

ADVISORY BOARD

MEETING AGENDA
Thursday, September 2, 2021
6:00 PM
Board Room (DAEM 207), and via Zoom

DACC Advisory Board Meeting

DACC Advisory Board Meeting	
Call to Order Roll Call Approval of Agenda Approval of May 6, 2021 Minutes	Ms. Elva Garay
1. Appoint New Board Secretary (LCPS)	Ms. Elva Garay
2. Moody's Updated Rating Action	Ms. Katherine McKinney, Modrall Sperling Mr. Erik Harrigan, RBG Ms. Kelly Brooks
3. President's UpdateEnrollmentStrategic Plan	Dr. Mónica Torres
4. Student Services Update • Thrive • Avanza	Mr. Ike Ledesma
5. Academic Affairs UpdateInitiatives	Mr. Joe Butler
 6. External Relations Activities Vaccination Campaign Marketing Campaigns 	Ms. Kristi Martin
 DACC Advisory Board & NMSU Board of Regents Relationship Operating Agreement Luncheon on Thursday, September 16, 2021, 12:00-1:30 PM NMSU Corbett Center, Otero Room 	Dr. Mónica Torres
8. Updates from School Districts	
9. Board Announcements and Comments Next DACC Advisory Board Meetings: Thursday, November 4, 2021	
Adjournment	

Calendar of Events

Thursday, September 16

12:00-1:30 PM – DACC Advisory Board & NMSU Board of Regents Luncheon – NMSU Corbett Center – Otero Room

MISSION STATEMENT

DACC is a responsive and accessible learning-centered community college that provides educational opportunities to a diverse community of learners in support of academic interests, workforce development, and economic growth.



DACC ADVISORY BOARD

MEETING MINUTES

Thursday, May 6, 2021, 6:00 PM

via Zoom

DACC ADVISORY BOARD MEETING

Gadsden School Board Members Present: Hatch School Board Members Present:

Daniel Castillo Lupe Castillo Laura Salazar Flores Elva Garay

Las Cruces School Board Members Present: DACC Faculty/Staff Present:

Terrie Dallman Kelly Brooks Kristi Martin
Maria Flores Joe Butler Chipper Moore
Josie Carmona Fred Owensby
Rusty Fox Rod Sanchez

Rusty Fox Rod Sanchez

<u>Guests Present:</u> Vicki Haggard Mónica Torres

Erik Harrigan, RBG Ike Ledesma

Katherine McKinney, Modrall Sperling

Call to Order: Ms. Elva Garay, President, called the DACC Advisory Board meeting to order at

6:02 PM on Thursday, May 6, 2021.

Roll Call: V. Haggard called roll; participants noted above were present. A quorum of the

Advisory Board was present.

Approval of Agenda: Motion to approve the agenda as presented made by Sra. Flores; seconded by L.

Salazar Flores; no discussion, all in favor; motion carried.

Approval of Minutes: Motion to approve November 5, 2020 minutes as presented made by D. Castillo;

September 3, 2020 seconded by L. Castillo; no discussion, all in favor; motion carried.

1. Appoint New Board Secretary (LCPS) – Elva Garay

Key Discussion Points: LCPS School Board made some changes to who will be representing LCPS on the

DACC Advisory Board – Mr. Ray Jaramillo will no longer be serving on the DACC Advisory Board; he is being replaced by Ms. Terrie Dallman. With this change, DACC Board President, Ms. Elva Garay appointed Ms. Terrie Dallman from LCPS to serve as

Secretary for the remainder of Mr. Jaramillo's term expiring March 2022.

Decision/Action: Motion to appoint Ms. Terrie Dallman, LCPS as DACC Advisory Board Secretary made

by D. Castillo; seconded by Sra. Flores; no discussion, all in favor; motion carried.

2. Bond Sale Update - Ms. Katherine McKinney, Mr. Erik Harrigan, Ms. Kelly Brooks

Key Discussion Points: E. Harrigan presented to the Board an update on the bond sale conducted in April

2021; which was approved at the November 2020 Board meeting. Six firms bid; Fidelity Capital Markets came in with the lowest bid; DACC achieved very strong interest rates due in part to our strong Moody's rating. An overview of refunding of series 2011 bonds was provided; sold with 12-year final maturity date of 2033; lowest

interest rate ever at 1.219%. Current market information was also provided.

A copy of the bond sales certificate was provided in the meeting binder. $\,\mathrm{K}.\,$

McKinney was available to answer any questions.

Please refer to the May 6, 2021 Meeting Binder on the DACC Advisory Board's website for complete presentation (https://dacc.nmsu.edu/advisoryboard/).

Decision/Action: None.

3. Operating Agreement – Dr. Mónica Torres

Key Discussion Points: M. Torres introduced the topic of reviewing and approving the DACC/NMSU

Operating Agreement. The 2018-2020 operating agreement between the DACC Advisory Board and NMSU was provided. Discussion and further review of the

agreement will take place at the next meeting.

