sad and some stories that were wonderful. President Bailey stated we are grateful Regent Archuleta could be there and grateful Commissioner Bustos was there. We had a really good group of students and community leaders and of all the places the Governor could have had the discussion, when it came to Higher Education the place, she wanted it was Northern and we are really fortunate and really grateful to the Governor for allowing us to host this.

## 8. Audit Entrance Conference

This item was covered by Board President Martin.

## 9. Vaccination Policy

Board President Martin stated he would spend a few minutes briefly discussing our current vaccination policy and our thoughts on the future. Board President Martin stated are going to have our attorney; Geno Zamora speak and President Bailey. President Bailey stated he is going to be very open and transparent about this. This is not easy and there is no way for everyone to be satisfied. For those who don't know, the standards implemented at the College are that all students, faculty or staff who want or need to be on campus in performance of their course work or their duties to the college, have to show proof of vaccination by October 15th and they know where to send that. We are adding to this now because of challenges we have had recently that it is not just to be physically on the campus, it is also if your duties require you to be in person, in the performance of your duties, student teachers, perfect example, they also go into the public schools and so we also need to be mindful that sometimes it is not just the duties that happen on the campus, it is also the duties that happen wherever they need to be in person. President Bailey knows this is a very aggressive approach, he accepts full responsibility for it, him, as the chief executive. He knows everyone is not happy and he knows everyone agrees with him. The reason why he feels we need to do this is because everything, and by the way he is not the expert, everything that he has seen indicates the transmissibility of people who are unvaccinated is just higher, the propensity is higher because they have higher viral loads. It is not 100% perfect and he gets that. We are making decisions, we have made decisions in an imperfect environment with imperfect information and with a lot of uncertainty and so as Chief Executive he has been making decisions with limited information based on where he thinks we need to be as an institution to protect the health and safety of our students, faculty and staff. We are not offering a testing option and he knows it is controversial. He will confess and admit to everyone in a public meeting, if the data as we learn more and more about this shows that the transmissibility potential between an unvaccinated person and a vaccinated person is exactly the same, he will move back a little bit and allow unvaccinated people with testing to be a part of that option but nothing he has seen indicates that yet. Because of that he thinks we still need to be aggressive. Lastly, this is controversial because not every college or university is doing it the same way, he feels because it is a health and safety issue for students, faculty and staff, he feels it is the duty of the President to make those decisions. He also acknowledges it is the purview of the board to enact policy. The real question that would come to

legal counsel is, is what we are implementing a policy or not. President Bailey would argue that policies are long standing standards for all students, faculty and staff. President Bailey thinks this is a procedural matter because of the specific nature of the crisis that we are in and because of this he feels that it is the purview of the president to make this call. Schools are different in the way they see this, UNM had their board of regents actually approve the guidance that President Stokes laid out for her institution. President Bailey knows this is not easy. Lastly, President Bailey stated he is not a public health expert, he is not an epidemiologist, he is simply trying to with the information we have, make decisions that are in the health and safety interest of everyone on this team and everyone in the community. He would like to leave it there, turn it over to Mr. Zamora and open it up to discussion and any thoughts on the issue.

Mr. Zamora stated as President Bailey stated there are a lot of difficult decisions going on right now. We are a year and half into this COVID crisis. We all wish it were done. We wish that we saw more than just light at the end of the tunnel but we are still in the tunnel and don't know how much longer. The College has many duties and the Board is here for a meeting to deal with fiscal obligations, to deal with the community obligations, oversight obligations. One of the other obligations of the college is protecting the health and safety of the students, staff and of their families. Difficult decisions are being made every day by educational institutions. It is clear, there are a few things that are clear one is that with regard to institutes of higher education vaccine mandates have been recognized and have helped. There is support in the law for vaccine mandates and one thing President Bailey said as essentially CEO, as President of the College, in his operational authority he has chosen to implement aggressive standards. As Mr. Zamora stated before, these are consistent with other institutions of higher education. In his legal research, they are not the strictest, he has seen some institutions be as strict as if you are enrolled with the college or university, you must be vaccinated, regardless of your location, on or off campus. That is the strictest they have seen. That is now what the College is doing. It really is limited to on campus as well as in person interaction. Ortiz and Zamora not only represent higher education but they do represent school districts throughout the state and it is a very important consideration that if a member whether it is a student or a student instructor or staff member, if they are going to be present at a school district, it is important to remember that not all school age children qualify for vaccination. So having the safest measures as representatives of the College when interacting with school age children, he thinks that is an important next step and next condition here. Of course, there are two categories of required accommodations, whether those be medical or religious. There is an ability to consider those on a case-by-case basis. There is no one size fits all, that is a case-by-case basis. The other thing, the final thing he would like to address is that operation of the campus, management of the students and staff is an operational matter. That said, you do have, as President Bailey stated, you have some institutions where the Regents have stepped in and adopted policies to govern the daily operations during this. It does start with a College President and if the Board feels the need to step in to operations and adopt policies to manage the operations that, as Dr. Bailey has mentioned, that is an option that other higher education institutions have engaged in. Short of that, the day-to-day management of the College operations, the campus sites, the students need, etc. the buck sort of stops with the College President unless the Regents step in.

President Bailey stated this decision has not come without cost. It is not a decision made lightly and made without fully understanding what people are sacrificing because of it. For example, if we have a student who chooses not to get this vaccine, for whatever reason and the only way they can take classes in person because of lack of internet or some other challenge, then this decision of his basically putting that student on hold if that student can't go anywhere else. This decision is actually limiting someone's education and he gets that and he is incredibly mindful of this and it is

a tragedy. Again, it is all about weighing risk. We are not going to be in this forever, we won't. We do need to be is that student is placed on hold. This is limiting a student's education and President Bailey gets that and he is mindful of this. It is about weighing risk. We need to be thoughtful of the steps we take and with imperfect information to do the best that we can for the health and safety of our team.

Regent Archuleta asked what we are going to do with a faculty member who is not vaccinated for religious purposes. He ran into this with his employer, this gentleman needs to test himself every week, he gets the results and he is able to work. Mr. Zamora stated through the accommodation process only through the accommodation process, there will need to be some type of testing if that person is required to be on campus. Regent Archuleta stated that is relatively easy, he swabs himself, sends it in through UPS, he gets the results by Sunday afternoon. Every Friday he tests himself and Regent Archuleta asked if this is something we do. Regent Velarde stated what she understands they have to have the prior authorization so they have to have the ability to prove that they have a medical reason or a religious reason and then that gives them the option to test. They don't have the option to just test because they don't want to. President Bailey stated that is correct. Regent Archuleta asked if they (inaudible) sent it to legal and then this gentleman. President Bailey stated this will be the standard (testing) for medical or religious exemptions. President Bailey stated the other thing he wants us to think about when we move into the spring. If we have 7 people on both campuses who request these exemptions, then is that an acceptable risk. If we do testing, maybe. But what happens if now that number is 50 and in January when we have a lot more in person classes what if that is 100 or 200. That is why everything is a case-by-case basis and it is also why even the exemptions that we will be offering are subject to change. ILANL came out with a statement, anyone with a religious exemption are put on leave without pay. People are not kidding around with this and we have to be thoughtful about how we move forward and we have to be very thoughtful about what the overall risk picture for the students, faculty and staff look like and this is why President Bailey thinks this is going to be an ongoing conversation.

Regent Velarde stated she would like to say something. Board President Martin instructed Regent Velarde to go ahead. Regent Velarde stated her major concern is obviously the fact that she knows President Bailey mentioned that it is not going to be a long-term thing, unfortunately, she thinks we have to realize the reality and it is going to be somewhat of a long-term thing, at least a minimum of five years. If this is true, we are creating policy here and her concern is the one major responsibility of the Board is policy. Just as UNM did it. Regent Velarde's concern is we are creating a precedent by allowing the President to create policy. She feels this is not going to be just for the next year, it is not going to be for the next two years. This is something that we are going to have to learn to dynamically and adaptively learn to live with and so she feels this is policy and we as a Board need to really look at it and discuss it before it is implemented. That is just her main concern here because she knows the one responsibility the Board has is policy. As much as it is health and safety, she agrees, but it is creating a policy around it. She feels as a Board we need to get together to discuss this before it is implemented.

Mr. Zamora stated there are occasions when lawyers are popular and not popular. Just a reminder for the community for the Board and for the President, his role is counsel to the Board and his role is teammate to the President. His role is to give the Board the best advice possible in circumstances. Again, we are in interesting times and in trying times. Sometimes these conversations aren't in front of a crowd. Sometimes these are attorney client conversations when working through this, however, his advice in this moment and he studied this in advance of this, is

generally speaking, this is an operational issue and you have appointed a President to manage the operations of the College. With that said, he thinks Regent Velarde makes a good point that if the Board believes this is an extended issue, almost endless issue, five years in the short term does seem endless. The Board may choose to engage in operations and pass a policy to do so. The one differentiation he will say is this, unless directed by the Board the President has the authority to implement this, manage this until the Board to either supersede it or implement it, accept it, implement it, revise it, etc. President Bailey stated he agrees with Regent Velarde, policy is the purview of the Board. If the Board in their judgement sees this as policy issue versus an operational issue, then the Board has all the rights to step in on it. President Bailey stated he would ask the Board to consider not to overturn what we have established but to meet to determine whether or not if the Board wants to make this call. This is where President Bailey and Regent Velarde differ, President Bailey would not say his standards are null and void until the Board meets, that is inappropriate. He thinks these are the standards that we implemented; this is what we are trying to do. If the Board decides and the Board wants to meet to create a policy that inconsistent with that, then President Bailey thinks that is what should happen but he doesn't think the President's hand should not be tied without the Board choosing to meet about it. Board President Martin stated he thinks that since this is an informational item, the Board needs to at the next meeting make it an action item and make a decision. Board President Martin asked Regent Velarde if she would agree to this.

Regent Velarde stated she would appreciate if Board President Martin would maybe entertain a special meeting in the meantime before because we are not going to have a meeting for another month and this is going to be implemented before then. She would appreciate to sort of have that discussion before the end of October. She knows we do have a special board meeting planned for other things; she does not know if this is something we could add to that agenda. She would appreciate that just because October 15th is when this policy goes into effect and she thinks it would be great for the Board of Regents to be able to see if they could talk about it before then. Board President Martin asked how the rest of the Board feels. Regent Swentzell stated he appreciates that sentiment and they could discuss it. Regent Archuleta asked if it could be on the October 12th meeting. Board President Martin asked if this is possible. President Bailey stated it is. Regent Juarez stated she is on board. Regent Velarde thanked President Martin and stated she appreciates it.

## V. APPROVAL OF MINUTES

Board President Martin entertained a motion to approve the minutes of the June 25<sup>th</sup> meeting

**Regent Archuleta moved to approve. Second – Regent Juarez. A roll call vote was taken. Board President Martin – yes, Regent Velarde – yes, Regent Swentzell – yes, Regent Archuleta – yes, Regent Juarez – yes. Motion passed unanimously.**

Board President Martin moved to approve the minutes of August 12, 2021.

**Regent Swentzell moved to approve the minutes of August 12, 2021. Second – Regent Velarde. A roll call vote was taken. Board President Martin – yes, Regent Velarde – yes, Regent Swentzell – yes, Regent Archuleta – yes, Regent Juarez – yes. Motion passed unanimously.**

## VI. PRESIDENT'S REPORT AND ANNOUNCEMENTS

### A. Celebrate Northern – Informational

President Bailey welcomed everyone to El Rito and everyone virtually. President Bailey wanted to take a moment to recognize where we are as an institution. Last month, in El Rito we had students who started taking classes for the first time in 12 years. In those last 12 years, he had to choose one person that he thinks is responsible for keeping this campus together with very little resources, with bubble gum and duct tape. The one person he would like to recognize is Henry Ocana. He would also like to say a special thank you to the IT staff, they are the unsung heroes.

President Bailey stated we are really honored to have Commissioner Bustos in attendance. Sitting next to the Commissioner is Leo Valdez. Leo's first day as a student in El Rito got knocked out cold in Alumni Hall three feet from where he is sitting. There are a lot of things that have happened to get us where we are. In addition to a Senate Bill in 2019 that allowed the College to create a Co-located Branch Community College, this passed unanimously in the legislature. There was a discussion with five school boards and there are three people with President Bailey on every one of those visits. One was Board President Martin, John Ussery and Leo Valdez. Their support was invaluable. The Espanola Public School Board and Regent Archuleta's leadership that saw the vision for this. In the summer of 2019, all five public school boards put aside all their internal differences to support this project. Over 62% of the voters in all five districts decided this was not only important to them but worth their personal investment. President Bailey knows he promised Ms. Orona Cordova that the solutions we came up for this were not going to be a one- or two-year plan, it was going to be a 50-year plan. We had to do something institutional to make it different. President Bailey stated he is going to point to Jake Arnold because he has been looking at the same thing for a decade or more now. This could not be an initial thing, it had to be a long plan. For those walking on the tour, they will see it is a work in progress. President Bailey stated he would like to say a special thank you to the students who have started and Dr. Frank Loera. He is the chair of technical trades and had to figure out how to make it happen. The reason we have students is because he put the time and effort into this. A lot of this also comes to our facilities crew working with contractors in addition to everything we have to do. There is someone who stepped up, to do not only his security duties and he took on the facilities duties at a time when it is probably craziest of all and that is Shawn Madrid.

President Bailey stated he would like to shift a little bit. The board is going to hear under the Provost Report. He is going to talk about a new Title III Grant the College got. He is a very humble individual and President Bailey would like to brag for him. This Title III Grant is the largest single Grant by far in the 112 history of this institution and we just found out last week. It is a \$5M Grant from the USDOE and when he starts to tell you about the things it is going to do in terms of bringing social workers on to the campus to help students. All of the different opportunities for faculty to do development, it is all about student success and all about student success in STEM fields. President Bailey knows he couldn't do this alone. To Dr. Lopez, Zeke Para, David Trujillo, faculty chairs, to all our STEM faculty members this is a big deal and they deserve a lot of credit.

President Bailey stated he is grateful to have everyone here with us and grateful to have the meeting in El Rito. He is excited about the future of this campus and knows the best days are ahead of us and we are on track and he is really grateful. God Bless every one and thank you very much.

B. CUP/NMICC Report

**None.**

C. NNMC Foundation

**None.**

D. Eagle Corporation Update

**None.**

## **VII. FACULTY SENATE PRESIDENT REPORT**

Dr. X stated Faculty Senate had a meeting September 2<sup>nd</sup> and will have one by October 1<sup>st</sup>. They are working on senators by department. She has been going too union negotiations and it is fascinating on how the negotiations are working. She would like to invite the Board of Regents to the Faculty Senate Meetings. She would also like to invite Bruno to the October 1<sup>st</sup> meeting to introduce himself. They are looking forward to their assessment day to see what is coming their way. Thank you, Dr. Lopez for having this day. Board President Martin asked if there were any questions for Dr. X and thanked her for her report.

