

NEW MEXICO JUNIOR COLLEGE

BOARD MEETING

Thursday, May 21, 2020
Zia Board Room – Library & Via Zoom
1:30 pm

AGENDA

- | | |
|---|-----------------|
| A. Welcome | Pat Chappelle |
| B. Adoption of Agenda | Pat Chappelle |
| C. Approval of Minutes of April 16, 2020 | Pat Chappelle |
| D. President's Report | Kelvin Sharp |
| E. New Business | |
| 1. Monthly Expenditure Reports | Dan Hardin |
| 2. Monthly Revenue Report | Dan Hardin |
| 3. Oil and Gas Revenue Report | Dan Hardin |
| 4. Schedule of Investments | Dan Hardin |
| 5. Consideration of Five-Year Capital Plan | Dan Hardin |
| 6. Consideration of NMJC Board Policy Revisions | Kelvin Sharp |
| 7. Consideration of Continuation of Pay of Hourly Employees/CARES Act Funds | Scotty Holloman |
| F. Public Comments | Pat Chappelle |
| • Phone Number (575) 392-5004 | |
| • Fax Number (575) 492-2764 | |
| • Email ksharp@nmjc.edu | |
| G. Determination of Next Meeting | Pat Chappelle |
| H. Adjournment | Pat Chappelle |

**NEW MEXICO JUNIOR COLLEGE
BOARD MEETING
APRIL 16, 2020
MINUTES**

The New Mexico Junior College Board met on Thursday, April 16, 2020, beginning at 1:32 p.m. in the Zia Room of Pannell Library and via GoToMeeting. Madam Chair Pat Chappelle, in attendance in NMJC's Zia Boardroom, requested Board members note their attendance by roll call. The following members noted their attendance remotely: Mr. Ron Black, Secretary, present; Mr. Travis Glenn, present; Mr. Manny Gomez, present; Mrs. Erica Jones, present; Ms. Evelyn Rising, present; and Mr. Hector Baeza, present.

Ms. Chappelle called the meeting to order and welcomed everyone attending via livestream due to the current COVID-19 pandemic and the current Public Health Order requiring social distancing. She stated time-sensitive issues must be addressed, therefore, NMJC will follow the guidance of the New Mexico Attorney General's Office issued on March 17, 2020 by holding this virtual meeting and encouraged the public to participate and provide public comments at the end of the formal agenda to either (575) 392-5004, fax (575) 492-2764 or by email to ksharp@nmjc.edu.

Upon a motion by Mr. Black, seconded by Mr. Glenn, and by roll call vote as follows: Mr. Baeza – yes; Ms. Rising – yes; Mr. Black – yes; Mrs. Jones – yes; Mr. Glenn – yes; Mr. Gomez – yes; and Ms. Chappelle – yes, the agenda was unanimously adopted.

Upon a motion by Mr. Glenn, seconded by Mrs. Jones, and by roll call vote as follows: Mr. Baeza – yes; Ms. Rising – yes; Mr. Black – yes; Mrs. Jones – yes; Mr. Glenn – yes; Mr. Gomez – yes; and Ms. Chappelle – yes, the Board unanimously approved the minutes of March 19, 2020.

Under President's Report, Mr. Dan Hardin provided the Board with a presentation of the Budget for the year 2020-2021. He stated the budget

presentation is based upon information provided during the regular 2020 legislative session and by the Higher Education Department and made comment a special legislative session in the near future could possibly result in changes to the budget.

Under New Business, Mr. Dan Hardin presented the Budget for the year 2020-2021 for consideration. Upon a motion by Mr. Black, seconded by Ms. Rising and by roll call vote as follows: Mr. Baeza – yes; Ms. Rising – yes; Mr. Black – yes; Mrs. Jones – yes; Mr. Glenn – yes; Mr. Gomez – yes; and Ms. Chappelle – yes, the Board unanimously approved the 2020-2021 budget as presented.

Ms. Chappelle presented the Fourth Amendment to the Employment Agreement by and between NMJC and Dr. Kelvin Sharp for approval. Upon a motion by Mr. Glenn, seconded by Mr. Black and by roll call vote as follows: Mr. Baeza – yes; Ms. Rising – yes; Mr. Black – yes; Mrs. Jones – yes; Mr. Glenn – yes; Mr. Gomez – yes; and Ms. Chappelle – yes, the Board unanimously voted to approve an additional one-year extension of the term with annual salary review, the same percentage of salary increase as approved for all staff, and a retention bonus in the amount of \$7,210.00. The Board members expressed their appreciation to Dr. Sharp for his outstanding performance and leadership.

Mr. Hardin presented the March 2020 financial reports. Upon a motion by Mr. Glenn, seconded by Mrs. Jones and by roll call vote as follows: Mr. Baeza – yes; Ms. Rising – yes; Mr. Black – yes; Mrs. Jones – yes; Mr. Glenn – yes; Mr. Gomez – yes; and Ms. Chappelle – yes, the Board unanimously approved the Expenditure Report for March 2020. In addition, the Revenue Report, Oil and Gas Revenue Report, and Schedule of Investments Report were reviewed.

Mr. Hardin presented the Fiscal Watch Report for the quarter ending on March 31, 2020. Upon a motion by Mr. Black, seconded by Ms. Rising and by roll call vote as follows: Mr. Baeza – yes; Ms. Rising – yes; Mr. Black – yes; Mrs. Jones – yes; Mr. Glenn – yes; Mr. Gomez – yes; and Ms. Chappelle – yes, the Board unanimously approved the Fiscal Watch Report as presented.