Decision/Action: DACC President will provide the Board with the 2018-2020 agreement prior to the

next meeting and ask that they review and bring any comments/questions to the

next meeting.

4. FY 2021-22 Budget Approval – Ms. Kelly Brooks

Key Discussion Points:

K. Brooks recognized the hard work of the COVID Safety Team and the DACC Vaccination PODs volunteers. She then went on to present the final 2021-22 Budget to the Board for approval. Items highlighted in the presentation included:

- Breakdown of new money available (base budget, special session revised base budget, mid-year cut, and 2021-22 estimate were discussed).
- Salary and benefit increases (1.5% increase across the board).
- Absorbing the decrease in enrollment (assuming the decrease remains static).
- Unrestricted I&G funds; tuition and fees (no changes being proposed); online course fees will remain being waived for students (a proposal will be submitted to NMSU to change the online fee to a general technology fee which will be charged to all students).
- Money available and budget allocation.
- Breakdown of restricted and unrestricted funds, revenues and expenditures. unrestricted primarily funded by state (3 major elements tuition, state, mil levy).
- Explanation of instruction and general budget changes.
- Higher Ed Emergency Relief Funds HEERF Funding and expenditures, so far DACC has received almost \$3.5M so far. There may be a 3rd allocation of funds. The use of HEERF funds did seem to have a positive impact on student retention from Spring 2020 to Fall 2020.
- State capital monies were used to purchase iPads to distribute to students impacted by the pandemic. Those students who received iPads were retained at 85% vs 77% (students who did not receive an iPad).
- No existing positions were cut, some vacant positions were cut, but only a select few based on a priority process and impact to student success.

Please refer to the May 6, 2021 Meeting Binder on the DACC Advisory Board's website for complete presentation (https://dacc.nmsu.edu/advisoryboard/). Motion to approve 2021-22 Operating Budget as presented made by D. Castillo;

seconded by E. Garay; no discussion, all in favor; motion carried.

Decision/Action:

5. College Update – Dr. Mónica Torres

Key Discussion Points: M. Torres provided the following college updates.

- Mr. Joe Butler, Acting VP for Academic Affairs was introduced.
- Commencement activities a drive through commencement celebration will be held at the East Mesa campus over 3 days May 13-15.
- College update wrap up of 2020-21 academic year
 - DACC 2025 Strategic Plan that ties to NMSU LEADS 2025 same goals, but DACC objectives and activities are adapted to our student population. Main goal is to make sure people can access and benefit from educational opportunities.

- The Numbers enrollment (some loss due to the new NMSU rule that students must take classes at their home campus only), retention (degrees/certificates awarded in 2020, working on how we capture accomplishments of other students), transfers (from DACC to NMSU 10%).
- COVID-19 Operations most classes and services online (approximately 80%), limited face-to-face interactions in essential areas only, safety protocols developed and implemented, DACC EMC testing site (Curative) and vaccination site with NMDOH.
- Challenges loss of student enrollment, inability to fully deliver lab instruction, sudden shift to remote learning environment.
- Interventions and initiatives Ben Archer Clinic, expansion of DHYG clinics, iPad initiative (for students and faculty learning how to use them to teach); Avanza; grant collaborations with NMSU departments, enhanced internal and external communications, modernized marketing campaign, WiFi in DACC parking lots, enhanced standards and support for online teaching, "Thrive at DACC" (community resources, social worker, counselor, enhanced communication with local non-profits), and diversity and equity working group.
- On the horizon emerging from the COVID crisis planning with optimism and caution, federal funding, incremental steps to new higher ed reality, opportunity to innovate, expanding non-credit workforce training, collaborations between Adult Education and other units, integrated services center, EON XR, likely expansion of iPad distribution, increase retention and graduation rates.
- Campaign to reach out to "stop-out" students, included flyer in water bills of our county, grassroots initiative recruiting non-traditional students (flyers in communities, etc.).
- On behalf of DACC, M. Torres offered condolences for the loss of LCPS Superintendent Karen Trujillo.

Please refer to the May 6, 2021 Meeting Binder on the DACC Advisory Board's website for complete presentation (https://dacc.nmsu.edu/advisoryboard/). None.

Decision/Action:

6. Board Announcements and Comments

Key Discussion Points: Tentative Board Meeting Dates

- Thursday, September 2, 2021
- Thursday, November 4, 2021

Decision/Action: M. Torres closed by thanking board members for their attendance.

Adjournment: Motion to adjourn the DACC Advisory Board meeting made by T. Dallman; seconded by L. Castillo; no discussion, all in favor; motion carried. Meeting adjourned at 7:23 PM.