## **VIII. STAFF REPORTS**

A. Provost & Vice President for Academic Affairs

1. Student Complaint Process Guidelines – Informational

Dr. Lopez asked Dr. Appiarius to come forward to present as he is the expert in this area, the student complaint type. Dr. Appiarius sated during the course of tenure, he has received a number of grievances as any institution will. Very quickly he discerned we did not have a well delineated procedure to address them. Meaning specifically, there are a lot of better practice changes we could make and so he has been reviewing other institutions as well as his own experience. There were a couple of pressure points or touch points that were challenging. The first one was this went right to the top and for a grievance or any sort of adjudicative process you always want to have steps where you have the opportunity to appeal and by coming right to Dr. Appiarius that meant any appeal would go to Dr. Lopez and subsequently if we allowed further level of appeal to Dr. Bailey. That ties up the time of a lot of people. More importantly, this is most critical, the chairs or directors of the areas that were being called into question. A lot of time you would have much more direct information on the legitimacy of the grievance as well as the actual facts surrounding the grievance. As any type of adjudicative process that exists a lot of time there are lies by omission and commission. Quite often you would have to do a lot of due diligence with all parties to find out the actual facts of the case. This has all changed, the grievance procedure pushes down the

actual authorization of the procedure to the relevant chairs or faculty directors or program chairs. The other thing done, the prior procedure was file this and you will hear back. This actually specifies timelines so this way you don't have uneven outcomes. As our intrepid attorney can test when you have a procedure being done one way over here and another over hear it allows for bias or prejudice and we want to be consistent and treat everyone equally. Those were the two primary changes that were delineated in this procedure. Dr. Appiarius role unless it is an appellate level is to simply make sure there is good prima facia evidence where he is conducting due diligence to at least acknowledge there are adequate facts around the case that make it appropriate to engage this procedure. The other thing stipulated in here is this is not a replacement for other adjudicated policies or procedures. It means if you don't like the outcome of a student conduct hearing or a Title IX case or grade appeal you can do an end run and basically litigate the situation. Those are the primary changes encompassed in this procedure and stood for questions. Mr. Appiarius explained the grievance process and the purpose of revising the process.

Regent Swentzell stated he has already bombarded Dr. Appiarius with questions during the Student/Academic Affairs Committee. Porter Swentzell asked if this gone through legal review. Dr. Appiarius stated it has not yet but it will be forwarded it to legal. Regent Velarde asked if this went through other institutions best practices in doing this. Dr. Appiarius stated he reviewed about 15-16 institutions grievance procedures and where he saw overlap and consistency, he did include that. It is based on a best practice approach to a grievance procedure. Dr. Appiarius will ensure it goes to legal. Board President Martin asked if there were questions. Regent Juarez thanked Dr. Appiarius for all his work and is glad it is in place. Regent Juarez asked where it will be placed. Dr Appiarius stated the appeal process only appears on the website for faculty. This will be on the website for faculty and staff and it will be in the student handbook once approved.

## 2. Title III Grant

Dr. Lopez stated Dr. Bailey introduced this project and we are grateful to the US DOE that they gave us this funding. He would like to say a special thank you to Dr. Bailey for trusting the partnerships we have been able to form to get this funding. Between 2011 and 2018, we did not receive one single grant from the US DOE in these areas, Title V and Title III. We started partnering with the right individuals in 2016 and we got our third results with the Title V and it was a \$2.5M grant that we still have. Last year, another \$2.5M grant and now this is a \$5M grant. We are talking about \$10M in three years and this would not have been possible without Dr. Bailey allowing them to do the right partnerships. These are highly competitive national grants. Thank you to Dr. Bailey and thank you to Ricky Bejarano for assisting with funding. It is expensive to apply for these grants. Dr. Lopez reviewed the Grant (attached) and how we serve the students better in the classroom and outside.

Regent Velarde stated this is awesome, this is amazing for the students and community and being a STEM professional, it really does open up the door for so many more that an engineer does more than just drive a chain. That was her assumption before she went to Northern. Thank you for your work on this, she knows that grant applications are almost as bad as creating RFPs especially for a STEM professional. Thank you guys for all the work and all the support and she feels this is going to open the door for so many more especially because we have the scope to help the underprivileged.

Regent Swentzell stated congratulations this is a major milestone, major achievement there was a lot of sweat and tears poured into this. He brought up some questions in the subcommittee meeting

and would like to bring them up again. This has to do with his own biases and he would like to put this on the table. He is a humanities dude. How do we recruit STEM people? The budget line item for recruitment, Dr. Appiarius brought up the recruitment office at Northern has been increased substantially but we are also talking about substantial increases in STEM programs which is going to be a push. It is going to be critical to the sustainability of this. He is wondering about the bigger picture. This is amazing to have the \$5M and to be able to be able to grow these robust support systems and all of these improvements. He gets nervous about what is the wider institutional push to make sure the numbers are met. Is some of the community college stuff internal stuff or external only? President Bailey stated it is a good question about the bigger picture. We recognize that education in the region is a, to tackle it, we have to look holistically at it. In public schools in the region, he has been to hearings in public education where the percentage of students who are testing at grade level in math and English is 3%. We have two options, he thinks, one we can poke our public education partners in the eye which does no good or we can partner. We can come together to figure out how we can work on this together. What Dr. Lopez has built over the course of his tenure as the provost is to try to build partnerships in ways that really put our money where our mouth is. We have right now in a partnership with Espanola the Upward Bound program where we have 60 students all the way through after school programs, summer programs, weekend programs. We have seen some of those same students now who have graduated and earned \$250,000 scholarships with Davis. We have seen it work. We are dealing with a complex social system and sometimes some of the pieces put in place may take years to really start to see the fruit. We have to be willing to invest in things to knowing that they are going to pay off down the road. Regarding the transfer, we also have, thanks to the Board, we now have a partnership with CHESS so that each of the students are going to have the same number as the number at NNMC. If there isn't a clear pathway now, it is going to take a couple of years but we are planting all the seeds. We did a survey of our students two years ago and asked them the number one reason they are in college and the number one reason is they want a good paying job. We know and President Bailey is a huge fan of liberal arts, and he understands that there is a benefit that students in college become better critical thinkers and better communicators and better holistic strategic thinkers. He thinks it is not an either or, he thinks it is an both and he thinks if you take career services which by the way will apply to everything, then now there are pathways for engineering students, languages and letters students and the idea is to build an ecosystem where we are taking students at the YDI which is about to open at the campus dealing and serving kids ages 18 months to 3 years and find a pathway all the way into career at the end of their journey at Northern. This is the big picture to put the pieces in place to make that ecosystem thrive.

Mr. Guedes stated they are working in Career Services as students and have laid out events they will do through the semester. They have a platform coming up to help students with careers and to help them throughout college. They are looking for all students. We know the biggest employer is LANL and we want them to see the big picture, not only work for LANL but what is outside.

Regent Velarde she thinks it would be smart for us to leverage all partnerships we already have, even the partnership with STEM Santa Fe. They held an amazing two- week STEM camp on our campus this summer and STEM Santa Fe reaches out all the way down to the elementary level. Her son attended a summer program for fifth graders this year and she thinks it is awesome. So, leveraging these kinds of partnerships and seeing how we can reach out even down to the elementary level because she feels like that is where it begins at that base at that foundation. Being able to use all of this and leverage our partnerships, it is just a win-win for the community all around.

Regent Juarez would like to give a huge shout out to Dr. Lopez for all his work. This is a super powerful step towards Northern being a part of diversifying the STEM field and when it comes to addressing our societies challenges it is important that we have that unique perspective that low income and Hispanics have at the table.

Board President Martin thanked Dr. Lopez and we look forward in six months having a tour of the new facility.

Dr. Lopez stated he would like to thank all the STEM faculty, chairs and Grant Writer, Zeke Para. This would not have been possible if they did not come together with ideas for the proposal.

#### B. Vice President for Finance & Administration

Mr. Bejarano stated he would like to begin by thanking our various teams. The Business Office, no sooner had they been done with the arduous task of bringing us out of the disclaimer of the audit and last year's audit has begun. It seems like they have been audited now for three years and we are starting to see light at the end of the tunnel. They deserve a lot of credit, especially our Comptroller, Vince Lithgow, our security team, they have done an awful lot with limited resources as well as our maintenance and janitorial people. They do amazing work and right now we are down about five or six positions between both of those teams. We have a lot going on but he will not bore the Board of Regents. He did bore Regent Velarde and Regent Archuleta with a number of projects going on at both campuses. They are huge projects, everything from building restrooms from scratch to remodeling restrooms to make them ADA compliant, we have reroofed, brought in PMI to sanitize various buildings and this is ongoing. This has been hundreds of thousands, we are replacing and repairing HVACs and we are adding filtration systems as we go to address this and any other pandemic in the future. If anyone has any questions, please email Mr. Bejarano and he will send a full list. Regent Velarde stated Mr. Bejarano is never a bore and couldn't be one if he tried. Mr. Bejarano stated he will take this in the best way and thanked Regent Velarde. Mr. Bejarano introduced Mr. Lithgow for presentation of the Fiscal Watch Reports.

#### 1. Fiscal Watch Reports – Action Required

Mr. Lithgow presented the June and July Fiscal Watch Reports to the Board of Regents (attached). There is one for the end of last year, June 30 and the one for July of this year. On the balance sheet we started off with about \$6.4M in cash, we had receivables of almost \$1.5M and that is attributable to registrations for the summer and mainly for the fall semester. Total current assets are about \$8.5M. Non-current assets are static at \$35.8M for total capital assets of about \$44.3M. We have some deferred outflows of resources and this is related to the pension balances that are adjusted once per year during the audit. That number is just stagnate at \$5.3M. Liabilities in accounts payable is \$1.4M and that is par for the course as we are trying to liquidate the payables for that period. Other income, accrued liabilities and differed income about \$1.5M with another \$400,000 in some minor liabilities for mainly the Perkins related items. Non-current liabilities again are the pension adjusted annually. Total liability is about \$31.1M and deferred outflows of resources of about \$4.9M. Total net position once we have restrictions for capital projects and related party activities that is going to be the branch for net position of \$600,000 unrestricted deficit. Total net position we are almost at \$9M which did not change from the prior month. Going on to the income statement, going from our budgeted amounts as to actually received, most critical

of that for revenues received overall revenues collected almost 90% of budgeted revenues. The one we did collect 100% on was the state appropriations. The other part of that is the local government appropriations which is the Mill Levy about \$2.3M and \$8.6M on the grant side. On the expense side overall in total we have expended 77% of the budgeted amount which is obviously lower than the revenues we brought in which from an accounting point is a good thing, you want revenues to equal or exceed expenses. We had transfers out of about \$240,000 and a fund balance of about \$6.3M. There was very little activity in our capital projects for a variety of reasons, fire alarm system and other capital projects has been delayed due to COVID shortages. On page 32 is a comparison of last year to this year, revenues are slightly higher than last year for FY20 and expenses were a little lower. That would make sense as to the first income statement where we collected almost 90% of revenues. The capital plant funds are an apples and oranges type of thing, we had more activity and higher appropriations in the fiscal year. We went down from \$1.9M to \$500,000. Cash flow, we got almost \$4.9M from tuition and \$8.6M from grants and the biggest expenses is about \$13.6M for salaries and benefits and the rest for operating costs and another \$1M to scholarships.

Mr. Bejarano stated due to COVID, he has to say it is very difficult to get contractors out to give bids. Used to be we called a contractor out and they were out the next day to present bids with a lot of work going on, our wait time to get bids, Shawn Madrid, Acting Director of Facilities and Security will tell you our wait time has been in some cases has been 10-15 days and in more dire cases it has been anywhere from 30-60 days to get someone out here especially as it pertains to El Rito where a lot of work is going on. Regent Velarde stated and then the bid is only good for seven days. Mr. Bejarano stated he is glad that we have a finance committee chairperson that understands that. It is not done because we cannot get anyone out to give a bid. We are looking forward to getting better. Help wanted signs are out in Espanola and Santa Fe so he wants to point this out because it is slowing us down.

Mr. Lithgow stated page 34 is the statement of net position for July 31, 2021. Current assets cash \$6.3M and didn't change much from June but receivables went down a little bit because the balances for the summer session were paid. The capital assets are stagnant. Everything is similar to the much of June. The exception is the liability, AP is about \$80,000 for July and prior month was \$1.4M so that was a significant outflow of cash. Cash is still cash and you will see a significant outflow of cash in the statement of cashflows. Non-current liabilities remain stagnant and related party activities you can see at \$1.2M restricted for Branch Community College on the Mill Levy Funding. \$33.5M in change in net position which was a minor change from the prior fiscal period. For revenues, we have tuition and fees there is a -\$171,000 and what we have to do is there is the students get their money and it is applied towards their accounts and from the financial aid and whatever is left over gets refunded back to the students. Working with the federal government where we get the funding, we must do the refunds and submit for reimbursement, that is why you have the negative and in August it will turn around. General fund appropriation is on target 8.2% and we are collecting nominal fees. We have collected almost 4% of our budget and on the expense side we have incurred expenses and the bulk is through salaries and benefits. Zero activity in capital and plant. Budgetary wise we have received a significant amount of funding for the HERF projects so budgeted wise, the high dollars are just now starting to get contractors in to do work. Last year to this fiscal year, revenues are down, we had the bigger refund this time versus last year. Expenses, last year we had a higher number of vacant positions than this year. Plant funds there is no comparison. Statement of Cash flows, receipts -\$171,000, salaries and benefits, payments to suppliers includes those liquidations of prior period obligations. State funding and funding for

distributions have to restrict and then a \$6.3M cash/cash equivalent equates to the statement of net position. Mr. Lithgow stood for questions.

Board President Martin entertained a motion to approve the fiscal watch reports.

**Regent Swentzell moved to approval Fiscal Watch Reports for June 30 and July 31, 2021. Second – Regent Velarde. A roll call vote was taken. Board President Martin – yes, Regent Velarde – yes, Regent Swentzell – yes, Regent Archuleta – yes, Regent Juarez – yes. Motion passed unanimously**

Mr. Bejarano stated with HERF funding, we are fortunate to be in the cash position that we are in because those are what we refer to as reimbursement type grants. In other words, we have to shell out those millions of dollars before we can recognize the revenue and draw it from the feds. Mr. Lithgow and his team have developed quite an elaborate system because the last thing we would want to do is to be caught in a position where we would have to pay money back because we did not spend it appropriately. For this audit, HERF funding is being audited in detail, meaning, usually with audits they take samples and if the sample reveals something negative then you look further. They are actually looking at every dollar and transaction for HERF funding. This will also increase our revenue as we start drawing down our money that we have had to expend. The other thing Mr. Bejarano wanted to point out is that he is Zooming from home and it would not be possible without our IT people and he has not worked with such a hardworking team with Jimi Montoya and his outstanding team and none of it would be possible without him.

## 2. Budget Adjustment Requests (BARs)

Mr. Bejarano stated there are no BARs for this month which is a tribute to Evette Abeyta, Budget Director and she budgets incredibly precisely. Anytime we do not have BARs that means Director Abeyta has gotten it right.