Mr. Hardin presented a consideration of the Caster Activity Center Renovation and a request to transfer funds from I&G reserves to the Caster Activity Center (CAC)

project. Mr. Hardin reported the final construction cost provided by Bradbury Stamm is \$14,240,000. The overall cost of the project including a contingency fund, architectural and engineering cost, FF&E and gross receipt costs is \$17,300,000.00. This includes the renovation of 35,500 existing square footage of CAC and an additional 11,422 of new square footage for a practice gym. The total square footage of CAC will be 77,132 square feet. In addition, he requested approval for the transfer of \$6,090,000 from I&G reserves to the CAC project bringing the fund balance to \$17,300,000 from a balance of \$11,210,000 at FY 2019. Renovations are expected to begin the first part of June 2020 with a completion date July of 2021. Mr. Gomez asked if the addition of the new practice gym was included in the original phase. Mr. Hardin responded the original phase did not include the addition of the new practice gym but has since been added to eliminate conflicts of practice schedules with NMJC's newly added volleyball team and the men's/woman's basketball teams. Upon a motion by Mr. Black, seconded by Mr. Glenn and by roll call vote as follows: Mr. Baeza – yes; Ms. Rising – yes; Mr. Black – yes; Mrs. Jones – yes; Mr. Glenn – yes; Mr. Gomez – yes; and Ms. Chappelle – yes, the Board unanimously approved the final costs of \$17,300,000 for the CAC Renovation project and the transfer of \$6,090,000 from I&G reserves to the CAC Renovation Project.

Mr. JoeMike Gomez presented a consideration of a Golf Building State Contract with a recommendation to award the project to Pluma Construction at a proposed cost of \$576,168.61 including New Mexico gross receipts tax. Upon a motion by Mr. Glenn, seconded by Mr. Baeza and by roll call vote as follows: Mr. Baeza – yes; Ms. Rising – yes; Mr. Black – yes; Mrs. Jones – yes; Mr. Glenn – yes; Mr. Gomez – yes; and Ms. Chappelle – yes, the Board unanimously approved this recommendation.

Mr. JoeMike Gomez presented a Request for Proposal (RFP) #132 – Golf Turf with a request to award the bid to Southwest Greens. Total bid came in at \$206,969, which includes the proposed cost of \$191,444 and safety netting cost of \$15,525. Mr. Gomez asked if other companies were in receipt of the RFP. Mr. Gomez responded many companies were in receipt of the RFP. Upon a motion by Mr. Gomez, seconded by Mr. Baeza and by roll call vote as follows: Mr. Baeza – yes; Ms. Rising – yes; Mr. Black – yes; Mrs. Jones – yes; Mr. Glenn – yes; Mr.

Gomez – yes; and Ms. Chappelle – yes, the Board unanimously approved this recommendation.

At this time, Ms. Chappelle reminded everyone to proceed forward with submitting public comments to the contacts provided at the beginning of the meeting.

Mr. Scotty Holloman provided a request for Adoption of an NMJC Emergency Policy granting the president of NMJC the authority to suspend NMJC policies as needed and take any lawful action necessary to cope during the COVID-19 global emergency without the necessity of obtaining prior Board approval. All actions taken under this authority will be reported to the Board at the next scheduled board meeting. This authority will terminate when NMJC resumes to normal operations unless terminated earlier by the Board. Mr. Glenn requested additional language that any actions taken under this authority be reported to the Board chair within twenty-four hours. Mr. Gomez asked if this authority will delegate the governing board's role and responsibilities. Mr. Holloman concurred with the twenty-four hour response and responded the policy would not delegate the Board's authority but will simply allow the president to take immediate action in response to a specific COVID-19 situation in a timely manner. Upon a motion by Mr. Black, seconded by Mr. Baeza and by roll call vote as follows: Mr. Baeza – yes; Ms. Rising – yes; Mr. Black – yes; Mrs. Jones – yes; Mr. Glenn – yes; Mr. Gomez – yes; and Ms. Chappelle – yes, the Board unanimously approved this request.

Mr. Scotty Holloman provided a request for a temporary NMJC Employee Compensation and Benefits, Leave and Absences Policy in response to the COVID-19 pandemic and the passage of the Families First Coronavirus Response Act (FFCRA). The policy is intended to temporarily supplement existing NMJC policies concerning leave, absences and compensation. The policy will allow continued compensation through May 30, 2020 to all full time faculty and staff employees and will be readdressed at the next scheduled Board meeting. Upon a motion by Mr. Black, seconded by Mr. Glenn and by roll call vote as follows: Mr. Baeza – yes; Ms. Rising – yes; Mr. Black – yes; Mrs. Jones – yes; Mr. Glenn – yes; Mr. Gomez – yes; and Ms. Chappelle – yes, the Board unanimously approved this request.

Ms. Chappelle called for comments from the public. There being none, the next regular board meeting was scheduled for Thursday, May 21, 2020 beginning at 1:30 pm.

Upon a motion by Mr. Glenn, seconded by Mr. Baeza and by roll call vote as follows: Mr. Baeza – yes; Ms. Rising – yes; Mr. Black – yes; Mrs. Jones – yes; Mr. Glenn – yes; Mr. Gomez – yes; and Ms. Chappelle – yes, the board meeting adjourned at 3:15 pm.

Pat Chappelle, Chair

Ron Black, Secretary

NEW MEXICO JUNIOR COLLEGE

Vice President for Finance

To: **New Mexico Junior College Board Members**

From: Dan Hardin

Date: May 14, 2020

RE: Expenditure and Revenue Reports for April 2020

April is the tenth month or 83% of the budget for the 2019/2020 fiscal year. The expenditure report represents funds expended and encumbered. The total year-to-date funds expended and/or encumbered through the month of April is \$45,053,225.00. Current Unrestricted Expenditures for the month of April are \$2,237,545.00. The total YTD Current Unrestricted Funds through April are \$23,260,207.00, which is 74% of the budget. Budget adjustments have been made to the original budget to cover overloads, part-time faculty, one-time compensation, and new hires that have been made during the fiscal year. Most areas are staying within their budgets as the semester slows down and we start closing out the last two months of the fiscal year.

In the Restricted Funds, Grants continue to expend their budget. Most grants do not end their year until the end of September. Year-to-date expenditures for the restricted funds are \$4,485,963.00, which is 94% of their budget.