Torrio Dallman, Socratany
Terrie Dallman, Secretary
DACC Advisory Board

Respectfully submitted,



Rating Action: Moody's takes various rating actions in conjunction with the publication of the updated higher education methodology

04 Aug 2021

New York, August 04, 2021 -- Moody's Investors Service has assigned Issuer Ratings to 468 combined 4-year public and private higher education institutions and community colleges/districts in conjunction with the publication on August 4, 2021 of a new methodology for assessing credit risk for higher education institutions. Moody's has also affirmed the existing public Issuer Ratings on 31 institutions. Issuer Ratings are opinions of the ability of entities to honor senior unsecured debt and debt like obligations. Concurrently, Moody's has also affirmed the associated debt instrument ratings of these higher education institutions as well as those of related support organizations. The outlook for each issuer and its debt instruments are unchanged from the outlook currently assigned.

Moody's has also placed debt ratings for 23 four year public and private colleges and community colleges/districts under review for downgrade and 1 under review for upgrade. The rating actions affect 42 securities across these 24 unique issuers.

Further, Moody's has revised the outlooks to "no outlook" for organizations that serve as additional obligors for certain debt instruments. In these cases, the outlooks for these obligor's debt instruments will reflect that of the affiliated parent organization, which is the organization that houses the Issuer Rating.

Moody's has also downgraded Austin Community College District's (TX) lease revenue bonds to Aa3 from Aa2. The outlook is stable. The rating action affects about \$299 million of debt.

Please click on this link http://www.moodys.com/viewresearchdoc.aspx?docid=PBM_PBM907291588 for the List of Affected Credit Ratings. This list is an integral part of this Press Release and identifies each affected issuer.

RATINGS RATIONALE

The assignment or affirmation of Issuer Ratings reflects an evaluation of the key factors of the analysis for higher education institutions including scale, market profile, operating performance, financial resources and liquidity, leverage and coverage, financial policy and strategy, and other relevant considerations.

The affirmation of debt instrument ratings reflects the individual higher education institution's Issuer Rating and each debt instrument's security considerations.

The higher education ratings placed under review primarily reflect the instrument considerations of the institutions' debt relative to its Issuer Rating, as set forth in the updated higher education methodology. The reviews will focus on an evaluation of the key fundamental factors for higher education institutions combined with each debt instrument's security considerations. Placement of debt instrument ratings relative to issuer ratings will include evaluation of the security features, if the pledges are actively or passively managed, characteristics of the revenue base, debt service coverage, and other factors.

The outlooks for organizations that serve as additional obligors for certain debt instruments are being revised to "no outlook" to allow for outlook alignment with the affiliated parent organization. In these cases, the outlooks for these obligor's debt instruments will reflect that of the affiliated parent organization, which is the organization that houses the Issuer Rating.

The downgrade of Austin Community College District's lease revenue bonds reflects the debt instrument considerations and placement relative to the newly assigned Aa2 Issuer Rating under the updated higher education methodology.

Moody's has decided to withdraw 44 Issuer Ratings for community colleges/districts. Moody's has decided to withdraw the ratings for its own business reasons. Please refer to the Moody's Investors Service Policy for Withdrawal of Credit Ratings, available on its website, www.moodys.com. At the same time, Moody's has assigned Pledge-Specific Ratings at the same rating level to 42 of those issuers. The withdrawn Issuer Ratings

aligned with the definition for Issuer Ratings as applied to US local governments (outlined in Moody's Rating Symbols and Definitions, updated and published June 29, 2021), reflecting an unlimited general obligation pledge. With the publication of the updated higher education methodology, that definition no longer applies to community colleges/districts. Instead Issuer Ratings for community colleges/districts will reflect our opinion of the ability of entities to honor senior unsecured debt and debt-like obligations. The newly assigned Pledge-Specific Ratings reflect an entity's unlimited general obligation pledge.

RATING OUTLOOK

For the assigned and affirmed issuer and debt instrument ratings, the outlooks are unchanged from those currently assigned.

The stable outlook for Austin Community College District reflects its credit fundamentals and expectations around future performance.

FACTORS THAT COULD LEAD TO AN UPGRADE OF THE RATINGS

- For issuer level ratings: Improvement in fundamental credit factors, including those related to scale, market profile, operating performance, financial resources and liquidity, leverage and coverage, financial policy and strategy, and other relevant considerations
- For debt instrument ratings: improvement in issuer level rating or strengthening of the structural and performance characteristics of individual debt securities

FACTORS THAT COULD LEAD TO A DOWNGRADE OF THE RATINGS

- For issuer level ratings: deterioration of fundamental credit factors, including those related to scale, market profile, operating performance, financial resources and liquidity, leverage and coverage, financial policy and strategy, and other relevant considerations
- For debt instrument ratings: deterioration of the issuer level rating or weakening of the structural and performance characteristics of individual debt securities

METHODOLOGY

The principal methodology used in the non-pledge specific ratings (PSR) was Higher Education Methodology published in August 2021 and available at https://www.moodys.com/researchdocumentcontentpage.aspx? docid=PBM_1257002. The principal methodology used in the pledge specific ratings was US Local Government General Obligation Debt published in January 2021 and available at https://www.moodys.com/researchdocumentcontentpage.aspx?docid=PBM_1260094 . Alternatively, please see the Rating Methodologies page on www.moodys.com for a copy of these methodologies.