## 3. Nursing Fees – Action Required

Mr. Bejarano stated this is semi-good news. This is actually not an increase; this is a decrease that is working toward the advantage of the students. Dr. Lopez will explain a little bit about this and the way we change the way we collect these fees that is working to the benefit of these students. Dr. Lopez explained the nursing fees for the Board of Regents (attached). Every semester the College brings to the Board of Regents changes to course specific fees in the nursing program. It happens every semester, every year. It always goes up and this time we are recommending the elimination of two fees that are tied to specific courses in the nursing program. One is finger printing fee, the other is the criminal background. These expenses are still going to happen at the student level but are not going to be through NNMC anymore. The reason for doing this from the point of view of the student and the nursing program is the students are going to save \$22.00 by doing this change because now the students are going to pay this directly to a vendor. This is a process that will happen online and it will be way faster than the way we were charging and doing this process. He will say, because this was asked in the committee meetings, can the students still use their financial aid to pay for these fees. The reason these fees are tied to the courses is because automatically they are paid with the PELL grant. Now because they are not tied the students will pay out of pocket. Remember by not charging this in the front end, in the PELL grant, when the money is disbursed to the students, the balance is going to be higher. The students are still going to get the money and are not losing any money. This is going to simplify the process for the students, the

nursing program and the business office. Now the business office collects the money and has to pay the vendor and there is three or four step process. We are recommending that these fees are eliminated from the courses.

Board President Martin asked if there were questions for Dr. Lopez.

Regent Swentzell stated one thing that came up in the subcommittee and is wondering about this potential impact. Say the students still need these fingerprints and these sorts of things and they will paying it on their own as opposed to a package and fees, if there some sort of sources for student funding saying your school only cost this much and your school now costs less, does this impact aid in certain situations. He is not necessarily talking about PELL but perhaps some other situations, he could see a potential for almost a negative outcome for this as they still need these fees. He is wondering about unintended consequences of reducing the overall cost for students. It might be a super minority situation such as this nursing situation. It is not a real reduction; it is a reduction in the fees. Dr. Lopez stated the reality is the financial aid packages, his understanding, the way they work are not just based on the tuition and fees but associated costs. Textbooks, for example, those are not necessarily purchased through the college, they are estimated. In this case, these fees are not going to be tied to the tuition and fees but will go to miscellaneous. It should not be a problem. We are talking to \$100 and should not impact. It might be a real reduction of \$22.00 which is not real significant. The ultimate question is do we want, yes, we are reducing the cost of attendance but the students are spending less. It is still good for the students. President Bailey stated he agrees with Dr. Lopez. If and this is an if, right now President Biden is trying to push a budget package that would allow for free community college, if that passes, there are a lot of things we have to figure out. What Dr. Lopez stated about cost of attendance, books, fees, we would have to super aggressive to show what needs to be included and that is something we need to explore down the road to do.

Dr. X stated the new vendor for this fingerprinting is electronic fingerprinting and we are getting a quicker turn around. She had one last week that was a quick turnaround as opposed to several weeks before. It is a wonderful thing. Ellen Trabka stated there was one semester where we had to delay students going into clinical. The old process negatively affected the student's experience. She would not recommend going back to the old process. This is so much more efficient and everybody is doing it this way.

**Regent Swentzell moved to approve the change in Nursing Course Fees. Second – Regent Archuleta. A roll call vote was taken. Board President Martin - yes, Regent Velarde - yes, Regent Swentzell - yes, Regent Archuleta - yes, Regent Juarez - yes. Motion passed unanimously.**

#### 4. RPSPs

Mr. Bejarano introduced Ms. Evette Abeyta, Budget Director for review of the next two items. Ms. Abeyta has worked day and night for the last two items. She puts these together with very little assistance, she and Ms. Stephanie Lovato, Grants Accountant. Mr. Bejarano does not know how they get it done because our systems do not lend themselves to this type of reporting. As a CPA, Mr. Bejarano can say he has never seen a report of actuals or that type of report required by the higher education department, it is a strange animal and she has it down pat. It is about 114 pages long and it is line item by line item by line item. Regent Velarde and Regent Archuleta have seen

it and it is an amazing thing and he is remiss in recognizing her every year. With that, Mr. Bejarano turned it over Ms. Abeyta, Budget Director.

Ms. Abeyta thanked Mr. Bejarano for the compliment. Ms. Abeyta reviewed the RPSPs for the Board of Regents (attached). Ms. Abeyta stated what we have in the packet is the RPSPs and other funding sources requested for the institution from the New Mexico State Funding Appropriations. The detail of the requests is in the reports for FY23. To explain a little bit of what is on this is these are the special projects that we request funding and are funding through HB2, Section 4 appropriations aside from the original I&G appropriation. These are specific to their use as you can see the first item is the Nursing Expansion Program of \$400,000, the Athletics Program of \$670,000, the Veteran's Resource Center of \$116,800 and we actually added the Native American Student Center as a new program requested. We have requested this a couple of years back and was not funded for it and have put it back in hopes they would consider the funding. We also have the Academic Program Evaluation which is still a continuing program at the same level and we have the STEM initiative which is also continuing at \$125,200. The total request is at \$1.5M. Ms. Abeyta stood for questions. Board President Martin asked if there were any questions and entertained a motion to approve the RPSPs.

**Regent Swentzell moved to approve the RPSPs and other funding requests. Second – Regent Archuleta. A roll call vote was taken. Board President Martin - yes, Regent Velarde - yes, Regent Swentzell - yes, Regent Archuleta - yes, Regent Juarez - yes. Motion passed unanimously.**

#### 5. Report of Actuals

Ms. Abeyta reviewed the Unaudited FY21 Report of Actuals (attached). Ms. Abeyta stated reviewed Exhibit 1 of the Report of Actuals. There are three sets of columns for the FY21 original budget and there was no change to that. The original budget actually for the sake of consistency, is showing the original budget submission before the budget reductions took place last fiscal year. The second set of columns is the estimated actuals which does reflect the budget reduction. You can see in I&G the revenue portion for the unrestricted side is lower than the original budget. You see the third set of columns which is the unaudited actuals. Mr. Lithgow covered much of this in his June 30th report. Basically, this is an overall view of the institution's expenditures for FY21 and this data was as of September 9th. As you know we are currently going through the FY21 audit and although we try to come as close as possible to the audit ending balances, there could be some potential other journal entries that will occur between now and when this was submitted and until the audit is final. Basically, an overview of the revenues. You could see we estimated a little high for FY21 when you compare it to the unaudited actuals. The revenue looks a little bit lower. There are a couple of factors there, one, due to COVID we did not have as many people present on campus so a lot of things like lab fees were actually reduced. We did have tuition which was higher but we also had a lot of tuition waivers, which is a good thing, that means we had a lot more students enrolled but it does skew the revenue number but it is actually reflected as a decrease in revenue so we can reflect that cost. The restricted revenue is also lower than the estimated. Again, due to COVID, you will see the results of the less presence on campus. Beginning balances are just the beginning balances we took from year ending FY20. Both revenue and beginning balances will give us the available budgets for FY21 so you will see a

\$21.8M available balance and then the \$8.4M for restricted. The expenses, you will see the same type of trend based on revenue. The expenditures at \$15.7M in the unrestricted side versus the

estimated at \$17.5M was much lower and the same thing goes for the restricted side. On the capital outlay, a lot of these projects were put on hold due to COVID so you will see it is lower than anticipated. The total transfers from I&G and across to the restricted side are \$209,000 versus what we estimated at \$227,000. For the ending balances you can see the total net position at September 9th is estimated at almost \$5.1M. Mr. Abeyta stood for questions.

Board President Martin asked if there were questions for Ms. Abeyta and entertained a motion to approve the report of actuals.

**Regent Velarde moved to approve the Report of Actuals. Second – Regent Juarez. A roll call vote was taken. Board President Martin - yes, Regent Velarde - yes, Regent Swentzell - yes, Regent Archuleta - yes, Regent Juarez - yes. Motion passed unanimously.**

**The Board of Regents took a break prior to the Deep Dive. The meeting returned to order at 11:14AM.**

## **IX. DEEP DIVE**

### **1. Student Housing**

President Bailey presented the Deep Dive – Student Housing to the Board of Regents. President Bailey invited Dr. Appiarius and Coach Cordova to talk about this. Most student's come from a 40-mile radius from campus. The purpose of this is to talk about the state of housing. Ryan Cordova discussed the issues of housing. Don Appiarius discussed the issues of housing. President Bailey reviewed the 2-campus vision. President Bailey does not think the College needs to get into the business of running a dorm. A public/private vision may be an option for the College. President Bailey believes this is where we go. The opportunities for the College are huge. Commissioner Campus stated we are asking for money for housing. There is a desperate need for housing. Teacher housing is also needed. Las Lomas is nowhere for students. President Bailey stated there is an opportunity for every one and there could be a whole community approach for it.

Regent Velarde stated she wanted to make sure, we talked about this, this was a presentation of needing housing. It has been around for a while. She hopes this doesn't just doesn't become a meeting and nothing becomes of it. We need to take action on it. Maybe we can make a special task force to ensure the work continues. This is a big issue and it has been something Northern has been struggling with for a long time. Regent Velarde is available for this. Board President Martin stated we have had a lot of success on committees. He would like to have Regent Archuleta and Regent Juarez on the committee to keep this as a focus. Regent Archuleta will be in charge of this committee.

## **X. PUBLIC INPUT**

Board President Martin called on Mr. Jake Arnold for public input. Mr. Arnold stated he has been meaning to speak to the Board since Juneteenth but various things have taken place and he was not able to do so at the Juneteenth Celebration at the College and we have had delays in meetings and so on. He is happy to be here and would like to comment the College, the Board of Regents and President Bailey for participating in the Juneteenth celebrations. However, there is one point of unfinished business and that has to do with a fellow that really initiated the whole Juneteenth consciousness and that was General Gordon Granger. He was the union general who was assigned the military commander in Texas in the early reconstruction period. He was assigned to Galveston which at that time was the most important city politically (inaudible) even more so than San Antonio. It was Gordon Granger who put up the order on the wall on June 19, 1865 which said hey slavery is over, this order has been well publicized and covered in the news media and he doesn't think there was any question about that but what has been lacking in all the news media coverage and in all the discussions that he heard is what Gordon Granger did after that. Well, he ended up being mustered out of volunteer union army, the Civil War Army and reenlisted in the regular army and was assigned the rank of Colonel but he was still referred to as General Granger from his Civil War service. He ends up commanding buffalo soldiers, the black soldiers on the frontier in Texas and then he is assigned in 1871 to be the military commander of New Mexico and for five years he was the military commander with headquarters in Fort Marcy in Santa Fe. Unfortunately, the City of Santa Fe has chosen to commemorate Phillip Sheridan, his superior and Phillip Sheridan was a high ranking general of dubious reputation for his Civil War conduct. He was initiated the sort of slash and burn sort of scorcher policies in the Battles of Shenandoah. He also was happy to have soldiers under his command basically attach Indian communities in the winter time so when he disbursed them, they had very little place to go. He was a pretty nasty guy. He was credited with the statement "the only good Indian is a dead Indian." This is Phillip Sheridan, lots of places are named after him. Mr. Arnold stated it would behoove the City Council in Santa Fe in the middle of all their problems about the obelisk and all the other issues about statues and names, we still have the Oñate statue issue in Rio Arriba County and so on to rename Sheridan Street Granger Street but there is even more to the story. Gordon Granger was charged as the military commander with enforcing in New Mexico and a portion of Southern Colorado what was known as the (inaudible) of 1967. Even though we have the Emancipation Proclamation, the end of slavery, we really didn't end it officially until the passage of the 13th Amendment. But then there was another issue, that was debt servitude or debt peonage, here in New Mexico and that also very much affect Indian people. This brings up a very unusual guy by the name of Lafayette Head. Lafayette Head started off in Abiquiu, he was an Indian from the Jicarilla Apache and for the Ute people of Southern Colorado and Northern New Mexico. He was also the Sheriff of Rio Arriba County, US Marshall for New Mexico. He was also a member of the New Mexico Territorial Legislature. As far as Mr. Arnold knows the only other person who has been a Legislator, Sheriff of Rio Arriba County and US Marshall was Emilio Naranjo. This is just a little historical note of the background there. What Lafayette Head did, by the way he was fluent in Spanish and along many of the Spanish speaking people who were not familiar with the name with Lafayette, they called him Rafael Cabeza. He ended up in Conejos, Colorado and even though Colorado was severed from New Mexico territory in 1961 the military commander of New Mexico still had jurisdiction over a portion of Southern Colorado just for political purposes and that is basically Conejos County, the town of Conejos which is right near Antonito. He was charged with doing an inventory of all the Indian people, mainly (inaudible) up in Conejos who were being held still as slaves, they were still as slaves and under the guise of the debt servitude of peonage program. What it was he had gone to Washington with a Ute Chief Uray to see President Lincoln and the research he had done was an inventory of 161 Indian people or (inaudible) that could be bought and sold as slaves still in the 1860's. That is what led to the Peonage Act of 1867 which

specifically said New Mexico and other territories, in other words New Mexico had been the center of this. He was very much responsible, this is going back to Gordon Granger, for enforcing that in the State of New Mexico and ending it. So, Granger, besides what he did with the Juneteenth Proclamation in Texas was also very instrumental in some of those other last vestiges of slavery, specifically dealing with people who were indentured servants and these folks were indentured servants not for a term of let's say 10-15 years the way they were done in England in the early American Colonies but a life time of that. So, there is a lot of consciousness of what old Lafayette Head did and then Gordon Granger enforcing that as the military commander from New Mexico with the jurisdiction of that little slice of Southern Colorado which once was part of the New Mexico Territory. Mr. Arnold just wanted to bring this to the attention of people and hopefully that some of this history can be included at some point in time in the Liberal Arts Curriculum that Dr. Bailey has spoken about even for the career education people. It is very important. There was really an alliance in New Mexico going back to the 1930's with what was known as the Chimayo Rebellion of 1937 when a group of people, more radical Mexican (inaudible) and Indian people rose in revolt against the dictatorial policies of coming out of Mexico City out of Santa Ana and there was a governor who was actually killed by a group of Santo Domingo Indians at the corner of Hickox and Agua Fria Street in Santa Fe, he was assassinated as a nasty guy. They severed his head and people in Santa Fe kicked the head around the Plaza playing games with it. Later on, Manuel Armijo, the next Governor working for Santa Ana suppressed that rebellion and (inaudible) and he executed the President of this break away rebellious New Mexico government, his name was Jose Gonzales, he used to run Buffalo on (inaudible). This is really the beginning and this historical thread is this alliance between progressive Mexican of European background and the Indian people in New Mexico and we have kind of lost track of that. There is a lot of different threads that merge here. Getting back to Gordon Granger, Mr. Arnold doesn't know anyone who lives in Santa Fe who has influence or whatever in dealing with that with renaming things because they are really named after the wrong people, he would love to see Granger Street instead of Sheridan Street.

Regent Velarde stated she would like to offer her time in this sort of aspect. She wanted to thank Mr. Arnold for the awesome history lesson because it is something that we all need to know and sometimes it is not in the history books that we have and sometimes small parts of our history are very valuable. In that sort of same aspect, Regent Velarde wanted to say that, she wanted to offer about an hour of her time monthly to students, to the community, to faculty and it is a lunchtime hour where we can just sit together on a Zoom call and any ideas you have, any solutions for any issues, any history lessons, any thoughts that you would just like to share. Regent Velarde stated she thinks it is valuable to be able to share that time with each other and she send Amy an invite that will be reoccurring. It will be the last Friday lunch time of every month and would love to invite everyone to just have a small community conversation. Board President Martin thanked Regent Velarde.

**The Board of Regents took a lunch break at 12:15PM.**

## **XI. EXECUTIVE SESSION**

**None.**

## **XI. TOUR OF CAMPUS FACILITIES**

**The Board of Regents returned to session at 1:12PM.** President Bailey led a tour of the El Rito Campus.

### **XIII. ADJOURNMENT**

Board President Martin entertained a motion to adjourn.