The Plant Fund expenditures for the year include the Technology Upgrades, McLean Hall renovation, Campus Security, Law Academy Building, and several smaller projects. The total year-to-date expenditures in Plant Funds are \$17,307,055.00.

Total expenditures for the month of April were \$3,498,758.00, with year-to-date expenditure total of \$45,053,225.00, which is at 65% of the total budget.

Revenue generated in Current Unrestricted funds in April was \$3,315,569.00. Most of the revenue came from the monthly allocation from the State, oil and gas mill levy, and property tax income. Restricted Funds had total revenue of \$46,295.00 for the month of April. Total restricted revenue year-to-date is \$4,404,435.00. \$241,716.00 was drawn in on the GOB funds for McLean Hall renovation, and 42,874.00 was earned on the LGIP funds. Total revenue for the month of April 2020 is \$3,646,454.00, with year-to-date revenue of \$47,077,746.00 or 83% of the adjusted budget.

The actual oil and gas tax revenue and Oil and Gas Equipment Tax revenue for April was \$2,526,222.00, which is from the month of January. Last year, the revenue in April for Oil & Gas was \$1,569,732.00. There is a monthly accrual of \$465,000.00 for each of the three months that includes February, March and April. Total oil & gas revenue and oil & gas equipment tax revenue year-to-date is \$16,776,340.00, which is \$11,196,340.00 over the projected budget through ten months of the budget. Last year at this time the total Oil & Gas and Oil and Gas Equipment plus the accruals was \$13,217,299.00. In June the College will start to see the decline in oil prices and production.

The LGIP remains at \$40,593,127 as of the end of April and the Lea County State Bank CDAR is still \$3,000,000.00 for a total of 43,593,127 in investments. During the month of April, interest earned on LGIP funds was \$42,874.00.

Board members and Dr. Sharp there have been numerous comments from faculty and staff expressing thanks and gratitude to the Board for the May one-time compensation. Speaking for myself and the Business Office staff would like to express our thanks to each of you for your support of New Mexico Junior College and the New Mexico Junior College staff.

This concludes the Financial Report for April 2020.

NEW MEXICO JUNIOR COLLEGE

Expenditure Report

April 2020

83% of Year Completed

Fund	2018-19			2019-20			
	Final Budget	Year-to-Date Expended or Encumbered	Percentage of Budget Expended	Budget	Current Expended or Encumbered	Expended or Encumbered	Percentage of Budget Expended
CURRENT UNRESTRICTED FUND							
Instruction and General:							
Instruction	11,045,223	7,636,701	69%	11,862,407	883,723	7,804,051	66%
Academic Support	2,757,049	1,931,670	70%	2,569,083	197,628	1,809,178	70%
Student Services	2,095,643	1,590,400	76%	2,207,388	171,100	1,621,773	73%
Institutional Support	4,394,266	3,201,323	73%	4,648,321	350,312	3,400,394	73%
Operation & Maintenance of Plant	3,851,780	2,866,375	74%	3,988,457	342,170	3,019,690	76%
Subtotal - Instruction & General	24,143,961	17,226,469	71%	25,275,656	1,944,933	17,655,086	70%
Research	907,233	302,586	33%	0	9,125	111,023	
Public Service	50,000	27,544	55%	50,000	5,130	30,337	61%
Internal Service Departments	151,334	158,463	105%	189,176	4,673	124,243	66%
Student Aid	691,472	524,616	76%	685,880	16,479	713,717	104%
Auxiliary Enterprises	2,590,768	2,430,951	94%	2,722,498	136,015	2,479,984	91%
Athletics	1,993,976	1,613,980	81%	2,308,988	121,190	2,145,817	93%
Total Current Unrestricted Fund	30,528,744	22,284,609	73%	31,232,198	2,237,545	23,260,207	74%
CURRENT RESTRICTED FUND							
Grants	881,786	887,401	101%	949,794	61,279	607,207	64%
Student Aid	4,188,219	3,995,983	95%	3,862,038	28,202	3,878,756	100%
Total Current Restricted Fund	5,070,005	4,883,384	96%	4,811,832	89,481	4,485,963	93%
PLANT FUNDS							
Capital Outlay / Bldg. Renewal & Repl.							
Projects from Institutional Funds	26,665,238	11,391,919	43%	26,982,338	742,248	12,625,908	47%
Projects from State GOB Funds	289,894	287,717	99%	4,764,218	110,992	3,197,492	67%
Projects from State STB Funds	114,064	114,064	100%	0		0	0%
Projects from General Fund				938,466	212,549	676,108	72%
Projects from Private Funds						0	0%
Projects from State ER&R	1,088,803	318,529	29%	335,000	75,228	269,373	80%
Projects from State BR&R	1,540,047	778,483	51%	598,000	30,715	538,174	90%
Subtotal - Capital and BR&R	29,698,047	12,890,712	43%	33,618,022	1,171,732	17,307,055	51%
Debt Service							
Revenue Bonds	0	0	0%	0		0	0%
Total Plant Funds	29,698,047	12,890,712	43%	33,618,022	1,171,732	17,307,055	51%
GRAND TOTAL EXPENDITURES	65,296,796	40,058,705	61%	69,662,052	3,498,758	45,053,225	65%