REGULATORY DISCLOSURES

The List of Affected Credit Ratings announced here are all solicited credit ratings. Additionally, the List of Affected Credit Ratings includes additional disclosures that vary with regard to some of the ratings. Please click on this link http://www.moodys.com/viewresearchdoc.aspx?docid=PBM_PBM907291588 for the List of Affected Credit Ratings. This list is an integral part of this Press Release and provides, for each of the credit ratings covered, Moody's disclosures on the following items:

- Rating Solicitation
- Issuer Participation
- Participation: Access to Management
- Participation: Access to Internal Documents
- Disclosure to Rated Entity
- Endorsement
- State

For further specification of Moody's key rating assumptions and sensitivity analysis, see the sections Methodology Assumptions and Sensitivity to Assumptions in the disclosure form. Moody's Rating Symbols and Definitions can be found at: https://www.moodys.com/researchdocumentcontentpage.aspx? docid=PBC_79004.

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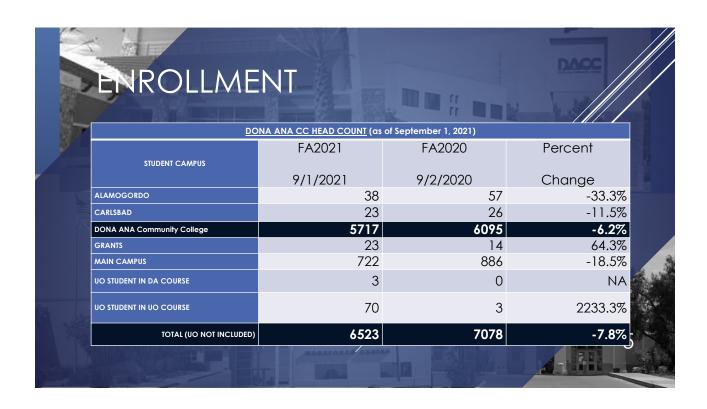
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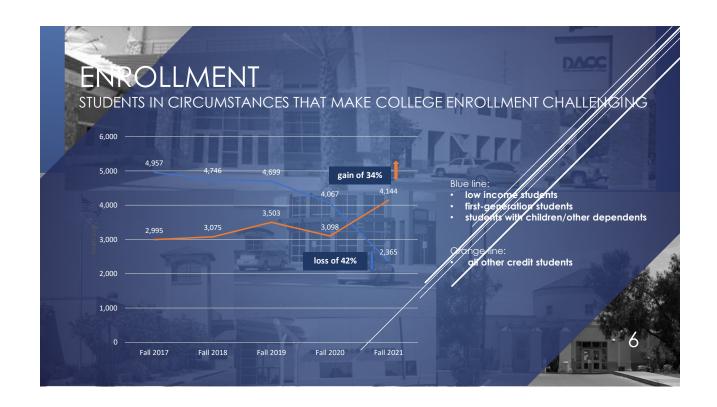