**Regent Swentzell moved to adjourn. Second – Regent Archuleta. A roll call vote was taken. Board President Martin - yes, Regent Velarde - yes, Regent Swentzell - yes, Regent Archuleta - yes, Regent Juarez - yes. Motion passed unanimously.**

The Board of Regents adjourned at 1:43PM.

APPROVED:

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Michael A. Martin, Board President

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Erica R. Velarde, Vice President

# NORTHERN New Mexico College



## NORTHERN NEW MEXICO COLLEGE BOARD OF REGENTS SPECIAL MEETING OCTOBER 12, 2021

### **I. CALL TO ORDER**

A Special Meeting of the Board of Regents of northern New Mexico College was held on Friday, October 12, 2021, Via Zoom. Regents Present Michael A. Martin, Erica Velarde, Porter Swentzell, Ruben Archuleta, Evelyn Juarez.

Northern New Mexico College Staff Present: President Richard J. Bailey, Jr., Ph.D.; Ricky Bejarano, Vice President – Finance & Administration; Vince Lithgow - Comptroller; Chris Trujillo, Lead IT Specialist, James McKeough, Distance Education Coordinator, Sally Martinez, Executive Assistant to the Provost & Vice President for Academic Affairs, Sandy Krolick, Creative Director, Communications & Marketing, David Lindblom, Assistant Professor, FDMA/Creative Director of Canal Seis, Arin McKenna, Staff Writer/Reporter Communications & Marketing, Michael Rivera, Veterans Resource Center, Don Appiarius, PhD, Assistant Provost of Student Affairs, Frank Loera, NNMC Branch Trades, Chair, Janice Baca, Associate Registrar, Kathy Levine, Financial Aid Director, Anjel Romero, Library Access Services and Operations Manager, Deborah Trujillo, IT Manager/Web Administrator, Kenneth Lucero, Director of Human Resources, Sara McCormick, Recruiter/Admissions, Rosina Chaparro, Financial Aid Officer/Scholarship Specialist, Analise Lopez, IT, Robert Palko, Registrar, Juan Gallegos, Windows Systems/Information Security Administered, Ken Dvorak, PhD, Director, Center for Distance Education and Amy Pena, Executive Office Director.

Faculty Present: Melanie Colgan, Betty Espinoza, Gloriadell Gonzales, Ellen Trabka,

Others Present: Dina Holcomb, Geno Zamora, Tim Crone, Jessica Terraza, Victor Farias, Jolyn McTeague, Alejandra Jaramillo

### **FINAL AGENDA**

#### **I. CALL TO ORDER**

Board President Martin called the meeting to order at 8:00AM

#### **II. APPROVAL OF AGENDA**

Board President Martin entertained a motion to approve the agenda.

**Regent Velarde moved to approve the agenda. Second – Regent Swentzell. A roll call vote was taken. Board President Martin – yes, Regent Velarde – yes, Regent Swentzell – yes, Regent Archuleta – yes, Regent Juarez – yes. Motion passed unanimously.**

### III. PUBLIC INPUT

Board President Martin stated he would like to thank our counsel, Geno Zamora. He suggested we move the public input up so we could have people's opinions before we move on items that are on the agenda. That will be the way we proceed from now on. Board President Martin asked if Ms. Peña has the list of Public Input. Ms. Peña stated the first person to speak is Julianna Barbee.

Ms. Barbee thanked the Board of Regents for allowing her to have some input today. She would like to start by saying Martin Luther King, Jr. once said the ultimate measure of a man is not where he stands in moments of convenience and comfort but where he stands at times of challenge and controversy. It is easy to do the right thing and say the right words when times are good but it is a lot harder when you are navigating in a first-time crisis like the COVID-19 pandemic. I hope that Team Northern and our Board of Regents can put aside any differences, anything that continues, so that we can continue to support President Bailey and our leadership team in their guidance and their decisions in how we are going to move forward to survive this pandemic. They have had the students and safety at the center and Ms. Barbee has valued the community caring focus that they have shown so far. From the beginning of COVID, she has been so impressed with the quick courageous decisions and the fast proactive adoption of new ways of doing things but with health and safety in mind first for all of us.

President Bailey and our NNMC leadership team have been doing an outstanding job in moving our college forward. We see it every day in the news and in the media and if you just talk to people around the State, they are talking about Northern in a very positive way. They have succeeded in so many areas in regards to our college and continue to do so even during a crisis like this. I fully support the trust and the decisions and the leadership of President Bailey and I will continue to stand behind him as the SBDC and unite to put efforts they put forward. I strongly believe that our NNMC Board of regents should support this leadership. If the board should decide to overturn any decision, I really feel this will create division. Now more than ever is the time to be united not divided. The Board needs to trust the decisions and be supportive in order to move safely past this pandemic. During the most challenging time in our lifetime, President Bailey has been very successful in not only protecting but pivoting while focusing on the needs of the students at all times. While President Bailey and his leadership continues to demonstrate a force for public change and the meaningful transformation of our college while keeping our students needs at the center of decisions. This current leadership of Northern has been the best since I have been here for about 22 years. I have never seen so many positive success stories on the local, the State and the national platform. Northern is highly respected by other colleges and organizations and Ms. Barbee knows because she is hearing it all the time. SBDC's are located across our colleges, across our State, across our nation and she is always hearing your college cares about you. That is the message and the reputation that we have. Ms. Barbee stated she would like to follow up by also saying every day it is important to notice on the economic side how people have changed their habits and they have changed everything they are doing. Economic disruptions and limit economic recovery has caused so many deaths but one of the number one reasons that people are really worried about this is because the safety practices. She truly believes that the vaccines are lifesaving tools from our experts and she feels that we all have a responsibility to help our community through this. Ms. Barbee stated she is doing her part to help her friends, her co-workers and just to help our businesses stay open by taking the vaccines and the boosters and she supports fully this leadership and what every decision they are making and thank you for the time you have allowed her.

Board President Martin asked Ms. Peña who was next on the list for Public Input. Ms. Peña stated Ellen Trabka.

Ms. Trabka thanked the Board of Regents and President Bailey for the opportunity to speak to them today about the President's Vaccine Mandate. Ms. Trabka stated she has been the Chair of Nursing & Health Sciences at Northern for almost 20 years. She has been a nurse for over 35 years working in a variety of clinical settings. At Northern she teaches community and global health in the Baccalaureate Nursing Program. Ms. Trabka stated she speaks to the Board of Regents as a Nurse, as a Northern employee, and as a member of the Espanola Community. Ms. Trabka stated she strongly supports President Bailey's mandate for students, staff and faculty who are on campus or in clinical practicum experiences off campus. This policy is based on science and the desire to protect the health, safety and welfare of our entire college community. The COVID-19 vaccine is safe and effective in preventing serious disease, hospitalization and death as a result of contracting COVID-19. The overwhelming percentage of patients hospitalized and dying from COVID are those that are unvaccinated at this point. Nurses and hospital staff are exhausted and frustrated because the majority of these hospitalizations and deaths are preventable with the vaccine. Each person's decision to vaccinate or not to vaccinate has an effect on the entire community at large. An individual's decision not to get vaccinated can negatively affect another person's health. Therefore, we must act out of concern for the health of the public. This global pandemic is bigger than one single individual and the only way out is to get people vaccinated. The Centers for Disease Control and Prevention in 1988 defined public health as what we as a society do collectively to assure the condition in which people can be healthy. This can be accomplished by the actions of groups, both public and private, by individuals and by the government. One of the core functions of public health is to provide leadership in developing policies that support the health of populations using scientific knowledge and this is exactly what President Bailey has done when mandating that faculty, staff and students be vaccinated. I realize that this policy poses a moral or ethical dilemma for some people. In nursing, when faced with such dilemmas, we turn to our codes of ethics to guide decision making. A cornerstone of the nursing code of ethics is beneficence to do good and nonmaleficence, the duty to do no harm. During this global pandemic many in nursing and medical community have been forced to operate under what is called crisis standards of care which dictates the duty to care for individuals transitions to saving the greatest number of lives. Utilitarianism is an ethical framework that speaks to doing the greatest amount of good for the greatest number of people. As the College President, it is Dr. Bailey's duty to protect the health and welfare of the entire college community. By instituting the vaccine mandate, Dr. Bailey is acting according to accepted professional ethics, standards and values and he is in alignment with scientific principles. He is providing responsible leadership in a time of crisis that protects the greatest number of people which aligns with core public health policies. Ms. Trabka stated she urges the Board of Regents to support him in this decision.

Board President thanked Ms. Trabka and asked Ms. Peña who was next. Ms. Peña stated Melanie Colgan.

Ms. Colgan stated she would like to thank the Board of Regents and President Bailey for the opportunity to speak today about the President's vaccine mandate. Ms. Colgan stated she has been a nursing professor at Northern for over two years now and she has been a nurse for over 20 years working in a variety of clinical settings, most importantly in the ICUs and Emergency Rooms. During this pandemic she has served as a member of the New Mexico Medical Reserve Corp and in this role she has proudly administered COVID tests and vaccines to community members in both Espanola and Los Alamos. Today, she is here to speak to the Board of Regents

as a nurse, as a Northern New Mexico College Employee and as the President of the Los Alamos School Board. In Los Alamos, just like in the rest of our State and our nation, school children ages 3-18 are physically back in school. Los Alamos has been able to successfully implement in person schooling due to a 97% vaccination rate among our teachers, staff and employees and 76% vaccination rate among our 12–18-year old’s who are eligible for the vaccine. This was all working well until this past week when we had 30 positive cases reported in our district. The vast majority of these cases were among the unvaccinated. 24 of these cases were unvaccinated elementary school students, ages 5-11 all at one single school. The school is closed this week, all of its students will be in quarantine in an effort to stop the spread of COVID. Currently, children under the age of 12 are unable to receive this vaccine. The Los Alamos school district has been protecting these vulnerable students by surrounding them by very high numbers of vaccinated adults and by requiring everyone in a school building to wear a mask. This past week showed that even the implementation of these precautions is not enough to prevent the spread of COVID to the unvaccinated. We need to have every eligible person vaccinated to slow the spread of COVID. If Northern New Mexico College opens up its campus to non-vaccinated faculty, staff and students, it is inevitable that there will be a repeat of what is happening this week in Los Alamos and what has been happening all over our State and our nation. Schools closing temporarily with every COVID outbreak. At this moment in time, the opening and closing of elementary schools can't be helped. Our youngest students are not eligible for this vaccine but the potential closing of Northern's campus can be prevented. The majority of everyone here on campus is eligible for this vaccine. Hundreds of colleges and universities have instituted vaccine mandates and studies have shown that the vast majorities of college students and staff are complying with these new requirements. These institutions are now well protected against COVID. Ms. Colgan would like Northern to be well protected against COVID and that is why she strongly supports President Bailey's vaccine mandate for students, staff and faculty who are on campus. It is based on science and the desire to protect the health, safety and welfare of our college community. Ms. Colgan urged all the Board of Regents to support the vaccine mandate. Ms. Colgan thanked the Board of Regents.

Board President Martin thanked Ms. Colgan and asked Ms. Peña who was next. Ms. Peña stated Lauren Reichelt. Ms. Peña stated she does not believe Ms. Reichelt was able to join the meeting. Board President Martin stated he would like to give anyone else an opportunity who would like to submit some public input to do so at this point and asked if anyone else who would like to speak. Board President Martin asked if there was anyone else. Ms. Pena stated there are a couple of people who rose their hands. The first being Dr. Don Appiarus.

Dr. Appiarus stated he appreciated what was said for the past few minutes, especially from the medical side and he thinks he is kind of doing this on the spur of the moment. He wants to come from another side and that is personal impact. As some of you may know, Dr. Appiarus was born with cystic fibrosis, he had a double lung transplant in 2003 and he knows of at least three other staff members since the onset of COVID who are in similar high, high-risk categories. He would just implore the Board, two things, number one, everything that we know about pandemics shows that the cycle is speeding up, meaning this is not the last pandemic we will have. Just in the last 20 years you can count off a whole bunch of things, SARS, H1N1, that we have had to experience as a nation and a global community. Thankfully, they didn't have the transmissibility and impact of COVID, the Coronavirus we have had these past few years. That was kind of more luck than any intentional planning that we did as a global society and the take away is that this will happen again. Dr. Appiarus stated he wants to implore the Board to think carefully about do we want the President to be able to act adroitly in a crisis, even an existential crisis and secondly, if the Board

does believe that this promulgation is outside of a President's authority as both the CEO but also the COO in a very real sense and in charge of all operations on the campus, he would implore the Board that they adopt similar practices as put forward by Dr. Bailey and the Administration simply because as already noted it is based on the best science and it is something that as educators, Dr. Appiarius feels strongly we should be doing. We are an educational institution, that means that we respect foundational knowledge, or it should mean that, and more importantly he would submit it also means that we are as a public entity an institution that has a need to honor the safety and long-term well-being of our immediate community as well as the community in which we live and operate. Dr. Appiarius would strongly urge the Board to consider first that this does indeed fall within the purview but secondly, more importantly, that even if the Board determines that this is not within that purview that they adopt those practices because there have been dozens of people who have been trying to research how best to move forward as Northern in its Northern way and he believes Dr. Bailey and the Administration are spot on. From a very very personal point of view knowing that this presents an existential threat to Dr. Bailey and a number of others, at no harm to the community except in the most rarest of case, that we do this for the benefit of the campus community and as good partners with Espanola. Dr. Appiarius thanked the Board for their time and wished them the best in their deliberations. Board President Martin thanked Dr. Appiarius and asked who is next for public input. Ms. Pena stated Bruno Guedes.

Mr. Guedes stated (inaudible) stated he is going to (inaudible). Mr. Guedes lost connection during his public input and will speak at a later time.

Board President Martin asked if we lost Mr. Guedes. Ms. Pena stated we did lose him. Board President Martin asked if there is anyone else who would like to give input. Ms. Pena stated David Lindblom.

David Lindblom thanked the Board of Regents for allowing him to say a few things. Mr. Lindblom stated the Board has some decisions to make but the staff and faculty are the ones on the front line. We are the ones that will bear the brunt of this and he considers it a life and death matter. He also thinks that the Board, yes, they have a lot of fiduciary responsibilities having to do with our assets and the biggest asset the Board has to take care of is the people that work here. It is not just the people that work here, it is the people that we are going to be in contact with. As a faculty person, Mr. Lindblom stated he is under enormous pressure to teach and one way or the other face to face or online and online is very tricky in our circumstances because bandwidth in the region is terrible and it is very very difficult for teachers to teach online but there is pressure to do so for lots of reason. Therefore, there is a lot of pressure to teach face to face. When Mr. Lindblom thinks he will just do it face to face he is risking his life to do that and the Board of Regents has to do everything they possibly can to make it safe and he thinks that the Board of Regents needs to let Dr. Bailey operate this place the way he has been operating it and he is keeping us safe and finally he wants to say that his mom was a very strong anti-vaxer at the beginning of the polio epidemic and she had to relent and allow Mr. Lindblom to get vaccinated so he could go to school and so he is here and not living his life out in an iron lung. Mr. Lindblom stated he thinks what turned her, she didn't trust medical establishment but what turned her was probably the idea that if she didn't allow me to get vaccinated maybe he would end up infecting other people because she was a very compassionate person, empathetic person and ultimately would think about the welfare of everybody not just her fear of medical science. Mr. Lindblom fully supports Dr. Bailey's responsibility to operate this place and keep us all safe. Mr. Lindblom thanked the Board of Regents. Board President Martin thanked Mr. Lindblom and asked if Mr. Guedes is back. Ms. Pena stated he is back.

