

# NEW MEXICO JUNIOR COLLEGE

## BOARD MEETING

Monday, April 19, 2004

**Zia Room - Library**

3:00 p.m.

## AGENDA

- |  |                 |
|--|-----------------|
| A. Welcome   | Larry Hanna     |
| B. Adoption of Agenda  | Larry Hanna     |
| C. Approval of Minutes of March 18, 2004   | Larry Hanna     |
| D. Correspondence  | Pat Chappelle   |
| E. President's Report  | Steve McCleery  |
| F. Closure of Open Meeting   | Larry Hanna     |
| G New Business   |                 |
| 1. Monthly Expenditures Report   | 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 Fee Changes  | Richard Fleming |
| 6. Consideration of 2004-2005 Budget   | Steve McCleery  |
| 7. Consideration of Compensation Recommendation  | Steve McCleery  |
| 8. Consideration of Employee Handbook  | Steve McCleery  |
| 9. Consideration of RFP #81 – On-Line Coordinator for the Career<br>Mobility Nursing Program | Dan Hardin      |
| 10. Consideration of RFP #82 – NMJC Community Survey   | Dan Hardin      |
| 11. Personnel Consideration – Resignation  | Steve McCleery  |
| 12. Consideration of Retirement Resolution   | Steve McCleery  |
| H. Public Comments   | Larry Hanna     |
| I. Announcement of Next Meeting  | Larry Hanna     |
| J. Adjournment   | Larry Hanna     |

# NEW MEXICO JUNIOR COLLEGE

## BOARD MEETING

MARCH 18, 2004

### MINUTES

The New Mexico Junior College Board met on Thursday, March 18, 2004, beginning at 4:00 p.m. in the Zia Room of Pannell Library. The following members were present: Mr. Larry Hanna, Chairman; Ms. Patricia Chappelle, Secretary; Mr. Phillip Jones; Mrs. Yvonne Williams; Mr. Guy Kesner; and Mr. Wade Cavitt. Not present was Mr. John Hice, Jr.

Mr. Hanna called the meeting to order and welcomed visitors and guests present: Vange Perryman, Hobbs News Sun.

Upon a motion by Mrs. Williams, seconded by Ms. Chappelle, the agenda was unanimously adopted, as presented.

Upon a motion by Ms. Chappelle, seconded by Mrs. Williams, the board unanimously approved the minutes of February 19, 2004, adding Brad Caress with Daniels Insurance as a guest present.

Under *President's Report*, Dr. McCleery informed the board of recent certifications received by Charley Carroll.

Under *New Business*, Dan Hardin presented the February financial reports and with a motion by Mr. Jones, seconded by Mr. Cavitt, the board unanimously approved the expenditures for February 2004.

Upon a motion by Mr. Kesner, seconded by Ms. Chappelle, the board unanimously approved the response to the audit findings presented at the February 19, 2004 board meeting.

Upon a motion by Mr. Cavitt, seconded by Mrs. Williams, the board unanimously voted to table Consideration of RFP #81 – On-Line Coordinator for the Career Mobility Nursing Program.

Richard Fleming recommended Kevin Dean for the Professor of Barbering/Cosmetology position at a nine month salary of \$27,128. Upon a motion by Mrs. Williams, seconded by Ms. Chappelle, the board unanimously accepted the employment of Mr. Dean, effective April 1, 2004.

Mr. Hanna called for comments from the community. Brent Stoneman and Constance Robinson expressed their concerns about the need for tutoring at New Mexico Junior College.

Mr. Cavitt moved the board go into closed session for the discussion of limited personnel matters under the provisions of section 10-15-1-H(2) of the New Mexico Statutes Annotated 1978. Mr. Jones seconded the motion. The roll call vote was as follows: Mr. Jones – yes; Ms. Chappelle – yes; Mr. Hanna – yes; Mr. Cavitt – yes; Mrs. Williams – yes; and Mr. Kesner – yes.

Upon re-convening in open meeting, Mr. Hanna stated that the matters discussed in the closed meeting were limited only to those specified in the motion for closure.

A budget work session is scheduled for April 7, 2004 and the next regular board meeting was scheduled for April 19, 2004, beginning at 3:00 p.m. in the Zia Room of Pannell Library.

Upon a motion by Mr. Cavitt, seconded by Mr. Jones, the board meeting adjourned at 5:45 p.m.

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CHAIRMAN

ATTEST: \_\_\_\_\_  
SECRETARY

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# NEW MEXICO JUNIOR COLLEGE

Vice President for Finance

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To: **New Mexico Junior College Board Members**  
From: Dan Hardin  
Date: April 13, 2004  
RE: Expenditure and Revenue Reports for March 2004

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The total year-to-date funds expended and/or encumbered through the month of March is \$21,722,685.00 of which \$1,610,354.99 are encumbered funds.

The total current unrestricted fund expenditures for Instruction & General through March are \$12,340,007.00, which is 75% of the projected budget. We are still projecting Internal Service Departments to be within budget by the end of the fiscal year, when we do a budget transfers. Also, we will be requesting a budget adjustment request (BAR) for Student Aid, to cover the tuition waivers.

In the Restricted Funds the expenditures in the Grant area continues to increase. Most grants continue on until the end of September. Restricted Student Aid has had a big year, please remember that the budget for Restricted Financial Aid is just a projection. What is expended in Restricted Financial Aid is then drawdown from the Federal government for the student Pell and direct loans.

The activity in the Plant funds was for the work on the infrastructure expenditures, purchase of vehicles, and JASI administrative software. Of the \$3,564,891.00 year-to-date total Plant funds expenditures \$1,227,566.91 is encumbered. The question was raised concerning ER&R, the ER&R expenditures are expensed in the department that received the equipment. We went ahead did budget transfers moving \$135,981.00 from ER&R to the appropriate departments. The remaining budget for ER&R is \$273,220.00, we have allocated \$145,000.00 of that budget for copiers.

Expenditures through March 2004 were \$21,722,685.00, or 59% of the projected budget.

Revenue received in March 2004 was \$1,517,653.00. In unrestricted revenue we had \$1,068,595.00 in revenue for the month. This was generated from the monthly allocation from the state, oil and gas income, and bookstore revenue. In the restricted funds we had revenue of \$322,736.00, which was from drawdowns in grants and

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restricted financial aid. In the Plant funds we had drawdowns from GOB funds, and from Severance Tax Bonds, and interest income.

Total revenue for March 2004 is \$1,517,653.00, with year-to-date revenue of \$22,033,003.00 or 72% of projected budget.

Oil and Gas revenue remains strong, with the actual revenue through February of \$2,735,598.00. This is \$819,542.00 over budget projections for the first eight months of the year. Oil and Gas equipment tax has a year-to-date total of \$627,238.00, which is \$91,543.00 over the budget for the year.

The investment report shows an ending balance of \$10,125,000.00. Of the \$10,125,000.00 in LGIP, \$5,486,135.66 is designated as capital projects, which is 54% of investments. We withdrew \$500,000.00 from the LGIP in March.

The CHE sent out notification to all institutions that the Fiscal Watch Reports that we were completing on a semiannual basis are now required to be submitted quarterly. At the May Board meeting we will present the Fiscal Watch Reports for quarter ending March 2004.

This concludes the Financial Report for March 2004.

**NEW MEXICO JUNIOR COLLEGE**  
**Expenditure Report**  
**March 2004**

75% of Year Completed

Fund	2002-03			2003-04			
	Final Budget	Year-to-Date Expended or Encumbered	Percentage of Budget Expended	Original Budget	Current Expended or Encumbered	Year-to-date Expended or Encumbered	Percentage of Budget Expended
<b>CURRENT UNRESTRICTED FUND</b>							
<b>Instruction and General:</b>							
Instruction	4,812,332	3,908,769	81%	6,469,053	466,536	3,893,470	60%
Academic Support	911,970	987,071	108%	1,308,171	86,502	979,924	75%
Student Services	1,069,344	1,128,677	106%	1,480,107	112,242	1,135,760	77%
Institutional Support	3,726,901	1,927,949	52%	2,169,551	210,931	1,785,283	82%
Operation & Maintenance of Plant	1,748,024	1,596,272	91%	1,932,913	188,836	1,647,078	85%
<b>Subtotal - Instruction &amp; General</b>	<b>12,268,571</b>	<b>9,548,738</b>	<b>78%</b>	<b>13,359,795</b>	<b>1,065,047</b>	<b>9,441,515</b>	<b>71%</b>
Student Activities	290,976	226,235	78%	315,714	33,938	239,460	76%
Research	0	0	0%	0	0	0	0%
Public Service	0	0	0%	0	0	0	0%
Internal Service Departments	683,216	252,660	37%	420,854	(4,193)	573,532	136%
Student Aid	281,479	208,058	74%	179,889	3,400	250,483	139%
Auxiliary Enterprises	1,197,047	1,382,747	116%	1,457,789	39,404	1,349,216	93%
Athletics	568,428	533,464	94%	698,906	19,525	485,801	70%
<b>Total Current Unrestricted Fund</b>	<b>15,289,717</b>	<b>12,151,902</b>	<b>79%</b>	<b>16,432,947</b>	<b>1,157,121</b>	<b>12,340,007</b>	<b>75%</b>
<b>CURRENT RESTRICTED FUND</b>							
Grants	2,783,775	1,646,827	59%	2,013,499	116,365	1,244,042	62%
Student Aid	3,964,907	4,340,200	109%	4,180,325	178,294	4,573,745	109%
<b>Total Current Restricted Fund</b>	<b>6,748,682</b>	<b>5,987,027</b>	<b>89%</b>	<b>6,193,824</b>	<b>294,659</b>	<b>5,817,787</b>	<b>94%</b>
<b>PLANT FUNDS</b>							
<b>Capital Outlay / Bldg. Renewal &amp; Repl.</b>							
Projects from Institutional Funds	5,944,312	1,754,459	30%	6,361,505	25,534	734,891	12%
Projects from State GOB Funds	1,212,900	1,163,173	96%	5,226,697	112,784	2,508,791	48%
Projects from State STB Funds	0	0	0%	1,980,000	0	103,481	0%
Projects from State E R & R	0	0	0%	273,220	0	0	0%
Projects from State B R & R	327,399	259,446	79%	390,082	20,828	213,889	55%
Projects from Auxiliary BR&R	39,009	34,556	89%	19,539	0	3,839	20%
<b>Subtotal - Capital and BR&amp;R</b>	<b>7,523,620</b>	<b>3,211,634</b>	<b>43%</b>	<b>14,251,043</b>	<b>159,146</b>	<b>3,564,891</b>	<b>25%</b>
Debt Service							
Revenue Bonds	0	0	0%	0	0	0	0%
<b>Total Plant Funds</b>	<b>7,523,620</b>	<b>3,211,634</b>	<b>43%</b>	<b>14,251,043</b>	<b>159,146</b>	<b>3,564,891</b>	<b>25%</b>
<b>GRAND TOTAL EXPENDITURES</b>	<b>29,562,019</b>	<b>21,350,563</b>	<b>72%</b>	<b>36,877,814</b>	<b>1,610,926</b>	<b>21,722,685</b>	<b>59%</b>

**NEW MEXICO JUNIOR COLLEGE**  
**Revenue Report**  
**March 2004**

75% of Year Completed

Fund	2002-03			2003-04			
	Final Budget	Year-to-date Revenue	Percentage of Budget Received	Original Budget	Current Month Revenue	Year-to-date Revenue	Percentage of Budget Received
<b>CURRENT UNRESTRICTED FUND</b>							
Instruction and General:							
Tuition and Fees	1,356,355	1,235,158	91%	1,653,150	11,437	1,528,328	92%
State Appropriations	7,376,100	5,532,147	75%	7,684,800	619,358	5,939,513	77%
Advalorem Taxes - Oil and Gas	2,949,084	3,413,719	116%	3,409,779	380,526	3,602,344	106%
Advalorem Taxes - Property	1,800,000	1,600,822	89%	2,000,000	26,514	1,612,252	81%
Interest Income	50,000	44,648	89%	50,000	6,251	24,156	48%
Other Revenues	307,700	375,956	122%	316,500	8,700	225,779	71%
Subtotal - Instruction & General	13,839,239	12,202,450	88%	15,114,229	1,052,786	12,932,372	86%
Student Activities	43,400	47,130	109%	47,500	(45)	47,162	99%
Public Service	0	0	0%	0	0	0	0%
Internal Service Departments	10,000	10,661	107%	13,000	241	8,576	66%
Auxiliary Enterprises	1,663,000	1,659,152	100%	1,728,300	12,758	1,666,462	96%
Athletics	35,400	26,194	74%	35,400	2,855	26,296	74%
Total Current Unrestricted	15,591,039	13,945,587	89%	16,938,429	1,068,595	14,680,868	87%
<b>CURRENT RESTRICTED FUND</b>							
Grants	2,347,254	1,210,545	52%	2,013,499	179,147	999,874	50%
Student Aid	3,716,407	4,136,791	111%	4,180,325	143,589	4,542,971	109%
Total Current Restricted	6,063,661	5,347,336	88%	6,193,824	322,736	5,542,845	89%
<b>PLANT FUNDS</b>							
Capital Outlay / Bldg. Renewal & Repl.							
Projects from State GOB Funds	1,212,900	774,170	64%	4,593,986	43,523	1,632,935	36%
Projects from State STB Funds	0	0	0%	2,000,000	70,007	85,710	4%
Projects from Other State Funds	0	0	0%	680,399	0	0	0%
Interest Income	105,700	76,414	72%	100,000	12,792	90,645	91%
Total Plant Funds	1,318,600	850,584	65%	7,374,385	126,322	1,809,290	25%
<b>GRAND TOTAL REVENUES</b>	<b>22,973,300</b>	<b>20,143,507</b>	<b>88%</b>	<b>30,506,638</b>	<b>1,517,653</b>	<b>22,033,003</b>	<b>72%</b>

# NEW MEXICO JUNIOR COLLEGE

## Oil and Gas Revenue Report

### March 2004

75% of Year Completed

		OIL		GAS		COMBINED		
Sales	Month of Distribution	Price per BBL	Lea County BBLs sold	Price per MCF	Lea County MCF sold	Monthly Revenue	2002-03 Original Budget	Variance Over (Under) Budget
Actual	July	\$26.85	2,991,006	\$4.48	16,317,305	343,217	239,507	103,710
Actual	August	\$25.32	3,451,574	\$5.26	15,862,113	337,799	239,507	98,292
Actual	September	\$25.39	3,597,704	\$4.80	17,349,678	321,605	239,507	82,098
Actual	October	\$30.08	3,068,996	\$4.56	17,740,094	427,926	239,507	188,419
Actual	November	\$26.37	2,877,972	\$4.52	16,425,079	297,713	239,507	58,206
Actual	December	\$28.16	3,127,825	\$4.39	17,293,973	341,121	239,507	101,614
Actual	January	\$29.63	2,987,545	\$4.25	16,321,118	309,412	239,507	69,905
Actual	February	\$30.37	3,173,669	\$4.74	17,433,910	356,805	239,507	117,298
Accrual	March					239,507	239,507	0
	April						239,507	(239,507)
	May						239,507	(239,507)
	June						239,507	(239,507)
Y.T.D. Production Tax Revenue						2,975,105	2,874,084	101,021
Y.T.D. Equipment Tax Revenue						627,238	535,695	91,543
<b>Total Year-to-Date Oil &amp; Gas and Equipment Tax Revenue</b>						<b>3,602,343</b>	<b>3,409,779</b>	<b>192,564</b>

*Source: New Mexico Taxation and Revenue Department*

Per Johnson, Miller & Co., C.P.A.'s, an accrual is made for oil and gas revenue for the reporting month. March is the monthly budget amount.



**NEW MEXICO JUNIOR COLLEGE**  
**Schedule of Investments**  
**March 2004**

75% of Year Completed

Financial Institution	Amount Invested	Date Invested	Maturity Date	Period of Investment (Days)	Account Number	Interest Rate	Interest Earned
State of New Mexico Local Government Investment Pool	10,125,000	N/A	N/A	N/A	7102-1348	1.98%	18,929
<b>Total investments</b>	<b><u>10,125,000</u></b>						<b><u>18,929</u></b>

Summary of Current Month's Activity	
Beginning amount	10,625,000
Plus: deposits	0
Less: withdrawals	(500,000)
Capital Projects	5,486,136
Reserves Invested	4,638,864
<b>Total LGIP Investment</b>	<b>10,125,000</b>

Capital Projects	3/31/2004
Technology Upgrade	115,725.20
Workforce Training Center	1,191,750.14
High Tech Start Up	201,296.00
Docutech	175,000.00
Vehicles	33,757.62
CISCO Networking Equipment	4,188.53
Western Heritage Center	500,000.00
Drawings and Master Plan	44,963.70
Baseball Field	119,210.24
Rodeo Arena	11,533.96
Dormitory Landscape	45,900.93
Lea County Beautification	0.00
Circle Drive	93,632.64
Dorm Construction	0.00
Roadway Parking Lot Seal Coat	50,000.00
Dorm Recreation Area	118,883.91
BR&R Carryover	19,539.49
Water Rights	0.00
Firing Range Upgrade	6,564.13
Millen Fence/Landscape	100,000.00
Ben Alexander Student Center	2,365,438.94
JASI	288,750.23
<b>Total</b>	<b>5,486,135.66</b>

NOTE: Capital projects total does not include encumbered funds



**MEMORANDUM**

**DATE:** March 8, 2004  
**TO:** New Mexico Junior College Board Members  
**FROM:** Richard Fleming, Vice President for Instruction *RFF*  
**SUBJECT:** Fee Changes for RN Preparatory Testing

I am requesting that you approve a fee increase for NU 219 and NU 250 in accordance with the attached memo. ATI Testing Service will increase the fees for these two courses from \$69 to \$94, effective the Fall 2004 semester.

Thank you for you consideration.

# Memo

**To:** Mary Jane Ward, Dean Business & Technology  
**From:** Melinda Jacobo, Allied Health Secretary  
**CC:** Karen Cummings, Director of Allied Health  
**Date:** March 9, 2004  
**Re:** Testing fee increase/Rule & Regulation changes

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ATI fee increase:

ATI will be increasing the testing fee for RN students. This will be effective June, 2004. The increase is due to a supplement NCLEX-RN preparatory CD-ROM. The fee increase will need to be approved by NMJC Board and begin for fall semester 2004. Listed below are the current fees and the proposed increase:

<b>Course</b>	<b>Current Fee</b>	<b>Increased Fee</b>
NU219	\$69.00	\$94.00
NU250	\$69.00	\$94.00
<b>Total Increase Amount</b>		<b>\$50.00</b>

Please contact our office if there are any questions regarding these matters.

Thank you.



**MEMORANDUM**

**DATE:** March 11, 2004  
**TO:** New Mexico Junior College Board Members  
**FROM:** Richard Fleming, Vice President for Instruction *RBF*  
**SUBJECT:** Fee Changes for Telecollege Courses

I am requesting that you approve a fee increase for telecollege courses. I am requesting a change from \$22 to \$30. We have not raised fees in a number of years, yet our expenses will increase next year. A portion of this fee will be used to pay the license fee for our Introduction to Philosophy course.

Thank you for you consideration.

# Memorandum

**To:** Dr. Rich Fleming  
**From:** Sam Oswald  
**Date:** 4/14/2004  
**Re:** NMJC Driver Education Course Fee Increase

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I am recommending a \$31.00 course fee increase per student for our NMJC 33 hour Driver Education program. The current fee is \$215.00. With a \$31.00 increase the new fee would be \$246.00 per student. The new fee would become effective with the first class in July which begins July 12, 2004.

The fee of \$215.00 was approved in 2000. Naturally, we have had increases in vehicle insurance, fuel, state certifications, and general upkeep of our vehicles including tire replacement, oil changes, equipment replacement/repair, etc. To allow our program to function as a cost recovery program, this increase is necessary.

Our program is very successful and meets a great community need. Students are from public, private and home schools representing primarily Hobbs and Lovington although Eunice and Jal residents have attended as well. We have been commended by the state evaluators each year for accurate student records and vehicle log books, quality instruction with the use of technology in the classroom, excellent classroom facilities and for providing quality, well maintained vehicles for the driving portion of the class.

Thank you for your consideration.

*approve Steve McCreary 4/14/04*



# NEW MEXICO JUNIOR COLLEGE

Office of the President

## Memo

DATE: April 12, 2004  
TO: New Mexico Junior College Board Members  
FROM: Steve McCleery *sm*  
SUBJECT: Consideration of the Information Technology Fee Increase

As discussed in the budget work sessions, I am recommending a \$1.00 per credit hour increase in the New Mexico Junior College Information Technology fee.

Thank you for your consideration.



# NEW MEXICO JUNIOR COLLEGE

Office of the President

April 15, 2004

Mr. Larry Hanna  
Board Member  
New Mexico Junior College  
5317 Lovington Highway  
Hobbs, New Mexico 88240

Dear Larry:

I am pleased to present to you the proposed 2004-2005 New Mexico Junior College operating budget. The budget includes initiatives that will have a positive impact on our students, as well as strengthen our institutional effectiveness. Throughout the budget development process, we held firm to several elements we believe to be essential:

- Tying the budget's outcomes/priorities to the Mission and Visions identified in our Institutional Strategic Plan by allocating/reallocating resources as needed,
- Maximizing the overall impact by giving the highest priorities to the areas that have the most broad-based effects, while maintaining accountability for proposed expenditures,
- Utilizing the Institutional Technology Strategic Plan to drive the funding for technology across the campus, and
- Balancing the budget and continuing a system that stabilizes the process, as well as aggressively taking care of the Equipment Renewal and Replacement (ER&R), the Building Renewal and Replacement (BR&R), and Capital Project improvements needs of the campus.

Our budget requests, increases, and priorities include the following:

- **Compensation** – I am recommending that we give a compensation increase of approximately 3%. Based on the Institutional Salary Plan and salary increases for completing graduate hours or degrees, some employees may receive more than 3% and some less. For employees below the minimum a concerted effort was made to move them closer to the minimum.

- **Required Budget Increases** – Each budget cycle presents the college with the challenge of funding increases that are passed on to the college by outside vendors or by increases beyond the control of the college.
- **New Positions** – We are recommending two new positions for the upcoming budget year. The positions are a Recruiter and a Director of the Western Heritage Center.
- **Marketing** – We are recommending funding \$80,000 in the Capital Fund to market the new dorms, Western Heritage Center, and provide additional marketing strategies.
- **Annuity** – We are recommending an additional \$100,000 for the institutional Annuity Plan. We will come back to you for approved changes to the Annuity Plan Document.
- **Contact Hour Equalization** – We are recommending an increase of \$35,600 to fund the first year of equalizing faculty workload. During the 2004-2005 academic year, additional study in regard to faculty workload will be conducted.
- **Capital Projects** – Within the capital project request, we are asking the board to move \$3,600,000 to capital projects. You have a complete summary in your budget notebook. Several of these projects are in progress and require more funds, and several of the projects are new. (Please see latest update)

As you know, New Mexico Junior College is working hard toward making a dynamic, positive impact on Lea County and New Mexico. We are enthusiastic about the outlook for the next year and look forward to the challenges to come. We thank you for your consideration!

Sincerely,



Steve McCleery, Ed.D.  
President



2003/04

**NEW MEXICO JUNIOR COLLEGE  
Capital Project Priorities**

FUNDED	Current Balance	Project	Funding Source
	1,191,750	Workforce Training Center	99/01, 00/01, 01/02 Reserves
	2,365,439	Ben Alexander Student Center	01/02 Reserves, 02/03 Reserves
	500,000	Western Heritage Center	01/02 Reserves
	118,884	Dormitory Landscape	00/01 Reserves
	45,901	Dormitory Recreation Area	02/03 Reserves
	201,296	High tech start up fund for research and development	00/01 Reserves, 02/03 Reserves
	73,263	Circle Drive	01/02 Reserves
	123,196	Technology Upgrade	00/01, 01/02 Reserves
	175,000	Docutech	01/02 Reserves, 02/03 Reserves
	4,992	Vehicles	01/02 Reserves, 02/02 Reserves
	44,964	Drawings and Master Plan	01/02 Reserves, 02/03 Reserves
	131,802	Baseball Field Improvements/Renovation	00/01, 01/02 Reserves, 02/03 Reserves
	11,534	Rodeo Arena Improvements	00/01 Reserves
	0	JASI	02/03 Reserves
100,000	Millen Drive Fence/Landscape	02/03 Reserves	
50,000	Roadway & Parking Lot Seal Coating	01/02 Reserves	
30,000	Used vehicles for Law Enforcement Academy	03/04 Reserves	
5,168,021	Funds allocated for capital projects		

HIGH PRIORITY	260,000	<i>Administrative Software Conversion</i>	03/04 Reserves
	50,000	<i>WT ITV</i>	03/04 Reserves
	80,000	<i>Marketing/WHC</i>	03/04 Reserves
	70,000	<i>Clerk of the Works</i>	03/04 Reserves
	1,815,000	<i>Various construction projects</i>	03/04 Reserves
	133,000	<i>Baseball Field</i>	03/04 Reserves
	200,000	<i>Docutech</i>	03/04 Reserves
	75,000	<i>Millen Drive Landscape</i>	03/04 Reserves
	50,000	<i>Parking Lot Seal Coat</i>	03/04 Reserves
	50,000	<i>Circle Drive/Millen Entry</i>	03/04 Reserves
	75,000	<i>Vehicle Replacement</i>	03/04 Reserves
	50,000	<i>Master Plan</i>	03/04 Reserves
	175,000	<i>Technology Upgrades</i>	03/04 Reserves
	150,000	<i>Equestrian Center</i>	03/04 Reserves
	242,000	<i>Dorms</i>	03/04 Reserves
	125,000	<i>Telephone System</i>	03/04 Reserves
	3,600,000	<i>Total request for capital projects from reserves</i>	

**New Mexico Junior College  
Departmental Budget Request  
Fiscal Year 2004-05**

**Department: Vice President for Instruction**

Old (Campus America) Account Number	New (Banner) Account Number		2003/04 Approved	2004/05 Request
1 2041 14104	11000 1011 61201 131	Salaries-Administration	80,730	80,730
<b>TOTAL</b>			80,730	80,730

Justification:

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**Department: Vice President for Student Services**

Old (Campus America) Account Number	New (Banner) Account Number		2003/04 Approved	2004/05 Request
1 2041 14105	11000 1012 61201 131	Salaries-Administration	74,081	74,381
<b>TOTAL</b>			74,081	74,381

Justification:

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**Department: Vice President for Finance**

Old (Campus America) Account Number	New (Banner) Account Number		2003/04 Approved	2004/05 Request
1 2041 14103	11000 1013 61201 131	Salaries-Administration	73,378	73,378
<b>TOTAL</b>			73,378	73,378

Justification:

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	Approved Budget	Budget Request	Increase (Decrease)
<b>Building Renewal &amp; Replacement</b>	373,092	373,092	-
<b>Equipment Renewal &amp; Replacement</b>	326,454	326,454	-
Capital Fund Vehicles			-
Fringe Benefits		60,000	60,000
Insurance	184,000	215,180	31,180
Compensation		243,000	243,000
Mandatory Staff Degree Compensation		10,000	10,000
LCDC Consortium		90,000	90,000
Nursing Allocation		(95,500)	(95,500)
Law Enforcement Allocation		50,000	50,000
Recruiter		50,000	50,000
Annuity		100,000	100,000
Contact Hour Equalization		35,600	35,600
Literacy Alliance Building		10,000	10,000
WHC Director starting Jan 2005		60,000	60,000
		-	
<b>Total Budget</b>	<b>17,133,929</b>	<b>17,948,200</b>	<b>814,271</b>



# NEW MEXICO JUNIOR COLLEGE

Office of the President

## MEMO

**Date:** April 15, 2004  
**To:** New Mexico Junior College Board Members  
**From:** Steve McCleery   
**Subject:** Staff Compensation Recommendation

During the budget work session, the administration recommended a compensation dollar amount of \$243,000 or roughly a 3% compensation increase. I am recommending that you approve \$243,000 for the 2004-2005 compensation increase.

Thank you for your consideration!



# NEW MEXICO JUNIOR COLLEGE

Office of the President

## MEMO

**Date:** April 15, 2004  
**To:** New Mexico Junior College Board Members  
**From:** Steve McCleery *SM*  
**Subject:** Staff Compensation Recommendation

During the budget work session, the administration recommended a compensation dollar amount of \$243,000 or roughly a 3% compensation increase. Attached you will find a spreadsheet that provides the individual compensation increases that each employee will receive. With the help of our consultant (Public Sector Personnel Consultants), the Market Salary Plan has been age dated and benchmark positions were validated. After the salary plan was age dated, several positions fell below the minimum. In an effort to utilize a market driven salary plan, all faculty positions were moved to minimum and other employees below the minimum were adjusted 6.25%. In keeping with our state allocation and recommendation, the minimum salary recommendation is 2%.

**I am recommending that you approve \$243,000 for the 2004-2005 compensation increase. I did not give the attached spreadsheet to the staff or the media.**

Thank you for your consideration!

**NEW MEXICO JUNIOR COLLEGE**

**REQUEST FOR PROPOSALS #81**

**On-Line Coordinator for the Career Mobility Nursing Program**

**BOARD DOCUMENTS**

**Date: April 8, 2004  
Prepared by: Frank D. Collins  
Coordinator of Purchasing**

## **NEW MEXICO JUNIOR COLLEGE**

### **BOARD DOCUMENTS**

#### **General Information**

- 1. On February 23, 2004, a legal notice was sent to the following newspapers requesting sealed proposals for an on-line coordinator for the career mobility nursing program:
  - 1) Hobbs Daily News Sun**
  - 2) Roswell Daily Record**
  - 3) Clovis News Journal****
- 2. The RFP was also posted on the NMJC website.**
- 3. One bidder submitted a proposal in compliance with the opening date and time.**
- 4. The bidder was not present at the opening.**
- 5. Business Office and Allied Health personnel have evaluated the proposal received and their recommendation is shown on Page 3.**

**NEW MEXICO JUNIOR COLLEGE**

**Evaluation and Recommendations**

**Board Documents**

Davis Nursing Education Services of Lake Kiowa TX responded to the Request for Proposals #81.

Davis Nursing Education Services met all the requirements of the RFP.

The proposal was evaluated by a selection committee, comprised of Karen Cummings, Director of Allied Health, Mary Jane Ward, Dean of Business & Technology, and Lynda Knoll, Freshman Curriculum Coordinator. See Page 4 for the Evaluation Criteria Summary.

The Administration recommends acceptance of the services of Davis Nursing Education Services for \$38,000. The Terms, Conditions, and Specifications of Request for Proposal #81 will comprise an integral part of the contract.

**Source of Funding:** Salary – FT FAC Overload – Nursing Allocation  
Account Number: 1-2013-11-536 Amount: \$24,000

Consulting / Contract Labor – Vocational Support Systems  
Account Number: 3-2231-43-141 Amount: \$14,000

Total: \$38,000



**Request for Proposal #81**

**Board Documents**

**Evaluation Criteria Summary**

**Evaluation Criteria used:**

Section 1	Price	300 points	(30%)
Section 2	Consultant (full – time)	250 points	(25%)
Section 3	Success rate track record	250 points	(25%)
Section 4	Ability to provide excellent service	200 points	(20%)

**TOTAL POINTS - (MAXIMUM OF 1,000 POINTS)**

Companies Responding	Price Structure	Points Section I	Points Section II	Points Section III	Points Section IV	Total Points Awarded
Davis Nursing Education Services	\$38,000	300*	250	0	150	700

\*Points allocated to cost is calculated by: lowest responsive offer ÷ this offerors cost X 300 points

Evaluation Committee: Mary Jane Ward, Dean of Business & Technology  
Karen Cummings, Director of Allied Health  
Lynda Knoll, Freshman Curriculum Coordinator

## NEW MEXICO JUNIOR COLLEGE

### Request for Proposals #81

#### Requirements

New Mexico Junior College is seeking an on-line coordinator for the Career Mobility Nursing Program (Practical Nurse (PN) Program). The on-line coordinator will provide services for the curriculum and all activities/functions that take place which are necessary to fulfill the purpose of the Practical Nurse education program. The person selected for this position will start immediately upon NMJC Board approval of the bid. The coordinator will develop and initiate the on-line PN program with a deadline for completion of all services to be December 17, 2004. The bid for contractual agreement must be inclusive of total expenses incurred by the contractor.

The person selected for the position must provide a curriculum vitae with copies of unofficial transcripts and/or diploma, nursing licenses and malpractice insurance. The following are requirements for the position: a current NM RN license; masters in nursing (MSN) degree; previous experience as a professor of nursing with a minimum of five years full-time teaching and clinical experience in an associate degree nursing program; must be computer proficient in Microsoft Word, Respondus and WebCT, so to demonstrate knowledge of course construction, course management and program design; utilize WebCT educational and administrative tools to initiate course delivery and evaluation; and demonstrate knowledge in curriculum development utilizing the nursing theorist Dorthea Orem to facilitate learning, communication and collaboration between the student and instructor using WebCT.

#### General Objectives

CMNP On-Line Curriculum Coordinator will:

- develop and implement the following courses in WebCT:
  - NU116—Introduction to Nursing
  - TS111—Nursing Calculations
  - NU127—Nursing in Health Deviations I
  - PC122—Pharmacology
  - NU214—Practical Nursing
- follow the established curriculum of the CMNP based on D. Orem.
- adhere to CMNP Level I and Level II Program Objectives
- adhere to the General and Specific Course Objectives
- adhere to each nursing course's clinical objectives, policies, procedures and evaluation tools
- adhere to course's laboratory skills objectives, policies, procedures and evaluation tools
- develop, implement and adhere to an 'On-Line Student Nurse Handbook' containing the CMNP policies and procedures as applicable to the distance education student.

Communicate with the Director of Allied Health Fields:

- student and course needs to meet objectives
- course development, implementation, maintenance and planning of the CMNP curriculum to uphold the integrity and standards of the CMNP
- decisions regarding development of the Student Nurse Handbook, syllabi and course requirements
- course progression at regularly scheduled intervals throughout the program

Facilitate cohesive and consistent function of the On-Line PN program by:

Curriculum Planning:

- prepare and implement course and program materials in a timely manner:
  - develop and conduct an orientation to the On-Line Practical Nurse Program
  - Student Handbook with policies and procedures applicable to on-line students
  - Course syllabi utilizing program and course objectives as outlined in Level I, Level II, and course objectives (general and specific)
    - follow course units as designated in curriculum plan
    - learning activities of courses must be applicable to on-line learning
    - determine and implement methods of evaluation for each unit (exams, quizzes, projects, lab, skills and clinical)
    - develop a course calendar with designated timeframes for completion
    - assess, modify and up-date reading assignments and other learning activities for appropriateness of on-line learning
    - submit course syllabi three weeks prior to start date of courses
  - Incorporate supplemental learning modules (diagnostic, cancer, mental health)
  - Develop and administer quizzes and exams
  - Grade care plans according to established criteria
  - Develop and modify learning assignments and evaluations tools for on-line education
  - Conduct and monitor chat rooms, threaded discussions, bulletin board postings and student communication on routine basis
  - Course, lab and skills schedules to facilitate student requirements and needs
    - Provide sign-up schedule for skills check-offs blocked for student completion in one trip to campus
    - Incorporate skills teaching and make-up times for students while on campus
  - Scheduling clinical assignments utilizing NMJC approved contract agencies
    - Set-up student clinical schedules for assignments (dates, times, agency)
    - Conduct student clinical rotations for NU116, NU127, NU214
  - Maintain an inventory control for supplies, equipment and electronic media to be utilized by the student
    - Submit supply requests to Director of Allied Health prior to start of course
    - Ensure adequate supplies for student to practice and check-off
    - Arrange for electronic media to be available while student is on-campus
  - Order and utilize standardized testing package (ATI module and comprehensive exams)

Conduct student evaluations, counseling, and advisement as required by program:

- Ensure appropriate, timely documentation and recommendation regarding student disciplinary actions and corrective measures
- Develop valid instructional tools and activities that are measurable for student evaluation
- Assist in advisement of student progress and success
  - maintain electronic student files to meet program requirements (admission, health, clinical and written graded requirements)
  - return graded material is returned to student for follow-up
  - maintain a student portfolio as required by program
  - conduct individual student 'meetings' (e-mail or phone) for mid-term and final conferences
  - submit course grades utilizing CMNP grading policies and requirements
- conduct student course evaluations, lab and clinical evaluations
  - submit all completed evaluation material to Director of Allied Health
  - develop a summative program evaluation to be utilized at the completion of the program

## **Davis Nursing Education Services**

### **Bid in Response to Request for Proposals #81**

#### **On-Line Coordinator for the Career Mobility Nursing Program**

Please accept the following material/information as the official bid from Davis Nursing Education Services (hereinafter referred to as "DNES") to provide an On-Line Coordinator for the Career Mobility Nursing Program ("PN") (hereinafter referred to as "CMNP") at New Mexico Junior College (hereinafter referred to as "NMJC").

DNES is a sole proprietorship established for the purpose of providing educational services to entities such as NMJC. As such, DNES is fully qualified and capable of providing services related to curriculum development and presentation via WebCT as well as all other activities and functions that are necessary to fulfill the purpose of the CMNP on-line LPN program. The owner of DNES has 21 years of nursing education experience in an Associate Degree Nursing Program and is extremely familiar with curriculum planning and implementation as well as conducting student evaluations, counseling and advisement as required. DNES's owner/instructor currently holds a Master of Science in Nursing with a minor in education and administration, is computer proficient in Microsoft Word and plans to receive training on the use of Respondus and WebCT in order to design, construct, implement and manage courses/exams. He will utilize WebCT educational and administrative tools to initiate course delivery and evaluation and to communicate and collaborate between the student and instructor. Respondus will be utilized to place CMNP examinations on-line. In addition, DNES has first-hand knowledge related to the nursing theorist upon which the CMNP curriculum is based, Dorthea Orem.

#### **DNES will:**

1. Furnish all labor, materials and supplies necessary to comply with all specifications in accordance with the General Terms and Conditions set forth in RFP #81 and at the price stated herein. Materials and supplies include, but are not limited to, the following:
  - A. Computer and printer
  - B. High-speed internet access
  - C. Videoconferencing equipment compatible with that owned by NMJC
  - D. Fax machine
  - E. Office supplies
2. Develop and implement the following courses in WebCT:
  - A. NU 116 – Introduction to Nursing
  - B. TS 111 – Nursing Calculations
  - C. NU 127 – Nursing in Health deviations I
  - D. PC 122 – Pharmacology
  - E. NU 214 – Practical Nursing

3. Follow the established curriculum of the CMNP, based on Dorthea Orem.
4. Adhere to:
  - A. CMNP Level I and II program objectives
  - B. general and specific course objectives
  - C. nursing course clinical objectives, policies, procedures and evaluation tools
  - D. course laboratory skills objectives, policies, procedures and evaluation tools
5. Develop, implement and adhere to an "On-Line Student Nurse Handbook" containing the CMNP policies and procedures as applicable to the on-line student.
6. Communicate in person and via telephone, e-mail, and videoconference, based on a mutually agreed upon schedule, with the Director of Allied Health Fields in regards to:
  - A. student and course needs to meet objectives
  - B. course development, implementation, maintenance and planning of the CMNP curriculum
  - C. decisions regarding development of the On-line Student Nurse Handbook, syllabi and course requirements
  - D. course progression and scheduling of all activities
7. Implement the curriculum per the stipulations as contained in the RFP #81.
8. Conduct student evaluations, counseling, and advisement per the stipulations contained in the RFP #81.
9. Assume responsibility for all costs related to development and implementation of the program to include, but not be limited to, the following:
  - A. Travel
  - B. Room and Board
  - C. Cell and telephone expenses
  - D. Mailings
10. Commence the program as of April 5, 2004.
11. Complete the program on or before December 17, 2004. Should, due to unforeseen circumstances, DNES be unable to complete the program as scheduled no additional funds will be requested.
12. When course/program material is unavailable, develop and implement such material as necessary.

**NMJC will:**

1. Provide videoconferencing equipment for the students when they attend meetings on the NMJC and distance education site(s) and schedule space for such conferences as applicable.
2. Provide space, equipment, electronic media and supplies as necessary to complete the skills portion of each course.

3. Maintain up-to-date contracts with all clinical agencies in which clinical experiences will be conducted.
4. Provide access to the WebCT server.
5. Provide technical support, via computer center personnel, for the development, installation and implementation of each of the identified courses.
6. Provide the necessary license for the "Respondus" software.
7. Provide course/program material, as available, for conversion to the on-line WebCT format.

Per mutual agreement between DNES and NMJC additional duties/responsibilities may be identified as development and implementation of the courses progress. Upon completion of the program all materials that have been developed and implemented will become the sole property of NMJC.

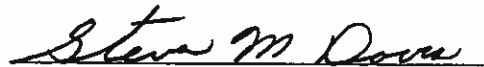
**Cost**

Supplies and Equipment	\$ 2,500
Travel, Room and Board	\$ 3,000
Consultant Fees	\$32,000
Miscellaneous	\$ 500
<b>Total</b>	<b>\$38,000</b>

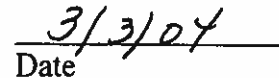
Please recognize a bid in the amount of \$38,000 in response to the RFP #81.

Should you have any questions, please feel free to contact me at:

Davis Nursing Education Services  
 C/O Steven M. Davis  
 1006 Kiowa Drive East  
 Lake Kiowa, Texas 76240  
 940-612-4808



Steven M, Davis, Owner  
 Davis Nursing Education Services

  
 Date

Request for Proposal #82

New Mexico Junior College Community Survey

**ADDENDUM # 1**

Issue Date: April 1, 2004

Instructions: The following modification is made to the original General Terms & Conditions of Request for Proposal #82. Please acknowledge your receipt of this addendum by signing below and returning this form with your bid submission. **Important: Failure to return this acknowledgment may result in the proposal being declared non-responsive.**

Modifications to Original General Terms & Conditions:

**On Page 2 of the Proposal – Section 4 titled “Prices/Signatures”** – This paragraph is amended to read as follows: “Each proposer must submit their proposal in a format that completely addresses the conditions, work specifications and reflect the price of conducting the survey. This must be signed by an authorized representative of your organization.”

Bidder Acknowledgement:

By signing below, I hereby acknowledge receipt of Request for Proposal #82, Addendum No. 1 dated April 1, 2004.

Signature of Authorized Representative: 

Name of Business or Company: RMA Research

Date: 4-2-04

**PLEASE INCLUDE THIS ACKNOWLEDGEMENT WITH YOUR BID SUBMISSION!!!!**

**NEW MEXICO JUNIOR COLLEGE**

**Frank D. Collins, Coordinator of Purchasing**

**NEW MEXICO JUNIOR COLLEGE**

**REQUEST FOR PROPOSALS #82**

**NMJC Community Survey**

**BOARD DOCUMENTS**

**Date: April 12, 2004  
Prepared by: Frank Collins  
Coordinator of Purchasing**



## REQUEST FOR PROPOSAL # 82

### New Mexico Junior College Community Survey

Opening Date and Time: April 9, 2004 3:00 P.M. MST

Administration Building - Business Office  
Coordinator of Purchasing  
5317 Lovington Highway  
Hobbs, New Mexico

New Mexico Junior College ("NMJC") invites you to submit a sealed proposal for conducting the NMJC Community Survey. Failure to comply with the instructions, terms, conditions and specifications of this Request for Proposal ("RFP") may result in your proposal being classified as unresponsive. Proposals must be submitted to the above address no later than the time and date specified above. New Mexico criminal law prohibits bribes, gratuities and kickbacks.

Proposals must be submitted in a sealed envelope with the attached labels on the outside marked: **RFP #82**

NUMBER OF COPIES TO SUBMIT: Original plus two copies.

This mailing contains 8 pages.

Address Questions to:

Policies & Procedures: Frank D. Collins - Coordinator of Purchasing - (505) 392.2953

Email: [fcollins@nmjc.edu](mailto:fcollins@nmjc.edu)

Technical Information: Renee Wharton, Director of Institutional Research (505) 392.3478

Email: [rwharton@nmic.edu](mailto:rwharton@nmic.edu)

## NEW MEXICO JUNIOR COLLEGE

### BOARD DOCUMENTS

#### General Information

1. On, March 18, 2004, a legal notice was sent to the following newspapers requesting sealed proposals to provide for a Community Survey:  
  
    The Hobbs Daily News Sun  
    The Albuquerque Journal  
    Las Cruces Sun News
2. Proposal packets were forwarded to eight offerors.
3. Five proposals were received in compliance with the opening date and time.
4. No bidders were present at the opening.
5. The Business Office and Evaluation Committee have evaluated the proposals received and their recommendation is shown on Page 3.

NEW MEXICO JUNIOR COLLEGE

Evaluation and Recommendations

Board Documents

The following vendors responded to the Request for Proposals #82:

Clickin Research, Inc. Austin TX

Robinson & Muenster Associates, Inc., Sioux Falls, SD

Decision Analyst, Inc., Arlington TX

NuStats, Austin TX

California State University – Social & Behavioral Research Institute, San Marcos, CA

The proposals were reviewed and evaluated by a selection committee which comprised the following individuals: Renee Wharton, Director of Institutional Research, Robert Bensing, Dean of Enrollment Management, and Frank Collins, Coordinator of Purchasing.

The Administration recommends acceptance of the services of Robinson & Muenster Associates, Inc. for \$13,956. See Page 4 for Evaluation Summary.

Source of Funding: Consulting and Contract Labor  
Institutional Research & Planning

Account #: 1-2231-14-127    \$13,956.00

**NEW MEXICO JUNIOR COLLEGE**

**BOARD DOCUMENTS**

**Evaluation Summary**

<b>Companies Responding</b>	<b>Project Price Structure</b>	<b>Points Section A* Cost</b>	<b>Points Section B CASRO</b>	<b>Points Section C Staff</b>	<b>Points Section D References</b>	<b>Points Section E Dialers</b>	<b>Points Section F CATI</b>	<b>Points Section G SPSS</b>	<b>Points Section H Bilingual</b>	<b>Total Points</b>
NuStats	\$29,802	70	150	150	NA	150	150	150	150	970
^Decision Analyst, Inc.	\$24,250	86	150	67	150	150	150	150	150	1053
^Robinson & Muenster Associates, Inc.	\$13,956	150	150	150	150	150	150	150	150	1200
^Social Behavioral Research Institute, Calif. St. University	\$19,064	110	67	150	150	150	150	150	150	1077
Clickin Research, Inc.	\$28,000	75	150	150	NA	150	150	150	150	975

^ - Three Finalists selected for reference checks

NA - Did not call references; offerors did not make final list

\* - Points allocated to cost is calculated by: lowest responsive offer ÷ this offerors cost X 150 points

The Terms, Conditions, and Specifications of Request for Proposals #82 will comprise an integral part of the contract.

## Request for Proposal #82 Specifications and Scope of Work

### Background:

New Mexico Junior College (NMJC) is committed to providing quality educational programs and support services that enhance the quality of life for the communities and individuals we serve. In an effort to continue to accomplish this mission, NMJC would like to invite our stakeholders to share their views and opinions regarding knowledge, image, satisfaction, and future vision of NMJC. Knowledge of the institution's strengths, weaknesses, opportunities and threats help to provide direction for continued growth.

NMJC is an independent public community college located in the southeastern corner of New Mexico. The college is in a rural setting with approximately 3,200 students who are enrolled in a variety of technical and transfer programs. Although, the college does have student housing and athletics, it is still primarily a commuter campus. Enrollment at NMJC is equally split between full-time and part-time students.

### General Terms and Conditions:

1. Failure to comply with all of the following terms and conditions may subject proposal to rejection. Successful Proposer shall agree to, and comply with the Terms and Conditions, Vendor Data Sheet and Proposal Form.
2. Delivery of Proposal: All proposals shall be sealed, addressed and delivered to: New Mexico Junior College, John Shepherd Administration Building - Business Office - Coordinator of Purchasing, 5317 Lovington Highway, Hobbs, New Mexico 88240. Attach the bid labels on the outside of the envelope.
3. Timeliness: It is the Proposer's responsibility to ensure his/her proposal arrives at the proper place prior to the designated opening date/time. Late proposals will not be considered. Telephone proposals, faxes and telegrams will not be accepted. Proposals delivered to the wrong location will not be considered.
4. Prices/Signatures: Each contractor is to submit his/her proposal price on the form(s) provided by NMJC. The form must be fully completed and must bear the original signature of the contractor's authorized representative.
5. Tax: All prices shall exclude applicable sales or gross receipts taxes. NMJC pays gross receipts or sales tax on services and construction materials included as part of a construction service. Non-taxable transaction certificates will be issued upon request.
6. Specifications: The attached proposal specifications indicate a minimum standard of quality, performance or other pertinent characteristics of the item(s) being proposed. All options, variations or exceptions to specifications must be clearly listed by the contractor. After examination and comparison of specifications, New Mexico Junior College reserves the right to make the selection.
7. Signature: For a proposal to be considered, it must bear the original signature of the Proposer.
8. Clarifications: Any clarification of instructions, terms and conditions, insurance, bonds, or quote preparation shall be made only by the persons shown on the cover sheet of this RFP. Technical clarifications should be addressed to the individual identified on the cover sheet. Clarifications made by the college may only be made in writing as an addendum to be considered as part of this Request for Proposal.
9. Number of Copies: Submit the number of copies of your proposal and all supporting

documents stated on the cover sheet. Failure to submit the required original and copy may result in your proposal being considered non-responsive.

10. Failure to Respond: NMJC reserves the right to remove from its bidder lists the names of vendors who do not respond to Requests for Proposals. A response marked "No Proposal" will not ensure retention on the bidder list.

11. Confidential information must be marked "CONFIDENTIAL" in red letters in the upper right hand corner of the sheets containing the confidential information. All information except that classified as confidential, will become public information at the time the proposal is opened. Price and information concerning the specifications cannot be considered confidential.

12. Residential Preference: In evaluating prices for purchases over \$5,000 using State funds, a state residential and/or manufacturers preference of 5% will be used in compliance with Section 13-1- 21 and Section 13-1-22 of the New Mexico Statutes 1978 Annotated, Chapter 13, for those vendors indicating the state number on the vendor data form. A preference may not be used when the expenditure involves Federal funds.

13. Irregularities: NMJC reserves the right to waive technical irregularities in the form of the proposals which do not alter price, quality or quantity and to reject any or all proposals when it is in the best interest of the College to do so.

14. Statutory Regulations: New Mexico criminal statutes impose felony penalties for bribes, gratuities, or kickbacks used in the procurement process. In addition, the New Mexico Procurement Code, Sections 13-1-28 through 13-1-199, NMSA imposes civil and criminal penalties for its violations.

15. Proposals shall be evaluated according to factors set forth on the Evaluation Criteria sheet included as part of this Request for Proposals.

16. New Mexico Junior College contemplates the award of the contract by April 22, 2004 to the contractor which by his/her proposal offers the most advantages to the College.

17. In submitting a proposal, the bidder agrees to draft and execute a contract incorporating the General Terms and Conditions, Bid Proposal and Specifications, which collectively shall constitute the contract. Refusal to do so will result in rejection of the bid.

18. The College may modify the written RFP prior to the date fixed for submission of the proposals, by issuance of written addenda to all parties who acquire a RFP. Any supplemental instructions or interpretations of the meaning of the RFP will be made in the form of a written addenda to the RFP which, if issued, will be sent to the Proposers within a period of 72 hours prior to the published time for the opening of proposals, excluding Saturdays, Sundays, and any other College holiday or breaks.

19. It is agreed that proposals accepted for consideration by New Mexico Junior College shall be valid for a period of 120 calendar days and may not be withdrawn after the specified closing date and time for a period of 120 calendar days.

20. Proposals not conforming to the RFP requirements will be rejected without further consideration or evaluation. Variations, if any, will be implemented at the sole discretion of the College, and will apply equally to all prospective proposals. Each Proposer is solely responsible for the accuracy and completeness of its proposal. Errors and omissions may be grounds for rejection, or may be interpreted in favor of the College. The College will have the right to waive formalities, and reserves the right to reject any and all proposals for any reason.

21. The successful Proposer will execute a contract with the College, the contents of which must be acceptable to the College.

22. Any agreement resulting from this RFP will be governed and construed accordingly to the laws of the State of New Mexico.

23. The College will consider the selected Proposer to be the sole point of contact with regard to contractual matters, including payment of any and all charges from this contract. The successful Proposer shall not sell, assign, transfer or convey this contract, in whole or in part, without the prior written consent of the College. No portion of the RFP proposal work specifications may be subcontracted.

24. It is always the intent of New Mexico Junior College to purchase proper and adequate services or tangible items at the best value, for the best interest of the constituents of the New Mexico Junior College District and the taxpayers of New Mexico.

25. The terms of this contract are contingent on sufficient appropriations and authorizations being made by the Legislature of New Mexico for the performance of this contract. The College's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final.

26. New Mexico Junior College may award on the basis of the proposals initially submitted, without discussion, clarification or modification, or on the basis of negotiation with any of the Proposers. For purposes of negotiation, New Mexico Junior College may establish a competitive range of acceptable or potentially acceptable proposals comprising the highest rated proposals. After the submission of a proposal, but before making an award, New Mexico Junior College may permit a Proposer to revise its proposal in order to obtain the Proposer's "best and final offer". In conducting such discussions, New Mexico Junior College shall, to the extent permitted by law, not disclose any information from the proposals submitted by a competing Proposer. If New Mexico Junior College elects to accept a proposal, it will award to the Proposer whose proposal provides the best value to the College, as determined by New Mexico Junior College and the New Mexico Junior College Board of Trustees based upon a thorough evaluation of all factors set forth in this RFP. The New Mexico Junior College Board of Trustees retains the right to modify the terms and conditions in the Proposal or reject terms and conditions proposed by the successful Proposer prior to the execution of the contract if it, in its sole discretion, deems necessary to ensure a satisfactory project.

Other Conditions:

27. You must provide three references showing company experience for the delivery of research surveys similar to the one proposed.

28. Any questions regarding this RFP must be submitted in writing (via email or fax) to the Coordinator of Purchasing by Tuesday, April 6<sup>th</sup>, 5:00 P.M. MST. Questions will not be answered via telephone.

Reminder:

29. The College Campus will be closed for Spring Break from 5:00 P.M. March 19<sup>th</sup>, 2004 to 8:00 A.M. March 29<sup>th</sup>, 2004.

Minimum Requirements:

At a minimum the contractor will perform the following tasks to carry out a telephone survey of residents in the New Mexico Junior College service area:

- Member of Council of American Survey Research Organizations ("CASRO")

- Availability of adequate staff resources between June 1, 2004 and August 15, 2004 to perform and manage the work in a coordinated and effective manner.
- Demonstrated survey research capacity
- Demonstrated effectiveness, as referenced in the proposal, in managing telephone surveys with individuals on a scale similar to that requested in this RFP
- Demonstrated experience with computer assisted telephone interviewing (CATI) and the capacity to handle the required volume of data collection, data processing, and data reporting in an accurate and timely manner
- One to one interviewer to phone line ratio – no predictive dialers
- Ability to supply survey results in a format that can be imported into SPSS including data layout (preferably ASCII comma delimited or fixed length format)
- Ability to maintain confidentiality of all data received
- Expertise in survey design and survey instrument construction

Period of Performance:

The period of performance of any contract resulting from this RFP is tentatively scheduled to begin on or about June 1, 2004 and be completed by September 1, 2004.

Funding:

NMJC will remit 65% of the proposal cost upon approval by the NMJC Board and a contract being in force with approval signatures of both parties. Remainder of cost will be remitted upon approval by NMJC at the completion of the project.

Survey Specifications:

Survey type: Telephone

Survey length: 10 minute with minimal (1 or 2) open-ends

Sample size: 500, over sample of 100 (Identified Texas cities)

Quotas: Proportion of geographic location

Gender

Ethnicity to include 34% Hispanic - ± 5 percent

Qualified respondents: 18 years of age or older living in:

Lea County New Mexico

Seminole, TX

Seagraves, TX

Denver City, TX

Plains, TX

Work Specifications:

New Mexico Junior College will perform the following tasks:

- Conduct initial meeting with contractor to arrive at a common understanding of background purpose and objectives of proposed survey.
  - Clarify research design (including sample issues)
  - Clarify data format
- Provide contractor with proposed questionnaire and make revisions as appropriate.

The contractor will perform the following tasks:

- Review proposed questionnaire and suggest improvements, if needed, for telephone administration of the survey.
- Obtain final approval of survey instrument prior to administration of survey.



- Purchase sample from a qualified vendor
- Administer telephone surveys over a minimum three day period
- Spanish speaking interviewers available during calling
- Provide database in ASCII comma delimited or fixed length format (including data layout)
- Produce one bound and one unbound copy of a final report that includes:
  - Marginals
  - Cross tabulations and/or other appropriate comparatives
  - Executive Summary
  - Survey Methodology
  - Written analysis including appropriate graphs
  - Analysis at the geographic level if appropriate
  - Summary of open-end responses as well as a complete categorized listing of verbatim responses
  - Any additional information as appropriate
- Conduct initial meeting with NMJC Institutional Research and Planning
  - Arrive at a common understanding of background purpose and objectives of proposed survey.
  - Clarify sample design issues
  - Clarify data formats

**Evaluation Criteria:**

The College will rate and select a Proposal based on the following:

- A. Membership in Council of American Survey Research Organization (CASRO): Yes / No (150 points)
- B. Availability of staff resources during the contract period: Yes / No (150 points)
- C. References (3) provided: Yes / No (150 points)
- D. No predictive dialers used: Yes / No (150 points)
- E. Utilized computer assisted telephone interviewing and have capability to handle required volume of data collected: Yes / No (150 points)
- F. Ability to supply survey results in a format for SPSS including data layout: Yes / No (150 points)
- G. Bi-lingual interviewers available during calling (Spanish language): Yes / No (150 points)
- H. Cost: (150 points) Cost points are calculated as follows: the lowest cost divided by other offeror's cost X 150 points

**Example:** Vendor A has the lowest proposal cost of \$5,000 and Vendor B has a proposal cost of \$6,000; to arrive at Vendor B's points:  $\$5,000 / \$6,000 = .833 \times 150 = 125$  points assigned to Vendor B's points

Maximum Points Available: 1200 points



Proposal  
New Mexico Junior College  
Community Survey

Prepared for  
New Mexico Junior College

Prepared by RMA Research  
April 1, 2004



## **I. PURPOSE OF RESEARCH**

The New Mexico Junior College is interested in conducting a research survey of individuals aged 18 and older in an attempt to elicit their views or opinions with regard to their knowledge, image, satisfaction level, and future vision of New Mexico Junior College. The purpose of this research is to measure the respondent's knowledge of the institution's strengths and weaknesses, as well as opportunities and barriers. Recognition of these issues will help to provide direction for continued growth, and to identify areas that can be targeted for improvement.

## **II. RESEARCH DESIGN AND METHODOLOGY**

RMA proposes that the surveys collected for this project are collected by the live telephone interview method through the use of a proactive dialer. RMA will randomize the sample database provided for the duration of the interviewing process by utilization of our WINCATI (Windows Computer Assisted Telephone Interviewing) system.

Based on available information, interviews are estimated to average 10 minutes in length. The length of the interviews will depend upon the type and complexity of questions. RMA will work with New Mexico Junior College to develop a survey instrument that effectively and completely explores areas of interest.

Research or methodological questions that arise will be dealt with prior to project entering the field, and after consultation with New Mexico Junior College.

Survey Specifications:

Survey type: Telephone  
Survey length: 10 minute with minimal (1 or 2) open-ends  
Sample size: 500, over sample of 100 (Identified Texas cities)  
Quotas: Proportion of geographic location  
Gender  
Ethnicity to include 34% Hispanic - +/- 5 percent  
Qualified respondents: 18 years of age or older living in:  
Lea County New Mexico  
Seminole, TX  
Seagraves, TX  
Denver City, TX  
Plains, TX

### Sampling Plan

The target population consists of residents in the following communities/counties: Lea County (NM), Seminole (TX), Seagraves (TX), Denver City (TX), and Plains (TX).

Quotas will be determined by New Mexico Junior College, and shall include, but not be limited to; Geographic location, Gender, and Ethnicity. NMJC has requested a sample size of 500 and an oversample of 100 from the Texas cities listed above. The anticipated margin of error for the 500 sample is 4.4 at the 95% confidence level and the overall 600 sample which includes the additional Texas areas is 4.0 at the 95% confidence level with an expected 65% rate of incidence

### Data Analysis

At completion of the data collection phase, RMA will check data for accuracy and completeness. RMA will conduct a detailed analysis of survey items and prepare a full report. RMA reports will include a clear interpretation of the results that New Mexico Junior College can use to track changes in variables.

### **QUALIFICATIONS AND EXPERIENCE**

As a South Dakota-based firm specializing in public opinion and market research, Robinson and Muenster Associates, Inc. (RMA) has established a national reputation for providing clients with the information and insight they need to achieve their objectives. With over 100 years of combined experience as public affairs consultants, political strategists and marketing consultants, RMA brings relevance and clarity to your research results. With a commitment to build one of the largest telecommunications infrastructures in the industry, RMA has the resources to respond quickly and cost-effectively to your research project.

At RMA, Inc., we have the depth of resources and the breadth of knowledge to serve many different industries in many different ways. RMA is a general consulting and custom research firm. Specializing in quantitative and qualitative research, telecommunications, and technology services, the firm operates its own research and data systems in house. RMA can provide a broad range of research services including:

- Survey Design
- Strategic Planning
- Mail Surveys
- Web Based Surveys
- Research Analysis and Consultation
- Opinion Surveys
- Focus Groups
- Trend Analysis

RMA is a member of The Council of American Survey Research Organizations (CASRO). CASRO is the National Association of Survey Research firms located in the United States. While there are more than four thousand research firms located in the United States, only a select group of approximately 240 are CASRO members. RMA participated in the CMOR Refusal Rate Study conducted by CASRO, and was found to have refusal rates that are among the lowest in the industry.

RMA has demonstrated the ability to conduct high quality research within a specified budget and time frame. The firm has achieved success through the high degree of flexibility, dedication and knowledge of its employees.

**References**

*\*Partial Research Client List below*

Much of the work done by RMA is sensitive and proprietary. The following research clients have agreed to have their projects examined for the purpose of meeting the requirements of this Request for Proposal.

- A. The Iowa Department of Natural Resources  
Contact: Michael Adams  
Telephone: 515-281-8895
  
- B. Ad Council  
Contact: Tony Foleno  
Telephone: 212-984-1904
  
- C. Ag Media Research  
Contact: Ron Claussen  
Telephone: 605.582.2388
  
- D. Public Agenda Foundation  
Contact: Ann Duffett  
Telephone: 212.686.6610

**PROJECT STAFF**

RMA project staff has participated in various capacities in studies for the majority of clients listed in RMA's partial client list found above. The RMA Research team has extensive experience in survey design, research methodology, statistical analysis, and report writing.

**PERSONNEL QUALIFICATIONS**

**Jim Robinson**, Key Consultant, is a lifelong resident of South Dakota and the Midwest. His graduate work was in Behavioral Communication and Statistical Analysis, with undergraduate work in Speech and History at the University of Wyoming and the University of Texas. Mr. Robinson has more than twenty years experience in quantitative and qualitative research, public policy, behavioral communication, small group communication, focus group moderation and report writing.

In the 1980s, Mr. Robinson founded Jim Robinson Associates, LTD, which in 1991 became Robinson & Muenster Associates, Inc. He has been conducting public opinion and social research projects in the Midwest for the last 20 years and nationwide projects for the last 15 years.

Mr. Robinson is involved in all aspects of research including telephone surveys, mail surveys, focus groups, in-person intercept surveys, data analysis and strategic recommendations. He has extensive knowledge of sampling management and possesses a thorough understanding of sampling and data analysis issues that are relevant to this project.

RMA is a member of the Council of American Survey Research Organizations (CASRO), and Mr. Robinson is a member of the CASRO Board of Directors and currently serves as the Chairman of the Casro Government and Legal Affairs Committee. He is a Past Chair of CASRO University and is currently the Chair of the Operations Group for the Research Industry Alliance which is made up of CASRO, CMOR, MRA and AAPOR. Mr. Robinson is also a member of the American Statistical Association.

Mr. Robinson serves as a key consultant on all RMA projects. He has a proven ability to manage the performance of required project tasks within time and resource limits. This extensive expertise ensures that Mr. Robinson will be a very valuable consultant for this project.

**Phil Clark**, Chief Executive Officer, After nearly ten years with Robinson & Muenster Associates, Mr. Clark is uniquely qualified in all facets of research, from design to analysis and consultation. Phil has a Bachelor of Science degree in Computer Science and Biology from the University of South Dakota. He is responsible for all administrative services, project coordination, field management, data integrity functions, and consultation. His expertise has brought an expansive human perspective to our projects as well as our clientele, and has directed RMA's progress as one of the leaders in the research industry.

**Dave Wrotenberry**, Director of Research, will assist in overseeing the project. Mr. Wrotenberry has an MBA in Information Systems. Mr. Wrotenberry has been involved in the analysis and reporting of medical data for the South Dakota Foundation for Medical Care and Minnesota Specialty Physicians for the past five years. Mr. Wrotenberry has been involved in HUD, REA, and other studies including the analysis and reporting of data. Mr. Wrotenberry has taught statistics classes at the University of South Dakota and Statistical Process Control and Design of Experiments at Southeast Technical Institute. In addition to statistics, Mr. Wrotenberry has taught other business classes and is currently teaching Visual Basic programming at Colorado Technical University.

**Paul Reif**, Chief Information Officer, Paul Reif serves as CIO for RMA Inc. and as the manager of RMA's wholly-owned subsidiary SiouxLand Systems. Paul and his staff support multiple areas of technology for RMA including the voice and data networks,

computer assisted telephone interviewing systems, network servers and workstations, and all software support. Paul makes decisions on software and hardware purchases and all future technology growth for RMA. In addition to supporting RMA's needs, Paul manages SiouxLand Systems, which provides support for an outside client base. SiouxLand Systems offers its clients a complete range of services including network consulting, service and support, web and email hosting, and complete turnkey solutions for political campaigns. Paul's skills come from a wide background in both management and service with several technology companies in both South Dakota and Minnesota. Paul previously owned and managed a computer networking company.

**Jeff Hart**, Project Manager, Jeff came to RMA Research with over 12 years of sales and management experience. He received his B.A. in English and Journalism from South Dakota State University. Before joining Robinson and Muenster Associates, he was involved with Sales and Training at Citibank Credit Services, with an emphasis on defining customer needs and providing long term solutions.

### **Data Collection**

RMA's Computer Assisted Telephone Interview (CATI) system will be programmed so that at least five attempts will be made at different times and days to reach a particular respondent. The outcome, or disposition, of each call attempt will be recorded as a code by the interviewers and stored in a call management database.

#### *Computation of Response Rates*

Response rates will be programmed into the CATI system so that the following completion codes will all refer to the status of the sample number after five attempts.

**Resolution Rate** - The proportion of numbers answered by a person, or determined by the interviewer to be non-working. The target resolution rate is 80 percent or higher.

**Response Rate** - The proportion of business numbers willing to be interviewed. Excluded are hard refusals and continued delaying tactics or a language barrier where no interviewer speaking that language is available.

**Screening Rate** - The proportion of willing respondents who are eligible to be surveyed.

**Completion Rate** - The proportion of eligible, willing respondents with complete and usable surveys.

**Overall Rate** - The proportion of all sample numbers that result in a completed interview. Mathematically, this is the product of all previous rates.

RMA can provide a final disposition report upon project completion. If requested, RMA can also provide a predicted contact/response rate after two to three days in the field.

A disposed number is any number that cannot be called again. A completed call or contact is someone who completes the survey, terminates the survey, or refuses to participate.

### Data Collection Procedures

RMA employs a staff of approximately 200 experienced interviewers. For projects of this complexity, RMA will select those employees with the most experience, highest production rates, and who have conducted surveys of similar complexity. All interviewers for this project are trained in basic interviewing techniques and procedures.

**RMA will also have Spanish speaking interviewers available per NMJC specifications.** Since RMA utilizes a Computer Assisted Telephone Interviewing (CATI) system, all interviewers are experienced and knowledgeable and will not require any additional system training. All interviewers will be provided with project scripts prior to conducting any training session, mock interviews, and/or live interviews.

RMA will conduct a project training session utilizing the project script. RMA strongly urges all clients to take part in either the preparation of the training session or the actual training session or both. Clients may call in and participate in the training session via conference telephone. RMA operates on the premise that immediately following the training session is the most beneficial and appropriate time to move the project into the field for data collection. Project reviews and additional training reviews are given on a regular basis while the survey is being conducted.