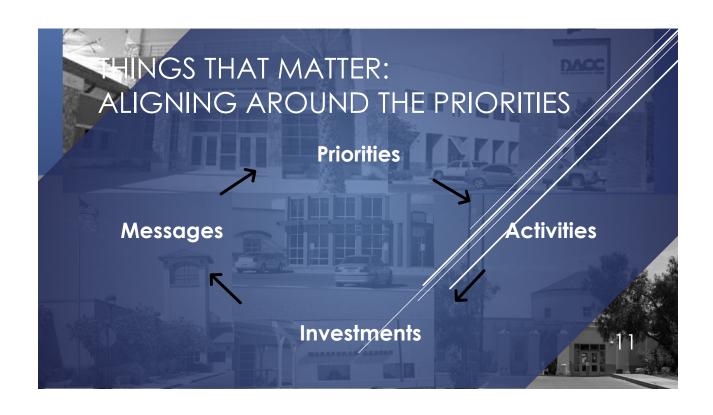












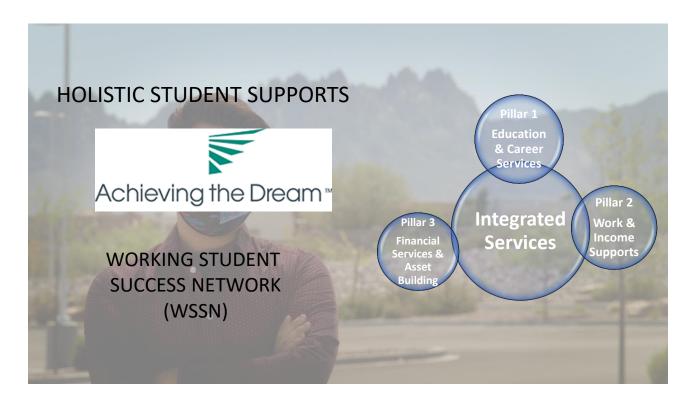














The Need for Integrated Services



RAND > Published Research > External Publications >

Unmet Mental Health Treatment Need and Attitudes Toward Online Mental Health Services Among Community College Students

Published in: Psychiatric Services [Epub March 2018]. doi:10.1176/appi.ps.201700402

The Need for Integrated Services



Item 4, page 4



BRIEF

Report shows wraparound services' impact on community college student success

Published May 3, 2019

The Need for Integrated Services



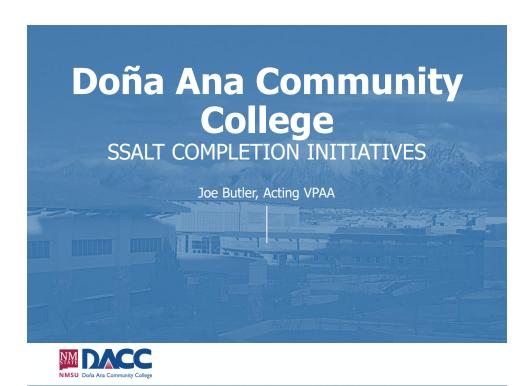












Student Services and Academic Leadership Team (SSALT) Completion Initiatives

- Opt-in for automatic awards and waiving of graduation fee
- Degree Plan/Audit System cleanup
- Learning Communities
- New Certificates and AAS Degrees
- Integrated Services



Opt-in for automatic awards and waiving of graduation fee

- Create mechanism for students to opt-in for automatic award of certificates and/or degrees within major
- Waive graduation fees to encourage more students to apply for awards
 - \$10 fee for Certificates of Completion
 - \$25 fee for Associate Degrees
- These are awards a student has earned and have value



Degree Plan/Audit System cleanup

- Currently many degree do not run clean and we manually fix them
- Clean up some of the common problems/errors
- These are not curriculum changes



New Certs and AAS Degrees

- Help programs create additional Certificates of Completion that are embedded in a degree and have value
- Explore the creation of an AAS degree that contains two or more certificates
 - Ex. Basic Solar Cert. (22 cr) and Energy Audit Cert. (23 cr) plus required 15 cr of Gen. Ed
 - Ex. Basic Manufacturing (18 cr) and Electronics (26 cr) plus 15 cr of Gen. Ed. plus 1 cr elective
 - Supports students seeking shorter term awards



Learning Communities

- Curricular structures that link together two or more courses
- Builds mini cohort of students
- Promotes collaboration and community among students, faculty, and staff
- Currently isolated in Arts, Humanities, and Social Sciences Division
- Expanding to include more courses from other divisions/programs









WHITE HOUSE VACCINATION CHALLENGE

3 KEY COMMITMENTS

- 1. ENGAGE EVERY STUDENT, FACULTY, AND STAFF MEMBER
- 2. DELIVER VACCINE ACCESS FOR ALL
- 3. ORGANIZE YOUR COLLEGE COMMUNITY





DELIVER VACCINE ACCESS FOR ALL

WE HAVE BEEN DOING THIS SINCE JANUARY AT THE MONDAY VACCINATION PODS.

THE FINAL DACC VACCINATION POD WAS AUGUST 26.

AGGIE HEALTH & WELLNESS CENTER

HTTPS://WELLNESS.NMSU.EDU/

NM DOH PUBLIC EVENT CALENDAR

HTTPS://VACCINENM.ORG/PU BLIC-CALENDAR.HTML





ORGANIZE YOUR COLLEGE COMMUNITY

AND WE HAVE - THANKS TO THE INCREDIBLE EFFORTS OF THE MANY COVID TEAMS, THE LEADERS OF THE VACCINATION PODS, SAFETY TEAM, DACC FACILITIES, NOT TO MENTION ALL THE VOLUNTEERS, FROM THE HEALTH PROGRAMS AND ALL OF DACC

DACC Vaccination website traffic - There have been 1024 visits to the sleeve-up landing page of that about 600 students registered and 100 faculty staff

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- ▶ June 01 Aug 18
- ► Included:
 - ► TV in English, Spanish
 - ► Radio in English, Spanish
 - ► Print Media
 - OTT (Streaming)
 - Social Media
 - ▶ Digital Ads
 - ▶ Google Ads
 - ► Facebook Post Boosts

SUMMER/FALL CAMPAIGN





Google Ads Comparison Summer/Fall 2020 - 2021			
	2020	2021	Δ
Clicks	2,992	4,882	+61.29%
Impressions	10,072	13,950	+35.50%
Interaction Rate/CTR	29.71%	35.00%	+5.29%
Conversion Rate	13.00%	15.24%	+2.24%
Phone Calls	<mark>677</mark>	1454	<mark>+214.77%</mark>
Cost Per Click	\$1.24	\$1.04	-\$0.20

GOOGLE ADS CORE STATS

	Google Ads: Cities Reached in Doña Ana County: 9				
	City	Clicks	Imps.	Click Through Rate (CTR)	Conv. Rate
1	Las Cruces	4,514	12,315	36.65%	15.35%
2	Anthony	77	343	22.45%	22.08%
3	Sunland Park	46	141	32.62%	15.22%
4	Hatch	17	73	23.29%	0.00%
5	Mesilla Park	11	32	34.38%	27.27%
6	La Mesa	4	6	66.67%	25.00%
7	Mesquite	3	10	30.00%	33.33%
8	Garfield	0	1	0.00%	0.00%
9	Rincon	0	1	0.00%	0.00%



FACEBOOK BOOSTED POSTS CORE STATS

Facebook Boosted Posts				
	Boost 1	Boost 2	Boost 3	
Audience	Stop outs	Non-trad	General	
Age Brackets	20-40	30-55	20-55	
Link Clicks	87	55	74	
Impressions	3,259	5,442	8,234	
Reach	<mark>2,137</mark>	<mark>2,744</mark>	<mark>4,611</mark>	
Engagement	<mark>1,151</mark>	<mark>873</mark>	1,056	
Frequency	1.53	1.98	1.79	
Cost Per Click	\$0.46	\$0.73	\$0.83	
Cost	\$40.00	\$40.00	\$60.00	









OTT TEST ON KFOX/KDBC

OTT - Over The Top (streaming)

Stats

Run: June 01 - Aug 20

Geo Target: El Paso/Las Cruces Metro Area

Audience Profile: High School Grads

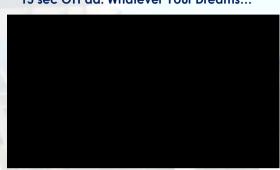
Ads: 15 sec, 30 sec

Total Imps: 69,836 (100.10%) Video Comp. Rate: 96.1%

Unique Reach: 19,622

Frequency: 3.56

15 sec OTT ad: Whatever Your Dreams...





WHAT WILL THE UPCOMING CAMPAIGN LOOK LIKE

Messaging

- · Use inclusive and positive messaging to increase reach and engagement
 - Asset Based Messaging
 - Tag lines

#wearedacc

Local, Affordable, Accredited

New TV Ads

- General ad for inter-campaign and promotions
- Campaign specific with call to action

English & Spanish

15 and 30 seconds, expanded use of OTT, and go back into the Cinemas

Expand Voice Talent

Add a female voice artist

Social Media

Improve use to increase reach and engagement and build audiences





Thanks!

Kristi Martin
Interim VP External Relations
kmartin@dacc.nmsu.edu

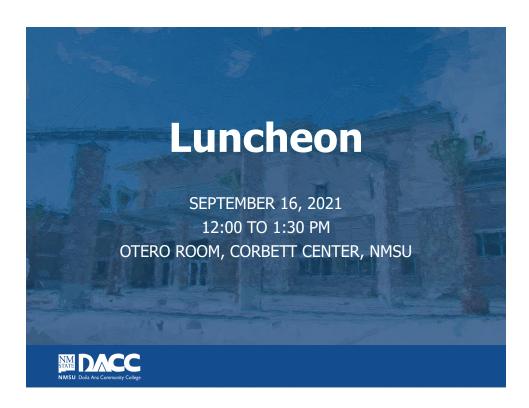
575.528.7059



Agenda

- Luncheon with NMSU Board of Regents
- Operating Agreement between the DACC Advisory Board and the NMSU Board of Regents





Luncheon

- Introductions
- What expectations or concerns in support of the mission of the college would Advisory Board members like to share with members of the Board of Regents?
- Good news to share about DACC





Operating Agreement

- Article 1: Advisory Board
- Article 2: The Regents
- Article 3: Academic Matters
- Article 4: Financial Matters
- Article 5: Facilities
- Article 6: Additional Terms



Operating Agreement Article 1: Advisory Board

- Constitutes the Advisory Board
- Outlines duties:
 - ❖ advisory to Board of Regents
 - operating agreement with Board of Regents
 - annual operating budget
 - tax levies—both certifying the tax levy (County Commission) and conducting the election for tax levies
- Sets meetings: annual meeting with Regents, operating budget, tax levies, and other business as needed.