Mr. Guedes apologized for what happened, he was going through a dead spot since he is going to Espanola right now, going through the campus. He apologizes for not having his camera on because as he explained he is in the car and he also suffered a concussion last Friday during practice so he cannot stand light and his phone yet. Mr. Guedes stated we heard about the science side and the faculty side and he would like to talk a little bit about the student side. As Student Senate President, he thinks he represents all the students and himself as well. Since we had the College closing in March 2020, he went back home, he went back to Brazil and he stayed there, they had online classes and they have been having online classes this whole time. Mr. Guedes stated as Mr. Lindblom stated, online classes and online learning is tricky because first of all he thinks the learning experience is not the same. Since people are at home and students are home, they tend to not pay attention as they would as they are in the classroom. Not only that, the motivation, Mr. Guedes found himself unmotivated a lot of times because he was at home, he didn't want to go to class, he didn't want to login to Zoom, he didn't want to do his classwork through Blackboard and it is really really tough and hard especially for people who do not have good internet connection, they face a lot of challenges. He thinks having a mandate on people to vaccinate speeds up the process of coming back to campus and this is one of the things he feels like we need to have because he feels like the learning experience is not the same. Not only that but the more emotional part and experiences, he feels like this past year as he has been at home, he lost of a lot of experiences on campus that he would love to have and of course it wasn't safe to be back on campus. He feels like right now with all the vaccine available for most of the people it is safe and we hear about science and he touching on the emotional part. He will graduate next May and he hopes he can step in the classroom again, see his teachers, staff, the faculty, the administrators back on campus, see people on campus. He wishes a lot of people that graduated last spring and last fall had the same opportunity but they didn't so it is one of the things to consider as well is that part. Mr. Guedes thanked the Board of Regents for letting him speak and hopefully we could take a good decision out of this. Board President Martin thanked Mr. Guedes and stated he would like to thank everyone that contributed to the public input. The public input on our Agenda is the avenue that the Board has for people to reach out to us to tell us what their concerns are about the College and their concerns about the agenda. Board President Martin stated he would encourage people to sign up for Public Input on future meetings because we really appreciate your input.

#### **IV. POSSIBLE ACTION REGARDING ADMINISTRATIVE VACCINATION MANDATE FOR FACULTY, STAFF AND STUDENTS FOR THE 2021-22 SCHOOL YEAR**

Board President Martin stated we will go on to the next item on the agenda which is the possible action on the vaccination mandate. Board President Martin stated he would like to proceed with this as we are going to have a brief synopsis given to us by our legal counsel, Geno Zamora and then he would like to give each member of the Board an opportunity to speak to this issue. Board President Martin asked the Board if this is alright with them. Regent Velarde stated it is. Regent Swentzell stated it is. Regent Archuleta stated it sounds good also. Regent Juarez stated yes, absolutely. Board President Martin called on Mr. Zamora.

Mr. Zamora thanked the Board of Regents for giving him the opportunity to address some of the issues or to provide background to the Board to address this issue on their agenda. This item appears on the special meeting agenda because it was requested at the last Board meeting to have a more thorough discussion and there were questions asked regarding the President's authority with regard to the vaccination mandate and the Regents authority with regard to the vaccination

mandate. Since the Board's regular meeting, his firm has done extensive research on these matters to provide the Board with full answers. Mr. Zamora stated he has on the Zoom with him Jessica Terrazas who did that work on the firm' behalf and can fill in any blanks if there are blanks that Mr. Zamora failed to cover. First and foremost, where we find the authority is in the Colleges Board of Regents Policies and Procedures which were revised as recently as January 13, 2021. These policies in essence restate the authority granted to the President and the Regents both in the New Mexico Constitution at Article XII, Section 13 as well as in Statute which is in Chapter 21 of the New Mexico Statutes Annotated. Rather than going into the constitution and into the statutes, Mr. Zamora stated he would just go into the summaries that are within the policies. In Regents Policies and Procedures at page 3 it has a section titled Institutional Governance and the first item is titled Source of Authority which states that the control and management of Northern is vested in the Board of Regents pursuant to New Mexico Constitutional Article XII, Section 13 and Section 21-4-1 of the New Mexico Statutes. Secondly it says the governance structure is that the Board of Regents controls and manages Northern through direct exercise of its authority and through delegation of authority to the President. If move down further to page 7 in which it articulates the role of the President. The paragraph number 3 under the President is entitled Delegation of Authority and in that paragraph, it states that the Board hereby delegates to the President the responsibility and authority to operate and manage the institution pursuant to and consistent with the policies of the Board and with law and with recognition that the Board maintains the ultimate responsibility for all institutional activities. If you go to page 8 of the Board's Policies and Procedures, it articulates the duties and responsibility of the President in Section 6. Section 6-e states that the duties and responsibilities of the President pursuant to the Board's delegation of authority shall include but not be limited to completely administer the instruction, student services and business affairs of the College. That is 6-3. In paragraph 6-1 it says manage and control College property. Now, with those specifically articulated duties it is important to remember that the Board in its policies does retain ultimate authority, meaning, the Board has the opportunity to allow the President to run the daily operations but step in where it feels necessary either to affirm the operations of the President, to disaffirm and overrule the operations of the President or to take no action and allow the President's practices to remain in place. With regard specifically to COVID vaccination mandates and the ability to issue such a mandate at a public university, the Seventh Circuit Court of Appeals heard exactly this issue in a case entitled Clauson versus Trustees of Indiana University. In that decision at the Seventh Circuit Court of Appeals, the Court upheld Indiana University's mandate for vaccinations and the US Supreme Court declined to hear it leaving this decision in place. The Clauson Court stated, made a couple of notable statements in its decision to allow the mandate to remain in place. One is, its statement that vaccination requirements like other public measures have been common in this nation and it continues to state in its opinion, each university may decide what is necessary to keep other students safe in a congregate setting. Health exams and vaccinations against other diseases, measles, mumps, rubella, diphtheria, tetanus, pertussis, varicella, meningitis, influenza and more are common requirements of higher education. As has been stated in public comment and Mr. Zamora is going to quote again in the court, it says, vaccination protects not only the vaccinated persons but also those who come in close contact with them and at a university close contact is inevitable. Now, with that, the Court did recognize exceptions for both medical and religious purposes. That is the summary of the policies and the state of the law. Mr. Zamora stood for any questions if any Board members have questions. Board President Martin asked if there were questions for Mr. Zamora.

Board President Martin stated he would get the ball rolling. Board President Martin stated he feels like the safety of our students, faculty and staff is paramount and he agrees with the Presidents policy. This is going to run through the end of the school year, hopefully, by the end of the school year situations will change and we will reevaluate the policy at that point. Board President Martin called on Regent Velarde.

Regent Velarde stated right now we are just assessing our role in this. We are not voting to approve his policy or his mandate. She asked if she was correct? We are talking whether the Board has a role in this and has the ability to, as Geno said, to either support the President's policy, change it a little or make it null and void and she thinks that is what we are discussing here. For Regent Velarde, she stated, her issue is just the policy itself. We need to as a Board be taking care of policy. When it was short term, as we were doing it in sort of, as President Bailey once said, building the plane as we were flying it in the very beginning, he had full authority and we were letting him lead the way because it was sort of short term. We didn't know if this was going to be long term or not, we didn't know if this was going to end in six months or a year. Now that we are at this point, Regent Velarde stated she just feels we are at a point where it is not short term anymore, it is long term. It is coming to a point where it is even being called termed policy and anything long-term, she knows is the responsibility of the Board. It is not that she doesn't agree with Dr. Bailey's policy, it is simply that we are not always going to have Dr. Bailey as our President. As much as Regent Velarde would love to maybe clone him and make sure we always have Dr. Bailey as President, we are not and we are not always going to be the Board. If we set precedence in allowing the President to create a long-term policy, that's just where Regent Velarde worry and she just thinks that as a Board, just like UNM did. UNM number one had the President and Board basically issue the policy. Regent Velarde thinks it is stronger if we do it together as a President and as a Board and be able to do it in a concerted effort. Regent Velarde reached out to the President of the Board of Regents at UNM and asked him just simply why they had decided to go that route. He said they just felt it was stronger if they did it together. So, this is where Regent Velarde is coming from, is that she wants to make sure we are doing the best for our college long term. Not just in this moment for Dr. Bailey flying the plane. She wants to make sure that we are not creating any issues in the future that create precedence that another President could say oh this is health and safety policy and it is my purview and we have done it in the past and the Board allowed it in the past. Regent Velarde is not sure it would ever happen and she is not sure that it wouldn't. Her issue and her ask here is just that we come together as a Board and decide what to create as our policy. Regent Velarde does not mind having Dr. Bailey's policy be that sort of lead or template for us. Board President Martin thanked Regent Velarde and called on Regent Swentzell.

Regent Swentzell stated he really appreciates all the public input and everyone that showed up at this meeting at 8:00AM and it is good to see so many people on this Zoom call and appreciates all of the thoughts and comments people made. He things it is important, regardless of what the topic is, todays topic is vaccines or vaccine mandate he should say, not vaccines but the mandate at Northern New Mexico College. As Geno Zamora pointed out the Board has a specific role in the oversight of the College and that Board's need to remember what our agency is within that right and at what point to, we hand over that role of governance to that person at a President or whatever that title is at a particular college, right. We have President Bailey as the person who runs things, the operator of the college and our key job was to have selected him although that was before Regent Swentzell's time so we are just lucky to have inherited the previous boards selection. It is important through the processes of shared governance that we think about the best way we might do our duty as public servants, as servants to Northern New Mexico College, as servants to the Rio Grande Valley, right and how we might best take care of the people that comprise our community,

right, the communities of this area. So, to Regent Swentzell it is always good to take a minute and just think about that, how can we best serve, right. Regent Swentzell appreciates Regent Velarde's comments of perhaps strategizing about the best ways that we might serve and do the best for our community. Regent Swentzell stated this is really all he would have to say and he appreciates everybody for coming out this morning, joining us in this discussion about how we might best serve the communities of Northern New Mexico. Board President Martin thanked Regent Swentzell and called upon Regent Archuleta.

Regent Archuleta stated he understands what the Regent Velarde and what Regent Swentzell said and he is going to give his point of view as a hospital employee. Regent Archuleta stated he sees this virus causing a lot of problems, a lot of issues. It is said and he is in the trenches. Regent Archuleta supports getting vaccinated so we can avoid all this situation. Getting people, getting students back on campus he thinks is very important because another issue people haven't spoken about is mental health. Suicide rates have gone up across the country in Elementary, suicidal people coming into the ER here at the hospital. Regent Archuleta thinks it is important, try to get our students back on campus. Again, Regent Archuleta would like to thank Dr. Bailey for his leadership in taking this role and for this mandate it is not going to be easy, it is going to cause a lot of controversy but at the end of the day, Regent Archuleta thinks it is best for our students, best for our community and the fastest way of getting people back on campus. Regent Archuleta stated his point of view, you know, the mental health aspect is very important in this in getting kids back on campus, getting teachers back on campus and you know online learning is nice, there is a lot of perks to it but nothing beats the in-person learning. The fastest we can get people on campus, that is his point of view. Regent Archuleta thanked the Board of Regents. Board President Martin thanked Regent Archuleta and called on Regent Juarez.

Regent Juarez stated she would like to thank everyone on this call for sharing their thoughts and feelings, their input is so appreciated. She has been thinking about this for the past couple of days and she has been carefully reviewing the responsibilities of Regents as well as that of the President. Regent Juarez stated she did want to say that she supports President Bailey's decision in mandating the vaccine which has been supported by rock solid science and decision in making this decision in the best interest of the students, staff and faculty with their health and safety in mind. Regent Juarez believes it is not only our civic responsibility as a College but as individuals to become vaccinated in order to protect those around us especially those that cannot get vaccinated due to health reasons and she thinks that, she thanks Regent Velarde for her input and she thinks it would be great for us to come together as Board and President and she thinks even if we were to do that she would still vote on the mandate to remain the same, as it is, in order to keep our people and our College as safe as possible. Board President Martin thanked Regent Juarez and entertained a motion. Ms. Pena stated Mr. Zamora would like to speak.

Mr. Zamora stated he would like to provide some additional information based on Regents comments. Ortiz & Zamora did also do the research on UNM and its Board of Regents activities and he does want to distinguish some ways the things were done. On August 5<sup>th</sup> the Board of Regents of UNM had a special meeting in which the agenda item was pretty limited in scope. It was listed under the Open Meetings Act as Agenda Item IV, Vote to Affirm the Mandatory COVID-19 Vaccination Policy for Faculty, Staff and Students and then secondarily going to the minutes of the meeting, the motion was listed in the minutes as follows, the motion to endorse the administrative mandate on required COVID-19 vaccination passed unanimously. To distinguish it from our agenda, from Northern's agenda, different folks have different philosophies on the UNM agenda, there was only one vote to be taken, whether or not to affirm the agenda item here is for

faculty, staff and students. In the minutes, the motion to endorse administration mandate ... to distinguish it from the agenda. On their agenda there was only one item. The agenda item here is broader and would allow the board to affirm, to overrule or to take no action. It also should be noted that this relates 2021-2022 school year so that this mandate is limited in scope and can be revisited. With regard to the precedent issues, it is a reminder the Board also retains the authority to overrule or alter the day-to-day operations of a President. So, whether it is this Present or the next, the Board always has that authority, they never give that away, first and foremost. Secondly, the Board, by policy, has provided the President with very broad authority in so to address one of the comments of the Board being concerned that oh maybe we have given, will be interpreted to have given operational authority to the President. You actually have already done so through your policies and procedures, but always subject to your review. The last distinguishing item is that this is intentionally termed an administrative mandate and Mr. Zamora is not sure why UNM used the term policy in theirs but the President is not adopting a policy and it is limited in scope. Some folks may mistakenly call it that but it is a single school year mandate which can be revisited in in any point in time. Board President Martin thanked Mr. Zamora and asked if President Bailey had anything to share with the Board of Regent.

President Bailey stated he had to learn; this has been a learning experience for him. He wanted to thank all the people who gave public input, he wanted to thank all the Board members for their thoughts on this. Obviously, he is pretty passionate about this and he knows a lot of people are. He learned through this process and through a lot of talks with legal, ultimately, and President Bailey needs to be aware of this and respect this. Ultimately the Board is responsible for everything. The Board delegates authority for day-to-day operations to the President but the Board has the authority, and that is the way President has gone through, he did what Regent Juarez did, he looked through all the Bylaws and everything and they are purposely written the way they are. The Board of Regents entrusts President Bailey to make decisions that in the best interest of the institution and students, faculty and staff and the Board of Regents has the authority to make it, pass a judgment on that and that is good. President Bailey stated he thinks Regent Velarde is absolutely right, he thinks we are stronger when we are together, we are stronger when come together as a team to agree on decisions but we also from time to time won't get things right and President Bailey doesn't get things right for those who remember some decisions he has made in the past and the Board has helped him overcome those. Obviously, President Bailey stated he has a pretty strong feeling about this otherwise he wouldn't have issued it. One other thing President Bailey wants to point out as the Chief Executive Officer for the organization, he is proud of the fact that over the last 19 months now, we have not had a single positive COVID case originate from either campus, he is proud of that, he is really proud of that but it doesn't mean we haven't had COVID cases, it doesn't mean we haven't had positive COVID cases and he does want everyone to know that the one person who took responsibility for every one of those cases, the one person who reported those to the State was President Bailey. He took personal responsibility for every single positive COVID case that we had. If someone caught it at church or caught it at a family function, he is the one that reported it to the Secretary of the State because this is how strongly he feels about this. He appreciates the Board's passion on this, he appreciates their position and we will respect the decision of the Board and we will move forward but he is grateful we are having the conversation.