RMA estimates two weeks for set-up, programming and data collection, and two weeks for report generation. The project will tentatively enter the field on or about June 1, 2004 and be completed by September 1<sup>st</sup>, upon agreement and approval of the New Mexico Junior College.

RMA will utilize trained supervisors for the purposes of internal monitoring, and has approximately one first line supervisor per eight interviewers who closely monitor the interviewer's implementation of the sample design. RMA will provide New Mexico Junior College the information necessary for remote monitoring via a specialized "800" telephone number. RMA will document, discuss, and make every effort to keep NMJC informed of any unusual circumstances that may arise.

### Methods for Maximizing Response Rates

The CATI system guides the interviewer through the questionnaire's skip pattern and checks data entries for permissible ranges and codes as they are keyed in. As a result, RMA rarely needs to edit any interviews because they are not fully completed and usable. RMA always runs multiple tests of the interview to ensure that the CATI system and programming of the questionnaire are error-free.



When interviewers are dealing with difficult subjects or where there may be some difficulty understanding the meaning of the question, RMA develops additional help screens to assist the interviewer. Should any completed interviews be deemed incomplete, RMA will re-contact the respondent and obtain any additional information necessary to complete the interview.

RMA will provide interviewers with a comprehensive set of questions and answers with encouraging responses to questions that respondents may ask. RMA will also provide hesitant respondents with a toll-free number to discuss the study with designated project staff members.

RMA is known for its ability to obtain completed interviews for extremely difficult telephone surveys. Response rates tend to be higher than with other research firms across the country due to interviewer training and experience. RMA will make every effort to maintain consistency in the interviewers assigned to this project. All interviewers will receive specialized training in the project.

#### Available Technology

RMA's WINCATI (Windows Computer Assisted Telephone Interviewing) system operates from multiple servers with mirrored drives, which eliminates costly down time and/or lost data from power or hardware failures. RMA's WINCATI system does NOT rely on predictive dialers that utilize multiple phone lines for each interviewer. RMA finds the "drop rates" of predictive dialers unacceptable for dealing with respondents and does not wish to abuse the relationship between the research industry and the public. All dials have a live interviewer in place to immediately interact with any respondent.

RMA can also provide a full-service 800 inbound phone center permitting clients to collect instant feedback from their customers, clients and prospects while the project is in the field. In addition, our regular phone center can use an 800-call back methodology to complete interviews at respondents' convenience.

### **III. PRODUCTS**

RMA will comply with all Work Specifications listed in the NMJC Request for Proposal. The following products will be delivered over the course of the telephone survey project:

- Recommendation of survey design
- Post-coding and summary of open-end responses
- Raw data
- Marginal reports and Cross-tabulations in E-tabs and hard copy format
- Full written report and analysis of survey results
- Analysis at the geographic level if needed
- Unlimited consultation while project is in the field
- Post project consultation on the report and results



**ACKNOWLEDGMENT OF ADDENDA (if applicable):**

The undersigned acknowledges receipt of the following addendum

Addendum No. 1 Dated April 1, 2004

The undersigned, as an authorized representative for the company named below, acknowledges that he/she has examined this Request for Proposals with its related documents, and, being familiar with all the conditions surrounding the described materials and/or services, including the availability of materials and labor, hereby offers to furnish all labor, materials and supplies necessary to comply with the specifications in accordance with the General Terms and Conditions set forth herein.

**Company Name:** Robinson & Muenster Associates, Inc.

**Address:** 1208 W. Elkhorn St.

**City/State/Zip Code:** Sioux Falls, SD 57104-0218

**Federal ID# or SSN:** 460406459

**Signature of Authorized Representative:**

  
\_\_\_\_\_

**PRINTED OR TYPED:**

**Name:** Phil Clark

**Title:** Chief Executive Officer

**Date:** April 2, 2004

**Phone #:** 605-332-3386

**Fax #:** 605-332-7822

WILLIAM G. W. SHOBRIDGE

DIANNA L. LUCE

**SHOBRIDGE LAW FIRM, P. C.**

701 NORTH GRIMES STREET  
HOBBS, NEW MEXICO 88240

(505) 397-2496

FAX: (505) 397-2497

E-MAIL: shooblaw@aol.com

April 5, 2004

Dr. Steve McCleery  
New Mexico Junior College  
5317 Lovington Highway  
Hobbs, New Mexico 88240

**Re: Patricia Scott Resignation and Full Release**

Dear Dr. McCleery:

As you know, Patricia Scott was officially terminated on February 9, 2004, for violating the terms of her probationary status by making insensitive and unprofessional comments to a student in her capacity as a counselor. Ms. Scott requested a hearing under our Hearing Procedure with an impartial hearing officer. She retained attorney Barry Crutchfield to represent her and the administration retained attorney Mike Newell. Prior to commencing the hearing, the attorneys announced that the parties had reached a proposed settlement.

The proposal settlement would allow Ms. Scott to resign rather than be fired. The college would pay her contract from February 9, 2004, through June 30, 2004. Ms. Scott would submit a letter of resignation simultaneous with the execution of a full mutual release with the college. The termination letter and termination documents would be removed from Ms. Scott's permanent personnel file. She would in effect be on leave with pay until her June 30, 2004, resignation letter becomes effective. I recommend the proposed settlement for the following reasons.

First, the settlement make sense on pure economic terms. Ms. Scott's salary is \$39,191.00, annually, payable in twelve equal monthly installments. She is paid a gross amount of \$3,265.95 per month. The college would only pay her \$16,329.60, over the period of her remaining contract. This expense is far less than the cost of her hearing and potential litigation. The college would be paying for the hearing officer, Mike Newell and myself just to complete the hearing with the appeal process. Even without a lawsuit, attorney fees would exceed the proposed settlement amount.

Secondly, although Ms. Scott was terminated for legitimate business reasons, she is very likely to file a lawsuit if she is not reinstated through our appeal process. She was a long time employee of the college who was approaching retirement age. She was terminated the day after she turned 64 years old. She has had workers compensation claims. She could file suit for age discrimination, breach of contract, breach of implied contract of continued employment, retaliatory discharge for

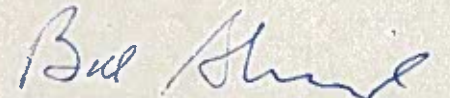
April 5, 2004  
Page 2.

exercising her rights under the workers compensation act, failure to make reasonable accommodation under the Americans with Disabilities Act and intentional or negligent infliction of emotional distress. Although none of these theories would necessarily be successful, the college would still have the expense and exposure of the litigation.

Finally, the college has the authority to honor its existing contract with Ms. Scott to avoid potential litigation. The settlement would not violate the anti-donation clause of the New Mexico Constitution, Article IX, Section 14, as the college is merely completing the term of its contract with Ms. Scott and is obtaining a full release of potential and threatened litigation.

I will be in attendance at the April 19, 2004, Board Meeting at 4:00 p.m. Please call me if you have questions.

Very truly yours,

  
WILLIAM G. W. SHOOBRIDGE

/yj

**I move that the college accept Patricia Scott's letter of resignation which is to be effective June 30, 2004.**

Whereas New Mexico Junior College and Patricia Scott wish to resolve all issues relating to her employment; and

Whereas, New Mexico Junior College and Patricia Scott agree that the agreement contained herein is in the best interest of each of the parties;

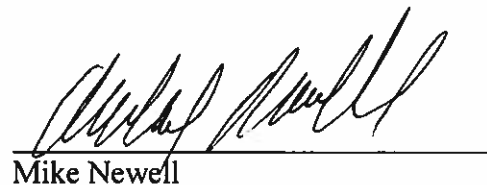
It is therefore agreed:

1. Patricia Scott will submit her letter of resignation and release all claims she has or may have against New Mexico Junior College save and except for any continuing coverage for prior workers compensation claims.
2. New Mexico Junior College agrees to report Patricia Scott resigned and was not terminated and will honor and pay Patricia Scott all compensation and benefits due to her through the balance of the contract through June 30, 2004. The termination letter will be removed from the personnel file of Patricia Scott.
3. All parties will execute full and complete mutual releases of claims.
4. This hearing related to this matter scheduled for April 5, 2004 is vacated pending such approval and any time limited or other such requirements which may inure to the benefit of either party are hereby waived pending such Board approval. This agreement is subject to approval by the New Mexico Junior College Board. If Board approval is not forthcoming, this matter will be rescheduled for hearing and all processes to which Patricia Scott is entitled will be available to her.



---

Barry Crouchfield



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Mike Newell

## RESOLUTION

# Samuel L. Oswald

- WHEREAS,** **Samuel L. Oswald** being one of the Staff Members of New Mexico Junior College, has faithfully served the College for 14 years, and
- WHEREAS,** **Samuel L. Oswald** has served as Professor of Computer Graphics/ Commercial Art from 1989-1990, and
- WHEREAS,** **Samuel L. Oswald** has served as Professor of Computer Assisted Drafting from 1990-1998, and
- WHEREAS,** **Samuel L. Oswald** has served as Professor of Computer Graphic Design from 1998-1998, and
- WHEREAS,** **Samuel L. Oswald** has served as Department Chairperson from 1991-1998; and
- WHEREAS,** **Samuel L. Oswald** has served as Dean of Continuing Education/ Community Services 1998-2004, and
- WHEREAS,** **Samuel L. Oswald** has served as Instructor for Continuing Education/ Community Service from 1990-2003, and
- WHEREAS,** **Samuel L. Oswald** has served on various committees at New Mexico Junior College and in the community; and
- WHEREAS,** **Samuel L. Oswald** has been a devoted, enthusiastic and loyal staff member at New Mexico Junior College, and
- WHEREAS,** **Samuel L. Oswald** as a staff member, has always reflected a favorable image for New Mexico Junior College, and
- WHEREAS,** **Samuel L. Oswald** has elected to retire the 16th day of April, 2004.

**NOW, THEREFORE BE IT RESOLVED** that New Mexico Junior College desires to give special recognition and appreciation to **Samuel L. Oswald** for his service and dedication to New Mexico Junior College.

ADOPTED THIS 19th day of April, 2004.

ATTEST:

