

**New Mexico State University
Administrative Council Minutes
September 9, 2008**

The meeting was chaired by Provost Moulton in President Cruzado's absence.

1. Minutes of August 12, 2008

The minutes of August 12, 2008 were approved with a correction to the item about the upcoming GO Bond election on November 4. If all four bonds are approved, it would only increase property taxes by approximately \$15 per year per **\$100,000** of assessed property value.

Old Business

2. Proposed Changes to HR Policy [Jennifer Taylor & D'Anne Stuart]

Jennifer Taylor said the following items were brought before the Council previously and are now being brought back for a vote. D'Anne Stuart said the revisions have been scaled back from the previous version and they have corrected specific or potential due process issues, corrected the names of departments or positions, and addressed matters of law or practice. She said the Provost was inserted in the process multiple times, requiring that position to hear appeals on its own decision in certain cases, which does not allow for appropriate due process. The policy changes apply only to staff. Joe Pfeiffer said Faculty Senate is still reviewing a different policy section that applies to faculty.

Tim Nesbitt said that ACAP has recommended to the President to endorse these changes as are now written. D'Anne said they offered to make a presentation to ADAC but were told that they felt Administrative Council review would be appropriate and sufficient.

In answer to a question from Carmen Gonzales, D'Anne said they have removed the requirement about involuntary counseling at this time.

The Council approved the following revised policy sections as presented:

4.05.11–Appeals/Grievance

8.30–Disciplinary Action/Involuntary Termination

8.50–Performance Evaluation/Probationary Period

New Business

3. Naming Requests [Nick Franklin]

Nick Franklin said that the Naming Committee had just approved the following naming requests which are now being presented to Administrative Council for approval:

–Naming room 112 in Engineering Complex I the **Hewlett Foundation Success and Professional Development Center**.

–Naming the NMSU Golf Office Suites the **J.R. Crouch Aggie Golf Suites**.

–Naming room 151 in the Pan Am Center Annex Office Suites the **Coach George C. McCarty Office Suites**.

–Naming the Speech and Hearing Center after **Dr. Edgar R. Garrett**.

The Council approved the four naming requests as presented.

University-wide Information/Announcements

4. Active Shooter Simulation Exercise Update [Jaime Chavez]

Jaime Chavez said that the Police Department has scheduled an active shooter exercise in Hadley Hall on Wednesday, October 8. The simulation will involve actual gun shots using blank, full power ammunition so that employees can hear the sound of an actual gun shot fired indoors. Following the shooting, employees are encouraged to meet with their supervisors to determine what actions to take. After approximately 15 minutes, the Police Department will hold a debriefing session in the lobby to go over what happened, how employees responded, and how they might improve those actions in the future. Then the Central Administration Response Team (CART) will be activated to go over the administration's response to this simulated event. The event will be announced in advance to all employees and access to the building will be denied only during the shooting simulation which will be very brief. Garrey Carruthers said this would be a good exercise to simulate in a classroom setting with students as well.

5. Alternative Dispute Resolution Program [Diana Quintana]

Diana Quintana distributed a handout about the Alternative Dispute Resolution (ADR) Program. The Governmental Dispute Prevention and Resolution Act of 2007 requires public agencies insured by the New Mexico State Risk Management Division (such as NMSU) to establish an Alternative Dispute Resolution Program. The program encourages early intervention and is intended to resolve disputes at the lowest level through mediation with the goal of decreasing costs resulting from litigation. Employees, students, groups and organizations, community members and vendors may utilize the program to help solve a dispute where there has been no violation of policies. All utilization is voluntary and can be requested by an individual or group or by a department. Diana has been designated as NMSU's ADR coordinator. The ADR Council will include representatives from the Associate Deans Advisory Council, Employee Assistance Program, Employee Relations, Faculty Senate, Institutional Equity, and Student Services. Additional members may be added as deemed appropriate, such as the University Appeals Board Chair. The ADR Council will assist in developing the policies and procedures to establish the program. Every state agency has an ADR coordinator and they are required to meet twice a year. All of the state agencies are struggling to determine how to implement their programs since there is no funding for this program at the state level. The goal is to establish a budget at the state level through next year's budget process.

Policies and procedures will need to be established for the program. We will be required to keep a grievance tracking record of the resolution of both formal and informal grievances. We will also need to track training initiatives including who receives the training, both internally and externally. The goal is to show that we are taking proactive measures to try to mediate situations where possible and reducing the number of formal grievances.

The University of New Mexico's ADR program has been in place since 1996. They have a pool of voluntary faculty mediators who are content experts in particular areas that they utilize universitywide. Individuals can request to have an ADR mediator who is knowledgeable in a particular area facilitate a situation. That is our goal as well. UNM does not utilize volunteer staff because staff are more mobile and can transfer or be promoted to another position on campus. If they were involved in a past mediation in the new unit, it could create problems. UNM utilizes their ADR staff for staff mediations, and when needed, outside mediators through the state's pool of mediators.

The ADR Program will work in conjunction with the NMSU Ombuds Program which is

handled by Pat Williams and Jack Thomas. Jack Thomas will also be trained in mediation so he can serve as one of the mediators on faculty issues.