NEW MEXICO JUNIOR COLLEGE
Revenue Report
April 2020

83% of Year Completed

2018-19

2019-20

Fund	2018-19			2019-20			
	Final Budget	Year-to-date Revenue	Percentage of Budget Received	Budget	Current Revenue	Year-to-date Revenue	Percentage of Budget Received
CURRENT UNRESTRICTED FUND							
Instruction and General:							
Tuition and Fees	3,717,544	3,720,832	100%	3,931,431	(7,042)	3,957,476	101%
State Appropriations	5,805,900	4,844,984	83%	6,546,216	505,285	5,188,362	79%
Advalorem Taxes - Oil and Gas	17,622,322	15,588,952	88%	21,663,449	2,526,222	20,739,789	96%
Advalorem Taxes - Property	8,530,000	6,891,754	81%	10,500,000	216,269	7,676,285	73%
Interest Income	10,000	29,515	295%	10,000	57	553	6%
Other Revenues	144,400	143,777	100%	204,646	43,438	335,229	164%
Subtotal - Instruction & General	35,830,166	31,219,814	87%	42,855,742	3,284,229	37,897,694	88%
Research			0%				0%
Public Service			0%				0%
Internal Service Departments	8,000	7,932	99%	41,148		41,148	100%
Auxiliary Enterprises	2,681,906	2,488,548	93%	3,008,585	(16,075)	2,731,876	91%
Athletics	459,815	388,682	85%	568,984	47,415	494,661	87%
Total Current Unrestricted	38,979,887	34,104,976	87%	46,474,459	3,315,569	41,165,379	89%
CURRENT RESTRICTED FUND							
Grants	881,786	929,277	105%	949,794	46,295	739,805	78%
Student Aid	4,188,219	3,818,358	91%	3,862,038		3,664,630	95%
Total Current Restricted	5,070,005	4,747,635	94%	4,811,832	46,295	4,404,435	92%
PLANT FUNDS							
Capital Outlay / Bldg. Renewal & Repl.							
Projects from State GOB Funds	289,894	285,731	0%	4,702,500	241,716	640,223	14%
Projects from State STB Funds	114,064	98,046	0%	0			0%
Projects from General Fund			0%	792,000		400,000	51%
Projects from Private Funds			0%				0%
Interest Income (LGIP)	102,000	267,591	262%	250,000	42,874	467,709	187%
Total Plant Funds	505,958	651,368	129%	5,744,500	284,590	1,507,932	26%
GRAND TOTAL REVENUES	44,555,850	39,503,979	89%	57,030,791	3,646,454	47,077,746	83%

NEW MEXICO JUNIOR COLLEGE

Oil and Gas Revenue Report

April 2020

83% of Year Completed

		OIL		GAS		COMBINED		
Sales	Month of	Price per BBL	Lea County BBLs sold	Price per MCF	Lea County MCF sold	Monthly Revenue	2019-20 Original Budget	Variance Over (Under) Budget
	Distribution							
Actual	July	\$53.17	15,826,651	\$1.87	40,911,285	1,918,511	465,000	1,453,511
Actual	August	\$50.64	16,662,235	\$2.04	44,356,736	2,006,610	465,000	1,541,610
Actual	September	\$53.03	16,418,876	\$2.47	44,032,152	2,064,306	465,000	1,599,306
Actual	October	\$50.96	16,814,474	\$2.64	44,194,264	2,093,101	465,000	1,628,101
Actual	November	\$54.50	17,057,354	\$2.74	44,400,786	2,250,999	465,000	1,785,999
Actual	December	\$57.43	18,261,365	\$2.59	48,541,704	2,521,591	465,000	2,056,591
Accrual	January	\$55.29	19,387,803	\$2.14	51,971,329	2,526,222	465,000	2,061,222
Accrual	February					465,000	465,000	0
Accrual	March					465,000	465,000	0
Accrual	April					465,000	465,000	0
Accrual	May						465,000	(465,000)
Accrual	June						465,000	(465,000)
Y.T.D. Production Tax Revenue						16,776,340	5,580,000	11,196,340
Y.T.D. Equipment Tax Revenue						3,963,449	1,655,000	2,308,449
Total Year-to-Date Oil & Gas and Equipment Tax Revenue						<u>20,739,789</u>	<u>7,235,000</u>	<u>13,504,789</u>

Source: New Mexico Taxation and Revenue Department

NEW MEXICO JUNIOR COLLEGE

Schedule of Investments

April 2020

83% of Year Completed

Financial Institution	Amount Invested	Account Number	Interest Rate	Interest Earned
State of New Mexico Local Government Investment Pool	40,593,127	7102-1348	1.603%	42,874
Plus deposits	0			
Less withdrawals	0			
Total LGIP investments	40,593,127			42,874
Lea County State Bank CDAR	3,000,000		2.30%	

Capital Project	4/30/2020
Vehicles	530,941.61
Campus Master Plan	603.45
Law Academy Building	216,761.32
Computer Labs/ITV Upgrade	200,000.00
Campus Vestibules	450,000.00
Technology Upgrade	795,862.58
JASI	7,333.75
WHM South Gallery	266,594.43
Baseball Field	25,966.92
Rodeo Arena	39,205.33
Fire Alarm Upgrade	2,057,983.99
Luminis Software	2,993.00
Landscaping	228,842.91
Smart Classrooms	198,070.97
Campus Signage	637,788.25
Campus Paving	91,198.65
Dorm/Apartment Refurbish	100,031.53
Concrete Upgrade	550,000.00
Campus Construction	151,598.71
Oil & Gas Training	89,161.52
Workforce Training & Outreach	250,000.00
Guidid Pathways Rob Johnstone	140,000.00
Public Sector	9,227.00
Campus Security	84,279.03
Lumens Software-Distance Learn	5,000.00
Copier Replacement	120,373.49
Non-Recurring Compensation	750,000.00
Athletics	87,044.97
Student Life Programming	20,432.28
Succession Plan	52,014.15
WHM Exhibits	110,561.48
Track Upgrades	157,659.83
Driving Range Upgrades	1,080,439.17
McLean Hall Renovations	4,411,724.96
Cafeteria Upgrade	71,209.71
Channel 19 Upgrade	6,229.50
Equestrian Center	2,974,060.58
Bob Moran Upgrades	18,992.47
Campus/Hospital Fencing	563,509.84
Turf Replacement	100,000.00
Facilities Management System	1,823,106.62
Busing Support for Recruiting	5,872.30
HED Faculty Development	0.00
Caster Upgrades	16,737,571.29
Workforce Training Center	2,000,000.00
Allied Health	149,583.93
Workforce Training Contingency	1,742.69
Total	38,371,574.21

NEW MEXICO JUNIOR COLLEGE

Vice President for Finance

5317 Lovington Highway
Hobbs, NM 88240
Phone: (575)492-2770
Fax: (575)492-2768

To: New Mexico Junior College Board Members
From: Dan Hardin
RE: Five-Year Capital Plan
Date: May 21, 2020

New Mexico Junior College Board members,

Each year at the end of May, the Higher Education Department requires higher education institutions to submit a Five-Year Capital Plan and supporting documentation for the institution's top two priority projects. The HED then will rank all of the institution's projects to make a recommendation to the 2021 legislature for potential STB or General Fund funding or placing the projects on the GOB ballot in November of 2022. Please find attached the administration's recommendation for a Five-Year Capital Plan with the number one project being Safety and Security and the number two project the Vocational B HVAC.

The Safety and Security request is asking for funds to help with construction of vestibules at the various buildings on campus. The vestibules will allow for access control, allowing security to remotely lock down a facility in case of an incident or threat. The requested Safety and Security funds would also be used to repair sidewalk damage around building entrances, repair tunnels, and create shading structures.

The second priority will be the Vocational B HVAC. This project will install an air handler on the portion of the Don Whitaker building know as Vocational B. This portion of the Don Whitaker building is not on the Central Plant. Installation of an air handler will give the Central Plant control of heating and cooling in the Vocational B portion of the building. The addition of an air handler that is tied to the Central Plant will allow the College to grow a diesel program in Vocational B.

The administration is asking for your approval of the attached Five-Year Capital plan as presented.

Respectfully,

Dan Hardin



New Mexico Department of Higher Education

2020 Summer Hearing - Five Year Capital Project Funding Plan

INSTITUTION:			New Mexico Junior College							DATE:							5 21 2020		
Institution acronym	FY20 Funding Priority #	Overall Funding Priority #	Project Title	Description	Year Project Funding will be requested	Month/Year Project to be started	Month/Year Project to be completed	Full Project	Phase	Cost of Project or Phase	GOB	STB	Other	Percent of GOB or STB	Percent of Other Funding Source	Description of Other Funding Source	New Construction	Renovation	Square Footage (GSF)
NMJC	1	1	Safety & Security	Campus Access Control integrated in building vestibule construction , cement sidewalk repairs, tunnel repairs, and shading upgrades	2021	Jun-21	Dec-22	X		\$ 5,000,000	X	X	X	75%	25%	Mill Levy Funds	X		no new square footage
NMJC	2	2	Vocational B HVAC	Tie Voc B to Central Plant add air handler	2021	Jun-21	Dec-22	X		\$ 750,000	X	X	X	75%	25%	Mill Levy funds		X	no new square footage
NMJC	3	3	Watson Hall Renovation	Renovation and repurpose of Watson Hall	2022	Jun-22	Dec-23	X		\$ 4,400,000	X	X	X	73%	27%	Mill Levy Funds		X	Existing Sq Ft 14,527
NMJC		4	Indoor Arena Expansion	Add bleachers/restrooms/concession/HVAC/ sound system and warmup area		Jan-21	Aug-21	X		\$ 2,000,000			X		100%	Mill Levy Funds	X		Adding 40,000 sq ft of Non I&G space
NMJC	4	5	Industrial Technology Building	Build new metal building for welding, vocational and training and outreach programs	2022	Jan-23	Dec-23	X		\$ 4,000,000	X	X	X	75%	25%	Mill Levy Funds and Private Donations	X		Building 25,000 sq ft
NMJC	5	6	Air Handler and roof replacement	Replacing Air Handlers in Mary Hagelstein, Pannell Library, Bob Moran Hall, and replace the roof of Ben Alexander Student Center and Western Heritage Museum	2022	Jun-23	Dec-24	X		\$ 3,650,000	X	X	X	75%	25%	Mill Levy funds		X	no new square footage

I. General Rule

By registering at New Mexico Junior College (NMJC), a student assumes responsibility for becoming familiar with and abiding by the general rules of conduct as established in the **Student Code of Conduct (Code) found in the *Student Handbook***. Students who are also employees of the College shall be covered by employee policies related to conduct and administrative appeal rather than such student policies.

II. General Provisions

Students at New Mexico Junior College neither lose the rights nor escape the responsibilities of citizenship. ~~Students shall be expected to obey the criminal and civil statutes of the State of New Mexico, the federal government, and the College's policies, procedures, rules and regulations. Students may be penalized by the College for violating its standards of conduct even though they are also punished by the state or federal authorities for the same act.~~ **The College assumes that the student has an earnest educational purpose and maturity of reasonable behavior. This assumption continues until the student demonstrates otherwise. Every student is subject to federal, state, and local laws and is expected to be familiar with the requirements of such laws. Any student who violates any provision of those laws may be subject to disciplinary action, including expulsion, despite any action taken by civil authorities on account of the violation whether the crime happened on or off campus. The student is also responsible for knowing College policies, procedures, and rules and the student is subject to disciplinary procedures. The College strives to assure due process and to outline specific ~~ways~~ **avenues** of appeal in case of disagreement with administered sanctions.**

III. Scope

New Mexico Junior College shall have jurisdiction for disciplinary purposes over a person who was a student at the time the alleged violation: ~~of a Board policy, administrative procedure, rule or College regulation occurred.~~

A. On-campus: The Code applies to conduct which takes place on college premises.

B. Off-campus: The code generally is not applied to conduct which occurs off campus, but the College retains the right to act in cases where there is a sufficient connection between the off-campus conduct and the College. Disciplinary action imposed by NMJC may proceed, and be in addition to, any penalty that might be

imposed by an off-campus authority. Examples of when off-campus conduct may result in action under the Code include but are not limited to the following:

1. Conduct at college sponsored events.
2. Conduct on college sponsored trips.
3. Conduct at locations at with which the College has a student use agreement (such as the CORE).
4. Conduct which reasonably may present a significant risk of harm to the campus community (health, welfare, and/or safety of the student or others).
5. Conduct detrimental to the educational mission or interests of the College.

IV. ~~Disciplinary Actions and Sanctions~~ Student Code of Conduct (Code)

~~A. When an alleged infraction of College policies, procedures, rules or regulations is brought to the attention of the NMJC Disciplinary Official, an appropriate investigation of the alleged violation shall occur. The student(s) involved shall be given the opportunity to present his/her/their case. Following an investigation of the matter, the Dean of Students shall make an administrative decision on the case and, if warranted, assess the appropriate disciplinary action.~~

~~The following internal guidelines are established for the handling of disciplinary matters. A NMJC Campus Security and Safety Officer will generate an incident report stating a student may have violated the Student Code of Conduct. The Campus Security and Safety Officer must make supervisors aware of alleged violation and communication must continue up to and including the Vice President for Student Services (VPSS).~~

- ~~1. Upon receipt of this information, prior to the completion of the investigation, the VPSS, VPI, or Director of Public Safety will make a determination regarding the threat to property, self, or others and may impose interim suspension sanctions.~~
- ~~2. Upon completion of investigation and documentation of such by a Campus Security and Safety Officer, the Campus Security and Safety Officer will give an incident report to the Disciplinary Official and give the student a business card, which will include the name and contact information of the NMJC Disciplinary Official.~~
- ~~3. The student in question will meet with the NMJC Disciplinary Official. This meeting will be recorded. The NMJC Disciplinary Official will provide the following information to the student both verbally and in writing.~~
 - ~~a. the specific violations~~
 - ~~b. the discipline to be imposed; and~~
 - ~~c. the appeal process.~~

~~Students shall sign for and take possession of copies of pertinent information utilized in the disciplinary decision. Investigative record / copies will be maintained at the Dean of Students office. If the student chooses to challenge the disposition (ruling), he / she may appeal the decision to the Disciplinary Committee. This request must be submitted in writing to the Disciplinary Official no later than 2 (two) business days after the student receives his / her discipline letter. The student will be notified in writing of the date and time of the hearing. (See *Student Handbook* for Disciplinary Hearings and Appeal Process).~~

A. Introduction and Overview

The Code sets forth the rights and responsibilities of NMJC students; outlines the standards for conduct; provides the types of interim measure and sanctions which may be imposed for violation of the code; provides a prompt and fair fact-finding student conference, as well as an objective review process if students elect a formal review by the Student Disciplinary Committee.

B. Application

1. The Code shall provide an educational and non-adversarial process designed to resolve matters concerning student conduct. It is not designed to be a legal or judicial process.
2. The Code is designed to be reliable, fair, and effective.
3. Individuals who have established a student relationship with the College are subject to the Code.
4. The Code shall operate by preponderance of evidence. (The majority of the evidence would cause a reasonable person to support a conclusion.)
5. Disciplinary records shall be maintained by the Dean of Students or designee in accordance with the College's records and retention policy.
6. The College's disciplinary process shall proceed during the pendency of any related criminal or civil proceedings and shall not be subject to reconsideration even if related charges are dismissed or otherwise resolved.
7. Student clubs/organizations/athletics shall be expected to conduct themselves in a manner consistent with the College's function as an educational institution. Student clubs/organizations/ athletics must observe all international, federal, state, or local laws, as well as the College's policies, including the Code, both on-campus and off-campus.

C. Campus Safety/Precautions

1. Interim Suspension

An interim suspension is a temporary removal of the student by a Vice President or designee based upon the facts which show the student constitutes a danger to property, to self, or to others. The student will

immediately be given notice of reason(s) for the interim suspension. Such notice shall be given in writing and hand delivered whenever possible. An interim suspension is not based upon the presumption of the student's guilt. It is a measure to provide safety to all parties involved.

2. Removal from Campus

At the request of an authorized NMJC official, an individual(s) will be removed from campus by appropriate law enforcement personnel or NMJC Public Safety/Security Personnel, if they present a danger to themselves or others on the campus. At this time, the individual(s) will be notified that further attempts to come onto campus will result in a criminal trespass violation.

D. Prohibited Conduct

It is understood that every possible act of misconduct cannot be specifically stated. Areas of misconduct are a representative list and apply whether they are performed singly, within a group, or as a function of an NMJC organization or team.

Some acts of misconduct may result in arrests and charges being filed under local, state, or federal laws. The College reserves the right to discipline students for acts of misconduct which have a direct detrimental impact on the institution's educational functions, wherever they occur.

The Dean of Students or designee may initiate disciplinary proceedings against a student for violations of the Code. The Code is a living document which may be updated according to Federal, State, and Local laws or internal or external circumstances that could arise, but at a minimum once per year. For an outline of prohibited behavior, the Code can be found online on the College's website within the Student Handbook.

E. Disciplinary Procedures

The Vice President for Student Services (VPSS) or designee is ultimately charged with the administration of the discipline system at the College. The Vice President for Instruction (VPI) or his/her designee is charged with the administration of discipline in all academic matters. Faculty may impose penalties for acts of cheating and plagiarism by students on any graded work or exam. Department heads, in coordination with program sponsors/coaches may impose penalties for violations in cooperation with the VPSS.

The Dean of Students or designee shall assess all suspected and reported violations of the Code. Complaints regarding alleged misconduct must be submitted to the Dean of Students as soon as possible after the alleged violation.

After completing an initial inquiry, the Dean of Students or designee may:

1. Dismiss the allegations as unfounded.
2. Summon the student for a conference.
3. Dismiss, upon completion of the conference, the allegations or impose disciplinary sanctions.
4. Impose immediate interim action if the continued presence of the student poses a danger or perceived risk to harm person(s) or property or a disruption of the academic process of the College.

F. Notice of Complaint

1. The Dean of Students or designee shall deliver a notice summarizing the alleged misconduct either by mail, hand delivery, or electronic means. All students are responsible for maintaining a current physical mailing address with the College. The College uses Maxient software and all communication will first be sent electronically to the student's official NMJC email address.
2. The Dean of Students or designee shall give notification of a date to meet him/her for a disciplinary conference. If the date and time for the conference is not satisfactory for the student, then it is the responsibility of the student to reschedule. The student automatically waives his/her right to a conference if the Dean of Students is not contacted, a conference is not rescheduled, and the conference is not kept by the student. A decision may be made by the Dean of Students or designee solely on the information at hand.
3. In cases where there is a concern for the health, safety, and health of any individual(s) of the campus community, then a Notice of Complaint does not have to be sent because of the urgency of the matter.
4. If the student shows up prior to the Notice of Complaint letter being sent to the student, then there is also no need to send the Notice of Complaint out to the student.

G. Notice of Disciplinary Findings

1. If it is determined that the greater weight of evidence or preponderance of evidence indicates that a student engaged in a violation of the Code, then the Dean of Students or designee shall deliver a Notice of Disciplinary Findings.
2. The Notice of Disciplinary Findings shall include information regarding the Review process.

3. This notice shall inform the student of the findings, a rationale for the decision, any imposed sanctions or restrictions, and the student's right to request a review by the Student Disciplinary Committee, if applicable.

H. Possible Sanctions

A range of sanctions commonly used are from Admonition, Disciplinary Probation, Restitution, Suspension, or Expulsion. A list of possible sanctions with an explanation is in the Code found in the Student Handbook on NMJC's website.

I. Review Process

1. Only sanctions that include restrictions, loss of privileges, withholding/revocation of grades or degrees, suspension, or expulsion shall be reviewed by the Student Disciplinary Committee. All Title IX (Section VI, Title IX) and Academic Dishonesty (Section IV, Academic Policies) cases will follow the proper policies and procedures pertaining to the review.
2. A student shall have two (2) working days to request a review from the Dean of Students. The request must be made in legible writing and contain the reason for the request and possible alternative sanctions or resolutions.
3. The student shall be notified within five (5) working days of the time, date, and location of the review by the Dean of Students or designee. Any delays due to extenuating circumstances shall be documented and all parties shall be notified accordingly.
4. At least two (2) working days prior to the review, a list of witnesses and documentation must be provided to the Chair of the Student Disciplinary Committee.
5. The Dean of Students or designee shall present the College's case followed by the student's presentation. Each Party shall have the opportunity to present testimony and evidence in support of their position. There is no cross examination between the student or the College. The Student Disciplinary Committee shall be allowed to question both parties, witnesses, and request additional information or clarification.
6. Review procedures shall be confidential and closed to the public.

J. Student Disciplinary Committee

1. The Student Disciplinary Committee consists of three (3) members of the campus community including a Chairperson, a faculty member and a staff member. All members shall be approved by the President.
2. The Chairperson shall direct proceedings of the review and participate fully in all reviews to include voting.
3. The objective of the Student Disciplinary Committee is to review the findings and sanctions originally imposed by the Dean of Students or designee. The Committee may not impose more severe penalties.
4. At the conclusion of the presentation of information, the Student Disciplinary Committee will render a decision on the matter. The decision shall be made by majority vote. The decision will consist of one of the following:
 - a. Uphold disciplinary decision in its entirety.
 - b. Reverse disciplinary decision.
 - c. Modify disciplinary decision in part or in its entirety.
3. The findings and conclusions of the Student Disciplinary committee shall be final.
4. The Chairperson will have three (3) working days to provide written results of the review to both parties. The letter shall include a rationale for their decision when the decision of the Dean of Student's is not upheld.

K. General Rules for Reviews

1. Reviews are informal proceedings, and traditional rules of the courtroom evidence shall not apply. However, the Dean of Students or his/her designee must show preponderance of evidence and that the sanction imposed was reasonable based upon the circumstances.
2. An advisor, attorney, or support person for the student may be present for the review; however, the advisor, attorney, or support person may not make statements, represent the accused, or question witnesses.
3. If an attorney accompanies a student for the review, the attorney shall not be permitted to present evidence before the Student Disciplinary Committee. The College reserves the right to counsel in the event it is deemed necessary. The time frame for scheduling a review may be extended if the College elects to retain counsel.

V. Pertinent Information

New Mexico Junior College is a tax supported educational institution whose mission is to provide an educational opportunity to all who enroll. Attendance is not compulsory, and whether the opportunity to attend is called a "right" or "privilege," it is optional and voluntary. The enrollment of a student at the College is a voluntary entrance into the academic community. By such entrance, the student voluntarily assumes obligations of performance and behavior, which are imposed by the College relevant to its lawful missions, processes, and functions. These obligations may be much higher than those imposed on all citizens by civil and criminal law. New Mexico Junior College is a learning community consisting of students, faculty, and staff. Just as any community has a culture, along with written and unwritten "expectations" for conduct, NMJC also has a culture and associated expectations for behavior. The community's expectation is that conduct is marked by integrity. Any student who chooses to enroll at NMJC also chooses to become part of this community and make constructive contributions to its culture. This choice is attended by an obligation to conduct oneself in such a way as to facilitate the mission of the community which is to "...pursue and share knowledge..." The following principles are part of the collective expectation of the members of this community relative to personal conduct. We hope they serve to explain and illustrate our position.

- ~~Civility~~ Members of a learning community interact with others in a courteous and polite manner. Members of the community have a right to respect the values, opinions, or feelings of others.
- ~~Ethical Behavior~~ The pursuit of a higher education is a privilege. Associated with that privilege is an obligation to aspire to a set of principles and values that demonstrate a commitment to fairness, honesty, empathy, and achievement.
- ~~Morality~~ Members of a learning community commit to ideals of right human conduct. This is lifestyle that seeks to harm no one and attempts to be a positive contributor in every interaction.
- ~~Respect~~ Every member of this community should seek to both gain and demonstrate respect. Members should hold one another in high regard. Each individual should conduct him or herself in a manner worthy of that regard. That regard is gained by decent and correct behavior.

The learning community at New Mexico Junior College does not intend to be prescriptive regarding the personal beliefs and value systems of its members. However, this community does believe that it has a right to expect its members to demonstrate personal responsibility and integrity in word and deed. When the conduct of any member falls outside the bounds of civil, moral, and ethical behavior, that member can expect the community of New Mexico Junior College to call such conduct into question. The College reserves the right to discipline students or student organizations for inappropriate actions to secure compliance with these higher obligations. ~~Students failing to maintain these higher obligations may be asked to leave the academic community. Students are expected to comply with all College policies and procedures and the Code of Conduct as outlined in the student handbook. New Mexico Junior College officials have inherent authority to maintain order and discipline students. Students are expected to comply with all College policies and procedures. Students are also advised that violations of policy are cumulative~~

~~in nature. Although the NMJC Student Disciplinary System may have some terminology and actions that mirror the legal system, it should not be confused with the criminal justice system.~~

~~Students attending the District are subject to reasonable rules and regulations of the Board.~~

~~New Mexico Junior College officials may define offenses for which suspension (for the rest of the semester or for a longer period of time) may be imposed and determine whether the offense has been committed. Students are entitled to a fair notice or warning of what constitutes prohibited conduct. Students shall be given a fair opportunity to demonstrate innocence in a hearing before school officials. Students are entitled to due process in disciplinary hearings, including being given adequate notice of the hearing and definite charges in advance and the right to a fair hearing before an impartial tribunal.~~

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 806

Page 1 of 2

SECTION: Fiscal and Support Services

POLICY TOPIC: Cash Management

I. Safekeeping

Members of the faculty, staff or student body who receive College monies (i.e., cash, checks, credit card payments, money orders and other negotiable instruments) shall be responsible for its collection, safekeeping, deposit and for the safety of employees who handle the monies.

II. Investment Statement

A. Cash and investment efforts shall be directed in a manner which provides optimal return on deposits given appropriate consideration to safety and liquidity. Primary significance shall be given to the preservation of capital and secondary importance to the generation of income and capital gains.

B. The Vice President for Finance shall have the authority and responsibility to administer the cash and investment management function in accordance with NMSA 1978 Chapter 6, Article 10, and this policy. The Vice President for Finance and the President shall be signatories on all accounts.

III. Funds Needed for Operations and Debt Service

All funds needed for operation and debt service will be kept in FDIC insured checking accounts. There is an account for accounts payable, one for payroll, one for student refunds, **one for the flexible spending account**, and one for funds held for student clubs and activities.

II. Funds Not Required for Immediate Operations

These funds may be used to purchase certificates of deposit at FDIC insured banks in Lea County.

Individual certificates of deposit of \$250,000.00 should be limited to one per bank in order to be covered by FDIC insurance.

Certificates of deposit of more than \$250,000.00 should be placed as CDARS with one Lea County institution to get the benefit of full FDIC insurance coverage. The deposit is placed with one CDARS member bank, then the member bank places amounts of less than \$250,000.00 with other member banks so that the entire deposit plus interest is covered under FDIC insurance.

V. Accountability

Status of cash deposits shall be reported at each regular meeting of the College Board. The report shall include the name of the financial institution, the type of investment, the interest rate, the maturity date and the amount of the investment.

memo

New Mexico Junior College

To: Board of Directors

From: Scotty Holloman

Date: May 15, 2020

Re: Amendment of Compensation and Benefits: Leaves and Absences-Policy

AMENDED TEMPORARY COMPENSATION AND BENEFITS: LEAVES AND ABSENCES-POLICY

The New Mexico Junior College Board, at its April board meeting, adopted a Temporary Compensation and Benefits: Leaves and Absences-Policy. A copy of this policy is attached.

The adopted policy was effective from April 1, 2020 to May 30, 2020. It is requested that the Policy be extended to June 30, 2020. This Policy allows for employees to be paid their regular wages while the NMJC campus is closed in accordance with New Mexico Health Orders. NMJC has received funding from the "Coronavirus Aid, Relief, and Economic Security Act" or the "CARES Act" which in part is to be used to provide payroll protection. NMJC requests to be allowed to use the appropriate CARES Act funding to pay wages for full-time support staff employees until June 30, 2020.

TEMPORARY COMPENSATION AND BENEFITS: LEAVES AND ABSENCES-POLICY

PURPOSE:

In response to the COVID-19 pandemic, the passage of the Families First Coronavirus Response Act (FFCRA), and state and local orders intended to mitigate the spread of the Coronavirus and COVID-19 illness, and to protect the health and safety of our community, this policy is intended to temporarily supplement existing New Mexico Junior College policies concerning leaves, absences and compensation. This policy does not diminish any rights afforded to employees under the Extended Paid Sick Leave Act (EPSLA) or the Emergency Family and Medical Leave Expansion Act portions of the [FFCRA](#).

SCOPE:

This policy applies to all regular active full-time faculty and staff employees of New Mexico Junior College.

POLICY:

While the College is closed, almost all faculty, staff and employees will not be allowed on campus, and will migrate to a remote work environment.

Remote Work: Salaried employees whose work duties translate easily to an online environment and who continue to perform work for the benefit of the College will continue to be paid their full regular salary. Hourly employees who are able to migrate to an online work environment and who continue to perform work for the benefit of the College will continue to be paid their full regular hourly wage. Salaried or hourly employees whose regular work duties do not translate easily to an online environment shall work with their supervisors and every effort shall be made to assign alternate work which can be completed remotely and for which the employee can continue to be paid full regular salary and wages.

Absence from Work: Employees who are unable to work, either on-site or remotely, due to their own COVID-19 related reason, or because the College cannot provide work for them, will be eligible for continuation of full wages under this policy. Employees shall communicate regularly and timely with their supervisors and provide documentation as needed to ensure continuation of wages during the effective period of this policy.

EFFECTIVE DATES:

This policy is effective April 1, 2020 and will remain in effect until May 30, 2020. The President of New Mexico Junior College will regularly review data related to this policy and the impact on College operations. Based on recommendations from the President of New Mexico Junior College, the Board may extend the effective dates or modify the terms of this policy.