Operating AgreementArticle 2: The Regents

• Establishes that the Regents have **full authority and responsibility** over all aspects of the college.



Operating AgreementArticle 3: Academic Matters

• Outlines—in broad terms—the **academic programs** that the community college will offer.



Operating Agreement Article 4: Financial Matters

- Establishes that the Advisory Board will review **annual budget** for the community college for recommendation to the Regents.
- Describes **funding sources:** state, tuition/fees, tax levies, and other funding such as grants and gifts.
- Authorizes the college to borrow money through general obligation bonds.
- Describes that it is the Regents who set tuition and fees.



Operating Agreement

Article 5: Facilities

• Establishes that all college property is taken in the name of the Regents.



Operating Agreement

Article 6: Additional Terms

- Establishes biennial review of operating agreement.
- We are beginning that process.
 - Preliminary Review, September 2, 2021
 - ❖ Discussion with Regents, September 16, 2021
 - ❖ Revisions, if necessary, September/October 2021
 - ❖ Advisory Board approval, November 2021
 - ❖ Board of Regents agenda, December 2021



Operating Agreement

At the luncheon on September 16

- What expectations or concerns would Advisory Board members like to share with members of the Board of Regents in support of the mission of the college?
- Any questions or discussion?





AGREEMENT PERTAINING TO THE OPERATION OF THE DOÑA ANA COMMUNITY COLLEGE

BETWEEN

THE REGENTS OF NEW MEXICO STATE UNIVERSITY

AND

THE ADVISORY BOARD OF

DOÑA ANA COMMUNITY COLLEGE

AGREEMENT PERTAINING TO THE OPERATION OF THE DOÑA ANA COMMUNITY COLLEGE

The Regents of New Mexico State University (Regents), the parent university of Doña Ana Community College (the Community College), and the branch community college board (Advisory Board) hereby enter into the following agreement concerning the operation of the Community College (the Operating Agreement).

This Operating Agreement is adopted in accordance with the requirements of state law and founded on the desire of the parties to provide quality educational services must be provided in accordance with the needs of the Community College service area.

ARTICLE 1 ADVISORY BOARD

A. Advisory Board Defined

The Advisory Board consists of the local school board, or the combined local school boards, acting as a single board, situated within the local taxing district which supports the Community College. [N.M. Stat § 21-14-2(A) (1978)]

B. Multiple School District Boards

For Community Colleges located in counties with more than one local school district, the Advisory Board may designate a committee to act on its behalf (Advisory Committee). The Advisory Committee will consist of two representative board members from each local school board. The Advisory Board may delegate to the Advisory Committee all functions and responsibilities of the Advisory Board, except that the Advisory Board may not delegate its duty to certify tax levies or elections for tax levies.

C. Duties of the Advisory Board

Pursuant to state law, the duties of the Advisory Board are as follows:

- 1. Enter into a written agreement with the Regents, subject to biennial review by the parties and to the review and commentary of the commission on higher education;
- 2. Act in an advisory capacity to the Regents in all matters relating to the conduct of the Community College;
- 3. Approve the annual operating budget of Community College for recommendation to the Regents;
- 4. Certify to the board of county commissioners the tax levy; and
- 5. Conduct the election for tax levies for the Community College.

[N.M. Stat § 21-14-2(B) (1978)]

D. Advisory Board Meetings

The Advisory Board will meet as necessary to: (2) certify to the board of county commissioners the tax levy; and (3) conduct the election for tax levies for the Community College.

In addition, the Advisory Board, or the Advisory Committee if one has been formed, will review the annual operating budget of Community College for recommendation to the Regents, and, upon request of either party, will meet, at least once a year, with the Regents. The purpose of the joint meeting is to allow each of the parties to report to the other and make inquiry of the other on all matters relating to the conduct of the Community College.

The Regents, the Advisory Board, the Community College President, or the Chancellor of the NMSU System may request additional meetings as needed.

All meetings which include either the Regents or a quorum of any local school board will be conducted in accordance with the New Mexico Open Meetings Act. [N.M. Stat § 10-15-1 *et seq.* (1978)]

E. Selection of Community College President

In the event of a vacancy, the Regents and the Advisory Board will jointly conduct a search for qualified candidates for President of the Community College. The Regents, after consultation with the Advisory Board, will select a president for the Community College. [N.M. Stat § 21-14-2(C) (1978)]

ARTICLE 2 THE REGENTS

Except as otherwise provided in this Operating Agreement, the Regents have full authority and responsibility over all aspects of the Community College, including but not limited to academic matters. [N.M. Stat § 21-14-2(D)(1) (1978)] The full authority of the Regents, under this Agreement may be delegated at the discretion of the Regents, to the Chancellor of the NMSU System.