Board President Martin stated he would like to go ahead and bring this to a decision; Board President Martin entertained a motion.

**Regent Velarde stated she would like to motion, she would like to motion the Board she guesses since Geno gave us the direction that we can at this point affirm it, it looked like three of us wanted to have our say in it and she thinks Ruben and Board President Martin would like to have a say in it as well but she would like to put out as a motion is that we affirm Dr. Bailey's policy or whatever we are calling it with the exception we allow for testing.** Dr. Bailey just said that for the last year and a half we haven't had not one positive case on campus and that has been with the policy of just testing and that has really served us well. Also, from her understanding, there is only a hand full of people either faculty, staff or students, and when she says hand full, she means just literally one hand full that have either asked for an exception or have spoken up or said that this something you know they can't do and with that sort of in mind, she would like to then allow the option for testing, to give that medial, personal or religious freedom to individuals but like she said, she would still like to confirm or affirm the rest of Dr. Bailey's policy, our policy. Board President Martin stated the Board has heard the motion and asked if there was a second. Regent Archuleta stated he has a quick question, it is not a policy right, it is a mandate and asked Mr. Zamora to respond. Mr. Zamora stated this is correct. Regent Archuleta asked if we are going to allow people to get tested, who is going to make the decision on religious exception or medical, who is going to make that decision on the individual. Mr. Zamora asked for clarification while stating what he understands this to be. Regent Archuleta stated Regent Velarde she is going to make the motion but allow for testing, and asked Regent Velarde if she is talking about the self-testing. Regent Velarde stated whatever we are doing right now, correct, the testing method that we are doing right now. She does know that with Dr. Bailey's mandate there was an exception for religious accommodation, she believes, so that policy or that procedure, she does not believe has been created on who is going to then be responsible for reviewing those and approving them and that is something further that needs to be explored. Mr. Zamora stated that is fine, he thinks Regent Velarde is providing him for the clarity he is seeking but he wants to make sure the Board understands the current status of the mandate as it complies with law and to differentiate it from other schools. The mandate currently complies with law in that it requires an exception for medical and religious purposes. If someone qualifies and that is determined by the administration, each educational institution will assign an administrator to review an application for a medical or religious exemption. If that is granted and it is considered on a case-by-case basis and it is his understanding without disclosing FERPA information or confidential personnel information that such applications have been received. That is already part of the mandate, it recognizes medical and religious exemptions that are documented and if those are granted, then those persons need to be tested at a minimum of a weekly basis. So, the current mandate seems to incorporate what Regent Velarde is discussing unless Regent Velarde is asking that that be a broader mandate beyond medical and religious requirements, that any student or staff member may opt out of vaccination. Regent Velarde stated she added the word personal freedom, personal choice. Yes, so religious health and personal. Mr. Zamora stated and under the law personal choice is not mandated. Board President Martin asked Mr. Zamora if the Board would be changing the mandate, the President's mandate if we added the word personal to it. He asked if this is correct. Mr. Zamora stated that is correct. Board President Martin thanked Mr. Zamora and stated we need a second for the motion. Ms. Pena let Board President Martin know President Bailey rose his hand. Board President Martin called on President Bailey. President Bailey thanked Board President Martin and stated he doesn't know if he is even allowed to speak. Regent Velarde stated yes, this is what going

(inaudible), are you allowed to speak if she made a motion. Regent Velarde stated Geno is saying no. Mr. Zamora stated you have a motion pending, you are looking for a second, once discussions open up, the chair can recognize the College President. Board President Martin stated yes, get a second and then we can open it up for discussion. **Board President Martin asked if there is a second to Regent Velarde's motion. Board President Martin stated there is not a second so the motion dies.** Board President Martin asked if there is anyone else that cares to make a motion about the mandate.

Regent Swentzell moved to affirm the mandate, with clarification from Geno that testing is permitted for those cases that were mentioned as under the law with the addition that this is particularly onerous because he tried to find a test a couple of weeks ago and testing is not as widely available say a year ago. It is nearly, it took him a couple of days to get a test and so this is a pretty challenging situation for any of those individuals. **Regent Swentzell moved to affirm the mandate as it stands. Second – Regent Archuleta. A roll call vote was taken. Board President Martin – yes, Regent Velarde – no, Regent Swentzell – yes, Regent Archuleta – yes, Regent Juarez – yes. Motion passed 4 – yes, 1 – no.**

## V. EXECUTIVE SESSION

Board President Martin stated the Board would go to the next item on the agenda which is Executive Session. Board President Martin stated the Board has two items on the agenda which is bargaining strategy preliminary to collective bargaining which is going to be the Status of Collective Bargaining Agreement negotiations and the Board also has threatened or pending litigation subject to the attorney-client privilege M. Velazquez v. Regents of NNMC. Board President Martin stated he would entertain a motion to enter in to Executive Session.

**Regent Swentzell moved to enter into Executive Session and stated only those items on the agenda will be discussed. Second – Regent Juarez. A roll call vote was taken. Board President Martin – yes, Regent Velarde – yes, Regent Swentzell – yes, Regent Archuleta – yes, Regent Juarez – yes. Motion passed unanimously.**

The Board of Regents entered into Executive Session

Board President Martin entertained a motion to return from Executive Session.

**Regent Swentzell moved to exit Executive Session and affirmatively state only those items on agenda were discussed. Second – Regent Juarez. A roll call vote was taken. Board President Martin – yes, Regent Velarde – yes, Regent Swentzell – yes, Regent Archuleta – yes, Regent Juarez – yes. Motion passed unanimously.**

The Board of Regents returned from Executive Session at 9:54AM.

## VI. POSSIBLE ACTION PERTAINING TO EXECUTIVE SESSION DISCUSSION

Board President Martin stated there was no action.

**VII. ADJOURN**

Board President Martin entertained a motion to adjourn.

**Regent Velarde moved to adjourn. Second – Regent Archuleta. A roll call vote was taken. A roll call vote was taken. Board President Martin – yes, Regent Velarde – yes, Regent Swentzell – yes, Regent Archuleta – yes, Regent Juarez – yes. Motion passed unanimously.**

**The Board of Regents adjourned at 9:55AM.**

APPROVED:

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Michael A. Martin, Board President

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Erica R. Velarde, Vice President

*Office of the President***NORTHERN New Mexico College****MEMORANDUM**

**To:** Board of Regents  
Northern New Mexico College

**From:** Ricky Bejarano, CPA, CGMA  
Vice President for Administration & Finance

**Date:** October 22, 2021

**Re:** Fiscal Watch Report

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**Issue**

On a monthly basis, Northern New Mexico College (NNMC) provides an institutional financial report for Board of Regent (BOR) review and approval.

**Overview**

The NNMC Business Office, on a monthly basis, prepares a Fiscal Watch Report for review and discussion at the monthly Audit, Finance and Facilities Committee (AF&F) meeting. The financial report provides an overview of the institution's financial condition for all unrestricted and restricted operational funds and grants throughout the College.

The fiscal watch reports are presented in the format prescribed by the New Mexico Higher Education Department (NMHED) with titles are located at the top of the page. An additional fiscal watch report is included to provide an updated budget status report for all Budget Adjustment Requests processed through the time of the monthly AF&F meeting.

In addition, the BOR is also provided individual reports for the following financial areas summarized in the monthly institution-wide fiscal watch report:

- Unrestricted funds (11)
- Auxiliary Programs (12)
- Institutional Grants (41)
- Student Aid (42)
- Plant Funds (91)
- Capital Projects (92)

Although the NMHED requires all higher education institutions to submit fiscal watch reports on a quarterly basis, NNMC produces fiscal watch reports on a monthly basis to ensure that the Board of Regents is regularly informed about the current financial condition of the institution.

Recommendation

Staff recommends that the Board of Regents approve the Fiscal Watch Report for the period ending August 31, 2021 and September 30, 2021.

# Northern New Mexico College

## Statement of Net Position

(Unaudited and Unadjusted)

August 31, 2021

<b>Assets</b>		
Current Assets:		
Cash and Cash Equivalents	6,171,657	
Short-Term Investments	-	
AR - Student	2,779,845	
AR - Other than student	288,448	
Inventories	72,242	
Prepaid Expenses	17,391	
Loans Receivable, net	419,230	
<b>Total Current Assets</b>	<b>9,748,813</b>	
Non-Current Assets		
Restricted Cash and Cash Equivalents	-	
Restricted Short Term Investments	-	
Investments Held by Others	-	
Other Long-Term Investments	-	
Prepaid Expenses	-	
Capital Assets, net	35,842,352	
<b>Total Non-Current Assets</b>	<b>35,842,352</b>	
<b>Total Assets</b>	<b>45,591,165</b>	
<b>Deferred Outflows of Resources</b>		
Pension Related (6/30/20 balances)	5,343,118	
<b>Total Deferred Outflows of Resources</b>	<b>5,343,118</b>	
<b>Liabilities</b>		
Current Liabilities		
Accounts Payable	267,599	
Other Accrued Liabilities	315,369	
Deferred Income	1,500,901	
LT Liabilities - Current Portion	-	
<b>Total Current Liabilities</b>	<b>2,083,870</b>	
Non-Current Liabilities		
Accrued Interest Payable	-	
Accrued Benefit Reserves	-	
Other LT Liabilities	-	
OPED Liability	5,794,145	
Net Pension Liability	21,959,024	
<b>Total Non-Current Liabilities</b>	<b>27,753,169</b>	
<b>Total Liabilities</b>	<b>29,837,039</b>	
<b>Deferred Inflows of Resources</b>		
Pension Related (6/30/20 balances)	4,909,141	
<b>Total Deferred Inflows of Resources</b>	<b>4,909,141</b>	
<b>Net Position</b>		
Invested in Capital Assets, net of Related Debt	35,842,352	
Restricted for:		
Nonexpendable:		
Endowments	-	
Expendable:		
General Activities	30,209	
Federal Student Loans	-	
Term Endowments	-	
Capital Projects	(4,367)	
Debt Service	-	
Related Entity Activities	(1,318,941)	
Unrestricted		
Unrestricted without NFP	756,714	
Net Fiduciary Position	-	
<b>Total Unrestricted (includes 6/30/20 NFP)</b>	<b>756,714</b>	
<b>Total Net Position</b>	<b>35,305,967</b>	

**Northern New Mexico College**  
**Summary of Operating and Plant Funds**  
**(Unadjusted and Unaudited)**  
**Fiscal Year 2021**

Operating Funds	FY 2021 Original Budget	FY 2021 Adjusted Budget	FY 2021 Actuals as of August 31, 2021	Percentage Earned/Spent
REVENUES				
Tuition & Misc Fees	\$ 4,075,814	\$ 4,075,814	\$ 1,924,813	47.2%
Federal Appropriations		-	-	-
State Appropriations	11,551,600	11,551,600	1,890,067	16.4%
Local Appropriations	3,618,941	3,618,941	51,580	1.4%
Gifts, Grants & Contracts	9,859,688	9,859,688	1,337,828	13.6%
Endowment/Land & Perm Inc	222,957	222,957	30,583	13.7%
Sales & Services	665,793	665,793	66,200	9.9%
Other	139,334	139,334	72,586	52.1%
Total Revenue	30,134,127	30,134,127	5,373,657	17.8%
BEGINNING BALANCE	7,254,447	7,254,447	7,254,447	100.00%
TOTAL AVAILABLE	37,388,574	37,388,574	12,628,104	33.8%
EXPENDITURES				
Instruction & General	21,562,484	21,562,484	2,289,387	10.6%
Student Social & Cultural	113,266	113,266	1,592	1.4%
Research	84,444	84,444	12,839	15.2%
Public Service	502,429	502,429	41,073	8.2%
Internal Services	880,574	880,574	146,762	16.7%
Student Aid	4,866,352	4,866,352	861,641	17.7%
Auxiliary Enterprises	910,037	910,037	54,119	5.9%
Intercollegiate Athletics	567,340	567,340	83,242	14.7%
Independent Operations (NMDA)	-	-	-	-
Total Expenditures	29,486,926	29,486,926	3,490,655	11.8%
NET TRANSFERS OUT / (IN)	230,000	230,000	25,082	10.9%
TOTAL EXPENDITURES & TRANSFERS	29,716,926	29,716,926	3,515,736	11.8%
ENDING FUND BALANCE	\$ 7,671,648	\$ 7,671,648	\$ 9,112,368	

Plant Funds	FY 2021 Original Budget	FY 2021 Adjusted Budget	FY 2021 Actuals as of August 31, 2021	Percentage Earned/Spent
REVENUES AND TRANSFERS				
Required Student Fees				
Bond Proceeds				
Gifts, Grants and Contracts				
Interest Income				
State Appropriation	\$ 2,635,000	\$ 2,635,000	-	0.0%
Debt Service Transfers				
Other				
Total Revenues and Transfers	2,635,000	2,635,000	-	0.0%
BEGINNING BALANCE	-	-	-	
TOTAL AVAILABLE	2,635,000	2,635,000	-	0.0%
EXPENDITURES				
Capital Projects	2,405,000	2,405,000	-	0.0%
Building Renewal	230,000	230,000	4,367	1.9%
Internal Service Renewal/Replacement				
Auxiliary Renewal/Replacement				
Debt Retirement				
Total Expenditures	2,635,000	2,635,000	4,367	0.2%
NET TRANSFERS OUT / (IN)	(230,000)	(230,000)	(25,082)	10.9%
TOTAL EXPENDITURES & TRANSFERS	2,405,000	2,405,000	(20,714)	-0.9%
ENDING FUND BALANCE	\$ 230,000	\$ 230,000	\$ 20,714	9.0%

**Northern New Mexico College**  
**Comparison of Operating and Plant Funds**  
**(Unadjusted and Unaudited)**  
**Fiscal Year's 2021 and 2020**

Operating Funds	FY 2021 Actuals as of August 31, 2021	FY 2020 Actuals as of August 31, 2020	Percentage Increase (Decrease)
<b>REVENUES</b>			
Tuition & Misc Fees	\$ 1,924,813	\$ 2,084,317	-7.7%
Federal Appropriations	-	-	
State Appropriations	1,890,067	1,835,567	3.0%
Local Appropriations	51,580	-	
Gifts, Grants & Contracts	1,337,828	414,019	223.1%
Endowment/Land & Perm Inc	30,583	12,419	146.3%
Sales & Services	66,200	40,651	62.8%
Other	72,586	5,740	1164.6%
<b>Total Revenue</b>	<b>5,373,657</b>	<b>4,392,713</b>	<b>22.3%</b>
<b>BEGINNING BALANCE</b>	<b>1,791,221</b>	<b>1,791,221</b>	<b>0.0%</b>
<b>TOTAL AVAILABLE</b>	<b>7,164,879</b>	<b>6,183,934</b>	<b>15.9%</b>
<b>EXPENDITURES</b>			
Instruction & General	2,289,387	1,891,044	21.1%
Student Social & Cultural	1,592	-	
Research	12,839	7,310	75.6%
Public Service	41,073	41,957	-2.1%
Internal Services	146,762	26,729	449.1%
Student Aid	861,641	7,740	11032.3%
Auxiliary Enterprises	54,119	65,647	-17.6%
Intercollegiate Athletics	83,242	78,491	6.1%
Independent Operations (NMDA)	-	-	
<b>Total Expenditures</b>	<b>3,490,655</b>	<b>2,118,918</b>	<b>64.7%</b>
<b>NET TRANSFERS OUT / (IN)</b>	<b>25,082</b>	<b>16,455</b>	<b>52.4%</b>
<b>TOTAL EXPENDITURES &amp; TRANSFERS</b>	<b>3,515,736</b>	<b>2,135,373</b>	<b>64.6%</b>
<b>ENDING FUND BALANCE</b>	<b>\$ 3,649,142</b>	<b>\$ 4,048,561</b>	<b>-9.9%</b>

Plant Funds	FY 2021 Actuals as of August 31, 2021	FY 2020 Actuals as of August 31, 2020	Percentage Increase (Decrease)
<b>REVENUES AND TRANSFERS</b>			
Required Student Fees	\$ -	\$ -	0.0%
Bond Proceeds	-	-	0.0%
Gifts, Grants and Contracts	-	-	0.0%
Interest Income	-	-	0.0%
State Appropriation	-	-	
Debt Service Transfers	-	-	0.0%
Other	-	-	0.0%
<b>Total Revenues and Transfers</b>	<b>-</b>	<b>-</b>	
<b>BEGINNING BALANCE</b>	<b>-</b>	<b>-</b>	
<b>TOTAL AVAILABLE</b>	<b>-</b>	<b>-</b>	
<b>EXPENDITURES</b>			
Capital Projects	-	-	
Building Renewal	4,367	-	
Internal Service Renewal/Replacement	-	-	0.0%
Auxiliary Renewal/Replacement	-	-	0.0%
Debt Retirement	-	-	0.0%
<b>Total Expenditures</b>	<b>4,367</b>	<b>-</b>	
<b>NET TRANSFERS OUT / (IN)</b>	<b>(25,082)</b>	<b>(16,455)</b>	<b>52.4%</b>
<b>TOTAL EXPENDITURES AND TRANSFERS</b>	<b>(20,714)</b>	<b>(16,455)</b>	<b>25.9%</b>
<b>ENDING FUND BALANCE</b>	<b>\$ 20,714</b>	<b>\$ 16,455</b>	<b>25.9%</b>

Some revenues are reported on a seasonal basis or by semester and therefore may affect the Increase/(Decrease) to Fund Balance

# Northern New Mexico College

## Statement of Cash Flows

(Unaudited and Unadjusted)

August 31, 2021

Cash Flows from Operating Activities	
Receipts from student tuition and fees	\$ 1,924,813
Receipts from grants and contracts	1,337,828
Other receipts	-
Payments to or on behalf of employees	(1,903,245)
Payment to suppliers for goods and services	(3,687,195)
Receipts from Sales and Services	66,200
Payments for scholarships	(861,641)
Other Operating Revenue	72,586
Net cash (used) by operating activities	<u>(3,050,653)</u>
Cash Flows from Non-Capital Financing Activities	
State Appropriations	1,890,067
Mill Levy Distributions	51,580
Gifts for other than Capital Purposes	-
Private Gifts for Endowment	-
Other Non-operating Expense	-
Net Cash provided (used) for non-capital financing activities	<u>1,941,647</u>
Cash Flows from Capital and Related Financing Activities	
Proceeds from Capital Debt	-
Capital Gifts, Grants and contracts	-
Purchase/Construction/Renovation of Capital Assets	(4,367)
Principal Received/Paid on Capital Debt and Leases	-
Interest and Fees Paid on Capital Debt and Leases	-
Building Fees Received from Students	-
Net Cash provided (used) for capital financing activities	<u>(4,367)</u>
Cash Flows from Investing Activities	
Investment Earnings	30,583
Net Cash provided by Investing Activities	<u>30,583</u>
Increase (Decrease) in Cash and Cash Equivalents	(1,082,790)
Cash and Cash Equivalents- beginning of year	7,254,447
Cash and Cash Equivalents- end of reporting period	<u>\$ 6,171,657</u>

# Northern New Mexico College

## Statement of Net Position

(Unaudited and Unadjusted)

September 30, 2021

### Assets

Current Assets:	
Cash and Cash Equivalents	5,420,386
Short-Term Investments	-
AR - Student	1,761,584
AR - Other than student	299,653
Inventories	72,242
Prepaid Expenses	17,391
Loans Receivable, net	435,855
<b>Total Current Assets</b>	<b>8,007,112</b>
Non-Current Assets	
Restricted Cash and Cash Equivalents	-
Restricted Short Term Investments	-
Investments Held by Others	-
Other Long-Term Investments	-
Prepaid Expenses	-
Capital Assets, net	35,842,352
<b>Total Non-Current Assets</b>	<b>35,842,352</b>

**Total Assets** **43,849,464**

### Deferred Outflows of Resources

Pension Related (6/30/20 balances)	5,343,118
<b>Total Deferred Outflows of Resources</b>	<b>5,343,118</b>

### Liabilities

Current Liabilities	
Accounts Payable	79,907
Other Accrued Liabilities	315,369
Deferred Income	1,481,374
LT Liabilities - Current Portion	-
<b>Total Current Liabilities</b>	<b>1,876,650</b>
Non-Current Liabilities	
Accrued Interest Payable	-
Accrued Benefit Reserves	-
Other LT Liabilities	-
OPED Liability	5,794,145
Net Pension Liability	21,959,024
<b>Total Non-Current Liabilities</b>	<b>27,753,169</b>

**Total Liabilities** **29,629,819**

### Deferred Inflows of Resources

Pension Related (6/30/20 balances)	4,909,141
<b>Total Deferred Inflows of Resources</b>	<b>4,909,141</b>

### Net Position

Invested in Capital Assets, net of Related Debt	35,842,352
Restricted for:	
Nonexpendable:	
Endowments	-
Expendable:	
General Activities	(90,100)
Federal Student Loans	-
Term Endowments	-
Capital Projects	(28,839)
Debt Service	-
Related Entity Activities	(870,354)
Unrestricted	
Unrestricted without NFP	969,162
Net Fiduciary Position	-
<b>Total Unrestricted (includes 6/30/20 NFP)</b>	<b>969,162</b>

**Total Net Position** **35,822,221**

**Northern New Mexico College**  
**Summary of Operating and Plant Funds**  
**(Unadjusted and Unaudited)**  
**Fiscal Year 2021**

Operating Funds	FY 2021 Original Budget	FY 2021 Adjusted Budget	FY 2021 Actuals as of September 30, 2021	Percentage Earned/Spent
<b>REVENUES</b>				
Tuition & Misc Fees	\$ 4,075,814	\$ 4,075,814	\$ 1,924,739	47.2%
Federal Appropriations		-	-	-
State Appropriations	11,551,600	11,551,600	2,835,100	24.5%
Local Appropriations	3,618,941	3,618,941	85,741	2.4%
Gifts, Grants & Contracts	9,859,688	9,859,688	2,912,553	29.5%
Endowment/Land & Perm Inc	222,957	222,957	43,452	19.5%
Sales & Services	665,793	665,793	134,182	20.2%
Other	139,334	139,334	85,853	61.6%
<b>Total Revenue</b>	<b>30,134,127</b>	<b>30,134,127</b>	<b>8,021,619</b>	<b>26.6%</b>
<b>BEGINNING BALANCE</b>	<b>7,254,447</b>	<b>7,254,447</b>	<b>7,254,447</b>	<b>100.00%</b>
<b>TOTAL AVAILABLE</b>	<b>37,388,574</b>	<b>37,388,574</b>	<b>15,276,066</b>	<b>40.9%</b>
<b>EXPENDITURES</b>				
Instruction & General	21,562,484	21,562,484	3,666,328	17.0%
Student Social & Cultural	113,266	113,266	2,388	2.1%
Research	84,444	84,444	21,506	25.5%
Public Service	502,429	502,429	79,360	15.8%
Internal Services	880,574	880,574	220,143	25.0%
Student Aid	4,866,352	4,866,352	2,308,491	47.4%
Auxiliary Enterprises	910,037	910,037	79,550	8.7%
Intercollegiate Athletics	567,340	567,340	118,209	20.8%
Independent Operations (NMDA)	-	-	-	-
<b>Total Expenditures</b>	<b>29,486,926</b>	<b>29,486,926</b>	<b>6,495,975</b>	<b>22.0%</b>
<b>NET TRANSFERS OUT / (IN)</b>	<b>230,000</b>	<b>230,000</b>	<b>27,414</b>	<b>11.9%</b>
<b>TOTAL EXPENDITURES &amp; TRANSFERS</b>	<b>29,716,926</b>	<b>29,716,926</b>	<b>6,523,389</b>	<b>22.0%</b>
<b>ENDING FUND BALANCE</b>	<b>\$ 7,671,648</b>	<b>\$ 7,671,648</b>	<b>\$ 8,752,677</b>	

Plant Funds	FY 2021 Original Budget	FY 2021 Adjusted Budget	FY 2021 Actuals as of September 30, 2021	Percentage Earned/Spent
<b>REVENUES AND TRANSFERS</b>				
Required Student Fees				
Bond Proceeds				
Gifts, Grants and Contracts				
Interest Income				
State Appropriation	\$ 2,635,000	\$ 2,635,000	-	0.0%
Debt Service Transfers				
Other				
<b>Total Revenues and Transfers</b>	<b>2,635,000</b>	<b>2,635,000</b>	<b>-</b>	<b>0.0%</b>
<b>BEGINNING BALANCE</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>TOTAL AVAILABLE</b>	<b>2,635,000</b>	<b>2,635,000</b>	<b>-</b>	<b>0.0%</b>
<b>EXPENDITURES</b>				
Capital Projects	2,405,000	2,405,000	-	0.0%
Building Renewal	230,000	230,000	28,839	12.5%
Internal Service Renewal/Replacement				
Auxiliary Renewal/Replacement				
Debt Retirement				
<b>Total Expenditures</b>	<b>2,635,000</b>	<b>2,635,000</b>	<b>28,839</b>	<b>1.1%</b>
<b>NET TRANSFERS OUT / (IN)</b>	<b>(230,000)</b>	<b>(230,000)</b>	<b>(27,414)</b>	<b>11.9%</b>
<b>TOTAL EXPENDITURES &amp; TRANSFERS</b>	<b>2,405,000</b>	<b>2,405,000</b>	<b>1,424</b>	<b>0.1%</b>
<b>ENDING FUND BALANCE</b>	<b>\$ 230,000</b>	<b>\$ 230,000</b>	<b>(1,424)</b>	<b>-0.6%</b>

**Northern New Mexico College**  
**Comparison of Operating and Plant Funds**  
**(Unadjusted and Unaudited)**  
**Fiscal Year's 2021 and 2020**

Operating Funds	FY 2021 Actuals as of September 30, 2021	FY 2020 Actuals as of September 30, 2020	Percentage Increase (Decrease)
<b>REVENUES</b>			
Tuition & Misc Fees	\$ 1,924,739	\$ 2,174,382	-11.5%
Federal Appropriations	-	-	
State Appropriations	2,835,100	2,753,350	3.0%
Local Appropriations	85,741	-	
Gifts, Grants & Contracts	2,912,553	2,059,587	41.4%
Endowment/Land & Perm Inc	43,452	25,793	68.5%
Sales & Services	134,182	146,957	-8.7%
Other	85,853	176,068	-51.2%
<b>Total Revenue</b>	<b>8,021,619</b>	<b>7,336,137</b>	<b>9.3%</b>
<b>BEGINNING BALANCE</b>	<b>1,791,221</b>	<b>1,791,221</b>	<b>0.0%</b>
<b>TOTAL AVAILABLE</b>	<b>9,812,841</b>	<b>9,127,358</b>	<b>7.5%</b>
<b>EXPENDITURES</b>			
Instruction & General	3,666,328	3,338,273	9.8%
Student Social & Cultural	2,388	-	
Research	21,506	8,225	161.5%
Public Service	79,360	64,274	23.5%
Internal Services	220,143	40,094	449.1%
Student Aid	2,308,491	1,706,646	35.3%
Auxiliary Enterprises	79,550	100,070	-20.5%
Intercollegiate Athletics	118,209	119,344	-1.0%
Independent Operations (NMDA)	-	-	
<b>Total Expenditures</b>	<b>6,495,975</b>	<b>5,376,926</b>	<b>20.8%</b>
<b>NET TRANSFERS OUT / (IN)</b>	<b>27,414</b>	<b>23,366</b>	<b>17.3%</b>
<b>TOTAL EXPENDITURES &amp; TRANSFERS</b>	<b>6,523,389</b>	<b>5,400,292</b>	<b>20.8%</b>
<b>ENDING FUND BALANCE</b>	<b>\$ 3,289,451</b>	<b>\$ 3,727,066</b>	<b>-11.7%</b>

Plant Funds	FY 2021 Actuals as of September 30, 2021	FY 2020 Actuals as of September 30, 2020	Percentage Increase (Decrease)
<b>REVENUES AND TRANSFERS</b>			
Required Student Fees	\$ -	\$ -	0.0%
Bond Proceeds	-	-	0.0%
Gifts, Grants and Contracts	-	-	0.0%
Interest Income	-	-	0.0%
State Appropriation	-	-	
Debt Service Transfers	-	-	0.0%
Other	-	-	0.0%
<b>Total Revenues and Transfers</b>	<b>-</b>	<b>-</b>	
<b>BEGINNING BALANCE</b>	<b>-</b>	<b>-</b>	
<b>TOTAL AVAILABLE</b>	<b>-</b>	<b>-</b>	
<b>EXPENDITURES</b>			
Capital Projects	-	-	
Building Renewal	28,839	2,562	1025.6%
Internal Service Renewal/Replacement	-	-	0.0%
Auxiliary Renewal/Replacement	-	-	0.0%
Debt Retirement	-	-	0.0%
<b>Total Expenditures</b>	<b>28,839</b>	<b>2,562</b>	<b>1025.6%</b>
<b>NET TRANSFERS OUT / (IN)</b>	<b>(27,414)</b>	<b>(23,366)</b>	<b>17.3%</b>
<b>TOTAL EXPENDITURES AND TRANSFERS</b>	<b>1,424</b>	<b>(20,804)</b>	<b>-106.8%</b>
<b>ENDING FUND BALANCE</b>	<b>\$ (1,424)</b>	<b>\$ 20,804</b>	<b>-106.8%</b>

*Some revenues are reported on a seasonal basis or by semester and therefore may affect the Increase/(Decrease) to Fund Balance*

# Northern New Mexico College

## Statement of Cash Flows

(Unaudited and Unadjusted)

September 30, 2021

Cash Flows from Operating Activities	
Receipts from student tuition and fees	\$ 1,924,739
Receipts from grants and contracts	2,912,553
Other receipts	-
Payments to or on behalf of employees	(2,976,571)
Payment to suppliers for goods and services	(4,541,780)
Receipts from Sales and Services	134,182
Payments for scholarships	(2,308,491)
Other Operating Revenue	85,853
Net cash (used) by operating activities	<u>(4,769,515)</u>
Cash Flows from Non-Capital Financing Activities	
State Appropriations	2,835,100
Mill Levy Distributions	85,741
Gifts for other than Capital Purposes	-
Private Gifts for Endowment	-
Other Non-operating Expense	-
Net Cash provided (used) for non-capital financing activities	<u>2,920,841</u>
Cash Flows from Capital and Related Financing Activities	
Proceeds from Capital Debt	-
Capital Gifts, Grants and contracts	-
Purchase/Construction/Renovation of Capital Assets	(28,839)
Principal Received/Paid on Capital Debt and Leases	-
Interest and Fees Paid on Capital Debt and Leases	-
Building Fees Received from Students	-
Net Cash provided (used) for capital financing activities	<u>(28,839)</u>
Cash Flows from Investing Activities	
Investment Earnings	43,452
Net Cash provided by Investing Activities	<u>43,452</u>
Increase (Decrease) in Cash and Cash Equivalents	(1,834,061)
Cash and Cash Equivalents- beginning of year	7,254,447
Cash and Cash Equivalents- end of reporting period	<u>\$ 5,420,386</u>



## MEMORANDUM

**To:** Board of Regents  
Northern New Mexico College

**From:** Ricky A. Bejarano, VP Finance and Administration

**Date:** October 22, 2021

**Re:** Consolidation of Tuition and Fees and Increases

---

### Issue

Students have to pay specific mandatory fees per credit for the first 12 credits. Since they are mandatory fees, one administrative simplification for the students and the college is to combine them with the tuition.

Moreover, the consolidation of tuition and fees includes an increase in the current combination of tuition and fees. This increase compensates for inflation and for the future commitments that need to be institutionalized in distance education.

### Overview

The current scheme of mandatory fees and tuition does not allow the student to maximize the benefits of specific scholarships. Also, they create additional administrative processing for the Business Office. By combining them, the processing of tuition and fees will be more efficient, transparent, and allow students to use all the funding they have in scholarships that apply for tuition alone.

The college has maintained tuition and fees frozen for the last four years. However, the inflation spike that the national economy is experienced needs to be addressed by increasing the proposed table in the tables in the first appendix.

Similarly, the investments that have been made and that will continue to be made in Distance Education for the next few years require higher tuition to be sustainable in the future. The model is described in the second appendix.

### Recommendation

We recommend the Board of Regents to approve the two schemes attached to this memorandum to become effective by Fall 2022.

Office of the Provost

NORTHERN New Mexico College



### **Consolidation of General Fees with Tuition for Online Course**

Currently, students pay a tuition rate of \$135.85/credit plus general fees of \$62.70/credit for each registered credit up to 12 for online courses. Additionally, students paid an Online Fee of \$31. Additional credits between 13 and 18 are free of charge (no tuition or fees). Credits beyond 18 credits are paid at a tuition rate of \$135.85/credit plus general fees of \$62.7/credit.

Moreover, there is an additional fee, the registration fee, equivalent to \$29.26 for each registered student.

Similar to the face-face courses, the fact that these fees are mandatory only creates student confusion and additional administrative burden. Therefore, the College Administration proposes combining these fees with tuition to implement a new single tuition rate.

However, it is crucial to recognize that online courses demand additional instructional resources from the institution. These other resources include highly specialized personal for instructional design, quality-control specialist, 24-7 technical support for students, pay faculty to participate in quality assurances, additional stipend for faculty who teach online courses, continuous professional development in statics, investments in upgrades to the learning management system, software for online/remote education, software to support students with disabilities, software to prevent plagiarism, and software to advise remote students. Moreover, NNMC has to pay additional memberships with external agencies due triggered by online instruction (for example, NC-SARA or Quality Matters). Many of these services are currently funded with federal grants under the institutional commitment that they will be absorbed by NNMC in the next 2-3 years.

Additionally, the foreseeable growth of the Project Management program (and other business administration programs), including the expensive RN to BSN, will require higher investments in full-time faculty salaries to keep a competitive quality in a nationwide environment.

The estimate of these additional costs is \$600K that will have to be absorbed within the next few years. The administration estimates a growth in enrollment that will help with additional revenue. Still, it is important that the revenue collected per student is also increased since additional students also create additional costs.

Therefore, the administration is proposing: a) to combined tuition/fees in one single tuition rate for clarity and transparency; b) to increase the cost of attendance for fully online courses (WEB designation in Banner) for in-state students (remember that they may have the Opportunity Scholarship or the Lottery Scholarship); c) to decrease the cost of out-of-state tuition so that our

competitive costs incentive out-of-state students to attend NNMC and allow to grow the revenue volume.

	Current Model				New Model		
	Tuition	Gral. Fees	Online Fee	Total	Tuition	Online Fee	Total
<b>NEW MEXICO RESIDENTS</b>							
1-11 hours, per credit hour (Part-time)	\$135.85	\$62.70	\$31.35	\$229.9	\$295.00	\$0	\$295.00
12 to 18 hours = block (Full-time)	\$1,630.20	\$752.40	\$376.20	\$2,758.8	\$3,540.00	\$0	\$3,540.00
18+ hours	\$135.85	\$62.70	\$31.35	\$229.9	\$295.00	\$0	\$295.00
<b>Senior Residents Age 55+ (non-art classes)</b>							
First 3 or 4 credit non-art class per term	\$150.00	\$0.00	\$0.00	\$150.00	Eliminate it		
<b>Senior Residents Age 65+</b>							
First 9 credits	\$5.00	\$62.70	\$31.35	\$99.05	\$5.00	\$0	\$5.00
Credits after the first 9 credits up to 12, per credit	\$135.85	\$62.70	\$198.55	\$198.55	\$295.00	\$0	\$295.00
12 to 18 hours = block (Full-time)	NA	NA	NA	NA	NA	NA	\$2190.00
18+ hours	\$135.85	\$62.70	\$198.55	\$198.55	\$295.00	\$0	\$295.00
<b>NON-RESIDENTS (including international students and non-WUE)</b>							
1-11 hours, per credit hour (Part-time)	\$504.74	\$62.70		\$567.44	\$320.00	\$0	\$320.00
12 to 18 hours = block (Full-time)	\$6,056.82	\$752.40		\$6,809.22	\$3,840.00	\$0	\$3,840.00
18+ hours	\$504.74	\$62.70		\$567.44	\$320.00	\$0	\$320.00
<b>MILITARY</b>							
90% of the In-State/Out-of-State new tuition rate. Applicable to all categories 1-11, 12 to 18, and 18+.							

Table 1

Office of the Provost

NORTHERN New Mexico College



### Consolidation of General Fees with Tuition for Face-to-Face/HYB Courses and Increase of 5%

Currently, students pay a tuition rate of \$135.85/credit plus general fees of \$62.70/credit for each registered credit up to 12. Additional credits between 13 and 18 are free of charge (no tuition or fees). Credits beyond 18 credits are paid at a tuition rate of \$135.85/credit plus general fees of \$62.7/credit.

The General Fees (\$62.7/credit) that students pay are a combination of charges, according to Table 1.

General Fees	Amount
Blg/Equip Renovation	\$ 11.91
Student Service Fee	\$ 11.91
Activity fee	\$ 3.76
Online/LMS fee	\$ 3.76
Library fee	\$ 1.25
Security fee	\$ 1.25
Athletic fee	\$ 5.02
IT fee	\$ 23.83
<b>Total</b>	<b>\$ 62.70</b>

Table 1

Moreover, there is an additional fee, the registration fee, equivalent to \$29.26 for each registered student. If this fee gets spread in 12 credits, it is equivalent to \$2.43/cr combined.

The fact that these fees are mandatory creates student confusion and additional burden. Therefore, the College Administration proposes **combining these fees with tuition** to implement a new single tuition rate **plus an increase of 5%** to adjust for inflation for a total of \$211/credit for up to 12 credits, no tuition from 12 to 15 credits, and \$211/credit for credits beyond 18. The proposal is to start with this new tuition/fees model in Fall 2022 to allow IT and the Registrar to make the appropriate changes in the system.

The 5% increase is to compensate for the cumulative inflation of recent years. The last time that the tuition and/or fees were adjusted was in April 2017. The average 12-month inflation rates for the following years have been 2.4% in 2018, 1.8% in 2019, and 1.2% in 2020, according to [us.inflationcalculator.com](https://www.inflationcalculator.com). The average annual inflation for this year measured in July is 3.67%, but it is estimated to continue growing until the end of December. The cumulative inflation from

the last time the tuition/fees were raised is 9.4% assuming that it stays flat at the average rate of 3.67% for the rest of the year. The increase proposed will cover just half of the purchasing power lost because of inflation.

The courses that will be affected by this change will be those that are designated in banner as TR/RMOTE/HYB. The proposed model is shown in Table 2.

	Current Model			New Model		
	Tuition	Gral. Fees	Total	Tuition	Gral. Fees	Total
<b>NEW MEXICO RESIDENTS</b>						
1-11 hours, per credit hour (Part-time)	\$135.85	\$62.70	\$198.55	\$211.00	\$0	\$211.00
12 to 18 hours = block (Full-time)	\$1,630.20	\$752.40	\$2,382.60	\$2,532.00	\$0	\$2,532.00
18+ hours	\$135.85	\$62.70	\$198.55	\$211.00	\$0	\$211.00
<b>Senior Residents Age 55+ (non-art classes)</b>						
First 3 or 4 credit non-art class per term	\$150.00	\$0.00	\$150.00	Eliminate it		
<b>Senior Residents Age 65+</b>						
First <del>(6)</del> 9 credits	\$5	\$62.70	\$67.70	\$5.00	\$0	\$5.00
Credits after the first 9 credits up to 12, per credit	\$135.85	\$62.70	\$198.55	\$211.00	\$0	\$211.00
12 to 18 hours = block (Full-time)	NA	NA	NA	NA	\$0	\$1,686.00
18+ hours	\$135.85	\$62.70	\$198.55	\$211.00	\$0	\$211.00
<b>NON-RESIDENTS (including international students)</b>						
1-11 hours, per credit hour (Part-time)	\$504.74	\$62.70	\$567.44	\$597.00	\$0	\$597.00
12 to 18 hours = block (Full-time)	\$6,056.82	\$752.40	\$6,809.22	\$7,164.00	\$0	\$7,164.00
<b>NON-RESIDENTS (WUE)**</b>						
1-11 hours, per credit hour (Part-time)	\$203.78	\$62.70	\$266.48	\$280.00	\$0	\$280.00
12 to 18 hours = block (Full-time)	\$2,445.30	\$752.40	\$3,197.70	\$3,360.00	\$0	\$3,360.00
<b>COMMUNITY RATE (for art classes)</b>						
Per credit hour (6 hours or less)	\$80.00	\$20.00	\$100.00	\$100.00	\$0	\$100.00
Per credit hour (more than 6 hours)	\$135.85	\$62.70	\$198.55	\$211.00	\$0	\$211.00
<b>MILITARY</b>						
90% of the In-State/Out-of-State new tuition rate. Applicable to all categories 1-11, 12 to 18, and 18+.						

\*\*Reduced rate of 150% of resident tuition for eligible degrees, offered through the Western Undergraduate Exchange ([www.wiche.edu/wue](http://www.wiche.edu/wue)).

Table 2

This proposal **will** increase the cost of attendance for students by 5% but will provide more transparency and create less confusion while simplifying the billing process for the business office.



## **MEMORANDUM**

**To:** Board of Regents  
Northern New Mexico College

**From:** Ricky A. Bejarano, VP Finance and Administration

**Date:** October 22, 2021

**Re:** Late Fee Elimination

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### **Issue**

Students have to pay a late fee that is \$12.54 additional to the regular registration fee of \$29.26 when they register after a specific deadline (the \$29.26 was discussed to be eliminated in the prior discussion). The fee has not achieved any difference in the timeline that students register and probably negatively affects the most vulnerable students.

### **Overview**

The late fee was created as a penalty to incentivize students to register earlier than a certain day. However, the fee has not accomplished its purpose because students with financial means tend to register earlier anyway. However, the most vulnerable students have to wait for as much as possible even to pay the general fees and tuition under a payment plan. Therefore, the late fee tends to affect the most vulnerable student financially speaking. The college has been extending the payment deadline in the last few years to avoid this and thus defeats its purpose.

### **Recommendation**

We recommend the Board of Regents approve the elimination of the late fee.

## **Earth Shot 2030: Creating Water & Climate Security for NM**

*Imagine that NM's National Laboratories, colleges, federal, state, tribal and local community members all work together to use artificial intelligence and proven land restoration methods to increase water supplies, build healthy soils, regreen the landscape, grow more local nutrient-dense food, capture atmospheric carbon, and thereby improve the financial wellbeing of ranchers, farmers, and rural communities, thus demonstrating a model for leading the world in practical ways to meet the UN's 2030 Global Sustainability Goals.*

### **The Problem:**

- Over 90% of NM's annual rainfall is lost due to evaporation, which can be captured in soil as regenerative land management principles are broadly adopted.
- There is currently no verifiable data to assess highest potential areas for water retention and create markets for ecosystem services such as water, soil health and carbon capture.
- Federal, tribal, state and local agencies and organizations are siloed and currently lack the means to work together to resolve the state's foundational issues: water & food security.
- As of 2017, 70% of all NM's agricultural producers were losing money each year, with the bulk of profits on NM-grown products going to out of state processing and packaging firms.
- The COVID pandemic highlighted food chain weaknesses and worsening drought are further imperiling NM's survival.

### **The Solution:**

- Deploy remote sensing technology to scan NM's landscape and direct efforts for the most rapid restoration of water and landscapes, enabling the creation of verifiable carbon & water capture markets that will bring significant new profit streams to NM producers.
- Facilitate ongoing diverse, inclusive and equitable community consensus meetings that build trust among resident landowners, researchers and agency representatives that leads to 100% agreement on innovative actions for agricultural and community revitalization.
- Incentivize and support the use of locally relevant farm and land management practices that build soil and rangeland health, increase & retain rainfall, and grow crop and livestock profits.
- Establish self-sustaining rural community development efforts that continue to grow local cooperatives for economic development, food processing, marketing and distribution.
- Engage all agencies and institutions to empower intergenerational awareness and action that builds and sustains community and state resilience.

### **Project Outcomes over Five Years:**

1. >33% increase in soil health, water retention, biodiversity and measurable carbon capture.
2. >33% improvements in farm & ranch profitability and sustainability.
3. >25% increase in rural food production, processing and distribution.
4. Demonstrated success of holistic, community-driven approaches that overcome environmental, economic and workforce development challenges, funded by public/private partnerships.
5. Showcasing paths to success for rural youth to excel in agriculture for the 21st Century.
6. Developing, piloting, testing and disseminating a "Water and Economic Revitalization Playbook" that can be implemented across NM, the nation, and the world.

**Estimated Budget: Initial investment \$3M for North Central Region (15M acres) to prove concept; extend to other NM regions over 5 years @ \$3M/year.**