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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.)
C07: Faculty Disciplinary Policy

Approved by: Faculty Senate and Board of Regents Effective: March 22, 2022
Responsible FS Committee: Academic Freedom and Tenure Committee and Policy Committee
Office Responsible for Administration: Office of the Provost and Office of the Executive Vice President for Health Sciences

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

Policy Rationale

The University of New Mexico (UNM) is committed to the principles of academic freedom, which rely on the intellectual and professional integrity of faculty members mindful of their rights and responsibilities. Essential to sustaining an environment that supports academic freedom is the requirement for an impartial investigation of alleged faculty misconduct, due process, and when necessary, disciplinary action. It is the responsibility of decision-makers when reviewing alleged faculty misconduct to ensure that the decision-making process is not influenced by a violation of academic freedom, improper consideration, or procedural violations per Faculty Handbook Policy B6 "Academic Freedom and Tenure Committee."

When the need for disciplinary action is identified, UNM normally uses progressive discipline to address misconduct. Progressive discipline is intended to be corrective, not punitive in nature, and is designed to provide faculty with notice and an opportunity to take corrective action. However, some misconduct may be of such a serious nature that suspension without pay or dismissal may be appropriate pursuant to all Faculty Handbook policies, including but not limited to Section B.

Policy Statement

Any member of the UNM faculty assigned to any site or component of UNM, including any faculty member serving as an academic administrator, accused of misconduct will be subject to this Policy. Faculty are still subject to disciplinary, performance management, and rules applicable to their assigned work site or component. If after an inquiry or investigation the faculty member is found to have engaged in misconduct, the faculty member may be subject to a warning, censure, disciplinary probation, suspension without pay, or dismissal in accordance with this Policy. Teaching and research assistants in their faculty capacity are considered faculty members for purposes of this Policy.

Any individual(s) bringing an allegation of faculty misconduct is protected by, and subject to, UNM's policy on reporting misconduct. If the complainant feels the concerns raised were not adequately addressed in accordance with this Policy, the complainant may file a complaint in accordance with UAP Policy 2200 "Reporting Suspected Misconduct and Whistleblower Protection from Retaliation." In accordance with UAP Policy 2200, any member of the UNM community who knowingly gives false or materially inaccurate information; knowingly makes a false report of suspected misconduct or a subsequent false report of retaliation; or who knowingly provides false answers or information in response to an ongoing investigation may be subject to administrative action by UNM including disciplinary action. Any community member who acts with reckless disregard for the truth is subject to disciplinary action.

Care must be exercised at all times to ensure confidentiality to the extent legally permissible to protect the privacy of persons involved in a misconduct inquiry or investigation. The privacy of those who report misconduct in good faith will also be protected to the extent possible. Files involved in an inquiry or investigation shall be kept secure, and applicable state and federal law shall be followed regarding confidentiality of personnel records. Refer to Policy C70 "Confidentiality of Faculty Records." If at any step in this Policy it is determined that no misconduct occurred, the administration will work with the faculty member to the extent possible and appropriate to fully protect, restore, or maintain the reputation of the faculty
Applicability

All UNM academic faculty working at all UNM sites, including administrators who are also faculty, and teaching and research assistants when acting in their faculty capacity. Notwithstanding the foregoing, the terms, conditions, and processes set forth in this Policy shall not apply to allegations, corrective action processes, fair hearings, determinations, or decisions arising under or covered by the Medical Staff Bylaws (including any medical staff rules and regulations and policies and procedures) duly adopted by any hospital to which UNM faculty in their role as clinical personnel may be assigned, including, but not limited to, UNM Hospital, UNM Sandoval Regional Medical Center, Inc., and/or the UNM Dental Surgery Ambulatory Surgery Center. In addition, the terms, conditions, and processes set forth in this Policy shall not apply to the internal processes of any corporation formed by UNM under the University Research Park and Economic Development Act in respect of any assignment of UNM faculty to such corporations. Notwithstanding this, if there is no formal appeals process in effect at these other sites then C07 will take precedence.

Definitions

Allegation is any report or evidence of misconduct reported to a UNM administrator.

Chair: References to the Department Chair in this Policy also includes the program director or associate or vice dean in a non-departmentalized school or college. If allegations are made against a department chair or other administrator or a department chair recuses themself, the next higher academic authority shall perform the functions assigned in this Policy to the chair and the provisions shall be modified as appropriate.

Credible: For the purposes of this Policy, the term credible means offering reasonable grounds for being believed by the department chair responsible for the faculty member whose actions are in question or other individuals authorized to investigate the alleged misconduct.

Faculty member: For the purposes of this Policy, the term faculty member refers to the faculty member whose conduct or actions are in question. Faculty members include teaching and research assistants when acting in their faculty capacity.

Faculty Misconduct Review Committee (FMRC) is a standing committee appointed by the Academic Freedom and Tenure Committee charged with conducting faculty peer hearings specifically for proposed disciplinary actions of either: 1) suspension without pay of any faculty member or 2) dismissal of any faculty member without tenure. AF&T retains authority to conduct all other hearings within its jurisdiction to include violations of academic freedom, improper consideration, or procedural violations per Faculty Handbook Policy B6 "Academic Freedom and Tenure Committee."

Misconduct means conduct or actions that are a substantive violation of laws, regulations, UNM policies, or ethical or professional standards. Examples of misconduct may include, but are not limited to:

- Act(s) of retaliation
- Bullying or threats of violence
- Creating a hostile education or work environment
- Criminal activity such as assault, battery, fraud, theft, or embezzlement
- Discrimination, including sexual harassment
- Failure to disclose conflicts of interest
- Falsification of information
Illegal use of drugs or alcohol
Inappropriate disclosure of confidential information
Misappropriation of UNM funds, property, or resources
Possession and distribution of obscene or pornographic material unrelated to UNM’s academic or research mission
Research misconduct
Violation of standards of integrity in the conduct of scholarly and scientific research and communication

**Personnel Files:** Faculty personnel files as described in Policy C70 "Confidentiality of Faculty Records."

**Progressive Discipline** is designed to provide an opportunity for a faculty member to take corrective action by imposing more moderate discipline to the first offense than to subsequent offenses, unless the misconduct is of such a serious nature that a higher level of immediate discipline is required such as suspension without pay or dismissal.

- **Warning** means an oral reprimand that is not documented in the personnel file.

- **Censure** means a written reprimand, which shall include an explanation of the nature of the misconduct, specific action(s) to be taken by the faculty member and/or department chair to correct the problem, and a statement that further disciplinary action, up to and including dismissal, could occur should the problem persist.

- **Disciplinary probation** involves specific disciplinary action taken for a designated period of time designed to assist the faculty member in correcting misconduct. Examples of disciplinary actions that may be part of the disciplinary probation include, but are not limited to: • Denial of merit-based salary increase • Reassignment within UNM • Fines or restitution • Mandatory counseling

- **Suspension without pay** means disciplinary suspension without regular salary for a stated period of time.

- **Dismissal** means discharge or termination of employment initiated by UNM.

**Working Days** refer to UNM traditional workdays defined by UNM Human Resources as five (5) workdays 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**

- Board of Regents
- Administrators
- Faculty
- Academic staff
- Academic deans and other executives, department chairs, directors, and managers
- Faculty and staff who supervise students serving in a faculty role

**Related Documents**

Board of Regents Policy Manual:

- Policy 5.10 "Conflicts of Interest in Research"
- Policy 5.13 "Research Fraud"
- Policy 6.4 "Employee Code of Conduct and Conflicts of Interest Policy"

Faculty Handbook:
Direct any questions about this Policy to the Office of the Provost or the Office of the Executive Vice President for Health Sciences.

**Procedures**

Any report of alleged misconduct shall be treated in a confidential manner to the extent legally permissible and brought to the attention of the department chair responsible for the faculty member whose actions are in question. The department chair should determine if they can impartially review the allegation; if not, they should recuse themselves. If a department chair decides to recuse, the report should be forwarded to the next higher academic authority who shall perform the functions assigned in this Policy to the chair and the provisions shall be modified as appropriate. The department chair or dean, if chair has recused, should also review the department’s processes and procedures for reviewing the specific type of complaint. If allegations are made against a department chair or other administrator, the next higher academic authority shall perform the functions assigned in this Policy to the chair and the provisions shall be modified as appropriate.

**1. Misconduct Subject to Investigation Procedures in Another Specific UNM Policy**

The department chair will review the alleged misconduct to determine if the investigation process falls under the jurisdiction of another specific UNM Policy with defined investigation procedures. If the alleged misconduct is within the scope of another specific UNM policy that has its own procedures for investigation, the department chair shall forward such allegations to the appropriate person(s) or department(s) for handling pursuant to the applicable policy and provide notice to the faculty member to the extent legally permissible. These policies include, but are not limited to, allegations of research misconduct (FH E40), violation of respectful campus (FH C09), unethical behavior (FH A61.8), discrimination (UAP 2720),
or sexual misconduct (UAP 2740). Depending on the nature of the alleged misconduct, investigations may involve bifurcated processes and result in actions in addition to faculty discipline as described in this Policy.

If the department chair has questions as to whether an allegation is within the scope of another policy, the department chair should consult with the Office of the Provost or Executive Vice President for Health Sciences (EVPHS). After the investigation is completed per the applicable policy, the results will be given to the department chair, who is responsible for determining what, if any, disciplinary action may result.

If an investigation conducted in accordance with another specific UNM policy finds no misconduct, the department chair will inform the faculty member of the determination and document the determination in the faculty member’s personnel file(s) in accordance with Faculty Handbook Policy C70 “Confidentiality of Faculty Records.”

If an investigation conducted in accordance with another specific UNM policy results in a determination that misconduct has occurred, the department chair shall meet with the faculty member to provide the written report of the investigation. Within five (5) working days after meeting with the faculty member, the department chair shall make a decision on what level of disciplinary action, if any, will result. For Title IX cases, the department chair or designee must discuss the disciplinary action with the Title IX Coordinator prior to finalizing the discipline and send a copy of the disciplinary action to the Title IX Coordinator. If the disciplinary action involves a warning, censure, or disciplinary probation, the procedures in Section 5 herein shall be followed; or if the disciplinary action involves suspension without pay or dismissal the procedures in Section 6 herein shall be followed.

2. Academic Freedom and Tenure (AF&T) Jurisdiction

If the department chair determines the allegations might pertain to decision-making processes influenced by 1) violation of academic freedom, 2) improper consideration in which a decision on substantive issues was not based upon impartial professional academic judgment and resulted in prejudice to the faculty member, or 3) procedural violations of Faculty Handbook Policy B6 “Academic Freedom and Tenure Committee” that resulted in prejudice to the faculty member, the department chair should consult with the Chair of the Academic Freedom and Tenure Committee (AF&T).

3. Preliminary Assessment

If there are no AF&T concerns and the investigation of the alleged misconduct does not fall within the jurisdiction of another specific UNM Policy, the department chair will complete a preliminary assessment within five (5) working days after the matter is brought to department chair’s attention. The purpose of the preliminary assessment is to determine whether the allegation is sufficiently credible and specific. The department chair can consult with the dean for assistance with these determinations.

The preliminary assessment is not intended to be an investigation which is covered under Section 4 herein, and consequently the department chair does not necessarily need to interview individuals or gather data beyond any that may have been submitted with the allegation. After completing the preliminary assessment, the department chair will determine the appropriate action as set forth below. The department chair will meet with the faculty member to explain the nature of the alleged violation.

3.1. Allegation(s) Not Sufficiently Credible and Specific

If the department chair determines the allegations are not sufficiently credible and specific, the department chair will inform the faculty member in writing of the determination and ask the faculty member if they wish the determination be documented in the faculty member’s personnel file(s). The department chair will notify the complainant in writing that the report was not found to be specific and credible and therefore no further action will be taken.

3.2. Conciliation

Conciliation is voluntary and may be undertaken if both parties agree. The department chair or the faculty member may initiate conciliation proceedings at any time prior to a disciplinary decision by the department chair. The Ombuds/Dispute
Resolution Services for Faculty Office can provide assistance (refer to Policy C290 "Ombuds/Dispute Resolution Services for Faculty").

3.3. Allegation(s) Pertain to Performance Issues and Not Misconduct

If the department chair determines the allegations are credible and specific but pertain to performance issues and not misconduct, the department chair should address the issue promptly and directly with the faculty member using the regular performance review processes as described in Policy B4 "Faculty Reviews.” This should not wait until the scheduled performance review.

3.4. Alleged Misconduct is NOT within the Scope of Another Specific UNM Policy

If the department chair determines the allegations are credible and specific and the alleged misconduct does not fall within the scope of another specific UNM policy as discussed in Section 1 herein, the department chair will meet with the faculty member to discuss the alleged misconduct within five (5) working days after completion of the preliminary assessment. At the meeting, the department chair will provide a written report to the faculty member that describes the specific alleged misconduct, including a summary of any documentation.

- If the faculty member acknowledges the misconduct, the department chair and the faculty member will discuss possible disciplinary action. If the disciplinary action involves a warning, censure, or disciplinary probation, the procedures in Section 5 herein shall be followed; or if the discipline involves suspension without pay or dismissal the procedures in Section 6 herein shall be followed.

- If the faculty member does not agree that misconduct occurred, the department chair shall initiate an investigation in accordance with Section 4 herein to determine if the allegations meet the definition of misconduct and are credible. The department chair will begin the investigation within five (5) working days after meeting with the faculty member.

4. Investigation of Misconduct NOT Subject to Investigation Procedures in Another Specific UNM Policy

The purpose of the investigation is to explore the allegations in detail, examine the evidence in depth, and determine specifically whether the faculty member engaged in misconduct. The investigation should be conducted in a confidential manner, to the extent legally permissible, and should be completed within fifteen (15) working days after completion of the preliminary assessment. If more time is needed, the chair should discuss the timeline with their respective dean and get the dean’s approval for an extension.

At a minimum the investigation should include a meeting with the faculty member. The faculty member may be accompanied by one (1) person in meeting with the department chair. The faculty member shall notify the department chair at least two (2) working days prior to the scheduled meeting who, if anyone, will be accompanying them at the meeting. Before, during or after the meeting, the department chair may ask the faculty member to respond in writing to the allegations and present any relevant written material within a reasonable time specified by the department chair. The faculty member shall be free to submit any materials the faculty member believes to be relevant no later than five (5) working days after meeting with the department chair unless the department chair grants additional time in writing. The department chair should also meet with other individuals who might have information regarding aspects of the allegations. Within five (5) working days after completion of the investigation, the department chair shall meet with the faculty member and provide a written report that will include a summary of the evidence reviewed and discussions with the faculty member and all individuals interviewed. No disciplinary action shall take place without providing said written report to the faculty member. A signed copy of the report shall be placed in the faculty member's personnel file(s). Signatures may consist of electronic verifications and files may be in electronic form.

4.1. Determination of Disciplinary Action
Within five (5) working days after meeting with the faculty member, the department chair shall make a decision on what level of disciplinary action, if any, will result. If disciplinary action involves a bargaining unit member, the disciplinary procedures listed in the applicable bargaining unit agreement will be followed. For faculty members not in a bargaining unit, if the disciplinary action involves a warning, censure, or disciplinary probation, the procedures in Section 5 herein shall be followed; or if the disciplinary action involves suspension without pay or dismissal the procedures in Section 6 herein shall be followed.

5. Warning, Censure, Disciplinary Probation Proposed

If the department chair, after meeting with the faculty member and considering all materials submitted pursuant to Sections 1 through 4 of this Policy, proposes a warning, censure, or disciplinary probation, the department chair shall meet with the dean within five (5) working days of the meeting with the faculty member to review the matter to determine if the proposed discipline is justified and consistent with discipline within the college. If conciliation has not been attempted previously, the dean may suggest such action. Conciliation is voluntary and may be undertaken if both parties agree. If the proposed discipline is supported by the dean, the department chair may proceed with the discipline by providing the faculty member with a written discipline notice, except for any disciplinary action resulting from an Office of Compliance, Equity, and Equal Opportunity (CEEO) investigation, in which case all appeals must have been resolved prior to taking disciplinary action.

5.1. Appeals

If the faculty member does not agree with the results of the investigation and/or the disciplinary action, the faculty member may appeal a warning, censure, or disciplinary probation in accordance with the following sections; however, the disciplinary action will not be delayed pending appeal.

5.1.1. Appeal to Provost or Executive Vice President for Health Sciences (EVPHS)

The faculty member may submit a written appeal to the Provost or EVPHS within ten (10) working days of receipt of the written discipline notice from the department chair. The Provost/EVPHS will decide the matter based on the investigation’s written report as discussed in sections 1 and 4 herein, unless the Provost/EVPHS determines that it would be helpful to meet with the parties, together or separately. Within ten (10) working days after receipt of the request for review from the faculty member, the Provost/EVPHS shall uphold, modify, or reverse the disciplinary decision by written notice to the parties; or if the Provost/EVPHS determines the investigation was not complete, the Provost/EVPHS may remand the matter back to the department chair for further action.

5.1.2 Academic Freedom and Tenure Committee

The Academic Freedom and Tenure Committee (AF&T) has the authority to review an appeal request brought by a faculty member who believes the matter is within the jurisdiction of AF&T per Policy B6 (see Section 2 above). AF&T will determine whether the matter is within its jurisdiction and, if so, shall handle the matter under the Policy on Academic Freedom and Tenure with further appeals determined by the AF&T process per Policy B6. Normally, the AF&T Committee will not review an appeal request until after a written decision is issued by the Provost/EVPHS.

5.1.3. Appeal to the President

If the faculty member does not agree with the decision of the Provost/EVPHS and/or AF&T determines the matter does not fall in its jurisdiction, the faculty member may request a review by the President. The President has discretion to determine whether the appeal will be considered. The request 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 ten (10) working days of the date of the written decision from the Provost/EVPHS or AF&T if a review was requested by the faculty member.

5.1.4. Appeal to the Board of Regents
A faculty member may appeal the decision to the Board of Regents in accordance with Regent Policy 1.5 "Appeals to the Board of Regents."

6. Suspension Without Pay or Dismissal Proposed

If the department chair, after meeting with the faculty member and considering all materials submitted pursuant to Sections 1 and 4 of this Policy, proposes to suspend the faculty member without pay or dismiss the faculty member, the department chair shall meet with the dean to review the matter to determine if the suspension without pay or dismissal is justified and consistent with discipline within the college. The dean shall meet with the faculty member to discuss the matter and the proposed discipline within five (5) working days after meeting with the department chair. If the proposal to suspend the faculty member without pay or dismiss the faculty member is supported by the dean after meeting with the department chair and the faculty member, the dean shall consult with the Provost or EVPHS within five (5) working days after meeting with the faculty member. The Provost or EVPHS will review the case on the record and issue a decision within five (5) working days after consulting with the dean. If the Provost or EVPHS supports the suspension without pay or dismissal of the faculty member, the decision will be sent to the faculty member within five (5) working days and include notification of the faculty member’s appeal rights including the right to request a faculty peer hearing in accordance with section 6.2.1 herein.

If a lesser disciplinary action is imposed in place of the proposed suspension without pay or dismissal, the faculty member may request a review by AF&T in accordance with section 5.1.2 or discretionary review by the President or the Board of Regents in accordance with sections 5.1.3 and 5.1.4 herein.

6.1. Academic Freedom and Tenure Committee

The Academic Freedom and Tenure Committee (AF&T) has the authority to review an appeal request brought by a faculty member who believes the matter is within the jurisdiction of AF&T per Policy B6, AF&T will determine whether the matter is within its jurisdiction and, if so, shall handle the matter under the Policy on Academic Freedom and Tenure. Normally, the AF&T Committee will not review an appeal request until after a written decision is issued by the Provost/EVPHS.

6.2. Suspension Without Pay for any Faculty Member and Dismissal of Faculty Member Without Tenure

6.2.1. Peer Hearing

If the proposed discipline is suspension without pay of any faculty member or dismissal of a faculty member without tenure, the faculty member may send a request for a peer hearing to the Chair of AF&T. The AF&T Chair will refer the request for a hearing to the Chair of the UNM Faculty Misconduct Review Committee (FMRC) within ten (10) working days of receipt of the Provost’s or EVPHS’s decision for suspension without pay or dismissal.

The Chair of the FMRC will arrange for a peer hearing and appoint a hearing panel composed of five (5) members of the FMRC. The hearing will be held as soon as reasonably possible and shall be conducted according to the Model Hearing Procedures. The Office of the University Secretary shall make arrangements for the hearing and shall provide support for the hearing panel. The hearing shall be recorded and shall be private unless both parties agree that the hearing be open. The hearing panel shall be chaired by one of the faculty members assigned to the hearing panel. The proceedings and the preparation of the decision shall be controlled by the peer hearing panel members.

If the investigative procedure involved a hearing before a faculty committee, any factual determination will not be subject to reconsideration by faculty peer review under this Policy. The hearing panel’s role is to review the discipline action and not to reconsider the finding of misconduct. The hearing panel may uphold or reverse the proposed disciplinary action and submit their recommendation to the FMRC for a final decision. Decisions from the FMRC will be submitted to AF&T for confirmation. If the FMRC’s decision is to reverse the proposal, the FMRC may direct the department chair and dean to impose a lesser disciplinary measure. The FMRC’s decision may be reviewed on the record by the Provost/EVPHS, but the FMRC’s decision shall not be reversed or modified except in the case of clear error. If the Provost/EVPHS reverses or modifies the FMRC decision, the justification shall be detailed in writing by the Provost/EVPHS. The decision of the FMRC and/or Provost/EVPHS is subject to discretionary review by the President or the Board of Regents if requested by the faculty member.
6.2.2. Appeal to the President

If the faculty member does not agree with the decision of the FMRC, the faculty member may request a review by the President. The President has discretion to determine whether the appeal will be considered. The request 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 ten (10) working days of the date of the written decision from the FMRC, unless the President allows for additional time.

6.2.3. Appeal to the Board of Regents

A faculty member may appeal the decision to the Board of Regents in accordance with Regent Policy 1.5 "Appeals to the Board of Regents."

6.3. Dismissal of Tenured Faculty Member Proposed

If the proposed discipline is dismissal of a tenured faculty member, refer to Faculty Handbook Policy B6 for applicable policies and procedures.

History

March 22, 2022 – Approved by Board of Regents
October 26, 2021 – Approved by Faculty Senate
December 13, 2011 – Approved by Board of Regents
March 22, 2011 – Approved by Faculty Senate
C09: Respectful Campus
Approved by: Faculty Senate
Effective: April 25, 2017
Responsible FS Committee: Policy Committee
Office Responsible for Administration: Office of the Provost and Office of the Executive Vice President for Health Sciences

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) is committed to freedom of academic inquiry and encourages an environment of spirited and open debate. UNM does not attempt to shield people from ideas they may find unwelcome, disagreeable, or even offensive. At the same time, UNM is committed to providing a respectful campus that includes a working, learning, and social environment where all members of the UNM community including, but not limited to, regents, administrators, faculty, staff, students, and volunteers work together in a mutually respectful, psychologically healthy manner. UNM strives to foster such an environment because a respectful campus is a necessary condition for success in teaching and learning, in research and scholarship, in patient care and public service, and in all other aspects of UNM’s mission and values.

Policy Statement

Everyone at UNM has a right to be treated with respect and a responsibility to treat others with respect. When these rights and responsibilities are honored and practiced, the UNM campus is a respectful one. This Policy describes the actions and cornerstones, that characterize a respectful campus and to which all members of the UNM community should aspire. Actions that are destructive to a respectful campus will not be tolerated. All members of the UNM community who have witnessed or been a target of destructive actions are encouraged to raise concerns in accordance with this Policy.

1. Constructive Actions

A respectful campus exhibits and promotes the following constructive actions:

1.1. Displaying personal integrity and professional ethics (Faculty Handbook, Section B, Appendix V).

1.2. Practicing fairness.

1.3. Exhibiting respect for individual rights and differences.

1.4. Demonstrating respect for diversity and difference.

1.5. Being responsible and accountable for one's actions.

1.6. Emphasizing communication and collaborative resolution of problems and conflicts.

1.7. Developing and maintaining confidentiality and trust.

2. Cornerstones of a Respectful Campus
The commitment to a respectful campus calls for promotion of an environment where the following are upheld:

2.1. UNM strives for an atmosphere where individuals at all levels and in all units value each other’s contributions and treat each other with respect.

2.2. Individuals in positions of authority serve as role models in the promotion of a respectful campus. Promoting courtesy, civility, and respectful communication is consistent with the responsibility of leadership.

2.3. Individuals at all levels are allowed to discuss issues of concern in an open and honest manner, without fear of reprisal or retaliation.

2.4. The right to address issues of concern does not grant individuals license to make untrue allegations, unduly inflammatory statements or unduly personal attacks, or to harass others, to violate confidentiality requirements, or engage in other conduct that violates the law or UNM policy.

3. Destructive Actions

Actions that are destructive to a respectful campus will not be tolerated.

3.1. Destructive Actions Covered by This Policy

This Policy covers the destructive actions described in sections 3.1.1 through 3.1.1.4. Credible reports of such actions will be addressed in accordance with the Procedures Section of this Policy.

3.1.1. Bullying

Bullying is defined by UNM as repeated mistreatment of one or more individuals or a pattern of mistreatment of more than one individual. This mistreatment can include, but is not limited to the following actions:

3.1.1.1. Verbal Bullying

Verbal bullying, which can be oral, written, or electronic, includes repeated slandering, ridiculing, or maligning of a person or persons; addressing abusive and offensive remarks to a person or persons in a sustained or repeated manner; shouting at others in public and/or in private where such conduct is so severe or pervasive as to cause or create a hostile educational or working environment or unreasonably interferes with a person's work or school performance or participation.

3.1.1.2. Nonverbal Bullying

Nonverbal bullying includes, but is not limited to, directing threatening gestures toward a person or persons or invading personal space after being asked to move or step away.

3.1.1.3. Threatening Action toward a Person’s Job or Well-Being

Making threats, either explicit or implicit, to the security of a person’s job, position, or personal well-being can be bullying. It is not bullying for a supervisor to address an employee’s poor job performance and discuss potential consequences within the framework of UNM policies and procedures, or for a professor or academic program director to advise a student of unsatisfactory academic work and the potential for course failure or dismissal from the program if uncorrected.

3.1.1.4. Anonymous Bullying

Anonymous bullying includes withholding or disguising one’s identity while treating a person in a malicious manner, sending insulting or threatening anonymous messages, placing objectionable objects among a person's belongings, or leaving degrading written or pictorial material about a person where others can see.
Differences of opinion, conflicts, or problems in workplace relationships may occasionally occur as a normal part of working life and should not be considered bullying.

3.1.2. Single Incident of Destructive Action

Bullying is defined in sections 3.1.1 through 3.1.1.4 herein as repeated mistreatment. A single incident should be handled by a supervisor using informal processes.

3.2. Destructive Actions Covered by Other UNM Policies

Credible reports of the destructive actions described below will be addressed in accordance with the applicable policy listed.

3.2.1. Violent Action—refer to UAP 2210 “Campus Violence.”

3.2.2. Sexual harassment—refer to UAP 2730 "Sexual Harassment."

3.2.3. Other forms of harassment—refer to UAP 2720 “Prohibited Discrimination and Equal Opportunity.”

3.2.4. Retaliation—refer to UAP 2200 "Reporting Suspected Misconduct and Whistleblower Protection from Retaliation."

3.2.5. Conduct which can adversely affect UNM’s educational function, disrupt community living on campus, or interfere with the right of others to pursue their education or to conduct their UNM duties and responsibilities—"Visitor Code of Conduct," "Student Code of Conduct," and UAP 2220 "Freedom of Expression and Dissent."

3.2.6. Unethical conduct—refer to UNM Faculty Handbook, Section B, Appendix V, "Statement of Professional Ethics."

4. Supervisor Responsibilities

Supervisors, at all levels, are responsible for addressing indications of destructive actions and resolving them in an appropriate, fair, and prompt manner in accordance with applicable UNM policy.

Applicability

This Policy is applicable to all UNM faculty and academic administrators, including the Health Sciences Center and Branch Campuses. The reporting and investigatory procedures listed in this Policy document are applicable whenever a UNM faculty member or academic administrator is accused of actions destructive to a respectful campus. However, when a resident, fellow, or faculty member in the School of Medicine is accused by a student of violations of this Policy, the reporting and investigatory procedures described in the UNM School of Medicine “Learner Mistreatment Policy” should be followed.

Whenever other members of the UNM Community are accused of actions destructive to a respectful campus, refer to the following policies for reporting and investigatory procedures:

- Staff member accused: Report the destructive action in accordance with UAP 2200 “Reporting Suspected Misconduct and Whistleblower Protection from Retaliation” and UAP 2240 “Respectful Campus.”
- Student accused: Report the destructive action to the Dean of Students Office.
- Unknown Identity of Alleged Wrongdoer: In incidents of anonymous destructive behavior when the wrongdoer is unknown, a staff or faculty member should report the destructive behavior to his or her supervisor, and a student should report the destructive behavior to Dean of Students Office or any of the resources listed in UAP 2200 “Reporting Suspected Misconduct and Whistleblower Protection from Retaliation.”
Definitions

Bullying. Refer to sections 3.1.1 through 3.1.1.4 above for detailed definition.

Who should read this policy

- Board of Regents
- Faculty
- Academic staff
- Academic deans and other executives, department chairs, directors, and managers

Related Documents

University Administrative Policies and Procedures Manual:

- Policy 2200 “Reporting Suspected Misconduct and Whistleblower Protection from Retaliation”
- Policy 2210 “Campus Violence”
- Policy 2220 “Freedom of Expression and Dissent”
- Policy 2240 “Respectful Campus”
- Policy 2720 “Prohibited Discrimination and Equal Opportunity”
- Policy 2730 “Sexual Harassment”
- Policy 3220 “Ombuds Services for Staff”
- Policy 3750 “Counseling, Assistance, and Referral Services”

Faculty Handbook:

- Policy C07 “Faculty Disciplinary Policy”
- Policy C70 “Confidentiality of Faculty Records”
- Section B, Section 5.5, “Suspension” and “Appendix V”

UNM Pathfinder:

- Student Code of Conduct
- Visitor Code of Conduct

UNM School of Medicine "Learner Mistreatment Policy."

Contacts

Direct any questions about this Policy to the Office of the Provost or the Office of the Executive Vice President for Health Sciences (EVPHS).

Procedures

Actions reasonably believed to constitute actions destructive to a respectful campus as described in this Policy should be reported in accordance with the procedures listed herein. These procedures are designed to encourage use of informal and/or
formal processes for reporting and resolving destructive action. Individuals impacted by the negative action may use any of the procedures listed below. Taking informal action does not preclude individuals from taking formal action.

Extreme incidents that result in a fear for one’s safety should be reported directly to UNM Police in accordance with [UAP 2210 "Campus Violence."]

1. Informal Processes

When the destructive actions described in this Policy occur, it is in the best interest of UNM and all parties involved that the actions be stopped as soon as reasonably possible. When possible and practical under the circumstances, all efforts should be made to address and resolve complaints informally.

In many cases resolution can be achieved by bringing the negative action to the attention of the impacted individual’s supervisor or the alleged wrongdoer’s supervisor. If the impacted individual is not comfortable reporting the destructive actions to a supervisor, the individual may report the actions in accordance with the provisions described in this document.

UNM processes and resources can help individuals with informal resolution. These resources which include Counseling, Assistance, and Referral Services (CARS) for faculty and staff, HSC Office of Professionalism, Ombuds Dispute Resolution Services for Faculty, Ombuds Dispute Resolution Services for Staff, Ombuds Dispute Resolution Services for Graduate Students, and the Dean of Students office for undergraduate students, are described in Section 8 below.

2. Formal Processes and Written Complaints

2.1. A formal written complaint pursuant to this Policy should be brought to the attention of the person who has direct supervisory responsibility over the individual(s) whose actions are in question (e.g., chairperson, supervisor, director, dean, Provost, EVP HS), or who is the supervisor of the unit in which the alleged destructive action occurred. A formal complaint may also be made by using the procedures specified in [Policy 2200 “Reporting Suspected Misconduct and Whistleblower Protection from Retaliation,”] which includes a UNM Hotline phone number.

2.2. A complainant should report suspected destructive action as soon as reasonably possible, preferably within 60 calendar days from the time the complainant becomes aware of the suspected destructive action. The complaint should only include those events that occurred no earlier than one year before the date of the complaint. The complaint should include as much of the following as possible:

2.2.1. Clear specific allegations against the named person or persons.

2.2.2. Dates, times, locations, and witnesses to incidents, when possible.

2.2.3. Factual description of events with direct quotes where possible.

2.2.4. Indication of how each incident made the complainant feel.

2.2.5. Documentary evidence.

2.2.6. Description of any action the complainant or others have already taken.

2.3. A report of destructive action that is made under this Policy may or may not identify a specific individual as the alleged wrongdoer. A report of anonymous destructive action can be made under this Policy, even though the alleged wrongdoer is unknown. Regardless of the identification of an alleged wrongdoer, the procedures delineated below will be followed, including an investigation if warranted.

2.4. Regardless of the mechanism chosen for the formal complaint, a written complaint must be prepared and signed by the complainant or—if the complainant chooses to remain anonymous—by the preparer. All written complaints must be brought to the attention of the cognizant supervisor. If an alleged wrongdoer is named in the report, the report will be shared with the person accused of the action so that he or she is made aware that the action described may have been perceived as destructive to a respectful campus. The alleged wrongdoer may provide a written response within 14 calendar days from receipt of the
written complaint. The written response from the alleged wrongdoer will be provided to the complainant.

2.5. Upon receipt of a formal written complaint, the responsible supervisor should interview the complainant, unless the complaint has been anonymous. If an alleged wrongdoer is named, the supervisor should interview both the complainant and the alleged wrongdoer. Based on the written complaint, the interview(s), and written responses, the responsible supervisor may make an initial effort to effect an informal resolution of the matter, but only if an informal approach has not already been tried prior to the receipt of the formal complaint. The supervisor may suggest any of the processes specified in this document or other informal processes as appropriate. In most cases, the alleged wrongdoer may be given a reasonable opportunity to correct or otherwise cease the action before any formal action is taken.

If informal processes are not pursued or are not successful in resolving the matter, the supervisor will make a determination whether the allegation, if substantiated, would constitute a violation of this Policy. If so, the supervisor will initiate an investigation as specified below. If the supervisor determines that the alleged destructive action would not be a violation of this Policy C09, but might be a violation of another UNM policy, the supervisor will refer the matter for review and action as appropriate. If the supervisor determines that the alleged destructive action would not be a violation of UNM policy, but that the situation would benefit from some positive intervention, the supervisor should intervene as appropriate. If the supervisor determines that no further action is needed, the supervisor will submit a written report that includes a copy of the initial complaint, a description of the findings, and the reasons for not conducting an investigation in accordance with Section 3 of these Procedures. The report will be submitted to the supervisor’s supervisor with a copy to the complainant and the alleged wrongdoer. If the complainant is not satisfied with the determination, they may appeal the decision in accordance with Section 4 of these Procedures.

2.6. Faculty may also consult with the Academic Freedom and Tenure Committee (AF&T) if there are allegations of possible violations that are within the jurisdiction of the AF&T Committee. If the AF&T Committee decides that the complaint is within their jurisdiction, they will follow the procedures in Section B of the Faculty Handbook.

3. Investigation

The procedures specified below apply to cases in which both the complainant and the alleged wrongdoer are named. In cases in which the complaint is anonymous or the alleged wrongdoer is not named, or both, the Office of University Counsel (OUC) will advise the responsible supervisor on how to modify the specified procedures.

The responsible supervisor is charged with initiating the investigation by appointing an unbiased investigator within 14 calendar days of receiving the written complaint, or following the conclusion of informal processes if they have been unsuccessful. It is of paramount importance that the investigation be conducted by an unbiased investigator. Prior to appointing an unbiased investigator, the responsible supervisor must confer with OUC for guidance in interpreting this Policy, and in formulating the specific steps to be followed in conducting an unbiased investigation, and in preparing the final investigatory report. OUC will inform the supervisor of the specific matter. Following the advice of OUC, the supervisor who receives the complaint will appoint an independent investigator with no connection to either the complainant or the alleged wrongdoer; the investigator must confer with OUC for guidance.

As soon as it has been determined who will conduct the investigation and how it will be conducted, the investigator will notify the complainant, the alleged wrongdoer, and the supervisor of the alleged wrongdoer, that an investigation has been initiated. If either the complainant or the alleged wrongdoer wishes to request that a different investigator be appointed, a written request, including a detailed justification, must be provided to the supervisor of the alleged wrongdoer within seven (7) calendar days. The supervisor will take the request into consideration and will either confirm the appointment of the original investigator or will appoint a different investigator. The parties will be notified of the supervisor’s decision no later than seven (7) calendar days after receipt of the request. If the investigator decides to appoint an ad hoc committee to assist with the investigation, the alleged wrongdoer and the complainant will be notified in writing and given 14 calendar days to submit a written objection to the membership of the ad hoc committee. The investigator will take the objections into consideration before finalizing the appointments. The membership of the investigatory committee must be finalized no later than 28 calendar days after the alleged wrongdoer and complainant have been provided with the initial notification referenced above.
The investigation should normally include interviews with all parties to the complaint, as well as any others who the complainant or alleged wrongdoer believes will be able to provide material information relevant to the complaint. Additional information may be provided by any of the parties at any point during the investigation. The investigation should normally be completed no later than 42 calendar days after the formal written complaint has been brought to the supervisor of the alleged wrongdoer, or after the membership of the ad hoc committee has been finalized, whichever is later. If the investigation cannot be completed within this time frame, a written notification of the delay, and the reasons for delay, should be provided to the complainant, the alleged wrongdoer, and the supervisor of the alleged wrongdoer. When the investigation has been completed, a confidential report of the investigation will be sent for appropriate action to the supervisor of the alleged wrongdoer, with a written copy provided to the alleged wrongdoer and the complainant, unless the complainant is anonymous. The confidential report will include, at a minimum, the following information:

- Identity of investigator and others involved in conducting the investigation
- Allegations and responses
- Investigative process, including the number of witnesses interviewed, but excluding the identities of the witnesses
- Summary of facts
- Final determination of whether this Policy was violated

The investigator may also choose to include recommendations in the report. Information or recommendations pertaining to disciplinary action will not be included in any documents provided to the complainant.

The investigator will make reasonable efforts to maintain confidentiality. The identities of the alleged wrongdoer and the complainant should be treated with sensitivity. It is recommended, but not required, that the investigator ask everyone involved in the investigation, including witnesses, to sign confidentiality agreements.

The investigator is responsible for thoroughly documenting the investigation and creating an investigatory file. Except as noted in Section 7 below, this file will be maintained in the alleged wrongdoer’s personnel file. The file is confidential and shall be secured in accordance with Policy C70 “Confidentiality of Faculty Records.” The file should include the following:

- Formal written complaint and responses
- Evidence collected from all sources, including interviews
- If applicable, documentation associated with the selection of ad hoc committee members, including any objections made by the alleged wrongdoer and complainant
- If applicable, signed confidentiality agreements
- If applicable, ad hoc committee meeting minutes
- Copy of investigation report

4. Appeals of Investigatory Findings

If the responsible supervisor does not resolve the issue to the satisfaction of the parties to the complaint or within the required time frame, the parties will have 14 calendar days from the date on which they received written notification of the results of the investigation to appeal the decision to the next higher level person in the supervisory chain, who will review the record and determine whether the investigation was reasonably conducted and the findings supported by the evidence. The reviewing official will usually obtain the advice of OUC on how to conduct the review. The reviewing official may uphold, reverse, or modify the findings or may remand the matter for further investigation. A written copy of the reviewing official’s decision, concerning whether a violation of this policy occurred, will be provided to the supervisor of the alleged wrongdoer and the initial investigator; a summary statement will be provided to the alleged wrongdoer and the complainant. If the reviewing official’s determination is not satisfactory to the complainant or the alleged wrongdoer, a final appeal can be made to the Provost or EVPHS, who in their discretion may review the record. Absent discretionary review by the Provost or EVPHS, the decision of the reviewing official, concerning whether a violation of this policy occurred, shall be final. If the Provost or EVPHS reviews the matter, that decision shall be final.

5. Actions Following Investigation

If the final determination is that an individual has violated this Policy, UNM shall take appropriate action, which may include disciplinary sanctions up to and including dismissal from UNM in accordance with Policy C07 “Faculty Disciplinary Policy.”
Whether or not an individual is found to have violated this Policy, reasonable efforts will be undertaken to ensure that complainants who make allegations of destructive actions in good faith and others who cooperate in good faith with inquiries and investigations of such allegations are not retaliated against for initiating or participating in the investigation. Refer to UAP 2200 for information on retaliation.

6. False Information

An employee who knowingly gives false information or knowingly makes a false report of alleged violation of this Policy or who knowingly provides false answers or information in response to an ongoing investigation will be subject to disciplinary action, up to and including dismissal, by UNM.

7. False or Inaccurate Accusations

It is important to protect individuals from false, unsubstantiated, or inaccurate accusations. Therefore, when an allegation of violation of this Policy is not substantiated, the file containing all documents relating to the report, review, or investigation will be sealed and delivered to University Counsel's office. The file will be stored for six (6) years after the date the file is sealed, after which time it may be destroyed.

8. UNM Processes and Resources that can Assist Individuals Impacted by Destructive Actions

The following UNM processes and resources are available to assist individuals impacted by destruction actions. Participation is voluntary. With the agreement of the individuals involved, these services may be utilized in a stand-alone fashion or before, during, or after the investigatory procedure.

8.1. The UNM Counseling, Assistance, and Referral Services (CARS) is an important resource available to all benefits-eligible UNM faculty and staff. CARS can help faculty or staff members to better understand their experience, facilitate resilience, identify options and take action in a constructive manner. Refer to UAP 3750 “Counseling, Assistance, and Referral Services.”

8.2. The HSC Office of Professionalism provides services to the members of the HSC, including faculty, learners, and staff. Services include advice regarding UNM policies and available resources, remedial and growth-oriented coaching, and group/team-based interventions.

8.3. Ombuds Dispute Resolution Services for Faculty is a confidential, impartial, informal, and independent resource for addressing concerns about respectful campus interactions and for exploring the possibility of resolving difficulties at the least adversarial level. Services include confidential respectful consultations about experiences and concerns, discussion of options, information about policies and relevant UNM resources, collaborative problem solving, and mediation. In the mediation process, the individuals decide if and how they will resolve their difficulties and they can write agreements for moving forward. These services are voluntary and are available to faculty at all levels and to faculty administrators. This office coordinates services with Ombuds Dispute Resolution for Staff, Ombuds Dispute Resolution for Graduate Students, and with the Dean of Students office as needs arise.

8.4. Ombuds Dispute Resolution Services for Staff provides constructive conflict management support for staff and faculty who supervise staff as described in UAP 3220 “Ombuds Services and Dispute Resolution for Staff.” This is an informal, confidential, impartial, and independent resource.

8.5. Ombuds dispute resolution services are available for graduate students at the Office of Graduate Studies. With the graduate student’s permission, the Ombuds for Graduate Students coordinates with the Ombuds for Faculty or the Ombuds for Staff for any continued services.

8.6. The Dean of Students Office is available to undergraduate students for addressing concerns about respectful campus interactions.

History
- August 24, 2022 - Fixed broken links and updated title of Executive Vice President of Health Sciences, per FHB Policy A53 procedures
- April 25, 2017 – Amended policy approved by Faculty Senate
- February 4, 2014 – Amended procedures approved by Faculty Senate Operations Committee
- January 29, 2014– Amended procedures approved by Faculty Senate Policy Committee
- June 16, 2011—Approved by UNM President
- March 22, 2011—Approved by Faculty Senate
C10: Employment and Advanced Degrees

Policy


1. Faculty Members

a. No member of the faculty may be awarded an advanced degree by the University in the same department or degree program in which the faculty member is employed.

b. Faculty members are encouraged to take courses outside their own departments, whether or not toward a degree. A master's degree may be sought in such a department by following all of the normal procedures applying to such a pursuit, with the provision that a full-time faculty member may not enroll for more than six (6) hours per semester.

c. Similarly, a Ph.D. degree in a clearly separate program in a different unit of the University may be sought, with the following additional provisions;

   1. advance written approval of the faculty member's department chairperson and college dean, with information copies filed with the Office of Graduate Studies and the Office of the Provost/Vice President for Academic Affairs;
   2. except during the Ph.D. residence semesters, maximum enrollment in any semester may not exceed six (6) hours;
   3. during the two (2) semesters of residence requirement the faculty member may:
      a. take a leave of absence without pay, or
      b. become part time, with an academic workload not to exceed half time;
   4. during the residence semesters the faculty member must complete at least nine (9) credit hours each semester or an equivalent program of study and research.

2. Graduate Students

a. A qualified graduate student may, in accordance with the graduate policies of the University, be appointed as a teaching assistant or teaching associate, neither of which is a faculty rank, in the major department or, with the approval of both chairpersons involved, in a department other than the major.

b.

   1. A graduate student, i.e., a student who is formally pursuing a graduate degree at this University and who does not hold a faculty appointment, may not be given a concurrent faculty appointment in the same department or degree program. Where the student's degree program is not clearly departmentalized, faculty appointment is prohibited within the college or school awarding the degree.
   2. A graduate student may be offered a faculty appointment outside his or her department and degree program only with the approvals of the Graduate Studies Dean and the Provost/Executive Vice President for Academic Affairs, in addition to the normal department and college or school approvals. In such a case, the individual becomes a faculty member governed by section 1 above.
   3. Paragraphs 2.b.(1) and (2) above also apply to graduate students during summer sessions, whether or not they are enrolled at the time.
C20: Employment of UNM Graduates

Approved by: Faculty Senate  
Effective: November 28, 2017  
Responsible FS Committee: Policy Committee  
Office Responsible for Administration: Office for Academic Personnel or HSC Office of Academic Affairs

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 it is important that UNM’s faculty composition reflect wide-ranging viewpoints relevant to the missions of creation and dissemination of knowledge. Therefore, it is UNM’s general policy that an individual who has received a terminal degree from UNM will not be hired as a member of the faculty in a position which may lead to permanent tenure, except if the hiring would greatly enhance UNM’s academic, research, and public service mission. This Policy provides examples of instances that may qualify for this exception and the procedures for approval.

Policy Statement

At the discretion of the Provost or the Executive Vice President for Health Sciences (EVPHS), an exception may be made to the general policy when the hiring would enhance UNM’s mission. All hiring for positions which may lead to permanent tenure based on one of these exceptions must be approved in advance, in writing by the Provost or EVPHS. Below are examples of instances when an exception might be granted.

Post Terminal Degree Experience:

Subsequent to the last degree at UNM, the individual has taken at least one (1) academic year of advanced work at another reputable institution or has established himself or herself professionally elsewhere. Such work or professional experience must be in his or her teaching field.

Pre Terminal Degree Experience

A person who has taken a master's degree, its equivalent, or pursued other substantial graduate work at another reputable institution before receiving a more advanced degree at UNM.

Shortage of Qualified Individuals

A highly qualified UNM graduate in a field where there is an acute shortage of qualified individuals.

New Mexico Minority Doctoral Assistance Loan for Service Program

UNM has a commitment to hire participants in the New Mexico Minority Doctoral Assistance Loan for Service Program who complete their doctoral degree at UNM for positions which may lead to permanent tenure.

Applicability
All UNM faculty including the Health Sciences and branch campuses.

Definitions

No specific definitions are required for the Policy Statement.

Who should read this policy

- Faculty
- Department Chairs, academic deans, and other academic administrators and executives.

Related Documents

UNM Regents Policy Manual
- Policy 5.3 “Employment of UNM Graduates”

Faculty Handbook
- Policy A53.1 “Policies Applicable to Faculty”
- Section B “Academic Freedom and Tenure”

Contacts

Direct any questions about this policy to the Office for Academic Personnel and Services or HSC Office of Academic Affairs.

Procedures

The request for approval for hiring an individual who has received a terminal degree from UNM as a member of the faculty for a position which may lead to permanent tenure must be submitted to the Provost or EVPHS. The request must include an explanation of how the individual qualifies for the exception and how the hiring is in UNM’s best interest.

History

- December 9, 2022 - Updated titles of administrators and responsible offices, per FHB Policy A53 procedures
- Approved by Faculty on March 12, 1951
C30: Employment of Relatives

Policy

(Adopted by the Regents on 11/1/91; 10/15/95, 2/5/96, 5/15/03, 1/08/08)

Hiring officers may not hire or supervise a family member or a family member of a line supervisor without the advance approval of the President. For the purposes of this policy, family members are defined as any individuals related by blood, adoption, marriage, or living in the same household. This applies to all categories of employees, including regular, temporary, and on-call employees. If a change in an employee's family relationship results in a violation of this policy, the situation must be corrected within six (6) months through the transfer, resignation, or discharge of one (1) or more of the related employees. Any exceptions must be approved in writing by the President and the approval must be placed in the employee's official personnel file. (See University Business Policies and Procedures Manual, Section 3210 for entire policy on Recruitment and Hiring.)
C35: Appointment and Continuation of Deans

Policy

(Adopted by the Faculty Senate, April 14, 1992;
Amended and reaffirmed by the Faculty Senate, February 25, 1997;
Amended and reaffirmed by the Faculty Senate, October 7, 1997;
Rewording to Section #3 was recommended by the Regents, November 13, 1997;
Amended and reaffirmed by the Faculty Senate, December 9, 1997;
Amended and reaffirmed by the Faculty Senate, March 22, 2011)

The following policy procedures will be utilized for the appointment, periodic review, and terms of office of deans and their administrative equivalents at the University of New Mexico (UNM). All appointment policies will be in accordance with affirmative action guidelines.

1. Deans will normally serve terms of five (5) years. Administrative equivalents at branch campuses will also serve terms of five (5) years.

2. Annual evaluations of the dean by faculty and chairs in the college/school shall be required and will be administered by the Faculty Senate. These evaluations shall be used by the Provost or Executive Vice President for Health Sciences (EVPHS) for performance improvement and salary increment determinations for the dean. The results of the evaluations shall be made available to the Faculty Senate President by the end of the semester in which the evaluation is completed. The Faculty Senate President will review the evaluations of the appropriate deans or equivalent persons with the Provost or with the EVPHS.

3. Terms of office may be renewable. Appointments and reappointments to terms of office are to be made by the Provost or EVPHS after consultation with departmental college/school faculty and chairs, UNM officers, and other such persons as they shall see fit. The consultation with college/school faculty and chairs shall include the taking of a vote by electronic secret ballot on any potential appointment or reappointment. The vote shall be administered by the Faculty Committee on Governance. The results of the vote shall be transmitted to the Provost or EVPHS and be made available to the faculty and department chairs of the respective college/school. Reappointment must also be guided by the stated willingness of the deans to continue in that position, the results of the evaluation in the fourth year, and the willingness of the faculty and chairs, evidenced by electronic secret ballot, to have the deans continue in office. The appointment or reappointment of the Dean of Graduate Studies shall be made by the Provost after appropriate consultation with the Senate Graduate Committee, UNM officers, the graduate faculty, and other interested persons.

4. It shall be understood that a policy of terms of office for deans does not abrogate the long-standing policy of UNM that deans serve in any college or school at the pleasure of the Provost or EVPHS and that a dean's appointment and continuing appointment occurs with the advice of and in consultation with the faculty and chairs of the college/school. This means, simply, that deans may be replaced during a term of office; also, they may resign.

Resolution of a disagreement: In the case of a disagreement between the administration and the faculty and chairs of a college/school, an amicable resolution will be found. A dean serves at the pleasure of the Provost or the EVPHS, but a dean's appointment and continuing appointment occurs with the advice of and in consultation with the faculty and chairs of the college/school. A dean who has lost the confidence and support of their faculty and chairs cannot provide the positive leadership needed by the college/school.
C40: Appointment and Continuation in Office of Department Chairpersons

Policy

Adopted by the Faculty Senate on April 14, 1992; Amended and reaffirmed by the Faculty Senate on February 25, 1997; Amended and reaffirmed by the Faculty Senate on October 7, 1997; Rewording to Section #3 was recommended by the Regents on November 13, 1997; Amended and reaffirmed by the Faculty Senate on December 9, 1997

Preamble:

The following policy guidelines will be utilized for the appointment, periodic review, and terms of office of departmental chairs at the University of New Mexico unless a college faculty adopts a modified policy that would decrease the term by no more than one (1) year. All appointment policies will be in accordance with affirmative action guidelines.

1. Departmental chairs will normally serve terms of four (4) years. Administrative equivalents at branch campuses will also serve terms of four (4) years.
2. Annual evaluations of the chair by faculty shall be required. These evaluations shall be forwarded to the dean, and shall be used in salary increment determinations for the chair.
3. Terms of office may be renewable. The initial appointments and reappointments to terms of office are to be made by the dean after consultation with departmental faculty, University officers, and other such persons as they shall see fit. In the case of appointments to departments conducting graduate programs, consultation with the Dean of Graduate Studies will also be included. The consultation with departmental faculty shall include the taking of a vote by secret ballot on any potential appointment. Reappointment must also be guided by the stated willingness of the chairperson to continue in that position, the results of the evaluation in the third or penultimate year, and the willingness of the majority of the faculty, evidenced by secret ballot, to have the chair continue in office.
4. It shall be understood that a policy of terms of office for chairpersons does not abrogate the long-standing policy of the University that chairpersons serve in any college or school at the pleasure of the dean of that college or school. Additionally, a chair’s appointment and continuing appointment occurs with the advice of and in consultation with the faculty. This means, simply, that the chairpersons may be replaced during a term of office; also, they may resign.

Explanation:

As indicated in the preamble, any college or school may decide to decrease its term of office for chairpersons to three years.

Resolution of a disagreement:

In the case of a disagreement between the administration and the faculty in a department, an amicable resolution will be found. A chair serves at the pleasure of the dean, but a chair’s appointment and continuing appointment occurs with the advice of and in consultation with the faculty. A chair who has lost the confidence and support of their faculty cannot provide the positive leadership needed by the department and college or school.
C50: Faculty Contracts

Policy

Contracts are usually issued during May or June for the following year. For most faculty members, contracts call for nine (9) months of service (see Dates of Campus Duty).

Payments in every case are made in monthly installments, on the last working day of each month. Faculty members who are employed on a nine-month basis have the option of choosing payment of their salaries in ten (10) or twelve (12) installments. For example: for a given year, the first check is paid at the end of August; faculty members may decide whether they wish to receive their contracted salaries in twelve (12) equal installments ending on July 31 or in ten (10) equal installments ending on May 31.

The following procedure has been established for computing the salary of a faculty member whose period of employment 1) does not begin with the start of the academic year, or 2) ends before Commencement. Count the number of weeks of service and relate that number to 39 weeks in the nine-month academic year.

- Example A: A faculty member starts work in February on a date which is 14 weeks before Commencement; salary amount will be 14/39 of a nine-month base salary.
- Example B: A faculty member who starts work one (1) week before classes begin, as is customary, finishes work at the end of the first semester; salary amount will be 50 percent of a nine-month base salary, and contract dates for one (1) semester will include 19.5 weeks.

The contract of a person employed for the fiscal year administrators and certain faculty is written to indicate a 12-month period of employment, it being understood that a one-month vacation, i.e., annual leave on an accrual basis, is implicit in the agreement. One month here is construed as 21 working days, and a paid holiday in a vacation period is counted as a holiday and not as a day of vacation. While vacations will be granted whenever possible to satisfy individual requests, continuity of operations must be maintained. Consequently, vacation must be scheduled with the approval of the dean or director concerned.

For full-time faculty members on 12-month contracts: vacation is accrued at a rate of 1.75 days per month for a total of 21 days per year; to earn vacation during a given month, faculty must receive pay for at least twelve (12) days during that month; faculty may accrue up to a total of 31.5 days. Faculty members on 12-month contracts may not accrue annual leave while on sabbatical leave.

For part-time faculty members on 12-month contracts for at least 1/2-time but less than 3/4-time work, vacation is accrued at a rate of 7 hours per month for a total of 84 hours per year with maximum allowable accrual of 126 hours. For such persons working at least 3/4-time but less than full-time, the accrual rate is 11 hours per month, or 132 hours per year with a maximum allowable accrual of 189 hours. To earn vacation for a given month, 1/2-time employees must work a minimum of 48 hours in that month, and 3/4-time employees must work a minimum of 64 hours in that month.

Employees on 12-month contracts with the University who are terminating their employment are expected to take all accrued annual leave within the contract period. If, however, accrued annual leave extends beyond the contract period, and if the employee has given adequate notice of termination, the employee's supervisor may request that an additional contract be issued to include payment of accrued annual leave (not to exceed 21 days for full-time faculty, 15.75 days for 3/4 time faculty, and 10.5 days for 1/2 time faculty). Employees terminating employment for retirement purposes (under The New Mexico Educational Retirement Act) would be paid for the full unused annual leave credits not to exceed the maximum allowed accrual.

When a nine-month faculty salary is converted to a twelve-month salary, the nine-month salary is multiplied by 11/9. A twelve-month salary figure is converted to a nine-month salary by multiplying the twelve-month figure by 9/11. This procedure recognizes the different leave policies required by the contracts and compares nine (9) months’ work with eleven (11) months’ work, with no annual leave accruals for those on nine-month contracts and one (1) month’s annual leave within
the twelve (12) month contract.

For a person on a 12-month contract whose period of employment does not coincide with the start and end of the fiscal year (July 1-June 30), salary is computed as follows:

Divide the annual base salary by 12 and multiply the quotient by the remaining number of months in the budget year; i.e., a person employed on December 1 on an annual base salary of $36,000 would receive a contract for $21,000-$3,000 per month for the 7 months remaining in the fiscal year.
C60: Visiting Scholars

Approved by: Faculty Senate
Effective: April 26, 2016
Responsible FS Committee: Policy Committee
Office Responsible for Administration: Office of the Provost or Executive Vice President for Health Sciences

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

Policy Rationale

As a matter of academic tradition and courtesy, the University of New Mexico (UNM) welcomes on its campus scholars from other universities who, because of sabbatical or research opportunities, wish to spend a period of time on campus and to have an official affiliation with UNM during that period.

Policy Statement

When such affiliation takes the form of lectureships or visiting professorships, appointment procedures follow regular administrative channels. When a visitor wishes not to teach, but to conduct independent research, another form of appointment becomes appropriate. It is important to establish a clear understanding of the prerogatives and obligations of such visitors; therefore, this Policy Document provides procedures and guidance for the appointment process.

Applicability

Visiting Scholars to UNM.

Definitions

No specific definitions are required for the Policy Statement.

Who should read this policy

- Faculty
- Department Chairs, academic deans and other academic administrators and executives

Related Documents
None at this time.

Contacts

Direct any questions about this policy to the Office of Academic Personnel or the HSC Faculty Contracts Office.

Procedures

For the benefit of visiting scholars and faculty members who are asked or wish to promote such visits, the following procedures apply.

1. Appointments. Suggested titles are Visiting Scholar, Visiting Research Scholar in . . . (department or field). The visitor or the department should initiate the negotiations and work out the specific arrangement, subject to approval by the dean and Provost/Executive Vice President for Academic Affairs or the Executive Vice President for Health Sciences and the issuance of a letter of appointment by the latter.

2. Auditing of Courses. With the consent of the classroom teacher, Visiting Scholars should be allowed freely to audit UNM courses. At the discretion of the teacher or the department, such scholars may be invited to participate in fields of their competency, but no formal teaching or lecturing arrangements should be entered into without consideration having been given to the question of adequate compensation.

3. Departmental Affiliation. Traditionally, visiting appointments are made in academic departments. While other forms of affiliation are feasible (for instance with a college, the School of Law, or the School of Medicine), the chairpersons or deans most closely interested in such an arrangement should always have the opportunity of weighing the merits of the appointments. Therefore, they should be consulted, and if they concur, should have the privilege of writing the official letters of invitation. Depending on the inviting department's inclinations, such a visitor may be included in departmental activities, consistent with established UNM policies and regulations.

4. Financial Arrangements. It is important to specify in writing what the financial arrangements under a visiting appointment are to be, if any. Typically, if a scholar comes to UNM on sabbatical with that professor's own university's normal support, or with partial support from a foundation (such as a Guggenheim Fellowship), UNM should absorb the costs of making library resources or desk space available. If, on the other hand, the visitor is in a scientific or engineering field and expects to use UNM equipment for their research, other equitable arrangements should be mutually agreed to. If the visitor is officially sponsored by a government agency or foundation such as the National Science Foundation, the Conference Board of Associated Research Councils, or the Commonwealth Fund (the latter two bring foreign scholars to U.S. universities), then UNM should attempt to recover some of the administrative and other costs it incurs in having the scholar on campus. A contribution of perhaps $500 might be solicited from the sponsor, to become available principally to the department of affiliation. Agencies and foundations are increasingly aware of the fact that such arrangements are equitable in the case of visiting scholars sponsored by them. The Provost/Executive Vice President for Academic Affairs or the Executive Vice President for Health Sciences should be responsible for negotiating such financial arrangements.

5. Foreign Visitors. The UNM Global Education Office should be involved from the very start in any plans for appointments of foreign scholars so that misunderstandings and embarrassments arising out of visa and immigration status can be avoided.

6. Housing. It is presumed that UNM will bear no responsibility for housing arrangements, and that dormitory space will not be made available to visitors.

7. Insurance. Prospective visitors should understand the importance of having health and accident insurance coverage in force while visiting UNM. Presumably their own home-campus coverage would extend to a stay here, but the appointing person at UNM should assure themselves that reasonable arrangements exist. This is particularly critical in the case of foreign visitors.

8. Records. It is beneficial that simple records of such appointments be centrally kept by the Office of Academic Personnel or the HSC Faculty Contracts Office. Where this is neglected, embarrassment may ensue. Visitors have been known to have
stated, in good faith, that they spent Semester I of academic year "X" at University "Y," but when a prospective employer or a federal agency checks, no record of affiliation emerges.

9. Time. Typically, such appointments should only be considered where the stay is planned for a period longer than one (1) month. It might be for one (1) semester, but should not exceed one (1) academic year.

History

- August 25, 2022 - Updated titles of offices and administrators per FHB Policy A53 procedures
- April 26, 2016 — Revised policy approved by the Faculty Senate.
C70: Confidentiality of Faculty Records

Approved By: Faculty Senate and Board of Regents
Effective Date: 5/11/23
Responsible Faculty Committee: Faculty Senate Policy Committee
Office Responsible for Administration: Provost’s Office of Academic Affairs or Vice President for Health Sciences’ Office of Academic Affairs

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

Policy Rationale

Although UNM maintains a variety of information applicable to faculty members, it is important to differentiate between information that is placed in a faculty member’s “Faculty Personnel Files” and files maintained by components of UNM for reporting and/or documentation purposes. Additional files may exist containing information pertaining to individual faculty members that are maintained by administrative offices, units, subunits, and branches under the ultimate authority of the President of UNM. Such files are not Faculty Personnel Files under this Policy, whether in written or electronic form. Faculty Personnel Files must contain, and are limited to, any written information used to any degree in making a decision concerning the employment, rank, or status of a faculty member. This Policy identifies the type of information that may be placed in Faculty Personnel Files, the location of those files, confidentiality of the information, and rights and responsibilities pertaining to the Faculty Personnel Files. This Policy also discusses how faculty information that is subject to the Inspection of Public Records Act is handled.

Policy Statement

Faculty Personnel Files concerning UNM faculty shall be gathered, retained, disclosed, and used by academic or administrative units subject to the rules stated in this Policy. Agreements reached by collective bargaining will hold precedence over any element of this Policy for faculty members covered by a collective bargaining agreement.

1. Collection and Retention of Information

1.1 No more than one (1) personnel file shall be maintained in each of the following locations:

(1) the faculty member's department (or other primary academic unit),
(2) the faculty member's college,
(3) and/or in the office of the Provost or Executive Vice President for Health Sciences (EVPHS).

Faculty Personnel Files shall be compiled or retained by UNM academic or administrative units solely for the purposes of administering the UNM personnel system, including the consideration of promotion, tenure, and separation from employment.

1.2 An item of information may be introduced into a faculty personnel file only if accompanied by written identification of the source of the information subject to the right of peer or student evaluators to keep their identities confidential from the faculty member evaluated as provided in section 2.2 herein.

1.3 Administrators with responsibility for the creation of Faculty Personnel Files identified in section 1.1 herein above are responsible to maintain the file and its security during the faculty member's employment at UNM and at least five (5) years
thereafter (files of emeritus faculty shall be maintained during the faculty member's lifetime and at least two (2) years thereafter).

1.4 The administrative officer responsible for maintaining Faculty Personnel Files shall notify faculty in writing of any material deleted from their Faculty Personnel Files, the nature of the material and the reason for the action. In a similar manner, faculty shall be notified in writing of any material added to their file(s) with respect to which they have not been copied. Faculty members have the right to know and the responsibility to examine their Faculty Personnel Files.

1.5 With the exception of the faculty member's Dossier as described in Section B policies of the Faculty Handbook, other information outside of the Faculty Personnel Files may not be used for making a decision regarding faculty promotion, tenure, and separation from employment.

1.6 Information that is maintained by UNM administration is subject to applicable federal and state laws and regulations.

2. Access to Information by the Faculty Member

2.1 Each faculty member has the right to inspect and review their Faculty Personnel Files, and any record or file maintained on the faculty member by UNM, subject to the provisions of this Policy and any limitations imposed by law, within ten (10) working days from the date of the request. If additional time is needed to produce a record for inspection, the faculty member shall be informed in writing of the reason for the delay and the date such record will be available. Each faculty member has the right to challenge the accuracy of any item of information in their Faculty Personnel Files, including the right to introduce rebuttal statements or evidence into the files, or to request an investigation of, or the completion of incomplete investigations of, accusations of misconduct. The administrative officer shall respond to a faculty member's request to revise, amend, or delete items, and/or request for a completed investigation of accusations of misconduct, within ten (10) working days of receiving the request. If the request is denied, the administrative officer shall state in writing the reasons for the denial. The administrative officer will submit a copy of their decision to the dean and Provost Office/Office of the EVPHS, and the faculty member can submit a response in writing to the decision. If the administrative officer decides not to revise, amend, or delete items, and/or honor the request for a completed investigation of accusations of misconduct, that decision must be approved by the dean and the Provost's Office/Office of the EVPHS. The administrative review process delineated herein does not replace the right to appeal such action if it is within the purview of the Academic Freedom and Tenure Committee (AF&T).

2.2 UNM respects the desire of many authors of faculty evaluations to keep their identities confidential, including from the faculty member being evaluated. Such matters of opinion include letters of reference for employment, internal peer evaluations of a faculty member, student evaluations, letters received from peer reviewers outside the University, as well as those portions of the recommendations of the faculty member's chair or dean or the Senior Vice Provost/Health Sciences Academic Affairs that may reveal the identities of peer or student evaluations.

   a. If a faculty member makes a request to review and/or copy such evaluations, an academic administrator, prior to permitting such review or copying, shall redact material that may reveal the identity of the author. If it does not appear feasible to protect the identity of the author through redaction, the document may be accurately summarized in writing for the faculty member instead. If the author of an evaluation submits a written waiver of confidentiality, the evaluation may be reviewed or copied by the faculty member without redaction. If requested by the faculty member, a member of the Provost/EVPHS office and a member of the Committee on Academic Freedom and Tenure designated by the Chair of the Committee shall verify the accuracy of the redacted or summarized documents.

   b. If such information is requested by a third party, the faculty member shall be advised of the request prior to the release of the information.

2.3 To the extent information is confidential under this Policy, or privileged under law (for example, materials subject to attorney-client privilege), it shall not be available for inspection by the faculty member. Such information shall be retained separately and shall be available for inspection only by UNM officials granted access, by virtue of their assigned duties the information requested. In the case of privileged information, the administrative officer of the academic or administrative unit maintaining the files shall introduce a memorandum that states the nature of the privileged information, its date and source and the type of privilege asserted.
2.4. Any confidential medical information maintained by UNM shall be protected in a manner consistent with applicable state and federal laws.

2.5. Consistent with UAP Policy 3710, faculty information shall be made available only to those members of the Administration who have a legitimate business reason to view the information.

2.6. The Academic Freedom and Tenure (AF&T) Committee and the University Secretary may have access to Faculty Personnel Files when an issue is appealed to AF&T in accordance with Section B of the Faculty Handbook.

3. Public Access to Information about Faculty Members

3.1. Any person is entitled to the following public information maintained by UNM concerning a faculty member: present position, department, salary, dates of employment, and curriculum vitae, including educational qualifications, past employment, progress at UNM (initial employment, promotions, attainment of tenure, sabbaticals), publications, news items, awards, and achievements. A faculty member may give written authority for the release of other information, said letter to be maintained in the faculty member's faculty personnel file.

3.2. Other than as provided in section 3.1 herein, records or information concerning a faculty member shall be made available by the custodian of a file of record only to those members of UNM who have an official role in the evaluation of that faculty member for purposes of employment, rank, status, salary, or other such decisions and whose role makes it necessary for them to know the contents of that faculty member's Faculty Personnel Files.

3.3. All requests for information from persons who are not members of UNM shall be referred to UNM Custodian of Public Records, which will coordinate a proper response with the appropriate Academic Affairs Office. The Custodian shall attempt to advise the faculty member by email and phone of the request for the release prior to the release of any records. In coordination with the Custodian, the appropriate Academic Affairs Office shall make available for inspection upon request the releasable information concerning a faculty member. A record of the name and address of any member of the public making such request shall be kept in the faculty member's faculty personnel file at the appropriate Academic Affairs office and be available for inspection by the faculty member.

Applicability

All UNM faculty including the Health Sciences and branch community colleges.

Definitions

No specific definitions are required for the Policy Statement.

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

Who Should Read This Policy

- Faculty
- Department Chairs, academic deans and other academic administrators and executives.

Related Documents

UNM Regents Policy Manual
• Policy 2.9 “University Archives and Records”
• Policy 2.17 “Public Access to University Records”
• Policy 5.7 “Confidentiality of Faculty Records”
• Policy 6.7 “Disclosure of Information About Candidates for Employment”
• Policy 6.8 “Disclosure of Information about Employees”

Faculty Handbook

• C07 “Faculty Misconduct and Progressive Discipline Policy”
• Section B “Academic Freedom and Tenure”

University Administrative Policies and Procedures Manual

• Policy 2030 “Social Security Numbers”
• Policy 2300 “Inspection of Public Records”
• Policy 3710 “Personnel Information Disclosure Policy”

Contacts

Direct any questions about this policy to the Provost’s Office of Academic Affairs or Vice President for Health Sciences Office of Academic Affairs.

Procedures

The following table lists allowable documents to be placed in a faculty member’s Faculty Personnel Files and where the various documents are housed.

<table>
<thead>
<tr>
<th>Documents</th>
<th>Department File</th>
<th>College School File</th>
<th>Academic Affairs File</th>
<th>Human Resources Files</th>
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<tr>
<td>Offer letter</td>
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<tr>
<td>Annual performance reviews</td>
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<td>Response/rebuttal to annual review</td>
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<td>Annual performance review summaries</td>
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<td>Peer teaching observations</td>
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<td>CV</td>
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<td>Tenure and promotion documents, including</td>
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<td>• Chair’s &amp; Dean’s letter, department and</td>
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<td>College committee recommendations</td>
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<td>• Chair’s, Dean’s, SVP, and Provost’s letter,</td>
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<td>department, college &amp; Provost committee</td>
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<td>• Teaching portfolio, scholarly/creative work</td>
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<td>exemplars, etc.</td>
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<td>Documents</td>
<td>Department File</td>
<td>College School File</td>
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<td>Personnel Actions – initiated at dept level</td>
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<td>Personnel Actions</td>
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<td>Sabbatical leave request</td>
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<td>Parental leave request</td>
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<td>Special Administrative Compensation (SACs)</td>
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<td>Faculty discipline (C07): Chair’s written report – summary</td>
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<td>Faculty discipline (C07): Dean’s notice – uphold, modify or reverse disciplinary action</td>
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<tr>
<td>Censure, suspension without pay, notice of dismissal</td>
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**History**

- Adopted by the Faculty Senate 4/15/80 and the Regents 7/28/81
- Revisions approved by the Faculty Senate 3/25/03, as recommended by the Academic Freedom and Tenure Committee, and approved by the Regents 5/16/03
- Revisions approved by the Faculty Senate 10/29/09 and approved by the Regents 12/15/09
- Revisions approved by the Faculty Senate 4/26/22 and approved by the Regents 5/11/23
C80: Faculty Office Hours

Policy

It is expected that each faculty member will be available for student consultation at regular hours. These hours are to be posted on the faculty member's door. Although the situation will vary among departments and individuals, a total of from three to five hours per week is recommended. If only a single hour is to be set aside for a given day, it should be chosen to cover parts of two class periods to accommodate more students.
C90: Dates of Campus Duty

Policy

Except for authorized holidays, vacations, or other recesses listed in the academic calendar or otherwise announced, it is the obligation of each faculty member to perform all assigned duties and commitments within the period designated by the beginning and ending dates of service in a particular contract period. Standard faculty appointments are for the academic or fiscal year. For academic appointments, faculty members will be notified of the date they are expected to be available for duty. (Normally, one week before the start of Monday classes at the beginning of each regular semester.) The period of duty for department chairpersons, if different from that of other faculty members, will be as determined by the college or school.
C100: Academic Load

Policy

(Amended and reaffirmed by the Faculty Senate, October 23, 2012)

The term “academic load” includes all the officially recognized University duties carried out by members of the tenured and probationary faculty, including branch faculty, and excluding Health Sciences Center faculty, at any given time. It is the sum of teaching, scholarly work, and service, as described and defined in Section B 1.2.1-1.2.3 of this Faculty Handbook. Academic programs, units, departments, centers, etc. shall all hereinafter be referred to as “departments.”

The typical teaching load each semester is evaluated by department chairs annually on a scale of 0 to 18 load units according to standards set by the faculty of the department and approved by the cognizant dean. Policy C110 of the Faculty Handbook, “Teaching Assignments,” indicates that the “typical” teaching load will be 9 load units per semester as defined by the formula available in the Office of the Provost/Executive Vice President for Academic Affairs.

The normal scholarly work load each semester is to be evaluated by department chairs annually and will be measured on a scale of 0 (no scholarly work) to 18 load units (outstanding performance) according to standards set by the departmental faculty and approved by the cognizant dean. A “typical” scholarly work load will be 9 load units per semester.

The typical service load each semester is also evaluated by department chairs annually, but on a scale of 0 (no service) to 10 (outstanding service) according to standards set by the departmental faculty and approved by the cognizant dean. A “typical” performance of service will be 5 load units per semester.

The “typical” academic load as defined herein and referenced in policy C110 will be 23 load units, which is the sum of 9 teaching load units, 9 scholarly work load units, and 5 service load units. For any given faculty member, the typical academic load of 23 load units each semester can be achieved by different mixes of load units from the three work categories above. For department and school/college administrators, such as department chairs, the academic load will be determined by the deans using units which are suitable substitutes for those provided here for teaching and research, in order to recognize the efforts of these faculty in academic administration. (See also "Teaching Assignments" C110, Faculty Handbook).
C110: Teaching Assignments

Policy

(Approved by Faculty Senate 12/6/77; by the Regents 1/24/78)

1. This policy has been developed pursuant to the resolution of the Regents at their meeting 13 June 1977.

2. Faculty "teaching" assignments are measured in "load units" as defined and calculated in accordance with the University's load formula. The term "load unit" as used in this policy is defined by that formula as currently revised (now the Ninth Revision, 8 September 1975).

3. "Instructional faculty FTE" measures the percentage of time charged to an instructional budget. A portion of the time of faculty-administrators and of faculty engaged in contract research or projects is charged to other budgets. The guidelines in paragraph 5 relate to the teaching assignments of full time faculty members (1.00 FTE), i.e., those whose salaries are charged entirely to instructional budgets. The teaching assignments of faculty members charged in part to instructional budgets (less than 1.00 FTE) would be modified proportionately.

4. The guidelines established in paragraph 5 do not apply to the School of Medicine or to library faculty members. Separate policies will be developed for these groups.

5. The following guidelines are established with respect to minimum* teaching assignments (Section I of the load formula):

5.1 A full-time faculty member normally shall be assigned a minimum teaching load of nine load units each semester.

5.2 In all cases in which it is proposed that a full-time faculty member be assigned a semester teaching load of less than nine (9) load units (but at least six (6) load units), advance approval by the dean of the faculty member's college shall be required. For the 1978-79 school year, advance approval of Office of the Provost/Executive Vice President for Academic Affairs shall also be required. (On 1/19/79 the Regents extended this requirement to include the 1979-80 school year.)

5.3 Any reduction in teaching load below six load units shall be granted only with the advance approval of the Office of the Provost/Executive Vice President for Academic Affairs.

5.4 It is recognized that in rare cases, a teaching load of nine (9) or more load units may be planned for a faculty member, but that the required minimal teaching load of nine (9) load units may in fact not materialize because of a shortfall in student enrollment. This should be the only circumstance in which the teaching load of a full-time faculty member will be less than nine load units, except with the advance approval of the appropriate dean's office. Departments, schools, and colleges should be prepared to explain load reductions of this kind and present plans to minimize their repetition.

5.5 At the end of each semester each dean shall report to the Provost/Executive Vice President for Academic Affairs a list of the names of all persons to whom reduced teaching loads have been assigned with the justification for each.

5.6 Justification for reduced teaching loads may include (but not be limited to) the following:

5.61 exceptional current productivity in scholarship, research, and/or creative work;

5.62 released time for development of contract research proposals;
5.63 released time for course or curriculum development;

5.64 special administrative assignments or exceptionally heavy committee assignments; and/or

5.65 load reduction in compensation for a teaching overload in an alternate semester.

5.7 The Office of the Provost/Executive Vice President for Academic Affairs shall review all decisions by deans to allow reduced teaching loads to ensure that the justifications used were adequate and that approval of such assignments in the future will not have the effect of creating or continuing unjustifiable inequities in faculty teaching loads among the departments, schools, and colleges. It is an expected result of this policy and the required review that a faculty member will not regularly be released from the obligation of carrying nine teaching load units.
C120: Summer Session Teaching

Policy

The Summer Session offers a wide range of course selections in most of the academic divisions of the University. Regular Summer Session courses last for eight (8) weeks and run from early June to late July, leaving roughly a two-week break after commencement and another two-week interval before the beginning of the first semester. Faculty members are generally limited in teaching during the summer to two (2) out of three (3) consecutive years or according to a department plan.

Regular contract faculty will be remunerated for teaching an eight-week summer course based on a set amount per three (3) credit hours, which will be adjusted for more or less credit hours or based on a maximum specified each summer for a full load of six (6) semester hours.

Generally, adjunct, visiting faculty, and emeriti faculty are paid within the salary guidelines established in each college used for Temporary, Part-time Faculty during the academic year.

The total FTE, which includes any teaching, summer research, and outside consulting, of a faculty member during any given week of the Summer Session cannot exceed 125 percent from all sources.
C130: Outside Employment and Conflicts of Commitment

Policy

Approved by the Regents, 4/30/08

Employment as a full time, tenured, probationary, or clinician educator faculty member at The University of New Mexico (UNM) requires an individual's full-time professional commitment and expertise. Notwithstanding this, and subject to certain restrictions, full time faculty members of all types are subject to this policy and are encouraged to engage in appropriate outside professional activities that will enhance their professional growth and reputation. Outside activities such as writing, consulting, lecturing, and similar outside endeavors contribute to the quality of both instruction and the scholarly or creative work of the faculty; bring great credit to UNM; and may contribute to the economic development of the state.

Conflict of Commitment

UNM has adopted in the Faculty Handbook (Section B, Appendix V) the Statement on Professional Ethics of the American Association of University Professors, which includes the statement: “Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it.” In particular, a “conflict of commitment” exists when the external professional activities of the faculty member are so extensive and demanding of time and attention as to interfere with the individual's responsibilities to the unit to which the faculty member is assigned by contract, to students, or to UNM. In particular, the total time spent in outside employment may not exceed the equivalent of one (1) workday per seven (7) day week during the contract period. For faculty members with nine-month contracts this is the equivalent of 39 work days, and for faculty members with twelve-month contracts this is the equivalent of 52 work days per contract period.

Outside Consulting

In outside employment faculty members are paid directly by the outside entity and UNM is not concerned with the amount of earnings. However, a faculty member should charge fees similar to those charged by firms or individuals doing comparable work, except when advice or services are given free in the public interest.

Prohibited Activities

Faculty members should not provide consulting or other services to an outside entity when those services would conflict or be in competition with services offered by UNM itself. In undertaking outside employment, the faculty member may not make use of UNM facilities, equipment, or personnel without prior written approval from the head of the unit responsible for the facilities or personnel. When necessary the Associate Vice President of Business/Comptroller shall determine to what extent UNM shall be reimbursed for such use. Work of a routine or repetitive nature such as tests, assays, chemical analyses, bacteriological examinations, etc., which involve use of UNM property is prohibited except where it is considered in the public interest and where facilities or personnel for doing such work exist only at UNM.

UNM titles, offices, addresses, and telephone numbers may not be used in city directories or similar publications for the purpose of publicizing non-UNM interests. Consultants must make it clear to outside employers that the work to be undertaken has no official connection with UNM. UNM cannot assume any responsibility for private consulting activities provided by members of the faculty.

Exceptions for Remunerated Scholarship

It is not the intent of UNM to restrict expected scholarly activities of faculty members. In some disciplines, such as the performing arts, professional activity may be remunerated. In many disciplines scholarly service activities such as reviewing,
colloquia presentations, etc., are compensated by small honoraria beyond expenses. Such activities, referred to as "remunerated scholarship," generally relate to research or creative work that is expected in a faculty member's discipline. Teaching outside the contracted department for compensation [see Policy C140] is not considered to be remunerated scholarship. Such activities would normally be added to a curriculum vitae and be considered in promotion, tenure, merit pay, etc. Activities of remunerated scholarship need not be reported and the hours so spent do not count against the 39 or 52 workday limit unless the chair or director finds the extent of such activities threatens a faculty member's ability to carry out their regular UNM duties. In this case, approval to continue this activity should be sought.

Reference: See also Regents Policy Manual 5.5

COMPLIANCE

Intentional failure to comply with the provisions of this policy will be considered a violation of UNM policy and may lead to appropriate corrective action which can include censure, warning, disciplinary probation, or dismissal, as set forth in the Faculty Handbook.

PROCEDURES REGARDING OUTSIDE EMPLOYMENT

In consultation with the academic units, the Offices of the Provost and the Executive Vice President for the Health Sciences Center will be responsible for developing procedures for compliance with this policy. The procedures should include the following items, but may be more stringent for effective monitoring of the policy.

- Requirements for approval by the approving authority (Advance written approval is not required for periods of activity consisting of two (2) days or less per semester)
- Requirements for special teaching component (STC) approvals and payments
- Faculty reporting and compliance responsibilities
- Required signatory approvals
- Deans/directors monitoring and enforcement responsibilities
- Maintenance of records and supporting documentation.
C140: Extra Compensation Paid by the University

Policy

Approved by the Regents, 12/13/73; 10/14/03; 4/30/08

The interests of the University may be well served by professional activities conducted by faculty members outside of their normal departmental duties. With approvals specified in this policy, faculty members performing such activities may receive extra compensation from the University. Such activities may not replace or diminish the ability of the faculty member to fulfill their normal contractual responsibilities. Prior approval of such activities for extra compensation will be contingent on determinations by cognizant supervisors that the activities are in the best interests of the University.

1. Full time regular faculty members may receive extra compensation from the University for additional work done in connection with University-related activities provided that:
   a) The faculty member wishes to pursue the opportunity for extra compensation;
   b) Advance approval in writing is given by the chair of the faculty member's contract department and the dean or director of the college or school that houses that department;
   c) The work done for extra compensation does not in the opinion of the approving authorities:
      i) Conflict in time with regular University duties and assignments; ii) Constitute a "conflict of interest" situation for the faculty member; iii) Come within the scope of the faculty member's regular responsibilities for which compensation is already being paid.

2. The work for extra compensation does not count against the workdays allowed for outside employment. (See Policy C130).

3. Extra compensation using funds from research grants or contracts must conform to research policies.

4. Extra compensation for teaching beyond the scope of the faculty member's regular teaching responsibilities shall be paid through a Special Teaching Component (STC) on the regular faculty contract. Requests for contracts that include STC's shall be made prior to engaging in the activity by way of a Contract Memorandum that has the approval of the faculty member's chair or director and dean, the administrator of the department for which the special teaching is being done, and the Senior Vice Provost for Academic Affairs or the HSC Vice President for Academic Affairs.

5. Other kinds of special assignments shall be paid on an Extra Compensation Form. The rate of extra compensation will be proposed by the head of the requesting unit and should reflect fair market value for activities associated with the assignment.

Reference: See also Regents Policy Manual 5.6

COMPLIANCE

Intentional failure to comply with the provisions of this policy will be considered a violation of university policy and may lead to appropriate corrective action which can include censure, warning, disciplinary probation, or dismissal, as set forth in the Faculty Handbook.

PROCEDURES REGARDING EXTRA COMPENSATION

In consultation with the academic units, the Offices of the Provost and the Executive Vice President for the Health Sciences Center will be responsible for developing procedures for compliance with this policy. The procedures should include the following items, but may be more stringent for effective monitoring of the policy.
• Requirements for approval by the approving authority (Advance written approval is not required for periods of activity consisting of two days or less per semester)
• Requirements for STC approvals and payments
• Faculty reporting and compliance responsibilities
• Required signatory approvals
• Deans/directors monitoring and enforcement responsibilities
• Maintenance of records and supporting documentation

History

• August 25, 2022 - Updated titles of Senior Vice Provost for Academic Affairs and HSC Vice President for Academic Affairs
C150: Political Activities of UNM Faculty

Approved by: Faculty and Board of Regents  
Effective: April 10, 2023  
Responsible Faculty Committee: Faculty Senate Policy Committee  
Office Responsible for Administration: Office of the Provost and Office of the Executive Vice President for Health Sciences

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

Policy Rationale

The University of New Mexico (UNM) recognizes the right of free speech and expression of opinion on any subject by any member of the UNM community, whether the subject relates to on- or off-campus issues. UNM faculty members are citizens and are free to engage in political activities consistent with their obligations as teachers and scholars subject to appropriate time, manner, and place restrictions in accordance with applicable policies and laws. This Policy document provides policies and procedures pertaining to the political activity of UNM faculty.

Policy Statement

This Policy pertains to extramural political activities of faculty and is not intended to place any restrictions on the academic freedom of faculty members. Academic freedom is defined in Section B of the Faculty Handbook, including Appendices I "1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments" and VII "Committee A Statement on Extramural Utterances," which are documents from the American Association of University Professors (AAUP). Below are excerpts from these appendices designed to provide guidance to faculty; however, the faculty should read the full documents to ensure a thorough understanding of the issues addressed and their rights and responsibilities.

Appendix I excerpt: "(a) Teachers are entitled to full freedom in research and in publication of the results subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution. (b) Faculty are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter unless it is in relation to their subject."

Appendix VII excerpt: "The 1940 Statement of Principles asserts the right of faculty members to speak or write as citizens, free from institutional censorship or discipline. At the same time it calls attention to the special obligations of faculty members arising from their position in the community: to be accurate, to exercise appropriate restraint, to show respect for the opinions of others, and to make every effort to indicate that they are not speaking for the institution."

An advisory opinion may be requested from the Academic Freedom and Tenure Committee about the meaning or application of this Policy.

1. Extramural Political Activity

All extramural political activity, except that clearly of a consultative nature or under contract through UNM and which is directly in the field or fields of one's professional competencies, should be entirely disassociated from one's UNM relationship. By this is meant that the faculty member should not create the impression that they are acting either for, in behalf of, or with the approval of UNM rather than as an individual citizen.
Many kinds of extramural political activity (e.g., holding part-time office in a political party, seeking election to any office under circumstances that do not require extensive campaigning, or serving by appointment or election in a part-time political office) are consistent with effective service as members of a faculty. Other kinds of political activity (e.g., intensive campaigning for elective office, serving in a state legislature, or serving a limited term in a full-time position) may require that the faculty member seek a leave of absence from UNM.

In recognition of the legitimacy and social importance of political activity by faculty members, UNM should provide institutional arrangements to permit it, similar to those applicable to other public or private extramural service. Such arrangements may include the reduction of the faculty member's workload or a leave of absence for the duration of an election campaign accompanied by equitable adjustment of compensation when necessary.

1.1 Leave of Absence Without Pay

A leave of absence should be sought by anyone who becomes or anticipates becoming overly committed to either a major political campaign, an appointive post in an agency of government, an elective position in public office, or any political activity which results in interference with UNM function. Such leave is not automatic and should be governed by the priority needs and considerations of the department, school, college, or division concerned. A leave of absence incident to political activity should come under UNM's normal rules and regulations for leave of absence subject to the provisions of Faculty Handbook Policy C280 "Leave Without Pay."

Faculty members seeking leave without pay should recognize that they have a primary obligation to UNM and to growth as educators and scholars, and they should be mindful of the problem which leaves of absence can create for administration, colleagues, and students. If adjustments in their favor are made, such as a reduction of workload, they should expect them to be limited to a reasonable period. Such a leave should not affect unfavorably the tenure status of a faculty member, except that time spent on such leave from academic duties need not count as probationary service. The terms of a leave and its effect on the professor's status should be set forth in writing.

1.1.1 Election to the New Mexico Legislature

Should a faculty member be elected to the New Mexico Legislature, they are prohibited by New Mexico state law from receiving dual compensation; therefore, the faculty member would need to either resign their position or be placed on leave of absence without pay for the entire period they are receiving compensation for the elected office.

1.1.2 Other Appointments or Commitments Requiring Significant Effort

A faculty member accepting a temporary appointment or commitment that requires significant effort outside of their faculty duties that exceeds time allowed by Faculty Handbook Policy C130 "Outside Employment" shall notify their supervisor who may require the faculty member to apply for a leave of absence without pay. Granting of such leave is not automatic and is subject to the provisions of Faculty Handbook Policy C280 "Leave Without Pay." If leave is not granted, the faculty member would be required to resign their position if they wish to pursue the appointment or commitment.

Applicability

All UNM academic faculty and administrators.

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

There are no specific definitions required by this Policy.

Who should read this policy

- Faculty
- Department chairs, academic deans, and other academic administrators and executives

Related Documents

UNM Regents' Policy Manual

- Policy 2.1 "Free Expression and Advocacy"
- Policy 6.5 "Political Activity by Employees"

Faculty Handbook:

- Section B "Academic Freedom and Tenure"
- Policy C130 "Outside Employment"
- Policy C200 "Sabbatical Leave"
- Policy C280 "Leave Without Pay"

University Administrative Policies

- Policy 2060 "Political Activity"
- Policy 2220 "Freedom of Expression and Dissent"
- Policy 3740 "Media Response"

Contacts

Direct any questions about this policy to the Office of the Provost or the Office of the Executive Vice President for Health Sciences.

Procedures

Political Activity Guidelines

The following guidelines apply to all UNM employees who are candidates or who campaign for candidates for political office:

1. Campaigning during work hours at the University is prohibited.
2. UNM supplies, equipment, postage, or clerical time for political activities, including campaign purposes, may not be used.
3. Personal political views or views of any candidate may not be represented as being those of UNM.
4. Employee mailing labels (either home or office addresses) will not be produced by UNM for distributing campaign materials. (A candidate may obtain addresses from the UNM student, faculty, staff directory or other published address lists.)
5. Campaign material will not be distributed through Campus Mail unless it has been received from a federal post office and is properly postmarked. Campus Mail may not be used internally to distribute campaign literature.
History

- April 10, 2023 - Approved by Board of Regents
- June 2022 - Approved by Faculty
- September 1970 - Approved by Board of Regents
- April 1970 - Approved by Faculty
C170: Endowed Chairs and Named Professorships

Approved by: Faculty Senate
Effective Date: October 15, 2013
Responsible FS Committee: Operations Committee
Office Responsible for Administration: Office for Academic Personnel and HSC Office of Academic Affairs

Policy Rationale

Because the strength of a great university resides in its faculty, the identification, recruitment, appointment, and support of faculty members is a major priority of the University of New Mexico (UNM). Endowed chairs and named professorships enable UNM to attract and retain faculty members who have outstanding records of scholarly work and/or teaching. These positions, secured at least in part by an endowment, are recognized as the most prestigious honor UNM can award its best accomplished faculty.

Policy Statement

Endowed positions are established and named by the UNM Board of Regents after recommendations by the President, who will consult with the Faculty Senate and the Provost/Executive Vice President for Academic Affairs or the Executive Vice President for Health Sciences (EVPHS), as appropriate. These officers, in turn, will consult with the appropriate dean, department chair, and the faculty in the disciplinary area of the contemplated position. The parameters of the positions will be governed by standard UNM faculty personnel regulations as set forth in the Faculty Handbook, together with a donor agreement negotiated by the UNM Foundation and the donor or donor’s estate. Before accepting an endowment the Board of Regents, President, the Provost or EVPHS, and the relevant department chair or program director will carefully consider the appropriateness of the proposed position. Not all proposed gifts or names may be appropriate to accept.

The selection of external candidates for endowed chairs or named professorships will occur through nationally competitive searches or alternative procedures as allowed by the normal faculty appointment processes, overseen by the UNM Office for Academic Personnel or the HSC Office of Academic Affairs. The search committees will be constituted in the usual way, except that the Faculty Senate, Provost or EVPHS, and the donor may suggest one or more additional members. A majority of the members of the search committee must be full-time UNM faculty, and departments or units in which the appointment is made may vote to limit the number of non-faculty members. While a donor may suggest potential candidates, UNM retains the responsibility and authority to name the successful candidate and confer the rank and/or tenured status according to its existing standards and by its existing procedures.

For internal appointments, each college or school shall establish and utilize its own procedures for awarding endowed chairs and named professorships.

Applicability

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

Definitions
**Full-time Service**: Service time equivalent to that of a faculty member employed on a contract designated as 1.0 full-time equivalent (FTE). For example, a faculty member whose contract is designated 0.5 FTE would have to multiply their service by a factor of two or reduce the leave time taken by one-half to meet the full-time service requirements listed in this policy.

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.

**Who should read this policy**

- Board of Regents
- UNM Foundation officers
- Academic deans and other executives, department chairs, directors, and managers

**Related Documents**

UNM Regents’ Policy Manual:

- Policy 2.11 “Naming University Facilities, Spaces, Endowments, and Programs”
- Policy 5.18 “Endowed Faculty Chairs”
- Policy 7.13 “Receipt and Investment of Gifts to the University”

Faculty Handbook:

- Section B “Policy on Academic Freedom and Tenure”

University Business Policies and Procedures Manual:

- Policy 1020 “Naming Facilities, Spaces, Endowments, and Programs”
- Policy 1030 “Gifts Made to the University”
- Policy 7500 “Endowments”

Office of Academic Personnel Faculty Hiring Guidelines:

- “Faculty Hiring Guidelines”

**Contacts**

Direct any questions about this policy to your chair and/or dean, the Office for Academic Personnel, or the HSC Office of Academic Affairs.

**Procedures**

Holding an endowed chair or named professorship does not affect the faculty member’s existing UNM appointment, which may therefore be permanent or visiting, probationary or tenured, at an appropriate rank. It is envisioned that most of these honorific appointments will accrue to tenured full professors, although certain temporary or rotating positions are also possible.

Unless the donor agreement specifies otherwise the initial appointment period for endowed chairs and named professorships will be for a specific term, not to exceed five (5) years. Faculty members holding these positions are subject to the normal
faculty review procedures as described in the Faculty Handbook. If the cumulative reviews on multi-year accomplishments are satisfactory, the appointment may be continued for another agreed-upon term, which is eligible for further renewal. Otherwise the appointment may be transferred to a new occupant, with the previous occupant, assuming they are tenured, retaining their normal UNM appointment.

The holder of an endowed chair or named professorship is responsible for fulfilling the duties set forth in the donor agreement at the initiation of the appointment. This will in all cases at least include an annual report of scholarly and/or teaching activities which will be made available to the appropriate chair, dean, Provost or EVPHS, the UNM Foundation, and the Regents upon request.

**History**

- December 9, 2022 — Updated titles of EVPHS and of responsible offices, according to Faculty Handbook Policy A53 procedures
- October 7, 2013 — Approved by the UNM Faculty Senate
C180: Special Administrative Component

Approved by: Faculty Senate
Effective Date: August 27, 2013
Responsible FS Committee: Policy Committee and Operations Committee Office Responsible for Administration: Office of the Provost and HSC Vice President for Academic Affairs

Policy Rationale

This policy is designed to ensure appropriate oversight, fairness, and transparency in the establishment and allocation of Special Administrative Components. A Special Administrative Component (SAC) is a salary amount, in addition to base salary, which is designed to provide incentive to and compensation for a faculty member who is willing to take on extra administrative duties. This policy is applicable to SACs and other similar salary components that are paid to faculty members for carrying out certain specified administrative duties.

Policy Statement

SACs cannot be paid for work that is considered a normal part of faculty service workload, for example, serving on search committees or other assignments that are limited in scope and time, and for which special qualifications are not required. All SACs are incorporated into faculty contracts, and thus are ultimately approved by the Office of the Provost or the Executive Vice President for Health Sciences (EVPHS) as a part of the faculty contract approval process.

Colleges and other administrative units which award SACs must have written policies that specify the type of administrative work for which a SAC may be awarded; how the compensation is determined, including a standardized payment scale to ensure equity; and established SAC terms and criteria for renewals. These policies must be approved by the Office of the Provost or the Office of the (EVPHS), and be available for review in the offices awarding the SACs (e.g. offices of the chair, dean, director, or other administrator).

Applicability

All UNM academic faculty and administrators, including the Health Sciences Center and Branch Campuses.

Definitions

Special Administrative Component (SAC). A SAC is a component of a faculty member’s salary that is paid to the faculty member for carrying out certain specified administrative duties that are in addition to the faculty member’s non-
administrative duties.

**Who should read this policy**

- Professors and academic staff
- Academic deans and other executives, department chairs, directors, and managers
- Administrative staff responsible for academic appointments

**Related Documents**

Faculty Handbook:

- C50: Faculty Contracts
- C140: Extra Compensation Paid by the University

Related HSC Procedures

**Contacts**

Direct any questions about this policy to the Office of the Provost or the Office of the EVPHS, as appropriate.

**Procedures**

1. SACs are generally built into departmental budgets and based on historical labor-cost calculations. In some cases they are set by negotiation to persuade a faculty member to assume a particular responsibility. For administrative efforts within an academic department, the chair normally sets the value of each SAC, and the college or school deans review and approve the departmental SACs; for deans and directors the Provost or EVPHS sets the value of the SAC. For SACs awarded in independent centers and institutes, and for cross-college activities, SAC recommendations may be made collaboratively by appropriate administrative officers; these recommendations require approval by the Provost or the EVPHS. The EVPHS may define different procedures and guidelines for HSC SACs provided they are consistent with items 2, 3, 4, and 5 below.

2. The Office of the Provost or the EVPHS has the responsibility to approve all SACs. Therefore, guidelines governing the creation and administration of SACs are set by those offices. The following guidelines set the appropriate values, eligibility requirements, and processes for initiating and terminating SACs. Equity considerations and the tracking and reporting of SACs are functions of those offices as well. The Senior Vice Provost for Academic Affairs or the HSC Vice President for Academic Affairs is charged with implementing and monitoring these guidelines.

3. Colleges and other administrative unit policies should include the following:
   1. The work and title for which the SAC is awarded should be specified (this should make clear the duties and responsibilities connected with this work).
   2. A compensation amount should be assigned to the SAC. This amount could be based on the following factors: the numbers of people being managed (faculty, staff, graduate/undergraduate students); budget; grants administered by the unit; and special programs or projects which have impact and contribute to the larger University mission. If other factors are used, these should be clearly identified.
   3. The compensation amount referred to in 3.b. should derive from a general standardized payment scale; the amount of the SAC should reflect the factors identified in 3.b., and in the interests of equity should be awarded consistently. (The amounts could be a set dollar amount or a range, or the SAC could be a set percentage of base pay.)
   4. The term of the SAC should be defined, and criteria for renewals should be clear. Once the term of service is complete, the SAC will also end.

4. In practice, when a SAC is awarded, the request to create the appropriate faculty contract should include a brief description of the specific qualifications of the individual for carrying out the duties and responsibilities as described above. That request should also include the term of the SAC.
5. At the end of each fiscal year the Office of the Provost or the Office of the EVPHS will submit a report to the Faculty Senate Operations Committee that lists all SACs. This report will be posted on the Provost’s and EVPHS’s websites. The report will include each faculty member’s name, college or school, amount of SAC, and purpose of the SAC.

**History**

- August 25, 2022 - Updated title of Executive Vice President for Health Sciences, per FHB Policy A53 procedures
- August 27, 2013 – Approved by the Faculty Senate.
C200: Sabbatical Leave

Policy

(Approved by Faculty on 3/12/74, 4/8/75 and 5/10/78; approved by Regents on 3/14/74, 2/1/75, 5/18/75, 8/29/78 and 5/14/04; approved by Faculty on 4/3/04 and 5/14/04)

1. The principle of sabbatical leave has been approved by the Faculty and the Regents of the University as a basic policy. Faculty who qualify have the right to apply for sabbatical leave. Its main purpose is to encourage professional growth and increased competence among faculty members by subsidizing significant research, creative work, or some other program of study that is judged to be of equivalent value.

2. The plan provides several options of sabbatical leave for service in the University under certain conditions enumerated below. It is understood, however, that such leave will not be granted automatically upon the expiration of the necessary period of service. Rather, the faculty member shall present, as part of the application, evidence of recent sound research, creative activity, or other academic achievement, including publications, to support the program of work which is planned for the sabbatical period. Also, this program shall give reasonable promise of accomplishing the major purpose of the leave, cited in item (1) above. Sabbatical leave will not be granted to subsidize graduate work or work on advanced degrees.

3. Sabbatical leaves will be approved only with the clear understanding that the faculty member will at the completion of the sabbatical return to the University for a period of service at least as long as the duration of the leave.

4. One-semester leaves ordinarily shall be taken in Semester II when loads and enrollments are lighter.

5. As a general rule, the regular faculty members of the department concerned will be expected to absorb the teaching load of the individual on leave, and the departmental chairperson (or the dean in non-departmentalized colleges) shall present with each recommendation for sabbatical a statement of the planning in this regard. A department may, for example, decide to alternate courses or to cancel certain offerings. Further, it is expected that the department shall prepare its program over a period of years so that essential courses need not be neglected because of the temporary absence of a member of the staff.

6. To avoid adverse effects on the educational objectives of individual departments, the administration finds it necessary to place a practicable limit on the number of sabbatical leaves granted in any one department for any one semester or academic year (see footnote #1 below). Sabbatical leaves will be granted according to the following criteria:

(a) Normally the number of concurrent sabbatical leaves in any one department shall not exceed one-seventh (1/7) of the tenured members of the department (rounded to the next higher whole number) or one-tenth (1/10) of the budgeted FTE faculty members (rounded to the next higher whole number), whichever is larger. (b) The number of concurrent sabbatical leaves in any department may be held below the maximum permitted in paragraph 6(a) if in the judgment of the chairperson, dean, and Deputy Provost such restriction is necessary in order that the program of the department not be adversely affected. The sabbatical leave request for any qualified faculty member may not be denied more than twice for this reason. (c) The number of concurrent sabbatical leaves in any department may exceed the normal maximum only if in the judgment of the Provost/Vice President for Health Sciences (VPHS) extraordinary circumstances warrant it. (d) Recognizing that small departments often are penalized by their inability to absorb the academic loads of faculty on leave, the administration will establish a mechanism to permit appointment of temporary or part-time faculty in departments with seven (7) or fewer faculty FTE at such times as members of the departments* may be granted sabbatical leave.
7. Other conditions having been fulfilled, it is general practice that requests for leave be considered on the basis of length of service.

8. Approval of Application: Primary responsibility for determining the merit of a proposed program from the point of view of the validity of the program and the probable value of the program to the faculty member and to the University lies in the department and should be accomplished by a departmental committee. The departmental chairperson shall forward to the dean the departmental evaluation together with the chair's recommendation and a statement as to how the teaching obligations of the department will be achieved in the event the proposal is approved. The dean with the advice of a college-wide faculty committee, shall then evaluate the proposal both on its merits and on its effect on the operation of the college. The dean shall then send the departmental and college recommendations to the Deputy Provost so that the original and one copy of the proposal together with all recommendations shall reach that office by February 1 for a leave commencing in Semester I of that year and by October 1 for a leave commencing in Semester II of the following year. The Provost/VPHS shall verify that the applicant is eligible for the proposed leave and that provisions of this Policy have been properly followed.

The Deputy Provost shall then forward all materials to the Provost/VPHS who shall in turn forward them to the President with an evaluation of the proposed leave from a university-wide point of view. The President makes the final decision.

9. Appeal: If at any stage of the approval process, the applicant believes that his or her proposal has not been considered properly according to the provisions of this Policy, that matters of academic freedom are involved, that improper considerations have entered into a negative decision, or that other demonstrable conditions prevented a fair and impartial evaluation, he or she may appeal to the Committee on Academic Freedom and Tenure for a review of the matter. If the applicant succeeds in making a prima facie case in the opinion of the Committee at one of its meetings, a five-member panel shall be designated to conduct a formal hearing on the matter on the basis of the grounds enumerated above and following the provisions of Sections 6.2 of the Policy on Academic Freedom and Tenure. The panel shall deliver its findings together with its recommendation to the Provost/VPHS for forwarding to the President.

10. Sabbatical leave is available under the following four options (see footnote #2 below) to any faculty member with tenure or to any faculty member in the last year of the probationary period for whom a favorable decision has been reached with regard to tenure. Those options should be discussed with the departmental chairperson, and the application should indicate the option desired. After any period of at least three years of full-time service at the University of New Mexico.

11. One semester at 2/3 salary for that semester. After any period of at least six years of full-time service (or equivalent part-time service) at the University of New Mexico without a sabbatical:

12. One semester at no reduction in annual salary.

13. One full academic year at 2/3 salary.

14. Semester II of one year and Semester I of the following year, at 2/3 salary for each semester of leave.

15. See item 2 under Statement of Policy Concerning Leaves Without Pay for length of sabbatical or combination of sabbatical and leave without pay.
16. Time toward each new sabbatical begins immediately after return to full-time service regardless of the semester of return.

17. Sabbatical leave is counted toward retirement. While a person is on sabbatical leave, the University will continue to pay its share toward retirement, group insurance, and Social Security benefits.

18. Upon returning to the University, every faculty member granted a sabbatical leave shall submit promptly to the Deputy Provost, with copies to department chairperson and dean, a full report of the research, creative work, publications, or other results of the period of leave. The report submitted to the Deputy Provost shall be deposited in the faculty member's personnel file.

See the Faculty Contracts Sabbatical Leave Form.

*programs, colleges or non-departmentalized schools.

1. In addition, those faculty members who receive all or part of their salaries directly from agencies outside the University will be granted sabbatical privilege with salary guaranteed only to the extent of UNM funding of the previous year, or 2/3 of that amount as appropriate; full funding is possible only when funds are available within the UNM budget.

2. When a faculty member is employed on a continuing basis on a 12-month contract, sabbatical leave options can be translated from "semester" to "6-month period" and from "academic year" to "12-month period." Faculty members on 12-month contracts may not accrue annual leave while on sabbatical leave.
C205: Annual Leave

Policy

This policy is under revision or is being developed. Current provisions for annual leave are located in Faculty Contracts, Section C50.
C210: Sick Leave

Policy

(Approved by Faculty on 3/12/74, 4/8/75 and 5/10/78; approved by Regents on 3/14/74, 2/1/75, 5/18/75 and 8/29/78)

In cases of illness or injury requiring an extended absence—defined here as a period exceeding ten (10) working days—upon recommendation by the department chairperson, the dean, and the Provost/Executive Vice President for Academic Affairs, the President may approve an extended sick leave with pay up to a maximum of six (6) months for those full-time faculty members who have had six (6) or more years of continuous service at The University of New Mexico (UNM) and who have not had an extended sick leave during their last six (6) years of service. For those who have been at UNM less than six (6) years or who have been granted extended sick leave during their last six (6) years of service, the length of the requested sick leave will be reduced accordingly.

Permanent part-time faculty, who work at least one-half (1/2) time are eligible for sick leave proportionally.

In cases where the duties missed due to illness or injury cannot be assumed by others without the expenditure of funds not budgeted to the department or college, the department chairperson or director of an academic division or dean in colleges without departments will report the matter to the college dean who in turn will consult with the Senior Vice Provost for Academic Affairs for resolution.

In cases of illness or injury requiring absences shorter than ten (10) working days, deans and directors are required to keep records as necessary of any series of such instances and to report to the Senior Vice Provost for Academic Affairs.

History

- August 25, 2022 - Updated titles of Senior Vice Provost for Academic Affairs and Provost/EVP of Academic Affairs
C215: Parental Leave

Policy

(Approved by the Faculty Senate November 23, 2010; Approved UNM President November 29, 2011)

SECTION 1: GENERAL PRINCIPLES

The University of New Mexico (UNM) supports faculty in balancing their academic and personal lives. UNM strives to help faculty coordinate the needs and timing of an academic career and balancing the sometimes competing priorities of their academic and personal lives. UNM is committed to creating an environment that supports faculty when the responsibilities of family life are particularly demanding by allowing faculty to take time away from work for caring for and bonding with children. This policy provides one (1) semester of parental leave with full pay for a primary or co-equal care-giving faculty parent as defined within this policy.

1.1 Role of Academic Leadership

Academic leaders and supervisors will attempt to foster an environment in which every eligible faculty member will be encouraged to consider freely the parental leave opportunity offered through this policy. Deans, department chairs, and program directors should make every effort to promote use of this policy. Individuals participating in reappointment, tenure, and promotion reviews shall not allow use of parental leave or family-related tenure-clock extensions to have a negative influence in the evaluation of any candidate.

1.2 Ethical Use

This policy shall be promulgated, used, and applied within the intent and principles of the policy and with the high ethical standards expected in all areas of academic endeavors and leadership.

The parent/s taking leave must also realize this is a revocable benefit under certain circumstances. The leave may not be used for outside work, whether part-time or full-time, for pay. The parent taking leave must also agree that they will return to work at UNM after leave has been taken for a minimum of time equal to leave time taken.

1.3. Relationship to Medical Leave

Parental leave is not intended to take the place of medical leave for a birthing parent, but is granted in addition to any medically required leave.

SECTION 2: ELIGIBILITY, REQUIREMENTS, AND LIMITATIONS

2.1 Eligibility

All regular contract faculty at .50 FTE or higher who have been employed at UNM at least one (1) semester are eligible for parental leave. In taking parental leave, the expectation is that the faculty member will spend this time caring for and bonding with a child who has recently joined the household. If both parents are faculty members, each is eligible for parental leave. If both faculty members are in the same department, the faculty members and the chair will discuss how best to meet the needs of the department and the family including whether to take the leave concurrently or consecutively (preferable). If only one parent takes leave, that parent will be reimbursed at full pay during the leave. If both parents wish to take leave, whether consecutively or concurrently, they will each be reimbursed at one-half of their usual salary. Parents giving birth, spouses or domestic partners of parents giving birth, parents adopting, and parents accepting a long-term foster placement or fostering toward adoption, are all eligible for equal amounts of parental leave under this policy.
2.2 Eligible Events

Parental leave should normally begin within one (1) calendar year after a child is born or an adopted or foster child joins the household. Exceptions to the one-year time frame will be reviewed on a case-by-case basis in accordance with Section 3.1. herein.

2.3. Relief

This policy provides full relief from teaching duties and similar responsibilities. When research and advising are part of the duties, it is normally expected that these activities will continue during parental leave, but not during any period of medically required leave. Given the varied nature of academic responsibilities across UNM, it is the prerogative of each dean to establish guidelines for relief under this policy. Due to the unique nature of faculty responsibilities that include providing patient care, the Health Sciences Center (HSC) will define the extent of relief provided to HSC faculty requesting parental leave.

The faculty member should discuss the need for parental leave with the dean or department chair well in advance of the leave and when possible, in time for any alternative teaching, patient care, and other academic arrangements to be made. The faculty member and the dean or department chair will work together to develop a plan for parental leave that meets both the needs of the faculty member and the needs of UNM. They shall work together to minimize the impact of leave on students, grantors, patients, and other beneficiaries of the academic program.

2.4 Family and Medical Leave (FMLA)

Faculty members may also take unpaid FMLA to arrange additional relief. For more information on FMLA refer to UAP Policy 3440 “Family and Medical Leave.”

2.5 Tenure Clock

The running of the probationary period will be suspended, unless otherwise requested in writing, when a faculty member is on parental leave. Subsequent mid-probationary and tenure reviews will be one (1) full year later. Deans, department chairs, and program directors should help faculty members to make informed decisions about suspending the probationary period.

2.6 Sabbatical

Parental leave time will count towards time worked to earn a sabbatical.

SECTION 3: EXTRAORDINARY CIRCUMSTANCES AND APPEALS

3.1 Extraordinary Circumstances

Extraordinary circumstances such as multiple births/adoptions or events involving special-needs children may necessitate additional parental leave and/or flexibility, and shall be referred to the Provost or Executive Vice President for Health Sciences (EVPHS) for a determination. These situations will be reviewed on a case-by-case basis to determine how best to meet the additional needs of the faculty member and UNM. These decisions will be applied consistently across the University to ensure equitable treatment.

3.2 Appeals

If a faculty member and the dean or department chair cannot reach agreement on a parental leave plan for relief, the faculty member may appeal the dean’s decision to the Provost or EVPHS for a final decision.

SECTION 4: PROGRAM REVIEW AND EVALUATION
The Provost’s Office and HHSC Office of Academic Affairs will review this parental leave program biennially to ensure that it is applied equitably and consistently across UNM within the intent of the policy. This review will also analyze the program’s impact on UNM’s mission and faculty recruitment, retention, and satisfaction in relation to associated costs.
C220: Holidays

Approved by: Faculty Senate
Effective: April 26, 2016
Responsible FS Committee: Policy Committee
Office Responsible for Administration: Office of the Provost or Executive Vice President for Health Sciences

Policy Rationale

Holidays play an integral part in faculty and student lives. This Policy Document identifies the specific holidays observed by the University of New Mexico (UNM).

Policy Statement

UNM observes the following specific holidays each year and most offices are closed during these holidays:

- Martin Luther King Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Winter break. The specific days observed as the holiday period are announced each year by the UNM Division of Human Resources.

UNM respects the right of all students and faculty to observe religious holidays and will make reasonable accommodation, upon request, for such observances in accordance with Faculty Handbook Policy C260: Religious Accommodations

Applicability

All UNM academic faculty and administrators.

Definitions

No specific definitions are required for the Policy Statement.
Who should read this policy

- Faculty
- Department Chairs, academic deans and other academic administrators and executives

Related Documents

UNM Regents’ Policy Manual

- Policy 2.3 “Equal Opportunity, Affirmative Action, Anti-Harassment, and Anti-Retaliation”

Faculty Handbook Policy

- C260: Religious Accommodations

University Administrative Policies and Procedures Manual

- Policy 3405 “Holidays”

Contacts

Direct any questions about this policy to the Office of the Provost or the Office of the Executive Vice President for Health Sciences.

Procedures

No specific procedures at this time.

History

- August 25, 2022 - Updated title of Executive Vice President for Health Sciences and updated relevant Regents' policy, per FHB Policy A53 procedures
- April 26, 2016 - Revised policy approved by the Faculty Senate.
C225: Professional Leave

Policy

(Approved by Faculty on 3/12/74, 4/8/75 and 5/10/78; approved by Regents on 3/14/74, 2/1/75, 5/18/75 and 8/29/78)

It is also recognized that a faculty member's absence for attendance at professional meetings or to fulfill other professional obligations may be considered by the department chairperson or director of an academic division or dean in colleges without departments to be of sufficient importance to justify absence from assigned duties. In any such instance, the request must be made well in advance and must have the approval of the department chairperson or director of an academic division or dean in colleges without departments; here again it is the faculty member's obligation to make suitable arrangements for covering the absence. In order to assure compliance with Laws of 1971, ch. 228 (introduced as House Bill 327), it is the responsibility of each department chairperson to be prepared to report on any faculty absence from regularly assigned classes, scheduled examinations, posted office hours, or other assigned duties or commitments.
C230: Military and Related Service Leave of Absence

Approved By: Faculty Senate
Effective Date: March 23, 2021
Responsible Faculty Committee: Policy Committee
Office Responsible for Administration: Office of the Provost or Executive Vice President for Health Sciences (EVPHS)

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

Policy rationale

The University of New Mexico (UNM) recognizes the need of some faculty to fulfill military and related service obligations.

Policy statement

Any full-time or part-time member of the faculty on regular appointment, as defined in Section B policies, is eligible for a Military and Related Service Leave of Absence (military leave). To request military leave, the faculty member, or designated representative (such as an officer of the military), must provide the department chair with a notification that the faculty member will be completing duty covered by this Policy. The faculty member will provide official documentation as soon as practical. When military leave is granted for active military duty, service, and training or a local emergency during the period of a regular contract (whether nine, ten, or twelve-month), UNM will continue to pay the faculty member's salary, uninterrupted, up to a maximum of fifteen (15) working days per federal fiscal year. Once the fifteen (15) workday period is used, the employee may take annual leave or leave without pay for any remaining absence, unless the Governor of New Mexico grants an additional fifteen (15) workdays of paid leave.

Service in the uniformed services covers all categories of military training and service, including duty performed on a voluntary or involuntary basis, in time of peace or war. Active military duty, related service, and training with the following organizations qualify for fifteen (15) paid workdays of military leave per federal fiscal year:

- Armed Forces of the United States, defined to include the Army, Navy, Air Force, Marine Corps, Coast Guard, Space Force, Public Health Service, and their reserve components and National Guard;
- New Mexico National Guard;
- National Disaster Medical System (NDMS);
- Commissioned Corps of the Public Health Service;
- Civil Air Patrol;
- State Defense Force to attend officially authorized training or instruction courses;
- Volunteer emergency responders assisting in an emergency or disaster; or
- Any other category designated by the President of the United States, Governor of New Mexico, or federal or state laws, statutes, or regulations.

Unless called to active duty for a "local emergency," faculty may not receive military leave with pay during the period of a summer session supplemental contract.

An unpaid military leave of absence may be granted for the following reasons:

- Active duty, training, or service beyond the fifteen (15) paid workdays of military leave provided in of this policy;
- Voluntary active duty for a special training purpose;
- Required active duty as part of a reserve obligation;
- Voluntary enlistment for military service. Normally, a tour of three (3) years or more of active duty is required.

**Applicability**

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

**Definitions**

**Related service.** Refers to intermittent disaster response appointees of the National Disaster Medical System (NDMS), part of the Department of Homeland Security’s Federal Emergency Management Agency, and to volunteer emergency responders assisting in national or local emergencies and disasters.

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

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.

**Who should read this policy**

- Faculty
- Department Chairs
- Academic deans and other academic administrators and executives

**Related documents**

- [UNM Regents’ Policy Manual Policy 5.4 “Leaves of Absence”](#)
- Faculty Handbook
  - Section B Policy on Academic Freedom and Tenure, subsection B3
  - Policy C280 “Leave Without Pay”
- University Administrative Policies and Procedures Manual
  - Policy 3405 “Holidays”
  - Policy 3425 “Military and Related Service Leave”
- [USERRA – Uniformed Services Employment and Reemployment Rights Act](#)
- [New Mexico Military Service (USERRA) §20-4-7 NMSA 1978](#)

**Contacts**

Direct any questions about this policy to the UNM Office of the Provost or EVPHS
Procedures

Applicable procedures pertaining to federal and state laws and regulations for military and related service leave are discussed in University Administrative Policy 3425 “Military and Related Service Leave,” which include, but are not limited to:

- determination of eligibility for leave with pay,
- determination of eligibility for leave without pay,
- health insurance benefits while on extended military leave,
- reinstatement after military leave, and
- record keeping of military leave usage.

Tenure clock

In accordance with Section B Policy on Academic Freedom and Tenure, subsection B3, “If a faculty member goes on leave of absence without pay for a semester or more during a year of probationary service, the probationary period will normally, upon timely request of the probationary faculty member, be suspended for the duration of the leave, and subsequent mid-probationary and tenure reviews will be one full year later.”

Deans, department chairs, and program directors should help faculty members to make an informed decision about suspending the probationary period. If the length of the military leave is undetermined or results in a significantly shorter or longer duration than first anticipated, the faculty member may request to change their tenure clock decision by contacting the Provost or EVPHS within two (2) months after returning from military leave. Any changes are subject to approval by the Provost or EVPHS.

History

- March 23, 2021 – Approved by the Faculty Senate
- August 29, 1978—Approved by the Board of Regents
- May 10, 1978—Approved by Faculty
- May 18, 1975 May 18, 1975—Approved by Board of Regents
- April 8, 1975—Approved by Faculty
- February 1, 1975—Approved by the Board of Regents
- March 14, 1974—Approved by the Board of Regents
- March 12, 1974—Approved by Faculty
C235: Leave for Service Abroad

Policy

(Approved by Faculty on 3/12/74, 4/8/75 and 5/10/78; approved by Regents on 3/14/74, 2/1/75, 5/18/75 and 8/29/78)

1. General Statement. Since the end of World War II, colleges and universities have recognized their responsibility for providing educational leadership to the developing countries of the world. They have particularly met their responsibility by releasing competent faculty members for a term of service on education projects abroad. Such leaves for service abroad are sufficiently different from sabbatical leaves and other leaves of absence to merit a different set of policies.

2. Eligibility. After two (2) years of service at The University of New Mexico (UNM), any full-time member of the faculty on regular appointment (i.e., not temporary) as a lecturer or above is eligible for a leave without pay for such service abroad.

3. Length of Leave. The leave for service abroad is usually longer than the sabbatical in that at least two (2) years of service are normally required. The longer period is necessary since the first year abroad is primarily one of learning and cultural adjustment. A second year is usually required for productive work. Therefore, leaves of up to two (2) years may be granted. Requests for leaves and third-year extensions must be judged on their individual merits. Applications shall be submitted pursuant to the procedures set out in paragraph 8 under Sabbatical Leave.

4. Assignment of Duties upon Return. Upon their scheduled return to UNM, the faculty member shall be assigned to the same position that was left, or one that is comparable, bearing in mind the member's seniority and special competencies.

5. Determination of Salary and Rank upon Return. Work done while on leave for service abroad shall be considered in determining the rank and salary that the faculty member shall receive upon returning. The normal advancement of the faculty member will not be interrupted by reason of the leave for service abroad. However, it is understood that if a faculty member has not attained permanent tenure, the leave for service abroad automatically extends the probationary period by the length of time consumed by the leave.
C245: Faculty Absence from Assigned Duties

Policy

(Approved by Faculty on 3/12/74, 4/8/75 and 5/10/78; approved by Regents on 3/14/74, 2/1/75, 5/18/75 and 8/29/78)

It is expected that each faculty member will meet regularly assigned classes, scheduled examinations, posted office hours, and other assigned duties and commitments. It is recognized, however, that occasional brief absence because of illness, accident, or family crisis may be necessary, and each faculty member shall make suitable arrangements in the event of such absence, including the notification of the students, and shall inform the department chairperson or director of an academic division or dean in colleges without departments to assist in making such arrangements. Since only the individual faculty member can provide the essential continuity and in many cases the expertise in a given course, the use of substitutes for brief absences should generally be avoided.
C255: Jury/Court Duty

Policy

An employee summoned for jury duty or for duty as a witness (other than as plaintiff or defendant in a non-University related matter) is granted time off with pay for the time spent on these types of duty if the employee presents documentary evidence of the summons to his supervisor. An employee summoned as specified above is required to reimburse the Payroll Office for any compensation received (i.e., juror's check or witness fee) for time spent in court, but will be permitted to retain payments for mileage.

In cases of extreme hardship or other good cause, New Mexico law provides that, "Any person may be excused from jury service at the discretion of the judge upon satisfactory evidence presented to the judge with or without the person's personal attendance upon the court." Section 38-5-2, NMSA 1978.
C260: Religious Accommodations

Approved by: Faculty Senate
Effective: April 26, 2016
Responsible FS Committee: Policy Committee
Office Responsible for Administration: Office of the Provost or Executive Vice President for Health Sciences

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) community is sensitive to the religious practices of the various faiths represented in its student body and employees. This Policy Document provides guidance to faculty, supervisors, and students pertaining to requests for religious accommodations.

Policy Statement

Every reasonable effort should be made to help students avoid negative academic consequences when their religious obligations conflict with academic requirements. UNM respects the right of all students and faculty to observe religious holidays and will make reasonable accommodation, upon request, for such observances. If a request for accommodation is denied, the student or faculty member may appeal to the Provost or the Executive Vice President for Health Sciences.

Applicability

All UNM students, academic faculty and administrators.

Definitions

No specific definitions are required for the Policy Statement.

Who should read this policy

- Students
- Faculty
- Department Chairs, academic deans and other academic administrators and executives
Related Documents

UNM Regents’ Policy Manual

- Policy 2.3 “Equal Opportunity, Affirmative Action, Anti-Harassment, and Anti-Retaliation”

Contacts

Direct any questions about this policy to the Office of the Provost or the Executive Vice President for Health Sciences.

Procedures

Students must submit written requests for accommodation to their course instructor. If possible, the student should submit the request by the end of the second week of the semester. The request should include the date, times, and specific event for which accommodation is being requested. Faculty are expected to give students the opportunity to do appropriate make-up work that is intrinsically no more difficult than the original exam or assignment. A refusal to accommodate is justified only when it would interfere unreasonably with the delivery of the course.

Faculty should work with their department chair to coordinate their schedules with their religious observances.

History

- August 25, 2022 - Updated title of Executive Vice President for Health Sciences and updated relevant Regents' policies, per FHB Policy A53 procedures
- April 26, 2016—Revised policy approved by the Faculty Senate.
C280: Leave Without Pay

Approved by Faculty Senate and Board of Regents
Effective Date: May 9, 2014
Responsible Faculty Committee: Policy Committee
Office Responsible for Administration: Provost and the Executive Vice President for Health Sciences

Policy Rationale

A University of New Mexico (UNM) faculty member may encounter a situation that is not covered by other faculty leave policies and may need to request leave without pay. This document describes which faculty members are eligible for leave without pay and the procedures for requesting and granting leave without pay.

Policy Statement

Any faculty member, except for adjunct appointments, is eligible for a leave of absence without pay after two (2) years of service at UNM subject to the following stipulations:

1. Leaves without pay will be granted only when in the opinion of appropriate UNM officials such a leave will be of distinct benefit to this institution as well as to the individual concerned.
2. Leaves without pay will not normally be granted to persons wishing to accept a regular faculty appointment at another institution. Such an arrangement usually puts UNM at a considerable disadvantage, since it would be required to keep the position here open on a temporary basis until the person on leave returns or decides not to return to UNM.
3. Before the leave without pay is approved, the department chairperson and/or the dean concerned must have agreed that the assignments usually carried out by the person requesting the leave may and will be carried out satisfactorily by others—normally including one or more temporary employees from the outside—without any extra cost to UNM.
4. It is to be understood that if a faculty member has not attained tenure, a leave of absence without pay will normally extend the probationary period.
5. Leave of absence without pay is not counted toward retirement or toward years of service when figuring seniority for promotion.
6. While a faculty member is on leave without pay, UNM will not continue to pay its share toward retirement or Social Security benefits.
7. The faculty member’s insurance benefits will continue while the faculty member is on leave without pay, unless the faculty member actively cancels his or her insurance through UNM Human Resources. The faculty member will be responsible for paying his or her portion of the benefit premiums. UNM will continue its contribution to premiums. The faculty member should refer to UAP Policy 3600 “Eligibility for Employee, Retiree, and Dependent Benefit Plans” for requirements pertaining to continuation, cancellation, and reinstatement of benefit plans.

Applicability

All UNM academic faculty and administrators, including the Health Sciences Center and Branch Campuses.
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

No specific definitions are required for this Policy

Who should read this policy

- Faculty
- Academic staff
- Academic deans and other executives, department chairs, directors, and managers

Related Documents

Faculty Handbook

- Section B: Policy on Academic Freedom and Tenure 2.3.2, 3.4.2, and 4.10.
- C200: Sabbatical Leave
- C205: Annual Leave
- C210: Sick Leave
- C215: Parental Leave
- C220: Holidays
- C225: Professional Leave
- C230: Military and Related Service Leave of Absence
- C235: Leave for Service Abroad
- C240: Leave of Absence Incident to Political Activity
- C245: Faculty Absence from Assigned Duties

University Administrative Policies and Procedures Manual:

- Policy 3440 “Family and Medical Leave”
- Policy 3600 “Eligibility for Employee, Retiree, and Dependent Benefit Plans”

“Request for Leave Without Pay” form available from the Office for Academic Personnel or the HSC Faculty Contracts Office.

Contacts

Direct any questions about this Policy to the Office for Academic Personnel or the HSC Faculty Contracts Office.

Procedures

1. A leave without pay or any combination of a sabbatical leave and a leave without pay will not generally exceed one (1) year in duration, although when the best interests of UNM would be so served and with the concurrence of the department chairperson, the dean, and the Provost or the Executive President for Health Sciences (EVPHS), the President may approve a two (2)-year absence. However, except in rare cases, as approved by the President, a faculty member shall not be absent from UNM for more than two (2) of any five (5) consecutive years, and it is not contemplated that even such a proportion of absence shall be the norm.
2. Requests for leaves of absence without pay or any combination of a leave without pay and a sabbatical leave, as described in item 1, should be submitted through the applicant's department chairperson to the dean as early as possible, but no later than four (4) months in advance of the date the proposed leave will begin. The dean forwards the request with their recommendation to the Provost or the EVPHS, who in turn submits all pertinent material to the President with their recommendations. The President makes the final decision.

History

- August 25, 2022 - Updated title of Executive Vice President for Health Sciences per FHB Policy A53 procedures
- May 9, 2014—Approved by Regents
- April 22, 2014—Approved by the Faculty Senate
- August 29, 1978—Approved by Regents
- May 10, 1978—Approved by Faculty
- May 18, 1975—Approved by Regents
- April 8, 1975—Approved by Faculty
- February 1, 1975—Approved by Regents
- March 14, 1974—Approved by Regents
- March 12, 1974—Approved by Faculty
C290: Ombuds/Dispute Resolution Services for Faculty

Approved by: Faculty Senate
Effective: April 23, 2019
Responsible Faculty Committees: Faculty Senate Policy Committee
Office Responsible for Administration: Ombuds/Dispute Resolution Services for Faculty

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) is committed to providing a working and learning environment where all members of the UNM community work together in a mutually respectful and constructive manner. At times however, workplace conflicts can occur, and when possible under the circumstances, UNM encourages faculty to address and resolve complaints informally at the least adversarial level. Ombuds/Dispute Resolution Services for Faculty is a confidential, impartial, informal, and independent resource for faculty concerns and conflicts.

Policy statement

Ombuds services are provided for all faculty and faculty administrators. Ombuds services include individual consultations, joint meetings/mediations, no-cost mediation training, and periodic workshops. The services provide for confidential respectful consultations about experiences and concerns, discussion of options, information about policies and relevant UNM resources, collaborative problem-solving, and mediation. Difficulties experienced often include, but are not limited to, communication breakdowns, information voids, differing views about how work is done, interpersonal tensions, and difficult collaborations. The Ombuds office adheres to the principles and standards of practice established by the International Ombudsman Association (IOA) and to UNM policies and procedures.

1. Confidential

Participants’ identities and the contents of their conversations are private. Only with the individual’s permission would ombudspersons contact other UNM individuals or services to help resolve a dispute. The exceptions to confidentiality are disclosures of imminent harm to self, others, or property or if disclosure is required by law.

Ombuds services does not keep permanent records regarding any participants. Any recordkeeping or note-taking related to a specific individual is used only as a temporary aid to help informally serve participants. These informal records are kept in the sole possession of the office, securely maintained, and destroyed in accordance with IOA standards.

2. Impartial

Ombudspersons are neutral and maintain no personal stake in the outcome of any dispute. The Ombuds office promotes a fair non-judgmental process. It does not take sides or advocate for an individual.

3. Voluntary

The use of Ombuds services is voluntary. The guiding standard is resolution of difficulties at the least adversarial level. The focus is on alternative ways for resolving problems other than by formal institutional procedures. Ombuds staff do not participate in formal proceedings.
4. Independent

Ombudspersons exercise autonomy regarding their responsibilities. The Ombudsperson for Faculty reports to the Provost, or designee, for administrative and budgetary purposes only.

5. Protection from Retaliation

Retaliation against a faculty member for raising an issue or participating in Ombuds services is prohibited in accordance with University Administrative Policy Manual Policy 2200 “Reporting Suspected Misconduct and Whistleblower Protection from Retaliation”

6. Scope of Services

The ombudsperson does not:

- handle legal issues or formal grievances or provide legal advice;
- accept legal notice for UNM, should you wish to go “on record” about an issue or put UNM on notice; or
- address disputes between faculty and persons or organizations not affiliated with UNM.

Applicability

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

Definitions

Ombudsperson. One who assists individuals and groups in resolution of conflicts or concerns. The Ombuds for Faculty is a designated neutral position appointed by UNM to facilitate informal resolution of faculty concerns and to bring systemic concerns to the attention of the organization for resolution.

Who should read this policy

- Faculty members
- Faculty administrators

Related documents

Faculty Handbook

- Policy C07 “Faculty Disciplinary Policy”
- Policy C09 “Respectful Campus”

University Administrative Policy Manual
Contacts

Direct any questions about this policy to Ombuds/Dispute Resolution Services for Faculty.

Procedures

These services are voluntary and are available to faculty at all levels and to faculty administrators. When pertinent and with permission of the individual, the Ombuds/Dispute Resolution Services for Faculty coordinates services with Ombuds Services for Staff, Ombuds Dispute Resolution for Graduate Students, and with the Dean of Students office.

Initiation of requests for appointments for individual consults or joint meetings/mediations begins with the individual faculty member. In the mediation process, the mediators provide a private safe setting and facilitate the individuals’ conversations. The mediators do not tell the individuals what to do. The individuals decide if and how they will resolve their difficulties, and they can create mutually satisfactory agreements for moving forward.

History

• April 23, 2019--New policy approved by Faculty Senate.
C305: Emeriti Status

Policy

(Established as informational item entitled Emeritus/a Status in 10/1/90 version of Faculty Handbook; adopted by Regents as part of Benefits and Privileges 9/12/96; revised as “Emeriti Policy” approved by the Academic Freedom & Tenure Committee, 5/3/00; approved by the Faculty Senate, 4/22/03; approved by the Provost, 5/2/03. Revised by the Academic Freedom and Tenure Committee, 4/9/10; approved by the Faculty Senate, 4/27/10; approved by the Provost, 7/13/10.)

The status and title of Emerita/Emeritus are conferred upon faculty described below who retire after having served the University in good standing. Emerita/Emeritus status is considered for voting faculty (including members ex-officio) of the University. Eligible faculty seeking Emerita/Emeritus status must receive a majority recommendation of their department through a vote of the senior faculty. The conferred title will be their rank at separation with Emerita/Emeritus added. The title of Emerita/Emeritus is honorary and without obligation to the recipient. In addition to the right to use the title, the recipient is encouraged to continue to participate in the academic activities of the University. The recipient also receives a standing invitation to participate in formal academic processions including Convocations.

The University of New Mexico recognizes the loyalty and the continuing scholarly contributions of its Emerita/Emeritus faculty. In order to continue and facilitate these contributions, departmental chairs and deans should endeavor to provide office, laboratory, or studio space for Emerita/Emeritus faculty. This should be decided on a space-available basis, with priority given to non-retired faculty. Emerita/Emeritus faculty shall also be entitled to full computer privileges, letters of introduction, institutional identification, and other non-financial privileges enjoyed by non-retired faculty.

Emerita/Emeritus faculty may be invited to serve as:

- a guest lecturer in areas of scholarly expertise
- a member of a Doctoral or Masters committee
- an academic advisor to undergraduate honors program
- a member of University or College/School honors committee, unless prohibited by the Faculty Handbook
- a participant in academic department meetings to the extent permitted by College/School/Department policies

in addition to other responsibilities as deemed appropriate.

Eligible faculty seeking Emerita/Emeritus status who have been denied may seek recourse through the AF&T committee as in cases of tenure and promotion (section B.6).

Emerita/Emeritus faculty may have their title terminated for reasons outlined in the Faculty Handbook for the University-initiated termination of services of faculty members with tenure following procedures specified in section B.6.
C320: Enrollment of Faculty in University Courses

Policy

The continued professional growth of the individual faculty member is of active concern to the University administration. Subject to the restrictions of space and class enrollment and the approval of the instructor, faculty members should feel free to attend on an informal basis any course in which they have an interest. Such attendance does not require any formal registration procedure, and no record will be kept. In the case that a faculty member wants a formal record of enrollment, the regulations in the "Education Benefits" Policy 3700, University Administrative Policies and Procedures Manual apply.

Any regular (i.e., not temporary) faculty member, full-time or employed part-time on at least a half-time basis, may enroll for courses, through the tuition remission program. Emeritus faculty members have the same privileges but may take more than one course. Refer to "Education Benefits" Policy 3700 for full policy and procedures.

As a general rule, full-time faculty members may not enroll for more than two (2) courses (6 credit hours) per semester nor one (1) course (3 credit hours) in summer session, including hours for which waiver of tuition is granted. An exception may be made in rare instances if the faculty member and the department chairperson specifically agree in advance, with approval by the dean and the Senior Vice Provost for Academic Affairs, that enrollment in more than two (2) courses will not adversely affect the faculty member's performance in regularly assigned duties.

Emeritus faculty members may obtain the necessary forms and approval from the Faculty Contracts/Services Office.
C335: Faculty Exchanges

Policy

The University of New Mexico has a well established precedent of paying the salary of a faculty member who exchanges positions with a faculty member in another institution for a semester or an academic year, provided the other professor comes to UNM with salary paid by that faculty member's own institution and the exchange is approved by the UNM dean and department chairperson concerned.