Dean Higbie asked if a grievance would need to be filed if an individual goes directly to the ADR Program. Diana said one of the tasks of the ADR Council will be to draw up an agreement that includes mediation and either a binding or non-binding settlement agreement. The state office recommends binding agreements. Because this is a voluntary program, it would preclude any further action being taken in regard to litigation on that particular topic. Dean Higbie asked if it would be possible to call in the ADR grievance board after an initial grievance was filed. Diana said she thinks this would only be an option if both of the parties agreed to this. As it currently stands, the ADR process would be first. Jennifer Taylor said employees and students should be directed to the ADR Program for possible conflict resolution when no policies have been violated. Bruce Kite said we should include a sentence in all of our grievance policies that sets out this option. Bob Moulton said we will need to define what types of actions can be handled through this process. Garrey Carruthers recommended that Nancy Oretskin be contacted to help with this program. Bruce Kite recommended the addition of someone from Purchasing or the Business Office since vendors can participate in this process. Dean Titus asked if an employee could have union representation in this process. Diana said the state does not allow union representation in the mediation process. If this policy applies to union members, we would need to modify our contract with them.

Additional information on this program will be brought back to this Council as the policies and procedures are developed.

6. VIP Parking Permits [Christina Chavez Kelley]

Christina Chavez Kelley said VIP Parking Permits were mailed last Thursday and Friday. In consultation with our Parking Office, they agreed that no individuals with last year's VIP Parking permits would be ticketed until after September 22 to allow time for receipt of the new permits. She asked the Council to let her know if membership on their advisory boards have changed. Calls about VIP Parking Permits from members who previously served on advisory boards will be referred back to the deans and vice presidents. Christina said we will not be able to replace lost or stolen permits.

7. Danny Villanueva Scholarship Breakfast [Christina Chavez Kelley]

Christina Chavez Kelley said the Danny Villanueva Scholarship Breakfast will be held on Thursday, October 30 at 7:30 a.m. in the Corbett Center Ballrooms. She will be contacting Administrative Council members to purchase sponsorships for the event which raises scholarships for NMSU students.

8. Executive Vice President/Provost's Report [Bob Moulton]

Bob Moulton said that **enrollment is up**. He congratulated everyone who had a role to play in it. He shared the HED student credit hours which are the official census hours: Alamogordo up 18 percent; Carlsbad up 9 percent; Dona Ana up 9 percent; Grants up 14percent; In terms of head counts, our community college enrollments are now approximately half of the entire system's enrollment. Las Cruces up 2 percent; and the system up a total of 5 percent.

The **search for a dean of the College of Health and Social Services** is moving along quickly. The search committee has been established which will be chaired by Greg Fant.

Several **Regents Professors** have either retired or left NMSU which has left three vacancies. Upon verification from Nick Franklin on available funds, those vacancies will be refilled in accordance with established policy.

The college **promotion and tenure policies** had to be rewritten when the new university policy went into effect. A faculty group was formed (the same group of faculty who played a major part in writing the university policy) to review the colleges' policies. They have finished their review and in most cases the college policies have been approved by the Provost with a few modifications. Now departments are rewriting their policies to bring them into compliance with both the college and university policies.

We are revamping somewhat the people who have volunteered to work with the Living the Vision and Planning (LTV) to Plan documents. Now we need to be sure **each college has its own strategic plan**. They should be meshed with the LTV document. Garrey Carruthers said his college as well as the College of Engineering and the College of Extended Learning have completed their plans. The goals and objectives from the LTV document need to be driven down to the departmental level. In addition, through Carmen Santana-Melgoza's office, we are beginning to generate how colleges are performing with regard to those indices. For example, we may look at class size, salaries by college, ACT by college, graduation and retention rates, or diversity. Garrey said he will visit with our community college presidents to help them prepare their strategic plans. Margie Huerta said they have developed a strategic plan in which they benchmarked against their peers. Garrey said it is important to benchmark against similar peers.

Mike Morehead asked if we are looking at **retention** over 4-6 years in each college as well as in the university because there is a lot of movement between colleges and disciplines. Garrey said students are tracked as retained regardless of which college they are in.

Bob Moulton said NMSU representatives met with the HED and LFC yesterday to present our **research and public service proposals** to them which will be carried to the next Legislative Session. The main campus and our community colleges presented approximately 15 proposals. He complimented everyone who participated in the presentations.

Other:

Carmen Gonzales said next week they will host their first **webinar for families** focusing on campus community resources and safety.

Margie Huerta encouraged participation in the **Aggies Are Tough Enough to Wear Pink Campaign**. A payroll deduction form will be sent out shortly.

Mac Boston said they had issued a **travel ban to Juarez for student athletes**. He has appointed a search committee chaired by Maria Roth to recommend **candidates for the women's soccer program**. Effective fall 2009 NMSU will sponsor women's soccer in compliance with Title IX. In answer to a question from Bob Moulton about where the soccer practice fields will be located, Ben Woods said there is an agreement between NMSU's Athletic Department and the Las Cruces Public Schools about playing games off campus for the first several years. Other areas on campus which already have existing turf will be used for practice fields. Mac said they are working with Scott Scanlon and our Legislators about funding for a long-term facility.

Mac said a couple of years ago in an effort to address the graduation rates of our student athletes a pre-assessment program was started for all recruited student athletes. One of the

outcomes of that program was the identification of some learning disabilities that require some additional accommodations. They will meet with the deans and associate deans to discuss how to address some of those challenges.

Steve Castillo said NMSU's **College of Engineering was ranked 9th in the nation by Hispanic Business Magazine** of the 2008 best engineering schools in the magazine's annual review of top graduate schools for Hispanics. Steve also said that **David Jauregui, associate professor of civil engineering, was selected as the Higher Education Educator of the Year** by the Society of Hispanic Professional Engineers.

Margie Huerta encouraged Council members to attend the **Evening with Amado Peno event** this Thursday at the New Mexico Farm and Ranch Heritage Museum.

Cheri Jimeno invited the Council to attend the **groundbreaking ceremony on September 24 for NMSU-Alamogordo's new allied health building.**

Next Meeting: Tuesday, October 14, 2008, 8:30 a.m., Corbett Center, Colfax Room #210

Minutes recorded by Barbara Dickenshied.