ARTICLE 3 ACADEMIC MATTERS

A. Programs of Study

As provided by state statute, the Community College will offer programs of study which have been approved by NMSU. [N.M. Stat § 21-14-2(D)(3) (1978)] Such programs will provide:

- 1. The first two years of college education; or
- 2. Vocational and technical curricula of not more than two years' duration designed to fit individuals for employment in recognized occupations. [N.M. Stat § 21-14-1(A)(1978)]

B. Employment of Faculty

The Regents agree to consider application of qualified local applicants before employing teachers from the local school system(s). [N.M. Stat § 21-14-2(D)(5) (1978)]

ARTICLE 4 FINANCIAL MATTERS

C. Financial Management

The Regents will be responsible for the financial management of the Community College. The Advisory Board may review all procedures, reports and all other matters related to the financial management of the Community College.

D. Budget Recommendation

The President of the Community College will prepare and present to the Advisory Board a proposed annual budget including the long range plan of the college and the status of all capital outlay projects. The Advisory Board will review an annual budget for the Community College for recommendation to the Regents. [N.M. Stat § 21-14-2(B)(3) (1978)]

E. Funding Sources

The Community College will be financed by state appropriations, tuition and fees charged to students, grants, and gifts, and such other funds as may be made available through additional tax levies pursuant to the College District Tax Act. [N.M. Stat § 21-2A-1 (1978) *et seq.*]

The New Mexico Higher Education Department will recommend an appropriation for the Community College based on its financial requirements. [N.M. Stat § 21-14-9 (1978)]

The Community College may borrow money, through college district general obligation bonds, for the purpose of constructing and equipping buildings and to make other real property improvements. [N.M. Stat § 21-2A-6(A) (1978)] All taxes levied to pay for principal and interest on the general obligation bonds of the Community College shall be in addition to the taxes levied for operating, maintaining and providing facilities for the Community College pursuant to the College District Tax Act. [N.M. Stat § 21-2A-1 (1978) *et seq.*] The repayment of district general obligation bonds will be made in accordance with the College District Tax Act and is the general obligation of the college district. [N.M. Stat § 21-2A-7 (1978) *et seq.*] The Regents will not have any obligation to repay the bonds.

The Community College's tuition and fees will be set by the Regents. [N.M. Stat § 21-14-5 (1978)] New Mexico residents, residing outside of the Community College service area, will be assessed an out-of-district fee each semester. Non-residents of New Mexico will be assessed tuition and fees at a higher rate than residents.

ARTICLE 5 FACILITIES

A. Acquisition of Property in Name of Regents

All property acquired by the Community College, including all property acquired from the proceeds of a bond issue shall be taken in the name of the Regents. [N.M. Stat § 21-14-14 (1978)]

B. Cooperative Use of Physical Facilities

Subject to space and other resource constraints, the Community College will share facilities in support of NMSU's bachelors and appropriate graduate programs, and the NMSU University will share facilities on the Las Cruces campus in support of the Community College's programs. [N.M. Stat § 21-14-2(D)(4) (1978)]

ARTICLE 6 ADDITIONAL TERMS

A. Entire Agreement

This Agreement is made pursuant to fulfill the requirements of state law and is subject to biennial review by all parties and the review and comment of the New Mexico Department of Higher Education. [N.M. Stat § 21-14-2(B)(1) (1978)] This Agreement constitutes the entire agreement between the Advisory Board and the Regents and supersedes any prior agreements, contracts or understandings, expressed or implied, oral or written.

B. Termination

This Agreement may be terminated by mutual consent or by either the Advisory Board or the Regents, upon six months' notice, provided there are no outstanding general obligations or revenue bonds. If the Community College has outstanding general obligation or revenue bonds, then neither the Advisory Board nor the Regents may terminate this Agreement until the outstanding bonds are retired, except as otherwise provided by law. [N.M. Stat § 21-14-2(E) (1978); referencing N.M. Stat § 21-13-24.1 (1978)]

C. No Third Party Beneficiaries

This Agreement is for the benefit of the Parties only. No rights or benefits are conferred to any third-party by or through this Agreement.

D. Effective Date

This Agreement will be effective and binding upon the Advisory Board and the Regents of NMSU from the date on which both of these entities have approved the Agreement as indicated by the attestation and signatures of the duly authorized representatives below.

APPROVAL AND ATTESTATION

Regents of	New	Mexico	State	Univers	ity
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The Regents of New Mexico meeting on	State University duly approved this Agreement at an official (date).
As the duly authorized represe	entative, I hereby attest to the truth of the foregoing statement.
Date:	Debra Hicks, Chair
Branch Community Col	lege Board
	e board (Advisory Board) of Doña Ana Community College duly official meeting on(date).
As the duly authorized represe	entative, I hereby attest to the truth of the foregoing statement.
Date:	Name
	Title: