

PADM 524: INTERGOVERNMENTAL ADMINISTRATIVE PROBLEMS
Spring 2017

Instructor: Shane Day
Time: Tuesdays, 4:00pm – 6:30pm
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Office Hours: Tuesdays: 11:00am to 2:00pm, or by appointment

Course Description and Goals:

The study of federalism and intergovernmental relations encompasses a rich array of subject matter. Issues as diverse as policy development, public finance, intergovernmental regulatory authority, collaborative governance, and many others can all be found under the broad rubric of intergovernmental relations. While the field is usually associated with the study of the relationship between national and sub-national units of government in a federal system, it also entails the study of relationships between various sub-national units (state, county, local, etc.). Given the heterogeneity in the types of local government structures and the resultant array of extremely diverse patterns of interstate and interlocal relationships, the range of topics that fall under the broad rubric of intergovernmental relations is vast. Therefore, students should view this course as an intensive introduction to as many of the broad themes of intergovernmental relations as possible. Towards that end, this class will provide a wide range of reading assignments for each unit, and these sets of readings should serve as a jumping off point for more intensive research in those areas of most interest to you.

Therefore, the goals for this course are as follows:

- 1) To introduce students to the central theoretical concepts informing scholarship on federalism
- 2) To discuss the most pressing issue areas and problems in intergovernmental relations
- 3) To allow students to delve into greater detail into three (or more, at their discretion) issue areas of particular interest to them
- 4) To facilitate team-learning and vibrant class discussion
- 5) To provide an opportunity for graduate students to produce a quality piece of research that could evolve into a pro-paper or thesis, and to get ample feedback on research design and other issues

Required Materials:

There are NO required textbooks for this course – all readings will be posted to UNM Learn. However, material will be drawn from several books which may be of general interest to individual students, who may wish to purchase copies for their own reference. The following books are particularly highly recommended for their quality and accessibility:

Cooper, Phillip J. 2003. *Governing by Contract: Challenges and Opportunities for Public Managers*. Washington, DC: CQ Press.

Gosling, James J. 2016. *Budgetary Politics in American Governments, Sixth Edition*. New York, NY: Routledge.

O'Toole, Laurence J. and Robert K. Christensen. 2013. *American Intergovernmental Relations: Foundations, Perspectives, and Issues, Fifth Edition*. Washington, DC: CQ Press

Zimmerman, Joseph F. 2008. *Contemporary American Federalism: The Growth of National Power, Second Edition*. Albany, NY: SUNY Press. [This book is available for free as an eBook through the UNM Library].

Additional readings will be available online through UNM Learn. Students should regularly consult UNM Learn through the University of New Mexico Homepage, as I will post the syllabus, course announcements, and other course materials throughout the semester.

Communication:

The easiest way to get a hold of me is through email at shaneday@unm.edu. I will check my email regularly and will respond as soon as I am able (nota bene: my availability over the weekend will often be limited). I will also be maintaining regular office hours, and am happy to meet with you in my office outside of established hours if I am available – arranging an appointment beforehand is helpful but not essential. I will also be using UNM Learn for posting course announcements – again, be sure to check it regularly. Furthermore, it is SPA policy that all students are REQUIRED to use their UNM email accounts for all electronic communications. This includes using only your UNM email account and Banner ID in the UNM Learn system. No communication will be conducted with outside (e.g. Gmail, Yahoo, etc.) email accounts.

Course Requirements and Grading:

Reading Response Papers:

This course will be run as a seminar, with the expectation of active student involvement. Towards that end, a key component of the class will be the reading response papers. The purpose of these papers is to allow students an opportunity to delve into greater detail on the issue areas of most interest to them, while preparing students to actively take part in presenting and discussing the course materials. All students are expected to complete **three** reading response papers during the course of the semester, and are responsible for reading all readings for that week. Each reading response paper must not exceed three pages, single spaced, and should include the following:

- 1) A summary that synthesizes all of the readings for that week.
- 2) Three to five discussion questions inspired by the readings to help generate class discussion. Questions will be graded for quality and relevance to the course content for the respective week.
- 3) Any points of clarification relevant to the readings that you would like to have addressed in class.

Because one of the primary purposes of these assignments is to help guide in-class discussion, they will be graded for both quality of content and in-class participation. All reading response papers must be e-mailed as Microsoft Word attachments to the instructor, and are due **by 5 pm on the Sunday before class**.

Exam:

There will be a final exam scheduled during Finals week. This exam will require you to synthesize and analytically reflect upon the course readings, discussions, and lectures. Questions on the exam will be a mix of short answer and essay questions, and the exam will be open book/open notes.

Final Paper and Presentations:

Students will be expected to carry out a significant research project on some topic relevant to intergovernmental relations and federalism. The result of that work will be a 15-20 page academic research paper and in-class presentation on May 2nd. Paper presentations should last 10-15 minutes. Distance education students will need to make arrangements with the instructor regarding alternative methods of delivering their presentations if they are not able to attend this session in person. All students should also prepare a one page prospectus of their paper topic to be turned in by March 21st. Co-authored papers may be approved at the instructor's discretion, but permission must be obtained before the prospectus due date. The final paper is due on May 9th at 5:30pm (finals week, before the administration of the final exam).

Key Dates:

| | |
|------------------------|------------------------------------|
| Every Sunday | Reading response papers due by 5pm |
| March 21st | Paper prospectus due |
| March 14 th | Spring Break (no class) |
| May 2 nd | Presentations |
| May 9 th | Final Exam: 5:30-7:30pm |
| May 9 th | Final Paper due |

Grading:

The weighting of the course elements for the semester grade is as follows:

| | |
|------------------------------|---------------------------------|
| Reading Response Papers | 30% (10% each) |
| Participation | 10% |
| Final paper and presentation | 20% (paper); 10% (presentation) |
| Final Exam | 30% |

Course Schedule and Outline:

The following is a *tentative* schedule of weekly topics. While the schedule and ordering of subject matter is unlikely to change, I reserve the right to make revisions to the syllabus and to make adjustments to the reading assignments. I will announce such changes in class and through UNM Learn.

Week One – 1/17: Course Orientation and Introduction

Week Two – 1/24: Comparative Federalism

Required Readings:

- 1) Nicole Bolleyer and Lori Thorlakson. 2012. "Beyond Decentralization – The Comparative Study of Interdependence in Federal Systems", *Publius*, 42(4): 566-591.
- 2) Jorg Broschek. 2015. "Pathways of Federal Reform: Australia, Canada, Germany, and Switzerland", *Publius*, 45(1): 51-76.
- 3) Michael Burgess. 2006. *Comparative Federalism: Theory and Practice*. Chapter 5.
- 4) Alain-G. Gagnon. 2000. "The Political Uses of Federalism", In *Comparative Federalism and Federation: Competing Traditions and Future Directions*, Michael Burgess and Alain-G. Gagnon, Eds.
- 5) Hans Keman. 2000. "Federalism and Policy Performance: A Conceptual and Empirical Inquiry", In *Federalism and Political Performance*, Wachendorfer-Schmidt, ed.
- 6) Ronald Watts. 2008. *Comparing Federal Systems*. Chapters 1, 3, 4, 5, and 8.

Week Three – 1/31: The Origins of the US Federal System & Types of Intergovernmental Relationships

Required Readings:

- 1) Robert Agranoff and Beryl A. Radin. 2015. "Deil Wright's Overlapping Model of Intergovernmental Relations: The Basis for Contemporary Intergovernmental Relationships", *Publius*, 45(1): 139-159.
- 2) Morton Grodzins. 2013. "The Federal System", Chapter 1 in O'Toole and Christensen
- 3) Peter Lawler. 2009. "Tocqueville on Federalism as an American Accident", In *The Ashgate Research Companion to Federalism*, Ward & Ward, Eds.
- 4) James Madison, "Federalist No. 39", available at: <http://www.constitution.org/fed/federa39.htm>
- 5) James Madison, "Federalist No. 46", available at: <http://www.constitution.org/fed/federa46.htm>
- 6) Pietro S. Nivola, "Why Federalism Matters", The Brookings Institution Policy Brief # 146, available at: <http://www.brookings.org/comm/policybriefs/pb146.pdf>
- 7) Henry Yates, "Brutus #1" (Anti-Federalist paper), available at: <http://www.constitution.org/afp/brutus01.htm>
- 8) Zimmerman, Chapters 2 and 3

Week Four – 2/7: The Evolution of the US Federal System

Required Readings:

- 1) Robert Christensen and Charles Wise. 2013. "Dead or Alive? The Federalism Revolution and Its Meaning for Public Administration", Chapter 8 in O'Toole and Christensen
- 2) Timothy Conlan. 2008. "Between a Rock and a Hard Place: The Evolution of American Federalism", In *Intergovernmental Management for the 21st Century*, Conlan and Posner, Eds.
- 3) Timothy Conlan. 2006. "From Cooperative to Opportunistic Federalism: Reflections on the Half-Century Anniversary of the Commission on Intergovernmental Relations", *Public Administration Review*, 66(5): 663-676
- 4) Michael McGuire. 2006. "Intergovernmental Management: A View from the Bottom", *Public Administration Review*, 66(5): 677-679
- 5) Mallory E. SoRelle and Alexis N. Walker. 2016. "Partisan Preemption: The Strategic Use of Federal Preemption Legislation", *Publius*, 46(4): 486-509.
- 6) Deil S. Wright. 1990. "Federalism, Intergovernmental Relations, and Intergovernmental Management: Historical Reflections and Conceptual Comparisons", *Public Administration Review*, 50(2): 168-178
- 7) Zimmerman, Chapters 4-5

Week Five – 2/14: State-Federal Relations and Intergovernmental Regulation

Required Readings:

- 1) Martha Derthick. 2013. "Ways of Achieving Federal Objectives", Chapter 12 in O'Toole and Christensen
- 2) Robert J. Dilger and Richard S. Beth. 2013. *Unfunded Mandates Reform Act: History, Impact, and Issues*.
- 3) Susan M. Miller and Lael R. Keiser. 2013. "State Governments as Entrepreneurs in Securing Federal Benefits for Their Citizens", *Publius*, 43(4): 497-526.
- 4) Paul Posner. 2013. "The Politics of Unfunded Mandates", Chapter 22 in O'Toole and Christensen
- 5) Ilya Somin. 2016. "Federalism and the Roberts Court", *Publius*, 46(3): 441-462.
- 6) Kathleen Sullivan. 2006. "From States' Rights Blues to Blue States' Rights: Federalism After the

Rehnquist Court”, *Fordham Law Review*, 75: 799-813.

- 7) U.S. ACIR. 2013. “The Techniques of Intergovernmental Regulation”, Chapter 21 in O’Toole and Christensen

Week Six – 2/21: Organization of State and Local Governments

Required Readings:

- 1) Charles Adrian. 2002. “City Government Forms”, In *How American Governments Work: A Handbook of City, County, Regional, State, and Federal Operations*, Roger Kemp, Ed.
- 2) Julianne Duvall. 2002. “City-County Consolidations”, In *How American Governments Work: A Handbook of City, County, Regional, State, and Federal Operations*, Roger Kemp, Ed.
- 3) Tari Renner and Victor DeSantis. 2002. “City Government Structures”, In *How American Governments Work: A Handbook of City, County, Regional, State, and Federal Operations*, Roger Kemp, Ed.
- 4) Jesse J. Richardson. 2011. “Dillon’s Rule is from Mars, Home Rule is from Venus: Local Government Autonomy and the Rules of Statutory Construction”, *Publius*, 41(4): 662-685.
- 5) Tanis Salant. 2002. “Overview of County Governments”, In *How American Governments Work: A Handbook of City, County, Regional, State, and Federal Operations*, Roger Kemp, Ed.
- 6) Leland & Thurmaier. 2005. “When Efficiency is Unbelievable: Normative Lessons from 30 Years of City-County Consolidations”, *Public Administration Review*, 65(4):475-489
- 7) Andrew Whitford. 2010. “Can Consolidation Preserve Local Autonomy? Mitigating Vertical and Horizontal Dilemmas”, In *Self-Organizing Federalism*, Feiock and Scholz, Eds.

Week Seven – 2/28: Interstate, State-Local, and Interlocal Relations

Required Readings:

- 1) Ann O’M. Bowman. 2013. “Trends and Issues in Interstate Cooperation”, Chapter 10 in O’Toole and Christensen
- 2) Ann O’M. Bowman and Richard C. Kearney. 2011. “Second-Order Devolution: Data and Doubt”, *Publius*, 41(4): 563-585.
- 3) Kiki Caruson and Susan A. MacManus. 2012. “Interlocal Emergency Management Collaboration”, *Publius*, 42(1): 162-187.
- 4) Skip Krueger, Robert W. Walker, and Ethan Bernick. 2011. “The Intergovernmental Context of Alternative Service Delivery Choices”, *Publius*, 41(4): 686-708.
- 5) Yu Shi. 2017. “The Rise of Specialized Governance in American Federalism: Testing Links Between Local Government Autonomy and Formation of Special District Governments”, *Publius*, 47(1): 99-130.
- 6) Kurt Thurmaier & Curtis Wood. 2002. “Interlocal Agreements as Overlapping Social Networks: Picket-Fence Regionalism in Metropolitan Kansas City”, *Public Administration Review*, Sep/Oct 2002, 62(5):585-598.
- 7) Zimmerman, Chapters 7-8.

Week Eight – 3/7: American Indians: Sovereign Nations or Constituent Federal Units?

Required Readings:

- 1) Christopher Alcantara and Jen Nelles. 2014. “Indigenous Peoples and the State in Settler Societies: Toward a More Robust Definition of Multilevel Governance”, *Publius*, 44(1): 183-204.
- 2) Jeff Corntassel and Richard C. Witmer. 2008. Excerpts from *Forced Federalism: Contemporary Challenges to Indigenous Nationhood*.
- 3) The Harvard Project on American Indian Economic Development. 2008. *The State of the Native Nations: Conditions Under U.S. Policies of Self-Determination*. Pp. 1-79.

- 4) Dale Mason. 2002. "Tribes and States: A New Era in Intergovernmental Relations", in *The Tribes and the States: Geographies of Intergovernmental Interaction*, Bays & Fouberg, Eds.
- 5) David Wilkins. 2007. *American Indian Politics and the American Political System*. Chapter 4.
- 6) David Wilkins. 2002. "Tribal-State Affairs: American States as 'Disclaiming' Sovereigns", in *The Tribes and the States: Geographies of Intergovernmental Interaction*, Bays & Fouberg, Eds.

Week Nine – 3/14: SPRING BREAK – NO CLASS SESSION HELD

Week Ten – 3/21: Fiscal Federalism and Intergovernmental Finance

***Paper Prospectus Due

Required Readings:

- 1) David Brunori. 2013. "Financing Local Government in a Changing World", Chapter 18 in O'Toole and Christensen.
- 2) Francis Castles. 2000. "Federalism, Fiscal Decentralization, and Economic Performance", In *Federalism and Political Performance*, Wachendorfer-Schmidt, ed.
- 3) Jeffrey Chapman. 2008. "State and Local Fiscal Sustainability: The Challenges", *Public Administration Review*, Dec 2008, Special Issue:115 -131
- 4) James J. Gosling. 2016. Excerpts from *Budgetary Politics in American Governments*.
- 5) Sean Nicholson-Crotty. 2008. "Fiscal Federalism and Tax Effort in the U.S. States", *State Politics and Policy Quarterly*, 8(2): 109-126.
- 6) Wallace E. Oates. 1999. "An Essay on Fiscal Federalism", *Journal of Economic Literature*, 37: 1120-1149.
- 7) OECD. 2013. "Taxes or Grants: What Revenue Source for Sub-central Governments?", Chapter 20 in O'Toole and Christensen.
- 8) Zimmerman, Chapter 6

Week Eleven – 3/28: Intergovernmental Finance (cont.)

Required readings:

- 1) Jered B. Carr and Jayce Farmer. 2011. "Contingent Effects of Municipal and County TELs on Special District Usage in the United States", *Publius*, 41(4): 709-733.
- 2) Holly T. Goerdel. 2013. "Politics versus Risk in Allocations of Federal Security Grants", *Publius*, 43(4): 600-625.
- 3) Craig Johnson. 2001. "The Use of Debt in Tax Increment Financing", In *Tax Increment Financing and Economic Development*, Johnson & Man, Eds.
- 4) Christiana MacFarland and Michael Pagano. 2016. "City Fiscal Conditions 2016", National League of Cities Policy Brief
- 5) Daniel R. Mullins and Bruce A. Wallin. 2004. "Tax and Expenditure Limitations: Introduction and Overview", *Public Budgeting & Finance*, 24(4): 2-15
- 6) Sean Nicholson-Crotty. 2012. "Leaving Money on the Table: Learning from Recent Refusals of Federal Grants in the American States", *Publius*, 42(3): 449-465.
- 7) Pietro S. Nivola. 2013. "Tense Commandments: Federal Prescriptions and City Problems", Chapter 19 in O'Toole and Christensen.
- 8) Carl Stenberg. 2008. "Block Grants and Devolution: A Future Tool?" In *Intergovernmental Management for the 21st Century*, Conlan and Posner, Eds.

Week Twelve – 4/4: Government Contracting & Contract management

Required Readings:

- 1) Phillip Cooper. 2003. Excerpts from *Governing by Contract: Challenges and Opportunities for*

Public Managers.

- 2) Jayce L. Farmer. 2015. "County-Nonprofit Service Arrangements: The Roles of Federal and State Fiscal Involvement", *Publius*, 45(1): 117-138.
- 3) Vincent Gooden. 1998. "Contracting and Negotiation: Effective Practices of Successful Human Service Contract Managers", *Public Administration Review*, 58(6): 499-509
- 4) George R. La Noue and John C. Sullivan. 1995. "Race Neutral Programs in Public Contracting", *Public Administration Review*, 55(4): 348-356
- 5) Barbara S. Romzek & Jocelyn M. Johnston. 2005. "State Social Services Contracting: Exploring the Determinants of Effective Contract Accountability", *Public Administration Review*, 65(4): 436- 449
- 6) Steven Smith. 2005. "NGOs and Contracting", In *The Oxford Handbook of Public Management*.

Week Thirteen – 4/11: Intergovernmental and Collaborative Management

Required Readings:

- 1) Robert Agranoff. 2006. "Inside Collaborative Networks: Ten Lessons for Public Managers", *Public Administration Review*, 66: 56-65.
- 2) Gwen Arnold. 2015. "When Cooperative Federalism Isn't: How U.S. Federal Interagency Contradictions Impede Effective Wetland Management", *Publius*, 45(2): 244-269.
- 3) Brudney, Cho, and Wright. 2009. "Understanding the Collaborative Public Manager: Exploring Contracting Patterns and Performance for Service Delivery by State Administrative Agencies in 1998 and 2004", In *The Collaborative Public Manager: New Ideas for the Twenty-First Century*, O'Leary and Bingham, Eds.
- 4) Michael McGuire. 2006. "Collaborative Public Management: Assessing What We Know and How We Know It", *Public Administration Review*, Dec 2006, 66: 33-43
- 5) John C. Morris, et al. 2014. "Collaborative Federalism and the Emerging Role of Local Nonprofits in Water Quality Implementation", *Publius*, 44(3): 499-518.
- 6) O'Leary and Bingham. 2009. "Surprising Findings, Paradoxes, and Thoughts on the Future of Collaborative Public Management Research", In *The Collaborative Public Manager: New Ideas for the Twenty-First Century*, O'Leary and Bingham, Eds.
- 7) O'Leary, Gazley, McGuire, and Bingham. 2009. "Public Managers in Collaboration", In *The Collaborative Public Manager: New Ideas for the Twenty-First Century*, O'Leary and Bingham, Eds.

Week Fourteen – 4/18: The State of American Federalism

Required Readings:

- 1) Jessica Bulman-Pozen and Gillian E. Metzger. 2016. "The President and the States: Patterns of Contestation and Collaboration under Obama", *Publius*, 46(3): 308-336.
- 2) Timothy J. Conlan & Paul Posner. 2016. "American Federalism in an Era of Partisan Polarization: The Intergovernmental Paradox of Obama's 'New Nationalism'", *Publius*, 46(3): 281-307.
- 3) Shannon Jenkins and Douglas D. Roscoe. 2014. "Parties as the Political Safeguards of Federalism: The Impact of Local Political Party Activity on National Elections", *Publius*, 44(3): 519-540.
- 4) Paul Nolette. 2014. "State Litigation During the Obama Administration: Diverging Agendas in an Era of Polarized Politics", *Publius*, 44(3): 451-474.
- 5) James H. Read. 2016. "Constitutionalizing the Dispute: Federalism in Hyper-Partisan Times", *Publius*, 46(3): 337-365.
- 6) Shanna Rose & Cynthia J. Bowling. 2015. "The State of American Federalism 2014-2015: Pathways to Policy in an Era of Party Polarization", *Publius*, 45(3): 351-379.

- 7) Jonathan Walters. 2013. "Intergovernmental Relations and Federalism: Its Past, Present, and Future, and Does Anyone Care?" Chapter 30 in O'Toole and Christensen.

Week Fifteen – 4/25: Emerging Issues in Intergovernmental Relations

Required Readings:

- 1) Alesha E. Doan and Deborah R. McFarlane. 2012. "Saying No to Abstinence-Only Education: An Analysis of State Decision-Making", *Publius*, 42(4): 613-635.
- 2) Peter Eisinger. 2006. "Imperfect Federalism: The Intergovernmental Partnership for Homeland Security", *Public Administration Review*, Jul/Aug 2006, 66(4): 537-545
- 3) Sam Kamin. 2015. "The Battle of the Bulge: The Surprising Last Stand Against State Marijuana Legalization", *Publius*, 45(3): 427-451.
- 4) David M. Konisky and Neal D. Woods. 2016. "Environmental Policy, Federalism, and the Obama Presidency", *Publius*, 46(3): 366-391.
- 5) Timothy Marquez and Scot Schraufnagel. 2013. "Hispanic Population Growth and State Immigration Policy: An Analysis of Restriction (2008-2012)", *Publius*, 43(3): 347-367.
- 6) Patrick McGuinn. 2016. "From No Child Left Behind to the Every Student Succeeds Act: Federalism and the Education Legacy of the Obama Administration", *Publius*, 46(3): 392-415.
- 7) Shihyun Noh and Dale Krane. 2016. "Implementing the Affordable Care Act Health Insurance Exchanges: State Government Choices and Policy Outcomes", *Publius*, 46(3): 416-440.
- 8) Priscilla M. Regan and Christopher J. Deering. 2009. "State Opposition to REAL ID", *Publius*, 39(3): 476-505
- 9) James A. Stever. 2005. "Adapting Intergovernmental Management to the New Age of Terrorism", *Administration and Society*, 37(4): 379-403

Week Sixteen – 5/2: Paper Presentations

Finals Week – 5/9:

Final paper (hard copy) due in class (grad students)

Final Exam from 5:30pm – 7:30pm

Academic Integrity:

The University of New Mexico believes that academic honesty is a foundation principle for personal and academic development. All University policies regarding academic honesty apply to this course. Academic dishonesty includes, but is not limited to, cheating or copying, plagiarism (claiming credit for the words or works of another from any type of source such as print, Internet or electronic database, or failing to cite the source), fabricating information or citations, facilitating acts of academic dishonesty by others, having unauthorized possession of examinations, submitting work of another person or work previously used without informing the instructor, or tampering with the academic work of other students. The University's full statement on academic honesty and the consequences for failure to comply is available in the college catalog and in the Pathfinder. It is also the prerogative of the instructor to assign failing grades, either to a particular assignment or for the final course grade, to students who violate academic conduct standards.

Students with Disabilities:

Accessibility Services (Mesa Vista Hall 2021, 277-3506) provides academic support to students who have disabilities. If you think you need alternative accessible formats for undertaking and completing coursework, you should contact this service right away to assure your needs are met in a timely manner.

If you need local assistance in contacting Accessibility Services, see the Bachelor and Graduate Programs office.

Sexual Misconduct:

In an effort to meet obligations under Title IX, UNM faculty, Teaching Assistants, and Graduate Assistants are considered “responsible employees” by the Department of Education (see pg 15 - <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>). This designation requires that any report of gender discrimination which includes sexual harassment, sexual misconduct and sexual violence made to a faculty member, TA, or GA must be reported to the Title IX Coordinator at the Office of Equal Opportunity (oeo.unm.edu). For more information on the campus policy regarding sexual misconduct, see: <https://policy.unm.edu/university-policies/2000/2740.html>

Library and Tutorial Services:

UNM-Main campus provides many library services and some tutorial services for both on-campus and distance students. For library services, go to <http://www.unm.edu/libraries/> to link to a specific library or to contact a librarian. For tutorial services, go to <http://caps.unm.edu/online> to explore UNM’s online services.