Preface

The Faculty Handbook provides the University of New Mexico (UNM) faculty with a written record of faculty policies and procedures. Policies in the Faculty Handbook are unifying documents that describe academic principles, the reasoning behind the principles, and institutional procedures necessary for implementation. Faculty Handbook policies contain governing principles and procedures that mandate or constrain actions and apply to UNM faculty; therefore, the development of policies requires input from faculty members who have extensive knowledge on the subject matter and review by faculty members from a variety of academic disciplines at UNM.

This manual is a source of information to be used along with the Board of Regents' Policy Manual, the University Administrative Policies and Procedures Manual, the University Catalog, and the Pathfinder. The Board of Regents' Policy Manual shall be controlling in any matters in which there is an inconsistency between the Faculty Handbook and the Board of Regents' Policy Manual.

All UNM policies which pertain primarily to faculty and academic matters are placed in the Faculty Handbook. The scope of Faculty Handbook policies is established by the “Faculty Constitution” and the right to review and take action on these policies is granted to the faculty by UNM Board of Regents Policy 5.1 “The Faculty’s Role in the University’s Academic Mission.” The Faculty Handbook shall be controlling in any faculty and academic matters in which there is an inconsistency between the Faculty Handbook and the University Administrative Policies and Procedures Manual, the University Catalog, or the Pathfinder. It is not the purpose of the Faculty Handbook to serve as a manual of school/college and departmental policies or procedures; however, the Faculty Handbook shall be controlling in all matters in which there is inconsistency.

Each item in the Faculty Handbook is separated as either policy or information. Please note this distinction. It is also important to note that those items designated as policy are only those policies under the purview of faculty. Some informational items may actually be UNM policy but are not under the purview of faculty so are provided as information for the purposes of this document.

The policies set forth in this Handbook are subject to revision at any time. Any faculty member wishing to propose a change to an existing Faculty Handbook policy or propose a new policy should send their request to the Office of the University Secretary.
Nancy D. Middlebrook  
Secretary of the University

Indigenous Peoples’ Land and Territory Acknowledgment  
Founded in 1889, the University of New Mexico sits on the traditional homelands of the Pueblo of Sandia. The original peoples of New Mexico—Pueblo, Navajo, and Apache since time immemorial—have deep connections to the land and have made significant contributions to the broader community statewide. We honor the land itself and those who remain stewards of this land throughout the generations and also acknowledge our committed relationship to Indigenous peoples. We gratefully recognize our history.  
(Developed by the Special Assistant for American Indian Affairs to the UNM President in consultation with the Native American Faculty Council. Approved and adopted by President Garnett S. Stokes, February 2020.)
D50: Assignment of Credit Hours

Approved by: Faculty Senate
Effective: April 24, 2018
Responsible FS Committee: Faculty Senate Policy Committee
Office Responsible for Administration: Office of the Registrar

Policy Rationale

The University of New Mexico (UNM) evaluates a student's progress toward a degree in terms of semester credit hours. Undergraduate, graduate, and professional degree requirements are approved by University faculty in accordance with Faculty Handbook Policy A50 “The Faculty's Role in the University's Academic Mission” and are listed in the applicable course catalog.

Policy Statement

UNM’s assignment and award of credit hours conforms to commonly accepted practices in higher education in accordance with federal regulations 34 CFR 602.24(f).

The minimum requirements for assigning one (1) semester credit hour consists of one (1) 50-minute period of classroom or direct faculty instruction and a minimum of two (2) hours of out-of-class student work each week of the semester; or at least an equivalent amount of work as established by the degree granting college.

Applicability

All academic UNM units, including the Health Sciences Center and Branch Community Colleges.

Definitions

Classroom or direct faculty instruction. This consists of direct instruction or guided interaction, which includes, but is not limited to, in person or online lectures, seminars, discussions, art and design studios, supervised group work, and examinations.

Equivalent amount of work can include, but is not limited to, activities such as laboratory work, internships, practica, studio work, ensemble music, and other academic work.
Out-of-class student work. This consists of time students spend outside of classroom or direct faculty instruction to fulfill course objectives, which includes but is not limited to, reading assignments, working out problems, preparing for exams, online and face-to-face group work, writing paper(s), and working on project(s).

Who should read this policy

- Faculty members
- Academic administrators

Related Documents

Regents' Policy Manual

- Policy 5.1 "The Faculty's Role in the University's Academic Mission"

Faculty Handbook

- A50: The Faculty's Role in the University's Academic Mission

UNM Course Catalogs

Contacts

Direct any questions about this policy to Office of the Registrar.

Procedures

Faculty members including part-time instructors and teaching, research, and graduate assistants acting in a faculty capacity are responsible for ensuring that the amount of contact time and independent work time expected of students meets the minimum requirements listed above in the Policy Statement section. Faculty will include the required hours of work on the course syllabi each semester.

History

- April 24, 2018 Approved by Faculty Senate
D90: Posthumous Degrees

Approved by: Faculty Senate
Effective: November 28, 2017
Responsible FS Committee: Faculty Senate Policy Committee
Office Responsible for Administration: Office of the Provost

Revisions to the Policy Rationale, Policy Statement, and Applicability sections of this document must be approved by the full Faculty Senate.

Policy Rationale

The University of New Mexico (UNM) recognizes that an academic degree is a matter of legitimate pride in achievement not only for students themselves but also for the family members and friends who provide students with vitally important support and encouragement during the course of their studies. UNM also recognizes that not only the degree, but also significant progress in an academic program is, under certain circumstances, an achievement which warrants special recognition. Accordingly, UNM may grant degrees posthumously, in memoriam, or in extraordinary circumstances. A degree of the appropriate type and level may be bestowed upon a student who meets required criteria with appropriate approvals.

Policy Statement

Requests for granting degrees posthumously, in memoriam, or due to an extraordinary circumstance may be initiated by the student, student's family, the faculty of the department and/or college/school, or a UNM administrator. The request should be submitted to the Office of the University Secretary, who will facilitate review and approval by the appropriate faculty, college/school official(s), Faculty Senate (FS) Committees, and the Faculty Senate. Awarding of graduate and professional degrees requires approval of the Departmental faculty and the Faculty Senate Graduate and Professional Committee. Approved degree requests may be awarded under the following circumstances:

1. Posthumous

If approved by all levels as specified herein, UNM may grant posthumous degrees to a student who dies before they are able to complete their program. The student must be in degree status and either currently enrolled or enrolled in the academic year previous to their death. Normally, the student should have completed half of the credits required for the degree. The degree will be noted as "posthumous" on both the diploma and the transcript.

2. In Memoriam

If approved by all levels as specified herein, UNM may award a degree in memoriam to a student who was in good standing at UNM at the time of their death and who does not meet the requirements necessary to be awarded a posthumous degree. The degree will be noted as "in memoriam" on both the diploma and the transcript.

3. Extraordinary Circumstances

If approved by all levels as specified herein, UNM may grant a degree when extraordinary circumstances beyond the student’s control prevent the student from completion of their academic program. Normally, the student should have completed half of the credits required for the degree. If departmental faculty vote to waive remaining degree requirements, the student will be awarded a degree without special notation on the diploma and transcript. If degree requirements are not waived, a special notation will be added to the diploma and transcript.
a. Terminally Ill

If approved by all levels as specified herein, special consideration may be given for a terminally ill student as determined by a qualified healthcare provider. Before the student dies, the student and family may be informed of the college’s/school’s and UNM’s decision to award the degree. The dean, department chair, or other appropriate representatives may present the degree in a private gathering as a special gesture to the family and student. The family will receive the diploma as soon as it is produced.

b. Rare and Unusual Situations

If approved by all levels as specified herein, degrees may be awarded to a student or former student due to extraordinary circumstances. These situations are extremely rare and unusual, and the required criteria will be determined on a case-by-case basis by UNM. A request for consideration of granting a degree for an extraordinary circumstance, must describe the exceptional situation(s) that impacted the student’s ability to complete the academic program.

Applicability

All academic UNM units, including the Health Sciences Center and Branch Community Colleges.

Definitions

No specific definitions are required for the Policy.

Who should read this policy

- Students
- Faculty members
- Staff in Office of the Dean of Students
- Academic administrators

Related Documents

Regents Policy Manual

- RPM 1.1 “Responsibilities of the Board of Regents”

Contacts

Direct any questions about this policy to Office of the University Secretary.

Procedures

Approval of these degrees by the Board of Regents will follow established degree approval processes.
History

- February 27, 2007--Approved by the Faculty Senate
D100: Dishonesty in Academic Matters

Policy

Dishonesty on the part of a student in connection with either course material or student records is a serious matter involving the possibility of disciplinary action. Since the members of the faculty have a direct responsibility in the enforcement of the standards involved, the following formal statement was prepared, incorporating the current regulation and the procedures for implementing it.

1. The following statement appears among the scholastic regulations listed in the UNM Catalog and Pathfinder:

"Each student is expected to maintain the highest standards of honesty and integrity in academic and professional matters. The University reserves the right to take disciplinary action, up to and including dismissal, against any student who is found guilty of academic dishonesty or otherwise fails to meet these standards.

Academic dishonesty includes, but is not limited to, dishonesty in quizzes, tests, or assignments; claiming credit for work not done or done by others; and nondisclosure or misrepresentation in filling out applications or other university records."

2. When a violation of the regulation occurs in connection with a course, seminar, or any other academic activity under the direction of a faculty member, that faculty member is authorized to take whatever action is deemed appropriate, but no penalty in excess of an "F" in the course and the involuntary withdrawal of the student from the class may be imposed. Whenever this penalty is imposed; the instructor may report the case in full detail in writing to the Dean of Students, who may impose additional sanctions or refer the matter to the Student Conduct Committee for a determination of whether additional sanctions are warranted.

It is also important to point out that before a faculty member takes action on any alleged violation of this rule, the instructor should be certain that there is substantial evidence to support the charge.

3. When academic dishonesty occurs in connection with any test or examination not connected with a course, but administered by an officer of the University or in connection with any non-disclosure or misrepresentation in filling out applications or other University records, the person who observes or discovers the violation shall transmit in writing to the Dean of Students a statement describing the occurrence. A copy shall be sent to the student. The Dean of Students shall determine the sanction following procedures set forth in section 3.4 of the Student Grievance Procedure.

4. Action taken by the Student Conduct Committee shall be completed within the time limits and extension provisions outlined in section 9.1 of the Student Grievance Procedure. Copies of the final decision will be sent to the faculty member's chairperson, dean and to the dean of the student's college if different.

The procedure described above with reference to the Student Conduct Committee removes none of the instructor's authority heretofore practiced in such matters, but rather strengthens and gives uniformity to action taken by making use of an appropriate committee upon which both faculty and students serve.

On the whole, experience shows that student committee members deal as rigorously with dishonesty as do administrative officials, individual faculty members, or faculty committees. More important than consistency or rigorousness of punishment, however, is the simple consideration that student government, student self-reliance, and student responsibility develop further and more firmly when student representatives actually take a role in dealing with student behavior.

In order to be as fair as possible to students, it is recommended that faculty members teaching lower division courses inform the class, at the beginning of each course, as to their policy and the University policy with reference to dishonest academic practices. Students thus informed will thereafter have no basis for pleading ignorance of regulations.
Refer also to Information: D10: Academic Integrity and D175: Undergraduate Student Conduct and Grievance Procedures, Faculty Handbook.
D170: Student Attendance

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Faculty Senate Policy Committee
Office Responsible for Administration: Dean of Students

Revisions to the Policy Rationale, Policy Statement, and Applicability sections of this document must be approved by the full Faculty Senate.

Policy Rationale

Class attendance is critical for the overall success of the students at the University of New Mexico (UNM). However, there are situations when a student may qualify for an excused absence and be provided with the opportunity to make up assignments or examinations missed. This Policy describes absences that normally qualify as excused absences and provides the process for reporting such absences and completing missed assignments and exams.

Policy Statement

The absences listed below are normally excused unless the instructor determines that the absences are excessive or adversely impact learning, or fundamentally alter the course or program. An excused absence does not relieve the student of responsibility for missed assignments, exams, etc. The student is to take the initiative in arranging with the instructor(s) to make up missed work, and it is expected that the instructor will cooperate with the student in reasonable arrangements in this regard. However, the student must recognize that some classes or class-work (quizzes, seminars, labs, etc.) cannot be made up. Classes or class-work that cannot be made up will be identified in the syllabus and the nature of any documentation required will be described.

To ensure equitable treatment of students, when there is concern on the type of absences that should be excused and reasonable accommodations for such absences, instructors are encouraged to consult with their chair or dean, or the Dean of Students or equivalent position designated for graduate or professional schools or colleges and branch community colleges.

1. UNM Official Absences

Instructors should excuse absences due to UNM official absences which result when a student is required to represent UNM at University functions or related extracurricular activities such as professional meetings, academic competitions, field trips, research activities, NCAA athletic competitions, or other similar activities. UNM Official Absence(s) will be determined by a college dean or the Provost, or designee.

2. Legally or Administratively Compelled Absence(s)

Instructors must excuse absences due to a legally or administratively compelled absence when a student is required to participate in legal proceedings or administrative procedures. This includes mandatory admissions interviews for professional or graduate school.

3. Military Obligations

Instructors must excuse absences due to military obligations for students serving in the military, military reserves, or National Guard of the United States who are required to miss class due to military obligations. If the military obligations require
withdrawal, the instructor should refer to the *UNM Catalog* or contact the Dean of Students Office or equivalent position for graduate or professional schools or colleges and branch community colleges for procedures pertaining to withdrawal and re-enrollment of military personnel.

### 4. Illness, Accident, or Death in the Family

Instructors should excuse unexpected absences due to personal or family illness, accident, or death in the family. Instructors may require students who are ill for more than fifteen percent (15%) of required contact hours to obtain official notification from the Dean of Students office or equivalent position designated for graduate or professional schools or colleges and branch community colleges.

### 5. Disability

Instructors must excuse absences due to disabilities where reasonable. Such requests must be processed in accordance with *University Administrative Policy 2310 “Reasonable Accommodation for Students with Disabilities.”* For a short-term disability due to an illness or injury not covered by the Americans with Disabilities Act (ADA), students should contact the Dean of Students Office or equivalent position designated for graduate or professional schools or colleges and branch community colleges for assistance. These offices can also assist instructors with verification of the short-term disability.

#### 5.1. Attendance Accommodation for Students with Disabilities

Attendance during scheduled class times is a necessary part of the learning process. The Accessibility Resource Center (ARC) may recommend flexibility in attendance for some students. This accommodation should be provided unless the accommodation fundamentally alters the course or program. The following six (6) factors should be used in considering if attendance is an essential element of the course and the flexibility in attendance recommended is not considered a reasonable accommodation:

1. Are there classroom interactions between the instructor and the students and among the students?
2. Do student contributions constitute a significant component of the learning process?
3. Does the functional nature of the course rely on student participation as an essential method for learning?
4. To what degree does a student's failure to attend constitute a significant loss to the educational experience of the other students in the course?
5. What do the course description and syllabus say?
6. What are the classroom practices and policies regarding attendance?

If an instructor disagrees with the determination by ARC, the instructor should follow the procedures listed in *University Administrative Policy 2310 “Reasonable Accommodation for Students with Disabilities.”*

### 6. Pregnancy

In accordance with Title IX of the Educational Amendments of 1972, instructors must treat pregnancy related absences as excused as long as deemed medically necessary by the student's healthcare provider. If the length of absence is more than fifteen percent (15%) of required contact hours, the student may be required to obtain official notification from the Dean of Students Office or equivalent position designated for graduate or professional schools or colleges and branch community colleges. If instructors have any questions, they may contact the UNM Office of Compliance, Equity, and Equal Opportunity (CEEO).

### 7. Religious Observances

In recognition of UNM’s diverse student population, instructors are encouraged to schedule important class events to minimize conflict with major religious observances. Students who request that an absence be excused for religious reasons must be granted reasonable accommodations. Instructors should be sensitive to the difficulty some students may have anticipating all religious obligations. Absences due to religious accommodations should be requested in accordance with Policy *C260 “Religious Accommodations.”*

### 8. Request for Reconsideration
If a request for an excused absence and/or reasonable accommodation is denied by an instructor, the student may seek informal resolution of the matter by submitting a request for reconsideration to the department chair, program/course director, or equivalent position or designee. Given the need for timeliness of the issue, the student’s request for reconsideration should be addressed as expeditiously as possible. This does not preclude the student from addressing the matter further in accordance with Policies D175 “Undergraduate Student Conduct and Grievance Policy” or D176 “Graduate and Professional Student Conduct and Grievance Policy.”

**Applicability**

The Policy Statement above is applicable to all academic UNM units, including the Health Sciences Center and Branch Community Colleges.

Revisions to the remaining sections of this document may be amended with the approval of the Faculty Senate Policy Committee and Operations Committee in consultation with the responsible Faculty Senate Committee listed in Policy Heading.

**Definitions**

There are no additional definitions for this Policy.

**Who should read this policy**

- Instructors
- Staff in the Office of the Dean of Students
- Staff at Student Health and Counseling (SHAC)
- Administrative staff responsible for student events

**Related Documents**

Faculty Handbook

- Policy C220 “Holidays”
- Policy C260 “Religious Accommodations”
- Policy D175 “Undergraduate Student Conduct and Grievance Policy”
- Policy D176 “Graduate and Professional Student Conduct and Grievance Policy.”

The Pathfinder — UNM Student Handbook, “Student Grievance Procedures”

**Contacts**

Direct any questions about this policy to Dean of Students Office or equivalent position designated for graduate or professional schools or colleges and branch community colleges.

**Procedures**

The following procedures pertain to undergraduate students at the Albuquerque campus. Branch community college, graduate, and professional students are subject to the above Policy Statement but should follow the attendance procedures
issued by their respective school or college, when available.

Absences due to the situations described in the Policy Statement above are to be reported by the student to the instructor(s) and to the Dean of Students Office in accordance with the procedures listed herein. If the student is unable to contact the instructor(s), the student should leave a message at the instructor’s department.

1. Course Attendance Expectations

Students are expected to fulfill all course requirements, including attendance if specified. Course instructors are responsible for setting attendance policies for their individual courses except where academic units, required by special circumstances such as accreditation standards, establish unit-wide policies through normal faculty governance procedures. Instructors should inform students of their expectations for attendance and participation on the first day of class and are encouraged to include this Policy in the course syllabus. Instructors may also require students to notify them of anticipated absences at the beginning of the semester and may require reasonable verification of the reason for an excused absence such as a doctor’s note, hospital billing, military orders, or death notices.

Instructors may drop students with excessive absences with a grade of W. Instructors may also assign a failing grade of "F" at the end of the semester for excessive unexcused absences but should inform students if they will be dropped or penalized for unexcused absences. Academic units may also reserve the right to cancel a course reservation for a student who does not attend the first class meeting of the semester, although notification should be made before the student is dropped and reasonable accommodations should be made for excused absences. Students should not assume that nonattendance results in being dropped from class. It is the student’s responsibility to initiate drops or complete withdrawals within published deadlines utilizing the appropriate process.

2. Verification of Absence

Verification (such as doctor’s note, hospital billing, military orders, death notices, etc.) of a student's report of absence will be provided by the student if requested by the instructor or the Dean of Students Office. Student athletes shall submit documentation to their instructors.

3. Short-Term Absence (Less than or Equal to 15% of Required Contact Hours)

The Dean of Students Office will encourage the student to speak directly with the instructor to work out absences that are less than or equal to fifteen percent (15%) of required contact hours. When requested by an instructor, the Dean of Students Office may assist with verification of absences that are less than or equal to fifteen percent (15%) of required contact hours on a case-by-case basis.

4. Extended Absence (More than 15% of Required Contact Hours)

The Dean of Students Office, as a service to instructors and students, will send absence notifications to the respective instructor should an absence be more than fifteen percent (15%) of required contact hours. This service will only be utilized when an absence is for a family/student medical issue, death of a family member, military leave, or a UNM sponsored activity. The absence notification process is only meant as a notification and not meant to excuse the absence. Excusing an absence is entirely up to the instructor of the course. Verification of extended absences is recommended (such as a doctor's note, hospital billing, etc.)

5. Exceptions

It should be noted that written medical excuses for class absence will not be issued routinely by Student Health and Counseling (SHAC) except in the case of physical education classes, where participation would be detrimental to the student's condition. Where confirmation of a student's attendance at SHAC is required by an instructor, this will be furnished on direct enquiry, without revealing the medical details necessitating such attendance. If it appears that a student will be absent for more than 15% of required contact hours, the Dean of Students Office will be notified.

History
April 28, 2020 -- Amended by Faculty Senate
D175: Undergraduate Student Conduct and Grievance Procedures

Approved by: Faculty Senate and UNM President
Effective: February 7, 2022
Responsible Committee: Faculty Senate Policy Committee
Office Responsible for Administration: Dean of Students

Revisions to the Policy Rationale, Policy Statement, and Applicability sections of this document must be approved by the full Faculty Senate and the UNM President after consultation with the ASUNM President and the Dean of Students.

Policy Rationale

The University of New Mexico (UNM) is committed to academic excellence and student success. This Policy provides procedures for resolution of disputes of an academic nature between undergraduate students and UNM faculty, allegations of discrimination or sexual harassment by undergraduate students, and allegations of other kinds of undergraduate student misconduct, as well as procedures for handling undergraduate student disciplinary matters.

Policy Statement

Whenever possible, it is important to take a supportive problem-solving approach to resolving academic disputes. However, UNM may take disciplinary action against an undergraduate student for a violation of the Student Code of Conduct or other UNM policy when the offense occurs on UNM premises or at a UNM-sponsored event, or when the violation occurs off campus and failure to take disciplinary action is likely to disrupt the academic process or other campus functions or endanger the health, safety, or welfare of the UNM community or any individual student or employee.

1. Matters Covered Under this Policy

The following types of disputes or disciplinary matters are covered by this Policy and handled in accordance with the procedures described in the Procedures Section of this document. Any questions about these procedures should be directed to the Office of the Dean of Students. The Dean of Students may create additional processes and procedures that are in accordance with this Policy to aid the Dean of Students in administration of this Policy.

1.1. Academic record disputes involving undergraduate students seeking retroactive withdrawal, enrollment, or disenrollment or for other academic record changes.

1.2. Academic disputes arising within the academic process, whereby an undergraduate student believes that academic progress has been evaluated in an unfair or improper manner by a faculty member or academic program/department in connection with the academic process. For example, it applies to disputes over assignment of grades, decisions about program or degree requirements or eligibility, or claims that course requirements are unfair.

1.3. Allegations of Academic Dishonesty arising from violation of academic dishonesty rules as defined in the Definitions Section herein.

1.4. Allegations of Discrimination and/or Sexual Harassment
UNM urges any individual who has experienced discrimination, sexual harassment, sexual misconduct, and/or sexual violence, or has knowledge about such an incident, to report the incident to the Title IX Coordinator at the Office of Compliance, Ethics, and Equal Opportunity (CEEO) within 24 hours, or as soon as reasonably practicable, by calling (505) 277-5251 or by email at oeounm@unm.edu. Confidential and/or anonymous reports can be made (refer to Procedures Article 4 herein for reporting options); however, confidential and/or anonymous reports cannot be made by responsible employees, as defined in UAP Policies 2720 and 2740. Complaints can also be made to the UNM Ethicspoint Hotline at 1-888-899-6092. The UNM CEEO is tasked with investigating allegations of discrimination based on protected status, sexual harassment, and sexual misconduct. If UNM, as represented by the designated Hearing Officer, determines that an undergraduate student has violated UNM’s anti-discrimination or sexual harassment policies, disciplinary proceedings shall be handled under the Procedures set forth in Article 4 herein.

1.5. Allegations of Student Misconduct NOT Involving Discrimination or Sexual Harassment arising from violation of the Student Code of Conduct or other UNM policy.

2. Matters that may also be Covered under other UNM Policies

2.1. Health Sciences Center (HSC) Students

Additional policies and procedures listed in section 6.3.2 herein apply to HSC undergraduate students.

2.2. Visitors to the UNM campus

Visitors to the UNM campus are subject to the Visitor Code of Conduct.

3. Matters Not Covered Under This Policy

3.1. Disputes involving access to information in an undergraduate student's educational records shall follow procedures set forth in the UNM Student Records Policy, published in the student handbook, the Pathfinder.

3.2. Grievances arising out of an undergraduate student’s status as a UNM employee hired through the Student Employment Office shall follow procedures set forth in the UNM Student Employee Grievance Procedure, published in the student handbook, the Pathfinder.

3.3. Disputes involving matters occurring in the residence halls shall follow the procedures set forth in the Residence Hall Handbook in addition to this Policy.

3.4. Any undergraduate student grievances concerning decisions made by UNM personnel, outside the academic process, for which specific procedures are not established, shall be resolved between the undergraduate student and the office or department involved. If no resolution is reached, the parties may appeal to the appropriate dean or director and then to the appropriate vice president, Provost, or Executive Vice President (EVP) for Health Sciences. Appeals should be filed in writing within ten (10) working days of the decision.

3.5. Resolution of disputes of an academic nature initiated by graduate or professional students shall follow Faculty Handbook Policy D176 “Graduate and Professional Student Conduct and Grievance Policy.”

Applicability

All UNM academic faculty, staff, and administrators.

Revisions to the remaining sections of this document may be amended with the approval of the Faculty Senate Policy Committee and Operations Committee in consultation with the responsible Faculty Senate Committee listed in Policy Heading.
Definitions

Academic Dishonesty includes, but is not limited to: plagiarism (including self-plagiarism); dishonesty in quizzes, tests, or assignments; claiming credit for work not done or done by others; hindering the academic work of other students; misrepresenting academic or professional qualifications within or outside UNM; and nondisclosure or misrepresentation in filling out applications or other University records.

Complaint refers to:

- request for formal resolution of academic matters per Section 2.3, herein;
- allegations of prohibited discrimination as defined herein filed with UNM's Office of Compliance, Ethics, and Equal Opportunity (CEEO); or
- allegations of misconduct referred to the Dean of Students per Section 5.2, herein

Discrimination includes all forms of unlawful discrimination based on an individual's or group's protected class(es), including unlawful discrimination based on age (40 and over), ancestry, color, ethnicity, gender identity, gender/sex, genetic information, medical condition, national origin, physical or mental disability, pregnancy, race, religion, sexual orientation, spousal affiliation, veteran status, and any other protected class as described in University Administrative Policy 2720 and 2740. Sexual harassment is a form of gender discrimination that includes sexual violence, which is considered a severe form of sexual harassment. For purposes of this Policy, "discrimination" also includes retaliation for having made allegations of discrimination, having participated in an investigation into allegations of discrimination, or otherwise having engaged in opposition to unlawful discrimination. Retaliation is explicitly prohibited under University Administrative Policies 2200, 2720, and 2740.

Misconduct is any activity performed by a UNM undergraduate student that violates state and/or federal laws or regulations, local ordinances, or UNM policy.

Office of Compliance, Ethics, and Equal Opportunity (CEEO) is the UNM office that processes allegations of discrimination based on protected status, or sexual harassment as defined herein. CEEO does not make policy violation determinations, nor does it issue sanctions for violations of policy.

Undergraduate Students include both full-time and part-time students pursuing undergraduate studies, degree and non-degree, including credit and non-credit courses. Student status continues for the entire period of enrollment, including UNM holidays, class breaks, and summer session, if the student is enrolled for the preceding spring and following fall academic terms.

Working Days refer to UNM traditional work days defined by UNM Human Resources as five (5) work days Monday through Friday ending at 5:00 PM. Working days do not include official UNM holidays listed in UAP Policy 3405 “Holidays.”

Who should read this policy

- Undergraduate students including branch community college students
- Faculty members
- Staff in the Office of the Dean of Students
- Staff in the Office of Compliance, Ethics, and Equal Opportunity (CEEO)
- Staff at Student Health and Counseling (SHAC)
- Administrative staff responsible for undergraduate student events

Related Documents

Regents Policy Manual

- RPM 1.5 “Appeals to the Board of Regents”
Contacts

Direct any questions about this Policy to Dean of Students Office or the applicable HSC Dean.

Procedures

Reasonable deviations from these procedures by UNM will not invalidate a decision or proceeding unless significant prejudice results. At branch community colleges, the role of Dean of Students will be performed by the applicable position designated at each branch community college.

Article 1. Academic Record Disputes

1.1. Scope This article sets forth the procedures which should be followed by an undergraduate student seeking retroactive withdrawal, enrollment, or disenrollment, or for other academic record changes involving exceptions to the rules governing registration and academic records which are set forth in the UNM Catalog. It does not cover disputes involving academic judgment (e.g. grades).

1.2. Petitions

1.2.1. An undergraduate student seeking a change in the student’s academic record within the scope of this article shall submit a petition to the Registrar’s Office for consideration by the Faculty Senate Admissions and Registration Committee. The petition shall:

1. Include a statement of the nature of the request including why the student feels it should be granted.
2. Specify the semester involved and the subject/department code, course, and section numbers.
3. Specify the student's name, UNM I.D. number, mailing address, email address, and telephone number.
4. Include documentation of extenuating circumstances, such as medical, family, or employment needs.
5. Be typed and signed.
6. Optionally, include supporting statements from involved faculty and academic units.

1.2.2. Upon receipt of the petition, the Registrar’s Office shall forward a copy to the instructor of the course. The instructor shall make any response within fifteen (15) working days of receipt. If the instructor has not responded within fifteen (15)
working days, the Faculty Senate Admissions and Registration Committee (“Committee”) shall proceed to consider the petition without the instructor's response.

1.3. Appeal

At the next regular meeting after receipt of the instructor's response (or lack of response), the Faculty Senate Admissions and Registration Committee shall take action on the petition. If the Committee denies the petition, it shall issue a brief statement giving the reasons for the denial. Absent any new information from the undergraduate student, the Committee’s decision shall be final. If the undergraduate student has new information that was unavailable at the time the Committee made the decision and that may affect the Committee’s decision of denying the petition, the undergraduate student may request reconsideration from the Committee. The Committee’s decision upon reconsideration is final for UNM.

Article 2. Academic Disputes

2.1. Scope

This article sets forth the procedures which should be followed by an undergraduate student who believes that academic progress has been evaluated in an unfair or improper manner by a faculty member or academic program/department. For example, it applies to disputes over assignment of grades, decisions about program or degree requirements or eligibility, or claims that course requirements are unfair.

2.2. Informal Resolution

2.2.1. The undergraduate student should first try to resolve the grievance informally by discussing the grievance with the faculty member as soon as reasonably possible after the undergraduate student becomes or should have become aware of the matter. If the undergraduate student and faculty member cannot reach agreement, the undergraduate student should discuss the grievance with the chairperson or supervisor of the department or division. If the grievance is still not resolved, the undergraduate student should discuss the grievance with the appropriate dean. When the dispute arises from a particular course, the appropriate dean is the dean of the college offering the course.

2.2.2. In these informal discussions, the chairperson, supervisor, or dean is encouraged to mediate the dispute actively. In particular, the chairperson, supervisor, or dean should talk to both the undergraduate student and the faculty member, separately or together, and should examine any relevant evidence, including any written statements the parties wish to submit.

2.2.3. These informal discussions shall be completed within twenty (20) working days after the undergraduate student initially raised the issue with the faculty member.

2.3. Formal Resolution of Academic Matters

If the informal discussions do not resolve the grievance, the undergraduate student may bring a formal complaint using the procedures set forth in the following sections. During the formal resolution process, the chairperson and/or dean cannot overrule a faculty member's academic judgment. This formal complaint process shall begin within ten (10) working days following completion of the informal discussions.

2.3.1. The undergraduate student shall make a written complaint to the appropriate dean within ten (10) working days following completion of the informal discussions.

2.3.2. The complaint shall describe the grievance, including a statement of what happened, and the undergraduate student's reasons for challenging the action or decision. The complaint shall also describe the undergraduate student's attempts to resolve the grievance informally. The undergraduate student may attach copies of any relevant documents. The undergraduate student shall send a copy of the complaint to the faculty member and the faculty member’s chairperson. The faculty member shall have five (5) working days from the receipt of the complaint to respond in writing to the dean. A copy of the faculty member’s response shall be provided to the undergraduate student, consistent with the federal Family Educational Rights and Privacy Act (FERPA).
2.3.3. In making a determination on the formal complaint, the dean shall receive and review any written evidence or statements submitted by the parties, and shall provide both parties the opportunity to review and respond to all evidence. The dean shall interview each party and may interview other persons with relevant information. At the dean’s discretion, the dean may decide to hold an informal hearing involving both parties and any witnesses. Where the dispute primarily concerns factual questions, rather than matters of academic judgment, the dean should normally hold such a hearing. If a hearing is to be held, the dean will give the parties no less than five (5) working days notice. The undergraduate student and/or faculty member shall be allowed to bring an advisor to the hearing, but legal counsel shall not be permitted. Cross-examination of witnesses shall be permitted, but the dean may require that questions be directed through the dean.

2.3.4. At the dean’s discretion, the dean may convene an advisory committee to hold a hearing or otherwise help the dean evaluate the dispute. For this purpose, the dean may utilize a standing committee appointed within the dean's college.

2.3.5. The dean shall issue a written decision explaining the dean’s findings, conclusions, and reasons for the decision. The decision shall be sent to each party, and to the faculty member’s chair. The decision shall be made within twenty (20) working days after the complaint is filed, unless an informal hearing is held, in which case the decision shall be made within thirty (30) working days. (This period may be extended to allow for UNM holidays or other periods when UNM is not in session.) The chairperson or dean cannot overrule a faculty member’s academic judgment.

2.4. Appeal of Formal Decision

During the appeal process, the Provost, EVP for Health Sciences, President, and/or Board of Regents cannot overrule a faculty member's academic judgment.

2.4.1. Appeal to Provost or EVP for Health Sciences

Either party may appeal in writing the dean's decision to the Provost or EVP for Health Sciences within ten (10) working days of receipt of the decision. The Provost or EVP for Health Sciences or designee shall resolve the grievance utilizing any procedures available to the dean set out above. At the Provost’s or EVP for Health Sciences’ discretion, the Provost or EVP for Health Sciences may refer the matter to the Faculty Ethics and Advisory Committee for consideration of disciplinary action against the faculty member involved, if such action appears warranted.

2.4.2. Appeal to the Board of Regents

In accordance with Regent Policy 1.5, students affected by a decision of the administration, faculty, student government, or hearing board may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) working days of the date of the written decision from the last reviewer.

Article 3. Academic Dishonesty

3.1. Scope

This article sets forth procedures which shall be followed in cases of suspected academic dishonesty as defined in the Definitions Section of this Policy. These procedures are not exclusive; various UNM departments and programs may have additional policies and procedures on academic dishonesty.

3.2. Academic Dishonesty within Courses: Faculty-Imposed Consequences

3.2.1. When a violation of the academic dishonesty rules appears to have occurred within the academic process, the faculty member shall discuss the apparent violation with the undergraduate student as soon as possible and give the undergraduate student an opportunity to explain. The faculty member may impose an appropriate consequence within the scope of the academic activity, such as grade reduction and/or involuntary withdrawal from the course. The faculty member shall notify the undergraduate student of the academic consequence.
3.2.2. The faculty member may report the matter to the Dean of Students Office, by submitting written documentation describing the events and indicating if the faculty member wishes the Dean of Students Office to pursue any additional disciplinary action against the undergraduate student. The faculty member may use the Dean of Students Office’s faculty adjudication form in submitting the written documentation. The Dean of Students Office will notify the undergraduate student of the report, and the undergraduate student may request a copy of the report from Dean of Students Office. In cases where the undergraduate student has multiple findings of academic dishonesty, the Dean of Students Office may initiate additional disciplinary action in accordance with the Policy.

3.2.3. The undergraduate student may challenge a faculty-imposed consequence using the process defined in section 2.3 herein.

3.3. Academic Dishonesty in Other Settings

When academic dishonesty occurs other than in connection with a course, the person who observes or discovers the apparent violation may transmit a statement describing the occurrence in writing to the appropriate faculty member or the Dean of Students. The Dean of Students Office will notify the undergraduate student of the report, and the undergraduate student may request a copy of the report from Dean of Students Office. The faculty member or Dean of Students will address the situation in accordance with sections 3.2.1 or 3.4 herein, respectively.

3.4. Sanctions Imposed by the Dean of Students

Upon receiving a report of academic dishonesty pursuant to section 3.3 herein, the Dean of Students may initiate disciplinary action in accordance with this Policy. In some instances, a faculty member may impose academic consequences and the undergraduate student may also be sanctioned by the Dean of Students for violating the Student Conduct Policy. A decision of the Dean of Students may be appealed in accordance with Section 5.5 herein.

Article 4. Allegations of Discrimination and/or Sexual Harassment

UNM urges any individual who has experienced discrimination, sexual harassment, sexual misconduct, and/or sexual violence, or has knowledge about such an incident, to report the incident to the Title IX Coordinator at the Office of Compliance, Ethics, and Equal Opportunity (CEEO) within 24 hours, or as soon as reasonably practicable, by calling (505) 277-5251 or by email at oeounm@unm.edu. Confidential and/or anonymous reports can be made; however, confidential and/or anonymous reports cannot be made by responsible employees, as defined in UAP Policies 2720 and 2740. Complaints can also be made to the UNM Ethicspoint Hotline: 1-888-899-6092.

UNM recognizes that an individual who has experienced sexual misconduct may want to speak with someone on campus before deciding whether to report the incident to the police or CEEE for investigation. UNM and community partners have developed a victim-centered and victim-controlled process. The following centers are designated advocacy and support sites for those students who have experienced all types of crimes or violence including sexual misconduct. Students who utilize these centers may talk with anonymity to individuals employed at these centers. However, these centers will report the nature, date of report, and general location of the incident to UNM’s Clery Act Compliance Officer.

- LoboRESPECT Advocacy Center – Phone Number: (505) 277-2911 Website: loborespect.unm.edu
- LGBTQ Resource Center – Phone Number: (505) 277-5428 Website: lbgtqrc.unm.edu
- Vassar House – Phone Number: (505) 277-0191 Email: vassarhouse@salud.unm.edu
- Women’s Resource Center – Phone Number: (505) 277-3716 Website: women.unm.edu

4.1. Scope

This article sets forth the procedures which should be followed when there are allegations that an undergraduate student has engaged in an act of discrimination or sexual harassment, which includes sexual misconduct and sexual violence.

4.2. Reporting to and Investigation by the Office of Compliance, Ethics, and Equal Opportunity (CEEO)

4.2.1. Allegation(s) that a student has engaged in an act of discrimination or sexual harassment will be referred to UNM’s Office of Compliance, Ethics, and Equal Opportunity (CEEO) for investigation pursuant to CEEO’s Discrimination
Grievance Procedure. A duly appointed UNM Hearing Officer will determine, in accordance with approved procedures, whether UNM’s antidiscrimination or sexual harassment policies have been violated.

4.2.2. Neither CEEO nor the Hearing Officer has sanctioning authority. If the respondent is an undergraduate student and is found to have violated policy, the Dean of Students Office will determine the sanction to be imposed, as defined through Regent Policy 4.2 “Student Code of Conduct.” If the respondent is an HSC undergraduate student, the Dean of Students Office will determine the sanction in consultation with the applicable HSC dean or designee. Before determining sanctions for sexual discrimination, the Dean of Students must consult with the Title IX Coordinator to ensure compliance with Title IX and to ensure consistency of sanctions pertaining to the Hearing Officer’s determination. Sanctions should be designed to eliminate the misconduct, prevent its recurrence, and remedy its effects, while supporting UNM’s educational mission and obligations under UNM policy and state and federal law, including but not limited to Title IX of the Education Amendments of 1972 (including 2020 Regulations), the Civil Rights Act of 1964, and the New Mexico Human Rights Act. A finding of policy violation by the hearing officer and the sanction imposed will be considered issued at the same time, if the two are provided to the student within five (5) business days of each other. Either party can choose to appeal either or both the finding of policy violation and the sanction as described herein.

If the respondent is a faculty member, the faculty member’s department chair will determine the sanction to impose in accordance with Faculty Handbook Policy C07 “Faculty Disciplinary Policy.” If the respondent is a staff member, the staff member’s supervisor will determine the sanction to be imposed in accordance with University Administrative Policy 3215 “Performance Management.”

4.3. Appeals

4.3.1. Appeal to the UNM President

The student may appeal the Hearing Officer’s finding and, if applicable, the Dean of Students’ sanction. If a student wishes to appeal both the Hearing Officer’s determination and the imposed sanction, the appeals must be filed at the same time; separate appeals will not be permitted.

The appeal must be in writing and contain a statement specifying what action(s) is/are being appealed and the grounds for appeal. The request for appeal must be received at the Office of the President within seven (7) working days of the date of the written decision from either the Hearing Officer or the Office of the Dean of Students, whichever is later.

Appeals of the Hearing Officer’s determination or sanctions issued for violations of the University’s prohibition against discrimination, including sex discrimination, sexual harassment, sexual misconduct, or sexual violence, are only permissible in accordance with CEEO Discrimination Grievance Procedures, which list allowable grounds and procedures for appeal.

Either the sanctioned student or complainant may appeal the Hearing Officer’s determination of a sanctioning decision in cases involving discrimination, sexual harassment, sexual misconduct, or sexual violence.

4.3.2. Appeal to the Board of Regents

In accordance with Regent Policy 1.5, students affected by a decision of the administration, faculty, student government, or hearing board may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) working days of the date of the written decision from the last reviewer.

4.4. Disciplinary Information Provided to Victim of Violence or a Non-forcible Sex Offense

The individual who alleges that they were subjected to a crime of violence or a non-forcible sex offense will receive the final results of the disciplinary proceedings conducted by UNM issued to the student who is the alleged perpetrator of the offense(s) alleged. If the individual who is alleged to have been subjected to the crime of violence or non-forcible sex offense at issue is deceased as a result of such offense(s), the next of kin of such individual shall be treated the same as that individual for the purpose of disclosing the final result of the disciplinary proceedings.
Additionally, in cases of sexual violence as described herein, the respondent, complainant, and inquiring parties have the right to be notified in writing of the final determination and any sanctions imposed to the extent permitted by the federal Family Educational Rights and Privacy Act (FERPA).

Article 5. Allegations of Student Misconduct NOT Involving Discrimination or Sexual Harassment

5.1. Scope

This article sets forth the procedures which should be followed when there are allegations that an undergraduate student violated Regent Policy 4.2 “Student Code of Conduct” or other UNM policy not involving discrimination or sexual harassment, which are addressed in Article 4 herein.

5.2. Referral of Misconduct to Dean of Students Office for Non-HSC Students

Allegations of misconduct in violation of the Student Code of Conduct or other UNM policy must be in writing and submitted to the Dean of Students Office which has primary authority to deal with disciplinary matters pertaining to undergraduate students other than HSC undergraduate students. Complaints of alleged misconduct should be submitted as soon as possible after the event takes place, preferably within sixty (60) calendar days. Absent just cause, complaints must be submitted within one (1) year following discovery of the suspected misconduct.

The standard of proof utilized to resolve misconduct violating the Student Code of Conduct charges shall be that of preponderance of the evidence, meaning that the evidence, considered in its entirety, indicates that, more likely than not, the accused undergraduate student (or chartered student organization) violated UNM policy or the Code of Conduct. Charges will be resolved in accordance with the Dean of Students Procedures. A decision, in most cases, will be rendered within sixty (60) calendar days of the filing of a complaint. This date can be modified at the discretion of the Dean of Students if deemed necessary such as to conduct a hearing that protects the rights of all parties. Decisions of the Dean of Students pertaining to undergraduate students are subject to appeal in accordance with Section 5.5 herein.

An undergraduate student allegedly committing a criminal offense under state or federal law that is also a violation of the Student Code of Conduct or other UNM policy may be subject to UNM disciplinary proceedings. UNM may pursue disciplinary action against an undergraduate student at the same time the undergraduate student is facing criminal charges for the same offense, even if the criminal prosecution is pending. UNM may also pursue disciplinary action even if criminal charges were dismissed, reduced, or resolved in favor of the undergraduate student-defendant.

5.3. Referral of Misconduct to Applicable HSC Dean for HSC Undergraduate Students

Allegations of misconduct by an HSC undergraduate student in violation of the Student Code of Conduct, HSC Student Conduct policies, or other UNM policy must be in writing and submitted to the applicable HSC dean. Complaints of alleged misconduct should be submitted as soon as possible after the event takes place, preferably within sixty (60) calendar days. Absent just cause, complaints must be submitted within one (1) year following discovery of the suspected misconduct.

The standard of proof utilized to resolve misconduct charges shall be that of preponderance of the evidence, meaning that the evidence, considered in its entirety, indicates that, more likely than not, the accused undergraduate HSC student violated UNM or HSC policies. The applicable HSC dean will render a decision within sixty (60) calendar days of the filing of a complaint. This date can be modified at the discretion of the dean if deemed necessary such as to conduct a hearing that protects the rights of all parties.

An HSC undergraduate student allegedly committing a criminal offense under state or federal law that is also a violation of the Student Code of Conduct or other UNM policy may be subject to UNM disciplinary proceedings. UNM may pursue disciplinary action against an HSC undergraduate student at the same time the HSC undergraduate student is facing criminal charges for the same offense, even if the criminal prosecution is pending. UNM may also pursue disciplinary action even if criminal charges were dismissed, reduced, or resolved in favor of the HSC undergraduate student-defendant.

5.4. Emergency Suspension and Banning from Campus
The Dean of Students may immediately suspend an undergraduate student (or chartered student organization) and/or ban an undergraduate student if the Dean concludes that the person’s continued presence on the campus may endanger persons or property or may threaten disruption of the academic process or other campus functions. When a person has been immediately suspended or banned by the Dean of Students, the person may request to meet with the Dean to consider whether the emergency suspension should be continued. For undergraduate students and chartered student organizations, an emergency suspension or banning does not end the disciplinary process. Resolution of the charges will proceed as set forth herein.

5.5. Appeals, Records, and Rights

5.5.1. Appeal of Sanctions Issued by Dean of Students

The decision on sanctions pertaining to undergraduate students made by the Dean of Students may be appealed to the Vice President for Student Affairs if the sanction imposed by the Committee is suspension, expulsion or banning from the campus, or results in a significant interruption toward degree completion. The undergraduate student must submit a written request for appeal to the Vice President for Student Affairs within seven (7) working days of the date of the written decision from the Dean of Students. The grounds for appeal to the Vice President are that: 1) there was significant procedural error of a nature sufficient to have materially affected the outcome; 2) the decision was not in accordance with the evidence presented; 3) there is significant new evidence of which the appellant was not previously aware, that the appellant could not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

The Vice President for Student Affairs will send written notification of the decision to the appealing party within seven (7) working days of receiving the request for appeal. A copy of the decision shall be sent to the Dean of Students.

5.5.2. Appeal of Sanctions Issued by the Applicable HSC Dean

Decisions regarding HSC undergraduate students receiving a sanction of suspension, expulsion or banning from campus, or which results in a significant interruption toward degree completion imposed by the applicable HSC dean for violations of UNM or HSC policies may be appealed to the EVP for Health Sciences. The undergraduate HSC student must submit a written request for appeal to the Office of the EVP for Health Sciences within seven (7) working days of the date of the written decision from the applicable HSC dean. The grounds for appeal to the EVP for Health Sciences are that: 1) there was significant procedural error of a nature sufficient to have materially affected the outcome; 2) the decision was not in accordance with the evidence presented; 3) there is significant new evidence of which the appellant was not previously aware, that the appellant could not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

The EVP for Health Sciences will notify the appealing party of the EVP for Health Sciences’ decision within ten (10) working days of receiving the request for appeal. A copy of the decision shall be sent to the applicable HSC dean.

5.5.2.1. Discretionary Appeal to the UNM President

The President has the discretionary authority to review the decision of the EVP for Health Sciences. A request for a review by the President shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President’s Office within seven (7) working days of the date of the written decision from the last reviewer.

5.5.3. Appeal to the Board of Regents

In accordance with Regent Policy 1.5, students may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President’s Office within seven (7) working days of the date of the written decision from the last reviewer.

6.1. Undergraduate Student Conduct Records

Records regarding undergraduate student conduct shall be kept in the Dean of Students Office for a period of ten (10) years after final disposition, except for records of expulsions which shall be permanently maintained. Copies of the final decision shall, in an academic dishonesty case, be sent to the faculty member.

6.2. Rights of the Parties Participating in Grievances

The rights of the parties participating in grievances as provided herein include:

6.2.1. The party charged with an alleged violation has the right to written notice of the charges at issue in the proceeding that contains sufficient detail and time to prepare for a hearing.

6.2.2. The party charged with an alleged violation has the right to a timely hearing before an appropriate official or committee.

6.2.3. The party charged with an alleged violation has the right to know the nature and source of the evidence used in a hearing process.

6.2.4. Both parties have the right to present evidence on their own behalf.

6.2.5. Both parties have the right to choose not to testify and/or not to answer questions; in such cases, the decision maker will decide the charges based upon all of the evidence presented.

6.2.6. Subject to the limits set forth in this Policy, both parties have the right to be accompanied by an advisor at a hearing. The advisor may be an attorney retained by a party at their own expense. The advisor, including an attorney advisor, cannot act as a representative of the advisee, cannot have a voice in meetings or hearings and therefore is not permitted to present arguments or evidence or otherwise participate directly in meetings or hearings.

6.2.7. The party alleging that the accused undergraduate student engaged in misconduct has the right to submit a victim impact statement to the hearing officer or committee during the sanctioning portion of the discipline process.

6.2.8. The party alleging that the accused undergraduate student engaged in misconduct has the right to have past irrelevant behavior excluded from the discipline process.

6.2.9. Both parties have the right to be free from retaliation for having made an allegation of misconduct or having participated in a grievance under this procedure. See UAP Policy 2200 “Reporting Suspected Misconduct and Whistleblower Protection from Retaliation.”

6.3. Variances

6.3.1. Introduction

This Policy, to the extent applicable, shall apply to all UNM units. Because of differences in administrative structure, however, some modifications to these rules are necessary. The following sections identify those modifications.

6.3.2. Health Sciences Center

Undergraduate students in academic programs in the Health Sciences Center (HSC) have adopted student codes of conduct (including standards of professionalism) with which undergraduate students in those academic programs must comply, in addition to the UNM Student Code of Conduct and other UNM policies. Except for allegations of discrimination or sexual harassment, which shall be referred to the UNM CEEO Office as provided in Article 4 herein, to the extent that HSC academic programs have adopted policies and procedures that govern the adjudication of undergraduate student conduct and undergraduate student grievance matters, those policies and procedures supersede this Policy. A decision by the dean of the School of Medicine, College of Pharmacy, College of Nursing, or College of Population Health may be appealed to the EVP for Health Sciences, or designee, under procedures adopted by the EVP for Health Sciences’ Office. Discretionary review by the UNM President and Board of Regents, as provided for in Section 5.5 herein, is accorded to undergraduate students in
academic programs in the HSC.

6.4. Former Students

These procedures apply to disputes between undergraduate students and other members of the UNM community. If the undergraduate student has left the UNM community (by graduation or otherwise), these procedures shall continue to apply so long as the event giving rise to the dispute occurred while the student was a member of the UNM community and so long as UNM has the power to resolve the matter. UNM retains the right to change grades or rescind degrees, when, after the grade or degree has been awarded, it discovers new information indicating that the grade or degree was not earned in accordance with all UNM academic, student conduct and other applicable requirements and policies.

6.5. Designees of Deans, Vice Presidents, or Senior Level Administrators

Whenever this Policy specifies an action or decision by a college/school dean, the Dean of Students, a vice president, or other senior level administrator, that individual may delegate consideration and decision of the matter to a designee. Such designee will normally be, but is not required to be, a member of the decision maker's staff.

History

- September 13, 2022 - Revisions approved by the Faculty Senate Operations Committee
- September 7, 2022 - Revisions approved by the Faculty Senate Policy Committee
- February 7, 2022 – Revisions approved by the President
- January 25, 2022 – Revisions approved by Faculty Senate
- December 1, 2021 – Revisions approved by Faculty Senate Policy Committee
- August 14, 2020 – Revised to address Title IX Rule Changes
- April 15, 2020 – Revisions approved by the President
- September 24, 2019 – Revisions approved by the Faculty Senate
- May 13, 2014 – Revisions approved by the President
- July 2, 2013 – Revisions approved by the President
- June 19, 2001 – Revisions approved by the President
- March 5, 1999 – Revisions approved by the President
- May 1995 – Revisions approved by the President
- May 1994 – Revisions approved by the Faculty Senate
- August 11, 1987 – Approved by Board of Regents
- May 2, 1087 – Approved by GSA Senate
- April 1, 1987 – Approved by ASUNM Senate
- March 10, 1987 – Approved by Faculty Senate
D176: Graduate and Professional Student Conduct and Grievance Procedures

Approved by: Faculty Senate and UNM President
Effective: February 7, 2022
Responsible Committee: Faculty Senate Graduate and Professional Committee
Office Responsible for Administration: Graduate Studies and Dean of Students

Revisions to the Policy Rationale, Policy Statement, and Applicability sections of this document must be approved by the Faculty Senate and the UNM President after consultation with the GPSA President, Graduate Studies, and the Dean of Students.

Policy Rationale

The University of New Mexico (UNM) is committed to academic excellence and student success. This Policy provides procedures for resolution of complaints, disputes, or grievances of an academic nature initiated by students enrolled in graduate and professional degree programs at UNM. It also addresses allegations of discrimination or sexual harassment, and allegations of student misconduct, as well as procedures for handling student disciplinary matters. This Policy does not apply to undergraduate students in professional schools, which are subject to Faculty Handbook Policy D175 “Undergraduate Student Conduct and Grievance Policy.”

Policy Statement

Whenever possible, it is important to take a supportive problem-solving approach to resolving academic disputes. However, UNM may take disciplinary action against a student for a violation of the Student Code of Conduct or other UNM policy when the offense occurs on UNM premises or at a UNM-sponsored event, or when the violation occurs off campus and failure to take disciplinary action is likely to disrupt the academic process or other campus functions, or endanger the health, safety or welfare of the UNM community or any individual student or employee.

1. Matters Covered under this Policy

1.1. Petitions to Modify Academic Requirements due to unusual or extraordinary events.

1.2. Academic record disputes involving students seeking retroactive withdrawal, enrollment, or disenrollment, or for other academic record changes.

1.3. Academic disputes arising within the academic process, whereby a student believes that academic progress has been evaluated in an unfair or improper manner by a faculty member or academic program/department in connection with the academic process. For example, it applies to disputes over assignment of grades, decisions about program or degree requirements or eligibility, or claims that course requirements are unfair.

1.4. Allegations of Academic Dishonesty arising from violation of academic dishonesty rules as defined in the Definitions Section.

1.5. Allegations of Discrimination and/or Sexual Harassment
UNM urges any individual who has experienced discrimination, sexual harassment, sexual misconduct, and/or sexual violence, or has knowledge about such an incident, to report the incident to the Title IX Coordinator at Office of Compliance, Ethics, and Equal Opportunity (CEEO) within 24 hours, or as soon as reasonably practicable, by calling (505) 277-5251 or by email at oeounm@unm.edu. Confidential and/or anonymous reports can be made (refer to Procedures Article 5 herein for reporting options). Complaints can also be made to the UNM Ethicspoint Hotline: 1-888-899-6092. The UNM CEEO is tasked with investigating allegations of discrimination based on protected status, sexual harassment, and sexual misconduct. If UNM, as represented by the designated Hearing Officer, determines that a graduate student has violated UNM anti-discrimination or sexual harassment policies, disciplinary proceedings shall be handled under the Procedures set forth in Article 5 herein.

1.6. Allegations of Student Misconduct NOT Involving Discrimination or Sexual Harassment arising from violation of the Student Code of Conduct or other UNM policy.

2. Matters that may also be Covered under other UNM Policies

2.1. School of Law

Students attending the UNM School of Law must comply with the UNM Law School Bulletin and Handbook of Policies (Bulletin), in addition to this Policy. Allegations of academic misconduct, as enumerated in the Law School Student Code of Conduct (found in the Bulletin), are addressed by the processes defined in that Code. Other kinds of alleged misconduct, except for allegations of an act of discrimination or sexual harassment, may be addressed as described in the School of Law Administrative Due Process Policy and Procedure (found in the Bulletin). Allegations that a student in the School of Law has engaged in any discriminatory or sexual harassment as provided in Article 5 herein shall be referred to the UNM CEEO Office.

The Bulletin governs students enrolled in the Law School and to the extent this Policy differs from the policies and procedures in the Bulletin, the Bulletin supersedes this Policy. The School of Law may refer cases of alleged student misconduct to the Dean of Students for review and possible action under the UNM Student Code of Conduct. Discretionary review by the Board of Regents, as provided for in Procedures Sections 5.3 and 6.8 herein, is accorded to students in the School of Law.

2.2. Health Sciences Center

Graduate and professional students in academic programs in the Health Sciences Center (HSC) have adopted student codes of conduct (including standards of professionalism) with which students in those academic programs must comply, in addition to the UNM “Student Code of Conduct” and other UNM policies. Except for allegations of discrimination or sexual harassment, which shall be referred to the UNM CEEO, it is recognized that HSC academic programs may have adopted policies and procedures that govern the adjudication of student conduct and student grievance matters. Such policies and procedures supersede this Policy. A decision by the dean of the School of Medicine, College of Pharmacy, College of Nursing, or College of Population Health may be appealed to the University President, under procedures adopted by the Office of the President.

Discretionary review by the Board of Regents, as provided for in Procedures Sections 5.3 and 6.8 herein, is accorded to graduate and professional students in academic programs in the HSC.

3. Matters Not Covered Under This Policy

3.1. Disputes involving access to or information in a student’s educational records shall follow procedures set forth in the UNM Student Records Policy, published in the student handbook, The Pathfinder.

3.2. Grievances arising out of a student’s status as a UNM employee hired through the Student Employment Office shall follow procedures set forth in the UNM Student Employee Grievance Procedure, published in the student handbook, The Pathfinder.

3.3. Any student grievances concerning decisions made by UNM personnel, outside the academic process, for which specific procedures are not established, shall be resolved between the student and the office or department involved. If no resolution
is reached, the parties may appeal to the appropriate dean or director and then to the appropriate vice president, Provost, or EVP for Health Sciences. Appeals should be filed in writing within ten (10) working days of the decision.

3.4. Disputes arising from a graduate or professional student holding an assistantship shall follow procedures in the Faculty Handbook.

Applicability

All academic UNM units, including the Health Sciences Center.

Revisions to the remaining sections of this document may be amended with the approval of the Faculty Senate Policy Committee and Operations Committee in consultation with the responsible Faculty Senate Committee listed in Policy Heading.

Definitions

Academic Dishonesty includes, but is not limited to: plagiarism (including self-plagiarism); dishonesty in quizzes, tests, or assignments; claiming credit for work not done or done by others; hindering the academic work of other students; misrepresenting academic or professional qualifications within or outside UNM; and nondisclosure or misrepresentation in filling out applications or other University records.

Complaint refers to:
- request for informal resolution of academic matters in Procedures Section 3.3. herein;
- allegations of prohibited discrimination as defined herein filed with UNM's Office of Compliance, Ethics, and Equal Opportunity (CEEO); or
- allegations of misconduct referred to the Dean of Students per Procedures Section 6.2. herein.

Discrimination includes all forms of unlawful discrimination based on an individual's or group's protected class(es), including unlawful discrimination based on age (40 and over), ancestry, color, ethnicity, gender identity, gender/sex, genetic information, medical condition, national origin, physical or mental disability, pregnancy, race, religion, sexual orientation, spousal affiliation, veteran status and any other protected class as described in University Administrative Policy 2720 and 2740. Sexual harassment is a form of gender discrimination that includes sexual violence, which is considered a severe form of sexual harassment. For purposes of this Policy, "discrimination" also includes retaliation for having made allegations of discrimination, having participated in an investigation into allegations of discrimination, or otherwise having engaged in opposition to unlawful discrimination. Retaliation is explicitly prohibited under University Administrative Policies 2200, 2720, and 2740.

Graduate and Professional Students include both full-time and part-time students pursuing graduate or professional studies. Student status continues for the entire period of enrollment, including UNM holidays, class breaks, and summer session, if the student is enrolled for the preceding spring and following fall academic terms. This Policy does not apply to undergraduate students in professional schools.

Misconduct is any activity performed by a UNM graduate or professional student that violates state and/or federal laws or regulations, local ordinances, or UNM policy.

Office of Compliance, Ethics, and Equal Opportunity (CEEO) is the UNM office that processes allegations of discrimination based on protected status, or sexual harassment as defined herein. CEEO does not make policy violation determinations, nor does it issue sanctions for violations of policy.
Working Days refer to UNM traditional work days defined by UNM Human Resources as five (5) work days Monday through Friday ending at 5:00 PM. Working days do not include official UNM holidays listed in UAP Policy 3405 “Holidays.”

Who should read this policy

- Graduate and Professional Students
- Faculty members
- Staff in the Office of the Dean of Students
- Staff in the Office of Compliance, Ethics, and Equal Opportunity (CEEO)
- Staff at Student Health and Counseling (SHAC)
- Administrative staff responsible for student events

Related Documents

Regents Policy Manual

- RPM 1.5 “Appeals to the Board of Regents”
- RPM 4.2 “Student Code of Conduct”
- RPM 4.3 “Student Grievances”
- RPM 4.4 “Student Records”
- RPM 4.8 “Academic Dishonesty”

Faculty Handbook

- C290 “Ombuds/Dispute Resolution Services for Faculty”
- D75 “Classroom Conduct”
- D100 “Dishonesty in Academic Matters”
- D175 “Undergraduate Student Conduct and Grievance Policy”

University Administrative Policies Manual

- UAP 2200 “Reporting Suspected Misconduct and Whistleblower Protection from Retaliation”
- UAP 2720 “Prohibited Discrimination and Equal Opportunity”
- UAP 2740 “Sexual Misconduct”
- UAP 3405 “Holidays”

The Pathfinder “Student Code of Conduct”

Office of Compliance, Ethics, and Equal Opportunity Discrimination Grievance Procedures

The School of Law Bulletin and Handbook of Policies (Bulletin)

HSC School of Medicine, College of Pharmacy, College of Nursing, and College of Population Health Handbooks

Contacts

Direct any questions about this Policy to Graduate Studies or the Dean of Students.

Procedures

Reasonable deviations from these procedures by UNM will not invalidate a decision or proceeding unless significant prejudice results.
UNM School of Law Students

Graduate and professional students attending the UNM School of Law must comply with the UNM Law School Bulletin and Handbook of Policies (Bulletin), in addition to this Policy (see section 2.1 in Policy Statement above for more information). To the extent these Procedures differ from the Bulletin, the Bulletin supersedes these Procedures. Pertaining to law students, the Dean of the Law School, or designee, has the same sanctioning authorities as granted to the Dean of Students, and may fulfill the responsibilities placed with the Dean of Graduate Studies.

Health Sciences Center Students (HSC)

Graduate and professional students in academic programs in the HSC must comply with applicable HSC student codes of conduct in addition to this Policy (see section 2.2 in Policy Statement above for more information). To the extent these Procedures differ from HSC student codes of conduct, the HSC student codes of conduct supersede these Procedures. Pertaining to HSC graduate and professional students, the EVP for Health Sciences, or designee, has the same sanctioning authorities as granted to the Dean of Students, and may fulfill the responsibilities placed with the Dean of Graduate Studies.

Article 1. Petition to Modify Academic Requirements

Graduate and professional students wishing to petition to modify academic requirements should contact the head of graduate and professional programs for their respective school or college. Graduate and professional students at the HSC wishing to petition to modify academic requirements should contact their school or college dean. Graduate and professional students at the Law School wishing to petition to modify academic requirements should contact the Associate Dean for Academic Affairs at the Law School.

1.1. Scope

Graduate students may petition the Dean of Graduate Studies for an exception to any of the University-wide policies or regulations specified in the UNM Catalog. Petitions are intended to allow students the opportunity to deal with unusual or extraordinary events, particularly circumstances beyond their control that would penalize them unfairly. It should be kept in mind, however, that a hallmark of fairness is the uniform application of the same standards and deadlines to all students.

1.2. Petition

A petition should clearly state the specific nature of the exception or special consideration being requested and provide a complete but concise justification. If the request involves the extension of a deadline, a proposed new deadline date should be indicated. Petitions must be submitted in the sequence listed below:

1.2.1. The student must first submit the petition to the student’s graduate or professional advisor or equivalent, if one is assigned to the student. The advisor should indicate whether the advisor endorses the student's request, and why.

1.2.2. The petition must next be submitted to the student's graduate unit -- the faculty graduate director, the chair, or the departmental graduate committee, depending upon the practice in the particular unit. The student may choose to submit the petition to the graduate unit even if it was not endorsed by the advisor. The unit should also indicate whether it supports or does not support the student's request, and why.

1.2.3. The petition should then be forwarded to the school or college dean. The student may choose to submit the petition to school or college dean even if it was not supported by the student’s academic unit. The school or college dean or designee may ask the Faculty Senate Graduate and Professional Committee, serving in an advisory capacity, to review the petition and offer its recommendation for approval or disapproval.

A written response to a petition will usually be sent to the student within ten (10) working days from its receipt by the school or college dean, and a copy sent to the academic unit. (This period may be extended to allow for UNM holidays or other periods when UNM is not in session.) The original petition will be retained in the student's file. Petitions that are lacking required documentation will be returned to the student, and will not be considered until all documentation has been received.
1.2.4. The student may appeal the dean’s decision to the Provost/EVP for Health Sciences and Board of Regents in accordance with Section 3.4 herein.

Article 2. Academic Record Disputes

2.1. Scope

This article sets forth the procedures which should be followed by a student seeking retroactive withdrawal, enrollment, or disenrollment, or for other academic record changes involving exceptions to the rules governing registration and academic records which are set forth in the UNM Catalog. It does not cover disputes involving academic judgment (e.g. grades).

2.2. Petitions

2.2.1. A student seeking a change in the student’s academic record within the scope of this article shall submit a petition to Registrar’s Office for consideration by the Faculty Senate Admissions and Registration Committee. The petition shall:

1. Include a statement of the nature of the request including why the student feels it should be granted.
2. Specify the semester involved and the subject/department code, course, and section numbers.
3. Specify the student's name, UNM I.D. number, mailing address, email address, and telephone number.
4. Include documentation of extenuating circumstances, such as medical, family, or employment needs.
5. Be typed and signed.
6. Optionally, include supporting statements from involved faculty and academic units.

2.2.2. Upon receipt of the petition, Registrar’s Office shall forward a copy to the instructor of the course. The instructor shall make any response within fifteen (15) working days of receipt. If the instructor has not responded within fifteen (15) working days, the Faculty Senate Admissions and Registration Committee (“Committee”) shall proceed to consider the petition without the instructor’s response.

2.3. Committee Decision and Appeals Process

At the next regular meeting after receipt of the instructor's response (or lack of response), the Faculty Senate Admissions and Registration Committee shall take action on the petition. If the Committee denies the petition, it shall issue a brief statement giving the reasons for the denial. Absent any new information from the student, the Committee’s decision shall be final. If the student has new information that was unavailable at the time the Committee made the decision and that may affect the Committee’s decision of denying the petition, the student may request reconsideration from the Committee. The Committee’s decision upon reconsideration is final for UNM.

Article 3. Academic Disputes

3.1. Scope

This article sets forth the procedures for resolution of a variety of possible issues related to the academic process. These may include, but are not limited to, issues related to progress toward a degree and allegedly improper or unreasonable treatment, except that disputes or grievances based upon alleged discrimination or sexual harassment should be directed to the Office of Compliance, Ethics, and Equal Opportunity (CEEO) in accordance with Article 5 herein. The procedures may not be used to challenge the denial of admission to a degree program, nor to appeal the refusal of a petition by the Dean of Graduate Studies for an exception to UNM-wide degree requirements, policies, or procedures.

3.2. Informal Resolution

Although conflicts that on occasion occur between students and faculty or administrators may be resolved through formal adjudication, a more informal and productive kind of resolution -- one that is mutually agreed upon by the parties involved -- is strongly encouraged when appropriate and equitable.

3.2.1. A student with a complaint related to academic matters is encouraged to consult with Graduate Studies to discuss the concerns, seek to clarify pertinent rules and regulations governing graduate study, and explore constructive ways to resolve
the problem directly with the faculty member or administrator involved when appropriate and equitable. This should occur as soon as reasonably possible after the student has become aware of the problem.

3.2.2. The student should either directly or with the assistance of the graduate student Ombuds member of the UNM Ombuds/Dispute Resolution Services for Graduate Students meet with the faculty or administrator involved in the complaint to address the problem and to explore the possibility of a jointly achieved resolution. The graduate student Ombuds works closely with the Office of Ombuds/Dispute Resolutions Services for Faculty.

3.2.3. If agreement cannot be reached, the student should either directly or with the assistance of the graduate student Ombuds member seek the assistance of the departmental faculty graduate advisor and/or the chair in resolving the dispute. Department leadership should arrange to avoid any conflicts of interest in hearing the graduate student grievance. If the dispute is with a faculty member in a department different from the student’s, the appropriate chair or advisor would be in the department in which the faculty member resides or in which the course in which the dispute arose was offered. It is expected that these administrators will play an active part in helping to resolve the disagreement. In the event that the graduate unit involved is non-departmentalized, the student may go directly to the school or college dean or director of that unit for assistance.

3.3. Formal Resolution of Academic Matters

If the matter cannot be resolved at the departmental level, the student may bring the problem to the attention of the school or college dean. The school or college dean will determine whether to adjudicate the dispute or to refer the student to the Dean of Graduate Studies for a resolution. If the school or college dean has a conflict of interest pertaining to the dispute, the dispute shall be referred to the Dean of Graduate Studies for a resolution and the Dean of Graduate Studies will perform the duties assigned to the school or college dean in this section. If the dispute is with a faculty member in a school or college different from the student’s, the appropriate dean would be the one in the unit in which the faculty member resides, or in which the course in which the dispute arose was offered. In the resolution of grievances at the level of a school or college dean or the Dean of Graduate Studies, the following procedures will apply.

3.3.1. The Student must submit a formal, written statement of the grievance within ten (10) working days following completion of the informal discussions. This document should summarize the facts that support the grievance, indicate the desired resolution and describe the efforts already made at reaching that resolution, as well as their outcome. The faculty or staff member against whom a grievance has been filed will be sent a copy of the written statement, and will have five (5) working days in which to respond in writing to the school or college dean.

3.3.2. The school or college dean will review all written materials submitted and provide both parties the opportunity to review and respond to all evidence. The school or college dean will interview each party, as well as any other persons who may have relevant information. The school or college dean may elect to hold an informal hearing involving both the parties to the grievance and witnesses. If such a hearing is held, the parties will be given five (5) working days’ notice. Each party will be allowed to bring an advisor to the hearing, who may or may not be an attorney, but the advisor may not participate in the hearing. Cross examination of witnesses will be permitted, although the school or college dean may require that questions be directed though the school or college dean.

3.3.3. The school or college dean may choose to convene an advisory committee to help evaluate the grievance. A school or college dean may utilize a standing committee from that unit; the Dean of Graduate Studies will utilize the Senate Graduate and Professional Committee.

3.3.4. Generally, a written report on the grievance will be issued by the school or college dean within a period of twenty (20) working days after it has been formally filed, unless an informal hearing is held, in which case the decision shall be made within thirty (30) working days. (This period may be extended to allow for periods when UNM is not in session.) The report will explain the school or college dean’s findings, conclusions, decision, and the basis for that decision. A copy will be sent to each party, and to the chairperson or supervisor of the faculty or staff member involved.

3.4. Appeal of Formal Decision

During the appeal process, the chairperson, dean, Provost, EVP for Health Sciences, and/or Board of Regents cannot overrule a faculty member’s academic judgement.
3.4.1. Appeal to Provost or EVP for Health Sciences

Either party may appeal in writing the school or college dean's decision to the Provost or EVP for Health Sciences within ten (10) working days of receipt of the decision. The Provost or EVP for Health Sciences or designee shall resolve the grievance utilizing any procedures available to the school or college dean set out above. The Provost or EVP for Health Sciences may refer the matter to the Faculty Ethics and Advisory Committee for consideration of disciplinary action against the faculty member involved, if such action appears warranted.

3.4.2. Appeal to the Board of Regents

In accordance with Regent Policy 1.5, students affected by a decision of the administration, faculty, student government, or hearing board may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) working days of the date of the written decision from the last reviewer.

Article 4. Academic Dishonesty

4.1. Scope

This article sets forth procedures which shall be followed in cases of suspected academic dishonesty as defined in the Definitions Section of this Policy. These procedures are not exclusive; various UNM departments and programs may have additional policies and procedures on academic dishonesty.

4.2. Academic Dishonesty within Courses: Faculty-Imposed Consequences

4.2.1. When a violation of the academic dishonesty rules appears to have occurred within the academic process, the faculty member shall discuss the apparent violation with the student as soon as possible and give the student an opportunity to explain. The faculty member should consult with Graduate Studies to discuss possible courses of action. The faculty member may impose an appropriate academic consequence within the scope of the academic activity, such as grade reduction and/or involuntary withdrawal from the course. The faculty member shall notify the student of the academic consequence.

4.2.2. The faculty member may report the matter to the Dean of Students by submitting written documentation describing the events and indicating if the faculty member wishes the Dean of Students Office to pursue any additional disciplinary action against the student. The faculty member may use the Dean of Students Office’s faculty adjudication form in submitting the written documentation. The Dean of Students Office will notify the student of the report, and the student may request a copy of the report from Dean of Students Office. In cases where the student has multiple findings of academic dishonesty, the Dean of Students Office may initiate sanction(s) in accordance with this Policy.

4.2.3. The student may challenge an academic consequence imposed by a faculty member using the process defined in Procedures section 3.4. herein. The student may challenge a sanction imposed by the Dean of Students for a code of conduct issue using the process defined in Procedures section 6.8.1 herein.

4.3. Academic Dishonesty in Other Settings

When academic dishonesty occurs other than in connection with a course, the person who observes or discovers the apparent violation may transmit in writing to the appropriate faculty member or Dean of Students a statement describing the occurrence. The faculty member or Dean of Students will send a copy to the student and will address the situation in accordance with Procedures sections 4.2.1 and 4.4 herein respectively.

4.4. Sanctions Imposed by the Dean of Students

Upon receiving a report of academic dishonesty pursuant to section 4.3 herein, the Dean of Students may initiate disciplinary action in accordance with this Policy. In some instances, a faculty member may impose academic consequences and the student may also be sanctioned by the Dean of Students for violating the Student Conduct Policy. A decision of the Dean of Students may be appealed in accordance with Section 6.8.1 herein.
**Article 5. Allegations of Discrimination or Sexual Harassment**

UNM urges any individual who has experienced discrimination, sexual harassment, sexual misconduct and/or sexual violence, or has knowledge about such an incident, to report the incident to the Title IX Coordinator at the Office of Compliance, Ethics, and Equal Opportunity (CEEO) within 24 hours, or as soon as reasonably practicable, by calling (505) 277-5251 or by email at oeuonm@unm.edu. Confidential and/or anonymous reports can be made; however, confidential and/or anonymous reports cannot be made by responsible employees, as defined in UAP Policies 2720 and 2740. Complaints can also be made to the UNM Ethicspoint Hotline: 1-888-899-6092.

UNM recognizes that an individual who has experienced sexual misconduct may want to speak with someone on campus before deciding whether to report the incident to the police or CEEO for investigation. UNM and community partners have developed a victim-centered and victim-controlled process. The following centers are designated advocacy and support sites for those students who have experienced all types of crimes or violence including sexual misconduct. Students who utilize these centers may talk with anonymity to individuals employed at these centers. However, these centers will report the nature, date of report, and general location of the incident to UNM’s Clery Act Compliance Officer.

- LoboRESPECT Advocacy Center – Phone Number: (505) 277-2911 Website: loborespect.unm.edu
- LGBTQ Resource Center – Phone Number: (505) 277-5428 Website: lgbtqrc.unm.edu
- Vassar House – Phone Number (505) 277-0191 Email: vassarhouse@salud.unm.edu
- Women’s Resource Center – Phone Number (505) 277-3716 Website: women.unm.edu

**5.1. Scope**

This article sets forth the procedures which should be followed when there are allegations that a student has engaged in an act of discrimination or sexual harassment, which includes sexual misconduct and sexual violence.

**5.2. Reporting to and Investigation by the Office of Compliance, Ethics, and Equal Opportunity (CEEO)**

5.2.1. Allegation(s) that a graduate or professional student has engaged in an act of discrimination or sexual harassment will be referred to UNM’s Office of Compliance, Ethics, and Equal Opportunity (CEEO) for investigation pursuant to CEEO’s Discrimination Grievance Procedure. A duly appointed UNM Hearing Officer will determine, in accordance with approved procedures, whether UNM’s antidiscrimination or sexual harassment policies have been violated.

5.2.2. Neither CEEO nor the Hearing Officer has sanctioning authority. If the respondent is a graduate and/or professional student and is found to have violated policy, the Dean of Students in consultation with EVP for Health Sciences for HSC students, or the Dean of the Law School for law students, or their designees, will determine the sanction to be imposed as defined in Regent Policy 4.2 “Student Code of Conduct.” Sanctions should be designed to eliminate the misconduct, prevent its recurrence, and remedy its effects, while supporting UNM’s educational mission and obligations under UNM policy and state and federal law, including but not limited to Title IX of the Education Amendments of 1972 (including 2020 Regulations), the Civil Rights Act of 1964, and the New Mexico Human rights Act. Before determining sanctions for sexual discrimination, the Dean of Students must consult with the Title IX Coordinator to ensure compliance with Title IX and ensure consistency of sanctions pertaining to the Hearing Officer’s determination. A policy violation finding by the hearing officer and the sanction imposed will be considered issued at the same time, if the two are provided to the student within five (5) business days of each other. Either party can appeal either or both the finding of policy violation and/or the sanction as described herein.

If the respondent is a faculty member, the faculty member’s department chair will determine the sanction to impose in accordance with Faculty Handbook Policy C07 “Faculty Disciplinary Policy.” If the respondent is a staff member, the staff member’s supervisor will determine the sanction to be imposed in accordance with University Administrative Policy 3215 “Performance Management.”

**5.3. Appeals**

5.3.1. Appeal to the UNM President
Students may appeal the Hearing Officer’s finding and, if applicable, the sanction imposed by the Office of the Dean of Students to the UNM President. If a student wishes to appeal both the Hearing Officer’s determination and the imposed sanction, the appeals must be filed at the same time; separate appeals will not be permitted.

The appeal must be in writing and contain a statement specifying what action(s) is/are being appealed and the grounds for appeal. The request for appeal must be received at the Office of the President within seven (7) working days of the date of the written decision from either the Hearing Officer or the Office of the Dean of Students, whichever is later.

Appeals of the Hearing Officer’s determination or of sanctions issued for violations of the University’s prohibition against discrimination, including sex discrimination, sexual harassment, sexual misconduct, or sexual violence, are only permissible in accordance with CEEO Discrimination Grievance Procedures which list allowable grounds and procedures for appeal.

Either the sanctioned student or complainant may appeal the Hearing Officer’s determination or a sanctioning decision in cases involving discrimination, sexual harassment, sexual misconduct, or sexual violence.

5.3.2. Appeal to the Board of Regents

In accordance with Regent Policy 1.5, students affected by a decision of the administration, faculty, student government, or hearing board may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) working days of the date of the written decision from the last reviewer.

5.4. Disciplinary Information Provided to Victim of Violence or a Non-forcible Sex Offense

The individual who alleges that they were subjected to a crime of violence or a non-forcible sex offense will receive the final results of the disciplinary proceedings conducted by UNM issued to the student who is the alleged perpetrator of the offense(s) alleged. If the individual who is alleged to have been subjected to the crime of violence or non-forcible sex offense at issue is deceased as a result of such offense(s), the next of kin of such individual shall be treated the same as that individual for the purpose of disclosing the final result of the disciplinary proceedings.

Additionally, in cases of sexual violence as described in Procedures Article 5 herein, the respondent, complainant, and inquiring parties have the right to be notified in writing of the final determination and any sanctions imposed to the extent permitted by the federal Family Educational Rights and Privacy Act (FERPA).

Article 6. Allegations of Student Misconduct NOT Involving Discrimination or Sexual Harassment

6.1. Scope

This article sets forth the procedures which should be followed when there are allegations that a student violated the Student Code of Conduct or other UNM policy not involving discrimination or sexual harassment, which are addressed in Procedures Article 5 herein.

6.2. Referral of Misconduct to Dean of Students Office (Not Law or HSC Students)

Allegations of misconduct in violation of the Student Code of Conduct or other UNM policy must be in writing and submitted to the Dean of Students Office which has primary authority to deal with disciplinary matters pertaining to students other than law or HSC students. Complaints of alleged misconduct should be submitted as soon as possible after the event takes place, preferably within sixty (60) calendar days. Absent just cause, complaints must be submitted within one (1) year following discovery of the suspected misconduct.

The standard of proof utilized to resolve misconduct violating the Student Code of Conduct charges shall be that of preponderance of the evidence, meaning that the evidence, considered in its entirety, indicates that, more likely than not, the accused student violated UNM policy the Code of Conduct. A decision, in most cases, will be rendered within sixty (60) calendar days of the filing of a complaint. This date can be modified at the discretion of the Dean of Students if deemed necessary such as to conduct a hearing that protects the rights of all parties.
6.3. Referral of Misconduct to the Law School Dean

Allegations of misconduct by a Law student in violation of the Student Code of Conduct or other UNM or Law School policies must be in writing and submitted to the Dean of the Law School. Complaints of alleged misconduct should be submitted as soon as possible after the event takes place, preferably within sixty (60) calendar days. Absent just cause, complaints must be submitted within one (1) year following discovery of the suspected misconduct.

The standard of proof utilized to resolve misconduct shall be that of preponderance of the evidence, meaning that the evidence, considered in its entirety, indicates that, more likely than not, the accused student violated UNM or Law School policy. A decision, in most cases, will be rendered within sixty (60) calendar days of the filing of a complaint. This date can be modified at the discretion of the Dean if deemed necessary such as to conduct a hearing that protects the rights of all parties.

6.4. Referral of Misconduct to the Applicable HSC Dean

Allegations of misconduct by an HSC student in violation of the Student Code of Conduct or other UNM or HSC policies must be in writing and submitted to the applicable HSC dean. Complaints of alleged misconduct should be submitted as soon as possible after the event takes place, preferably within sixty (60) calendar days. Absent just cause, complaints must be submitted within one (1) year following discovery of the suspected misconduct.

The standard of proof utilized to resolve misconduct shall be that of preponderance of the evidence, meaning that the evidence, considered in its entirety, indicates that, more likely than not, the accused student violated UNM policy or HSC policy. A decision, in most cases, will be rendered within sixty (60) calendar days of the filing of a complaint. This date can be modified at the discretion of the dean if deemed necessary such as to conduct a hearing that protects the rights of all parties.

6.5. A student allegedly committing a criminal offense under state or federal law that is also a violation of the Student Code of Conduct or other UNM policy may be subject to UNM disciplinary proceedings. UNM may pursue disciplinary action against a student at the same time the student is facing criminal charges for the same offense, even if the criminal prosecution is pending. UNM may also pursue disciplinary action even if criminal charges were dismissed, reduced or resolved in favor of the student-defendant.

6.6. Unless otherwise specified in the decision, sanctions issued by the Dean of the Law School, applicable HSC dean, or Dean of Students Office (not including an Emergency Suspension as outlined in Procedures Section 6.7 herein) shall not be implemented until the appeal process as set forth under Procedures Section 6.8 herein is completed.

6.7. Emergency Suspension and Banning from Campus

The Dean of Students may immediately suspend a student and/or ban a student if the Dean of Students concludes that the person's continued presence on the campus may endanger persons or property or may threaten disruption of the academic process or other campus functions. When a person has been immediately suspended or banned by the Dean of Students, the person may request to meet with the Dean of Students to consider whether the emergency suspension should be continued. For students an emergency suspension or banning does not end the disciplinary process. Resolution of the charges will proceed as set forth in herein.

6.8. Appeals, Records, and Rights

6.8.1. Appeal of Sanctions Issued by the Dean of Students (Not Law or HSC Students)

6.8.1.1 Appeal to Vice President for Student Affairs

The decision on sanctions pertaining to graduate or professional students, other than Law or HSC students, made by the Dean of Students Office may be appealed to the Vice President for Student Affairs if the sanction imposed is suspension, expulsion, or banning from the campus or results in a significant interruption toward degree completion. The student must submit a written request for appeal to the Vice President for Student Affairs within ten (10) working days of the date of the written decision from the Dean of Students Office. The grounds for appeal to the Vice President for Student Affairs are that:
1) there was significant procedural error of a nature sufficient to have materially affected the outcome; 2) the decision was not in accordance with the evidence presented; 3) there is significant new evidence of which the appellant was not previously aware, that the appellant could not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

The Vice President for Student Affairs will notify the appealing party of the Vice President’s decision within ten (10) working days of receiving the request for appeal. A copy of the decision shall be sent to the Dean of Students.

6.8.2.1. Appeal to the President

Decisions regarding Law students receiving a sanction of suspension, expulsion, or banning from campus, or which results in a significant interruption toward degree completion imposed by the Dean of the Law School for violations of UNM or Law School policies, may be appealed to the President. Decisions regarding HSC graduate or professional students receiving a sanction of suspension, expulsion, or banning from campus, or which results in a significant interruption toward degree completion imposed by the applicable HSC dean for violations of UNM or HSC policies may be appealed to the President.

The student must submit a written request for appeal to the Office of the President within seven (7) working days of the date of the written decision from the applicable dean. The grounds for appeal to the President are that: 1) there was significant procedural error of a nature sufficient to have materially affected the outcome; 2) the decision was not in accordance with the evidence presented; 3) there is significant new evidence of which the appellant was not previously aware, that the appellant could not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

The President will notify the appealing party of the President’s decision and a copy will be sent to the applicable dean.

6.8.2.2. Appeal to the Board of Regents

In accordance with Regent Policy 1.5, students may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) working days of the date of the written decision from the last reviewer.

6.8.3. Appeal of Sanctions Issued by an HSC Dean


7.1. Student Conduct Records

Records regarding student conduct shall be kept in the Dean of Students Office for a period of ten (10) years after final disposition, except for records of expulsions which shall be permanently maintained. Copies of the final decision shall, in an academic dishonesty case, be sent to the faculty member.

7.2. Rights of the Parties Participating in Student Code of Conduct Grievances The rights of the parties participating in grievances as provided herein include:
7.2.1. The party charged with an alleged violation has the right to written notice of the charges at issue in the proceeding that contains sufficient detail and time to prepare for a hearing.

7.2.2. The party charged with an alleged violation has the right to a timely hearing before an appropriate official or committee.

7.2.3. The party charged with an alleged violation has the right to know the nature and source of the evidence used in a hearing process.

7.2.4. Both parties have the right to present evidence in their own behalf.

7.2.5. Both parties have the right to choose not to testify and/or not to answer questions; in such cases, the decision maker will decide the charges based upon all of the evidence presented.

7.2.6. Subject to the limits set forth in Procedures section 3.3.2 both parties have the right to be accompanied by an advisor at a hearing, who may or may not be an attorney, but the advisor may not participate in the hearing. The advisor, including an attorney advisor, cannot act as a representative of the advisee, cannot have a voice in meetings or hearings, and therefore is not permitted to present arguments or evidence or otherwise participate directly in meetings or hearings.

7.2.7. The party alleging that the accused student engaged in misconduct has the right to submit a victim impact statement to the hearing officer or committee during the sanctioning portion of the discipline process.

7.2.8. The party alleging that the accused student engaged in misconduct has the right to have past irrelevant behavior excluded from the discipline process.

7.2.9. Both parties have the right to be free from retaliation for having made an allegation of misconduct or having participated in a grievance under this procedure. Allegations of retaliation should be submitted to the Dean of Students Office. See UAP Policy 2200 “Reporting Suspected Misconduct and Whistleblower Protection from Retaliation.”

7.3. Former Students

These procedures apply to disputes between students and other members of the UNM community. If the student has left the UNM community (by graduation or otherwise), these procedures shall continue to apply so long as the event giving rise to the dispute occurred while the student was a member of the UNM community and so long as UNM has the power to resolve the matter. UNM retains the right to change grades or rescind degrees, when, after the grade or degree has been awarded, it discovers new information indicating that the grade or degree was not earned in accordance with all UNM academic, student conduct, and other applicable requirements and policies.

7.4. Designees of Deans, Vice Presidents, or Senior Level Administrators

Whenever this Policy specifies an action or decision by a school or college dean, the Dean of Students, the Dean of Graduate Studies, a vice president, or a more senior level administrator, that individual may delegate consideration and decision of the matter to a designee. Such designee will normally be, but is not required to be, a member of the decision maker's staff.

History

- September 13, 2022 – Revisions approved by Faculty Senate Operations Committee
- September 7, 2022 – Revisions approved by Faculty Senate Policy Committee
- February 7, 2022 – Revisions approved by the University President
- January 25, 2022 – Revisions approved by Faculty Senate
- December 1, 2021 – Revisions approved by Faculty Senate Policy Committee
- August 14, 2020 – Revised to address Title IX Rule Changes
- April 15, 2020 – Approved by University President
- September 24, 2019 – Approved by Faculty Senate
- March 6, 1997 – Approved by Faculty Senate Graduate Committee
- October 20, 1994 – Approved by Faculty Senate Graduate Committee
Information: D25: Academic Renewal Policy

Information

Academic renewal applies to undergraduate degree-seeking students who have been readmitted to UNM after an absence of five years or more. The procedure allows a currently enrolled student to request his/her academic record be reviewed for the purpose of evaluating previously earned credits and recalculating the student's grade point average from the point of readmission.

Students may obtain petition forms from the Records Office, Room 251, Student Services Center. If all criteria are satisfied, the petition will be approved and the academic record noted. The following guidelines apply:

ACADEMIC RENEWAL GUIDELINES

1. Academic Renewal may be applied only once and is not reversible.

2. An absence of five or more years must have elapsed between readmission and the last enrollment at UNM. (Note: Readmission to the University and acceptance in a degree program must occur prior to Academic Renewal.)

3. The student must be currently enrolled in a degree-seeking status. Additionally, college entrance requirements such as minimum hours and grade point average must still be met after the effect of Academic Renewal. (Note: Academic Renewal will not be applied if total earned credits should fall below the minimum for entrance to the student's academic unit.)

4. At least 12 credit hours but no more than 36 credit hours must be completed in good standing (2.00 grade point average or better) since readmission before Academic Renewal can be applied. (Note: Probationary status is determined by the degree-granting unit and is not automatically changed by Academic Renewal.)

5. All graduation requirements must be satisfied after Academic Renewal, i.e., minimum earned credit, residence credit requirement, cumulative grade point average, etc. (Note: Credit earned prior to Academic Renewal will not count toward satisfying the residence credit requirements.)

6. All courses taken prior to Academic Renewal will remain unaltered on the record. An appropriate notation will be added to the record to indicate Academic Renewal. From prior courses, those with a grade of C or better (or CR) will be carried forward as earned credits only. Acceptability of these credits towards a degree will be determined by the degree-granting unit.

7. Courses with a grade of C- or below taken prior to Academic Renewal will be noted and will not count for earned credits or for satisfying any graduation requirements.

8. Academic Renewal, when applied, will be effective as of the date of the readmission following the five-year absence.

9. The cumulative grade-point average after academic renewal will be calculated on the basis of courses taken since the readmission following the five-year absence.
10. Non-degree, second undergraduate degree, or graduate students are not eligible for Academic Renewal.
Information: D30: Allowable Maximum Semester Load

Information

The maximum number of hours which students may attempt during a regular semester without special approval is 18. During a summer session the maximum number is 9 hours. Individual colleges may place lower limits on students in individual cases at their discretion. It should be noted that hours in excess of 18 during regular semesters and 9 during summer session are subject to a tuition surcharge. (Refer to the Schedule of Classes for the per credit hour amount of these surcharges.)
Information: D40: Audited Courses

A student wishing to audit a course must be formally enrolled at the University either in regular or in nondegree status and must pay the full tuition rate for the course. The student must have the permission of the instructor by the end of the fourth week of the semester. The student must submit an Enrollment Authorization card to the Records and Registration Office to have the audit grade option added to the student's registration. (Refer to the Schedule of Classes for additional information.) This permits proper identification of the student's status as an auditor on the class list given the instructor (refer to Information: D60: Class Lists, Faculty Handbook). Grades are not reported for auditors, but the student's permanent record reflects the enrollment as an auditor. The auditor, having paid the full tuition fee, is allowed full participation in class activities. (See also C320: Enrollment of Faculty in University Courses, Faculty Handbook.)
Information: D60: Class Lists

Information

From data acquired during registration, on-line class lists for each class are available. These lists are available to the instructor of record beginning with the semester’s registration. In addition to alphabetical listings with the names of the students who enrolled during registration for a section, the list will include a truncated social security number, college, enrollment status (credit-no credit, auditor, etc) and e-mail address. In the case of variable credit courses, the class list shows the exact number of hours for which a particular student has enrolled. Students attending class who are not listed must be advised to complete formal registration or add the course by a program change. Students, who do not complete the registration procedure and accordingly are not subsequently listed, are not to be permitted to attend class beyond the second week. The on-line class lists will be updated every evening throughout the semester to keep them current with all student activity regarding the class. (Example: A student dropping the class will be reflected the next day.) The professor is expected to maintain a current permanent class roster.
Information: D75: Classroom Conduct

Information

The classroom instructor is responsible for all classroom conduct, behavior, and discipline. University policy permits only enrolled students, persons authorized by the instructor, and administrative personnel to be admitted to instructional areas during scheduled periods. University policy and New Mexico state law also prohibit all forms of disruptive or obstructive behavior in academic areas or any actions which would disrupt scheduled academic activity. The instructor may refer situations involving classroom misconduct to the Dean of Students for additional action under the Student Code of Conduct as published in the UNM Pathfinder. Use of classrooms and other areas of academic buildings during nonscheduled periods is permitted only in accordance with departmental, college, or university practices.

Any person or persons in unauthorized attendance or causing a disturbance during scheduled academic activity shall be identified by the instructor and asked to leave. Persons refusing such a request may be removed by the University Police and are liable to legal prosecution.

Smoking, eating and drinking are prohibited in all classrooms and teaching laboratories, including seminars.
Information: D105: Examination to Establish or Validate Credit

Information

Degree seeking students in an undergraduate college of the university may, with appropriate written approval, take an examination to establish or validate credit in courses appearing in the university's general catalog. Students may not have been previously enrolled (or have earned a W/WP/WF grade) in the course at the university. Students enrolled in the Graduate School have the same privilege, except that only undergraduate credit can be earned in this manner. Credit cannot be earned by examination to establish credit in nonprofessional physical education activity courses and in some professional physical education courses. A check with the department will be necessary to determine which professional physical education courses can be challenged by examination. Upon authorization, the dean or director of the college offering the course will issue a permit for the examination. This permit must be approved by the department concerned and the dean or director of the student's college. The student must then pay the current tuition rate per credit hour and submit the permit to the person who will administer the examination. Once the examination has been administered and graded the instructor will complete the form and send it to the Records and Registration Office for recording on the student's record. Examination to establish credit can be taken only during the week before classes start through the ending date of the semester or summer session. Credit will be allowed and placed on the student's permanent record as of the semester in which the examination is completed and will not count in the student's grade-point average prior to the completion of that semester. A grade of CR will be recorded for successful completion of examination. Credits earned by examination at university count toward graduation and residence requirements.
Information: D120: Resolving Grade Grievence Involving Failure to Accommodate

Information

The Accessibility Resource Center (ARC) offers services to help all qualified students with disabilities gain equal educational access and opportunities throughout the UNM community. ARC has a Faculty Guide to Accommodating Students with Disabilities which includes information for Faculty and the academic unit on how to resolve a grade grievance involving a failure to accommodate. Please see: as2.unm.edu
Information: D145: Instructor Drops

Information

Instructors may drop students from their classes for reasons of excessive absences. Instructor drop forms are available at the Records and Registration Office and in academic departments. The student is responsible for the completion of every course for which the student has registered; if the student drops a course at any time without completing the official change of program procedures, a grade of F may be assigned even though the student may be passing when she or he stopped attending classes.