UNM Faculty Handbook

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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 Regents' Policy Manual, the University Administrative Policies and Procedures Manual, the University Catalog, and the The Pathfinder - UNM Student Handbook. 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 RPM 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
UNM University Secretary

UNM 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.)

A20: Mission Statement

(Approved by the Regents, December 2001; Revision endorsed by the Regents, February 14, 2023)

As the state’s premier institution of higher learning and provider of health care, The University of New Mexico promotes discovery, generates intellectual and cultural contributions, honors academic values, and fosters an educated, healthy, and economically vigorous New Mexico.

A51: Faculty Constitution

Article I. The University Faculty

Section 1. Membership

(a) Membership: The University Faculty shall consist of the Professors, Associate Professors, Assistant Professors, Clinician Educators, Lecturers, and Instructors, including part-time and temporary appointees. The President of the University, Provost, other administrative officers at the level of Vice President and above, Deans, and the Secretary of the University shall be ex-officio members of the Faculty whether or not they are actively engaged in teaching.

(b) Voting Faculty: Members of the University who are eligible to vote shall include all members of the University Faculty at professorial ranks (Instructors, Assistant Professors, Associate Professors, and Professors) Clinician Educators, and lecturers. No person holding an interim or temporary faculty appointment shall be a member of the Voting Faculty unless he or she be a member ex officio or on an initial term appointment. The ex officio members of the University Faculty as listed in Section 1(a) shall be ex officio members of the Voting Faculty.

(c) Eligibility: Questions of eligibility for voting which may arise shall be settled by the presiding officer of the Faculty as defined in Section 3. Any appeal from the decision should be taken to the Voting Faculty. The Faculty Contracts Office shall prepare the official list of the membership of the Faculty and of the Voting Faculty as defined above.

Section 2. Responsibilities:

(a) The University Faculty shall have the right of review and action in regard to the following:

(1) formulation of institutional aims;
(2) creation of new colleges, schools, and departments and divisions;
(3) major curricular changes and other matters which in the opinion of the President of the University or his delegate affect the institution as a whole;
(4) requirements for admission, graduation, honors, and scholastic performance in general;
(5) approval of candidates for degrees;
(6) policies of appointment, dismissal, and promotion in academic rank;
(7) research; and
(8) general faculty welfare.

However, actions taken by the University Faculty shall be subject to the authority of the Board of Regents in matters involving finance, personnel, and general University policy.

(b) The enunciation of the rights and responsibilities delegated to University Faculty in Section 2 (a) and resulting policies shall be contained or referenced in the Faculty Handbook. All university policies that pertain to the rights and responsibilities of faculty, the terms and conditions of faculty employment, and academic matters shall be published in the Faculty Handbook by the Secretary of the University under the jurisdiction of the duly elected faculty governing leaders. The Faculty Handbook shall have primacy over all faculty policies and procedures. However, the Board of Regents reserves final authority over all University policies and procedures.

Section 3. Organization:

The President of the University or in his absence the Provost/Executive Vice President for Academic Affairs, shall be the presiding officer of the University Faculty. The Secretary of the University shall be the secretary of the faculty.

Section 4. Rules of Order and Agenda:

(a) The University Faculty shall conduct business according to Robert's Rules of Order, except as modified by Faculty vote.

(b) The agenda for University Faculty meetings shall be prepared by the University Secretary under the direction of the Committee on Governance. The proceedings of each meeting shall be recorded. Meeting minutes, and the audio files shall be made available by the Secretary's office for reference by any faculty member.

Section 5. Meetings:

(a) Meetings: Special meetings of the University Faculty may be called (1) by the presiding officer at his or her discretion, (2) by the Committee on Governance, (3) by no fewer than five percent of the Voting Faculty on active duty at the beginning of the academic year whenever a request is made in writing, or (4) by a majority vote of any college faculty.

(b) Quorum: Those members of the Voting Faculty present, but no fewer than ten percent of the Voting Faculty on active duty at the beginning of the academic year, shall constitute a quorum for business at a faculty meeting. Members not on active duty may, however, attend meetings and vote. Voting shall be by a simple majority of those present, except on procedural matters, which shall be governed by Robert's Rules of Order, and on amendments to this Constitution, which shall be voted upon in the manner prescribed in Article IV, Section 2. (On April 8, 1975, the Faculty approved a proposal that members of the Voting Faculty not on active duty i.e., those on leave be permitted to vote on any issue submitted to the Faculty by ballot.)

(c) Committee on Governance: A committee of five voting members of the general faculty to be known as the Committee on Governance who are not members of the Faculty Senate shall be nominated and elected by ballot for overlapping three-year terms. Duties of this committee are to prepare, in conjunction with the Secretary of the University, the agenda of general faculty meetings; to oversee elections, including referenda; to recommend adjustments, improvements and refinements in the faculty organizational structure; to represent the general faculty to the Senate; and to call meetings of the general faculty when necessary. The committee shall annually elect a chair.

(d) Standing rules Governing Meetings of the University Faculty:

(1) "Meetings shall normally be scheduled for two hours.
(2) If the agenda of a particular meeting is not concluded within two hours, a motion to adjourn shall include provision for a subsequent meeting. Alternatively, a two-thirds vote of those present could extend the meeting for another thirty minutes."
(3) "Discussion and debate of any item on the agenda shall be limited to forty-five minutes unless an extension of that time is approved by majority vote. No person may speak more than twice on any item, nor longer than five minutes at either time. The presiding officer will adjudge specific applications of this standing rule."
(4) "Qualified members of the press are admitted to faculty meetings."

Section 6. The Faculty Senate

(a) Faculty Senate: There is created the Faculty Senate to which the responsibilities of the University Faculty set forth in Section. 2 are hereby delegated, with the specific exceptions of (1) the responsibility of approving changes in the constitution, (2) the responsibilities assigned by Section. 7 (a) to the Academic Freedom and Tenure Committee, and (3) the right of the Faculty to hold special meetings as described in Section 6(i). All actions under this delegation are subject to the rights of review and referendum reserved to the University Faculty by Section. 6(h).

(b) The Faculty Senate shall be composed as follows:

(i) The Faculty Senate shall be made up of 68 members, of which 63 are chosen according to the number of full-time voting faculty in each academic unit, and 5 chosen at large except as noted in vi below. The number of senators for each academic unit (school, college, or branch with a full-time academic faculty) shall be determined yearly by first dividing the set number of senators (63) into the total number of voting faculty in the University followed by using this resulting number to determine the proportional representation for each of the units with academic faculty. This calculation will be subject to modification as specified by the following rules.

(ii) For purposes of calculating the number of full-time faculty members the actual number of full-time contracted faculty shall be used. Budgeted positions not filled and part-time faculty will not be counted.

(iii) All academic units will be represented by at least one senator; that is, those units whose proportional representation is calculated as zero due to their small number of faculty, will be assigned one senator while maintaining a total of 63 senators (excluding the at-large senators).

(iv) No academic unit will be represented by more than one-third of the senators chosen proportionally; that is, those academic units whose proportion of all full-time voting faculty would be greater than 21 senators out of 63 will be assigned only 21 senators.

(v) The remaining academic units, that is, those units whose number of senators are not assigned by the rules in iii and iv, will be assigned a number of senators according to the proportion of the full-time voting faculty of those units out of the remaining senators (that is, the remainder from 63 after the assignment of senators to units as modified by iii and iv).

(vi) If there is a discrepancy in number of senators assigned by proportion according to ii, iii, iv, and v due to rounding, that is, if the number of senators assigned by proportion according to ii-v leads to a total of 64 or 62 senators, then the number of senators chosen at-large will be adjusted so that the total number of senators remains at 68.

(vii) A full-time faculty member holding appointments in more than one school or college shall select his constituent school or college for purposes of representation in and election to the Faculty Senate by filing a written notice of such selection with the Secretary of the University no later than the first day of the spring semester of each election year.

(viii) The Provost, Chancellor, vice presidents and associate vice presidents of the university and all deans of schools and colleges and directors from branch colleges shall be ex-officio, non-voting members of the Faculty Senate.

(viiii) The President of the University, the Secretary of the University, and the Presidents of the Associated Students (ASUNM) and the Graduate and Professional Student Association (GPSA) shall be ex-officio members of the Faculty Senate without vote.

(c) Eligibility, nominations and elections:

(1) All members of the Voting Faculty as identified in Article 1, Section 1(b), with the exception of ex-officio members, shall be eligible for election as voting members of the Faculty Senate.

(2) Procedures for the nomination of individuals eligible for election to the Faculty Senate under the provisions of Section 6(b)(1i) and Section 6(c)(1) above shall be determined by the faculty members of each school or college which procedures and any subsequent changes therein shall be filed in writing with the Secretary of the University; provided, however, that academic deans and vice presidents shall not be eligible. Elections of school and college, senators shall be completed and the certified results shall be filed with the Secretary of the University no later than the last working day of the sixth week of the spring semester as it appears in the official academic calendar of the University.

(3) Procedures for the nomination of individuals eligible for election to the Faculty Senate under the provisions of Section 6(b)(3) and Section 6(c)(1) shall be determined by faculty members of non school or college academic units. The procedures and any subsequent changes therein shall be filed in writing with the Secretary of the University. Elections of non-school or college academic units shall be accomplished and the certified results shall be filed with the Secretary of the University no later than the last working day of the sixth week of the spring semester as it appears in the official academic calendar of the University.

(4) Nominations of individuals consenting to stand for election to the Faculty Senate under the provisions of Section 6(b)(4) above shall be made in writing to the Secretary of the University no later than the last working day of the ninth week of the spring semester as it appears in the official academic calendar of the University. Ex-officio members of the Voting Faculty shall not be eligible for nomination.

(5) Elections of half the members of the Faculty Senate shall be held annually in the spring semester of the academic year. Elections by the Voting Faculty for the at large members of the Faculty Senate shall be conducted by the Secretary of the University.

(6) The Secretary shall notify all Faculty in writing of the results of the election of senators from all schools and colleges within five working days of the deadline specified in 6(c)(2). Final election results shall be reported by the Secretary of the University in writing to each member of the Voting Faculty prior to the last day of the spring semester as it appears in the official academic calendar of the University.

(7) Voting members of the Faculty Senate shall be elected for terms of two years or until their successors are named, and shall take office on July 1 of the same year of their election. All elections shall be for two-year terms. No one shall serve more than four consecutive years as a voting member. Before regaining eligibility as a member, an interim of at least one year must elapse.

(8) Schools, colleges shall provide their own procedures for filling vacancies in their delegations, which procedures and any subsequent changes in them shall be filed in writing with the Secretary of the University. When the positions of Senator-at-Large become vacant for any reason, the Committee on Governance shall make arrangements with the Secretary of the University for holding special elections to fill such vacancies.

(9) Schools and colleges and faculty from non-school or college academic units shall provide their own procedures for filling vacancies in their delegations, which procedures and any subsequent changes in them shall be filed in writing with the Secretary of the University.

(d) Organization and Procedures: The members of the Faculty Senate shall determine how the Senate shall be organized and what procedures shall be established to carry out the responsibilities delegated to it by Section 6(a) above; provided, however, that the presiding officers of the Senate shall be elected by the voting membership from among their number, provided that the Secretary of the University shall serve as the

secretary of the Senate.

(e) Meetings: The Faculty Senate shall meet no less frequently than once per month during the regular sessions of the academic year exclusive of the summer session. Members of the University Faculty may observe the proceedings in a space provided for them. Individual faculty members may address the Senate by request to the presiding officer or at the request of any senator. The Senate may provide reasonable limitations as deemed necessary.

(f) Attendance at Meetings: The Faculty Senate shall establish reasonable requirements for attendance at regularly scheduled meetings of the Senate and shall remove from office any member failing to meet those requirements.

(g) Agenda and Minutes: All actions of the Faculty Senate shall be reported in writing to the Voting Faculty regularly and within ten (10) working days of such action. Additionally, the approved minutes of the Faculty Senate shall be distributed to the University Faculty within three working days after the meeting at which they are approved.

(h) Committees: The Academic Freedom and Tenure Committee which is expressly preserved in Sections. 7(a) and (b) below, and the Committee on Governance are committees independent of the Faculty Senate. All other standing committees of the University Faculty, are committees of the Senate and are responsible to it. In order to discharge the responsibilities delegated to it by this Constitution, the Faculty Senate is empowered to create, abolish, merge, or otherwise redefine functions of standing committees of the Faculty Senate. Each standing committee under the jurisdiction of the Faculty Senate as provided for in this subsection shall have at least one senator as member. Any member of the University Faculty is eligible for membership on standing or special committees. No member shall serve on more than two standing committees at a time.

(i) Review and Referendum: The University Faculty reserves the right of review over actions of the Faculty Senate in that the Senate is the agent of the University Faculty and exercises all authority by way of delegation By written petition to the President of five percent of the Voting Faculty, issues not raised by the Faculty Senate may be placed on the agenda of a special faculty meeting, debated, and submitted by a ballot of the Voting Faculty for majority decision.

(1) All actions taken and so reported shall be subject to review and reconsideration by the University Faculty upon written petition made to the President of the University by not less than five percent of the members of the Voting Faculty, provided such petition is received by the President no later than one month after the Senate action is taken. Senate action shall become effective after one month unless the President receives a valid petition within this period.

(2) The President shall convoke the University Faculty within ten (10) working days following receipt of a valid petition. The agenda of such a faculty meeting shall be limited to debate on the petitioned matter(s) and the faculty may vote to have the Faculty Senate reconsider the action(s) involved, which reconsideration must be undertaken no later than the next regular meeting of the Faculty Senate.

(3) If the Faculty Senate reaffirms the questioned and referred action(s), the question shall then be submitted to the entire Voting Faculty by mail referendum within ten (10) working days of the Faculty Senate's action of reaffirmation. If fifty percent of the Voting Faculty cast ballots, and if a simple majority of those voting disapprove of the Senate's action(s), the Senate shall be overruled. Ballots will be conducted and administered by the University Secretary.

Section 7. Academic Freedom and Tenure Committee

(a) Charge: There shall be an Academic Freedom and Tenure Committee to discharge the functions assigned to it under the provisions of the Policy on Academic Freedom and Tenure; from time to time to review the policy and recommend appropriate changes in it; to hear appeals regarding sabbatical leave applications; and to make recommendations for appropriate changes in the sabbatical leave policy of the University.

(b) Membership: The membership of the Academic Freedom and Tenure Committee shall be composed and elected as follows: thirteen members, all of whom shall be members of the Voting Faculty, with tenure (or whose tenure decision date has passed without adverse notification). Not more than one member of any department shall serve as a member on the committee at the same time. The Voting Faculty shall submit nominations in writing according to the instructions in the call for nominations to the University Secretary. Election shall be conducted by electronic ballot, accompanied by biographical sketches of the nominees, distributed by the Secretary to all members of the Voting Faculty who shall then indicate their choices up to a maximum of six in even-numbered years or of seven in odd-numbered years. The six nominees in even-numbered years or the seven nominees in odd-numbered years receiving the highest number of votes shall become members of the committee for a two-year term commencing at the start of the academic year following election. The remaining nominees shall be called on to serve, in order of the votes they have received, as replacements to complete the terms of any members of the committee who shall resign from the committee during the academic year following the election. No committee member shall serve more than two consecutive two-year terms. The chair shall be elected by committee. For a complete statement of the composition, functions, and duties of the Committee on Academic Freedom and Tenure, see Section 6 of the Policy on Academic Freedom and Tenure.

Article II. College and Departmental Organization

Section 1 College Responsibilities: The Faculty of each College, School shall be an autonomous unit in all matters relating to that particular College, School subject to review under the powers set forth in Article I, Section 2.

Section 2 Membership: Faculty membership in a college or department shall be as defined in Article I, Section 1(a) for membership on the University Faculty. For college and departmental voting purposes, such membership shall normally be as defined in Article I, Section 1(b). Those faculty members of a college or department whose eligibility to vote is defined in Article I, Section 1(b) may, upon formal motion and majority approval, establish a general policy extending voting privileges in that college or department to those - i.e., faculty members - holding temporary or part-time appointments in that college or department. Formal notification of such action shall be made to the Secretary of the University. Persons described in Article I, Section 1(a) and 1(b) as ex-officio members of the Faculty shall have voting privileges only in the colleges and departments in which they hold academic rank.

Section 3 Procedure

(a) The Faculty of each College shall decide upon the procedure for the efficient functioning of the College.

(b) Regular meetings shall be held at intervals agreed upon by the College Faculty. Special meetings shall be called at the discretion of the presiding officer or whenever a request in writing is made by ten members of the College Faculty, or by a majority from a Faculty of fewer than twenty members.

Section 4. Departments

(a) The Faculty of each Department shall, with the advice and consent of the Dean of the College, decide upon the organization and procedure for the efficient functioning of the Department.

(b) Meetings shall be called at the discretion of the presiding officer or whenever a request in writing is made by ten percent of the departmental faculty.

Article III. The Administration

Section 1 The President: The President of the University shall be the principal officer of the University and with the assistance of his administrative officers shall carry out the measures enacted by the Voting Faculty within the scope of its responsibilities, and shall perform those duties assigned by the Regents.

Section 2. Provost and Chancellor for Health Sciences:

(a) The appointment or reappointment of the Provost shall be made by the President after consultation with college deans, Faculty Senate President, University officers, Faculty and other interested persons. The Provost shall perform the duties of his or her office as assigned by the President.

(b) The appointment or reappointment of the Chancellor for Health Sciences shall be made as provided and prescribed in Regents Policy 3.4. The Chancellor for Health Sciences shall perform the duties of his or her office as provided and prescribed in Regents Policy 3.4 and related Regents Policies.

Section 3. Deans/Directors of Colleges and Schools:

(a)(1) The Provost may appoint or reappoint Deans of Colleges and Schools and the Dean of Graduate Studies and delegate to such Deans as is consistent with Regent policies (as per Section (a)2 below. In this connection, the Provost will, prior to any such appointment or reappointment of Deans, consult with the President departmental college faculty and chairs, Faculty Senate President, University officers, and other interested persons. In the case of the appointment or reappointment of the Dean of Graduate Studies, the Provost will, in addition to the consultations noted above, also consult with the Faculty Senate Graduate and Professional Committee.

(2) Pursuant to the provisions of Regents Policy 3.4, the Chancellor for Health Sciences may appoint or reappoint Deans of the component colleges and schools of the Health Sciences Center and may delegate to such Deans as is consistent with Regent policies and policies of the University that are applicable to the Health Sciences Center. In this connection, the Chancellor for Health Sciences will, prior to that appointment or reappointment, consult with the President, departmental college faculty and chairs, Faculty Senate President, other University officers, and other interested persons.

(b) The Dean shall be the principal officer of the College or School and shall act as executive officer and representative of the College Faculty. With regard to educational policy, the dean shall prepare plans for consideration of the Faculty, shall carry into effect those plans which it adopts and shall perform such other duties as fall within the scope of the office.

(c) The Dean shall be the presiding officer at meetings of the College Faculty. In case of absence or inability to preside, a substitute shall be designated.

Article IV. General

Section 1 Adoption of Constitution: This Constitution shall be effective when approved by a two-thirds vote of the University Faculty present and voting and ratified by the Regents.

Section 2 Amendments: This Constitution may be amended by a two-thirds vote of those Voting Faculty members responding to an electronic ballot after presentation twice to the Faculty for debate in meetings at least four weeks apart and subsequent ratification by the Regents.

Section 3 Distribution: The Secretary of the University shall publish this Constitution and the Bylaws as amended in the Faculty Handbook.

Approved by the University Faculty
April 11, 1949 and December 18, 2014
Ratified by the Regents
May 14, 1949 and February 6, 2015
Amended in 1957, 1967, 1969, 1970, 1971, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1981, 1982, 1985, and 2015

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

The University faculty has broad powers assigned to it by Board of Regents and the Faculty Constitution and as stated in the Constitution, University faculty shall have the right of review and action in regard to the following:

1. formulation of institutional aims;
2. creation of new colleges, schools, and departments and divisions;
3. major curricular changes and other matters which in the opinion of the President of the University or his delegate to affect the institution as a whole;
4. requirements for admission and graduation and for honors and scholastic performance in general;
5. approval of candidates for degrees (honorary degrees and posthumous degrees);
6. policies of appointment, dismissal, and promotion in academic rank;
7. research, and
8. general faculty welfare.

However, actions taken by the University faculty shall be subject to the authority of the Regents in matters involving finance, personnel, and general University policy. Additionally, see Article I, Sec. 6, of the "Faculty Constitution" Policy A51 for responsibilities delegated to the Faculty Senate.

The Constitution, was approved by the faculty in 1949, ratified by the Regents the same year, and amended since that time in several particulars.

See also "The Faculty's Role in the University's Academic Mission" Section 5.1, *Regents' Policy Manual*.

A52.2: Committee on Governance

Policy

The Committee on Governance is a constitutionally designated standing committee of the general faculty and members are elected by the entire voting faculty.

According to the Faculty Constitution, Article I, Sec. 5(c) as amended in 1984:

A committee of five voting members of the General Faculty shall be nominated and elected by mail ballot for overlapping three-year terms. Duties of this committee are to prepare, in conjunction with the University Secretary, the agenda of general faculty meetings; to oversee elections, including referenda; to recommend adjustments, improvements and refinements in the faculty organizational structure; to represent the general faculty to the Senate; and to call meetings of the general faculty when necessary. The Committee shall annually elect a chair.

A52.1: Academic Freedom and Tenure Committee

Policy

The principal functions of the Committee on Academic Freedom and Tenure are to discharge the functions assigned to it under the provisions of the Policy on Academic Freedom and Tenure; from time to time to review the policy and recommend appropriate changes in it; to hear appeals regarding sabbatical leave applications; and to make recommendations for appropriate changes in the sabbatical leave policy of the University.

(Thirteen members, all of whom shall be members of the voting faculty, with tenure [or whose tenure decision date has passed without adverse notification]. Not more than one member of any department shall serve as a member of the committee at the same time. The Voting Faculty shall make nominations by mail addressed to the Secretary of the University. Elections shall be by a mail ballot, accompanied by biographical sketches of the nominees, distributed by the Secretary to all members of the Voting Faculty who shall then indicate their choices up to a maximum of six in even-numbered years or of seven in odd-numbered years. The six nominees in even-numbered years or the seven nominees in odd-numbered years receiving the highest number of votes shall become members of the committee for a two-year term commencing at the start of the academic year following election. The remaining nominees shall be called on to serve, in order of the votes they have received, as replacements to complete the terms of any members of the committee who shall resign from the committee during the academic year following the election. No committee member shall serve more than two consecutive two-year terms. Chairperson elected by committee. For a complete statement of the composition, functions, and duties of the Committee on Academic Freedom and Tenure, refer to "Policy on Academic Freedom and Tenure" B6, Faculty Handbook.)

A52.1.1: Faculty Misconduct Review Committee

Approved by: Faculty Senate and Academic Freedom and Tenure Committee
Effective: March 22, 2022
Responsible Faculty Committee: Academic Freedom and Tenure 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 Academic Freedom and Tenure Committee.

Applicability

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

Policy Rationale

Because the Academic Freedom and Tenure Committee (AF&T) is responsible for reviewing significant decisions affecting faculty tenure, promotion, sabbatical leave and employment, the Faculty Misconduct Review Committee (FMRC) is a standing committee of AF&T and appointed by AF&T to conduct a peer hearing requested by a faculty member who has been accused of misconduct and has received notice from the chair that proposed disciplinary action includes suspension without pay for any faculty member or dismissal of faculty member without tenure.

Policy Statement

Faculty may volunteer or be recommended to serve on the FMRC. AF&T will appoint at least nine (9) FMRC members and provide training. The FMRC will normally confer within thirty (30) days after being appointed and elect a chair.

Membership: The FMRC consists of nine (9) faculty members. Normally, at least two (2) members will be former AF&T members. They will serve two-year staggered terms. Terms may be renewed, but members may not serve more than four (4) consecutive years. Pending cases shall continue with original panel members until closed even if a faculty member's term expires during process.

When the Chair of the FMRC receives a request for a peer hearing in accordance with Faculty Handbook Policy C07, the Chair will appoint a Hearing Panel composed of five (5) FMRC members. If the hearing is requested by a graduate or professional student, a graduate or professional student, appointed by the Graduate and Professional Student Association, shall serve on the Hearing Panel. The hearing will be held as soon as reasonably possible and shall be conducted according of the Model Hearing Procedures. The Panel will send a recommendation to the FMRC for a final decision. Decisions from the FMRC will be submitted to AF&T for confirmation.

Revisions to the remaining sections of this document may be amended with the approval of the Academic Freedom and Tenure Committee.

Procedures

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 FMRC will meet as required to appoint hearing panels and approve panel decisions. The Committee Chair will report Committee decisions to the AF&T Committee.

Definitions

There are no specific definitions required by this Policy.

Contacts

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

Who should read this policy

- All UNM faculty
- Academic administrators and staff
- Administrative staff responsible for policy development

Related Documents

Faculty Handbook:

- Policy A51 "Faculty Constitution"
- Policy A52.1 "Academic Freedom and Tenure Committee"
- Policy C07 "Faculty Misconduct and Progressive Discipline Policy"
- Model Hearing Procedures

History

- July 1, 2025 - Policy format updated to align with FHB A53
- March 22, 2022 - A52.1.1 goes into effect with the approval of C07
- June 19, 2020 - Approved by Academic Freedom and Tenure Committee
- June 3, 2020 - Approved by Policy Committee

A53: Development and Approval of Faculty Policies

Approved By: Faculty Senate
Effective Date: November 26, 2024
Responsible Faculty Committees: Policy Committee and Operations Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The *Faculty Handbook* provides 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.

Policy Statement

All UNM policies which pertain primarily to faculty and academic matters are placed in the Faculty Handbook and are subject to the review and approval requirements defined in this Policy Document, with the exception of Section B “Academic Freedom and Tenure” which follows a separate review and approval protocol. 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.” This policy describes the process used to develop or amend Faculty Handbook policies, solicit input, and obtain approval.

1. Proposing a New Policy or Changes to Existing Policy. Any faculty member or academic administrator 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, who will forward it to the Faculty Senate Policy Committee (FSPC) for consideration. This request should include a draft policy document which shows proposed changes to the existing policy with track changes, or in the case of a new policy the request will include a proposed policy draft addressing the concerns it is intended to address. This request should also include a statement of the reason(s) for the proposed policy change(s) or the new policy. Because faculty

policy is a shared governance process, policy actions generally require one to two full semesters for appropriate review, approval, and implementation. The FSPC will review the request and work with the appropriate Faculty Senate committee(s) to determine the most effective course of action. The Office of the University Secretary will notify the requestor of the action taken by the FSPC.

2. Approval. Proposed new faculty policy statements, in their entirety, and changes to the Policy Rationale, Policy Statement, and Applicability sections of existing policies will be posted on the Faculty Handbook website for review by UNM faculty members. The Office of the University Secretary in consultation with the Chair of the FSPC will address any comments received from faculty and will forward the final proposed draft to the Faculty Senate for approval. Due to the nature of the policy or previous approval history, specific policies will also require approval by University faculty, the UNM Board of Regents, and/or the UNM President and/or Provost or the Executive Vice President for Health Sciences. Proposed changes to definition, procedural, and information portions of a policy document will be reviewed by the FSPC in consultation with the responsible Faculty Senate Committee(s) listed in the Policy Heading. After review and consultation, the proposed changes can be made with approval by both the FSPC and the Faculty Senate Operations Committee.

2.1. Approval of Legally Mandated Changes. When changes to existing policies are necessary due to federal or state laws and/or regulations, the director of the administrative unit responsible for compliance with those laws/regulations should submit a signed endorsement of the requested changes with a detailed explanation to the Office of the University Secretary. Policy revisions to address these legally mandated changes do not require a campus review period and only require approval from the FSPC and the Faculty Senate Operations Committee.

3. Distribution and Notification of New or Amended Policy.

Upon approval, the new or amended policy will be placed on the Faculty Handbook website and announced to the campus. Deans and department chairs, or their designees, are responsible for:

- informing their faculty members of new policies or changes to existing policies; and
- updating all related departmental processes, procedures, and/or documents to reflect new or amended policies.

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.

Procedures

Faculty Handbook policies are designed to ensure that policy level portions can only be changed with approval of the required bodies as listed in each policy, usually the Faculty Senate, but also allow for a streamlined approval process for definition, procedural, and information oriented sections of the policy to allow for timely updating to reflect new practices and/or information.

1. Faculty Handbook policies are composed of the following sections.

1.1 Heading. In addition to policy title and number, the heading of the policy identifies:

- The approving bodies (i.e. Faculty Senate, Provost/Executive Vice President for Health Sciences, President, Board of Regents, and/or Faculty).
- Responsible Faculty Senate committee(s).
- Office responsible for administration of the Policy.

Proposed changes, other than legally mandated changes, to the applicability, policy rationale, and policy statement sections require campus comment and approval by the required bodies listed in the heading of each policy.

1.2 Applicability. Identifies which individuals and/or University units are subject to the policy. Some policies may apply to the entire academic community, while others may apply only to Main Campus, the Health Sciences Center, and/or Branch Community Colleges.

1.3 Policy Rationale. Describes the reason for the policy, its relationship to UNM's academic values and/or mission, and any philosophical, stewardship, legal, regulatory, or other requirements the policy aims to meet.

1.4 Policy Statement. Includes the overall intention and direction of the policy and major mandated actions or constraints. It does not include procedures, which are placed in a separate section to allow for greater flexibility when updating is necessary.

Proposed changes, other than legally mandated changes, to the following sections of a policy document do not require campus comment and only require approval by both the Faculty Senate Policy Commitee and the Faculty Senate Operations Committee.

1.5 Procedures. Includes procedures necessary for policy compliance and outlines how the policy's requirements will be met.

1.6 Definitions. Defines terms that have specialized or particular meaning in the policy.

1.7 Contacts. Contains information to assist faculty members in complying with the policy.

1.8 Who Should Read This Policy. Lists individuals who must understand the policy in order to make decisions and/or do their jobs.

1.9 Related Documents. Lists related UNM policy documents and other UNM and external documents that provide helpful, relevant information.

1.10 History. Lists dates of amendments and summary information on changes approved.

2. Approval process for Policy Level Portions of Faculty Policies. Changes to policy level portions of the policy (sections 1.2 –1.4, herein) require campus comment and approval by the approving bodies listed in the policy heading. At a minimum this includes the Faculty Senate and depending on the impact of the policy, approval may also require action by the President or Provost/Executive Vice President for Health Sciences, Board of Regents, and/or University faculty.

3. Approval process for Definitions, Procedures, and Information Portions of Faculty Policies. Changes to definition, procedural and information portions of the policy (sections 1.5 –1.10, herein) can be made with approval by both the Faculty Senate Policy Committee (FSPC) and the Faculty Senate Operations Committee in consultation with the responsible Faculty Senate Committee(s) listed in the policy heading.

4. Corrections. Without requesting approval by the designated authority of each change, the Office of the University Secretary may revise affected policies to correct departmental or other unit names, position titles, grammatical errors, typographical errors, Uniform Resource Locator (or URL) links, or other similar

occurrences.

5. Approval of Proposal to Remove a Policy from the Faculty Handbook. A proposal to remove an entire policy from the Faculty Handbook follows the same policies described in the Policy Statement above and Section 2 of the Procedures above. A proposal to remove a policy is the equivalent of proposing to change the entire policy.

Definitions

Policy and Procedures are sections of each policy document. Changes to the Policy Section require approval of the approving bodies listed in the policy heading; at a minimum, this includes the Faculty Senate. Changes to the procedures section requires approval of the Faculty Senate Policy and Operations Committees.

> **Policy.** Provides the overall intention and direction of the policy and major mandated actions or constraints.
>
> **Procedures.** Provide the information and/or steps necessary for policy compliance and outlines how the policy's requirements will be met.

To assist with implementation of the policy, standards and guidelines may be issued by the office responsible for administration of a specific policy, as identified in the heading of each policy.

> **Standards.** Required processes necessary for compliance with the policy document.
>
> **Guidelines.** Recommended practices or processes designed to streamline particular processes according to a set routine or sound practice. Guidelines allow some discretion or leeway in interpretation, implementation, or use.

Contacts

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

Who Should Read This Policy

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

Related Documents

- UNM Regents' Policy Manual Policy 5.1 "The Faculty's Role in the University's Academic Mission"
- Faculty Handbook Policy A50 "The Faculty's Role in the University's Academic Mission"
- Faculty Handbook Policy A51 "Faculty Constitution"
- University Administrative Policies
- University Catalog
- Pathfinder
- HSC Policy on Policies, which contains procedures specific to the HSC

History

- July 1, 2025 - Policy format updated to align with format approved in the last revision to this policy
- November 26, 2024 - Approved by Faculty Senate
- November 13, 2024 - Approved by Faculty Senate Policy Committee
- November 9, 2022 - Amended title for Executive Vice President for Health Sciences, per Faculty Handbook Policy A53 Procedures
- November 1, 2022 - Amended procedures approved by Faculty Senate Operations Committee
- October 5, 2022 - Amended procedures approved by Faculty Senate Policy Committee
- November 16, 2021 – Amended procedures approved by Faculty Senate Operations Committee
- November 3, 2021 – Amended procedures approved by Faculty Senate Policy Committee
- January 20, 2015 – Amended procedures section to remove AF&T and Research Policy Committees from process.
- January 19, 2015 – Amended definitions
- February 4, 2014 – Amended procedures approved by Faculty Senate Operations Committee
- January 29, 2014 – Amended procedures approved by Faculty Senate Policy Committee
- August 27, 2013 – Approved by the Faculty Senate

A53.1: Policies Applicable to Faculty

Approved By: Faculty Senate
Effective Date: September 9, 2025
Responsible Faculty Committees: Policy Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Faculty Handbook provides 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.

Policy Statement

Faculty policies are governed by UNM Board of Regents' Policies. 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. Although, policies applicable to faculty are primarily published in the Faculty Handbook, some policies published in the University Administrative Policies and Procedures Manual also apply to faculty and these policies are described and listed in the Procedures Section of this document.

Revisions to the remaining sections of this document may be amended with the approval of the Faculty Senate Policy and Operations Committees.

Procedures

Topic	Board of Regents' Policies (RPM)	Faculty Handbook Policies (FH)	University Administrative Policies (UAP)
Academic Adjustments for Students with Disabilities	RPM 2.3	FH D100 FH D170	UAP 2310
Academic Dishonesty	RPM 2.18 RPM 4.8	FH D175 FH D176	
Academic Freedom and Tenure	RPM 1.5 RPM 2.1 RPM 2.3 RPM 2.14 RPM 2.18 RPM 5.2 RPM 5.16 RPM 6.5	FH Section B FH C150	UAP 2060 UAP 2220
Academic Mission	RPM 2.14 RPM 2.18 RPM 5.1	FH A20 FH A88 FH A91	UAP 1000
Acceptable Computer Use			UAP 2500
Acceptable Information Systems Use			UAP 2500
Access to Sensitive and Protected Information			UAP 2520
Accessibility			UAP 5200 UAP 5320
Accommodation for Employees with Disabilities	RPM 2.3 RPM 2.18		UAP 3110 UAP 5320
Accommodation for Students with Disabilities	RPM 2.3 RPM 2.18	FH D170	UAP 2310 UAP 5320
Accommodation for Students with Disabilities, Academic Adjustments	RPM 2.3 RPM 2.18		UAP 2310
Accountability for University Information and Transactions			UAP 2000
Advisors to Board of Regents	RPM 1.7	FH A60	
Alcohol Use and Possession on UNM Property	RPM 2.6	FH C05	UAP 2140
Allocation and Assignment of Space		FH A89	UAP 5200
Allowable and Unallowable Expenditures			UAP 4000
Alternative Retirement Program			UAP 3625
Animal Control on University Property			UAP 2290
Animal Use in Education and Research	RPM 2.18 RPM 5.15	FH E100	

Topic	Board of Regents' Policies (RPM)	Faculty Handbook Policies (FH)	University Administrative Policies (UAP)
Animals, Service	RPM 2.18		UAP 2295
Annual Leave	RPM 5.4	FH C50 FH C205	UAP 3400
Appeals	RPM 1.5 RPM 4.3	FH B6 FH D175 FH D176	
Archives and Records - UNM	RPM 2.9	FH C07	UAP 6020
Associate Degrees	RPM 2.14	FH F70	
Award Payments			UAP 2615
Awards and Recognition, Special	RPM 1.6	FH A61.3.1	
Background Checks	RPM 6.2		UAP 2205 UAP 3280
Benefits	RPM 6.3		UAP 3600 UAP 3625 UAP 3630 UAP 3635 UAP 3640 UAP 3650 UAP 3700
Bicycles and Other Non-Motorized Vehicles			UAP 2260
Branch Community Colleges	RPM 2.14	FH Section F	
Cameras	RPM 8.2		UAP 6140
Campus Violence			UAP 2210 UAP 2745
Career Education	RPM 2.14	FH F10	
Cash Management			UAP 7200
Casualty and Liability Insurance and Claims			UAP 6150
Certificate Programs	RPM 2.14	FH F10	
Classified Research	RPM 5.11	FH E10	
Clinical Practice Payments			UAP 2615
Code of Conduct (Employee)	RPM 2.18 RPM 6.4		UAP 3720
Code of Conduct (Student)	RPM 2.18 RPM 4.2 RPM 4.3	FH D175 FH D176	
Collections and Museums			UAP 6410

Topic	Board of Regents' Policies (RPM)	Faculty Handbook Policies (FH)	University Administrative Policies (UAP)
Commercialization of Intellectual Property	RPM 2.15 RPM 5.8	FH E70	
Community Education Programs	RPM 2.14	FH F10	
Compliance, HSC Institutional	RPM 3.7		
Computer Security Controls and Access to Sensitive and Protected Information			UAP 2520
Computer Use, Acceptable			UAP 2500
Confidentiality	RPM 5.14	FH B4 FH B6 FH C07 FH C09 FH C70 FH C290 FH E40 FH E110	UAP 2200 UAP 2210 UAP 2215 UAP 2520 UAP 3280 UAP 3750 UAP 3445
Confidentiality of Faculty Records	RPM 2.17 RPM 5.7 RPM 6.8	FH C70	UAP 2300 UAP 3710
Conflict of Interest	RPM 2.18 RPM 5.5 RPM 5.6 RPM 6.4	FH C130	UAP 3720
Conflict of Interest Waiver for Technology Transfer	RPM 5.17	FH E80	UAP 3720
Conflicts of Interest in Research	RPM 2.18 RPM 5.10 RPM 5.17	FH E80 FH E110	UAP 3720
Consensual Relationships and Conflicts of Interest	RPM 2.3 RPM 2.5 RPM 2.18	FH C07	UAP 2215
Constitution (Faculty)	RPM 5.1	FH A51	
Copyright	RPM 2.15 RPM 5.8	FH E70	UAP 2500
Counseling, Assistance, and Referral Service (CARS)		FH C09	UAP 3750
Creation and Reorganization of Academic Units	RPM 5.1	FH A88	
Creation and Reorganization of Research Centers and Institutes	RPM 5.1	FH A91	
Data Governance			UAP 2580

Topic	Board of Regents' Policies (RPM)	Faculty Handbook Policies (FH)	University Administrative Policies (UAP)
Deductions from Payroll			UAP 2635
Dependent Care Spending Account			UAP 3650
Dependent Education Benefits	RPM 6.11		UAP 3700
Dental Insurance Benefits	RPM 6.3		UAP 3600
Disabilities	RPM 2.18	FH D170	UAP 2310 UAP 3110
Discipline		FH C07	UAP 3215 UAP 3225
Disclosure	RPM 5.10 RPM 6.8	FH C07 FH C70 FH C290 FH D100 FH E70 FH E110	UAP 2190 UAP 2215 UAP 3720
Discrimination	RPM 2.3	FH B6 FH C07 FH D170 FH D175 FH D176	UAP 2310 UAP 2720 UAP 2740 UAP 3110
Dishonest or Fraudulent Activities	RPM 2.18 RPM 5.13		UAP 7205
Dishonesty in Academic Matters	RPM 2.18 RPM 4.8	FH D100 FH D175 FH D176	
Dispute Resolution		FH C290	UAP 3220
Distribution of Paychecks			UAP 2620
Diversity and Campus Climate	RPM 2.3 RPM 2.18	FH C09 FH C50	UAP 2220 UAP 2240 UAP 2720 UAP 3100
Domestic Abuse Leave	RPM 5.4		UAP 3445
Domestic Partners			UAP 3600 UAP 3790
Drones			UAP 2265
Drug Free Environment	RPM 2.6	FH C07	
Education Abroad Health and Safety			UAP 2710 UAP 6110
Education Benefits	RPM 6.11		UAP 3700

Topic	Board of Regents' Policies (RPM)	Faculty Handbook Policies (FH)	University Administrative Policies (UAP)
Education Retirement Plan, New Mexico			UAP 3625
Educational Records, Student	RPM 4.4	FH Information Section	
Environmental Health and Safety			UAP 6110
Email, Student			UAP 2540
Emergency Control	RPM 3.2 RPM 3.4		UAP 6130
Emeriti Status	RPM 6.3	FH C305	
Employee Impairment at Work		FH C07	UAP 3270
Employment of UNM Graduates	RPM 5.3	FH C20	
Endowed Faculty Chairs	RPM 5.18	FH C170	
Endowed Faculty Payments			UAP 2615
Equal Opportunity and Affirmative Action	RPM 2.3 RPM 2.18 RPM 5.2		UAP 2720
Export Control			UAP 2710 UAP 4030 UAP 7200
Extra compensation	RPM 5.6	FH C140	UAP 2615
Faculty's Role in the University's Academic Mission	RPM 2.14 RPM 2.18 RPM 5.1	FH A50 FH A51 FH A91	
Family and Medical Leave	RPM 5.4		UAP 3440
Flexible Spending Accounts			UAP 3650
Foreign Nationals			UAP 2180
Fraudulent or Dishonest Activities	RPM 2.18 RPM 5.13	FH E40	UAP 7205
Free Expression and Advocacy	RPM 2.1 RPM 2.18 RPM 4.5	FH C150	UAP 2050 UAP 2060 UAP 2220
Garnishments			UAP 2670
Gifts, Including Foreign Gifts			UAP 2190
Graphic Identification Standards			UAP 1010
Gratuities			UAP 3720
Grievances - Student	RPM 2.18 RPM 4.2 RPM 4.3	FH D175 FH D176	

Topic	Board of Regents' Policies (RPM)	Faculty Handbook Policies (FH)	University Administrative Policies (UAP)
Guiding Principles	RPM 2.18		
Harassment	RPM 2.3		UAP 2210 UAP 2240 UAP 2720 UAP 2740 UAP 3780
Holidays		FH C220	UAP 3405
Honorarium Payments			UAP 2170
Honorary Degrees	RPM 1.6	FH A61.3.1	
HSC Institutional Compliance	RPM 3.7 RPM 3.8		
HSC Performance Payments			UAP 2615
Human Beings as Subjects of Research	RPM 2.18 RPM 5.14	FH E90	
ID Cards (UNM Lobo Card)			UAP 1050
Impairment at Work		FH C07	UAP 3270
Inclement Weather	RPM 5.4		UAP 3435
Information Technologies (IT) Governance		FH A63.5	UAP 2560
Information and Transactions, Systems			UAP 2000 UAP 2500
Information Security			UAP 2000 UAP 2030 UAP 2500 UAP 2520 UAP 2550 UAP 2580
Inspection of Public Records (IPRA)	RPM 2.17 RPM 4.4 RPM 5.7 RPM 6.7 RPM 6.8	FH C70	UAP 2030 UAP 2300 UAP 3710 UAP 6020
Insurance, Employee Benefits	RPM 7.14		UAP 3600
Insurance Loss Claims			UAP 6150
Intellectual Property	RPM 2.15 RPM 5.8	FH E70	
Jury Duty	RPM 5.4	FH C255	UAP 3415
Keys			UAP 5010
Lactation Support	RPM 2.3		UAP 2750

Topic	Board of Regents' Policies (RPM)	Faculty Handbook Policies (FH)	University Administrative Policies (UAP)
Law Enforcement on Campus (UNM Police)	RPM 8.2		
Leaves of Absence	RPM 5.4	FH C280	UAP 3415 UAP 3425 UAP 3435 UAP 3440 UAP 3445
Leave with Pay	RPM 5.4		UAP 3415
Leave Without Pay	RPM 5.4	FH C280	UAP 3420 UAP 3600
Life Insurance Benefits	RPM 7.14		UAP 3600
Mailing Services			UAP 6340
Mandatory Reporting		FH C07 FH D175	UAP 2200 UAP 2710 UAP 2740
Media Response		FH C150	UAP 3740
Medical Insurance Benefits	RPM 7.14		UAP 3600
Medical Reimbursement Account			UAP 3650
Military Leave and Related Service Leave	RPM 5.4	FH C230	UAP 3425
Minors on Campus			UAP 2205
Misconduct - Reporting	RPM 2.18		UAP 2200
Misconduct - Research	RPM 2.18 RPM 5.13	FH E40	
Moving Expenses			UAP 4020
Museums and Collections	RPM 8.5		UAP 6410 UAP 6420
New Mexico Education Retirement Plan			UAP 3625
Non-Motorized Vehicles			UAP 2260
Non-Standard Payment Processing			UAP 2615
Webpages, Official University			UAP 2570
Ombuds		FH C290	UAP 3220
Outside Employment	RPM 5.5	FH C130	
Overseas Research	RPM 5.12	FH E20 FH E70	
Parental Leave	RPM 5.4	FH C215	UAP 3440
Parking and Vehicles on Campus	RPM 8.3		UAP 2260
Paycheck Distribution			UAP 2620

Topic	Board of Regents' Policies (RPM)	Faculty Handbook Policies (FH)	University Administrative Policies (UAP)
Payroll Deductions			UAP 2635
Payroll Overpayments and Collection			UAP 2680
Per Diem and Travel Reimbursement	RPM 7.7	FH C225	UAP 4030
Personal Information Disclosure	RPM 2.17 RPM 4.4 RPM 5.7 RPM 6.8	FH C70	UAP 2300 UAP 3710
Personally Identifiable Information			UAP 2520
Photo Identification Cards (UNM Lobo Card)			UAP 1050
Police, UNM Law Enforcement on Campus	RPM 8.2		
Policies and Procedures - HSC	RPM 3.4		
Political Activity	RPM 2.18 RPM 6.5	FH C150	UAP 2050 UAP 2060 UAP 2220 UAP 3740
Possession of Alcohol on University Property	RPM 2.6	FH C05	UAP 2140
Post Tenure Review	RPM 5.16	FH B4	
Postal Services			UAP 6340
Privacy	RPM 2.17		UAP 2520
Prizes - Payments			UAP 2615
Professional Development and Training			UAP 3290
Professional Leave	RPM 5.4	FH C225	
Prohibitive Discrimination	RPM 2.3	FH C09	UAP 2720
Promotion	RPM 5.2	FH Section B	
Protected and Sensitive Information			UAP 2520
Public Information and/or Access to University Records	RPM 2.17 RPM 4.4 RPM 5.7 RPM 6.7 RPM 6.8 RPM 7.2	FH C70	UAP 2300 UAP 3710 UAP 6020
Rainforest Innovations, UNM	RPM 2.15 RPM 5.8	FH E70	
Reasonable Accommodation, Religion	RPM 2.3	FH C220 FH D170	UAP 2720
Reasonable Accommodation for Employees with Disabilities	RPM 2.3 RPM 2.18		UAP 3110

Topic	Board of Regents' Policies (RPM)	Faculty Handbook Policies (FH)	University Administrative Policies (UAP)
Records Management, Retention, and Disposition	RPM 2.9		UAP 6020
Recognition and Awards, Special	RPM 1.6	FH A61.3.1	
Recreational Drones			UAP 2265
Recycling			UAP 2100 UAP 6350
Relocation Allowances			UAP 4020
Reporting Suspected Misconduct and Retaliation; Whistleblower Protection from Retaliation	RPM 2.18		UAP 2200
Research - Classified	RPM 5.11	FH E10	
Research, Conflicts of Interest in	RPM 2.18 RPM 5.1	FH E110	UAP 3720
Research Misconduct	RPM 2.18 RPM 5.13	FH E40	
Research - Overseas	RPM 5.12	FH E20	
Research - Sponsored	RPM 5.9	FH E60	UAP 2425 UAP 2430 UAP 2470 UAP 2480
Research Subjects	RPM 2.18 RPM 5.14 RPM 5.15	FH E100	
Resignation			UAP 2650 UAP 3225
Respectful Campus	RPM 2.18	FH C09	UAP 2240
Responsibility and Accountability for University Information and Transactions			UAP 2000
Retaliation	RPM 2.3 RPM 2.18	FH C07 FH C09 FH C290 FH D175 FH D176 FH E110	UAP 2200 UAP 2740
Retirement		FH B5	UAP 3600 UAP 3625 UAP 3640 UAP 3700
Retirement, Supplemental Savings Plans			UAP 3640

Topic	Board of Regents' Policies (RPM)	Faculty Handbook Policies (FH)	University Administrative Policies (UAP)
Rights and Responsibilities	RPM 2.3 RPM 2.6 RPM 2.7 RPM 2.9 RPM 2.14 RPM 2.18	FH C05	UAP 1010 UAP 2140 UAP 2215 UAP 2740 UAP 3290 UAP 5010 UAP 6110 UAP 6150
Risk Management	RPM 7.14		UAP 6100
Romantic Relationships			UAP 2215
Sabbatical Leave	RPM 5.4	FH C200	
Safety and Risk Services		FH C05	UAP 6110 UAP 3290
Safeguarding Information			UAP 2520
Security, Information			UAP 2550
Sensitive and Protected Information			UAP 2520
Separation of Employment		FH B5	UAP 3225
Service Abroad	RPM 5.4	FH C235	
Service Animals	RPM 2.18		UAP 2295
Service Awards			UAP 3745
Sexual Harassment	RPM 2.3 RPM 2.18	FH C07	UAP 2210 UAP 2740 UAP 3290
Sexual Misconduct	RPM 2.3 RPM 2.18	FH C07	UAP 2210 UAP 2710 UAP 2740
Sexual Relationships			UAP 2215
Sick Leave	RPM 5.4	FH C210	UAP 3440
Skateboards			UAP 2260
Smoking on University Property			UAP 2250
Social Security Numbers, Protection of			UAP 2030
Solicitation			UAP 3730
Space Allocation and Assignment		FH A89	UAP 5200
Special Recognition and Awards	RPM 1.6	FH A61.3.1	

Topic	Board of Regents' Policies (RPM)	Faculty Handbook Policies (FH)	University Administrative Policies (UAP)
Sponsored Research	RPM 5.9 RPM 5.11	FH E60	UAP 2425 UAP 2430 UAP 2470 UAP 2480
Student Code of Conduct	RPM 2.18 RPM 4.2 RPM 4.3	FH D175 FH D176	
Student Email			UAP 2540
Student Grievances	RPM 2.18 RPM 4.2 RPM 4.3	FH D175 FH D176	
Student Identification Numbers			UAP 2030
Student Publications	RPM 4.5	FH A70	
Student Records	RPM 2.17 RPM 4.4		UAP 2300 UAP 6020
Students with Disabilities, Academic Adjustments	RPM 2.18	FH D170	UAP 2310
Study Abroad, Health and Safety			UAP 2710 UAP 6110
Supplemental Retirement Savings Plans			UAP 3640
Suspected Employee Impairment at Work		FH C07	UAP 3270
Sustainability	RPM 2.18		UAP 2100 UAP 6350
Taking University Property off Campus			UAP 7730
Tax Reporting- Payroll			UAP 2635
Technology Transfer - Conflict of Interest Waiver	RPM 5.17	FH E80	UAP 3720
Tenure	RPM 5.2 RPM 5.16	FH Section B	
Terminating Employment Pay			UAP 2650
Tobacco-Free Campus			UAP 2250
Training - Mandatory		FH C05	UAP 3290
Travel Reimbursement and Per Diem	RPM 7.7	FH C225	UAP 4030
Tuition Remission			UAP 3700
Unallowable and Allowable Expenditures			UAP 4000
Unemployment Compensation			UAP 3635

Topic	Board of Regents' Policies (RPM)	Faculty Handbook Policies (FH)	University Administrative Policies (UAP)
University Archives and Records	RPM 2.9	FH C07 FH C70	UAP 6020
University Design			UAP 5320
University External Graphic Identification Standards			UAP 1010
UNM's Name and Symbols - Use of	RPM 2.7	FH C05	UAP 1010
UNM Public Art Collection			UAP 6420
UNM Rainforest Innovations	RPM 2.15 RPM 5.8	FH E70	
Use and Possession of Alcohol on University Property	RPM 2.6	FH C05	UAP 2140
Use of University Vehicles			UAP 7780
Vehicles on Campus and Parking	RPM 8.3		UAP 2260
Video Security	RPM 8.2		UAP 6140
Violence on Campus			UAP 2210 UAP 2745
W-2s			UAP 2635
Wage Withholdings			UAP 2670
Weapons on University Property			UAP 2210
Webpages, Official University			UAP 2570
Whistleblower Protection from Retaliation; Reporting Suspected Misconduct and Retaliation	RPM 2.18		UAP 2200
Workers' Compensation			UAP 3630

Definitions

No specific definitions are required for this Policy

Contacts

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

Who Should Read This Policy

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

Related Documents

- Regents' Policy Manual
- University Administrative Policies and Procedures Manual

History

- September 9, 2025 - Updates to table approved by Faculty Senate Operations Committee
- September 3, 2025 - Updates to table approved by Faculty Senate Policy Committee
- July 1, 2025 - Policy format updated to align with FHB A53
- October 24, 2023- Updates to table approved by Faculty Senate Operations Committee
- October 4, 2023 - Updates to table approved by Faculty Senate Policy Committee
- February 23, 2022 – Updated to reflect name change of the Science and Technology Corporation @ UNM (STC.UNM) to UNM Rainforest Innovations (UNMRI), per FHB Policy A53 procedures
- October 19, 2021 – Updates to table approved by Faculty Senate Operations Committee
- October 6, 2021 – Updates to table approved by Faculty Senate Policy Committee
- December 22, 2015 – Approved by the Faculty Senate

A60: Faculty Senate Bylaws

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Operations Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The authority and duties of the University of New Mexico (UNM) Faculty Senate derive from the Faculty Constitution A51, Section 6.

Policy Statement

I. Faculty Senate Structure

A. Officers and Operations Committee Members

1. The Faculty Senate shall elect the following officers and representatives annually.

> (a) President (b) President-elect (c) Four (4) members of the Faculty Senate Operations Committee

2. The Operations Committee will also include the immediate Past President of the Faculty Senate, whether or not the Past-President is a member of the Faculty Senate. The Operations Committee will always include seven (7) faculty members, so that if the President and President-Elect are the same person, (i.e., when the President-Elect runs for a second term and is elected, or if the Past President and President are the same person, (i.e., during the second term of a two-year term as President), then five (5) members of the Operations Committee shall be elected.

3. Duties of Officers

> (a) The President shall have the following duties:
>
> > (1) Serve as chairperson of the Faculty Senate and the Operations Committee. (2) Represent the Faculty before the Regents, Administration, and other groups by attending requisite functions and committee meetings. (3) Appoint ad-hoc committees as necessary to conduct Faculty Senate business.
>
> (b) The President-elect shall have the following duties:

(1) Serve on the Operations Committee (2) Perform the duties of the President in the absence of the President. (3) Assist the President in representing the faculty before the Administration, the Regents, and other groups. (4) Oversee Faculty Senate committee appointments.

4. Election of Officers and Operations Committee Members

(a) The election of the President and Operations Committee members shall be conducted annually at a special meeting of the incoming Faculty Senate held at the close of the spring term of the preceding academic year. Alternatively, at the discretion of the President, this election may be conducted electronically.

(b) The election shall be chaired by the outgoing President of the Faculty Senate.

(c) The new officers and Operations Committee members shall take office on July 1 of the year of their election.

(d) Nominations and self-nominations for President, President-Elect, and Operations Committee may be made by incoming senators at a regular Faculty Senate meeting or electronically to the University Secretary's office, which will verify the senator's willingness to serve.

(e) Among the five (5) voting members of the Operations Committee, at least four (4) colleges must be represented.

(f) If the President or President-Elect does not complete their term of office, the Operations Committee will arrange for the Faculty Senate to elect a replacement at the earliest opportunity.

(g) If a member of the Operations Committee does not complete the term of office, the Operations Committee will either find a replacement from the unelected candidates from the most recent Operations Committee election (taking the unelected candidate with the most votes from an eligible college) or, if this is not possible, arrange for a new election of a replacement by the Faculty Senate.

B. Faculty Senate Operations Committee

1. Membership

(a) The President, President-Elect, Past President, and four (4) voting members of the Faculty Senate elected by the Faculty Senate.
(b) The President of the Faculty Senate shall serve as chairperson of the Faculty Senate Operations Committee.

(c) The immediate past president of the Faculty Senate, whether or not the individual is a member of the Faculty Senate, shall be an ex-officio voting member of the Operations Committee.

2. Duties

(a) Perform basic administrative functions to facilitate the work of the Faculty Senate and Faculty Senate councils and committees.
(b) Establish priorities and set agendas for Faculty Senate meetings.

(c) Transmit to the Faculty Senate with recommendations as to adoption of all reports, recommendations, and proposals received from Faculty Senate committees. In performing this function, the Operations Committee shall not change committee recommendations or proposals without the approval of the originating committee. It may refer a recommendation back to the committee for further study or it may present its own recommendations to the Faculty Senate together with those of the originating committee.

(d) Coordinate the activities of all Faculty Senate committees.

(e) Study Faculty Senate procedures and structure and make recommendations for their improvement.

(f) Recommend to the Faculty Senate changes in the committee structure in keeping with Article I, Section 6 (g) of the Faculty Constitution.

(g) Coordinate the work of Faculty Senate councils and committees and the administration by forwarding relevant council and committee reports and recommendations to the appropriate group or individual for additional consideration and comment.

(h) Function as a committee on committees. (Recommend to the Faculty Senate the appointment of committee members and chairpersons.)

(i) Assist the President and President-Elect in representing the faculty before the administration and Regents, on an as-needed basis.

(j) Coordinate work of the Councils, with an individual Operations Committee member assigned to each Council.

C. Faculty Senate Councils

There are six (6) Faculty Senate councils: Academic Council, Athletic Council, Branch Community Colleges Council, Business Council, Health Sciences Council, and Research and Creative Works Council. Councils have authority over matters that cannot easily or fully be handled by a single existing Faculty Senate committee of the respective council. Council recommendations shall be reviewed by the Faculty Senate Operations Committee and may be subject to ratification by the Faculty Senate if required by *Faculty Handbook* policy and/or the Faculty Constitution. The Committees appointed to each Council are defined in the respective Council Charge Policy which is subject to approval by the Faculty Senate. The Council Charge Policy also delineates how the Council Chair is selected and any ex-officio non-voting members. The Faculty Senate Operations Committee has the authority to appoint interim council chairs (subject to approval by the Faculty Senate) if the council members are unable to elect them by July 1, or if vacancies occur during the term.

In addition to the ex-officio members of the Faculty Senate listed in Section 6(b) of the Faculty Constitution, the council chairs shall be ex-officio, non-voting members of the Faculty Senate. The council chairs will meet regularly with the Operations Committee, but no less than once each semester.

D. Policy Committee

The Policy Committee is responsible for policy-related matters and reports directly to the Operations Committee. The Policy Committee membership and responsibilities are delineated in the Policy Committee Charge Policy which is subject to approval by the Faculty Senate.

E. Ethics Advisory Committee

The Ethics Advisory Committee is responsible for ethics-related matters and reports directly to the Operations Committee regarding membership and Committee responsibilities listed in the Committee's charge. However, deliberations, recommendations, and decisions resulting from investigations conducted by the Ethics Committee are reported to the appropriate UNM official(s) and/or AF&T in accordance with Faculty Handbook Section B which includes Appendix VIII "Faculty Ethics and Advisory Committee." The Ethics Committee membership and responsibilities are delineated in the Ethics Committee Charge Policy which is subject to approval by the Faculty Senate.

F. Other Faculty Senate Committees and Representation

1. Standing Committees of the Faculty Senate. All standing committees are responsible to the Faculty Senate, report to the Faculty Senate Operations Committee, and have their faculty membership appointed by the Faculty Senate.

   In its capacity as a committee on committees, the Operations Committee can make recommendations to the Faculty Senate to add a new standing committee, combine existing standing committees, or eliminate an existing committee. Such action requires approval by the Faculty Senate. Committee charge policies will be revised to reflect such changes and must be approved by the Faculty Senate and published in the *Faculty Handbook*. Standing committee charges are listed in the Related Documents Section of this Policy.

2. Administrative Committees with faculty representatives appointed by the Faculty Senate. Faculty members on these Committees shall make periodic reports to the Faculty Senate whenever such reports are considered appropriate by them and/or when requested to do so by the Operations Committee.

3. Student committees with faculty representatives appointed by the Faculty Senate. Faculty members on these Committees shall make periodic reports to the Faculty Senate whenever such reports are considered appropriate by them and/or when requested to do so by the Operations Committee.

II. Faculty Senate Operating Policies

In accordance with the Faculty Constitution, the Faculty Senate serves as the agent of the University Faculty and exercises all authority by way of delegation. Therefore, Faculty Senate action shall become effective after one month unless the UNM President receives a valid petition from UNM faculty within this period. If a valid petition is received, action will be taken in accordance with the Faculty Constitution.

A. Committees

1. In its capacity as a committee on committees, the Operations Committee shall make recommendations to the Faculty Senate for all committee appointments (including committee chairpersons) that are the responsibility of the Faculty Senate. These appointments shall be voted on by the Faculty Senate.

2. All members of the University voting faculty are eligible for appointment to standing faculty committees or as faculty representatives on administrative and student committees. Appointments shall be determined by the Faculty Senate upon recommendation of the Operations Committee.

3. During the Spring Semester of each year, all faculty shall be asked to rank the various committees according to their preference for membership on those committees. The Operations Committee shall recommend appointments to committees based upon the stated preferences of faculty members as feasible.

4. Senators are encouraged to serve on a Faculty Senate Committee and will be given priority consideration in appointments to committees.

5. Initial committee appointments will normally be effective on July 1 of the year of the appointment. Replacement appointments will be effective when approved by the Faculty Senate.

6. When it is desirable, in the judgment of the Operations Committee and the current Committee chair, if there is one, for a committee appointment to begin as soon as possible, the Operations Committee may make such an appointment on a provisional basis, pending approval by the Faculty Senate at its next meeting.

7. Administrative officers (vice presidents and college deans) shall not serve as Faculty Senate appointed committee members.

B. Absenteeism

1. Given the importance of ensuring active participation of all Senators and representation of all parts of UNM, if a Senator misses two Faculty Senate meetings in a given semester, the Faculty Senate President shall consult with the Senator concerning attendance and may, after consultation with the Operations Committee, declare the seat vacant.

2. If a Committee member of any Faculty Senate Committee misses two meetings in a given semester, the Chair of the Committee should consult with that person and may recommend to the Operations Committee that the seat be declared vacant and the person replaced.

III. Committee Membership and Duties

A. The duties and composition of councils and committees will be delineated in Council and Committee Charge policies approved by the Faculty Senate and published in the *Faculty Handbook*.

B. For specific Committee tasks that would benefit from the inclusion of other faculty, administrators, staff, and students, a Committee may appoint a taskforce. The taskforce is a temporary group appointed for the purpose of accomplishing a definite objective. The taskforce will be chaired by a member of the Committee that appointed the taskforce. To ensure faculty are adequately represented in the taskforce work, at least 50

percent of the taskforce members must be faculty. The Committee will submit a Taskforce Charge and membership list to the Operations Committee for approval.

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

Procedures

1. Each speaker is limited to five (5) minutes each time when speaking to an issue.

2. The Faculty Senate shall normally meet the last Tuesday of every month at 3:00 p.m. Additional meetings may be scheduled by the Operations Committee as needed.

3. The President of the Faculty Senate shall have the right to vote as a member of the body on each motion before the Faculty Senate.

4. A quorum shall consist of 40 percent of the Faculty Senate membership.

5. Faculty Senate meetings shall be conducted in accordance with the Robert's Rules of Order.

6. In accordance with the Faculty Constitution, all actions of the Faculty Senate shall be reported in writing to the Voting Faculty regularly and within ten (10) working days of such action. Additionally, the approved minutes of the Faculty Senate shall be distributed to the University Faculty within three working days after the meeting at which they are approved.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

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

Related Documents

UNM Regents' Policy Manual, Policy 1.7 "Advisors to the Board of Regents"

Faculty Handbook:

- A51: Faculty Constitution
- A53: Development and Approval of Faculty Policies
- A61: Academic Council
- A61.1: Admissions and Registration Committee
- A61.2: Faculty Senate Curricula Committee (FSCC)
- A61.3: Senate Graduate and Professional Committee (SGPC)
- A61.3.1: Honorary Degree Sub-Committee
- A61.4: Teaching Enhancement Committee
- A61.5: Campus Development Advisory Committee
- A61.10: Governmental Relations Committee
- A62: Athletic Council
- A63: Business Council
- A63.1: Budget Committee
- A63.3 Faculty and Staff Benefits Committee
- A63.5: Information Technology Committee
- A64: Health Sciences Center Council
- A65: Research and Creative Works Council
- A65.1: Library Committee
- A65.2: Research Allocations Committee
- A65.3: Research Policy Committee
- A65.4: University Press Committee
- A66: Policy Committee
- A67: Faculty Senate Ethics & Advisory Committee

History

- July 1, 2025 - Policy format updated to align with FHB A53
- March 7, 2023 - Changed meeting day from the fourth Tuesday of the month to the last Tuesday
- August 17, 2022 - Added Branch Community Colleges Council to list of Faculty Senate Councils
- April 28, 2020 - Amended
- Special Rules of Order Governing the Reorganization of the Faculty Senate were approved by the Faculty Senate. These special rules of order modify the Faculty Senate Bylaws for a period of two years beginning July 1, 2012 and ending June 30, 2014, for the purpose of reorganizing the Faculty Senate structure. The sections dealing with Faculty Senate Councils and Council chairs were added to the bylaws on a two-year, pilot basis. The rules will be extended until June 30, 2015.
- April 27, 2004 - Amended
- October 28, 2003 - Amended
- August 27, 2002 - Amended
- March 27, 2001 - Amended
- April 28, 1998 - Amended
- November 1993 - April 1990 amendment was rescinded
- May 11, 1993 - Amended
- April 1990 - Amended
- May 9, 1989 - Amended

- March 31, 1981 - Approved

A60.1: Faculty Senate Committees

Policy

(Approval of any and all changes to Faculty Senate Committees are made by the Faculty Senate)

Membership on Faculty Senate committees is set annually by the Faculty Senate based on faculty preferences.

- Terms of committee service are from July 1 through June 30.
- A quorum on standing committees is a simple majority.
- Ex-officio members shall be non-voting unless otherwise specified by the Faculty Senate.
- Ex-officio members of faculty committees are expected to attend meetings and assist the committee by providing pertinent information on issues and shall have the same rights as regular committee members to be heard and speak on issues. However, they shall not attend meetings dealing with personnel matters such as hiring and firing of staff members.
- Committees shall have the right, by majority vote of the voting members, to close a session to such ex-officio members.
- Participation in committees is a right and duty of individuals of all ranks.
- Full-time faculty members are given an opportunity each year to express preference regarding standing committees on which they would like to serve.
- Members are expected to take an active part in the work of any committee to which they are assigned.
- In no case, however, shall a faculty member serve on more than two standing committees concurrently.

Functions, duties, and composition of these committees are detailed in the individual committee charges.

The membership lists for each of these committees can be accessed at: facgov.unm.edu

A61.3: Bachelor of University Studies Faculty Advisory Committee

Policy

(abolished 4-24-07)

The responsibilities of the BUS Faculty Advisory Committee are to: (a) act as a college faculty in the approval of candidates for the BUS Degree; (b) propose policies governing the BUS Degree to the Faculty Senate; (c) make periodic reports on the BUS Degree and recommendations for changes in degree requirements to the Faculty Senate; (d) make final determination of what courses and programs count toward a BUS Degree, including UNM branch and sub-baccalaureate degree credits; (e) meet with the Director of BUS Program concerning individual BUS cases to recommend actions (at least four members of the BUS Faculty Advisory Committee must be present to consider individual cases); and (f) keep on file in University College written records of actions taken.

(Ten tenured faculty members representing undergraduate colleges appointed by the Faculty Senate: three from the College of Arts and Sciences and one each from the following units: architecture and planning, education, engineering, fine arts, management, nursing and pharmacy. The Dean of University College shall be an ex-officio member of the Committee. Terms shall be for three years set up on a staggered basis, and membership is renewable. The Committee elects the chair from the voting membership. The chair serves for one year but may be re-elected.)

A61.13: Intellectual Property Committee

Policy

(abolished 4-23-13)

The Intellectual Property Committee (IPC) was established as an official, standing Faculty Senate committee. The initial Intellectual Property Committee (IPC) was formulated by the Administration, through the Vice Provost for Research. The purpose of the Intellectual Property Committee (IPC) is to provide faculty oversight of intellectual property management by the University and the Science and Technology Center. It makes recommendations about pursuit of intellectual property protection and about commercialization of UNM intellectual property. It adjudicates and mediates intellectual property rights.

(The Intellectual Property Committee (IPC) shall comprise on faculty representative from each College, including the University Libraries, and two faculty representatives from among the Level II and Level III centers that report to the Vice Provost for Research. The Vice Provost for Research, the Vice-President for Health Sciences, the Patent Administrator, and the President of the Science and Technology Center, or their designees respectively, are non-voting members ex-office. At all times, the Intellectual Property Committee (IPC) shall include at least three faculty members who are creators of Technology Works.) The term if each office shall be for three years set up on a staggered basis. The chairperson is elected by the Committee.)

A61.17: Scholarship Committee

Abolished 1/30/2020

Policy

The Scholarship Committee will:

1. formulate and oversee the implementation of policies governing the allocation of scholarships to students when policy is not stipulated by the granting agency;
2. coordinate scholarship issues with the Scholarship Office (SO), Student Financial Aid Office (SFO), and other university offices and administrators and advise the Directors of the SO and SFO on matters brought to the Committee by the UNM community;
3. submit an annual report to the Faculty Senate each May on issues and decisions related to the granting of scholarships by the SO and SFO;
4. evaluate scholarship-related budgetary policy in the Student Affairs Division and advise the Vice-President of Student Affairs and the Provost on scholarship-related budgetary policy, and on matters brought to the committee by the UNM community;
5. assist in the selection process of the Regents and Presidential Scholars; and,
6. oversee and assist designated UNM faculty representatives in disseminating information concerning screening and preparing applicants from among UNM students for major national and international scholarships such as the Truman, Rhodes, Marshall, Goldwater, and Fulbright Scholarships.

(Ten faculty members, including chairperson, appointed by the Faculty Senate from at least six colleges; two student members appointed by the Associated Students of UNM (ASUNM); one student member appointed by the Graduate and Professional Student Association (GPSA); also as ex-officio members, the Dean of Students, the Director of Development, the Dean of the Undergraduate Studies, the Director of Admissions, the Bursar, the Director of Recruitment Services, the Director of the Scholarship Office, and Director of Student Financial Aid.)

A61.19: Undergraduate Committee

Abolished 1/30/2020

Policy

The Undergraduate Committee is responsible for maintaining and enhancing the quality of undergraduate education in the University and its branches by (1) presenting to the Faculty Senate recommendations concerning general policies for undergraduate education, including policies on the creation and termination of undergraduate degrees and programs; (2) considering proposals regarding administrative or academic regulations which affect the overall undergraduate program; (3) interviewing, or designating appropriate faculty members to interview, prospective instructors for the University ROTC programs; (4) reviewing policy questions concerning undergraduate counseling and advisement programs; (5) participating, together with members of the Curricula and Graduate Committees, in periodic reviews of instructional units and programs; (6) developing and implementing a process of periodic review of undergraduate programs; and (7), together with the Curricula Committee, evaluating new undergraduate curriculum forms.

Eighteen faculty members, including the chair, appointed for a term of three years by the Faculty Senate: four from the College of Arts and Sciences (one each from natural sciences, social sciences, and humanities; and one at large), two each from the College of Education and the School of Engineering, and one each from the School of Architecture and Planning, the College of Fine Arts, the University Libraries, the School of Management, the College of Nursing, and the School of Medicine; also one faculty representative from each branch college. The committee also includes two undergraduate students, one appointed by the ASUNM Senate and one by the ASUNM president.The chair is elected by the committee. Ex officio non-voting members include the Registrar, the Provost offices for Undergraduate Affairs and Extended University, and the Dean of Students.

A61.20: University Honors Council

Policy

(abolished 4-24-07)

The President of the University is appointed by the Regents and is directly responsible to them. As chief executive officer of the institution, the President directs the administration in carrying out University Policy, and he has the authority to assign and reassign administrative duties.

The six major divisions of the University are headed, respectively, by the Provost/Executive Vice President for Academic Affairs; the Executive Vice President for Administration; the Vice President for Student Affairs; the Vice President for Institutional Advancement; the Vice President for Research; and the Vice President for the Health Sciences. Staff officers reporting directly to the President are the Director of the Office of Equal Opportunity; the Director of Internal Audit; the University Counsel, the Executive Affairs Officer, and the Assistant to the President.

Refer also to "The President and Administrative Matters" Section 3, Regents' Policy Manual.

A61: Academic Council

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Academic Council
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Academic Council is charged with oversight of the teaching and curricula of the University of New Mexico (UNM) including the undergraduate, graduate, and professional levels.

Policy Statement

The Academic Council has authority in academic matters that cannot easily or fully be handled by single existing Faculty Senate committees. Academic Council recommendations shall be reviewed by the Faculty Senate Operations committee and are subject to ratification by the Faculty Senate. Recommendations proposed by the Council will be taken to the Senate Operations Committee for deliberation and decisions.

The configuration of the Academic Council shall consist of the following Faculty Senate committees:

- Admissions and Registration Committee
- Faculty Senate Curricula Committee (FSCC)
- Senate Graduate and Professional Committee (SGPC)
- Teaching Enhancement Committee

Members of the Academic Council are the chairs of the committees that compose the Council. The Council Chair will be elected to a two-year term by a vote of the chairs of the committees in the Council. Ex-officio, non-voting members of the Council are the Senior Vice Provost for Academic Affairs and the Vice President for Enrollment Management.

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.

Procedures

The Academic Council will schedule regular meetings. The Council Chair will meet regularly with the Operations Committee but no less than once each semester.

Definitions

There are no specific definitions required by this Policy.

Contacts

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

Who should read this policy

- All UNM faculty.
- Academic administrators and staff.
- Administrative staff responsible for policy development.

Related Documents

Faculty Handbook:

- A51: Faculty Constitution
- A53: Development and Approval of Faculty Policies
- A60: Faculty Senate Bylaws
- A61.1: Admissions and Registration Committee
- A61.2: Faculty Senate Curricula Committee (FSCC)
- A61.3: Senate Graduate and Professional Committee (SGPC)
- A61.3.1: Honorary Degree Sub-Committee
- A61.4: Teaching Enhancement Committee

History

- July 1, 2025 - Policy format updated to align with FHB A53
- August 17, 2022 - Corrected title of Senior Associate Vice Provost
- April 28, 2020 - Approved by Faculty Senate

A61.10: Governmental Relations Committee

Policy

The Governmental Relations Committee is responsible for identifying issues of concern to faculty, developing strategies to address these issues, and communicating with the executive and legislative branches of government regarding them. The Committee will monitor developments at the state and local levels that affect higher education and will inform the Senate of these developments and recommend appropriate response.

Membership: Nine faculty members, representing three or more colleges, nominated by the Faculty Senate. Members shall serve overlapping three-year terms and may be reappointed. The Chairperson is elected by the Committee at the last meeting of the academic year.

(For the first year, members will be solicited from the faculty at large by special announcement. Nine members will be appointed, three each to one-, two-, and three-year terms. In subsequent years, appointments will be made through the regular committee-preference process.)

A61.1: Admissions and Registration Committee

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Admissions and Registration Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Admissions and Registration Committee is one of four (4) committees that comprise the Faculty Senate Academic Council, which provides leadership to and coordination of Faculty Senate Committee efforts that deal with academic issues.

Policy Statement

The Admissions and Registration Committee makes recommendations to the Faculty Senate for the establishment of policies and regulations governing admissions, registration, the grading system, university-wide academic regulations, transference and validation of credits, and university-wide graduation requirements. Additionally, the Committee monitors the implementation of these policies and regulations. Through subcommittees, the Committee rules on individual cases involving falsification of records, grade changes, petitions for waiver of university-wide graduation requirements and special admissions.

Committee membership includes:

- Ten (10) faculty members, including the chairperson, appointed by the Faculty Senate from at least four (4) colleges or schools on the Albuquerque campus and one from a branch community college;
- two (2) student members appointed by the Associated Students of UNM (ASUNM) and the Graduate and Professional Student Association (GPSA), respectively;
- the Director of Institutional Analytics;
- one (1) dean (or designated representative) of a college or school to be elected by the Council of Deans;
- the Dean of Students;
- the Vice Provost for Extended University and Dean of Continuing Education and Community Services;
- the Vice President for Student Affairs or designee;
- the Director of Undergraduate Admissions; and
- the Registrar.

The terms of office for faculty members shall be for three (3) years, set up on a staggered basis so that the terms of approximately one-third (1/3) of members will expire each year. Student terms are usually one (1) year. The chairperson is elected by the Committee.

> 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.

Procedures

The Admission and Registration Committee will schedule regular meetings. The Committee Chair will report Committee recommendations through the Academic Council for consideration by the Faculty Senate.

Definitions

There are no specific definitions required by this Policy.

Contacts

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

Who should read this policy

- All UNM faculty.
- Academic administrators and staff.
- Administrative staff responsible for policy development.

Related Documents

Faculty Handbook:

- A51: Faculty Constitution
- A53: Development and Approval of Faculty Policies
- A60: Faculty Senate Bylaws
- A61: Academic Council

History

- July 1, 2025 - Policy format updated to align with A53
- April 28, 2020 - Approved by Faculty Senate

A61.2: Faculty Senate Curricula Committee (FSCC)

Approved by: Faculty Senate
Effective: April 29, 2025
Responsible Faculty Committee: Faculty Senate Curricula Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Faculty Senate Curricula Committee (FSCC) provides leadership to and coordination of Faculty Senate Committee efforts that deal with academic issues. The primary role of the FSCC, in cooperation with the Senate Graduate and Professional Committee (SGPC), is responsibility for maintaining and enhancing the quality of education and the curricula at the University of New Mexico (UNM), its branch community colleges, and its graduate centers.

Policy Statement

The functions of the Committee shall include, but not be limited to, all of the following.

1. Reviewing the recommendations of the SGPC concerning all proposals for major changes in programs, including new degrees, new programs, new majors and minors, name changes, and substantive changes in existing programs, and transmitting them to the Faculty Senate for final approval.
2. Reviewing and making recommendations on all proposals for minor course changes, new courses , minor changes in existing programs, originating from students, departments, programs, divisions, schools, colleges of UNM and its branch community colleges and graduate centers, and Faculty Senate committees.
3. Participating with members of the SGPC in periodic reviews of instructional units and programs.
4. Hearing curricular disputes and recommending means for their resolution.
5. Initiating occasional reviews of curricular offerings and policies at UNM.
6. Recommending to the Faculty Senate both programs and the application of curricular policies.
7. Overseeing the approval and ongoing assessment of the General Education Program in consultation with the Faculty Senate.

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.

Procedures

1. Committee Membership

Faculty members will be appointed by the Faculty Senate or in the case of branch community colleges faculty who will be appointed by their respective faculty assemblies. The Curricula Committee shall consist of the following faculty members. One (1) faculty member from each of the branch community colleges; four (4) from Arts and Sciences, [one (1) from the humanities (including foreign languages), one (1) from the social and behavioral sciences, one (1) from the natural/physical sciences and math, one (1) at large,] and one (1) each from Architecture and Planning, Dental Hygiene Programs, Education and Human Sciences, Engineering, Fine Arts, Honors College, University Libraries, Law, The James & Gail Ellis School of Business Leadership, Medicine, Nursing, Pharmacy, Population Health, two (2) students appointed by the Associated Students of UNM (ASUNM) and one (1) student appointed by the Graduate and Professional Student Association (GPSA), respectively. Ex-officio members shall include the Registrar, a Collection Development Librarian, a faculty administrator from the Office of Academic Affairs, the Director of University Advising, a faculty administrator from the Office of the Executive Vice President for Health Sciences, Dean of Students, Associate Provost for Student Success, and one (1) representative from the SGPC. In addition, the Vice President for Equity and Inclusion will appoint one (1) ex-officio representative from the Diversity Council Curriculum Subcommittee, who is a voting member of the UNM Faculty.

The terms of office for faculty members shall be for three (3) years, set up on a staggered basis so that the terms of approximately one-third (1/3) of members will expire each year. Student terms are usually one (1) year.

The chairperson is elected by the Committee.

The FSCC will schedule regular meetings. The Committee Chair will report Committee recommendations for consideration by the Faculty Senate.

2. Course Reviews

The General Education Program falls under NM Higher Education Department (NMHED) review and is offered in collaboration by UNM colleges and schools. Thus, the FSCC bears responsibility to determine that proposed general education courses meet UNM general education program criteria and NMHED general education criteria. Selected members of the FSCC will represent the FSCC on a cross-college committee appointed by the Provost charged with review and improvement of the General Education Program.

Departments and programs preparing curriculum course proposals for general education areas outside the department’s/program’s routine offerings must communicate with the chairs of departments/programs and associate deans of schools and colleges that regularly offer courses within the area of the course proposal. Such communication is essential in order to understand the methods by which component and essential skills in the relevant general education are taught within already-existing courses. The other departments/programs should acknowledge having been informed and are supportive of the proposal or

respond with any concerns they may have. The FSCC will consider these concerns and recommend a means for their resolution.

1. Procedures for Adding Courses to the General Education Program

1.1 Documentation Required

Departments wishing to add courses to the UNM General Education Program must submit a Program Revision Request for each proposed new course, accompanied by the following material:

- Identification of the area into which the course will fit (writing/speaking, math, science, social/behavioral sciences, humanities, non-English language, fine arts.)
- Rationale for adding the course to the General Education Program.
    - Justification for adding the course to the General Education Program.
- How will this course benefit UNM students?
- Why does it belong in the General Education Program?
    - Impact statement on the effect this addition may have upon other departments/courses currently in the General Education Program.
    - Explanation of how the course meets updated criteria for General Education Program courses, including UNM criteria and NM Higher Education Department criteria on required essential skills adopted by the FSCC and posted on the website of the UNM Registrar.
    - Current and predicted enrollments for the next three (3) years.
    - Awareness and adoption of UNM General Education Program Assessment posted by the Office of Assessment.
- Budget/Faculty Load statement.
    - Budget impact statement.
    - Resources (faculty/facilities) that the department has for teaching the course.
    - Memo from Dean or College Curriculum Committee regarding financial support for five (5) to ten (10) years.
- Student learning outcomes and proposed techniques to assess those outcomes through class assignments.
- Documentation of application for HMHED Certification (application to NMHED may be simultaneous with submission and review of the Program Revision Request).
- Complete syllabus and course schedule including time on topics and suggested text.

1.2 Approvals

- Approval by department’s college curriculum committee/dean
- Review by the SGPC
- Approval by Faculty Senate Curricula Committee
- Office of the Provost
- Vote by Faculty Senate
- NMHED General Education Program certification form (information provided to UNM Associate Registrar for submission to NMHED) and New Mexico Common course number (NMCCN) form (information provided to UNM Associate Registrar for submission to NMHED)
- Office of the Provost will collaborate with the Office of the Registrar in ensuring that additions to the UNM General Education Program are appropriately reviewed, recorded, and meet the requirements of NMHED.

1.3 Timeline

- Departments must submit the Program Revision Request early in the fall semester.
- Departments must also submit a certification form to the registrar for review and submission to NMHED.
- Faculty Senate Curriculum Committee must receive proposal by December 1 for the opportunity for inclusion in the upcoming course catalog.
- NMHED certification of the course is required for inclusion in the UNM General Education Program.

2. Procedures for Deleting Courses from the General Education Program

2.1. Documentation Required

Departments wishing to delete courses from the UNM General Education Program must submit a Program Revision Request for each course to be deleted, accompanied by the following material:

- Identification of the area 1-7 into which the course fits.
- Rationale for deleting the course from the UNM General Education Program.
    - Justification for deleting the course.
    - Impact statement on the effect this deletion may have upon other departments/courses.
    - Enrollment history for the previous three (3) years.
- Budget/Faculty Load statement.
    - Budget impact statement.
    - Memo from Dean or College Curriculum Committee regarding support for removing this course.

2.2 Approval Procedures

- Approval by department’s college curriculum committee/dean
- Review by the SGPC
- Approval by Faculty Senate Curricula Committee
- Office of the Provost
- Vote by Faculty Senate
- Collaboration with Office of the Registrar on submission of forms for removing the course from the NMHED record of general education program courses at UNM and from the NMHED record of CCN courses at UNM.

2.3 Timeline

- Departments must submit the Program Revision Request early in the fall semester.
- Faculty Senate Curriculum Committee must receive proposal by December 1 for the deletion in the upcoming course catalog.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

- Academic chairs, directors, and deans
- Non-academic managers and directors
- Vice presidents and other executives

Related Documents

Faculty Handbook:

- A51: Faculty Constitution
- A53: Development and Approval of Faculty Policies
- A60: Faculty Senate Bylaws
- A61: Academic Council
- A61.3: Senate Graduate and Professional Committee (SGPC)

Assessment of the General Education Program at UNM

Applicable NM State Laws and Regulations

History

- July 27, 2026 - Renaming Anderson Schools of Management to The James & Gail Ellis School of Business Leadership
- July 1, 2025 - Policy format updated to align with FHB A53
- April 29, 2025 - Amended policy approved by the Faculty Senate
- October 10, 2022 - Amended to delete or update references to outdated program revision request forms, per FHB Policy A53 procedures
- August 3, 2021 - Amended related documents and procedures approved by Faculty Senate Operations Committee
- April 8, 2021 - Amended related documents and procedures approved by Faculty Senate Policy Committee
- April 28, 2020 - Amended policy approved by Faculty Senate
- November 22, 2016 - 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

A61.3: Senate Graduate and Professional Committee (SGPC)

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Senate Graduate and Professional Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

All UNM faculty, including the Health Sciences Center.

Policy Rationale

The Senate Graduate and Professional Committee (SGPC) is one of four (4) committees that comprise the Faculty Senate Academic Council, which provides leadership to and coordination of Faculty Senate Committee efforts that deal with academic issues.

Policy Statement

The SGPC, in consultation with College (School or Division) Graduate/Professional Committees, the Dean of Graduate Studies and the Executive Vice President for Health Sciences is responsible for maintaining and enhancing the quality of graduate/professional education at the University of New Mexico (UNM) and its graduate/professional centers by:

(1) making recommendations on proposals for major changes in graduate/professional programs (Forms C and D), including new degrees and certificates, new programs, new majors and minors and concentrations, name changes, substantive changes in existing programs and suspensions or abolition of degrees or programs, and transmitting them to the Faculty Senate Curricula Committee (FSCC);

(2) participating, together with members of the FSCC, in periodic reviews of instructional units and programs;

(3) providing feedback to graduate/professional programs throughout the Academic Program Review process;

(4) supporting coordination in monitoring and providing feedback on graduate/professional academic experiences throughout UNM;

(5) presenting to the Faculty Senate recommendations concerning general policies for graduate/professional education, including the creation, suspension and termination of graduate/professional degrees and programs;

(6) recommending to the Faculty Senate the granting of graduate, professional and honorary degrees; and

(7) hearing and resolving disputes involving policy or quality control issues pertaining to University-wide regulations and standards for graduate and professional students and graduate and professional education following procedures as will be found in appropriate sections of the *Faculty Handbook* and the *UNM Catalog*.

The membership shall consist of fourteen (14) faculty and one (1) student: one (1) faculty member selected by each of the following College/School/Division Graduate/Professional Committees from its membership: Architecture and Planning, Education and Human Sciences, Engineering, Fine Arts, Law, The James & Gail Ellis School of Business Leadership, Medical Sciences, Nursing, Pharmacy, Population Health, the University Libraries and Learning Sciences, three (3) faculty members selected from its Graduate Committee membership by the College of Arts and Sciences, one (1) representing each of the (3) three divisions within the college [sciences, social sciences, humanities]. One member each from the Graduate and Professional Student Association. The Dean, Associate and Assistant Deans of Graduate Studies, the University Registrar, the Extended Learning Administrator, the Center for Teaching & Learning Administrator, and the Provost or his/her designee shall be non-voting ex-officio members.

The selection of faculty members is made in the spring semester of the preceding year. The terms of office for faculty members shall be for three (3) years, set up on a staggered basis so that the terms of approximately one-third (1/3) of members will expire each year. Student terms are usually one (1) year. All representatives will serve no more than two (2) consecutive terms.

Late in the spring semester of each odd-numbered year, the committee membership elects a chair-elect who assumes the chair the fall semester of the next even numbered year. The chair serves a three-year term, but does not represent his/her College (School or Division). Rather the College (School or Division) Graduate/Professional Committee whose representative assumes the chair will choose a new representative to serve out the chair's term or begin a new three-year term, as appropriate.

The Honorary Degree Committee is a subcommittee of the SGPC (Refer to A61.3.1 for the subcommittee charge.)

Charge to College Graduate/Professional Committees

1. Within the college/school/or division, the graduate/professional committee, in consultation with the dean or director of that unit, supervises and coordinates graduate/professional activity and maintains UNM’s policies regarding graduate/professional affairs and recommends to the college/school/or division faculty supplementary policies appropriate to the unit in question, as well as recommending to the SGPC whatever revisions in basic UNM policy it deems necessary to maintain and improve the quality of graduate/professional education.

2. Within the policies established by the Faculty Senate, the SGPC, and the faculty of the college/school/or division, the committee in consultation with the dean or director of the college/school/or division shall be responsible for: (a) endorsement of new courses and programs at the graduate/professional level; (b) approval of regular full-time graduate/professional faculty for courses receiving graduate/professional credits; (c) endorsement of standards for appointment of graduate/professional, teaching, research and project assistants; (d) receiving and processing petitions on behalf of individual graduate/professional students dealing with changes in programs, requirements

related to that graduate/professional unit, or any other appeal of an academic nature; and, (e) maintenance of quality control processes including admission of students to graduate/professional programs, endorsement of the membership of examination committees, dissertation committees and program of studies committees. Final approval (except 2b) rests with the SGPC in conjunction with the Dean of Graduate Studies or appropriate Professional Program equivalent as noted above in the charge to the SGPC.

3. The graduate/professional committee of each college/school/or division in consultation with its dean or director and acting within the general faculty policies of that unit shall recommend to the SGPC the internal arrangement and procedures deemed most appropriate to the implementation of 1 and 2 above. Approval of the implementation proposals from each college/school/or division rests with the SGPC acting in consultation with the Dean of Graduate Studies or appropriate Professional Program equivalent.

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.

Procedures

The SGPC will schedule regular meetings. The Committee Chair will report Committee recommendations through the Academic Council for consideration by the Faculty Senate.

Definitions

There are no specific definitions required by this Policy.

Contacts

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

Who should read this policy

- All UNM faculty.
- Academic administrators and staff.
- Administrative staff responsible for policy development.

Related Documents

Faculty Handbook: Note: Committee Charges Policy numbers are being changed to align with their respective Council per the new Faculty Senate Restructure

- A51: Faculty Constitution

- A53: Development and Approval of Faculty Policies
- A60: Faculty Senate Bylaws
- A61: Academic Council
- A61.3.1: Honorary Degree Sub-Committee

History

- July 27, 2026 - Renaming Anderson Schools of Management to The James & Gail Ellis School of Business Leadership
- July 1, 2025 - Policy format updated to align with FHB A53
- April 28, 2020—Amended by the Faculty Senate

A61.3.1: Honorary Degree Sub-Committee

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Senate Graduate and Professional Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Honorary Degree Subcommittee is a subcommittee of the Senate Graduate and Professional Committee (SGPC).

Policy Statement

Early in each academic year, the Honorary Degree Subcommittee makes nominations for the awarding of honorary degrees in accordance with Regents' Policy RPM 1.6 "Special Recognition and Awards." Further information on awarding honorary degrees and other types of special recognition can be obtained from RPM 1.6.

Membership: Two (2) members appointed by the President of the Board of Regents; two (2) members of the general faculty appointed by the Faculty Senate (two-year terms); two (2) members of the general faculty appointed by the SGPC (two-year terms); the UNM President; and the President of the Graduate and Professional Student Association (GPSA). Additionally, the President of the Board of Regents and the University Secretary shall be ex-officio members, the University Secretary to serve as Secretary of the Committee. The Committee shall elect its own chair from among the faculty members appointed by the Faculty Senate and the SGPC.

Operating guidelines: Each year, the Honorary Degree Committee shall solicit nominations for honorary degrees from any source they deem proper. However, a great emphasis should be placed on nominees whose contributions are to UNM, New Mexico, or the Southwest. The Honorary Degree Committee shall decide if an honorary degree is to be given for any particular year. If no selection is made, the SGPC, the Faculty Senate, and the Board of Regents will be so notified. If the Honorary Degree Committee decides there are appropriate candidates—to a maximum of three (3) annually—they may make a selection or selections and shall present the names of the nominees to the SGPC for confidential approval or disapproval of any or all names. If SGPC's approval is forthcoming for any or all of the nominees, the names shall be submitted to the Faculty Senate for confidential approval no later than at the January meeting. Names of nominees approved

by the Faculty Senate shall then be submitted to the Board of Regents, through the appropriate Regent Committee, for formal approval at their Commencement meeting. (However, approval of the Regents not on the Honorary Degree Committee must be secured informally before names are submitted to the SGPC.) Disapproval of all names by the SGPC, the Faculty Senate, or the Regents stops the process at that point for that year. New nominations from the SGPC, the Faculty Senate, or the Regents will only be considered by the Honorary Degree Committee for a subsequent year.

> 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.

Procedures

The Honorary Degree Subcommittee will schedule regular meetings. The Chair will report subcommittee recommendations through the SGPC for consideration for approval by the Faculty Senate.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

- Academic chairs, directors, and deans
- Non-academic managers and directors
- Vice presidents and other executives

Related Documents

Regents' Policy Manual Policy 1.6 "Special Recognition and Awards"

Faculty Handbook:

- A51: Faculty Constitution
- A53: Development and Approval of Faculty Policies
- A60: Faculty Senate Bylaws
- A61: Academic Council
- A61.3: Senate Graduate and Professional Committee (SGPC)

History

- July 1, 2025 - Policy updated to align with FHB A53

- August 17, 2022 - Corrected title of the University Secretary
- April 28, 2020 - Amended by Faculty Senate
- November 22, 2011 - Amended by Faculty Senate
- March 22, 2011 - Approved by Faculty Senate

A61.4: Teaching Enhancement Committee

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Teaching Enhancement Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Teaching Enhancement Committee is one of four (4) committees that comprise the Faculty Senate Academic Council, which is charged with oversight of the teaching and curricula of the University of New Mexico (UNM) including the undergraduate, graduate, and professional levels.

Policy Statement

The purpose of the Teaching Enhancement Committee (TEC) shall be to encourage and support quality teaching and its funding as the primary role of UNM, including all its established units. The TEC will in no way infringe upon the academic freedom of faculty members in searching for and imparting knowledge. The functions of the Committee shall include, but not be limited to:

(1) initiating, formulating, and recommending policies regarding teaching resources, support staff members, and faculty members;

(2) recommending UNM policy regarding the granting of awards and stipends for outstanding teaching and scholarly achievements;

(3) overseeing selection of all Center for Teaching and Learning (CTL) awards;

(4) awarding funds to be used as incentives to enhance teaching methods and curriculum development through the Teaching Allocations Subcommittee;

(5) reviewing and recommending the use of research-based methods for teaching;

(6) serving as an advisory committee to the CTL;

(7) evaluating, formulating, and recommending policy concerning teaching support services provided by computer facilities, libraries, media services, and other support organizations; and

(8) meeting formally with the Deans' Council and the Senate Operations Committee at least once each year to discuss current problems and exchange information concerning teaching; encouraging and supporting

inclusive teaching to support its diverse student body.

Committee membership includes eleven (11) faculty members, including one (1) member from a branch community college, appointed by the Faculty Senate; one (1) graduate student appointed by the Graduate Professional Student Association (GPSA); one (1) undergraduate student appointed by the Associated Students at the UNM (ASUNM). The Senior Vice Provost for Academic Affairs, the Associate Provost for Faculty Development, the Vice President of the Division of Equity and Inclusion, the Executive Director of CTL, the Associate Director of CTE, and the Associate Director of the Center for Digital Learning (CDL) shall be ex officio members of the committee. The terms of office shall be three (3) years set up on a staggered basis, and the committee members shall elect the chair. Student terms are usually one (1) year.

> 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.

Procedures

The Teaching Enhancement Committee will schedule regular meetings. The Committee Chair will report Committee recommendations through the Academic Council for consideration by the Faculty Senate.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

- Academic chairs, directors, and deans
- Non-academic managers and directors
- Vice presidents and other executives

Related Documents

Regents’ Policy Manual Policy 1.6 “Special Recognition and Awards.”

Faculty Handbook:

- Policy A51 “Faculty Constitution”
- Policy A53 “Development and Approval of Faculty Policies”
- Policy A60 “Faculty Senate Bylaws”
- Policy A61 “Academic Council”

History

- July 1, 2025 - Policy format updated to align with FHB A53
- August 17, 2022 - Updated administrator titles per FHB Policy A53 procedures
- April 28, 2020 - Amended by Faculty Senate
- March 22, 2011 – Approved by Faculty Senate

A61.5 Campus Development Advisory Committee

Approved By: Faculty Senate
Approved: April 29, 2025
Responsible Faculty Committee: Campus Development Advisory Committee
Office Responsible for Administration: Office of University Secretary

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

APPLICABILITY

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

POLICY RATIONALE

The Campus Development Advisory Committee (CDAC) advises the UNM administration and faculty on issues relating to the campus's physical environment of the campus as they contribute to and affect UNM's mission, goals and quality of life.

POLICY STATEMENT

The CDAC serves as a forum for the communication and idea exchange regarding campus development and its impact on the campus community. Comments, questions, and concerns for the CDAC should be directed to the Chair of the committee (See roster).

Scope of Committee

The CDAC reviews plans and initiatives that will result in a physical alteration to the campus's physical environment. Activities subject to the Committee's review include:
• University Comprehensive Master Plan
• Comprehensive capital planning goals, objectives, and supportive financial strategies
• Campus identity, character, and historical elements
• Asset Management Program (AMP), Campus Design Review Committee (CDRC), and related materials
• Major capital project concepts
• Running the Faculty Capital Outlays process

Evaluative Criteria

The CDAC considers the relationships between the campus physical environment and contextual conditions, including:
• Health and safety
• Accessibility: access, visual accessibility and environmental conditions

• Sustainability
• Aesthetics
• Published campus plans

Revisions to the remaining sections of this document may be amended with the approval of the Faculty Senate Policy Committee, and Operations Committee.

PROCEDURES

The Committee Chair will report Committee recommendations for consideration by the Faculty Senate.

Committee Procedure

• Faculty Committee Chair reports in an advisory capacity to the Provost, Faculty Senate Operations Committee and Institutional Support Services.
• The Committee will meet as often as monthly but no less than quarterly, as directed by the Committee Chair.

Committee Representation

• Seven (7) faculty members are appointed by Faculty Senate, four (4) from the main campus, one (1) from a branch community college, and two (2) from the north campus.
• Three (3) student representatives, one (1) from the Associated Students of UNM (ASUNM), one (1) from the Graduate and Professional Student Association (GPSA) and one (1) from north campus. The Committee is chaired by a faculty member elected by the faculty members from among voting committee members.

DEFINITIONS

There are no specific definitions required by this Policy.

CONTACTS

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

WHO SHOULD READ THIS POLICY

• All UNM faculty.
• Academic administrators and staff.
• Administrative staff responsible for policy development.

RELATED DOCUMENTS

Faculty Handbook:
A51: Faculty Constitution

A53: Development and Approval of Faculty Policies
A60: Faculty Senate Bylaws
A60.1: Faculty Senate Committees

HISTORY

- July 1, 2025 - Policy format updated to align with FHB A53
- April 29, 2025 – Approved by Faculty Senate
- April 28, 2020 - Approved by Faculty Senate

A62: Athletic Council

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Athletic Council
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The purpose of the Athletic Council is to bring the view of the greater university community to decisions concerning athletics at the University of New Mexico (UNM).

Policy Statement

The chief duties and functions of the Athletic Council are to formulate, maintain, and review general policies pertaining to intercollegiate athletics that are compatible with the best academic interests of UNM. In formulating policy, the Athletic Council shall:

> (a) Support the personal and academic welfare of the student athlete;
>
> (b) Emphasize high scholastic standards for intercollegiate athletics;
>
> (c) Emphasize high standards of institutional, personal, and fiscal integrity, and ethical conduct for intercollegiate athletics;
>
> (d) Ensure compliance with the National Collegiate Athletic Association (NCAA) and affiliated conference rules; and
>
> (e) Promote equity.

The duties of the Athletic Council are further defined as:

> (a) To transmit to the UNM President and Faculty Senate at the beginning of each academic year a report to include the following: an executive summary; a report on athletic scholarships and financial aid awarded to student athletes, and those not renewed; a review of the graduation rates of student athletes; an executive summary of student-athlete exit interviews; any recommendations concerning the administration of athletic programs regarding the academic performance of student athletes; an athletics

academic advisement annual report; council priorities and initiatives; and other reports and special items as deemed appropriate by the Athletic Council.

(b) To encourage ethical conduct in intercollegiate sports at UNM.

(c) To make appropriate recommendations to the Director of Intercollegiate Athletics, the faculty, and UNM President regarding items pertaining to the maintenance of scholastic standards for intercollegiate athletics.

(d) To review criteria for admission and eligibility of student athletes, and policies regarding student-athletes' progress towards degrees.

(e) To review and monitor UNM's athletics programs for compliance with National Collegiate Athletics Association (NCAA) and affiliated conference rules and regulations including the review of periodic compliance reports.

(f) To provide comments and recommendations regarding changes in NCAA, or other relevant conferences rules, bylaws, policies, and procedures to the Director of Intercollegiate Athletics and the faculty representative to the NCAA.

(g) To advise the Director of Intercollegiate Athletics on matters of conference affiliations and other intercollegiate relationships.

(h) To review at the end of each semester an overview provided by the Director of Intercollegiate Athletics of student-athletes transfer rates, and number of scholarships and financial aid non renewals, including common reasons for each category.

(i) To review annually team schedules for conformity to the Athletic Council policy on scheduling of academic events and review and approve scheduling exceptions.

(j) To review and make recommendations regarding policies and procedures for the annual evaluation of coaches and athletic staff.

(k) To review and make recommendations regarding appeals of student-athletes on academic and athletic matters when appropriate.

(l) To advise the Director of Intercollegiate Athletics when an Associate Director of Athletics or a head coach is to be employed or dismissed.

(m) To conduct student-athlete exit interviews at least once during the academic year with focus upon academic integrity, student-athlete well-being, and equity.

(n) As requested by the President, review and/or nominate candidates for the position of Faculty Athletic Representative (FAR) to the NCAA.

Voting members of the Council are: twelve (12) faculty members, the majority of whom should be tenured, including the Chair (elected to a two-year term by a vote of the twelve (12) faculty members of the Council) and the chairs of any committees of the Council (both standing and ad-hoc committees of the Council, appointed by the Council Chair. These twelve (12) members shall come from a minimum of four (4) colleges. The terms of office shall be for three (3) years, set up on a staggered basis so that the terms of approximately one-third (1/3) of members will expire each year. The remaining council membership shall be composed of: three (3) voting undergraduate student members; one (1) voting graduate student member; one (1) voting

alumni member; and, also, ex-officio, non-voting members of the Council including the Director of Intercollegiate Athletics, the Associate Director of Athletics, three (3) faculty senators (elected by that body for two-year terms), and the faculty representative to the National Collegiate Athletic Association (NCAA).

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.

Procedures

The Athletic Council will schedule regular meetings. The Council Chair will meet regularly with the Operations Committee, but no less than once each semester.

Definitions

There are no specific definitions required by this Policy.

Contacts

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

Who should read this policy

- All UNM faculty.
- Academic administrators and staff.
- Administrative staff responsible for policy development.

Related Documents

Faculty Handbook: Note: Committee Charges Policy numbers are being changed to align with their respective Council per the new Faculty Senate Restructure

- A51: Faculty Constitution
- A53: Development and Approval of Faculty Policies
- A60: Faculty Senate Bylaws

History

- July 1, 2025 - Policy format updated to align with FHB A53
- August 17, 2022 - Updated title of Director of Intercollegiate Athletics
- April 28, 2020 - Approved by Faculty Senate

A63: Business Council

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Business Council
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Business Council is charged with faculty oversight of the business aspects of the University of New Mexico (UNM) including budget, government relations, campus planning, capital projects, etc.

Policy Statement

The Business Council has authority in business matters that cannot easily or fully be handled by single existing Faculty Senate committees. Business Council recommendations shall be reviewed by the Faculty Senate Operations committee and are subject to ratification by the Faculty Senate. Recommendations proposed by the Council will be taken to the Senate Operations Committee for deliberation and decisions.

The configuration of the Business Council shall consist of the following Faculty Senate committees:

- Budget Committee
- Campus Development Advisory Committee
- Faculty and Staff Benefits Committee
- Government Relations Committee
- Information Technology Committee

Members of the Business Council are the five (5) chairs of the committees that compose the Council. The Council Chair will be elected to a two-year term by a vote of the Chairs of the committees in the Council. Ex-officio, non-voting members of the Council are the Senior Vice President for Finance and Administration and the University Controller.

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.

Procedures

The Business Council will schedule regular meetings. The Council Chair will meet regularly with the Operations Committee, but no less than once each semester.

Definitions

There are no specific definitions required by this Policy.

Contacts

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

Who should read this policy

• All UNM faculty.
• Academic administrators and staff.
• Administrative staff responsible for policy development.

Related Documents

Faculty Handbook:

- Policy A51 “Faculty Constitution”
- Policy A53 “Development and Approval of Faculty Policies”
- Policy A60 “Faculty Senate Bylaws”
- Policy A61.5 “Campus Development Advisory Committee”
- Policy A61.10 “Governmental Relations Committee”
- Policy A63.1 “Budget Committee”
- Policy A63.3 “Faculty Staff Benefits Committee”
- Policy A63.5 “Information Technology Committee”

History

- July 1, 2025 - Policy format updated to align with FHB A53
- April 28, 2020—Approved by Faculty Senate

A63.1: Budget Committee

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Budget Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Budget Committee is one of five (5) committees that comprise the Faculty Senate Business Council, which provides faculty oversight of the business aspects of the University of New Mexico (UNM) including budget, government relations, campus planning, capital projects, etc.

Policy Statement

The Budget Committee has the responsibility to make recommendations to the Faculty Senate for advising the Budget Leadership Team (BLT) in developing the UNM budget. In particular, the functions of the committee include but are not limited to:

> (a) participation in the BLT and BLT sub-committees, including at least one (1) Committee member appointed to the BLT.
>
> (b) the presentation to the Faculty Senate each April on the Committee's participation and work with the BLT.

Faculty members will be appointed by the Faculty Senate: The optimal Committee will be thirteen (13) members, with two (2) from Arts and Sciences and, if possible, one (1) from each of the following academic areas [where possible given the number of faculty in each area]: Architecture and Planning; Education and Human Sciences; Engineering; Fine Arts; Honors; University Libraries; Law; The James & Gail Ellis School of Business Leadership; Medicine (including Dental Hygiene Programs); Nursing; Pharmacy; and Population Health; and an ex-officio member appointed by the Senior Vice President for Finance and Administration. The terms of office shall be for three (3) years, set up on a staggered basis so that the terms of at least four (4) members will expire each year. The chairperson is elected by the Committee. Members will be appointed by April for terms starting the following fall. The chairperson is selected by the Committee for a one-year term. That selection will be made at the last meeting of the academic year for the following year.

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.

Procedures

The Budget Committee will schedule regular meetings. The Committee Chair will report Committee recommendations through the Business Council for consideration by the Faculty Senate.

Definitions

There are no specific definitions required by this Policy.

Contacts

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

Who should read this policy

- All UNM faculty.
- Academic administrators and staff.
- Administrative staff responsible for policy development.

Related Documents

Faculty Handbook:

- A51: Faculty Constitution
- A53: Development and Approval of Faculty Policies
- A60: Faculty Senate Bylaws
- A63: Business Council

History

- July 27, 2026 - Renaming Anderson Schools of Management to The James & Gail Ellis School of Business Leadership
- July 1, 2025 - Policy format updated to align with FHB A53
- April 28, 2020—Approved by Faculty Senate

A63.3: Faculty and Staff Benefits Committee

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Faculty and Staff Benefits Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Faculty and Staff Benefits Committee is one of five (5) committees that comprise the Faculty Senate Business Council, which provides faculty oversight of the business aspects of the University of New Mexico (UNM) including budget, government relations, campus planning, capital projects, etc.

Policy Statement

The Faculty and Staff Benefits Committee (FSBC) is charged by the Faculty Senate and the Staff Council to review and advise on current and potential UNM benefits to include but not be limited to, the retirement and insurance plans and health care, and investigate the feasibility of additional benefits as may occur to the Committee or be suggested to the Committee. The Committee shall then recommend changes in, or additions to, these benefits to the Faculty Senate, Staff Council, and UNM Administration. Other units within UNM shall not create separate benefits committees.

Membership. Committee membership will include both voting and non-voting members as follows:

Voting members. Five (5) faculty members appointed by the Faculty Senate; Five (5) staff members appointed by the Staff Council; One (1) retiree appointed by the Retiree Association.

Non-voting Ex-officio Members. Senior Vice President for Finance and Administration/designee; Vice President for Human Resources/designee; Director of the Office of Academic Personnel; Human Resources Department Executive Director for Benefits and Employee Wellness; and the Payroll Manager.

Visitors. The FSBC may from time to time ask individuals with information/knowledge on special topics to address/advise the committee.

Chairpersons. The FSBC will have co-chairpersons (one (1) faculty and one (1) staff member) who will be elected annually by the voting members of the committee.

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.

Procedures

The Faculty and Staff Benefits Committee will schedule regular meetings. Minutes will be kept for each meeting and will be reported to the Faculty Senate, the Staff Council, and the Retirees Association. This policy and charge when adopted will be added to the Faculty Senate Handbook and the Staff Council Bylaws. The Committee Chair will report Committee recommendations through the Business Council for consideration by the Faculty Senate.

Definitions

There are no specific definitions required by this Policy.

Contacts

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

Who should read this policy

- All UNM faculty.
- Academic administrators and staff.
- Administrative staff responsible for policy development.

Related Documents

Faculty Handbook: Note: Committee Charges Policy numbers are being changed to align with their respective Council per the new Faculty Senate Restructure

- A51: Faculty Constitution
- A53: Development and Approval of Faculty Policies
- A60: Faculty Senate Bylaws
- A63: Business Council

History

- July 1, 2025 - Policy format updated to align with FHB A53
- November 9, 2022 - Updated titles of ex-officio members, per FHB A53 procedures
- April 28, 2020 - Amended by the Faculty Senate
- August 30, 2011 - Amended by the Faculty Senate

A63.5: Information Technology Committee

Approved by: Faculty Senate
Effective: January 1, 2026
Responsible Faculty Committee: Information Technology Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Information Technology (IT) Committee is the voice of the faculty in the co-governance of IT matters.

Policy Statement

The IT Committee represents and reports to the Faculty Senate through regular procedures and submits a yearly report to the Senate. In cooperation with UNM IT and other core technology providers, the IT Committee acts in collaboration with the IT Academic Technologies Advisory Board and the IT Research Technologies Advisory Board to provide review of and recommendations regarding administration, purchasing, use, and implementation of IT systems and applications. Through communication with the academic, research, and administrative units, the IT Committee represents the needs and concerns, particularly of the academic and research communities, for computing resources and information technology needs. The Chair of the IT Committee is a voting member of the IT Academic Technologies Advisory Board and the IT Research Technologies Advisory Board. The Committee’s purview includes, but is not limited to, soliciting faculty feedback; assessment and articulation of faculty needs; advocacy of innovative and effective instructional and research technologies; active participation in IT strategic planning; advice on IT budgets; recommendations for priorities; and liaison with academic, research, and administrative computer users.

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.

Procedures

Membership: Fifteen (15) voting faculty which will include one (1) faculty member from a Branch Community College and fourteen (14) faculty members from Main, HSC, and Law campuses representing at least three

(3) schools and colleges, none of whom are from the same department. Voting membership will also include one (1) staff member selected by the UNM Staff Council and two (2) students from ASUNM and two (2) students from GPSA. The UNM Chief Information Officer (CIO), the HSC Chief Information Officer, a representative from the Provost/Academic Affairs area, and a representative from HSC Academic Affairs will serve as ex-officio, non-voting members. If unable to attend a Committee meeting, an ex-officio member may send a designee subject to approval by the Committee. The Committee may also invite subject matter experts as needed to regularly attend meetings.

The terms of office for faculty members shall be for three (3) years, set up on a staggered basis so that the terms of approximately one-third (1/3) of members will expire each year. Members can be appointed for a second three-year term. A Chair is elected by the Committee and normally will serve a renewable two-year term. In addition to the Committee members, subcommittee membership will be augmented with other faculty, administrators, staff, and students as required for specific subcommittee tasks.

The IT Committee will schedule regular meetings. The Committee Chair will report Committee recommendations for consideration by the Faculty Senate.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

- Academic chairs, directors, and deans
- Non-academic managers and directors
- Vice presidents and other executives

Related Documents

Faculty Handbook:

- Policy A51 “Faculty Constitution”
- Policy A53 “Development and Approval of Faculty Policies”
- Policy A60 “Faculty Senate Bylaws”
- Policy E30 "Research Data Management"

University Administrative Policy and Procedures Manual

- 2500 “Acceptable Computer Use”
- 2520 “Computer Security Controls and Access to Sensitive and Protected Information”
- 2540 “Student Email”
- 2550 “Information Security”
- 2560 “Information Technology (IT) Governance”
- 2570 “Official University Webpages”
- 2580 “Data Governance”

History

- November 25, 2025 - Amended by Faculty Senate
- July 1, 2025 - Policy format updated to align with FHB A53
- August 18, 2022 - Corrected title of HSC Vice President for Academic Affairs, per FHB A53 procedures
- April 28, 2020 - Amended by Faculty Senate
- April 24, 2018 – Approved by Faculty Senate
- March 22, 2011 – Approved by Faculty Senate

A64: Health Sciences Center Council

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Health Sciences Center Council
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Faculty Senate Health Sciences Center (HSC) Council is charged with oversight of faculty issues that are unique to the HSC.

Policy Statement

The purpose of the HSC Council is to enhance the role and visibility of the HSC faculty in shared governance, particularly as it relates to the HSC, and to deliberate and act on behalf of the UNM Faculty Senate in all matters relating to faculty governance and shared governance of the HSC, consistent with the UNM Faculty Constitution, Faculty Handbook, Faculty Senate Bylaws, and with the policies of the Board of Regents and UNM. In matters pertaining to faculty governance and shared governance of UNM, as a whole, the HSC Council shall represent the faculty of the UNM HSC the Faculty Senate, the Executive Vice President (EVP) for Health Sciences and/or Leadership, and upon request, the HSC Committee of the Board of Regents.

The HSC Council shall have the right or duty to consider and advise the Faculty Senate, the EVP for Health Sciences and/or Leadership, and upon request the HSC Committee of the Board of Regents on behalf of HSC faculty over:

> a) Institutional aims and strategic plans of the HSC.
>
> b) Organizational structure and creation of new departments and divisions.
>
> c) Major curricular changes and other matters that, in the opinion of the EVP for Health Sciences or of the faculty, including HSC Faculty via its Council members, affect the HSC as a whole.
>
> d) Matters of general concern or welfare for HSC faculty.

The foregoing purposes do not supplant the rights and responsibilities of faculty within their respective academic units. Rather, the HSC Council shall serve as a forum and voice for the HSC faculty, as a whole, in representing the interests of HSC faculty to the HSC Committee of the Board of Regents and Office of the

EVP for Health Sciences as well as to the UNM Faculty Senate.

Voting members of the HSC Council shall be:

> a) All duly elected faculty senators representing the academic units of the HSC.
>
> b) Two (2) at-large members elected by the faculty of each of the academic units of the HSC (School of Medicine, College of Nursing, College of Pharmacy, College of Population Health, Health Sciences Library and Informatics Center) who need not be members of the UNM Faculty Senate.

Non-voting ex officio members of the HSC Council shall be:

> a) The EVP for Health Sciences
>
> b) The Health Sciences Vice President for Academic Affairs
>
> c) The Provost or designee
>
> d) The President of the UNM Faculty Senate

The terms of office for faculty members shall be for three (3) years, set up on a staggered basis so that the terms of approximately one-third (1/3) of members will expire each year.

The HSC Council structure, duties, meeting schedule, and committees are defined in the HSC Council Bylaws.

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.

Procedures

The Health Sciences Center Council will schedule regular meetings. The Council Chair will meet regularly with the Operations Committee, but no less than once each semester.

Definitions

There are no specific definitions required by this Policy.

Contacts

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

Who should read this policy

- All UNM faculty.

- Academic administrators and staff.
- Administrative staff responsible for policy development.

Related Documents

Faculty Handbook:

- A51: Faculty Constitution
- A53: Development and Approval of Faculty Policies
- A60: Faculty Senate Bylaws

HSC Council Bylaws

History

- July 1, 2025 - Policy format updated to align with FHB A53
- November 9, 2022 - Added Health Sciences Library and Informatics Center to list of academic units; updated title of Vice Chancellor for Academic Affairs, per Faculty Handbook Policy A53 procedures
- April 28, 2020 – Approved by Faculty Senate

A65: Research and Creative Works Council

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Research and Creative Works Council
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Research and Creative Works Council is charged with oversight of the research and creative endeavors of the University of New Mexico (UNM), both funded and unfunded creative works.

Policy Statement

The Research and Creative Works Council has authority in research and creative works matters that cannot easily or fully be handled by single existing Faculty Senate committees. Research and Creative Works Council recommendations shall be reviewed by Faculty Senate Operations committee and are subject to ratification by the Faculty Senate. Recommendations proposed by the Council will be taken to the Senate Operations Committee for deliberation and decisions.

The configuration of the Research and Creative Works Council shall consist of the following Faculty Senate committees:

- Library Committee
- Research Allocations Committee
- Research Policy Committee
- University Press Committee

Members of the Research and Creative Works Council are the chairs of the committees that compose the Council. The Council Chair will be elected to a two-year term by a vote of the Chairs of the committees in the Council. Ex-officio, non-voting members of the Council are the Vice President for Research and the HSC Vice President for Research.

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.

Procedures

The Research and Creative Works Council will schedule regular meetings. The Council Chair will meet regularly with the Operations Committee, but no less than once each semester.

Definitions

There are no specific definitions required by this Policy.

Contacts

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

Who should read this policy

- All UNM faculty.
- Academic administrators and staff.
- Administrative staff responsible for policy development.

Related Documents

Faculty Handbook:

- A51: Faculty Constitution
- A53: Development and Approval of Faculty Policies
- A60: Faculty Senate Bylaws
- A65.1: Library Committee
- A65.2: Research Allocations Committee
- A65.3: Research Policy Committee
- A65.4: University Press Committee

History

- July 1, 2025 - Policy format updated to align with FHB A53
- August 19, 2022 - Updated title of HSC Vice President for Research
- April 28, 2020 – Approved by Faculty Senate

A65.1: Library Committee

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Library Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Library Committee is one of four (4) committees that comprise the Faculty Senate Research and Creative Works Council, which is charged with oversight of the research and creative endeavors of the University of New Mexico (UNM), both funded and unfunded creative works.

Policy Statement

The Library Committee meets regularly to address issues and make recommendations related to the UNM libraries' policies, budgets, and other issues in so far as they impact the teaching, research, and service responsibilities of the faculty, and the studies of undergraduate, graduate, and professional students. The role of the Committee is also to facilitate communication among libraries and between libraries and faculties of UNM. The issues that the Committee will address may be generated by the Committee itself or may be brought to the Committee by any faculty, student, or library staff member. Recommendations by the Committee will be made to the Faculty Senate through the Research and Creative Works Council and, when appropriate, to the relevant deans, library directors, and vice presidents/vice provosts/associate provosts. Advice and consultation on library issues will be sought from the library faculty and staff. The Chair of the Library Committee shall make an annual report through the Research and Creative Works Council to the Faculty Senate reviewing its major activities, including a list of recommended actions. A copy of this report will be sent, for informational purposes, to the Provost/Executive Vice President for Academic Affairs, the Executive Vice-President for the Health Sciences, the Dean of the Law School, the Dean of UNM Libraries, the Director of the Health Sciences Center Library, and the directors of the various branch community colleges.

Membership: One (1) member from each of the following groupings:

- The James & Gail Ellis School of Business Leadership, Economics, and Public Administration
- Education and Human Sciences
- Engineering
- Fine Arts and Architecture
- University Libraries

- Nursing and Pharmacy
- UNM branch community colleges
- Law School

Two (2) members from each of the following groupings:

- Humanities (English, Foreign Languages & Literatures, History, Linguistics, Philosophy, Spanish and Portuguese)
- Natural Sciences (Biology, Chemistry, Earth and Planetary Sciences, Mathematics and Statistics, Physics and Astronomy, Psychology)
- School of Medicine
- Social Sciences (American Studies, Anthropology, Communication and Journalism, Geography, Political Science, Sociology, Speech and Hearing Sciences, Community and Regional Planning.)
- Undergraduate students, to be appointed by the Associated Students at the UNM (ASUNM)
- Graduate and professional students, to be appointed by the Graduate and Professional Student Association (GPSA)

Ex-officio: Dean of the University Libraries, Director of the Health Sciences Center Library, and Director of the Law Library

The terms of each office shall be for three (3) years set up on a staggered basis. The chair is elected by the Committee. The terms of office of students will be determined by the ASUNM and the GPSA.

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.

Procedures

The Library Committee will schedule regular meetings. The Committee Chair will report Committee recommendations through the Research and Creative Works Council for consideration by the Faculty Senate.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

- Academic chairs, directors, and deans
- Non-academic managers and directors
- Vice presidents and other executives

Related Documents

Faculty Handbook:

- A51: Faculty Constitution
- A53: Development and Approval of Faculty Policies
- A60: Faculty Senate Bylaws
- A65: Research and Creative Works Council

History

- July 27, 2026 - Renaming Anderson Schools of Management to The James & Gail Ellis School of Business Leadership
- July 1, 2025 - Policy format updated to align with FHB A53
- August 19, 2022 - Updated titles per FHB A53 procedures
- April 28, 2020 - Amended by the Faculty Senate
- November 22, 2011 - Approved by Faculty Senate

A65.2: Research Allocations Committee

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Research Allocations
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Research Allocations Committee (RAC) is one of four (4) committees that comprise the Faculty Senate Research and Creative Works Council, which is charged with oversight of the research and creative endeavors of the University of New Mexico (UNM), both funded and unfunded creative works. The primary mission of the RAC funding is to support the career development of faculty (research and creative works) who are in various stages of career development, but priority will be given to faculty who are: 1) in the early stage of their careers, 2) embarking upon new directions, or 3) in fields and disciplines where there is limited funding.

The RAC supervises and allocates the Faculty Research Fund. This policy document provides policies and the procedures for grant application, approval, acceptance, and administration. It also defines the structure and composition of RAC.

Policy Statement

RAC receives requests from faculty members for grants-in-aid, determines faculty eligibility for grants from the fund and the amount of such grants, and appraises the merits of proposed research projects as well as the productivity of the applicants.

RAC shall communicate and meet with the Vice President for Research or designee. The Committee shall formally meet periodically during fall and spring semesters to discuss the availability and allocation of funds.

Committee Membership

Twelve (12) members appointed by the Faculty Senate; of these twelve (12), at least one (1) shall be selected from each of the following seven (7) areas:

1. Physical Sciences--chemistry, earth and planetary, mathematics and statistics, physics and astronomy.
2. Life Sciences--biology, psychology.

3. Social Sciences--anthropology, "business and administrative sciences", economics, geography, history, law, political science, sociology.
4. Engineering--all departments of the School of Engineering.
5. Education--all departments of the College of Education and Human Sciences.
6. Humanities--architecture, English, journalism, foreign languages and literatures, Spanish and Portuguese, philosophy, communication.
7. Fine Arts--all departments of the College of Fine Arts.

The term of office for faculty members shall be two (2) years, set up on a staggered basis so that the terms of approximately one-half (1/2) of members will expire each year. Committee members may be elected to a second two-year term. At least one (1) year must pass before a Committee member who has served two (2) consecutive two-year terms is again eligible to serve. At the last meeting each year, the Committee shall elect a chair from the eligible membership. The Chair shall remain active through the summer session. The Chair or a designated representative shall convene the initial meeting of the new committee.

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.

Procedures

The Research Allocations Committee (RAC) will schedule regular meetings. The Committee Chair will report Committee recommendations through the Research and Creative Works Council for consideration by the Faculty Senate.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

- Academic chairs, directors, and deans
- Non-academic managers and directors
- Vice presidents and other executives

Related Documents

Faculty Handbook:

- A51: Faculty Constitution
- A53: Development and Approval of Faculty Policies

- A60: Faculty Senate Bylaws
- A65: Research and Creative Works Council

History

- July 1, 2025 - Policy format updated to align with FHB A53
- April 28, 2020 - Approved by the Faculty Senate
- March 29, 2011 - Approved by Faculty Senate

A65.3: Research Policy Committee

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: Research Policy Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Research Policy Committee (RPC) is one of four (4) committees that comprise the Faculty Senate Research and Creative Works Council, which is charged with oversight of the research and creative endeavors of the University of New Mexico (UNM), both funded and unfunded creative works. The primary role of the RPC shall be to encourage and support research and its funding at UNM, including all its established units.

Policy Statement

The functions of the RPC shall include, but not be limited to:

1. Initiating, formulating, recommending, and reviewing policies regarding sponsored and unsponsored research, and intellectual property.

2. Recommending UNM policy regarding the distribution of overhead and institutional grants.

3. Reviewing with the chief administrative officers for research the research budget of UNM prior to and during its final development, and informing and making recommendations to the Faculty Senate regarding this budget.

4. Recommending policy concerning the use of the Faculty Research Fund and reviewing and making recommendations to the administration through the Faculty Senate regarding the budget of the Faculty Research Fund.

5. Formulating policy regarding the establishment, major modification or termination, and periodic review of research centers, bureaus, institutes, or other related organizations;reviewing and making

recommendations to the central administration and the Faculty Senate on proposals regarding these bodies; and participating in the periodic review of these centers.

6. Evaluating, formulating and recommending policy concerning research support services provided by computer facilities, libraries, contract accounting, research administration, and other support organizations; making recommendations to the central administration when the appointment of the chief administrative officers for research is being considered.

7. Making recommendations to the Faculty Senate on matters of grant research, contract research, patent and copyright policy, and policy on commercialization of intellectual property affecting directly or indirectly the faculty and UNM as a whole.

8. Recommending candidates for the Annual Research Lectureship.

9. Meeting with the academic deans formally at least once each year to discuss current problems and exchange information concerning research.

10. Consulting with the chief administrative officers for research regarding implementation of policies.

Membership: Twelve (12) faculty members, appointed by the Faculty Senate in consultation with the Committee Chair, selected primarily from colleges and departments generating sponsored research: including three (3) from the College of Arts and Sciences, two (2) from the College of Education and Human Sciences, two (2) from the School of Engineering, one (1) from the College of Fine Arts, one (1) from the Library, and two (2) from the Health Sciences Center. One (1) graduate student member nominated by the Graduate and Professional Student Association (GPSA). Ex-officio members include the chief administrative officer for research on main campus, the chief administrative officer for research at the Health Sciences Center, and the Director of UNM Rainforest Innovations. The attorney from the University Counsel’s office with primary responsibility for research matters shall attend committee meetings and provide legal advice to the RPC.

The terms of office shall be for three (3) years, set up on a staggered basis so that the terms of at least three (3) members will expire each year. A member may be appointed for a second three-year term. The Chair is elected by the Committee and normally will serve a renewable two-year term. RPC annually elects a Vice-Chair to serve in place of the Chair in their absence. In addition to RPC appointees, subcommittee membership will be augmented with other faculty, administrators, and graduate students as required for specific subcommittee tasks.)

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.

Procedures

The Research Policy Committee (RPC) will schedule regular meetings. The Committee Chair will report Committee recommendations through the Research and Creative Works Council for consideration by the Faculty Senate.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

- Academic chairs, directors, and deans
- Non-academic managers and directors
- Vice presidents and other executives

Related Documents

Faculty Handbook:

- A51: Faculty Constitution
- A53: Development and Approval of Faculty Policies
- A60: Faculty Senate Bylaws
- A65: Research and Creative Works Council

History

- July 1, 2025 - Policy format updated to align with FHB A53
- February 23, 2022 – Updated to reflect name change of the Science and Technology Corporation @ UNM (STC.UNM) to UNM Rainforest Innovations (UNMRI), per FHB Policy A53 procedures
- April 28, 2020 – Approved by the Faculty Senate

A65.4: University Press Committee

Approved by: Faculty Senate
Effective: April 28, 2020
Responsible Faculty Committee: University Press Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The University Press Committee is one of four (4) committees that comprise the Faculty Senate Research and Creative Works Council, which is charged with oversight of the research and creative endeavors of the University of New Mexico (UNM), both funded and unfunded creative works.

Policy Statement

The University Press Committee provides general supervision of the editorial policies and publishing operations of the University Press. The Committee is the custodian of the University imprint for all publications issued by the Press and has general responsibility for the critical reading of manuscripts submitted for publication and for the ultimate acceptance of such manuscripts. The Committee makes recommendations to the UNM administration regarding the appointment of the Director of the Press. The Committee submits through the Research and Creative Works Council to the Faculty Senate an annual report on the state of the University Press.

Membership: Twelve (12) faculty members, appointed by the Faculty Senate in consultation with the Director of the Press. No more than two (2) members shall be from any one department. The terms of office shall be for three (3) years, set up on a staggered basis so that the terms of four (4) members will expire each year. A member may be appointed for a second three-year term. The Chair is elected by the Committee. The Director of the University Press will serve as an ex-officio member.

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.

Procedures

The University Press Committee will schedule regular meetings. The Committee Chair will report Committee recommendations through the Research and Creative Works Council for consideration by the Faculty Senate.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

- Academic chairs, directors, and deans
- Non-academic managers and directors
- Vice presidents and other executives

Related Documents

Faculty Handbook:

- Policy A51 “Faculty Constitution”
- Policy A53 “Development and Approval of Faculty Policies”
- Policy A60 “Faculty Senate Bylaws”
- Policy A65 “Research and Creative Works Council”

History

- July 1, 2025 - Policy format updated to align with FHB A53
- April 28, 2020 – Approved by the Faculty Senate

A66: Policy Committee

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

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

Applicability

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

Policy Rationale

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 University of New Mexico (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. The Faculty Senate Policy Committee (FSPC) is appointed to ensure adherence to these principles. The FSPC shall report directly to the Faculty Senate Operations Committee.

Policy Statement

The FSPC is responsible for the development and revision of policies for the Faculty Handbook, which provides UNM faculty with a written record of faculty policies and procedures. The primary role of the FSPC shall be to support UNM’s overall purpose, principles, and goals. In the interest of shared governance, the functions of the FSPC shall include, but not be limited to, initiating, formulating, recommending, and reviewing all UNM polices that impact the faculty. The charge to the FSPC is as follows:

- Review, as necessary, policies of the Regents’ Policy Manual, Faculty Handbook, Faculty Constitution, University Administrative Policies and Procedures, and the Pathfinder.
- Consult and collaborate with administrators with respect to policies in documents other than in the Faculty Handbook.
- Communication of policies across the campuses after Faculty Senate approval, full faculty approval, or as per policy history.
- Review policies developed by other standing committees.

Membership: Nine (9) voting faculty which will include one (1) faculty member from a Branch Community College, one (1) faculty member from the Health Sciences Center, and faculty from at least three (3) schools and colleges, none of whom are from the same department. The Senior Vice Provost for Academic Affairs and the HSC Vice President for Academic Affairs will serve as ex-officio, non-voting members. If unable to attend a Committee meeting, an ex-officio member may send a designee subject to approval by the Committee. At

the Committee's request, an attorney from the University Counsel's office with primary responsibilities for policy issues shall attend committee meetings and provide legal advice to the FSPC.

The terms of office shall be for three (3) years, set up on a staggered basis so that the terms of at least three (3) members will expire each year. Members can be appointed for a second three-year term. The Chair is elected by the Committee and normally will serve a renewable two-year term. The Committee annually selects a Vice-Chair to serve in place of the chair in their absence. In addition to the Committee members, subcommittee membership will be augmented with other faculty, administrators, staff, and students as required for specific subcommittee tasks.

> 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.

Procedures

The Policy Committee will schedule regular meetings. The Committee Chair will report Committee recommendations through the Faculty Senate Operations Committee for consideration by the Faculty Senate.

Definitions

There are no specific definitions required by this Policy.

Contacts

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

Who should read this policy

- All UNM faculty.
- Academic administrators and staff.
- Administrative staff responsible for policy development.

Related Documents

Faculty Handbook:

- Policy A51 "Faculty Constitution"
- Policy A53 "Development and Approval of Faculty Policies"
- Policy A60 "Faculty Senate Bylaws"
- Policy A61 "Faculty Senate Committees"

History

- July 1, 2025 - Policy format updated to align with FHB A53

- August 23, 2022 - Updated title for HSC Vice President for Academic Affairs, per FHB Policy A53 procedures.
- November 27, 2017--Revised by the Faculty Senate
- October 23, 2007--Approved by the Faculty Senate

A67: Faculty Senate Ethics & Advisory Committee

Approved by: Faculty Senate
Effective: February 23, 2021
Responsible Faculty Committee: Faculty Ethics and Advisory Committee
Office Responsible for Administration: Office of the University Secretary

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

Applicability

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

Policy Rationale

The Faculty Ethics and Advisory Committee's function is to informally investigate the facts and make recommendations when a faculty member has been accused of conduct inconsistent with the Statement on Professional Ethics (Section B: Appendix V).

Policy Statement

The Faculty Ethics and Advisory Committee shall advise and consult with the UNM President, the Provost/Executive Vice President for Health Sciences (EVPHS), or the Committee on Academic Freedom and Tenure regarding action to be taken, if any, where a faculty member or a graduate teaching, research, or project assistant in the performance of instructional or research-related duties is accused of unethical behavior as defined by the Statement of Professional Ethics (Section B, Appendix V). The Committee shall also familiarize itself with the Statement on Professional Ethics (See Section B, Appendix V). The Committee may decide that a complaint falls outside its mandate and decline to investigate.

Membership: Nine (9) faculty members appointed by the Faculty Senate and one (1) graduate or professional student appointed by the Graduate and Professional Student Association (GPSA). The graduate or professional student attends only those meetings or parts of meetings pertaining to cases involving a graduate or professional student behavior. Members of the Committee shall serve for overlapping, three-year terms. The Chairperson shall be elected each year by the Committee and shall be a tenured faculty member.

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.

Procedures

The Ethics and Advisory Committee will schedule regular meetings. The Ethics and Advisory Committee reports directly to the Operations Committee regarding membership and Committee responsibilities listed in the Committee's charge. However, deliberations, recommendations, and decisions resulting from investigations conducted by the Ethics and Advisory Committee are reported to the appropriate UNM official(s) and/or AF&T in accordance with Faculty Handbook Section B which includes Appendix VIII "Faculty Ethics and Advisory Committee."

Definitions

There are no specific definitions required by this Policy.

Contacts

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

Who should read this policy

- All UNM faculty.
- Academic administrators and staff.
- Administrative staff responsible for policy development.

Related Documents

Faculty Handbook:

- Policy A51 "Faculty Constitution"
- Policy A53 "Development and Approval of Faculty Policies"
- Policy A60 "Faculty Senate Bylaws"
- Policy C07 "Faculty Disciplinary Policy"
- Section B Appendix V "2009 Statement on Professional Ethics"
- Section B Appendix VIII "Faculty Ethics and Advisory Committee"

History

- July 1, 2025 - Policy format updated to align with FHB A53
- February 23, 2021 - Approved by Faculty Senate

A68: Branch Community Colleges Council

Approved By: Faculty Senate
Effective Date: August 24, 2021
Responsible Faculty Committee: Branch Community Colleges Council
Office Responsible for Administration: Office of University Secretary

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

Applicability

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

Policy Rationale

The Branch Community Colleges Council highlights the academic and professional contributions of UNM branch community college faculty; fosters collaboration, communication, and camaraderie between faculty members on all UNM campuses; proactively ensures the Senate is aware of issues that are specific to branch community colleges when making decisions affecting branch community colleges; proactively brings matters to the Senate that are specific to branch community colleges that may warrant supportive action by the Senate; actively champions student success; and seeks opportunities to optimize the campus climate at the various branch community colleges.

Policy Statement

The Branch Community Colleges Council will provide guidance to the Faculty Senate, the Faculty Senate Operations Committee, and the Faculty Senate President regarding concerns specific to UNM branch community colleges, especially those that involve interactions with Albuquerque campuses. To further enhance inter-campus collaboration, the Branch Community Colleges Council will attend to matters including, but not limited to:

a. Faculty shared governance and other branch community college specific concerns pertinent to all faculty;

b. Branch community college faculty inclusion on committees, projects, professional development, and research opportunities made available to UNM faculty;

c. Through the Faculty Senate, collaboration with leadership in Academic Affairs and Student Affairs on Albuquerque campuses pertaining to student success initiatives that increase retention and graduation rates of branch community college students who transfer to Albuquerque campuses;

d. The coordination and support of branch community college faculty in matters related to academic freedom, tenure, and promotion processes; and

e. The support for and recognition of branch community college faculty research, teaching, and service.

This Policy strengthens communications and relationships across UNM faculties in order to best support faculty, staff, and students and ultimately foster a more inclusive campus community. The Branch Community Colleges Council fosters Faculty Senate awareness, discussion, and action meant to supplement or work in concert with other initiatives at Albuquerque campuses and/or branch community colleges.

The Branch Community Colleges Council membership

a. Voting members of the Branch Community Colleges Council shall be all duly elected faculty senators representing the Gallup, Los Alamos, Taos, and Valencia campuses.

b. Council members serve as liaisons between their respective branch student and faculty governance members for input on issues, concerns, and ideas.

c. The Council Chair will be elected to a two-year term by a vote of the Council members.

d. The Council Chair-elect will be elected by the Council members and must be a current faculty senator. The Chair-elect must be installed and active for a minimum of one (1) year prior to the expiration of the current Council Chair's term of office. Subsequently, the Chair-elect will become the next Council Chair upon the expiration of the current Council Chair's term of office.

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.

Procedures

The Branch Community Colleges Council will schedule regular meetings and should meet at least once each semester. The Council Chair will meet regularly with the Operations Committee but not less than once each semester.

Definitions

There are no specific definitions required by this Policy.

Contacts

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

Who should read this policy

- All UNM faculty.
- Academic administrators and staff.
- Administrative staff responsible for policy development.

Related Documents

Faculty Handbook:

- A51: Faculty Constitution
- A53: Development and Approval of Faculty Policies
- A60: Faculty Senate Bylaws

New Mexico Statute NMSA Chapter 21, Article 14, 21-14-1

History

- July 1, 2025 - Policy format updated to align with FHB A53
- August 24, 2021 - Policy approved by Faculty Senate

Information: A70: Faculty-Student Standing Committees

Information

Faculty-student committees require or request both the faculty and student population be represented to carry out the function designated to each of these committees. They may not be changed in function or composition without the concurrence of the Faculty Senate and the associated student governing body, though either group may unilaterally withdraw from any of these committees.

- Faculty membership on these committees is set annually by the Faculty Senate based on faculty preferences.
- Student membership on these committee is set annually by the Associated Students of the University of New Mexico President (ASUNM) based on volunteer applications.
- Students associated with the Graduate and Professional Student Association (GPSA) are also involved in University and Faculty Senate Committees.

Further information on student involvement in UNM standing committees can be obtained from the ASUNM and GPSA Web sites at http://asunm.unm.edu/ and http://www.unm.edu/~gpsa

A70.4: Student Union Building Board

Policy

The function of the Student Union Building (SUB) Board is to formulate policies for the operation of the SUB, as per the SUB Board's Constitution and Bylaws, including:

- Review and approve the schedule of charges prepared by the Director of the SUB for use of the SUB's facilities.
- Establish policy with the Director of the SUB for use of the SUB's facilities by students, faculty, alumni, employees of the University of New Mexico (UNM), and the members of the community of Albuquerque.
- Participate on a search committee when the position of Director of the SUB is to be filled. (Secondarily, the Board shall serve to represent the interests of its constituent groups.)
- Review the annual budget of the SUB.
- Remain continuously informed of the services and financial operations of the SUB, and maintain records of this information for its constituent groups and future board members.
- Serve to promote student involvement in the activities and operations of the SUB in recognition of the unique position of students as primary users of the SUB's facilities and programs.

Two (2) faculty members appointed by the Faculty Senate in the spring to serve two-year overlapping terms, one (1) to be appointed each year; the President of the University or designee; the Dean of Students or designee; two (2) undergraduate student and one (1) graduate student at-large student members; the President of the Associated Students at the University of New Mexico (ASUNM) or designee; the President of the Graduate and Professional Student Association or designee; one (1) student senator appointed by the ASUNM Student Senate in the spring to serve to the following academic year by incoming student vice president; an alumnus or alumna appointed in the spring by the Alumni Association President; and the Director of the Student Union Building as an ex-officio member.

History

- August 23, 2022 - Updated title of building and affiliated student groups, per FHB Policy A53 procedures

A70.1: International Affairs Committee

Policy

(abolished 4-24-07)

The function of the International Affairs Committee is to set policy for the International Center and all programs aimed at effectuating social, cultural, and intellectual exchanges between the UNM academic community and its foreign students. In order to carry out everyday activities of the center, the committee will select a director under guidelines established by the committee.

(Two faculty members appointed by the Faculty Senate; one administrative representative [normally the Director of the Office of International Programs and Services or designee]; two graduate students appointed by the Graduate Professional Student Association (GPSA); and two undergraduate students, one of whom shall be an ASUNM senator, appointed by ASUNM. The Director of the International Center will serve ex officio, as may other persons deemed appropriate by the committee; The committee shall choose its chairperson from among its student members by the first meeting in November. The chair will vote only in the event of a tie.)

A70.2: Student Publications Board

Policy

(abolished 4-24-07)

The Student Publications Board, provided by the Constitution of the Associated Students of the University of New Mexico, is publisher of the student publications, Conceptions Southwest, Best Student Essays and the Daily Lobo. As such the Board has the ultimate responsibility for the content and financial integrity of the student publications. In addition, the Board has the authority to determine policy, to select the editors, to assure the editorial freedom of these publications and to assure that these publications serve the students of the University of New Mexico, subject to the statutory and constitutional authority placed in the Board of Regents.

(Two faculty members appointed by the Faculty Senate; one ASUNM senator selected by the Associated Students of UNM (ASUNM) Vice President; two undergraduate students selected by the ASUNM President; one undergraduate student elected by all journalism majors under election procedures to be determined by the ASUNM Senate and approved by the Publications Board; one graduate student selected by the Graduate and Professional Student Association (GPSA) President; one staff person or administrator selected by the University President; and one journalist who is otherwise unaffiliated with the University, who shall be selected by the President of the New Mexico Press Association; also all editors and business managers of student publications ex officio. The chairperson is elected by the Committee.)

A70.3: Student Conduct Committees

Policy

(abolished 4-24-07)

The Student Conduct Committee is a hearing board for disciplinary matters concerning the student community, except disciplinary matters subject to the jurisdiction of the KUNM Radio Advisory Board and the Student Publications Board. The Student Code of Conduct Policy is intended to provide procedures for the resolution of disputes between students, faculty or staff of the University. Disputes may fall under various categories. Contact the Office of the Dean of Students for a copy of the current policy and procedures.

(The Student Conduct Committee shall be composed of five members, selected by the Committee Administrator from a pool of ten faculty, five undergraduate students, five graduate students and four members at large (faculty or student). Each member will serve for one academic year. Faculty members will be appointed by the Faculty Senate. Undergraduate students will be named by the Associated Students of UNM (ASUNM). Graduate student will be named by the Graduate and Professional Student Association (GPSA). Undergraduate student hearings will include at least two undergraduate student panel members. Graduate student hearings will include at least two graduate student panel members. The Dean of Students shall designate the Administrator of the Committee.)

A82: Faculty Membership and Powers

Policy

The membership and powers of the faculty in each college and school is defined in Article II of the Faculty Constitution. Below is an excerpt from the Faculty Constitution.

Article II. College and Departmental Organization

Sec. 1 College Responsibilities: The Faculty of each College, School shall be an autonomous unit in all matters relating to that particular College, School subject to review under the powers set forth in Article I, Section 2.

Sec. 2 Membership: Faculty membership in a college or department shall be as defined in Article I, Section 1(a) for membership on the University Faculty. For college and departmental voting purposes, such membership shall normally be as defined in Article I, Section 1(b). Those faculty members of a college or department whose eligibility to vote is defined in Article I, Section 1(b) may, upon formal motion and majority approval, establish a general policy extending voting privileges in that college or department to those - i.e., faculty members - holding temporary or part-time appointments in that college or department. Formal notification of such action shall be made to the Secretary of the University. Persons described in Article I, Section 1(a) and 1(b) as ex-officio members of the Faculty shall have voting privileges only in the colleges and departments in which they hold academic rank.

Sec. 3(a) Procedure: The Faculty of each College shall decide upon the procedure for the efficient functioning of the College.

(b) Regular meetings shall be held at intervals agreed upon by the College Faculty. Special meetings shall be called at the discretion of the presiding officer or whenever a request in writing is made by ten members of the College Faculty, or by a majority from a Faculty of fewer than twenty members.

Sec. 4(a) Departments: The Faculty of each Department shall, with the advice and consent of the Dean of the College, decide upon the organization and procedure for the efficient functioning of the Department.

(b) Meetings shall be called at the discretion of the presiding officer or whenever a request in writing is made by ten percent of the departmental faculty.

A83: Annual Reports

Approved by: Faculty Senate
Effective: April 22, 2014
Responsible Faculty Committee: Policy Committee
Office Responsible for Administration: Provost, Executive Vice President for Health Sciences, and Senior Vice President for Administration

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

Applicability

All UNM units, including the Health Sciences Center and Branch Campuses.

Policy Rationale

Annual reports ensure accountability and provide a measure of how well and at what cost UNM is fulfilling its mission of teaching, research, patient care, and public service. Annual reports serve as management tools for UNM's leadership, faculty, and staff, by documenting the success of each division in meeting its key goals. They also provide UNM's stakeholders with a snapshot of the achievements and challenges of each division during the past year, as well as plans for the future.

Policy Statement

Annual reports will be prepared by the Provost, the Executive Vice President for Health Sciences, and the Senior Vice President for Administration. These leaders are charged with providing:

- a brief description of their units, including information on function, budget, and personnel;
- major activities for the year; and
- plans for the future.

The reports will provide a clear picture of the division's contributions to UNM's achievement of its mission and key goals. The annual reports will be made available and accessible to faculty, staff, and the public. The reports will become part of the permanent records of the University, and reference to them is invited at any time.

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

Procedures

Annual reports should include unique indicators, presenting data on a wide spectrum of activity including the division's impact on student success and/or quality of patient care; affordability, capacity, and quality of services provided; and effective use of UNM's resources.

To ensure integrity and internal consistency the indicators used should be:

- Based on data that are publicly available and may be reproduced.
- Commonly used nationally or internationally.
- Presented in a way that makes their meaning apparent.
- In a format that allows for comparison to other institutions and trend analysis, when appropriate.

The Annual Report should be brief and well organized. It should not include superfluous materials such as brochures, calendars, class schedules, or flyers.

The Provost, the Executive Vice President for Health Sciences, and the Senior Vice President for Administration may request deans and directors to submit annual reports for their academic and administrative units for inclusion in the annual reports.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

Direct any questions about this policy to your vice president.

Who should read this policy

- Academic chairs, directors, and deans
- Non-academic managers and directors
- Faculty members

Related Documents

History

Amended:

- July 1, 2025 - Policy format updated to align with FHB A53
- August 23, 2022 - Updated titles of administrators per FHB Policy A53 procedures
- January 25, 2011—Approved by Faculty Senate
- August 24, 2010—Approved by Faculty Senate

A89: Allocation of Office, Laboratory, and Classroom Space

Policy

The Space Allocation Committee is an administrative committee appointed by the President of the University to oversee the assignment to and utilization by the various organizational units of all facilities and spaces owned or leased by the University. Space needs of programs and patient service organizations associated with the UNM Medical Center are reviewed by the Director of the Medical Center/ Dean of the Medical School.

The membership of the Space Allocation Committee will be the Vice Presidents for Academic Affairs, Research, Student Affairs, and Business and Finance; the Director of Enrollment Services who coordinates the scheduling of all general classrooms; and a member of the Department of Facility Planning staff. The Vice President for Business and Finance will serve as Committee Chairperson. The Committee will schedule meetings at least once per month.

General Policies. The actions of the Space Allocations Committee will be guided by the following policies:

1. The Committee will review and render decisions concerning the assignment of space in the following circumstances:

> a. When space is provided by new construction and/or the subsequent vacation of existing facilities and/or major renovation of existing facilities. b. When a general classroom, lecture hall or seminar room is proposed for conversion to any other use. c. When Deans or Directors cannot resolve space issues among their departments or units or when the need for additional space is beyond their current space allocation. d. When the assignment of space is proposed to be changed from one organizational unit to another unit.

2. Deans and Directors will be responsible for the management of space assigned to their various departments and units and will notify the Committee of the following:

> a. When there is a change in the internal allocation of space from one department to another department. b. When the nature of the use of any space is changed. c. When the delineation or configuration of a space is to be changed by the installation or removal of partitions or walls and/or the relocation of doorways. d. When assigned space is greater than the functional needs of a department or unit.

3. The Committee will review the utilization of all space periodically and reallocate space, when appropriate, to promote efficient use of the limited spaces available.

4. When there are multiple requests for new or existing unallocated space, assignment will be generally guided by the following utilization priority order:

> __Instruction* __Library Services __Research __Public Service Functions __Institutional Support Services __Student Government __Other

5. Changes in space assignment and/or utilization within the Student Union Building, the South Campus Complex, the North Campus Medical Center Complex, and the Continuing Education Center will be made in consultation with the Director of Student Union Operations and the New Mexico Union Board, the Athletic Director, the Director of the Medical Center/Dean of the Medical School, and the Dean of Continuing Education respectively.

6. Within the above policy guidelines, high priority will be given to the creation and utilization of multi-use spaces.

7. The Committee will be guided by the following minimum criteria in determining the quantity of space allocated:

> __Deans, Department Heads, Directors 140-150 sq. ft. __Professionals 120 sq. ft. __Professionals (Part-time) two or more per room 60 sq. ft. __Secretarial/Clerical Station 120 sq. ft. __Secretarial/Clerical Open Office Configuration 80 sq. ft. __Secretarial/Clerical (Part-time) two or more per room 60 sq. ft. __Graduate Assistants** 50-60 sq. ft.

8. The Committee will refer any space issues that have long-range campus facilities development implications to the Campus Planning Committee for consideration before final action is taken by the Space Allocation Committee.

**Because of very limited classroom space, no general classrooms may be converted to another purpose without the review by the Dean of Admissions and Records.*

***Graduate teaching and research assistants may be assigned space if their duties require such space and the space is made available by the department. Work study students will normally not be assigned specific space.*

Procedures. The Space Allocation Committee will accept and review requests for changes in space assignment and utilization throughout the year. Since some of the requested actions and Committee's decisions will have financial implications, the Committee will coordinate its decisions with the capital budget planning process. Deans, Department Heads, and Directors are encouraged to anticipate space need issues as part of the annual capital improvement projects planning process to assure consideration in the capital budget plan for the next year.

1. Space issues will be initiated and reviewed in the following sequence:

> Department Head Dean/Director Vice President Campus Planner Space Allocation Committee

2. Responsibilities of each participant in the process include:

Department Head: The initiation of the request should include:

> __General nature of request __Location of space __Current utilization __Proposed utilization __Justification for request __Time implications for decisions __Results of consultation with current occupants of space if the space is not currently assigned to the department, or is shared with another department __Other information that may be useful to reviewers.

Dean/Director: Should provide the above information if initiating the request or provide comment if reviewing a request.

Vice President: Should provide the above information if initiating the request or provide comment if reviewing a request. Request should be forwarded to the Campus Planner for Committee meeting agenda preparation.

Campus Planner: Responsibilities include:

> __Review request __Consult with requesting unit for further detail __Determine alternative solutions __Review or obtain necessary cost implications __Consult with Director of Facility Planning and Director of Physical Plant for availability of funding __Consult with Scheduling Office in situations that

> have general classroom implications __Prepare Committee agenda information, including recommended Committee action, in consultation with Chairperson.

Space Committee: Review requests and communicate decision to all parties impacted by the request and decision. Committee decisions may be to:

> __Approve as requested __Approve alternative solution __Approve, subject to allocation of funds in capital budget plan __Request additional information before action is taken __Disapprove the request.

3. The Committee, after notification by the Dean or Director of any of the conditions in 2 above, will send the Space Allocation Memo to the appropriate University departments or units and will notify the following of the changes:

> a. UNM Physical Plant Department b. UNM Lockshop c. UNM Telecommunications d. UNM Parking Services e. NM Commission on Higher Education Space Analyst f. Other applicable departments and/or units.

A88: Creation and Reorganization of UNM Academic Units

Approved By: Faculty Senate
Effective Date: January 12, 2021
Responsible Faculty Committees: Faculty Senate Operations Committee
Office Responsible for Administration: Provost and 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.

Applicability

All academic units (excluding research centers and institutes, which are covered in Policy A91) including those within the Health Sciences Center and Branch Community Colleges.

Policy Rationale

From time to time it is necessary for the University of New Mexico (UNM) to consider proposals for the creation of new academic units, or for major restructuring of existing academic units, especially units involving teaching functions and including those crossing disciplinary lines. Occasionally the proposed unit would become a branch community college of UNM. This Policy document provides policies and procedures for consideration of such actions pertaining to UNM academic units. The specific procedures for consideration and approval will be established through discussions between the proposers of any changes and representatives of the Office of the Provost or Office of the Executive Vice President of Health Sciences (EVPHS) and the Faculty Senate Operations Committee.

Policy Statement

The creation of a new academic unit located on or off the UNM Albuquerque campus, including new branch community colleges, or to make changes in an existing academic unit, requires approval of at least the 1) UNM Faculty Senate, acting on the advice of appropriate faculty committees as determined by the President of the Faculty Senate, and 2) appropriate administrative officers, as determined by the President, the Provost or the EVPHS. If approval of the proposal by the Board of Regents is required (See Regents' Policy 5.1, all actions of the Faculty Senate and the administrative officers relative to the proposal shall be transmitted to the Board of Regents.

Approval of the proposed action must be obtained prior to initiating operation of a new academic unit or making permanent major changes in existing academic units. In no case is this to be construed as prohibiting an existing academic unit from experimenting with temporary major changes prior to seeking approval of these on a continuing basis. However, it is expected that even in the case of experimental changes, stakeholders, such as affected faculty, staff, and students will be informed in advance and their input sought and considered by the appropriate dean, director, or other administrator proposing the changes, prior to

initiation of the experiment.

All proposals to create or re-organize academic units shall follow the policies and procedures described herein and any applicable procedures, standards, or guidelines established by the Faculty Senate Operations Committee in consultation with representatives of the Provost or the EVPHS with relevant academic unit heads (e.g., dean's, directors, chairs).

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.

Procedures

Creation or Reorganization of an Academic Unit. After obtaining input from affected faculty, staff, and students in accordance with the Policy Statement above, those proposing new or revised academic units, other than research centers or institutes (see A91 for these units), must prepare a proposal that includes items A through K described below and submit the proposal for approval in accordance with the following steps:

- The proposal will be submitted to the college or school dean for approval.
- The dean will submit the proposal to the Provost or EVPHS for preliminary approval.
- After preliminary approval, the proposal will be submitted by the dean to the Faculty Senate Academic Council for review and endorsement.
- The Faculty Senate Academic Council will submit the proposal to the Faculty Senate Operations Committee for review and endorsement.
- The Faculty Senate Operations Committee will submit the proposal to the full Faculty Senate for approval.
- After Faculty Senate approval, the proposal will be submitted to the Provost or EVPHS for final approval.
- Following final approval, the Provost or EVPHS will use the content of the proposal, as delineated in the Procedures Section below, as the basis for a formal charge to the initiating dean or academic unit as appropriate.

If at any step in this process substantive change(s) are proposed, the previous reviewing authorities will have one week to review the change(s) and rescind their approval/endorsement if they disagree with change(s).

Proposal for Creation or Reorganization of an Academic Unit

The proposal should include the following:

A. Executive Summary - Identification of the proposed academic unit or major changes, including all aspects such as instruction, research, and service.

B. Rationale - Reasons why the proposed changes are desirable or necessary. For example, may be responsive to state or national needs, existing or anticipated opportunities, or requirements of regulatory bodies such as accreditation agencies.

C. Academic Benefit - The advantages to UNM if the proposal is implemented, including effects on current or future students, faculty, and staff at UNM.

D. Conflict Statement - Any actual or potential conflicts with the programs or services of existing academic units at UNM, branch community colleges of UNM, or other institutions or organizations within the State of New Mexico. Does the proposed academic unit or change offer a potential for enhancement of, or cooperation with, the programs or services of other academic units or organizations?

E. Resource Statement - A summary of the anticipated costs or changes in costs, and the human and physical resources, including space and equipment needed during the first five years of operation of the proposed new or revised academic unit.

F. Organizational Structure - Existing organizational structure related to proposal, and the anticipated structure when the revision or new academic unit has evolved to anticipated form. Include a description of:

- Administrative structure, including the line of responsibility within the organization and the path(s) through which the unit will report;
- Faculty positions, including rank and responsibilities; and
- Staff positions, including grades and responsibilities

G. Academic Offerings – Description of the instructional programs the academic unit will offer, if any. What degree programs will the unit offer or support at the undergraduate or graduate levels? What courses at the lower division, upper division, and graduate levels will the unit offer in support of either its own or other degree programs? Identify both existing and new courses. Briefly explain the need for the new courses. If any of these courses overlap or are intended to replace existing course offerings at UNM, explain how potential duplication and conflict with the units offering those courses would be resolved.

H. Research Profile - Description of the unit's proposed research programs. What research programs will be conducted by the unit alone or in cooperation with other units? In case(s) of cooperative programs, what other units will be involved, what will be their role, and what will be the relationship between these units and yours? What degree programs will these research programs support, and in what manner will they be supported? What non-state funding sources are anticipated for the research programs? What funding from UNM or the State of New Mexico will be required?

I. Service Profile - Description of the academic unit's service activities. What services will the unit provide to other units in or associated with UNM? Are these services currently offered by any other unit at UNM associated with it, or contracted by it? If so, do you plan to supplement what exists or to replace it? How would potential conflicts with the other units be resolved? What services will the unit provide to organizations outside UNM? Are there units, either public or private, already offering these services? If so, justify the need for you to provide them via the proposed unit.

J. Near Term Planning Statement - A timeline of key decision points and benchmarks accompanied by a narrative discussion of the plans for the academic unit for the next three to five years, including what needs, opportunities, or demands will the academic unit satisfy that are not currently being adequately met. How will the unit's functions and size change during this period? For example, will they remain static, grow, or diminish? How will faculty, staff, and administrators be acquired to support this unit?

K. Preliminary Budget - A detailed budget summary for the first five years of operation of the proposed academic unit. For operating costs, include at least personnel, space upkeep or rental, utilities, contracted services, and equipment maintenance and replacement. For one-time costs, include at least space, furniture, utilities connections, and equipment.

Proposal for Creation or Reorganization of an Academic Unit should be clear and concise and no longer than 10 – 12 pages in length. Units may append supporting documentation to the proposal as needed.

Definitions

Major changes. Merger of two or more academic units, or dissolution of an academic unit. This policy is not meant to apply to organizational changes within an integral academic unit with no implications outside that academic unit.

Academic unit. Degree granting program, department, branch, school, or college.

Contacts

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

Who should read this policy

- Academic deans or other executives, department chairs, directors, and managers
- Administrative staff responsible for academic units.

Related Documents

Faculty Handbook:

- Policy A91 "Creation, Review, Reorganization, and Termination of UNM Research Centers and Institutes"

UNM Board of Regents' Policy Manual:

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

History

- July 1, 2025 - Policy format updated to align with FHB A53
- January 12, 2021—Approved by Faculty Senate Operations Committee
- December 2, 2020—Approved by Faculty Senate Policy Committee
- October 27, 2015—Approved by Faculty Senate
- October 11, 1994—Approved by Faculty Senate

A91: Creation, Review, Reorganization, and Termination of UNM Research Centers and Institutes

Approved By: Faculty Senate
Effective Date: 3/7/16
Responsible Faculty Committee: Research Policy Committee
Office Responsible for Administration: Vice President for Research and HSC Vice President for Research

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

Applicability

All UNM units, including the Health Sciences Center and Branch Campuses.

Policy Rationale

Research centers and institutes play an inevitable, integral, and increasing role in modern research universities. These roles stem from two facts. First, cutting edge research in most academic disciplines is increasingly multidisciplinary, interdisciplinary, and trans-disciplinary in nature. Second, research centers and institutes encourage thematically focused but synergistic collaborations that go beyond those that occur in traditional academic departments. This enhances both the intellectual impact of the activities as well as extramural funding opportunities. From time to time it is necessary for the University of New Mexico (UNM) to consider proposals for the creation of new research centers and institutes, or for major restructuring or termination of existing research centers and institutes. This Policy document provides policies and procedures for consideration of such actions regarding research centers and institutes.

Policy Statement

The creation of a new research center or institute located on or off the UNM Albuquerque campus, or major changes to an existing research center or institute, require approval of the Faculty Senate and the Provost or Executive Vice President for Health Sciences (EVPHS). Approval of the proposed action must be obtained prior to initiating operation of a new research center or institute, or making permanent major changes to an existing research center or institute. In no case is this to be construed as prohibiting an existing research center or institute from experimenting with temporary major changes prior to seeking approval of these on a continuing basis. However, it is expected that even in the case of experimental changes, stakeholders, such as affected faculty, staff, and students, will be informed in advance and their input considered by the appropriate dean, director, or other administrator proposing the changes, prior to initiation. All proposals to create, re-organize, or terminate a research center or institute shall follow the policies and procedures

described herein, and any applicable standards or guidelines established by the Faculty Senate Research Policy Committee in consultation with representatives of the Provost or the EVPHS and relevant research center or institute heads.

Revisions to the remaining sections of this document may be amended with the approval of the Faculty Senate Research Policy Committee, Policy Committee, and Operations Committee.

Procedures

Research centers and institutes have three conceptual phases in their life cycle: the proposal phase, the operational phase, and the termination/reinvention phase.

Proposal Phase. The life cycle of a research center or institute begins with the proposal phase, during which faculty, staff, and administrators must work together to build a strong case for UNM to invest in a research center or institute. UNM administration should be provided evidence of the intellectual value of the research center or institute beyond that which can be achieved within the departmental or college structure. The proposal shall clearly identify the scope of the research center or institute; in particular which academic units will be contributing resources, including faculty time, staff, facilities, and funds. The proposal should have funding plans for the short (e.g., one to five years) and the long (e.g., decades) terms.

Operational Phase. Once established, all resources for a research center or institute shall be defined, including building space, equipment, staff, faculty appointments, and effort shares. The director is appointed by the administrator appropriate to the research center or institute, and the conditions of the appointment and the term of service, including options for renewal, shall be clearly stated in the appointment letter. Directors shall be evaluated annually by a representative group of individuals. Guidance for the review is drawn from the proposal for the research center or institute and must include criteria for evaluation of the research center or institute vitality, achievement of goals, resource allocations, and budgets.

Termination/Reinvention Phase. The annual review processes from the Operational Phase shall reveal when a research center or institute is experiencing difficulty in managing resources or achieving its expressed goals. Although the director and other applicable administrators shall be expected to take action to support and revive the research center or institute, they are also responsible for terminating or “sunsetting” the research center or institute, as well as redirecting the resources to other areas of UNM when necessary. The reinvention and redirection of research center or institute activities shall be completed via a process similar to that for creating a new research center or institute.

The website maintained by the Office of the Vice President for Research (OVPR) or the Office of the HSC Vice President for Research shall contain an annually updated list of all research centers and institutes governed by the Provost and EVPHS and a summary of the most recent review for each research center or institute.

Division Specific Standards. Standards for the organization and review of research centers and institutes may vary within major components at UNM. To accommodate these differences each component should develop a standard document specific to the component designed to ensure compliance with this Policy. Standard A91#1 provides guidelines applicable to non-HSC research centers and institutes. A standard will be developed to provide guidelines applicable to HSC research centers and institutes. In the event that a research center or institute has substantial involvement in both the HSC and non-HSC divisions of UNM, the director will work with the Provost and EVPHS to determine which standard is applicable or if another

standard needs to be developed.

Definitions

Major actions. A merger of two or more research centers or institutes, a division or dissolution of a research center or institute, or a change in the basic mission of a research center or institute.

Contacts

Direct any questions about this policy to Office of the Vice President for Research, the HSC Office of the Vice Presdient for Research, or the Faculty Senate Research Policy Committee.

Who should read this policy

- Directors of research centers and institutes.
- Academic deans or other executives, department chairs, directors, and managers responsible for research centers and institutes.
- Administrative staff responsible for research centers and institutes.
- Faculty interested in creating a new center or institute

Related Documents

Faculty Handbook:

- Policy A61.16 “Research Policy Committee”
- Policy A88 “Creation, Review, Reorganization, and Termination of UNM Academic Units”
- Policy E60 “Sponsored Research”
- Standard A91#1 “Creation, Review, Reorganization, and Termination of Non-HSC Research Centers and Institutes”

UNM Board of Regents’ Policy Manual:

- Policy 5.1 “The Faculty’s Role in the University’s Academic Mission”
- Policy 5.9 “Sponsored Research”

University Administrative Policies and Procedures Manual:

- Policy 2425 “Recovery of Facilities and Administration Costs”

History

- July 1, 2025 - Policy format updated to align with FHB A53
- August 23, 2022 - Updated titles of Executive Vice President for Health Sciences and HSC Vice President for Research, per FHB Policy A53 procedures.
- April 28, 2015 – Approved by the Faculty Senate
- March 7, 2016 – Approved by the Faculty Senate

Introductory Note

Information

The full statement of policies pertaining to academic freedom and tenure, and to faculty appointment and promotion, follows this note. With regard to the Policy on Academic Freedom and Tenure (hereinafter Policy), note that:

1. Use of the term Scholarly Work shall in this Policy refer to the collective activities of Research, Scholarship, or Creative Work.
2. References to the "department" in this Policy are to the primary academic unit, generally a disciplinary department within a college/school. Some non-departmentalized colleges/schools have "areas" or "concentrations" that perform many of the functions of a conventional department. Some non-departmentalized colleges function as the primary academic unit. In the case of non-departmentalized colleges and academic divisions, the responsibilities and procedures set forth in this Policy for the department and the college/school be interpreted by the dean in ways that fit the structure of the unit and all recommendatory and appeal procedures should be modified accordingly. In the case of the branch campuses, the directors shall assume the responsibility of the deans of the colleges and schools.
3. For faculty members in the Health Sciences Center, the office of the Vice President for Health Sciences (VPHS) shall perform those functions assigned in this Policy to the office of the Provost. Unless stated otherwise, the term Provost/VPHS shall be used in this Policy to denote the positions of Provost or Vice President for Health Sciences.

(Most recently approved by the Faculty on December 7, 1998 and by the Board of Regents on December 8, 1998.)

B1: Professional Activities of Faculty and Criteria for Evaluation

Policy

*(*Approved by Regents December 8, 1998) (**Approved by Faculty December 7, 1998)*

SECTION 1: PROFESSIONAL ACTIVITIES OF FACULTY AND CRITERIA FOR EVALUATION

1.1 GENERAL PRINCIPLES

(a) All members of the faculty - tenured and non-tenured, full-time and part-time, on main campus and branch campuses - are entitled to academic freedom.

(b) The University endorses and adheres to the principles expressed in the following statements approved by the American Association of University Professors: The 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments (as revised 1990 / Appendix I); 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings (as revised 1990 / Appendix II); 1989 Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments (Appendix III); 1990 Statement on Recruitment and Resignation of Faculty Members (Appendix IV); 1987 Statement on Professional Ethics (Appendix V); 1971 Committee "W" Statement on Faculty Appointment and Family Relationship (Appendix VI); and the 1989 Committee "A" Statement on Extramural Utterances (Appendix VII). UNM policy closely follows the principles set down in these documents and in certain respects surpasses them in guarantees of due process and other safeguards to faculty members. The procedural requirements of the foregoing statements are superseded by the procedures set forth in the Faculty Handbook.

(c) The University strives for inquiry, learning, and scholarship of a breadth and depth that will result in excellence in all of the University's major functions: teaching, scholarly work, and service. Each academic unit has an obligation to contribute to each of the three functions of the University. Faculty members play a central role in the realization of these functions and help fulfill the obligations of their academic unit by contributing their unique expertise and competence.

1.2 CATEGORIES FOR FACULTY PERFORMANCE EVALUATIONS

(a) The categories in which faculty performance will be evaluated are the following:

0. Teaching
1. Scholarly Work
2. Service
3. Personal Characteristics

The University's general expectations in each of these categories are set forth below.

(b) In order to earn either tenure or promotion or both, faculty are required to be effective in all four areas. Excellence in either teaching or scholarly work constitutes the chief basis for tenure and promotion. Service and personal characteristics are important but normally round out and complement the faculty member’s strengths in teaching and scholarly work. (The criteria for clinical faculty in the Medical School, however, are defined in the tenure and promotion guidelines for the Medical School and are somewhat different in that clinical faculty are expected to be excellent in at least two of the three categories of teaching, scholarly work, and clinical service/administration. The criteria for faculty at the branch campuses are defined in the

statement on "Academic Freedom, Tenure, Appointment, and Grievance Procedures" for branch colleges in the Faculty Handbook.)

(c) In those cases in which specific assignments limit the faculty member's involvement in some major area of faculty responsibility, a written understanding to this effect shall be made by the department, approved by the dean and the Provost/VPHS and filed in the office of the Provost/VPHS at the time the assignment is made. (If the faculty member holds a probationary appointment, see Sec. 3.2.4.)

1.2.1 Teaching

(a) Due to the variety of subject matter and student populations at the University, teaching occurs in various settings and via a diversity of forms of instruction, such as didactic lecturing, small group seminars, problem-based learning, and clinical practicums. The term teaching as used here includes, but is not restricted to, regularly scheduled undergraduate, graduate, post-graduate, and professional instruction, and the advising, direction and supervision of individual undergraduate, graduate, post-doctoral, and professional students. Library faculty, in the discharge of their professional duties, shall be regarded as engaged in teaching. Teaching also includes the direction or supervision of students in reading, research, internships, residencies, or fellowships. Faculty supervision or guidance of students in recognized academic pursuits that confer no University credit should also be considered as teaching.

(b) Effective teaching is one of the primary qualifications for promotion and tenure. The educational experience provides a student with an increased knowledge base, an opportunity to develop thinking and reasoning skills, and an appreciation for learning. An effective teacher is best characterized as an individual who successfully promotes these goals. Although individual teachers bring to bear different sets of talents in pursuit of these goals an effective teacher, at a minimum, should:

- Demonstrate effective communication skills.
- Show evidence of strong preparation.
- Present material that reflects the current state of knowledge in the field.
- Demonstrate effective management skills.
- Organize individual topics into a meaningful sequence.
- Demonstrate an ability to interact with students in an encouraging and stimulating manner.
- Demonstrate a commitment to the discipline.

(c) Teaching is evaluated by students and faculty. Evidence to be evaluated for teaching during mid-probationary, tenure, and promotion reviews must include student course evaluations, descriptions of courses taught and developed by the faculty member, and written reports of peer observations of teaching.

1.2.2 Scholarly Work

(a) The term Scholarly Work, as used in this Policy, comprises scholarship, research, or creative work. Scholarship embodies the critical and accurate synthesis and dissemination of knowledge. The term research is understood to mean systematic, original investigation directed toward the generation, development, and validation of new knowledge or the solution of contemporary problems. Creative work is understood to mean original or imaginative accomplishment in literature, the arts, or the professions.

(b) The faculty member's scholarly work should contribute to the discipline and serve as an indication of professional competence. The criteria for judging the original or imaginative nature of research or creative work must reflect the generally accepted standards prevailing in the applicable discipline or professional area. To qualify as scholarship or creative work, the results of the endeavor must be disseminated and subject to critical peer evaluation in a manner appropriate to the field in question.

(c) Evidence of scholarship or creative work is determined by the faculty member's publications, exhibits, performances, or media productions and may be supplemented by evidence of integration of the faculty member's scholarly work and teaching. Written evaluations from colleagues and experts in the field, both on campus and at other institutions, may be used at the discretion of the department for the mid-probationary review (Sec. 4.5 and 4.6). Such evaluations must, however, form part of the dossier for both the tenure review and the review for promotion to the senior ranks (Sec. 4.5, 4.7, and 4.8).

1.2.3 Service

(a) There are two broad categories of faculty service: professional and public.

(1) Professional service consists of those activities performed within the academic community that are directly related to the faculty member's discipline or profession. Within the University, it includes both the extraordinary and the routine service necessary for the regular operation of departments and colleges and the University as a whole, including, for example, facilitating the day-to-day operations of academic life, mentoring students and colleagues, and, in the Health Sciences Center, providing patient care. Universities, and their component colleges and departments, rely to a great extent for their operation and advancement on the active participation of faculty members in their administration and governance. Although service is not weighted as heavily as teaching and research or creative works, "service" is an essential element of faculty performance and duties. Faculty members, particularly senior faculty members, have a responsibility to contribute to the government of the University through timely participation on committees and other advisory groups at the department, college, and University levels. Beyond the University, professional service includes service to professional organizations and other groups that engage in or support educational and research activities.

(2) Public service consists of activities that arise from a faculty member’s role in the University. These activities normally involve the sharing and application of faculty expertise to issues and needs of the civic community in which the University is located.

(b) Service to the University, to the faculty member's profession and to the local, national, and international communities beyond the University is reviewed in this category. Evidence of performance in this area includes committee work at the University, college and department levels, and participation in professional organizations of the discipline and in the community in the faculty member's professional capacity.

1.2.4 Personal Characteristics

This category relates to the personal traits that influence an individual's effectiveness as a teacher, a scholar, researcher, or creative artist, and a leader in a professional area. Of primary concern are intellectual breadth, emotional stability or maturity, and a sufficient vitality and forcefulness to constitute effectiveness. There must also be demonstrated collegiality and interactional skills so that an individual can work harmoniously with others while maintaining independence of thought and action. Attention shall also be given to an individual’s moral stature and ethical behavior, for they are fundamental to a faculty member’s impact on the University. Information used in the objective appraisal of personal traits may be acquired from peer evaluations (e.g., letters of recommendation for new appointees, or written evaluations prepared by colleagues for promotions or for other departmental reviews) and must be handled with great prudence. By necessity, the category of Personal Characteristics requires flexibility in its appraisal.

*Approved by Regents: January 11, 1964; January 18, 1969; March 15, 1969; November 8, 1969; January 9, 1971; April 16, 1971; December 20, 1974; February 1, 1975; September 27, 1975; June 13, 1977; August 29, 1978; June 1, 1979; August 12, 1983, August 6, 1985; December 8, 1998.

**Approved by Faculty: February 11, 1964; December 10, 1968; March 11, 1969; September 23, 1969; December 8, 1970; April 20, 1971; December 10, 1974; September 9, 1975; May 11, 1977; May 11, 1978;

May 9, 1979; October 14, 1980; March 8, 1983; January 18, 1985; December 7, 1998.

B2: Faculty Ranks and Titles

Policy

*(*Approved by Regents December 8, 1998) (**Approved by Faculty December 7, 1998)*

SECTION 2: FACULTY RANKS AND TITLES

2.1 INTRODUCTION

Appointment or promotion to the junior ranks of instructor or assistant professor represents a judgment by the department, college/school, and University that the individual has the required qualifications and expertise and that the individual will function to sustain the mission of the University and enrich its academic environment. In a similar manner, appointment or promotion to the senior ranks of associate professor or professor represents an implicit prediction that the individual will continue to make sound contributions to the University. Deans and departmental chairs normally look to the senior ranks for advice and counsel regarding policy matters, including appointment and promotion of other faculty.

2.2 TENURE-TRACK FACULTY RANKS AND TITLES

Faculty members with the rank of assistant professor, associate professor, professor, or distinguished professor may be awarded tenure (for an exception in the Health Sciences, see Sec. 2.3.1). Probationary appointments potentially leading to tenure ("tenure-track" appointments) are made at the ranks of assistant professor, associate professor, and professor levels.

2.2.1 Assistant Professor

Individuals who are demonstrably competent in the subject matter of the courses to be taught and who have indicated a serious commitment to a faculty career may be considered for this faculty rank. This appointment is typical for most faculty who are beginning their probationary service. While it is not expected that persons appointed at this rank shall have acquired an extensive reputation in their field, it is expected that they will continue to increase their knowledge, to improve their teaching ability and to present the results of their scholarly work in ways appropriate to their field.

2.2.2 Associate Professor

(a) Individuals who have acquired significant experience beyond the terminal degree are appropriate for this faculty rank. They shall have demonstrated competence as teachers and have shown a conscientious interest in improving their teaching. They shall have demonstrated a basic general understanding of a substantial part of their discipline and have an established reputation within and outside the University in their fields of scholarly work. This implies scholarly work after the terminal degree sufficient to indicate continuing interest and growth in the candidate’s professional field.

(b) Appointment at, or promotion to, the rank of associate professor represents a judgment on the part of the department, college, and University that the individual has made and will continue to make sound contributions to teaching, scholarly work, and service. The appointment should be made only after careful investigation of the candidate's accomplishments and promise in teaching, scholarly work, and leadership.

2.2.3 Professor

(a) Individuals who have attained high standards in teaching and who have made significant contributions to their disciplines may be considered for this faculty rank. They shall also have developed expertise and

interest in the general problems of university education and their social implications, and have shown the ability to make constructive judgments and decisions. It is expected that the professor will continue to develop and mature with regard to teaching, scholarly work, and the other qualities that contributed to earlier appointments.

(b) Appointment or promotion to Professor represents a judgment on the part of the department, college/school, and University that the individual has made significant, nationally recognized scholarly or creative contributions to his or her field and an expectation that the individual will continue to do so.

(c) Professors are the most enduring group of faculty, and it is they who give leadership and set the tone for the entire University. Thus, appointment or promotion should be made only after careful investigation of the candidate's accomplishments in teaching, scholarly work, and leadership.

2.2.4 Regents’ Professor and Regents’ Lecturer

Criteria for these honorific titles are established at the college level with nominations forwarded by the dean to the Provost/VPHS. The term of appointment is three years. Individuals may be named more than once for Regents’ appointments, although appointments may not be made for successive terms. The title "Regents’ Professor" may be retained during the balance of an awardee’s career. Awards may not be given to administrators, but will not be withdrawn from faculty members who become administrators.

2.2.5 Distinguished Professor

(a) Individuals who have demonstrated outstanding achievements and are nationally and internationally renowned as scholars may be considered for this faculty rank. This is the highest faculty title the University bestows and is used only for a few of its most prominent faculty members.

(b) The Nomination Procedure originates at the department level and must have the recommendation of the departmental and/or college faculty with which the candidate is now or would be affiliated. Upon receiving a recommendation, the Provost shall, in consultation with the Faculty Senate Operations Committee, appoint a University-wide committee of no fewer than five non-administrative senior faculty who shall review the nominee’s dossier and make appropriate recommendations to the Provost who makes the appointment. The position of Distinguished Professor is not proprietary with a department or college. Upon termination of employment of a distinguished professor, the title may not be passed on to another individual unless the procedure described herein has been followed.

2.3 NON-TENURE-TRACK FACULTY TITLES

2.3.1 Clinician-Educator Faculty

In the Health Sciences Center, faculty may be appointed to the position of clinician-educator. These appointments are for health professionals with appropriate professional degrees who are primarily engaged in patient care and teaching, and may have related scholarly responsibilities. While not eligible for tenure, clinician-educators may hold the rank of instructor, assistant professor, associate professor, or professor.

2.3.2 Lecturer

Faculty may be appointed to the position of Lecturer I, II, or III. These appointments are for professionals with appropriate academic qualifications, who are demonstrably competent in the relevant areas of their disciplines. While not eligible for tenure, lecturers in each numerical class may hold the rank of Lecturer, Senior Lecturer, or Principal Lecturer.

(a) Lecturer I—The title used for individuals who have qualifications equivalent to teaching assistants or graduate students and who are not currently graduate students at the University in the same department as their academic appointment.

(b) Lecturer II—The title used for qualified professionals who have completed all requirements except the dissertation for the terminal degree (or equivalent) in their fields of study and who are not currently graduate students at the University in the same department as their academic appointment. It may also be used for professionals who have the terminal degree but only limited experience in teaching or scholarly work, or for professionals who do not have the terminal degree but have extensive experience.

(c) Lecturer III—The title used for qualified professionals who hold the terminal degree (or equivalent) in their fields of study and who have additional experience in teaching and scholarly work.

2.3.3 UNM-National Laboratory (NL) Professor

The title of UNM-NL professor is appropriate for distinguished scientists and engineers affiliated with Sandia and Los Alamos national laboratories who assume positions as professors in academic departments at the University. They are chosen by academic departments, with the approval of the dean, and serve renewable terms of varying duration.

2.3.4 Instructor

This title is used for individuals who are hired as the result of a search to fill a tenure-track or clinician-educator position but who do not yet qualify for an Assistant Professor rank because they have not yet completed their academic programs or have not yet obtained the requisite professional certifications. It is the one non-tenure-track title that refers to a professorial rank (see the Faculty Constitution, Art. I, Sec.1(b) in the Faculty Handbook). Instructors may be appointed with an understanding that they will be advanced to a rank of Assistant Professor contingent upon fulfilling specified goals such as timely completion of the individual’s academic program.

2.3.5 Assistant Instructor

This title is given to individuals who assist tenure-track faculty, chiefly in laboratory areas, and who are not candidates for a degree.

2.3.6 Visiting Scholar

This title is used for scholars who are visiting the University and participating in some way in its teaching or research functions.

2.3.7 Other Visiting Titles

The titles of visiting lecturer, visiting instructor, visiting assistant professor, visiting associate professor, and visiting professor are appropriate for persons who are employed to teach on a non-permanent basis. Qualifications are the same as for the corresponding ranks and titles.

2.3.8 Research Titles

(a) The titles of research lecturer, research assistant professor, research associate professor, and research professor are appropriate for persons who are engaged primarily in research activities and have qualifications similar to those held by tenure-track faculty. They may occasionally teach or serve as members of thesis or dissertation committees. Teaching assignments on a regular basis require appointment in a tenure-track faculty rank. Research appointments are renewable annually for an unlimited time. The title of

research scholar is used for visiting faculty whose primary function pertains to the exchange of specific laboratory or research skills with University researchers.

(b) Research professors generally have extramural funding in which they are the principal investigator or for which their contribution is crucial to the funding. Appointments are temporary in nature, and therefore, research faculty are not eligible to vote in the general faculty. Such appointments are renewable annually and are non-probationary. In the event that a person with a research title is appointed to a faculty rank that can lead to tenure, the time served with a research title shall not count toward tenure.

2.3.9 Artist-in-Residence

Individuals with non-teaching assignments in creative work are given the title of artist-in-residence.

2.3.10 Adjunct Titles

The titles of adjunct lecturer, adjunct instructor, adjunct assistant professor, adjunct associate professor, and adjunct professor are appropriate for persons whose primary professional responsibility is outside the University or for professional staff of the University who may teach on an occasional, limited, course-by-course basis. Qualifications are the same as for regular faculty ranks and titles.

2.3.11 Clinical Titles

The titles of clinical associate, clinical instructor, clinical assistant professor, clinical associate professor, and clinical professor are appropriate for practicing professionals who volunteer time or are non-University employees assigned to a particular department on a regular basis. These titles are also used for selected administrators from cooperating and collaborating agencies.

2.3.12 Postdoctoral Fellow

Individuals who are engaged in special study and research at the postdoctoral level and are paid from designated funds are given the title of postdoctoral fellow.

2.3.13 Associate

Individuals affiliated with an academic department, but with their primary appointment in another department, are given the title of associate.

2.3.14 Professor of Practice

This title may be used to appoint individuals who have achieved substantial national and/or international distinction in practice, who have had a major impact on fields important to the mission of the University, and who may benefit a program at the University by the integration of professional practice within its teaching and research missions. Appointment as Professor of Practice should only be made in exceptional circumstances to meet demonstrable need that cannot be met by regular faculty appointments. The Professor of Practice shall not be a substitute for regular faculty nor shall appointment as Professor of Practice be made as a matter of courtesy.

Specific titles will be granted with respect to the applicable program, "Professor of Practice in ___". Those holding these appointments will not have voting privileges except as described in Article II, Section 2 of the Faculty Constitution. Professors of Practice are not eligible for tenure.

Full and part-time appointments of those designated Professors of Practice shall not exceed 10% of the FTE tenure/tenure-track faculty of each department, or in the absence thereof, each School or College. For a

department of less than 10 FTE tenure/tenure-track faculty, no more than one Professor of Practice shall be appointed.

2.3.15 Term Teaching Faculty

This title is used for part-time faculty greater than .25 FTE and who are employed to teach on a non-permanent basis.

2.4 GRADUATE, TEACHING, RESEARCH AND PROJECT ASSISTANTS, AND TEACHING ASSOCIATES

(a) Graduate, teaching, research and project assistants, and teaching associates occupy a dual role in the University (i.e., they are students who also perform various faculty functions). Some students are given teaching assignments, while the work of others supports instruction indirectly. Because of their dual role, assistants and associates in these positions share in the rights and responsibilities of both students and faculty. They must adhere to established guidelines and to standards of ethical conduct; they must also be accorded the right to freedom from arbitrary or capricious suspension or dismissal from their assistantships.

(b) As students, assistants and associates have all the rights and responsibilities of students when acting in that capacity as defined by University regulations. As teachers, assistants, and associates have the responsibility of adhering to the standards of faculty professional ethics and following the policies and course guidelines of the department or supervisor for whom they act. When given discretion in the selection of instructional material and in the conduct of classes, they are responsible for exercising this discretion in a manner consistent with the guidelines provided for the courses in which they instruct.

**Approved by Regents: January 11, 1964; January 18, 1969; March 15, 1969; November 8, 1969; January 9, 1971; April 16, 1971; December 20, 1974; February 1, 1975; September 27, 1975; June 13, 1977; August 29, 1978; June 1, 1979; August 12, 1983, August 6, 1985; December 8, 1998.*

***Approved by Faculty: February 11, 1964; December 10, 1968; March 11, 1969; September 23, 1969; December 8, 1970; April 20, 1971; December 10, 1974; September 9, 1975; May 11, 1977; May 11, 1978; May 9, 1979; October 14, 1980; March 8, 1983; January 18, 1985; December 7, 1998.*

B2.2: Academic Freedom, Tenure, Appointment and Grievance Procedures

Approved by: University Faculty
Effective: November 28, 2017
Responsible Committee: Academic Freedom and Tenure Committee
Office Responsible for Administration: Office of the Provost or the Chancellor for Health Sciences

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

Applicability

All UNM academic faculty, staff, and administrators.

Policy Rationale

This policy shall provide standards for faculty appointments and for how faculty will be evaluated for promotion, tenure or both at the branch community colleges.

Policy Statement

The principles upon which the University of New Mexico’s (UNM) present Policy on Academic Freedom and Tenure are based shall apply to the branch community colleges as well as to the main campus in Albuquerque, except as noted below.

A. Faculty at the branch community colleges can hold any of the appointments as described in Section B of the Faculty Handbook.

B. Because branch community colleges offer only courses that lead to work-force certificates, Associate's degree, and Bachelor degrees (upon transfer), and since the current UNM accrediting body’s credentialing standards require that faculty members meet minimum credentialing at the Master's degree level to teach such courses, faculty members teaching at a branch community college shall have as a minimum qualification the Master's degree to enter and progress through the tenure-track ranks.

C. For evaluation of faculty for retention and/or promotion, branch community colleges will use the categories described in Faculty Handbook Section B1. The branch community college will utilize consistent implementation and evaluation policies and procedures.

D. Probationary appointments made at a branch community college shall lead toward academic tenure in a particular academic discipline at that branch only.

E. Branch faculty review, or departmental/divisional review when appropriate, shall mirror Faculty Handbook Section B4. Faculty involved at this level of review shall provide a recommendation to the branch community

college Dean of Instruction. The Dean of Instruction shall provide a recommendation as described in Faculty Handbook Section B4.3.2 to the Provost's Branch Tenure Review Committee. Also, from each branch community college, the Chief Executive Officer (CEO) will also provide a letter of recommendation, with the understanding that the CEO may not be a faculty member and may not have gone through the tenure process. The Provost's Branch Tenure Review Committee is comprised of one (1) tenured faculty member from each of the branch community colleges. This Committee shall provide recommendation to the Provost.

If at any level in the review process at the branch community colleges, the recommendation is negative concerning tenure or promotion, or in the case of promotion makes no recommendation, an aggrieved faculty member has the right of appeal to the branch community college Chief Executive Officer, the UNM Senior Vice Provost, and the UNM Provost/Executive Vice President for Academic Affairs. If this appeal is denied, the faculty member has the right to follow the appeal process as outlined in Section B4 of the Faculty Handbook.

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.

Procedures

No specific procedures required at this time.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

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

Related Documents

UNM Regents' Policy Manual

- Policy 2.14 "Branch Colleges and Off-Campus Education Centers"

Faculty Handbook

- "Faculty Constitution, Article II"
- Section B

Higher Learning Commission Faculty Credentialing Guidelines

History

- July 1, 2025 - Policy format updated to align with FHB A53
- April 23, 2020 - Approved by Faculty Senate to move to Section B (formerly F90)

B3: Faculty Appointments and Contracts

Policy

*(*Approved by Regents December 8, 1998) (**Approved by Faculty December 7, 1998)*

SECTION 3: FACULTY APPOINTMENTS AND CONTRACTS

3.1 TYPES OF FACULTY APPOINTMENTS

(a) Faculty appointments may be *probationary*, *tenured*, *continuing non-tenure-track*, or *temporary*. Prior to awarding of tenure, tenure-track faculty appointments are probationary appointments; following the award of tenure, such appointments are tenured. All faculty members holding probationary appointments at the rank of assistant professor or above are eligible for consideration for tenure. (For a definition and discussion of tenure, see Sec. 4.7.1 and Appendix I.) Non-tenure-track appointments do not lead to tenure. However, the presumption with continuing non-tenure-track appointments is that they will be continued if the faculty member is not duly notified to the contrary. Non-tenure-track appointments where there is not a presumption of continuation are *temporary*.

(b) The precise terms and conditions of every new appointment to the faculty shall be stated in writing and given to the faculty member before the appointment is made. A copy of this Policy on Academic Freedom and Tenure shall also be given to the faculty member before appointment of the individual.

3.2 PROBATIONARY APPOINTMENTS

(a) The probationary period is the time during which an individual’s fitness for tenure is under consideration. Probationary appointments are given only to individuals who are believed to have potential to achieve tenure in the appointing department. Only time spent in a faculty rank in a tenure-track position shall be considered as probationary employment leading to tenure. A mid-probationary review of a faculty member’s progress toward tenure will be conducted as provided in this Policy.

(b) Probationary faculty members serve on one-year faculty contracts, following the procedures specified in this Policy.

(c) Notification of the decision of the Provost/VPHS to discontinue a probationary faculty member must be given to the faculty member by March 31 of the first year of appointment, Dec. 15 of the second year of appointment, and June 30 of the third and subsequent years of appointment. Probationary members notified in their third or subsequent years of their discontinuation are offered a one-year terminal contract.

3.2.1 Full-time Faculty

(a) When initial probationary appointments are made at the assistant professor level, the new assistant professor shall normally be appointed on year-to-year contracts on the assumption of a probationary period no longer than six full academic or fiscal years with a mid-probationary review in the third year. When initial probationary appointments are made at the associate professor level, the maximum probationary period is four years and when initial probationary appointments are made at the professor level, the maximum probationary period is three years. For initial appointments commencing after Dec. 31, the remainder of that academic or fiscal year is not included in determining the length of the probationary period.

(b) By written agreement between the appointee and the chair of the department and with the approval of the dean and the Provost/VPHS, the probationary period may be reduced below these maximum periods. When the probationary period is reduced below the maximum periods by agreement, the agreement will

identify specific times for the mid-probationary and tenure reviews. If the probationary period is established to be two years or less, there shall be no mid-probationary review. The duration of the probationary period will not be extended beyond six full academic or fiscal years. However, if a faculty member goes on leave of absence without pay, family leave or paid medical leave 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. A faculty member shall be reviewed for tenure only once.

3.2.2 Part-time Faculty

(a) Part-time probationary appointments are made in exceptional cases and such appointments may be made only with the approval of the department, the dean, and the Provost/VPHS. If approval is granted, an agreement will be drawn up and signed by the faculty member, the department chair, the dean, and the Provost/VPHS stating that the individual is working toward tenure in a part-time faculty position. Part-time probationary appointments may be made for positions that are less than 1.0 full-time equivalent (FTE) but not less than one-half (0.5) FTE. At the time of appointment to any part-time probationary position, the appointee and the University must reach an understanding that clearly defines the terms of the appointment.

(b) The performance expectations for a faculty member on a part-time probationary appointment will be the same as those set forth for faculty holding full-time probationary appointments, but the probationary period shall be longer. The probationary period shall be pro-rated based upon the fraction of full-time equivalent and rounded-up one year for fractional-year calculations. A part-time probationary faculty member appointed as an assistant professor may, by agreement upon appointment, serve up to a maximum of 12 years in probationary status. A part-time probationary faculty member appointed at the senior ranks (associate professor and professor levels) may, by agreement upon appointment, serve up to a maximum of 8 years in probationary status if initially appointed to the rank of associate professor, and serve up to a maximum of 6 years in probationary status if initially appointed to the rank of professor. When a part-time probationary faculty member is awarded tenure, there is no presumption that the faculty member will ever be placed on full-time status at the University.

(c) A part-time probationary faculty member may move to a full-time probationary position and a full-time probationary faculty member may move to a part-time position, with appropriate adjustments of the probationary period and expectations, only with the approval of the faculty member, the department, the dean, and the Provost/VPHS.

(d) Part-time probationary faculty and tenured faculty with part-time appointments shall be considered regular members of the voting faculty of the department, the college/school, and the University. Part-time probationary faculty shall be subject to the performance reviews and procedures specified in this Policy for full-time probationary faculty.

(e) Tenured faculty with part-time appointments are eligible for sabbatical leave. Such leave benefits may be earned on the same timetable as those for full-time faculty members, but the sabbatical salary shall be proportionately reduced.

3.2.3 Appointments in Two or More Units

(a) Appointments in which the services of a full-time faculty member are shared by two or more academic units or colleges are not only possible but encouraged when they benefit the University. A joint appointment must:

1 .not total more than 1.0 Full-Time Equivalent (FTE) and 2. be approved, in writing, by the faculty member, all the departments and colleges involved and the Provost/VPHS.

(b) Before a faculty member receives a joint appointment, the appropriate academic units must jointly specify in writing, and secure written administrative approval for, all conditions of the appointment. The resulting agreement shall address matters such as probationary period, criteria for tenure and promotion and procedures for recommending salary increases and reappointment or non-reappointment, promotion and tenure. The agreement shall specify the academic unit that shall have primary responsibility for promotion and tenure. Any such agreement shall conform to the provisions of this Policy pertaining to promotion and tenure.

3.2.4 Appointments with Administrative Duties or Other Special Assignments

It is not expected that probationary faculty members will assume significant administrative duties. However, in a case in which administrative or other specific assignments limit the probationary faculty member's involvement in some major area of faculty responsibility (Sec. 1.2 (b)), a written understanding to this effect shall be made by the department, with the consent of a majority of the tenured faculty of the department, and approved by the dean and the Provost/VPHS at the time the assignment is made. The resulting agreement shall address matters such as probationary period, criteria for tenure and promotion, and procedures for recommending salary increases and reappointment or non-reappointment, promotion and tenure. Any such agreement shall conform to the provisions of this Policy pertaining to promotion and tenure. Copies of the agreement shall be filed with the Provost/VPHS and with the Committee on Academic Freedom and Tenure (the Committee). The Committee shall review the agreement for conformity to Faculty Handbook policies. Similarly, if an administrator is given academic rank at any time following the initial appointment, these requirements will apply. The policies of this section do not apply to library faculty whose teaching responsibilities may be defined to include administrative duties (see Sec. 1.2.1 (a)).

3.3 TENURED APPOINTMENTS

3.3.1 Appointments with Tenure

An initial appointment with tenure may be recommended to the Provost/VPHS for exceptional cases in which an ad hoc tenure review of the candidate has been conducted in accordance with the standards and procedures of this Policy. Otherwise, a tenured appointment may be granted after a favorable tenure decision made in accordance with the standards and procedures of this Policy subsequent to a period of probationary service.

3.3.2 Changes in Appointments

(a) A faculty member with tenure may at his or her request, either permanently or temporarily for a specified time, change to part-time service while retaining tenure status, provided that the department, the dean, and the Provost/VPHS approve the terms in advance.

(b) A faculty member with tenure who resigns from the University:

1. and is rehired within three years as a full-time member of the same department shall have tenure upon return.
2. and is rehired by the same department after more than three years' absence may be required to serve a probationary period of not more than one year at the discretion of the department.
3. and is rehired as a full-time member of another academic department may be required to serve a probationary period of not more than one year at the discretion of the department.

3.3.3 Appointments with Administrative Duties

It is understood that a faculty member who has been granted tenure and, thereafter, accepts an administrative post within the University, retains tenured status in the original academic unit. No tenure may be granted with respect to an administrative post or administrative duties.

3.4 CONTINUING NON-TENURE-TRACK APPOINTMENTS

3.4.1 Clinician-Educator Faculty

Clinician-educator appointments are for a fixed term, subject to renewal at the discretion of the dean, following policies and procedures adopted by colleges in the Health Sciences Center.

3.4.2 Lecturers

Lecturers are initially appointed to annual terms renewable at the discretion of the University. Written notice regarding the status of a lecturer shall be given according to the following minimum periods of notice: (1) not later than March 31 of the first academic year of service or (2) not later than December 15 of the second or subsequent academic year of service. Lecturers who have completed at least three academic years of continuous service are eligible for renewable two-year term appointments. Senior Lecturers serve on renewable two-year term appointments, and Principal Lecturers serve on renewable three-year term appointments. Two- and three-year term appointments are renewable at the discretion of the University. Notice of the status of these term appointments will be given no later than December 15 of the final year of the term appointment.

3.4.3 UNM-National Laboratory Professors

UNM-National Laboratory professors are chosen by academic departments, with approval of the dean, and serve renewable terms of varying duration.

3.4.4 Professor of Practice

Professors of Practice are chosen by department, school, or college, with approval of the dean, and serve renewable terms of three years. Initial appointments may be granted for a term up to three years, with the approval of faculty within the department, school, or college. Appointments may be renewed in terms of up to three years with the approval of faculty within the department, school, or college. These appointments may be either full-time or fractional (i.e., less than 100%) when the individual appointed is actively engaged in practice. Faculty involvement in the decision to appoint the Professor of Practice should be identical to the procedures used in all faculty hires within department, school, or college. Individuals appointed to these positions must be reviewed annually in accordance with Faculty Handbook Section B4.10 Annual Review of Continuing Non-tenure-track Faculty.

3.5 TEMPORARY APPOINTMENTS

Temporary appointments of one year or less may be made to faculty titles listed in Sec. 2.3.4 through Sec. 2.3.13 for various reasons, including to appoint faculty members as visiting professors, to fill positions funded by other than State-appropriated funds, to replace faculty members on leave, or whenever an appointment has to be made so late that normal search procedures cannot be followed. With the exception of appointments made without a normal search procedure, faculty members on such appointments may be reappointed for a second or third year if mutually agreeable to the faculty member and the department and college involved. Temporary appointments shall not lead to tenure. They shall not exceed a total of three consecutive years except in the case of faculty with research, adjunct, or clinical titles.

3.6 STANDARD CONTRACTS

Standard faculty appointments are for the academic or fiscal year. For academic year appointments, faculty members will be notified of the date they are expected to be available for duty. The appointment period for the first semester ends Dec. 31, even though the semester may end at a different time.

3.6.1 Probationary Faculty

Probationary faculty members receive an annual contract, issued each year by the Provost/VPHS. This contract provides information about their tenure status, rank, salary and term of service. It is signed by the faculty member and returned to the Faculty Contracts Office.

3.6.2 Tenured Faculty

Faculty members receiving tenure (or being appointed with tenure) receive a contract, issued by the Provost/VPHS, establishing their status as tenured faculty members. Thereafter, tenured faculty members receive an annual contract that provides information about tenure status, rank, salary and terms of service (e.g., sabbatical leave, departmental administrative service, etc.).

3.6.3 Senior Academic Officers

Academic officers holding the title of associate or assistant provost, associate or assistant vice president, dean, program director and other similar titles, receive a contract, issued by the Provost/VPHS, each year that reflects their administrative duties. It is within the University’s discretion whether or not to renew such administrative appointments, subject to the University’s Policy on Contract Employees.

3.6.4 Temporary Faculty

Temporary faculty are issued contracts for a limited period of time. It is within the University’s discretion whether to renew such contracts, subject to the provisions of this Policy.

3.6.5 Term Teaching Faculty

Term faculty appointments are greater than .25 FTE and faculty in this category are issued contracts for a limited period*. It is within the University's discretion whether to renew such contracts, subject to the provisions of this Policy.

**Note: The Faculty Contracts Office has administratively defined a limited period as at least two consecutive semesters.*

3.7 SPECIAL CONTRACTS

3.7.1 Notice Contracts

A notice contract is a one-year contract issued to an untenured probationary faculty member who the University has determined is qualified for retention, but who cannot be retained at the moment, for financial reasons or the restructuring of academic units. If circumstances change, faculty members with notice contracts may be offered more permanent appointments. In this event, the year served on notice contract shall be treated as if it were included in the faculty member’s original appointment.

3.7.2 Terminal Contracts

A terminal contract is a one-year contract that follows a negative decision, made at or following the mid-probationary review, on the retention of a tenure-track faculty member. A terminal contract is the last faculty contract a faculty member may receive at this University unless the decision to terminate is overturned.

3.7.3 Special Conditions Contracts

Under conditions that would otherwise lead the President to propose termination for cause of a faculty member with tenure, the President and the faculty member may agree to a contract containing special conditions. The terms of such a contract, including performance standards, dates of periodic review, review procedures, possible remedies in case standards are not met, etc., are subject to mutual agreement between the faculty member and the President.

* Approved by Regents: January 11, 1964; January 18, 1969; March 15, 1969; November 8, 1969; January 9, 1971; April 16, 1971; December 20, 1974; February 1, 1975; September 27, 1975; June 13, 1977; August 29, 1978; June 1, 1979; August 12, 1983, August 6, 1985; December 8, 1998.

** Approved by Faculty: February 11, 1964; December 10, 1968; March 11, 1969; September 23, 1969; December 8, 1970; April 20, 1971; December 10, 1974; September 9, 1975; May 11, 1977; May 11, 1978; May 9, 1979; October 14, 1980; March 8, 1983; January 18, 1985; December 7, 1998.

B3.1: Clinician-Educator and Practitioner-Educator Faculty Titles (INTERIM)

Approved By: Academic Freedom and Tenure Committee, UNM Faculty, and Board of Regents
Effective Date: March 21, 2024
Responsible Faculty Committee: Academic Freedom and Tenure Committee
Office Responsible for Administration: Office of the Provost and Office of the Executive Vice President for Health Sciences

Revisions to the Applicability, Policy Rationale, and Policy Statement sections of this document must be approved by the Academic Freedom and Tenure Committee, UNM faculty, and the Board of Regents

Applicability

This Policy applies to University of New Mexico (UNM) faculty that meet the eligibility criteria listed in this document including the Health Sciences Center and Branch Community Colleges. Agreements reached by collective bargaining will hold precedence over any element of this Policy for faculty members covered by the agreement. In areas where there are differences, the Collective Bargaining Agreement (CBA) will hold precedence.

Policy Rationale

These appointments are non-tenure-track faculty titles. The continuing nature of these appointments and the required notice for termination are determined by the individual contract.

Policy Statement

1. Clinician-Educator Faculty
In the Health Sciences Center, faculty may be appointed to the position of clinician-educator. These appointments are for health professionals with a MD degree, a JD degree, a Ph.D. degree, or an equivalent doctoral degree (see definition below) who are primarily engaged in patient care and teaching and may have related scholarly responsibilities. While not eligible for tenure, clinician-educators may hold the rank of instructor, assistant professor, associate professor, or professor.

2. Practitioner-Educator Faculty Faculty may be appointed to the position of practitioner-educator. These appointments are for professionals who:

1. possess the graduate or equivalent degrees required for entry into practice, as designated by the appropriate credentialing bodies in their field;

2. do not possess an MD degree, a JD degree, a Ph.D. degree, or an equivalent doctoral degree;

and

3. who are primarily engaged in patient care or community/industry practice at UNM or at the behest of UNM and who are teaching and may have related scholarly responsibilities.

While not eligible for tenure, practitioner-educators may hold the rank of instructor, assistant professor, associate professor, or professor.

3. Continuing Non-Tenure-Track Appointments
Clinician-educator and practitioner-educator appointments are for a fixed term, subject to renewal at the discretion of the dean, following policies and procedures adopted by schools and colleges.

Revisions to the remaining sections of this document may be amended with the approval of the Academic Freedom and Tenure Committee and UNM Faculty

Procedures And Guidelines

Colleges and schools will develop written procedures approved by their voting faculty pertaining to reclassification in accordance with this Policy, Faculty Handbook policies, and UNM hiring policies.

Definitions

Equivalent doctoral degree is defined as any relevant doctoral degree which includes but is not limited to Doctor of Dental Medicine (DMD), Doctor of Dental Surgery (DDS), Doctor of Nursing Practice (DNP), Doctor of Occupational Therapy (OTD), Doctor of Pharmacy (PharmD), Doctor of Physical Therapy (DPT), Doctor of Public Health (DrPH), Doctor of Social Work (DSW), and Doctor of Speech Language Pathology (SLPD); MD equivalent degrees include Bachelor of Medicine, Bachelor of Surgery (MBBS) and Doctor of Osteopathic Medicine (DO).

Patient Care is defined by a need for a patient care license. The patient care and teaching must occur at the behest of UNM

Contacts

Direct any questions about this Policy to your chair or dean.

Who Should Read This Policy

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

Related Documents

Faculty Handbook Section B
AF&T Interpretation Memo FHB Interim Policy B3.1

History

- July 1, 2025 - Policy format updated to align with FHB A53
- March 15, 2024 -- approved by the Board of Regents
- February 15, 2024 -- approved by the Voting Faculty

B3.3: Lecturer Annual and Promotion Reviews

Approved by: Faculty Senate
Effective Date: February 19, 2015
Responsible FS Committee: Policy Committee
Office Responsible for Administration: Office of the Provost and Office of the HSC Chancellor

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

Applicability

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

Policy Rationale

This document provides policies and procedures for annual reviews of lecturers and for promotion requirements for Senior and Principal Lecturers in accordance with Section B: Academic Freedom and Tenure, 2.3.2, 3.4.2, and 4.10.

Policy Statement

A. Lecturers, Senior Lecturers, and Principal Lecturers

Faculty may be appointed to the position of Lecturer I, II, or III. These appointments are for professionals with appropriate academic qualifications, who are demonstrably competent in the relevant areas of their disciplines. While not eligible for tenure, lecturers in each numerical class may hold the rank of Lecturer, Senior Lecturer, or Principal Lecturer.

1. Lecturer

Most newly hired lecturers are hired as either Lecturer I, II or III unless the department determines that they qualify as a Senior Lecturer or Principal Lecturer based on experience teaching at another college or university as described in sections 2. and 3. below.In such cases the designation of the newly hired lecturer will be Senior Lecturer I, II, or III; or Principal Lecturer I, II, or III.

2. Senior Lecturer

(a) Lecturers with at least five years of continuous service to the University at 0.5 FTE or greater who have demonstrated professional excellence and shown a conscientious interest in improving their professional skills.

(b) Appointment at, or promotion to, the rank of Senior Lecturer represents a judgment on the part of the department, School or College, and University that the individual has made and will continue to make sound contributions in their professional areas. The appointment should be made only after careful investigation of the candidate's professional and leadership accomplishments and promise.

3. Principal Lecturer

(a) Senior Lecturers with at least eleven years of continuous service to the University at 0.5 FTE or greater who have sustained consistently high standards in their professional contributions, consistently demonstrated their wider service to the University community and its mission, and shown a conscientious interest in improving their professional skills. It is expected that Principal Lecturers will continue to develop and mature with regard to their professional activities and leadership within the University.

(b) Appointment at, or promotion to, the rank of Principal Lecturer represents a judgment on the part of the department, School or College, and University that the individual has attained and will continue to sustain an overall profile of professional excellence and engagement in the wider profession. The appointment should be made only after careful investigation of the candidate's professional and leadership accomplishments and promise.

B. Term Appointments and Performance Reviews

1. Annual Performance Reviews of Lecturers. All Lecturers will have annual performance reviews, which should be conducted according to Section B: Academic Freedom and Tenure, 4.0 of the UNM Faculty Handbook and as specified in this document, as appropriately modified by each School, College, Department or equivalent to conform with each unit’s standard faculty review processes and to reflect each unit’s specific requirements for continuation and promotion of Lecturers. The annual review in the first year must be conducted in the spring, in time for the Chair to provide written notice to the Lecturer no later than March 31 whether the Lecturer’s contract will be renewed. In the second and subsequent years, the review must be conducted in the fall, in time for the Chair to provide written notice to the Lecturer no later than December 15. The Department Chair’s written notice to the Lecturer will be copied to the Dean for inclusion in the Lecturer’s personnel file.

If any performance review of a Lecturer on a one-year appointment produces a negative evaluation, the Chair may exercise the University’s discretion not to renew the Lecturer’s contract. Alternatively, the Chair may provide the Lecturer a written description of the areas in which the Lecturer must improve if she or he is to continue as a member of the faculty. The Chair and the Lecturer must both sign this document. The Lecturer may then be issued a one year contract, with the understanding that if concerns are not adequately addressed, this contact will not be renewed.

2. Term appointments. Lecturers serve on one-year renewable term appointments. Senior Lecturers serve on renewable two-year term appointments, and Principal Lecturers serve on renewable three-year term appointments. In addition, Lecturers who have completed at least three academic years of continuous service are eligible for renewable two-year term appointments. One-, two- and three-year term appointments are renewable at the discretion of the University. In the first contract year, written notice of renewal or non-renewal will be given to the Lecturer no later than March 31. In the second and subsequent contract years, notice of the status of the term appointment will be given no later than December 15. Those Lecturers who serve on two- or three-year term appointments will be provided written notice of the status of their appointments by December 15 of the final year of the term appointment.

Lecturers on two- or three-year term appointments will have annual performance reviews every fall. A negative review in the first year of a two- or three-year term appointment – or in the second year of a three-year term appointment - will result in a written remedial plan with specific requirements. A negative review in the second year of the two-year term appointment - or in the third year of a three-year term appointment - may result in a decision not to renew the appointment. Written notice of this decision must be given to the Lecturer no later than December 15.

3. Year Three Review of Continuing Lecturers: During the fall semester of a Lecturer's third year of service the Lecturer will be approximately half way to the earliest point at which he or she might seek promotion; after three years a Lecturer will also be eligible for a two-year term appointment. Consequently, to assess the Lecturer's progress at this time as well as the appropriateness of a two-year term appointment, the annual performance review will include an assessment based on these two issues. If the Lecturer receives a positive rating he or she can expect to retain the title of Lecturer (I, II, or III), with the assurance that promotion expectations are being met, and that the prospects for promotion are favorable. The Lecturer will continue to be eligible for renewable one-year appointments. If the Lecturer's performance has been evaluated as outstanding, the Lecturer may be offered a two-year term appointment that would start at the beginning of the next contract year. If the Lecturer receives a negative evaluation, the Chair may exercise the University's discretion not to renew the Lecturer's contract. Alternatively, the Chair may provide the Lecturer a written description of the areas in which the Lecturer must improve to continue as a member of the faculty. Both the Lecturer and the Chair must sign this document, which will be copied to the Dean. The Lecturer may then be issued a one-year contract, with the understanding that if concerns are not adequately addressed, this contract may subsequently not be renewed.

4. Promotion to Senior Lecturer. Upon completion of at least five years of service, a Lecturer will be eligible to apply for promotion to Senior Lecturer. The Lecturer interested in seeking promotion will generate a Promotion Package, the contents of which will be determined by each School or College, or equivalent. Materials appropriate for such a package might include, but are not limited to, an updated CV, teaching evaluations by students, letters of support from other faculty members, reports from teaching observations by peers, professional recertification (if appropriate), other evidence of professional development, and a personal statement.

Each School or College or equivalent will determine how the Lecturer's promotion package is to be evaluated. The process should be similar to the process used to evaluate tenure-track and clinician educator (CE) faculty promotions, and should include input from departmental faculty members, including other Lecturers, the Department Chair, and the School or College Dean, who may use an ad-hoc advisory committee. The Department Chair's recommendation will be forwarded to the Dean. The Dean's recommendation will be forwarded to the Provost or Chancellor for Health Sciences. The Provost or Chancellor makes the final decision on promotion. The Provost/Chancellor's decision will be communicated in writing to the Lecturer, the Dean, and the Department Chair. If the promotion is approved, the Lecturer may expect the following.

- Promotion to Senior Lecturer.
- A renewable two-year term appointment.
- A salary increase that is consistent with the policies and practices of the HSC, the College or School, and the Department.

Years of service at other institutions of higher learning may be used to meet the years needed to apply for promotion, at the discretion of the Department Chair and/or Associate Chair.

5. Promotion to Principal Lecturer. Upon the completion of a minimum of eleven years of service, a Senior Lecturer will be eligible to apply for promotion to Principal Lecturer, following the procedures described above for promotion to Senior Lecturer. If the promotion is approved, the Lecturer may expect the following:

- Promotion to Principal Lecturer.
- A renewable three-year term appointment.
- A salary increase that is consistent with the policies and practices of the HSC, the College or School, and the Department.

- The opportunity to apply for a one-semester of academic leave(See Policy C250)with pay to pursue other academic and/or professional opportunity activities. A Principal Lecturer will subsequently be eligible to apply for such leave every six years.

C. Denial of Promotion. In the event of a negative promotion decision (either from “Lecturer” to “Senior Lecturer” or from “Senior Lecturer” to “Principal Lecturer”) the Lecturer will retain his or her former title and benefits, including – if applicable – eligibility for a two-year term appointment. After a two year period, the Lecturer may reapply for promotion.

D. Appeals: A Lecturer may appeal certain decisions not to renew his or her appointment. Non-renewal decisions made at the following time points are at the University’s discretion:

- By the appropriate notice date for a Lecturer on a one-year appointment;
- By the appropriate notice date in the final appointment year of a Lecturer on a two-or three-year term appointment.

Because non-renewal decisions made at these times are at the University’s discretion, such decisions can only be appealed on the basis that they violated laws, statutes, governmental regulations, or UNM policies. The Lecturer has the burden of proof.

Non-renewal or non-continuation decisions made at times other than those at which continuation or renewal is discretionary to the University may be appealed (see Section B: Academic Freedom and Tenure 5.4 and 6.2 of the Faculty Handbook). These times are:

- During a contract period, if an immediate termination is imposed;
- At the end of an annual contract that does not coincide with the end of a two- or three-year term appointment.

A Lecturer may appeal an unfavorable promotion decision by the Provost or Chancellor for Health Sciences, as delineated in Section B: Academic Freedom and Tenure, 6.2 the Faculty Handbook.

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.

Procedures

Each college or school is responsible for developing detailed procedures for implementation of this policy. These procedures require approval by the college/school faculty members and dean, with final approval by the Provost or Executive Vice President for Health Sciences.

Definitions

No specific definitions are required for this 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, as appropriate.

Who should read this policy

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

Related Documents

UNM Faculty Handbook

- Section B Policy on Academic Freedom and Tenure, 2.3.2, 3.4.2, and 4.10.
- C250: Academic Leave For Principal Lecturers

History

- July 1, 2025 - Policy format updated to align with FHB A53
- November 26, 2013—Approved by Faculty Senate.
- February 19, 2015 - Procedural Changes approved by Policy Committee and Faculty Senate Operations Committee
- April 28, 2020 - Approved by Faculty Senate to move to Section B (formerly C190)

B3.4: Academic Leave For Principal Lecturers

Approved by: Faculty Senate, Board of Regents
Effective Date: October 8, 2013
Responsible FS Committee: Operations
Office Responsible for Administration: Office of Faculty Contracts

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

Applicability

This Policy applies to all academic UNM units, including the Health Sciences Center (HSC) and Branch Campuses.

Policy Rationale

The main purpose of academic leave is to encourage professional growth and increased competence among lecturers by subsidizing significant research, creative work, or some other program of study that is judged to be of equivalent value.

Policy Statement

1. Any Principal Lecturer is eligible to apply for Academic leave, which is the opportunity to apply for a professional development teaching release with pay to pursue other academic and/or professional opportunity activities. A Principal Lecturer is eligible to apply for such releases every six years of full-time service. Lecturers who qualify have the right to apply for academic leave; however, academic leave is not granted automatically upon the expiration of the necessary period of service. Rather, the lecturer shall present, as part of the application, evidence of recent sound teaching or other activities that materially support UNM's academic mission. Also, this program shall give reasonable promise of accomplishing the major purpose of the leave, cited in the Policy Rationale section above. Academic leave will not be granted to subsidize graduate work or work on advanced degrees.

> 1(a). For lecturers whose faculty appointments are not in the Health Sciences Center (HSC), academic leave may be approved for up to one semester at full salary.
>
> 1(b). For lecturers whose faculty appointments are in the HSC, academic leave may be approved for up to six months at full salary.

2. Academic leaves will be approved only with the clear understanding that the lecturer will at the completion of the academic leave return to the UNM for a period of service at least as long as the duration of the leave.

3. Academic leave is counted toward retirement. While a person is on academic leave, UNM will continue to pay its share toward retirement, group insurance, and social security benefits.

4. Lecturers on 12-month contracts may not accrue annual leave while on academic leave.

5. 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.

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.

Procedures

1. As a general rule, the 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 academic leave 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 are not be neglected because of the temporary absence of a member of the faculty.

2. 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 academic leaves granted in any one department for any one semester. Other conditions having been fulfilled, it is general practice that requests for leave be considered on the basis of length of service.

3. 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 UNM 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.

> 3(a). For non-HSC faculty, the dean shall then send the departmental and college recommendations to the Provost/Executive Vice President for Academic Affairs 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 Office of the Provost shall verify that the applicant is eligible for the proposed leave and that provisions of this Policy have been properly followed. The Provost/Executive Vice President for Academic Affairs shall forward all materials to the President with an evaluation of the proposed leave from a University-wide point of view. The President makes the final decision.
>
> 3(b). In the HSC, the dean shall send the departmental and college recommendations to the Vice Chancellor for Academic Affairs (VCAA) so that the original and one copy of the proposal together with all recommendations shall reach that office at least two months prior to the proposed start of the leave. The VCAA shall verify that the applicant is eligible for the proposed leave and that provisions of this

> Policy have been properly followed, and forward all materials to the Chancellor for Health Sciences, who shall 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.

4. Upon returning to UNM, every lecturer granted an academic leave shall submit promptly to the Provost/Executive Vice President for Academic Affairs Policy C250 ”Academic Leave For Principal Lecturers” Page 3 of 4 or the Chancellor for Health Sciences, 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 shall be placed in the lecturer's personnel file.

5. See item 2 under Policy C280: Leave Without Pay.

6. Those lecturers who receive all or part of their salaries directly from agencies outside of UNM will be granted academic leave with salary guaranteed only to the extent of UNM funding of the previous year; full funding is possible only when funds are available within the UNM budget.

7. Time toward each new academic leave begins immediately after return to full-time service regardless of the semester of return.

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 his or her 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.

Contacts

Direct any questions about this policy to your chair and/or dean or the Office of Faculty Contracts.

Who should read this policy

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

Related Documents

Faculty Handbook:

- Section B: Policy on Academic Freedom and Tenure
- C280: Leave Without Pay

History

- July 1, 2025 - Policy format updated to align with FHB A53
- October 8, 2013—Approved by the UNM Board of Regents
- February 26, 2013—Approved by the UNM Faculty Senate
- April 28, 2020 - Approved by the UNM Faculty Senate to move to Section B (formerly C250)

B4: Faculty Reviews

Policy

*(*Approved by Regents December 8, 1998) (**Approved by Faculty December 7, 1998)*

4.1 INTRODUCTION

(a) One of the most important responsibilities of tenured faculty and department chairs is their participation in the procedures for formal review of colleagues. It is a fundamental principle that, when a faculty member's academic performance and qualifications are reviewed, the process is to be conducted objectively by their peers and the faculty are guaranteed due process as set forth in this Policy. There are six types of review: (1) the annual review of probationary faculty, (2) the mid-probationary review, (3) tenure review, (4) the review for advancement in rank (promotion), (5) the annual review of tenured faculty (i.e., post-tenure review), and (6) the annual review of continuing non-tenure-track faculty (i.e., clinician educators and lecturers). Mid-probationary, tenure, and promotion reviews, in contrast to annual reviews, necessarily involve evaluation of performance at three levels: department, college/school, and the University (i.e., Offices of the Provost/VPHS).

(b) Tenure and promotion recommendations made by the department, through the department chair, will be given primary consideration in this procedure (see Introductory Note #2). These recommendations are reviewed by academic officers and forwarded with their recommendations to the Provost/VPHS who makes the decision on tenure and promotion. Ultimate decisions in matters of appointment and promotion in rank are made on the authority of the Board of Regents.

4.2 ANNUAL REVIEW OF PROBATIONARY FACULTY

4.2.1 Purpose

The purpose of the annual review is to provide the probationary faculty member written information about his or her performance in the department, identifying both strengths and weaknesses. The review entails cumulative evaluation of the faculty member's achievements and progress toward tenure.

4.2.2 Timetable

The annual review for each probationary faculty member must be initiated and completed by the department chair during the Spring semester of each academic year of probationary appointment. An annual review will not be conducted during the academic year designated for mid-probationary or tenure review. Faculty members whose appointments begin in the Spring semester will have their first annual reviews during the following Spring semester so that annual reviews of all faculty occur at the same time of year.

4.2.3 Procedures

(a) The annual review is conducted by the department chair, in consultation with at least the tenured members in the department and, where appropriate, with any other faculty who are well acquainted with the probationary member's work.

(b) In preparation for the annual review, the faculty member shall assemble a file including:

1. curriculum vitae
2. classroom materials, teaching evaluations, and other materials reflecting on teaching performance

3. copies of scholarly works completed or submitted during the previous year and other materials reflecting on scholarly work
4. statement of self evaluation based upon goals set for the previous year
5. statement setting goals for the coming year

(c) As part of the review, the chair shall review the faculty member's assembled file and obtain written evaluations of the member's performance from at least those tenured members of the department who are best acquainted with the probationary faculty member's work. Whether all tenured members of the department will be required to participate in the annual reviews and whether peer evaluations of teaching are to be included in the review shall be matters of consistent departmental policy and not decided on a case-by-case basis (see Sec. 4.4.8). If peer evaluations of teaching are to be included, the chair shall arrange for the faculty member's teaching to be observed. The evaluation of all components (teaching, scholarly work, service, and personal characteristics) shall be summarized by the chair in the written annual review provided to the probationary faculty member. If earlier reviews have identified specific deficiencies, special attention should be paid to the progress made toward remedying them. The chair shall discuss each annual review report with the probationary member before the end of the Spring semester. The probationary member shall acknowledge receipt of the report and may provide a written response. This report and any response shall be filed with the department and college/school.

4.2.4 Discontinuance of Probationary Appointment

Probationary faculty members serve on annual contracts. A decision as to whether the contract will be renewed is made as the result of a review of the faculty member’s performance. In case of a recommendation of non-renewal made at a point other than at the mid-probationary or tenure review, the faculty member must be notified immediately in writing by the chair who shall include a statement of the reasons. This recommendation, and any response of the faculty member, shall be reviewed by the dean. The dean’s recommendation is forwarded to the office of the Provost/VPHS and the final decision is made by the Provost/VPHS. The faculty member shall have 10 working days from receipt of the chair’s recommendation and statement of reasons to respond for consideration by the dean. The faculty member shall also have 10 working days from receipt of the dean’s recommendation to respond for consideration by the Provost/VPHS. The probationary faculty member whose appointment is to be discontinued is entitled to the notice periods and terminal contract requirement specified in Sec. 3.2 (c). (See Sec. 5.4 for termination of employment of a probationary faculty member during a contract year.)

4.2.5 Appeal to the Academic Freedom and Tenure Committee or President

The faculty member may appeal the final decision by the Provost/VPHS to the Academic Freedom and Tenure Committee on grounds that the decision to discontinue the probationary appointment involved academic freedom violations, improper considerations or prejudicial violation of Policy procedures (Sec. 6). The faculty member may appeal a negative decision to the President on any other grounds.

4.3 GENERAL SEQUENCE AND PROCEDURES FOR MID-PROBATIONARY, TENURE AND PROMOTION REVIEWS

The sequence and procedures for mid-probationary, tenure and promotion reviews are set forth below.

4.3.1 Departmental Review and Recommendations

(a) The department chair, in consultation with at least the tenured members of the department, conducts a formal review of the faculty member's achievements in teaching, scholarly work, service, and personal characteristics. The criteria are presented in this Policy and in any supplemental policies within academic units. This review shall take account of the annual reviews of the faculty member. Tenured members of the

department are expected to submit written evaluations of the candidate and indicate either a positive or negative mid-probationary, tenure, and/or promotion recommendation.

(b) The chair shall prepare a report that is included in the member's dossier. The report shall summarize the faculty evaluations of the candidate, external letters as required, teaching evaluations and other documented evidence. Information acquired from interviews shall be summarized in writing and verified by the interviewee prior to inclusion in the dossier. The chair includes his or her personal observations and evaluation and, based upon documented information, the chair makes a positive or negative recommendation.

(c) The chair shall discuss the review and recommendation with the faculty member. Thereafter, the department chair shall forward the candidate's dossier, written documentation of the department's review, including copies of all evaluations received from faculty members, any external evaluations, and the chair's report and recommendation to the dean of the college/school. At the same time, the faculty member shall be advised in writing whether the recommendation is positive or negative. If the recommendation is negative, a copy of the chair’s report, the internal peer reviews and external letters (all redacted as necessary to preserve confidentiality), if requested by the candidate, shall be furnished to the candidate.

4.3.2 Review by the Dean

The college dean is to review the candidate's dossier and the chair's recommendation and shall provide a written assessment and recommendation for promotion, continuation (mid-probationary review), or tenure and promotion. The dean shall normally abide by the chair’s recommendation. The dean shall forward the assessment and recommendation together with the entire dossier to the office of the Provost/VPHS. If the dean’s recommendation is negative, or conflicts with the chair’s recommendation, a copy of the dean’s letter (redacted as necessary to preserve confidentiality) shall be provided to the candidate and the department chair. In a case where the dean decides not to follow the chair’s recommendation, the chair shall have 10 working days to present an appeal to the Associate Provost (for faculty in the Health Sciences Center, this does not apply [Sec. 4.3.4—4.3.6]).

4.3.3 Review by the Associate Provost

The associate provost for academic affairs reviews the candidate’s dossier and the recommendations of the chair and the dean. The associate provost shall provide a written recommendation to the Provost. If the associate provost’s recommendation is negative, a copy of the recommendation (redacted as necessary to preserve confidentiality) shall be concurrently provided to the faculty member, the dean, and the chair. (This step is omitted for faculty in the Health Sciences Center.)

4.3.4 Review and Decision by the Provost

(a) The Provost reviews the faculty member's dossier and the recommendations of the chair, dean, and associate provost. The final decision shall be made by the Provost. If the Provost considers not following a recommendation in which the associate provost, the dean and the chair have concurred (or if there is a conflict in the recommendations made by these officers), the Provost shall immediately, and in writing, inform the faculty member and the officers involved in the decision and include a written statement of reasons. The faculty member and the officers involved have 10 working days to present their views to the Provost before the Provost makes a final decision.

(b) The Provost provides written notification of the decision to the faculty member no later than June 30 of the review year, exercising the personnel authority of the Regents delegated by them for this purpose. In the case of mid-probationary and tenure reviews, if the decision by the Provost is negative, a terminal contract is issued for the following year. If a negative decision is not made by June 30, the faculty member is entitled to an additional terminal year contract.

4.3.5 Review and Decision by the Vice President for Health Sciences

The VPHS reviews faculty dossiers and the recommendations of the chair and dean for faculty in the Health Sciences Center. The VPHS makes the final decision. In all other aspects, the review is identical to the process described in Sec. 4.3.4 for the Provost.

4.3.6 Negative Recommendations

If at any level of review, the recommendation is negative, the faculty member shall be given a copy of the negative recommendation and may request a copy of all other reports, recommendations and internal peer reviews and external letters (all redacted as necessary to preserve confidentiality). The faculty member shall have 10 working days after receipt of such materials, if requested, to present his/her views to the next level of review before the next recommendation, or the final decision, is made. In addition, if the Provost/VPHS makes a negative decision, the faculty member may request reconsideration by the Provost/VPHS. Such request shall be made in writing by July 15. The Provost/VPHS shall respond within 10 working days of receiving the request.

4.3.7 Appeal to the Academic Freedom and Tenure Committee or President

The faculty member may appeal the final decision by the Provost/VPHS to the Academic Freedom and Tenure Committee on grounds that the mid-probationary, tenure, or promotion review involved academic freedom violations, improper considerations or prejudicial violation of the Policy procedures (Sec. 6). The faculty member may appeal a negative decision to the President on any other grounds.

4.4 GENERAL POLICIES RELATING TO FACULTY REVIEWS

The following general policies apply to mid-probationary, tenure, and promotion reviews, unless otherwise specified in this Policy.

4.4.1 Confidential Materials

Internal peer evaluations of a faculty member, student evaluations, and letters received from reviewers outside the University are added to the faculty member's dossier by the department chair, and they shall be kept confidential from the faculty member to the extent allowed by law and by University policy (see "Confidentiality of Faculty Records Policy" in the Faculty Handbook).

4.4.2 Evaluations by Untenured Faculty

At the discretion of the tenured faculty of the department, untenured faculty may participate in reviews. The chair's report shall distinguish between the evaluations and votes of the tenured faculty, on the one hand, and those of the untenured faculty, on the other. Untenured faculty members may decline to participate in the review without penalty.

4.4.3 Absent Faculty

Faculty absent from campus at the time of a mid-probationary, tenure, or promotion review of a departmental colleague shall be informed of the upcoming review by the department chair with sufficient time to participate if they so choose.

4.4.4 Other Sources of Relevant Information

Academic officers with responsibilities for the review of faculty members may consult any person or call upon their own personal knowledge of the candidate in formulating their recommendations or decisions. To the

extent that they rely on information not already documented in the dossier, they shall so state in their written report and explain the nature and source of such information and obtain written confirmation of orally transmitted information for inclusion in the dossier. Sec. 4.5.4 also applies.

4.4.5 Faculty Advisory Committees

Academic officers with responsibilities for the review of faculty members are encouraged to appoint experienced faculty advisory committees. If advisory committees are used, they shall have access to the complete dossier of the faculty member. Advisory committees shall communicate with the candidate or chairs only through the academic officer whom they advise and shall not discuss the consideration outside committee meetings.

4.4.6 Statement of Reasons

All written recommendations shall include a statement of supporting reasons.

4.4.7 Directing Questions Arising During Review to Chair

Academic officers and advisory committees considering matters of promotion and tenure shall communicate with the chair if there are major faults or omissions in the dossier or if significant questions or possible misunderstandings arise. In such circumstances, the chair shall discuss substantive problems with the candidate and department faculty as appropriate.

4.4.8 Procedural Consistency

Where departments are given discretion to choose among alternative procedures in this Policy, such discretion shall be exercised as a matter of department policy and not on a case-by-case basis.

**4.5 PREPARATION OF THE DOSSIER FOR MID-PROBATIONARY, TENURE, AND PROMOTION REVIEWS **

4.5.1 Content

(a) The dossier is a collection of documents that summarize and evaluate a faculty member's accomplishments in teaching, scholarly work, and service and contain evidence of personal and professional effectiveness. It is the foundation for evaluation at each level of the review process. The organization of the dossier shall be standardized within each unit, combining clarity, convenience, and effectiveness in a manner appropriate to the discipline. The faculty member shall provide the following elements:

1. statement by the faculty member of professional goals and progress toward achieving them,
2. complete and current curriculum vitae, and
3. systematic collection of professional materials documenting the faculty member's achievements in the evaluation categories of teaching; scholarly work; and service.

(b) Student teaching evaluations shall be included and organized to reflect the various types of courses or students taught. Peer evaluations of teaching shall also be included. The dossier shall include those books, offprints, manuscripts, research proposals, and papers presented at professional meetings that best represent scholarly contributions. Reviews of such materials, including reviews of juried creative works, may also be included. The faculty member shall provide a table of contents, which the chair signs to acknowledge that materials received from the faculty member are complete and appropriate.

4.5.2 External Letters

When external review letters are required (i.e., for tenure or promotion, or for mid-probationary review in some departments), the candidate shall suggest potential reviewers to the chair. The chair, in consultation with tenured faculty, shall identify additional reviewers. The chair shall select reputable scholars, researchers, or creative artists and critics who can evaluate the candidate's contributions to scholarship, research, or creative work. The materials supplied to external reviewers shall include written instructions and a curriculum vitae. Such external review letters shall be added to the dossier by the chair. External reviewers shall be advised that the University will endeavor to keep the reviewer's identity confidential, to the extent permitted by law.

4.5.3 Timetable

In the Spring semester before the faculty member is scheduled for mid-probationary, tenure or promotion review, the department chair shall meet with the faculty member to discuss the assembly of the dossier. Early in the Fall semester of the review year, the candidate shall submit the dossier to the chair. During the confidential evaluation process, peer evaluators within the University shall have access to the dossier and to the external reviews.

4.5.4 Adding Material to the Dossier

The substantive record for the faculty candidate is the material consolidated by the department chair in the dossier. As the review proceeds, the University officer at each level adds any written response received from the faculty candidate or officer(s) at lower level(s) to the dossier as well as his or her own recommendation. If any substantive material is introduced at a higher administrative review, the candidate, chair and dean (if appropriate) shall be furnished copies. If necessary to preserve confidentiality, material provided to the candidate shall be redacted and the candidate shall have 5 working days to submit written comments if desired.

4.6 SPECIFIC PROVISIONS FOR MID-PROBATIONARY REVIEW

4.6.1 Purpose and Standards

(a) The purpose of the mid-probationary review is to enable the department to evaluate progress towards tenure, to inform the probationary faculty member of his or her strengths and weaknesses, and to decide whether or not to continue the faculty member's appointment. The review entails evaluation of the faculty member's achievements in the four categories of teaching, scholarly work, service, and personal characteristics, according to the standards specified in this Policy and the criteria of the academic unit.

(b) The mid-probationary review requires identification of the specific areas of strength and weakness demonstrated by the faculty member and the evidence supporting conclusions to that effect. The aim of the required identification of areas of strength and weakness is to give the faculty member a clear picture of the performance levels by which he or she is to be judged and offer the opportunity to correct any noted deficiencies prior to subsequent reviews. The existence of some identified deficiencies in this review are considered normal, as it is not anticipated that the probationary member will have fully attained the standards required for the award of tenure by the time of the mid-probationary review.

(c) For a positive mid-probationary review there should be demonstration of, or at least clear progress toward, the competence or effectiveness in all four evaluation categories expected of tenured faculty, as well as promise of excellence in either teaching or scholarly work. If the University concludes that insufficient progress towards tenure has been made and that deficiencies are unlikely to be corrected in the time remaining before the tenure decision, then a negative mid-probationary decision is both appropriate and necessary.

4.6.2 Timetable

This review shall occur at the approximate mid-point of the faculty member's probationary period at the University. The year of a probationary faculty member's mid-probationary review shall be specified in writing at the time of appointment to probationary status. If, as a result of a mid-probationary review, it is decided that a faculty member should not be continued, written notice shall be provided by June 30 and the faculty member shall be given a terminal contract for an additional year.

4.6.3 Procedures

The sequence and procedures for the mid-probationary review are as set forth in Sec. 4.3 above.

4.6.4 External Letters

If a department requires external letters of evaluation for mid-probationary reviews, this must be stated in a written departmental policy.

4.6.5 Fiscal and Programmatic Contingencies

(a) The mid-probationary review process may take into account the programmatic and fiscal needs of the department, the college/school, and the University. Should programmatic changes or fiscal emergency be the sole reason for a decision not to continue the appointment of a probationary faculty member, then the department, college/school, and the University shall explain in writing the exact nature of these circumstances.

(b) Should the concerned unit's circumstances require that a faculty member judged worthy of retention be released from service, the Provost/VPHS shall notify the Academic Freedom and Tenure Committee in writing and explain the unit's or the administration's plans for the academic and fiscal disposition of the position held by the faculty member under review.

(c) A faculty member who is released from service because a position is being discontinued, shifted within a department or to another department or college/school is issued a notice contract for one additional year of employment.

4.7 SPECIFIC PROVISIONS FOR TENURE REVIEW

4.7.1 Purposes of the Tenure System

The academic freedom of teachers and scholars is the means by which society is protected from hindrances to the search for knowledge and from limits on the dissemination of knowledge. The system of tenure for faculty members is the preeminent means of fostering and protecting academic freedom of the faculty. The tenure system consists of rules and procedures that establish an essentially self-regulated body of scholars, researchers, and creative artists enjoying the continuity of existence and economic security within which academic freedom is both fostered and protected. The protection of academic freedom shall be extended to all members of the faculty during their terms of appointment. The tenured faculty of a university serve the institution by providing continuity to the university and to its mission of instruction, scholarly work, and service. The awarding of tenure carries both benefits and responsibilities to the individual so recognized. As the 1940 Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors (AAUP) notes, "freedom and economic security, hence tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society." It is the responsibility of faculty members, supported by the tenure system, to use the opportunities thus provided for the advancement of the purposes of the University and of the community it serves. These purposes include teaching, scholarly work, and service.

4.7.2 Purpose of the Tenure Review and Standards for Tenure

The awarding of tenure is the most serious commitment the department, college/school, and University make to a faculty member. Tenure is a privilege, not a right, and is awarded only after the most serious deliberation and review. The tenure review consists of evaluation of the faculty member's teaching, scholarly work, service, and personal characteristics, according to the standards specified in this Policy and the criteria of the academic unit. For a positive tenure review, the faculty member shall have demonstrated competence or effectiveness in all four areas, and excellence in either teaching or scholarly work. Faculty in the School of Medicine are required to demonstrate excellence in two of the following categories of teaching, scholarly work, or service/administration as described in the Medical School tenure and promotion guidelines.

4.7.3 Timetable

A review and report on a candidate's acceptability for tenure is initiated by the department in the Fall semester of the final year of the faculty member's probationary period. The faculty member's contract identifies the year for tenure review. Notification of the tenure review decision by the Provost/VPHS shall be made no later than June 30 of that year.

4.7.4 Procedures

The sequence and procedures for the tenure review are as set forth in Sec. 4.3. The mid-probationary review report and annual reviews must be taken into consideration during this process.

4.7.5 External Letters

External letters of evaluation are required as part of tenure reviews. Procedures for obtaining external letters are provided above in Sec. 4.5.2.

4.8 SPECIFIC PROVISIONS FOR ADVANCEMENT IN RANK: PROMOTIONS

4.8.1 Purpose

(a) The promotion process is the mechanism by which the University promotes and recognizes the professional development of faculty members, and thereby maintains the quality of the University. A description of the faculty ranks is provided in this policy (Sec. 2) to set a framework for the promotion process. The promotion review consists of evaluation of the faculty member's teaching, scholarly work, service, and personal characteristics (Sec. 1), according to the standards specified in this Policy and the criteria of the academic unit, both as appropriate for the promotion level.

(b) Decisions to promote a faculty member are made after a thorough evaluation of his or her performance in all the areas of faculty professional activities and the corresponding categories of performance evaluation specified in this Handbook. The candidate's performance is judged by all recommending parties in the light of the categories and definitions set forth in this Policy, the assignments of the candidate, and any special conditions pertaining to the candidate's appointment.

4.8.2 Promotion to Associate Professor

(a) It is the policy of the University that tenure and promotion to the rank of associate professor will normally be granted together. A candidate for tenure who does not already hold the rank of associate professor shall simultaneously be considered for promotion to the associate professor rank. A favorable decision on promotion to associate professor rank shall normally be a basic prerequisite for the awarding of tenure. Requests for departures from this policy must be made prior to the initiation of the tenure or promotion

review process with the concurrence of the department, the dean, and the Provost/VPHS.

(b) Timetable for promotion to associate professor: The anticipated length of service in the rank of assistant professor is six years, with review for promotion to the rank of associate professor occurring in the sixth year. The review process for advancement to associate professor is normally conducted at the same time as the review for tenure (i.e., Fall semester of the final academic year of the probationary period). Recommendations for promotion in less time are to be carefully weighed and justified. Notification of the outcome of the review shall be made during the Spring semester no later than June 30 of that year.

4.8.3 Promotion to Professor

(a) Qualifications for promotion to the rank of professor include attainment of high standards in teaching, scholarly work, and service to the University or profession. Promotion indicates that the faculty member is of comparable stature with others in his or her field at the same rank in comparable universities. Service in a given rank for any number of years is not in itself a sufficient reason for promotion to professor.

(b) Timetable for promotion to professor: The anticipated length of service in the rank of associate professor prior to consideration for promotion to the rank of professor is at least five years. Recommendations for promotion in less time must be carefully weighed and justified. The review for advancement in rank to that of professor is initiated during the Fall semester. Notification of the outcome of the review is made during the Spring no later than June 30 of that year.

4.8.4 Procedures for Advancement in Rank

(a) The sequence and procedures for the review of advancement in rank (promotion) are as set forth in Sec. 4.3, with the following additions:

1. The process begins in the Fall semester when the candidate requests consideration by the department chair. A dossier is presented by the candidate for consideration according to department policy. The candidate has the right to withdraw his or her dossier from consideration at any point in the review process.
2. The chair secures written evaluations from at least the full professors within the department and from distinguished persons in the field outside the department.
3. The chair discusses the outcome of the review with the faculty member. After this discussion, the faculty member may choose to withdraw his or her request. If not, the chair forwards the recommendation and member's dossier to the dean (Sec. 4.3.1).
4. The Provost/VPHS shall communicate in writing the final decision to the faculty member, the department chair and college dean. If promotion is awarded, it is effective immediately upon the faculty member's acceptance of the next contract.

4.9 POST-TENURE REVIEW

(Approved by the Faculty Senate, February 13, 1996, and May 6, 1997; approved by the Regents, April 11. 1996, and May 16, 1997, and included in the Policy on AF&T in the version approved by the Faculty on December 6, 1998 and by the Board of Regents on December 8, 1998.)

4.9.1 Introduction

The Post Tenure Review Policy ensures that all tenured faculty members will receive an annual review and that those with either exceptionally good performance or deficiency in one or more areas will be identified. Special achievement shall be rewarded in a manner determined by each college/ school. For a faculty member who receives two successive annual reviews with identified uncorrected deficiencies, the Post-

Tenure Review policy provides a mechanism to either (a) overturn the findings of deficiency in the annual reviews or (b) establish a remedial program for correcting the deficiencies.

4.9.2 General Principles

A tenured professor who performs well should be rewarded, and one who performs inadequately should seek or accept help and improve or be subject to dismissal. The purpose of UNM's post-tenure review is to determine levels of performance efficiently, equitably, and in conformity with tenure rights expressed in the Policy on Academic Freedom and Tenure and guaranteed by the Contract Clause of the U.S. Constitution.

4.9.3 Data Collection

Biographical updates, student evaluations of teaching (supplemented by periodic but not necessarily annual peer evaluations of teaching), and (with necessary exceptions, as in the Medical School) evaluations for salary recommendations shall be required annually of all faculty, including tenured professors. Some departments and divisions may also wish to require information more detailed than in the current biographical update form. The biographical update shall include space for objectives for the coming year.

4.9.4 Performance Criteria

Deans shall require each department or division to file a statement of criteria and procedures for annual evaluation of the performance of tenured faculty members. The criteria and procedures shall be consistent with the Faculty Handbook, reflect the standards of excellence and appropriate balance of teaching, research, or other creative activity, and service prevailing in the discipline and department or division, and have the approval of the department or division faculty and the dean. At a minimum, the procedures shall include an annual written evaluation, as described below. Sec. 1 (of this Policy) describes good teaching and good research at some length, including the importance of one's original research in imparting new ideas in the classroom and inspiring students to engage in original research. Sec. 1 also stresses the need for service in the department, the University, and one's discipline, particularly by senior members of the faculty. (Reviews from outside the University, as suggested in Sec. 1, shall not normally be included in annual and more formal post-tenure reviews [Sec. 4.9.5 and 4.9.7].)

4.9.5 Annual Reviews

(a) Each department shall conduct an annual review of each tenured faculty member's teaching, scholarly work, and service. This review, which may be combined with salary review and may be performed by the chair or the chair and a committee of tenured faculty, shall be in writing (normally 50 to 100 words for most faculty, more for those with special achievements or identified deficiencies) and contain a description and critique of performance during the past year and performance goals for the coming year. It shall be discussed with the faculty member if there are deficiencies. Two copies of the annual review, signed by the chair, shall be given to the faculty member, one to be signed as acknowledgment of receipt and returned to the chair. A faculty member who disagrees with the review may add a comment or rebuttal. The review and any such statement shall be placed in the faculty member's personnel file. The faculty member, in addition, may appeal the chair's evaluation to the dean. At any point in these or subsequent proceedings, the faculty member shall have access to aggregate information concerning the teaching evaluations, publications, grants, etc., of the department as a whole for purposes of comparison. Aggregate information shall be determined by each department and will contain, at a minimum, summary data of faculty activities in the areas of teaching, scholarly work and service. In the dissemination of aggregate data, confidentiality shall be protected to the extent provided by law.

(b) Administrators who hold tenured faculty rank shall also be reviewed on the performance of their faculty duties (teaching, research, and service). The manner in which the chair and other administrators are

reviewed shall be decided by an agreement between the dean and tenured faculty in the unit, in a manner consistent with the intent of this document. Administrators who have no assigned faculty duties within the department will not be reviewed under this policy.

4.9.6 Reports to Deans

Each department shall annually provide the dean with summaries of the reviews of all faculty members (normally no more than 50 words for most faculty, more for those with special achievements or identified deficiencies) and the full text of any comment or rebuttal. The summaries shall include the special achievements or identified deficiencies of individual faculty members. Merit, as determined in annual salary reviews, shall be the primary criterion for raises. In the case of special achievement, the summary shall state the rewards to be provided. The dean or a college committee shall participate in the merit award for special achievement. In the case of deficiency, the summary shall suggest remedies, and the chair and the dean shall monitor improvements. If the dean disagrees with the chair’s evaluation, he or she shall so inform the chair and the faculty member.

4.9.7 More Complete Reviews

If in the judgment of the chair the annual review for any faculty members shows a serious deficiency that has continued for two consecutive years, the chair shall inform the faculty member. One of two possible courses of action shall follow:

1. The faculty member may request that the chair submit his or her findings to the other tenured faculty members for consideration in a more complete review during the following year, or
2. If the faculty member does not request the review, the chair may initiate such a review with the concurrence of a majority of the tenured faculty in the department.

The more complete review shall be similar to the mid-probationary review described in the Faculty Handbook, with the aim of identifying strengths and weaknesses. This review shall be undertaken by the chair with a committee of at least three tenured faculty members chosen by the tenured faculty. If they find that the faculty member’s performance is not seriously deficient, the member shall be so informed and a statement of the decision placed in the file. If serious deficiency is found, a specific remedial program shall be developed in consultation with the faculty member, including procedures, criteria for evaluating progress, and a reasonable timetable. The results of the program shall be reported by the chair to the dean. If the dean concludes, after consulting the college promotion and tenure committee, or other advisory committee, if any, that serious deficiencies persist, he or she shall so inform the Provost/VPHS.

4.9.8 Enhancement Programs

Whether or not a tenured faculty member accepts a recommendation to participate in a teaching or scholarly work enhancement program, and whether or not the member performs well in the program, he or she shall be judged, after a reasonable period of time, on subsequent classroom and scholarly work performance.

4.9.9 Individual Request for Review

Any faculty member who feels that two or more consecutive annual reviews have inaccurately conveyed his or her professional accomplishments or have contained other substantial deficiencies shall have the option of initiating the more complete review described above.

4.9.10 Frequency of Review

The more complete review shall not be initiated for any faculty member more frequently than once every five years.

4.9.11 Review by the Committee on Academic Freedom and Tenure

If a tenured faculty member’s professional deficiencies are considered by the Provost/VPHS to be very serious and to have been uncorrected at the conclusion of the agreed time period, and, further, if there is evidence that the faculty member’s performance has deteriorated since the award of tenure and that his or her academic performance is now typically unsatisfactory, the President of the University shall initiate the process specified in Sec. 6 for removing a faculty member for cause under the procedures and standards set forth in that section, including "If the faculty member’s academic competence is questioned, the proof before the Committee shall be insufficient unless it includes testimony of teachers and other scholars, either from the University or from other institutions, and it shows that the faculty member’s academic performance (1) has deteriorated since receipt of tenure and (2) is now typically unsatisfactory" (Sec. 6.4.3 (k)), and "[T]he burden of proof resides with the President and University administration" Sec. 6.4.3 (a)).

4.9.12 Limitation on Applicability

This policy does not apply to proposed terminations of tenured faculty for alleged misconduct or violation of University policy or law, which is provided for in Sec. 6.

4.10 ANNUAL REVIEW OF CONTINUING NON-TENURE-TRACK FACULTY

Continuing non-tenure-track faculty (lecturers and clinician educators) shall be reviewed annually following procedures adopted by each department.

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** Approved by Faculty: February 11, 1964; December 10, 1968; March 11, 1969; September 23, 1969; December 8, 1970; April 20, 1971; December 10, 1974; September 9, 1975; May 11, 1977; May 11, 1978; May 9, 1979; October 14, 1980; March 8, 1983; January 18, 1985; December 7, 1998.

B5: Separation from the University

Policy

*(*Approved by Regents December 8, 1998) (**Approved by Faculty December 7, 1998)*

SECTION 5: SEPARATION FROM THE UNIVERSITY

5.1 INTRODUCTION

This section refers to the ways in which the professional relationship between an individual faculty member and the institution may be dissolved or suspended. The dissolution of this professional relationship may be initiated by the faculty member or by the institution.

5.2 FACULTY-INITIATED SEPARATION

5.2.1 Resignation

(a) Faculty members may terminate their appointment effective at the end of an academic year, provided that they give notice in writing at the earliest possible opportunity, but normally not later than May 15. Conditions for the resignation of clinical faculty in the School of Medicine are defined in the School of Medicine policies. Faculty members may properly request a waiver of this requirement of notice in case of hardship or in a situation where they would otherwise be denied substantial professional advancement or other opportunity.

(b) A faculty member may properly give notice after May 15 but within 10 days after receiving the contract (1) if it is not in the member's hands in time to meet the normal time requirements and (2) if the member is not satisfied with the terms and conditions of the offered contract.

5.2.2 Retirement

The date of retirement shall normally be the end of the contract year or the end of a semester, and shall be negotiated between the faculty member and the administrative unit. Appropriate State statutes and State and University regulations and policies regarding retirement shall be consulted.

5.3 UNIVERSITY-INITIATED TERMINATION OF SERVICES OF FACULTY MEMBERS WITH TENURE

5.3.1 General

The services of a faculty member having tenure shall be terminated only for one of the following reasons: (1) adequate cause, (2) bona fide financial exigencies of the University, (3) bona fide discontinuance of a program or department of instruction, or (4) health reasons. Termination decisions shall not interfere with any retirement benefits for which a faculty member may be eligible. No faculty member shall be retired involuntarily unless such action is authorized by statute or by this Policy. The process for dismissal of a tenured faculty member is described in Sec. 6.

5.3.2 Adequate Cause

Adequate cause for termination of a faculty member with tenure consists of academic incompetence, neglect of duty, serious violation of University policy, commission of a serious crime, loss of medical licensure or clinical privileges, or other serious professional or ethical deficiencies. Adequate cause may be determined in several ways, including admission, conviction by a court of law, or findings of a hearing before a relevant

University faculty-review committee such as the Academic Freedom and Tenure Committee (Sec. 6.4.3).

5.3.3 Financial Exigency

Termination of a tenured appointment may occur under extraordinary circumstances because of a demonstrably bona fide financial exigency, namely, an imminent financial crisis that threatens the survival of the institution as a whole and that can not be alleviated by less drastic means. The following standards and procedures will apply:

(a) The exact nature of the need for termination must be substantiated in writing by the department, the college, and the Provost.

(b) The Provost must explain the action with regard to this particular position to the Committee on Academic Freedom and Tenure and show that the plans for the academic and fiscal disposition of the position are reasonable and that all feasible alternatives to termination of the appointment have been pursued. The burden shall rest on the administration to prove the existence and extent of the condition of financial exigency.

(c) Should the Provost decide that the University's financial crisis requires that the faculty position in question be eliminated, shifted within the department, or shifted to another department or college, the faculty member, department chair, and college/ school dean shall be so notified as early as possible, but no later than May 1. The faculty member will be issued a notice contract for one additional year of employment.

(d) If a tenured faculty member is terminated because of a bona fide financial exigency of the University, the released faculty member's place will not be filled by a replacement for a period of two years, unless the released faculty member has declined an offer of reappointment with at least the previous rank and salary.

5.3.4 Program Discontinuance

Termination of a tenured appointment may occur as a result of bona fide formal discontinuance of a program or department of instruction. The following standards and procedures will apply:

(a) The formal decision to discontinue a program or department of instruction will be based essentially upon educational considerations, as determined by the Board of Regents after consideration by and recommendation from the Faculty Senate.

(b) Before the administration issues notice to a tenured faculty member of its intention to terminate an appointment because of formal discontinuance of a program or department of instruction, the University will make every effort to place the faculty member in another suitable position. If placement in another position would be facilitated by a reasonable period of training, financial and other support for such training will be offered. If no position is available within the University, with or without retraining, the faculty member's appointment then may be terminated, but only with provision for severance salary equitably adjusted to the faculty member's length of past and potential service.

(c) A faculty member may appeal a proposed relocation or termination resulting from a discontinuance and has a right to a full hearing before the Academic Freedom and Tenure Committee. The issues in such a hearing may include the University's alleged failure to satisfy any of the conditions specified in this section of the Handbook. In such a hearing, a determination by the Board of Regents (after recommendation by the Faculty Senate) that a program or department is to be discontinued will be considered presumptively valid, but the burden of proof on other issues will rest with the administration.

(d) Should a program or department of instruction be discontinued and, within three years, should the program be restored or the position be reestablished elsewhere in the University, the faculty member must

be given the opportunity to return to the position with at least the previous rank and salary.

5.3.5 Health Reasons

(a) An appointment with tenure may be terminated for health reasons, following the procedures of this section, based upon clear and convincing evidence that the faculty member cannot continue satisfactorily to perform his or her normal professional duties, that such condition is likely to be permanent, and that no reasonable accommodation as required by the Americans with Disabilities Act is feasible. Extended sick leave or leave without pay is appropriate when a serious health condition requires absence from faculty duties, but the condition is not expected to be permanent.

(b) The decision to terminate the employment of a faculty member for health reasons shall be reached only after there has been appropriate consultation with at least the other tenured members of the department, the chair, the dean, and the Provost/VPHS. The faculty member, or his or her representative, shall be informed in writing by the Provost/VPHS of the basis of the proposed action and be given an opportunity to present the faculty member’s position to the Provost prior to the Provost making a recommendation to the President. If the President concludes that the faculty member cannot continue satisfactorily to perform his or her normal professional duties but the faculty member does not agree, the President shall initiate proceedings before the Committee on Academic Freedom and Tenure to terminate the employment of the faculty member pursuant to the procedures of this Policy dealing with dismissal (Sec. 6.4.3).

5.4 UNIVERSITY-INITIATED TERMINATION OF CONTRACT OF A NON-TENURED FACULTY MEMBER

(a) The University has the discretion whether or not to renew the annual contract of probationary or non-tenure-track faculty members (for probationary faculty-Sec. 3.2(c) for notice periods and Sec. 4.2.4, 4.2.5, and 6.4.1 for rights of appeal; for continuing non-tenure-track faculty-Sec. 3.4 for notice periods). For Faculty members on two- or three-year term appointments, the University's discretionary renewal or non-renewal may be exercised only during the final year of the appointment; the notice periods specified above apply to the final year of the appointment. For non-tenured faculty members with two or three year term appointments, these term appointments may be terminated early, on the expiration date of an annual contract, following the procedures described in Sec. 5. 3.

(b) Under the extraordinary circumstances and with proof of adequate cause as outlined in Sec. 5.3.2, a non-tenured faculty member’s annual contract may be terminated before its expiration and/or without regard for the notice periods or terminal contract requirements set forth in this Policy. A decision to terminate the contract of a non-tenured faculty member under these circumstances shall be made by the Provost/ VPHS after recommendations by the chair and the dean. At each administrative level, the faculty member shall be fully informed in writing of the reasons proposed for such termination and shall be given an adequate opportunity to respond in writing and/or orally to the Provost/VPHS prior to the final decision. The faculty member shall have the right to appeal a termination decision by the Provost/VPHS to the Academic Freedom and Tenure Committee on grounds within the Committee’s jurisdiction (Sec. 6.2); however, such appeal shall not postpone the date of termination.

5.5 SUSPENSION

Suspension is an emergency, short-term condition that can be invoked by the dean, Provost/VPHS, or President. The faculty member suspended must be named in the suspension order, the terms of which may vary from a directive not to meet classes to a legal exclusion from campus. An emergency suspension order is justified only as an effort to forestall imminent harm to the faculty member, to others, or to University property. As an emergency measure, it is intended to serve only until more formal action may be taken to

resolve the issue at hand. Unless prohibited by law, suspension is always with pay, unless suspension is imposed as a disciplinary measure after a full opportunity for hearing and review, in which case the suspension may be with or without pay.

5.6 DISMISSAL OR NON-REAPPOINTMENT OF GRADUATE, TEACHING, RESEARCH, AND SPECIAL ASSISTANTS

(a) No graduate, teaching, research, or special assistant has a right to reappointment or to continuance in service beyond the contract period. However, assistants have the right to be secure from arbitrary or capricious dismissal. If an assistant is not satisfactorily performing assigned duties, the supervisor shall so inform the assistant and point out the unsatisfactory aspects of the work and how these should be corrected. If dismissal is contemplated after such warning has been judged ineffective, the assistant shall be given a written statement of the reasons for this action and have an opportunity to respond to the supervisor prior to the final decision. The assistant may be suspended with pay by the dean of the college/school if warranted, prior to the final decision. The assistant may appeal dismissal to any or all of the following: the department chair, the dean of the college/school, or the Dean of Graduate Studies.

(b) If an assistant who is dismissed or not reappointed alleges that the decision violates academic freedom or Faculty Handbook procedures, or involves improper considerations, the assistant may appeal to the Academic Freedom and Tenure Committee pursuant to this Policy (Sec. 6.2), after completing the process of administrative appeal.

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B6: Academic Freedom and Tenure Committee

Policy

*(*Approved by Regents December 8, 1998)*
*(**Approved by Faculty December 7, 1998)*

SECTION 6: ACADEMIC FREEDOM AND TENURE COMMITTEE

6.1 COMPOSITION, ELECTION, DUTIES, AND SUPPORT OF COMMITTEE

The faculty Academic Freedom and Tenure Committee (the Committee) shall consist of 13 members, all of whom shall be tenured members of the voting faculty. For the purpose of this Section, members of the voting faculty shall exclude departmental chairs and other academic administrators above the rank of chair. The following shall apply:

1. Not more than one member of any department or equivalent unit shall serve as a member of the Committee at the same time.
2. The Committee may appoint its own counsel. The University shall bear the cost of the services of such counsel.
3. A quorum shall consist of seven (7) members.
4. The office of the Secretary of the University shall provide clerical and administrative support for the Committee, including facilitating the communication of the Committee with members of the faculty, the administration and the Board of Regents and others, and serving as a repository of information and records relevant to the Committee.

6.1.1 Nominations

Nominations of at least 14 persons shall be made by mail addressed to the University Secretary.

6.1.2 Election

Election shall be by mail ballot. Ballots, accompanied by biographical sketches of the nominees shall be distributed by the Secretary to all eligible members of the voting faculty. Eligible faculty members may vote for a maximum of six (6) candidates in even-numbered years and seven (7) in odd-numbered years. The six nominees in even-numbered years and the seven nominees in odd-numbered years who receive the most votes shall become members of the committee for two-year terms commencing at the start of the academic year following election. The remaining nominees shall be called on to serve, in order of the votes they received, as replacements to complete the terms of any members who resign from the Committee after the election.

6.1.3 Term

The term of service shall be two years. Committee members may be elected to a second two-year term. At least one year must pass before a Committee member who has served two consecutive two-year terms is again eligible to serve.

6.1.4 Duties

The Committee shall (1) discharge the functions assigned to it as defined herein, and (2) from time to time review this statement of policy and recommend appropriate revisions.

6.1.5 Effective Date and Revision of Policy on Academic Freedom and Tenure

This policy and any subsequent revision thereof shall become effective immediately after approval by the University faculty and approval by the Regents and shall supersede all previous action or statements of policy relative to academic freedom and tenure, and faculty appointment and promotion, except that the mid-probationary standards established in Sec. 4.6.1(c) shall apply only to faculty hired after the effective date of this policy and that the procedures and standards for handling complaints and appeals set forth in Sec. 6 shall apply only to complaints filed with the Committee after the effective date of this policy.

6.2 MATTERS THAT MAY BE APPEALED OR REFERRED TO THE COMMITTEE

6.2.1 General

(a) The Academic Freedom and Tenure Committee is responsible for reviewing significant decisions affecting faculty tenure, promotion, sabbatical leave and employment, and determining if any of the following influenced the decision-making process:

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 policies that resulted in prejudice to the faculty member.

(b) Academic freedom is defined in the 1940 Statement of Principles adopted by the American Association of University Professors and is the right of all members of the faculty and graduate students employed in teaching and research positions.

(c) In reviewing allegations, the Committee shall not reverse or modify the decision of an appropriate University officer or faculty body solely because it disagrees with their academic judgment. The Committee may reverse or modify a decision only if the decision violated the faculty member’s academic freedom or was based upon improper considerations. The Committee may judge a matter to involve procedural violations and remand the matter to the appropriate administrative officer with remedies (Sec. 6.6 (e)).

(d) If a faculty member wishes to appeal on grounds not within the jurisdiction of the Committee, he or she may appeal a decision by the Provost/VPHS to the President. Matters that can be appealed or referred to the Committee are described in Sec. 6.2.

6.2.2 Matters Involving Termination of Employment

(a) Denial of Tenure
If the Provost/VPHS denies tenure to a faculty member and that faculty member believes that infringement of academic freedom, improper considerations, or prejudicial violation of the procedures specified in this Policy occurred, the faculty member may appeal the decision to the Committee. If the faculty member bases an appeal on issues outside the jurisdiction of the Committee, he or she may present the appeal to the President.

(b) Dismissal of Tenured Faculty Member
If, after all reasonable efforts to resolve disputes and correct problems have failed, the University intends to proceed with terminating the services of a tenured faculty member who does not accept the terms of the action, the President of the University shall file a complaint with the Committee as provided herein. The burden of proof in such cases shall be on the President.

In cases in which grounds for termination of a tenured faculty member are conviction or admission of a serious crime the President may terminate the faculty member’s services. If the faculty member contends that the violation does not constitute adequate cause for revocation of tenure, the faculty member may

appeal the President’s termination decision to the Committee on that ground. Tenured clinical faculty whose services are terminated because of loss of medical licensure or hospital privileges may appeal such decision to the Board of Regents rather than through the Committee.

(c) Dismissal or Non-Renewal of a Non-Tenured Faculty Member
If the annual contract of a probationary faculty member is not renewed by the Provost/VPHS, or a faculty member receives a negative mid-probationary review, or a probationary or other non-tenured faculty member is dismissed during the term of his or her contract and if the faculty member believes that violation of academic freedom, improper considerations, or prejudicial violations of the procedures specified in this Policy occurred, the faculty member may appeal the action to the Committee.

(d) Involuntary Retirement
If a faculty member has been involuntarily retired and believes that the action is associated with violation of academic freedom, improper considerations, or prejudicial violation of the procedures specified in this Policy, the faculty member may appeal the decision to the Committee. (See Sec. 5.3.5 on termination for health reasons.)

(e) Dismissal of Student Assistants
If a graduate, teaching, research or project assistant is dismissed and the student assistant believes that violation of academic freedom, improper considerations or prejudicial violation of the procedures specified in this Faculty Handbook are involved in the dismissal, he or she may appeal the dismissal to the Academic Freedom and Tenure Committee. In this context, student assistants shall be considered faculty.

6.2.3 Matters Not Involving Termination of Employment

(a) Denial of Promotion
If the Provost/VPHS makes a negative decision on the granting of promotion to a faculty member and the faculty member believes that violation of academic freedom, improper considerations or prejudicial violation of University procedures are involved in that decision, the faculty member may appeal the decision to the Committee.

(b) Denial of Sabbatical Leave
If a faculty member has been denied a sabbatical leave and that faculty member believes that violation of academic freedom, improper considerations or prejudicial violation of the procedures specified in this Policy are involved in that decision, the faculty member may appeal the decision to the Committee.

(c) Report of Violation of Academic Freedom or Faculty Handbook Procedure
Anyone discovering what he or she believes to be a violation of academic freedom anywhere within the University or of the procedures specified in this Policy, may properly bring the matter to the attention of any member of the Committee. A current roster of the Committee is maintained by the University Secretary.

6.2.4 Use of Advisory Committees or Boards

(a) Report of Unethical Behavior by a Faculty Member
If any matters in Sec. 6.2 involve claims of unethical behavior by a faculty member, the case may be referred initially by the AF&T Committee to the Faculty Ethics and Advisory Committee for review and recommendation (Appendix VIII). The AF&T Committee will accept the report from the Faculty Ethics and Advisory Committee and apply the recommendations in a manner appropriate to the case before the AF&T Committee.

(b) Discrimination Claims Involving Faculty
If any matters in Sec. 6.2 involve claims of unlawful discrimination by or against a faculty member, the case

may be initially reviewed and investigated by the University Office of Equal Opportunity Programs (OEOP). This process shall follow established University procedures and include consultation by the director of OEO with the chair of the Committee on Academic Freedom and Tenure or a designee. The investigation by the OEO shall not exceed three (3) months unless there are extenuating circumstances. After conclusion of the OEO investigation, the Committee, at its discretion, may consider the evidence obtained by and the determination of the OEO investigation in connection with the issues before it.

6.3 COMPLAINT

6.3.1 General

(a) The involvement of the Committee shall be initiated by a written complaint. The complaint shall include the basis of the complaint, the underlying facts, any supporting documentation, the names, and telephone numbers of any relevant contact people, and the desired remedy.

(b) In the case of proposed dismissal of a faculty member with tenure, the President files a complaint with the Committee and sends a copy of the complaint to the faculty member.

(c) When a faculty member initiates a complaint (i.e., acts as the complainant), a copy of the complaint shall be forwarded by the Committee to the person(s) whose action is questioned in the complaint. The individual(s) against whom allegations are made shall be the respondent.

6.3.2 Preliminary Review

(a) Upon receipt of a complaint filed by a faculty member, the chair of the Committee shall appoint a subcommittee of two Committee members to investigate the allegations of the complaint, obtain a written response from the respondent, interview individuals with relevant information, and advise the chair and Committee on the matter. Based upon acquired information from the subcommittee, the Committee shall determine whether a hearing should be held. Every effort shall be made to make this determination within 30 days of appointment of the subcommittee. A faculty member shall be entitled to a formal resolution process if the Committee determines that sufficient grounds may exist to support allegations of violations concerning academic freedom, improper considerations, or substantial procedural violations of the Faculty Handbook. The Committee shall inform the complainant and respondent in writing of the issues warranting proceeding with a formal resolution process. The resolution process may involve mediation, arbitration, or a formal hearing process. If the Committee proceeds with a formal hearing, subcommittee members normally shall not serve as members of the Hearing Panel.

(b) If the Committee determines that the complaint contains allegations that have not been considered previously by the Provost/VPHS, the Committee shall refer the case to the Provost/VPHS for discretionary review before proceeding with any formal resolution process. The Provost/VPHS shall complete any such review within 15 working days of the referral. If the Provost/VPHS decides not to review the case, or if on receipt of the decision of the Provost/VPHS the complainant still wishes to pursue the complaint with the Committee, the Committee may proceed with a formal resolution process.

(c) There will be no preliminary review of cases filed by the President. A formal hearing will be held upon receipt of a complaint from the President.

6.3.3 Alternative Resolution Processes

(a) The Committee may require that the complainant and the respondent(s) enter into mediation or a non-binding arbitration process in an attempt to resolve the dispute. The mediation or non-binding arbitration proceedings shall remain confidential unless all parties involved in the complaint agree to waive the

confidentiality of the proceedings in whole or part. If this process does not result in the resolution of the complaint, the Committee may again be petitioned to review the case for the appropriateness of a hearing. The timetable for consideration of a hearing, as set forth in the hearing schedules, will then begin.

(b) In consultation with the Committee, the parties may agree to submit resolution of their dispute to final binding arbitration in lieu of a hearing before the Committee. The binding arbitration procedures will be set up pursuant to agreement of the parties.

(c) The University will assume the cost for mediation and/or arbitration.

6.4 TYPES OF HEARINGS AND NORMAL TIME SCHEDULES

All parties shall make every effort to adhere to the following schedule(s) in order to expedite the review and hearing process. In extraordinary circumstances, the Committee may accept complaints that are at variance with the established schedules. In such proceedings, the schedule of events shall approximate the established time increments as described below.

6.4.1 Denial of Tenure or Non-renewal of Probationary Appointment

(a) A probationary faculty member who is denied tenure, who receives a negative mid-probationary review, or whose annual contract is not renewed for reasons other than financial exigency and who has exhausted the appeal process through the chair, dean and Provost/VPHS has the right to file a complaint with the Committee by Sept. 1 of the terminal contract year.

(b) The described time schedule (Table 6.4.1) will also apply to faculty members who are denied promotion and have appealed the decision through the chair, dean, and Provost/VPHS.

Table 6.4.1. Schedule-A for a Hearing Based on a Denial of Tenure or Non-Renewal of Probationary Appointment.

ACTION	DUE DATE / WORKING DAYS
Notification letter is sent from the Provost to the faculty member.+	June 30*
Faculty member sends request for reconsideration of the decision to Provost.	July 15
Provost responds to the request for reconsideration.	Aug. 1
Faculty member requests a hearing by the Committee.	Sept. 1*
Investigatory subcommittee is appointed by the Committee	Sept. 15
Requested additional documentation is sent to the Committee.	5 days after request
Respondent replies to the complaint.	10 days after request
Investigatory subcommittee reports its findings & makes recommendation to Committee.	Oct. 15
Case referred, if necessary, to Provost/VPHS for discretionary review and response received from Provost/VPHS.	15 days after referral
A Hearing Panel of the Committee, if necessary, is appointed.	Nov. 15*
The hearing is completed by the Committee Hearing Panel.	Feb. 1
The Committee transmits its decision to the Provost.	Mar. 15*
Decision is implemented or appealed.	Apr. 15*

- Final date for indicated action to have been completed. Dates falling on weekends are extended to the next working day;
- Also applies to matters involving the denial of promotion.

(c) By Sept. 15, the chair shall appoint an investigatory subcommittee of two Committee members. The subcommittee shall make every effort to complete the preliminary review within 20 working days, which includes the acquisition of requested information and receipt of the respondent's written reply to the complaint. The subcommittee shall report to the full Committee, and shall recommend whether a hearing should be held.

(d) If the Committee determines that a hearing will occur, a five-member hearing panel shall be appointed by Nov. 1. By no later than Nov. 15, the chair of the panel shall contact all persons involved and set the earliest possible hearing date. All hearings shall be completed by Feb. 1.

(e) The hearing panel shall present its findings to the Committee within 15 working days of receipt of the hearing transcript. The Committee shall review and consider the findings of the hearing, and make a decision that shall be transmitted to the Provost/VPHS on or before Mar. 15.

(f) The faculty member shall have 20 working days from receipt of the decision in which to appeal the decision. Similarly, the Provost/VPHS shall have 20 working days from receipt of the decision in which to appeal the decision or to implement it if it is not appealed. Appeals shall follow the procedures specified in Sec. 6.7 and 6.8.

6.4.2 Other Matters

(a) Allegations of violation of academic freedom, improper considerations, or prejudicial violation of Faculty Handbook policies, outside the context of matters addressed in Sec. 6.4.1 or 6.4.3, shall follow the procedures set forth in this section. The matter should be brought to the Committee within 90 days of the date when the faculty member knew or reasonably should have known about the violation (Table 6.4.2).

Table 6.4.2. Schedule-B for a Hearing Pertaining to Other Matters.

ACTION	WORKING DAYS AFTER PRIOR ACTION
There is an alleged violation of a faculty member's academic freedom or of Faculty Handbook policies.*	
Faculty member files a complaint with the Committee.	Within 90 days of knowledge of violation
Investigatory subcommittee is appointed by the Committee.	10 days
Faculty member sends any additional documentation to the Committee.	5 days after request
Respondent replies to the complaint.	10 days after request
Preliminary investigation is completed.	20 days
Case referred, if necessary, to Provost/VPHS for discretionary review and response received from Provost/VPHS.	15 days after referral
Hearing Panel, if necessary, is appointed by the Committee.	5 days after decision
Committee hearing is completed.	Earliest possible date
Transcript of the hearing is received by the Committee.	

ACTION	WORKING DAYS AFTER PRIOR ACTION
Hearing Panel presents its findings to the Committee.	15 days
Committee transmits its decision to the Provost.	20 days
Decision is implemented or appealed.	20 days

* Matters involving denial of sabbatical leave, dismissal of student assistants, or matters not included in Schedule-A or Schedule-C shall follow this time schedule.

(b) The Committee Chair will appoint an investigatory subcommittee of two Committee members within 10 working days of the receipt of the complaint. The subcommittee shall make every effort to complete the preliminary review within 20 working days, which includes the acquisition of requested information and receipt of the respondent's written reply to the complaint. The subcommittee shall report its findings to the full Committee and make a recommendation as to whether a hearing is appropriate.

(c) If the Committee decides that a hearing is appropriate, the Committee chair shall appoint a five-member hearing panel within five working days of completion of the preliminary investigation. The chair of the hearing panel will contact all persons involved and set the earliest possible hearing date.

(d) The hearing panel shall present its findings to the Committee within 15 working days of receipt of the hearing transcript. The Committee shall transmit its decision to the Provost/VPHS within 20 working days of receipt of the panel's report.

(e) The faculty member shall have 20 working days from receipt of the decision in which to appeal the decision. Similarly, the Provost/VPHS shall have 20 working days from receipt of the decision in which to appeal the decision or to implement it if it is not appealed. Appeals shall follow the procedures specified in Sec. 6.7 and 6.8.

6.4.3 Dismissal of Tenured Faculty Member

(a) Reasons for termination of employment for faculty members with tenure are described in Sec. 5.3. In each case, the burden of proof resides with the President and University administration (Table 6.4.3).

Table 6.4.3. Schedule-C for Dismissal of a Tenured Faculty Member.

ACTION	WORKING DAYS AFTER PRIOR ACTION
President files a complaint with the Committee.	
Committee requests a response from the faculty member.	
Faculty member sends a response to the Committee.	10 days after request
Hearing Panel is appointed by the Committee.	
Hearing is scheduled to begin.	20 days
Hearing is completed.	20 days
Transcript of the hearing is received by the Committee.	
Hearing Panel presents its findings to the Committee.	15 days
Committee transmits its decision to President & faculty member.	20 days
President implements the Committee's decision or appeals it to Regents.	20 days

(b) No termination proceeding based on academic incompetence or neglect of duty shall be instituted against a faculty member with tenure unless the faculty member has been informed in writing of the alleged shortcomings and has been given a reasonable period of time in which to remedy them (Sec. 4.9).

(c) When reasons arise to question the fitness of a tenured faculty member, the matter first shall be discussed between the department chair and the faculty member as described for the post-tenure review process (Sec. 4.9). If the matter is not resolved at that level, the complaint may be directed to the next direct authority. If a resolution is still not effected, the issue shall proceed through normal University channels up to and including the President of the University. At every stage, the appropriate University officer shall discuss the matter in a personal conference with the faculty member involved, and notify the faculty member in writing of any proposed action. The matter may be concluded at any point in this process by mutual consent.

(d) If the matter is not concluded by agreement after the preliminary proceedings described above, and the President still decides to terminate the faculty member’s services, the President shall file a complaint with the Committee and send a copy of the complaint to the faculty member. The procedures established in this Policy for hearings by the Committee shall be followed.

(e) In addition to materials outlined in Sec. 6.3.1, the complaint should contain:

1. A statement, with reasonable particularity, giving the grounds for the dismissal.
2. A statement that the Committee will conduct a hearing on the charges.
3. A statement referring the faculty member to the pertinent sections of the Faculty Handbook governing the procedural and substantive rights of faculty.

(f) The Chair of the Committee will request from the faculty member a written response to the charges. The faculty member shall submit the response to the chair of the Committee and to the President within 10 working days after receiving the request.

(g) If the faculty member does not submit a written response to the charges, the Committee shall consider whether the stated grounds constitute adequate cause, and it may conclude, without further inquiry, that the dismissal would be proper. At its discretion, however, the Committee may investigate the truth of the charges and request that the President provide supporting evidence. Thirty (30) working days following the faculty member’s failure to respond, the Committee shall forward its decision, with the reasons stated, to the President and to the faculty member.

(h) If the faculty member submits a written response to the charges, the hearing procedures set forth shall be followed. References to the complainant shall refer to the President and University administration, and the references to the respondent shall refer to the faculty member. Therefore, the President and administration have the burden of proving their case (Sec. 6.5.1 (c)).

(i) Within 5 working days after receiving the faculty member’s written response, the chair of the Committee shall appoint a hearing panel of five members. The panel shall schedule a hearing to begin not more than 20 working days after receipt of the President’s complaint. The time and place of the hearing shall be set in consultation with the faculty member and the President. The hearing shall be completed within 20 additional working days and a transcript shall be obtained.

(j) Suspension by the administration of a tenured faculty member during the Committee’s proceedings shall be justified only if harm to self, to others, or to University property is threatened by continuance of duty. Should it believe such a suspension to be justified, the administration shall consult with the Academic Freedom and Tenure Committee concerning the propriety and conditions of the suspension. Unless prohibited by law, any such suspension shall be with pay.

(k) If the faculty member's academic competence is questioned, the proof before the Committee shall be insufficient unless it includes testimony of teachers and other scholars, either from the University or from other institutions, and it shows that the faculty member's academic performance (1) has deteriorated since receipt of tenure and (2) is now typically unsatisfactory.

(l) The panel shall present its findings to the Committee within 15 working days of receipt of the transcript of the hearing. The Committee shall transmit its report to the President and faculty member within 20 working days of receipt of the panel's report.

(m) At the request of either the faculty member or the President, the Regents shall review the case. A request for review by the Regents must be filed with the Secretary of the University within 20 working days after the date that the Committee's decision is sent to the faculty member and the President. The Regents' review will follow the procedures specified in Sec. 6.8 (c).

**6.5 CONSIDERATION BY A HEARING PANEL **

6.5.1 General Considerations

(a) The purpose of a hearing before the Committee will be to decide a formal, written complaint brought by either a faculty member or the President that was not resolvable by mediation efforts of the Committee. Specific actions for which a hearing by the Committee will be considered are defined (Sec. 6.2).

(b) The Committee shall not be required to follow formal judicial procedures or rules of evidence. Members of the Committee, the complainant, the respondents, and—with the permission of the hearing panel—their advisors or attorneys shall have the right to question all witnesses who testify orally.

(c) In all cases, the burden of proof lies with the complainant.

(d) If appropriate, the hearing panel or the Committee may extend any time limit set forth in Sec. 6.4. For example, the Committee may extend time limits if a dispute is actively being mediated. Notification of a time extension shall be sent in writing to the complainant and respondent along with a new schedule.

6.5.2 Appointment of the Panel

(a) Cases brought before the Committee shall be heard by a panel consisting of no fewer than five (5) members of the Committee (including a panel chair) who are selected by the chair of the Committee, with the approval of the Committee as a whole. If, due to disqualification, there are fewer than five available Committee members, the Committee shall add members drawn from the ranks of former Committee members.

(b) A Committee member shall be disqualified from considering a matter, at any stage, if member:

1. is directly involved in the matter being considered;
2. has a prior relationship with a party, is a witness, or the situation would interfere with the member's objectivity;
3. is otherwise incapable of serving (e.g., sickness or sabbatical leave); or
4. if the matter directly involves a departmental colleague.

(c) A Committee member may ask to be recused for these or other conflicts of interest. Alternatively, if any of the principals in a matter to be heard by the Committee believes that one or more members of the Committee should be disqualified, the decision shall be made by the full Committee in the absence of the member whose disqualification is sought.

6.5.3 Schedule for a Hearing

The hearing panel shall schedule a hearing to take place according to the timetables above. This panel in consultation with the complainant and respondent shall set the time and place of the hearing.

6.5.4 Public or Private Hearing

The hearing shall be private, unless both parties agree that it should be public, subject to any requirements of the New Mexico Open Meetings Act. If the hearing is private, the proceeding of the hearing shall be confidential to the extent allowed by law.

6.5.5 Pre-hearing Meetings

At any time prior to the hearing, the chair of the panel may, with fair notice to the parties, hold meetings or discussions with the parties in order to:

1. ascertain and simplify the issues that are involved;
2. ascertain which facts are disputed and which are not;
3. facilitate the exchange of documentary and other information;
4. answer procedural questions; and
5. achieve such other objectives as will make the hearing fair, effective, and expeditious.

6.5.6 Fair Notice

(a) At least five working days before the hearing, each party shall provide the panel and the other party with the following information:

1. List of intended witnesses, or a statement that no witnesses will be called. The panel may place reasonable limitations on the number of witnesses. No witnesses other than those on the list may testify without the written consent of the panel.
2. Any statement of an absent witness (Sec. 6.5.9 (b)).
3. Copies of documents the party plans to introduce into evidence, unless it has been determined at a pre-hearing conference that such documents are already before the panel for consideration. No other documents may be introduced into evidence without the written consent of the panel.
4. Brief from the parties (not to exceed 10 pp) detailing their position on the written complaint.

(b) Acceptance of late testimony or evidence after the hearing shall depend on the panel’s judgment of the importance of the testimony or evidence and must represent information that could not reasonably have been received before or during the hearing. In all cases, copies of any communication between the hearing panel or the Committee and either party shall be immediately transmitted to all other parties.

6.5.7 Order of Proceedings

(a) The panel may determine the order in which the parties present their arguments and evidence. Otherwise, the order used shall be the following:

1. complainant’s presentation of case;
2. respondent’s presentation of case;
3. rebuttal by complainant, if any;
4. rebuttal by respondent, if any;
5. closing arguments by complainant; and
6. closing arguments by respondent.

(b) With permission of the panel, evidence may be introduced out of order and additional evidence may be introduced.

6.5.8 Evidence

(a) If any material facts are in dispute, the parties may testify, present testimony of witnesses, and introduce documents and other evidence at the hearing. The panel may exclude unfair and irrelevant evidence and will not be bound by judicial rules of evidence.

(b) The panel may independently secure evidence or witnesses for presentation at the hearing, and may postpone the hearing until such evidence is available. The panel may not consider evidence that is not presented at the hearing or otherwise provided to the parties for their response.

(c) All members of the University community shall cooperate with the parties' reasonable requests to provide evidence and to appear at the hearing as witnesses. The parties, when needed, shall have the aid of the University Administration and the Committee in securing the attendance of witnesses and in obtaining necessary evidence.

6.5.9 Witnesses

(a) Parties shall have the right, within reasonable limits set by the panel, to question all witnesses.

(b) When a witness is unable to attend a hearing, arrangements shall be made to have the witness participate by conference telephone. If this is not possible, the Committee upon advance request may permit a signed statement by that witness to be introduced at the hearing, but only if it is provided to the other party in sufficient time to permit the other party to contact and question the witness (at least one week before the hearing.) The other party may then submit an additional statement from that witness. All written statements from the witness shall be excluded if the second party is unable to secure the cooperation of the witness.

6.5.10 Rights of Parties to be Present: Advisors

All parties shall have the right to be present at the hearing and to be accompanied by an advisor, an attorney, or both. No advisor or attorney may question witnesses or address the panel without permission of the panel chairperson.

6.5.11 Briefs

With the permission of the panel, the parties may submit written briefs (not to exceed 10 pp) after the hearing provided that no new factual information is introduced in the brief.

6.5.12 Transcript

A verbatim record of the proceeding shall be kept and made available to the parties concerned. The cost of such record shall be borne by the University.

6.5.13 Deliberation by Panel after Hearing

(a) After the hearing, the panel may decide to postpone deliberations until a transcript of the hearing is produced. The panel shall deliberate in closed session. The panel shall present specific written findings of fact, conclusions, and recommendations to the Committee, in the form of a reasoned opinion based upon the evidence presented at the hearing.

(b) The panel's recommendation shall be forwarded to the Committee within 15 calendar days after receipt of the transcript. The transcript and all documentary evidence shall also be forwarded to the Committee.

6.6 CONSIDERATION BY THE COMMITTEE

(a) The Committee, in closed session, shall consider only the panel's findings, conclusions and recommendations as well as the transcript and forwarded evidence. The Committee shall not consider new evidence.

(b) Normally, within 15 calendar days of receipt of the panel's report, the Committee shall issue a written decision to the parties. However, the Committee may refer the matter back to the panel for further examination of specified issues. Any such referral shall be accompanied by written instructions, which shall include deadlines for the further proceedings. No case may be referred back to the panel more than once. The Committee's decision shall include specific written findings of fact, conclusions, and remedies, in the form of a reasoned opinion based upon the evidence at the hearing.

(c) The Committee shall notify, in writing, the parties concerned and the Provost/VPHS, if Provost/VPHS is not a party, of its decision and shall provide each with copies of the findings, conclusions, and opinions.

(d) If the Committee finds academic freedom violations or improper considerations occurred, it shall identify in its decision the violation(s) found and the necessary corrective measures. In a case where the matter concerns a personnel decision resulting from a formal review process, such as a mid-probationary review or tenure review, the corrective measures may require carrying out the review process leading up to the personnel decision a second time, and making a decision based on the second review. If so, only one such repetition of a review shall be permitted, and if appropriate, the faculty member shall be granted an additional contract for one year. In other cases, the Committee may conclude that the appropriate corrective measure is to reverse the original personnel decision; in such a case, the Committee shall enter a reasoned decision to that effect.

(e) Procedural errors alone shall not be the basis for granting tenure, promotion, or other change in a faculty member's employment status. However, if the Committee finds that procedural errors prejudiced a personnel decision regarding a faculty member, this shall normally lead to a Committee decision to require that the review process leading up to the personnel decision be carried out a second time, and a decision be made based on the second review. Only one such repetition of a review shall be permitted. In such a case, the Committee's decision shall identify the procedural error(s) found and the necessary corrective measures. If these corrective measures require, the faculty member shall be granted an additional contract for one year. If the Committee concludes that despite the procedural errors the review process should not be repeated, it shall enter a reasoned decision to that effect.

6.7 APPEAL OF COMMITTEE DECISION TO THE PRESIDENT

Appeals of a decision of the Committee shall be taken to the President, except as noted below in Sec. 6.8 (a). The appeal shall be filed within 20 working days of receipt of the Committee's decision. The appeal shall include a summary of the facts, the process, and the grounds for the appeal. The statement shall be filed with the President whose office shall furnish copies to the parties. Within 20 working days of receiving an appeal, the President will provide, in writing, a reasoned decision to the involved parties and the Committee. The decision by the President is final, subject to discretionary review by the Board of Regents. Requests for such review shall be made within 20 working days of receipt of the President's decision and shall follow the provision set forth in Sec. 6.8 (b)-(d) below.

6.8 REVIEW BY THE BOARD OF REGENTS

(a) In case of a University-initiated dismissal of a tenured faculty member, or in other cases where the Committee has made a finding of violation of academic freedom or improper considerations (in either case, whether or not specific violations of Faculty Handbook procedures were found to have occurred), there shall

be no right of appeal to the President, but a request for review by the Board of Regents may be filed. Requests for such review shall be made within 20 working days of receipt of the Committee's decision and shall follow the provisions set forth below. In the case of a University-initiated dismissal of a faculty member as noted in Sec. 6.4.3 (m), the review of the Board of Regents, if requested, is mandatory; in all other cases, the review of the Board is discretionary. In cases where the Committee does not make a finding of violation of academic freedom or improper considerations, either the complainant or respondent shall have the right of appeal to the President, and as noted in Sec. 6.7, the President's decision in turn may be appealed for discretionary review by the Board of Regents. The provisions set forth below shall govern such request for review.

(b) Requests for discretionary review shall include a summary of the facts, the process, and the reasons justifying extraordinary review. The statement shall be filed with the President whose office shall furnish copies to the parties and the Board of Regents. If the Board accepts review of the case, notice shall be provided to the principals, President, and the Committee.

(c) In its review, the Board of Regents may call upon the Chair of the Academic Freedom and Tenure Committee and/or a designee, to discuss the Committee decision and/or to consult in interpreting relevant FacultyHandbook or American Assn. of University Professors (AAUP) policies. Review shall be on the record, with opportunity for the parties to submit additional written and oral arguments, pursuant to procedures established by the Regents for the case. Consistent with the independent nature of the review, the Regents will be represented by non-University counsel. Within 40 working days of receipt of the request for review, the Regents shall issue a decision. The Regents may affirm the case or remand it to the Committee for further proceedings. Any remand shall be accompanied by instructions to the Committee, which shall include a deadline of no more than 20 working days for the further proceedings. The Committee shall reconsider the case taking account of the stated objections and receiving new evidence if necessary.

(d) After reconsideration, the Committee shall frame its decision and communicate it to the parties involved and to the Board. After study of the Committee's reconsideration, accompanied by the opportunity for final oral and written arguments by the principals or their representatives, the Board of Regents shall make a decision that may not be appealed further within the University.

* Approved by Regents: January 11, 1964; January 18, 1969; March 15, 1969; November 8, 1969; January 9, 1971; April 16, 1971; December 20, 1974; February 1, 1975; September 27, 1975; June 13, 1977; August 29, 1978; June 1, 1979; August 12, 1983, August 6, 1985; December 8, 1998.

** Approved by Faculty: February 11, 1964; December 10, 1968; March 11, 1969; September 23, 1969; December 8, 1970; April 20, 1971; December 10, 1974; September 9, 1975; May 11, 1977; May 11, 1978; May 9, 1979; October 14, 1980; March 8, 1983; January 18, 1985; December 7, 1998.

Appendix I: 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments

(as revised 1990)

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to assure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights. [1] Tenure is a means to certain ends, specifically: (1) freedom of teaching and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

Academic Freedom

(a) Teachers are entitled to full freedom in research and in the 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) Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. [2] Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment. [3]

(c) College or university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from Institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution. [4]

(d) At the University of New Mexico teachers recognize that they are responsible for the maintenance of appropriate standards of scholarship and teaching performance, aimed at the goal of training the students to think for themselves. While the students have a right to know the teacher's point of view on relevant controversial subjects, the teacher has an obligation to set forth fairly and clearly the divergent opinions of other scholars, so that the students may reach rational and independent conclusions.

(e) The efficient operation of any institution requires cooperation among its personnel. Teachers agree, therefore, to abide by all regulations of the University, consistent with this policy, and to perform to the best

of their ability such reasonable duties as are assigned to them by authorized University officials.

Academic Tenure

(a) After the expiration of a probationary period teachers or investigators should have permanent or continuous tenure, and their services should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigencies. In the interpretation of this principle it is understood that the following represents acceptable academic practice:

1. The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.
2. Beginning with appointment to the rank of full-time instructor or a higher rank, [5] the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution it may be agreed in writing that his new appointment is for a probationary period of not more than four years, even though thereby the person's total probationary period in the academic profession is extended beyond the normal maximum of seven years. [6] Notice should he given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period. [7]
3. During the probationary period a teacher should have the academic freedom that all other members of the faculty have. [8]
4. Termination for cause of a continuous appointment, or the dismissal for cause of a teacher previous to the expiration of a term appointment, should, if possible, be considered by both a faculty committee and the governing board of the institution. In all cases where the facts are in dispute the accused teacher should be informed before the hearing in writing of the charges and should have the opportunity to be heard in his or her own defense by all bodies that pass judgment upon the case. The teacher should be permitted to be accompanied by an advisor of his or her own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony should include that of teachers and other scholars, either from the teachers own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution. [9]
5. Termination of a continuous appointment because of financial exigency should be demonstrably bona fide.

1970 Interpretive Comments

> Following extensive discussions on the 1940 Statement of Principles on Academic Freedom and Tenure with leading educational associations and with individual faculty members and administrators, a joint committee of the AAUP and the Association of American Colleges met during 1969 to reevaluate this key policy statement. On the basis of the comments received, and the discussions that ensued, the joint committee felt the preferable approach was to formulate interpretations of the Statement in terms of the experience gained in implementing and applying the Statement for over thirty years and of adapting it to current needs.

> The committee submitted to the two associations for their consideration the following "Interpretive Comments." These interpretations were adopted by the Council of the American Association of University Professors in April 1970 and endorsed by the fifty-sixth Annual Meeting as Association policy.

In the thirty years since their promulgation, the principles of the 1940 *Statement of Principles on Academic Freedom and Tenure* have undergone a substantial amount of refinement. This has evolved through a variety of processes, including customary acceptance, understandings mutually arrived at between institutions and professors or their representatives, investigations and reports by the American Association of University Professors, and formulations of statements by that association either alone or in conjunction with the Association of American Colleges. These comments represent the attempt of the two associations, as the original sponsors of the 1940 *Statement*, to formulate the most important of these refinements. Their incorporation here as Interpretive Comments is based upon the premise that the 1940 *Statement* is not a static code but a fundamental document designed to set a framework of norms to guide adaptations to changing times and circumstances.

Also, there have been relevant developments in the law itself reflecting a growing insistence by the courts on due process within the academic community which parallels the essential concepts of the 1940 Statement; particularly relevant is the identification by the Supreme Court of academic freedom as a right protected by the First Amendment. As the Supreme Court said in *Keyishian v. Board of Regents* 385 U.S. 589 (1967), "Our Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and not merely to the teachers concerned. That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom."

The numbers refer to the designated portion of the 1940 Statement on which interpretive comment is made.

1. The Association of American Colleges and the American Association of University Professors have long recognized that membership in the academic profession carries with it special responsibilities. Both associations either separately or jointly have consistently affirmed these responsibilities in major policy statements, providing guidance to professors in their utterances as citizens, in the exercise of their responsibilities to the institution and to students, and in their conduct when resigning from their institution or when undertaking government-sponsored research. Of particular relevance is the Statementon Professional Ethics, adopted in 1966 as Association policy. (A revision, adopted in 1987, was published in Academe: Bulletin of the AAUP 73 [July-August 1987]: 49.)

2. The intent of this statement is not to discourage what is "controversial." Controversy is at the heart of the free academic inquiry which the entire statement is designed to foster. The passage serves to underscore the need for teachers to avoid persistently intruding material which has no relation to their subject.

3. Most church-related institutions no longer need or desire the departure from the principle of academic freedom implied in the 1940 Statement, and we do not now endorse such a departure.

4. This paragraph is the subject of an interpretation adopted by the sponsors of the 1940 Statement immediately following its endorsement which reads as follows:

> If the administration of a college or university feels that a teacher has not observed the admonitions of paragraph (c) of the section on Academic Freedom and believes that the extramural utterances of the teacher have been such as to raise grave doubts concerning the teacher's fitness for his or her position, it may proceed to file charges under paragraph (a)(4) of the section on Academic Tenure. In pressing such charges the administration should remember

> that teachers are citizens and should be accorded the freedom of citizens. In such cases the administration must assume full responsibility, and the American Association of University Professors and the Association of American Colleges are free to make an investigation.

Paragraph (c) of the section on Academic Freedom in the 1940 *Statement* should also be interpreted in keeping with the 1964 "Committee A Statement on Extramural Utterances" (AAUP *Bulletin* 51 [1965]: 29), which states *inter alia*: "The controlling principle is that a faculty member's expression of opinion as a citizen cannot constitute grounds for dismissal unless it clearly demonstrates the faculty member's unfitness for his or her position. Extramural utterances rarely bear upon the faculty member's fitness for the position. Moreover, a final decision should take into account the faculty member's entire record as a teacher and scholar."

Paragraph V of the *Statement on Professional Ethics* also deals with the nature of the "special obligations" of the teacher. The paragraph reads as follows:

> As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of other obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.
>
> Both the protection of academic freedom and the requirements of academic responsibility apply not only to the full-time probationary and the tenured teacher, but also to all others, such as part-time faculty and teaching assistants, who exercise teaching responsibilities.

5. The concept of "rank of full-time instructor or a higher rank" is intended to include any person who teaches a full-time load regardless of the teacher's specific title.5

6. In calling for an agreement "in writing" on the amount of credit given for a faculty member's prior service at other institutions, the *Statement* furthers the general policy of full understanding by the professor of the terms and conditions of the appointment. It does not necessarily follow that a professor's tenure rights have been violated because of the absence of a written agreement on this matter. Nonetheless, especially because of the variation in permissible institutional practices, a written understanding concerning these matters at the time of appointment is particularly appropriate and advantageous to both the individual and the institution.6

7. The effect of this subparagraph is that a decision on tenure, favorable or unfavorable, must be made at least twelve months prior to the completion of the probationary period. If the decision is negative, the appointment for the following year becomes a terminal one. If the decision is affirmative, the provisions in the 1940 *Statement* with respect to the termination of service of teachers or investigators after the expiration of a probationary period should apply from the date when the favorable decision is made.

The general principle of notice contained in this paragraph is developed with greater specificity in the *Standards for Notice of Nonreappointment*, endorsed by the Fiftieth Annual Meeting of the American Association of University Professors (1964). These standards are: Notice of nonreappointment, or of intention not to recommend reappointment to the governing board, should be given in writing in accordance with the following standards:

1. Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.
2. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.
3. At least twelve months before the expiration of an appointment after two or more years in the institution.

Other obligations, both of institutions and of individuals, are described in the *Statement on Recruitment and Resignation of Faculty Members*, as endorsed by the Association of American Colleges and the American Association of University Professors in 1961.

8. The freedom of probationary teachers is enhanced by the establishment of a regular procedure for the periodic evaluation and assessment of the teacher's academic performance during probationary status. Provision should be made for regularized procedures for the consideration of complaints by probationary teachers that their academic freedom has been violated. One suggested procedure to serve these purposes is contained in the *Recommended Institutional Regulations on Academic Freedom and Tenure*, prepared by the American Association of University Professors.

9. A further specification of the academic due process to which the teacher is entitled under this paragraph is contained in the *Statement on Procedural Standards in Faculty Dismissal Proceedings*, jointly approved by the American Association of University Professors and the Association of American Colleges in 1958. This interpretive document deals with the issue of suspension, about which the 1940 *Statement* is silent.

The 1958 *Statement* provides: "Suspension of the faculty member during the proceedings is justified only if immediate harm to the faculty member or others is threatened by the faculty member's continuance. Unless legal considerations forbid, any such suspension should be with pay. " A suspension which is not followed by either reinstatement or the opportunity for a hearing is in effect a summary dismissal in violation of academic due process.

The concept of "moral turpitude" identifies the exceptional case in which the professor may be denied a year's teaching or pay in whole or in part. The statement applies to that kind of behavior which goes beyond simply warranting discharge and is so utterly blameworthy as to make it inappropriate to require the offering of a year's teaching or pay. The standard is not that the moral sensibilities of persons in the particular community have been affronted. The standard is behavior that would evoke condemnation by the academic community generally.

Appendix II: 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings

The following statement was prepared by a joint committee representing the Association of American Colleges and the American Association of University Professors and was approved by these two associations at their annual meetings in 1958. It supplements the 1940 Statement of Principles on Academic Freedom and Tenure by providing a formulation of the "academic due process" that should be observed in dismissal proceedings. The exact procedural standards here set forth, however, "are not intended to establish a norm in the same manner as the 1940 Statement of Principles on Academic Freedom and Tenure, but are presented rather as a guide...."

The governing bodies of the American Association of University Professors and the Association of American Colleges, meeting respectively in November 1989 and January 1990, adopted several changes in language in order to remove gender-specific references from the original text.

Introductory Comments

Any approach toward settling the difficulties which have beset dismissal proceedings on many American campuses must look beyond procedure into setting and cause. A dismissal proceeding is a symptom of failure; no amount of use of removal process will help strengthen higher education as much as will the cultivation of conditions in which dismissals rarely if ever need occur.

Just as the board of control or other governing body is the legal and fiscal corporation of the college, the faculty is the academic entity. Historically, the academic corporation is the older. Faculties were formed in the Middle Ages, with managerial affairs either self-arranged or handled in course by the parent church. Modern college faculties, on the other hand, are part of a complex and extensive structure requiring legal incorporation, with stewards and managers specifically appointed to discharge certain functions.

Nonetheless, the faculty of a modern college constitutes an entity as real as that of the faculties of medieval times, in terms of collective purpose and function. A necessary precondition of a strong faculty is that it have first-hand concern with its own membership. This is properly reflected both in appointments to and in separations from the faculty body.

A well-organized institution will reflect sympathetic understanding by trustees and teachers alike of their respective and complementary roles. These should be spelled out carefully in writing and made available to all. Trustees and faculty should understand and agree on their several functions in determining who shall join and who shall remain on the faculty. One of the prime duties of the administrator is to help preserve understanding of those functions. It seems clear on the American college scene that a close positive relationship exists between the excellence of colleges, the strength of their faculties, and the extent of faculty responsibility in determining faculty membership. Such a condition is in no wise inconsistent with full faculty awareness of institutional factors with which governing boards must be primarily concerned.

In the effective college, a dismissal proceeding involving a faculty member on tenure, or one occurring during the term of an appointment, will be a rare exception, caused by individual human weakness and not by an unhealthful setting.

When it does come, however, the college should be prepared for it, so that both institutional integrity and individual human rights may be preserved during the process of resolving the trouble. The faculty must be willing to recommend the dismissal of a colleague when necessary. By the same token, presidents and governing boards must be willing to give full weight to a faculty judgment favorable to a colleague.

One persistent source of difficulty is the definition of adequate cause for the dismissal of a faculty member. Despite the 1940 Statement of Principles on Academic Freedom and Tenure and subsequent attempts to build upon it, considerable ambiguity and misunderstanding persist throughout higher education, especially in the respective conceptions of governing boards, administrative officers, and faculties concerning this matter. The present statement assumes that individual institutions will have formulated their own definitions of adequate cause for dismissal, bearing in mind the 1940 Statement and standards which have developed in the experience of academic institutions.

This statement deals with procedural standards. Those recommended are not intended to establish a norm in the same manner as the 1940 Statement of Principles on Academic Freedom and Tenure, but are presented rather as a guide to be used according to the nature and traditions of particular institutions in giving effect to both faculty tenure rights and the obligations of faculty members in the academic community.

Procedural Recommendations

1. Preliminary Proceedings Concerning the Fitness of a Faculty Member

When reasons arise to question the fitness of a college or university faculty member who has tenure or whose term appointment has not expired, the appropriate administrative officers should ordinarily discuss the matter with the faculty member in personal conference. The matter may be terminated by mutual consent at this point; but if an adjustment does not result, a standing or ad hoc committee elected by the faculty and charged with the function of rendering confidential advice in such situations should informally inquire into the situation, to effect an adjustment if possible, and, if none is effected, to determine whether in its view formal proceedings to consider the faculty member's dismissal should be instituted. If the committee recommends that such proceedings should be begun, or if the president of the institution, even after considering a recommendation of the committee favorable to the faculty member, expresses the conviction that a proceeding should be undertaken, action should be commenced under the procedures which follow. Except where there is disagreement, a statement with reasonable particularity of the grounds proposed for the dismissal should then be jointly formulated by the president and the faculty committee; if there is disagreement, the president or the president's representative should formulate the statement.

2. Commencement of Formal Proceedings

The formal proceedings should be commenced by a communication addressed to the faculty member by the president of the institution, informing the faculty member of the statement formulated, and informing the faculty member that, at the faculty member's request, a hearing to determine whether he or she should be removed from the faculty position on the grounds stated will be conducted by a faculty committee at a specified time and place. In setting the date of the hearing, sufficient time should be allowed the faculty member to prepare a defense. The faculty member should be informed, in detail or by reference to published regulations, of the procedural rights that will be accorded. The faculty member should state in reply whether he or she wishes a hearing, and, if so, should answer in writing, not less than one week before the date set for the hearing, the statements in the president's letter.

3. Suspension of the Faculty Member

Suspension of the faculty member during the proceedings is justified only if immediate harm to the faculty member or others is threatened by the faculty member's continuance. Unless legal considerations forbid, any such suspension should be with pay.

4. Hearing Committee

The committee of faculty members to conduct the hearing and reach a decision should either be an elected standing committee not previously concerned with the case or a committee established as soon as possible after the president's letter to the faculty member has been sent. The choice of members of the hearing committee should be on the basis of their objectivity and competence and of the regard in which they are held in the academic community. The committee should elect its own chair.

5. Committee Proceeding

The committee should proceed by considering the statement of grounds for dismissal already formulated, and the faculty member's response written before the time of the hearing. If the faculty member has not requested a hearing, the committee should consider the case on the basis of the obtainable information and decide whether the faculty member should be removed; otherwise the hearing should go forward. The committee, in consultation with the president and the faculty member, should exercise its judgment as to whether the hearing should be public or private. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter set forth in the president's letter to the faculty member should be received.

The president should have the option of attendance during the hearing. The president may designate an appropriate representative to assist in developing the case; but the committee should determine the order of proof, should normally conduct the questioning of witnesses, and, if necessary, should secure the presentation of evidence important to the case.

The faculty member should have the option of assistance by counsel, whose functions should be similar to those of the representative chosen by the president. The faculty member should have the additional procedural rights set forth in the 1940 Statement of Principles on Academic Freedom and Tenure, and should have the aid of the committee, when needed, in securing the attendance of witnesses. The faculty member or the faculty member's counsel and the representative designated by the president should have the right, within reasonable limits, to question all witnesses who testify orally. The faculty member should have the opportunity to be confronted by all adverse witnesses. Where unusual and urgent reasons move the hearing committee to withhold this right, or where the witness cannot appear, the identity of the witness, as well as the statements of the witness, should nevertheless be disclosed to the faculty member. Subject to these safeguards, statements may when necessary be taken outside the hearing and reported to it. All of the evidence should be duly recorded. Unless special circumstances warrant, it should not be necessary to follow formal rules of court procedure.

6. Consideration by Hearing Committee

The committee should reach its decision in conference, on the basis of the hearing. Before doing so, it should give opportunity to the faculty member or the faculty member's counsel and the representative designated by the president to argue orally before it. If written briefs would be helpful, the committee may request them. The committee may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or it may await the availability of a transcript

of the hearing if its decision would be aided thereby. It should make explicit findings with respect to each of the grounds of removal presented, and a reasoned opinion may be desirable. Publicity concerning the committee's decision may properly be withheld until consideration has been given to the case by the governing body of the institution. The president and the faculty member should be notified of the decision in writing and should be given a copy of the record of the hearing. Any release to the public should be made through the president's office.

7. Consideration by Governing Body

The president should transmit to the governing body the full report of the hearing committee, stating its action. On the assumption that the governing board has accepted the principle of the faculty hearing committee, acceptance of the committee's decision would normally be expected. If the governing body chooses to review the case, its review should be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or their representatives. The decision of the hearing committee should either be sustained or the proceeding be returned to the committee with objections specified. In such a case the committee should reconsider, taking account of the stated objections and receiving new evidence if necessary. It should frame its decision and communicate it in the same manner as before. Only after study of the committee's reconsideration should the governing body make a final decision overruling the committee.

8. Publicity

Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by either the faculty member or administrative officers should be avoided so far as possible until the proceedings have been completed. Announcement of the final decision should include a statement of the hearing committee's original action, if this has not previously been made known.

Appendix III: 1989 Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments

The statement which follows, a revision of a statement originally adopted in 1971, was approved by the American Association of University Professors' Committee A on Academic Freedom and Tenure, adopted by the Association's Council in November 1989, and endorsed by the Seventy-sixth Annual Meeting.

Except for special appointments clearly designated at the outset as involving only a brief association with the institution, all full-time faculty appointments are either with continuous tenure or probationary for tenure. Procedures bearing on the renewal or nonrenewal of probationary appointments are this statement's concern.

The Probationary Period: Standards and Criteria

The 1940 Statement of Principles on Academic Freedom and Tenure prescribes that "during the probationary period a teacher should have the academic freedom that all other members of the faculty have." The Association's Recommended Institutional Regulations on Academic Freedom and Tenure prescribe further that all members of the faculty, whether tenured or not, are entitled to protection against illegal or unconstitutional discrimination by the institution, or discrimination on a basis not demonstrably related to the faculty member's professional performance...." A number of the rights of nontenured faculty members provide support for their academic freedom and protection against improper discrimination. They cannot, for example, be dismissed before the end of a term appointment except for adequate cause that has been demonstrated through academic due process—a right they share with tenured members of the faculty. If they assert that they have been given notice of nonreappointment in violation of academic freedom or because of improper discrimination, they are entitled to an opportunity to establish their claim in accordance with Regulation 10 of the Recommended Institutional Regulations. They are entitled to timely notice of nonreappointment in accordance with the schedule prescribed in the statement on Standards for Notice of Nonreappointment.7

Lacking the reinforcement of tenure, however, academic freedom and protection against improper discrimination for probationary faculty members have depended primarily upon the understanding and support of their tenured colleagues, the administration, and professional organizations, especially the American Association of University Professors. In the Statement on Government of Colleges and Universities, the Association and the other sponsoring organizations have asserted that "faculty status and related matters are primarily a faculty responsibility; this area includes appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal." Collegial deliberation of the kind envisioned by the Statement on Government will minimize the risk of a violation of academic freedom, of improper discrimination, and of a decision that is arbitrary or based on inadequate consideration.

Frequently, young faculty members have had no training or experience in teaching, and their first major research endeavor may still be uncompleted at the time they start their careers as college teachers. Under these circumstances, it is particularly important that there be a probationary period—a maximum of seven years under the 1940 Statement of Principles on Academic Freedom and Tenure—before tenure is granted.

Such a period gives probationary faculty members time to prove themselves, and their colleagues' time to observe and evaluate them on the basis of their performance in the position rather than on the basis only of their education, training, and recommendations. Good practice requires that the institution (department, college, or university) define its criteria for reappointment and tenure and its procedures for reaching decisions on these matters. The 1940 Statement of Principles prescribes that "the precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated." Moreover, fairness to probationary faculty members prescribes that they be informed, early in their appointments, of the substantive and procedural standards that will be followed in determining whether or not their appointments will be renewed or tenure will be granted.

The Association accordingly recommends:

> 1. Criteria and Notice of Standards. Probationary faculty members should be advised, early in their appointment, of the substantive and procedural standards generally accepted in decisions affecting renewal and tenure. Any special standards adopted by their particular departments or schools should also be brought to their attention.

The Probationary Period: Evaluation and Decision

The relationship of the senior and junior faculty should be one of colleagueship, even though nontenured faculty members know that in time they will be judged by their senior colleagues. Thus the procedures adopted for evaluation and possible notification of nonrenewal should not endanger this relationship where it exists, and should encourage it where it does not. Nontenured faculty members should have available to them the advice and assistance of their senior colleagues; and the ability of senior colleagues to make a sound decision on renewal or tenure will be enhanced if an opportunity is provided for a regular review of the candidate's qualifications. A conjunction of the roles in counseling and evaluation may be productive: for example, an evaluation, whether interim or at the time of final determination of renewal or tenure, should be presented in such a manner as to assist nontenured faculty members as they strive to improve their performance.

Any recommendation regarding renewal or tenure should be reached by an appropriate faculty group in accordance with procedures approved by the faculty. Because it is important to both the faculty member and the decision-making body that all significant information be considered, the candidate should be notified that a decision is to be made regarding renewal of appointment or the granting of tenure and should be afforded an opportunity to submit material that the candidate believes to be relevant to the decision.

The Association accordingly recommends:

> 2. (a) Pe
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> (a) to determine whether the decision of the appropriate faculty body was the result of adequate consideration, with the understanding that the review committee should not substitute its judgment on the merits for that of the faculty body;
>
> (b) to request reconsideration by the faculty body when the committee believes that adequate consideration was not given to the faculty member's qualifications (in such instances, the committee should indicate the respects in which it believes that consideration may have been inadequate);

(c) to provide copies of its report and recommendation to the faculty member, the faculty body, and the president or other appropriate administrative officer.riodic Review. There should be provision for periodic review of a faculty member's situation during the probationary service.

(b) Opportunity to Submit Material. Probationary faculty members should be advised of the time when decisions affecting renewal and tenure are ordinarily made, and they should be given the opportunity to submit material that they believe will be helpful to an adequate consideration of their circumstances. Observance of the practices and procedures outlined above should minimize the likelihood of reasonable complaint if nontenured faculty members are given notice of nonreappointment. They will have been informed of the criteria and procedures for renewal and tenure; they will have been counseled by faculty colleagues; they will have been given an opportunity to have all material relevant to their evaluation considered; and they will have a timely decision representing the views of faculty colleagues.

Notice of Reasons

Since 1971 it has been the Association's position, reached after careful examination of advantages and disadvantages, that nontenured faculty members notified of nonreappointment should, upon request, receive a statement of the reasons for the decision. In reaching this position, the Association considered the needs both of the institution and of the individual faculty member.

A major responsibility of the institution is to recruit and retain the best qualified faculty within its goals and means. In a matter of such fundamental importance, the institution, through the appropriate faculty agencies, must be accorded the widest latitude consistent with academic freedom, equal opportunity, and the standards of fairness. The Association recognized that the requirement of giving reasons could lead, however erroneously, to an expectation that the decision-making body must justify its decision. A notice of nonreappointment could thus become confused with dismissal for cause, and under these circumstances the decision-making body could become reluctant to reach adverse decisions which could culminate in grievance procedures. As a result there was some risk that the important distinction between tenure and probation would be eroded.

Weighed against these important institutional concerns, however, were the interests of the individual faculty members. They could be honestly unaware of the reasons for a negative decision, and the decision could be based on a judgment of shortcomings which they could easily remedy if informed of them. A decision not to renew an appointment could be based on erroneous information which the faculty member could readily correct if informed of the basis for the decision. Again, the decision could be based on considerations of institutional policy or program development which have nothing to do with the faculty member's professional competence, and if not informed of the reasons the faculty member could mistakenly assume that a judgment of inadequate performance has been made. In the face of a persistent refusal to supply the reasons, a faculty member may be more inclined to attribute improper motivations to the decision-making body or to conclude that its evaluation has been based upon inadequate consideration. If the faculty member wished to request a reconsideration of the decision, or a review by another body, ignorance of the reasons for the decision would create difficulties both in reaching a decision whether to initiate such a request and in presenting a case for reconsideration or review.

The Association's extensive experience with specific cases since 1971 has confirmed its conclusion that the reasons in support of the faculty member's right to be informed outweigh the countervailing risks. Every notice of nonreappointment, however, need not be accompanied by a written statement of the reasons for nonreappointment. It may not always be to the advantage of the faculty member to be informed of the reasons for nonreappointment, particularly in writing. The faculty member may be placed under obligation to

divulge them to the appointing body of another institution if it inquired. Similarly, a written record is likely to become the basis for continuing responses by the faculty member's former institution to prospective appointing bodies.

At many institutions, moreover, the procedures of evaluation and decision may make it difficult, if not impossible, to compile a statement of reasons which precisely reflects the basis of the decision. When a number of faculty members participate in the decision, they may oppose a reappointment for a variety of reasons, few or none of which may represent a majority view. To include every reason, no matter how few have held it, in a written statement to the faculty member may misrepresent the general view and damage unnecessarily both the morale and the professional future of the faculty member.

In many situations, of course, a decision not to reappoint will not reflect adversely upon the faculty member. An institution may, for example, find it necessary for financial or other reasons to restrict its offerings in a given department. The acquisition of tenure may depend not only upon satisfactory performance but also upon a long-term opening. Nonrenewal in these cases does not suggest a serious adverse judgment. In these situations, providing a statement of reasons, either written or oral, should pose no difficulty, and such a statement may in fact assist the faculty member in searching for a new position. Should the faculty member, after weighing the considerations cited above, decide to request the reasons for the decision against reappointment, the reasons should be given. The faculty member also should have the opportunity to request a reconsideration by the decision-making body.

The Association accordingly recommends:

> 3. Notice of Reasons. In the event of a decision not to renew an appointment, the faculty member should be informed of the decision in writing, and, upon request, be advised of the reasons which contributed to that decision. The faculty member should also have the opportunity to request a reconsideration by the decision-making body.

Written Reasons

Having been given orally the reasons which contributed to the decision against reappointment, the faculty member, to avoid misunderstanding, may request that they be confirmed in writing. The faculty member may wish to petition the appropriate faculty committee, in accordance with Regulation 10 of the Association's Recommended Institutional Regulations, to consider an allegation that the reasons given, or that other reasons which were not stated, constitute a violation of academic freedom or improper discrimination. The faculty member may wish to petition a committee, in accordance with Regulation 15 of the Recommended Institutional Regulations, to consider a complaint that the decision resulted from inadequate consideration and was therefore unfair. The faculty member may believe that a written statement of reasons may be useful in pursuing a professional career. If the department chair or other appropriate institutional officer to whom the request is made believes that confirming the oral statement in writing may be damaging to the faculty member on grounds such as those cited earlier in this statement, it would be desirable for that officer to explain the possible adverse consequences of confirming the oral statement in writing. If in spite of this explanation the faculty member continues to request a written statement, the request should be honored.

The Association accordingly recommends:

> 4. Written Reasons. If the faculty member expresses a desire to petition the grievance committee (such as is described in Regulations 10 and 15 of the Association's Recommended Institutional Regulations), or any other appropriate committee, to use its good offices of inquiry,

recommendation, and report, or if the request is made for any other reason satisfactory to the faculty member alone, the reasons given in explanation of the nonrenewal should be confirmed in writing.

Review Procedures: Allegations of Violation of Academic Freedom or of Discrimination

The best safeguard against a proliferation of grievance petitions on a given campus is the observance of sound principles and procedures of academic freedom and tenure and of institutional government. Observance of the procedures recommended in this statement-procedures which would provide guidance to nontenured faculty members, help assure them of a fair professional evaluation, and enlighten them concerning the reasons contributing to key decisions of their colleagues-should contribute to the achievement of harmonious faculty relationships and the development of well-qualified faculties.

Even with the best practices and procedures, however, faculty members will at times think that they have been improperly or unjustly treated and may wish another faculty group to review a decision of the faculty body immediately involved. The Association believes that fairness to both the individual and the institution requires that the institution provide for such a review when it is requested. The possibility of a violation of academic freedom or of improper discrimination is of vital concern to the institution as a whole, and where either is alleged it is of cardinal importance to the faculty and the administration to determine whether substantial grounds for the allegation exist. The institution should also be concerned to see that decisions respecting reappointment are based upon adequate consideration, and provision should thus be made for a review of allegations by affected faculty members that the consideration has been inadequate.

Because of the broader significance of a violation of academic freedom or of improper discrimination, the Association believes that the procedures to be followed in these two kinds of complaints should be kept separate from a complaint over adequacy of consideration. Regulation 10 of the Recommended Institutional Regulations provides a specific procedure for the review of complaints of academic freedom violation or of discrimination.8

If a faculty member on probationary or other nontenured appointment alleges that a decision against reappointment was based significantly on considerations violative of (1) academic freedom or (2) governing policies on making appointments without prejudice with respect to race, sex, religion, national origin, age, disability, marital status, or sexual orientation, the allegation will be given preliminary consideration by the [insert name of committee], which will seek to settle the matter by informal methods. The allegation will be accompanied by a statement that the faculty member agrees to the presentation, for the consideration of the faculty committees, of such reasons and evidence as the institution may allege in support of its decision. If the difficulty is unresolved at this stage, and if the committee so recommends, the matter will be heard in the manner set forth in Regulations 5 and 6, except that the faculty member making the complaint is responsible for stating the grounds upon which the allegations are based, and the burden of proof will rest upon the faculty member. If the faculty member succeeds in establishing a prima facie case, it is incumbent upon those who made the decision against reappointment to come forward with evidence in support of their decision. Statistical evidence of improper discrimination may be used in establishing a prima facie case.

The Association accordingly recommends:

5. Petition for Review Alleging an Academic Freedom Violation or Improper Discrimination. Insofar as the petition for review alleges a violation of academic freedom or improper

discrimination, the functions of the committee that reviews the faculty member's petition should be the following:

(a) to determine whether or not the notice of nonreappointment constitutes on its face a violation of academic freedom or improper discrimination;

(b) to seek to settle the matter by informal methods;

(c) if the matter remains unresolved, to decide whether or not the evidence submitted in support of the petition warrants a recommendation that a formal proceeding be conducted in accordance with Regulations 5 and 6 of the Recommended Institutional Regulations, with the burden of proof resting upon the complaining faculty member.

Review Procedures: Allegations of Inadequate Consideration

Complaints of inadequate consideration are likely to relate to matters of professional judgment, where the department or departmental agency should have primary authority. For this reason, the basic functions of the review committee should be to determine whether the appropriate faculty body gave adequate consideration to the faculty member's candidacy in reaching its decision and, if the review committee determines otherwise, to request reconsideration by that body.

It is easier to state what the standard "adequate consideration" does not mean than to specify in detail what it does. It does not mean that the review committee should substitute its own judgment for that of members of the department on the merits of whether the candidate should be reappointed or given tenure. The conscientious judgment of the candidate's departmental colleagues must prevail if the invaluable tradition of departmental autonomy in professional judgments is to prevail. The term "adequate consideration" refers essentially to procedural rather than to substantive issues: Was the decision conscientiously arrived at? Was all available evidence bearing on the relevant performance of the candidate sought out and considered? Was there adequate deliberation by the department over the import of the evidence in the light of the relevant standards? Were irrelevant and improper standards excluded from consideration? Was the decision a bona fide exercise of professional academic judgment? These are the kinds of questions suggested by the standard "adequate consideration."

If in applying this standard the review committee concludes that adequate consideration was not given, its appropriate response should be to recommend to the department that it assess the merits once again, this time remedying the inadequacies of its prior consideration.

An acceptable review procedure, representing one procedural system within which such judgments may be made, is outlined in Regulation 15 of the Recommended Institutional Regulations, as follows:

If any faculty member alleges cause for grievance in any matter not covered by the procedures described in the foregoing regulations, the faculty member may petition the elected faculty grievance committee [here name the committee] for redress. The petition will set forth in detail the nature of the grievance and will state against whom the grievance is directed. It will contain any factual or other data which the petitioner deems pertinent to the case. Statistical evidence of improper discrimination, including discrimination in salary, may be used in establishing a prima facie case. The committee will decide whether or not the facts merit a detailed investigation; if the faculty member succeeds in establishing a prima facie case, it is incumbent upon those who made the decision to come forward with evidence in support of their decision. Submission of a petition will not automatically entail investigation or detailed consideration thereof. The committee may seek to bring about a settlement of the issue satisfactory to the parties. If in the opinion of the committee such a settlement is not possible or is not appropriate, the committee will report its findings

and recommendations to the petitioner and to the appropriate administrative officer and faculty body, and the petitioner will, upon request, be provided an opportunity to present the grievance to them. The grievance committee will consist of three [or some other number] elected members of the faculty. No officer of administration will serve on the committee.

The Association accordingly recommends:

> 6. Petition for Review Alleging Inadequate Consideration. Insofar as the petition for review alleges inadequate consideration, the functions of the committee which reviews the faculty member's petition should be the following:
>
> (a) to determine whether the decision of the appropriate faculty body was the result of adequate consideration, with the understanding that the review committee should not substitute its judgment on the merits for that of the faculty body;
>
> (b) to request reconsideration by the faculty body when the committee believes that adequate consideration was not given to the faculty member's qualifications (in such instances, the committee should indicate the respects in which it believes that consideration may have been inadequate);
>
> (c) to provide copies of its report and recommendation to the faculty member, the faculty body, and the president or other appropriate administrative officer.

Appendix IV: 1990 Statement on Recruitment and Resignation of Faculty Members

The statement printed below was adopted by the Association of American Colleges in January 1961 with the following reservations as set forth in a preamble prepared by that Association's Commission on Academic Freedom and Tenure:

1. No set of principles adopted by the Association can do more than suggest and recommend a course of action. Consequently, the present statement in no way interferes with institutional sovereignty.
2. The commission realizes that the diversity of practice and control that exists among institutions of higher learning precludes any set of standards from being universally applicable to every situation.
3. The statement is concerned only with minimum standards and in no way seeks to create a norm for institutions at which 'better" practices already are in force.
4. The commission recognizes the fact that "emergency" situations will arise and will have to be dealt with. However, it urges both administration and faculty to do so in ways that will not go counter to the spirit of cooperation, good faith, and responsibility that the statement is seeking to promote.
5. The commission believes that the spirit embodied in the proposed statement is its most important aspect. In view of these reservations, the Council of the American Association of University Professors in April 1961 voted approval of the statement without adopting it as a binding obligation. Endorsement of the statement in this form was voted by the Forty-seventh Annual Meeting.

The governing bodies of the Association of American Colleges and the American Association of University Professors, acting respectively in January and April 1990, adopted several changes in language in order to remove gender-specific references from the original text.

Mobility of faculty members among colleges and universities is rightly recognized as desirable in American higher education. Yet the departure of a faculty member always requires changes within the institution and may entail major adjustments on the part of faculty colleagues, the administration, and students in the faculty member's field. Ordinarily a temporary or permanent successor must be found and appointed to either the vacated position or the position of a colleague who is promoted to replace the faculty member. Clear standards of practice in the recruitment and in the resignations of members of existing faculties should contribute to an orderly interchange of personnel that will be in the interest of all.

The standards set forth below are recommended to administrations and faculties, in the belief that they are sound and should be generally followed. They are predicated on the assumption that proper provision has been made by employing institutions for timely notice to probationary faculty members and those on term appointments, with respect to their subsequent status. In addition to observing applicable requirements for notice of termination to probationary faculty members, institutions should make provision for notice to all faculty members, not later than March 15 of each year, of their status the following fall, including rank and (unless unavoidable budgetary procedures beyond the institution forbid) prospective salary.

1. Negotiations looking to the possible appointment for the following fall of persons who are already faculty members at other institutions, in active service or on leave of absence and not on terminal appointment, should be begun and completed as early as possible in the academic year. It is desirable

that, when feasible, the faculty member who has been approached with regard to another position inform the appropriate officers of his or her institution when such negotiations are in progress. The conclusion of a binding agreement for the faculty member to accept an appointment elsewhere should always be followed by prompt notice to the faculty member's current institution.

2. A faculty member should not resign, in order to accept other employment as of the end of the academic year, later than May 15 or 30 days after receiving notification of the terms of continued employment the following year, whichever date occurs later. It is recognized, however, that this obligation will be in effect only if institutions generally observe the time factor set forth in the following paragraph for new offers. It is also recognized that emergencies will occur. In such an emergency the faculty member may ask the appropriate officials of the institution to waive this requirement; but the faculty member should conform to their decision.
3. To permit a faculty member to give due consideration and timely notice to his or her institution in the circumstances defined in paragraph 1 of these standards, an offer of appointment for the following fall at another institution should not be made after May 1. The offer should be a "firm" one, not subject to contingencies.
4. Institutions deprived of the services of faculty members too late in the academic year to permit their replacement by securing the members of other faculties in conformity to these standards, and institutions otherwise prevented from taking timely action to recruit from other faculties, should accept the necessity of making temporary arrangements or obtaining personnel from other sources, including new entrants to the academic profession and faculty personnel who have retired.
5. Except by agreement with their institution, faculty members should not leave or be solicited to leave their positions during an academic year for which they hold an appointment.

Appendix V: Statement on Professional Ethics

Original source: American Association of University Professors

The statement that follows was originally adopted in 1966. Revisions were made and approved by the Association's Council in 1987 and 2009.

Introduction

From its inception, the American Association of University Professors has recognized that membership in the academic profession carries with it special responsibilities. The Association has consistently affirmed these responsibilities in major policy statements, providing guidance to professors in such matters as their utterances as citizens, the exercise of their responsibilities to students and colleagues, and their conduct when resigning from an institution or when undertaking sponsored research. *The Statement on Professional Ethics* that follows sets forth those general standards that serve as a reminder of the variety of responsibilities assumed by all members of the profession.

In the enforcement of ethical standards, the academic profession differs from those of law and medicine, whose associations act to ensure the integrity of members engaged in private practice. In the academic profession the individual institution of higher learning provides this assurance and so should normally handle questions concerning propriety of conduct within its own framework by reference to a faculty group. The Association supports such local action and stands ready, through the general secretary and the Committee on Professional Ethics, to counsel with members of the academic community concerning questions of professional ethics and to inquire into complaints when local consideration is impossible or inappropriate. If the alleged offense is deemed sufficiently serious to raise the possibility of adverse action, the procedures should be in accordance with the 1940 Statement of Principles on Academic Freedom and Tenure, the 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings,[1] or the applicable provisions of the Association's Recommended Institutional Regulations on Academic Freedom and Tenure.[2]

The Statement

1. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

2. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance

from them. They protect their academic freedom.

3. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings and conclusions that differ from their own. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

4. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

5. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Notes

1. AAUP, Policy Documents and Reports, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 91–93.
2. Ibid., 79–90.

Appendix VI: 1971 Committee "W" Statement on Faculty Appointment and Family Relationship

The following statement, prepared initially by the American Association of University Professors' Committee W on the Status of Women in the Academic Profession, was approved by that committee and by Committee A on Academic Freedom and Tenure. The statement was adopted by the Association's Council in April 1971 and endorsed by the Fifty-seventh Annual Meeting. It was endorsed in June 1971 by the board of directors of the Association of American Colleges.

In recent years, and particularly in relation to efforts to define and safeguard the rights of women in academic life, members of the profession have evidenced increasing concern over policies and practices which prohibit in blanket fashion the appointment, retention, or the holding of tenure of more than one member of the same family on the faculty of an institution of higher education or of a school or department within an institution (so-called "anti-nepotism regulations"). Such policies and practices subject faculty members to an automatic decision on a basis wholly unrelated to academic qualifications and limit them unfairly in their opportunity to practice their profession. In addition, they are contrary to the best interests of the institution, which is deprived of qualified faculty members on the basis of an inappropriate criterion, and of the community, which is denied a sufficient utilization of its resources.

The Association recognizes the propriety of institutional regulations which would set reasonable restrictions on an individual's capacity to function as judge or advocate in specific situations involving members of his or her immediate family. Faculty members should neither initiate nor participate in institutional decisions involving a direct benefit (initial appointment, retention, promotion, salary, leave of absence, etc.) to members of their immediate families.

The Association does not believe, however, that the proscription of the opportunity of members of an immediate family to serve as colleagues is a sound method of avoiding the occasional abuses resulting from nepotism. Inasmuch as they constitute a continuing abuse to a significant number of individual members of the profession and to the profession as a body, the Association urges the discontinuance of these policies and practices, and the rescinding of laws and institutional regulations which perpetuate them.

Appendix VII: Committee A Statement on Extramural Utterances

The statement which follows was approved by the American Association of University Professors' Committee A on Academic Freedom and Tenure in October 1964. Its purpose is to clarify those sections of the 1940 Statement of Principles on Academic Freedom and Tenure relating to the faculty member's exercise of freedom of speech as a citizen. In 1989, Committee A approved several changes in language in order to remove gender-specific references from the original text.

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 interpretation of the 1940 Statement, agreed to at a conference of the Association of American Colleges and the AAUP held on November 8, 1940, states that an administration may file charges in accordance with procedures outlined in the Statement if it feels that a faculty member has failed to observe the above admonitions and believes that the professor's extramural utterances raise grave doubts concerning the professor's fitness for continuing service.

In cases involving such charges, it is essential that the hearing should be conducted by an appropriate-preferably elected-faculty committee, as provided in Section 4 of the 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings.1 The controlling principle is that a faculty member's expression of opinion as a citizen cannot constitute grounds for dismissal unless it clearly demonstrates the faculty member's unfitness to serve. Extramural utterances rarely bear upon the faculty member's fitness for continuing service. Moreover, a final decision should take into account the faculty member's entire record as a teacher and scholar. In the absence of weighty evidence of unfitness, the administration should not prefer charges; and if it is not clearly proved in the hearing that the faculty member is unfit to continue, the faculty committee should make a finding in favor of the faculty member concerned. Committee A asserts that it will view with particular gravity an administrative or board reversal of a favorable faculty committee hearing judgment in a case involving extramural utterances. In the words of the 1940 Statement of Principles, "the administration should remember that teachers are citizens and should be accorded the freedom of citizens." In a democratic society freedom of speech is an indispensable right of the citizen. Committee A will vigorously uphold that right.

Appendix VIII: Faculty Ethics and Advisory Committee

Approved by: Faculty Senate
Effective: January 22, 2021
Responsible Faculty Committee: Faculty Ethics and Advisory Committee
Office Responsible for Administration: Office of the University Secretary

Revisions to the Policy Rationale, Policy Statement, and Applicability sections of this document must be approved by the Academic Freedom and Tenure Committee.

Applicability

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

Policy Rationale

The Faculty Ethics and Advisory Committee's function is to informally investigate the facts and make recommendations when a faculty member has been accused of conduct inconsistent with the Statement on Professional Ethics (Section B: Appendix V).

Policy Statement

1. Investigation

When a faculty member has been accused of conduct inconsistent with the Statement on Professional Ethics, the faculty member must first seek resolution of the problem from the chairperson, if any, and if still unresolved the dean, and on up through each authority in turn the same as provided for termination cases (refer to Policy B6 "Academic Freedom and Tenure"). When the matter is still unresolved, the Faculty Ethics and Advisory Committee may be called into action in either of two ways:

1.1 By the UNM President, the Provost/Executive Vice President for Health Sciences (EVPHS), or the Committee on Academic Freedom and Tenure, when the assistance of the Faculty Ethics and Advisory Committee's informal investigatory function on issues of professional ethics is desired. When a reference to the Faculty Ethics and Advisory Committee has been made under this section, the Faculty Ethics and Advisory Committee shall report its recommendations, and the reasons therefore, to the Administrator or Committee making the reference, and to any other parties deemed appropriate by the Faculty Ethics and Advisory Committee.

1.2 By a faculty member, graduate, teaching, research, or project assistant who have or believes they have been accused of unethical conduct. The Faculty Ethics and Advisory Committee may, at its discretion, refuse to respond to requests for investigation under this section, and this discretion may be exercised by the chairperson when it is not convenient to call a meeting of the Faculty Ethics and Advisory Committee. It is intended that the Faculty Ethics and Advisory Committee investigate only serious accusations which have or

may have done damage to the accused's reputation. It is not intended that the Faculty Ethics and Advisory Committee be used as a weapon in personal conflicts. When a reference to the Faculty Ethics and Advisory Committee has been made under this section, the Faculty Ethics and Advisory Committee may confer with and report to the UNM President, the Provost/Executive Vice President for Health Sciences (EVPHS), the applicable dean or chairperson, or department at the discretion of the investigating panel.

1.3 Investigations by the Faculty Ethics and Advisory Committee shall be conducted by panels of three (3) members. Panels shall be selected by the chairperson.

1.4 The Faculty Ethics and Advisory Committee may informally investigate a situation even though it is also being heard by the Committee on Academic Freedom and Tenure. In such a case the Faculty Ethics and Advisory Committee should normally confer with the Committee on Academic Freedom and Tenure about the matter.

1.5 The Faculty Ethics and Advisory Committee's recommendations and reports, if any, may be made in any form the panel chooses. The panel should confer with the person or Committee requesting informal investigation about the appropriate form of report.

2. Membership
The Faculty Ethics and Advisory Committee shall consist of nine (9) faculty members nominated by the Faculty Senate. Members of the committee shall serve for overlapping three-year terms. The chairperson shall be elected each year and shall be a tenured faculty member. In the event that a graduate or professional student is accused of unethical behavior, as defined by the Statement on Professional Ethics, with the concurrence of the accused, a graduate or professional student, appointed by the Graduate and Professional Student Association, shall serve on the committee, but only for those meetings or parts of meetings during which a graduate or professional student's behavior is being considered.

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

Procedures

The Ethics and Advisory Committee will schedule regular meetings. The Ethics and Advisory Committee reports directly to the Operations Committee regarding membership and Committee responsibilities listed in the Committee's charge. However, deliberations, recommendations, and decisions resulting from investigations conducted by the Ethics and Advisory Committee are reported to the appropriate UNM official(s) and/or AF&T in accordance with Faculty Handbook Section B which includes Appendix VIII "Faculty Ethics and Advisory Committee."

Definitions

There are no specific definitions required by this Policy.

Contacts

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

Who should read this policy

- All UNM faculty.
- Academic administrators and staff.
- Administrative staff responsible for policy development.

Related Documents

Faculty Handbook:

- Policy A51 “Faculty Constitution”
- Policy A53 “Development and Approval of Faculty Policies”
- Policy A60 “Faculty Senate Bylaws”
- Policy A67 “Faculty Ethics and Advisory Committee”
- Policy C07 “Faculty Disciplinary Policy”
- Section B Appendix V “2009 Statement on Professional Ethics”

History

- July 1, 2025 - Policy format updated to align with FHB A53
- January 22, 2021 - Approved by Academic Freedom and Tenure Committee
- Initial Effective Date is unknown

C05: Rights and Responsibilities at the University of New Mexico

Abolished 1/6/2021

Policy

(Adopted by the Regents, October 1965; revised August 1970, September 1975, November 1981, and July 1982)

Section 6 as follows is added to the Statement as an interim measure pending further study and the adoption of a permanent policy:

6. One of the important aspects of academic due process is a clear statement of the kinds of conduct that will lead to University disciplinary action. It is deemed important, therefore, to clarify the type of conduct which shall be considered to affect adversely the University's educational function, to disrupt community living on campus, or to interfere with the right of others to the pursuit of their education or to conduct their University duties and responsibilities. In an effort to accomplish this, but without intending the statement to be all-inclusive, the following is hereby set forth:

(a) Any member of the University community—student or member of the faculty or staff—who commits or attempts to commit any of the following acts of misconduct shall be subject to appropriate disciplinary procedures and sanctions:

(i) Obstruction or disruption, by any means, of teaching, research, administration, disciplinary procedures, or other University or University-authorized functions, events, or activities.

(ii) Unauthorized or prohibited entry into or onto, or unauthorized or prohibited occupation or use of, any University facility, building, vehicle, or other University property.

(iii) Physical abuse, the threat of physical abuse, or intimidation of any person on campus or at any University-authorized function or event, or other conduct which threatens or endangers the health, freedom of action, or safety or any such person.

(iv) Theft of, damage to, or defacement of property of the University or the property of any person on campus. (Any student or member of the faculty or staff who steals, damages, or defaces University property shall reimburse the University to the full extent of the University's loss.)

(v) Denial of, or interference with, any person's lawful right of, access to, use of, or exit from any University facility or with any other lawful right of any person on the campus.

(vi) The destruction of, or damage to, property of the University or of others on campus by setting a fire without proper authority.

(vii) Use or possession on the campus of firearms, ammunition, or other dangerous weapons, substances, or materials, or of bombs, explosives, or incendiary devices, except as authorized.

(viii) Aid to others in committing or inciting others to commit any act of misconduct set forth in 6(a)(i) through 6(a)(vii).

(ix) Any act that demonstrates the probability that the person constitutes a physical danger to himself or others on campus.

(x) Willfully refusing or failing to leave the property of, or any building or other facility owned, operated, or controlled by the Board of Regents upon being requested to do so by the President, if the person is committing, threatening to commit, or inciting others to commit, any act which would disrupt, impair, interfere with or obstruct the lawful mission, processes, procedures or functions of the University. As used herein, "President" means the President (or acting President) of the University or any person or persons designated by him to act on his behalf.

(xi) Any other acts or omissions which affect adversely the University's educational function, disrupt community living on campus, interfere with the rights of others to the pursuit of their education, or affect adversely the processes of he University.

(b) Sanctions:

(i) Any student who violates any of the rules set forth in 6(a)(i) through 6(a)(xi) shall be subject to censure, warning, disciplinary probation, suspension, or expulsion.

(ii) Any member of the faculty or staff who violates any of the rules set forth in 6(a)(i) through 6(a)(xi) shall be subject to censure, warning, disciplinary probation, or dismissal.

(iii) As used in 6(b)(i) and (ii),

a) "Censure" means a written reprimand or expression of disapproval.
b) "Warning" means an oral censure.
c) "Disciplinary probation" means the establishment of a time period during which further acts of misconduct may or will result in more severe disciplinary sanctions depending on the conditions of the probation.
d) "Suspension" means losing student status for a period of time specified in the terms of the suspension. A suspension may commence immediately upon a finding of a violation or it may be deferred to a later time.
e) "Expulsion" means losing student status for an indefinite period of time. Readmission may not be sought before the expiration of two years from the date of expulsion.
f) "Dismissal" means a termination of employment, either for a stated time period or indefinitely.
(c) If any of the acts of misconduct set forth in 6(a)(i) through 6(a)(xi) are committed by a person who is not a student or member of the faculty or staff, such person may be denied admission, readmission, or employment by the University.

As noted above, the Regents and the vast majority of students, faculty, staff, alumni, and citizens share the same goal for the University—that it be a stable and peaceful center of teaching, research, discussion, learning, and service, free from coercion and unlawful use of force. In situations where the stability and peace of the institution are threatened, extraordinary measures are required. The Regents are determined to use all lawful means to assure the continuity and the integrity of the educational process at the University. As part of this effort, we adopt the following as an interim measure pending further study and adoption of permanent policy:

State of Emergency

1. As used in this Policy:
a) "President" means the President (or acting President) of the University or any person or persons designated to act in his behalf for purposes of these rules.
b) "Official" means any person authorized by the President to act on behalf of the University.

c) "Student" means a person who is a student at the University in an undergraduate, graduate, or professional program on campus, whether for credit or no credit, full- or part-time.
d) "Visitor" means any person on campus who is not a student or member of the faculty or staff.
e) "Person" means any student, member of the faculty or staff, or visitor.

2. The President is authorized to declare a State of Emergency at the University upon finding by him that the orderly processes of the University are seriously threatened. In making such a finding the President shall consider whether disruptive activities are such as to require immediate, extraordinary measures to safeguard persons or property or to maintain the University's educational function. As soon as reasonably possible after the Declaration of Emergency, the President shall inform available Regents of his action. When the President determines that the serious threat has passed, he shall, after consultation with available Regents, declare the State of Emergency to be at an end.

3. a) During a State of Emergency, the President, in the exercise of reasonable judgment in the circumstances, is authorized to take whatever actions he finds necessary in order to safeguard persons or property or to maintain the University's educational function. Such actions shall remain in effect during the State of Emergency unless sooner canceled by the President. During a State of Emergency, the President may, if in his judgment the circumstances warrant it, suspend University activities for a day or a portion thereof.

b) During a State of Emergency, the violation by any person of a presidential order or ruling under 3(a) of this Policy, or the commission during such State of Emergency of any act or acts of misconduct of the kind set forth in Section 6(a)(i) through 6(a)(xi) of the Regents' Statement on Rights and Responsibilities will be considered an offense of the graves nature, and sanctions (as listed in Section 6 of the Statement on Rights and Responsibilities) appropriate to the gravity of such offense or offenses shall be imposed.

c) A visitor who, after appropriate hearing, is found to have violated a presidential order authorized by Section 3 of this Policy may be denied admission to and employment by the University.

4. During a State of Emergency, any person who, after being requested to do so by a properly identified official and after being advised by such official of the sanction for failure to identify oneself, fails to identify himself by name and status as a student, member of the faculty or staff, or visitor to such official shall have imposed upon him, after appropriate hearing, the sanctions set forth in Section 6 of the Statement on Rights and Responsibilities.

State law establishes the second Monday in March for the Regents' annual organization meeting, at which time officers are elected for the ensuing year. Quarterly meetings are required by law, but in actual practice the Regents convene on an average of ten times annually.

The University, largest of the seven state institutions of higher learning, is supported chiefly by appropriations made by the State Legislature, by income from the rental of lands granted to it by the Federal Government, by the income from royalties on the oil taken from these lands, and by student fees.

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.

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.

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 member.

> Revisions to the remaining sections of this document may be amended with the approval of the Faculty Senate Policy and Operations Committees and the Academic Freedom and Tenure Committee.

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 Services office can provide assistance (refer to Policy C290 "Ombuds 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 n 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.

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."

Contacts

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

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:

- Policy A52.1.1 "Faculty Misconduct Review Committee"
- Policy A53.1 "Policies Applicable to Faculty"
- Section B "Policy on Academic Freedom and Tenure"
- Policy C09 "Respectful Campus"
- Policy C70 "Confidentiality of Faculty Records"
- Policy C290 "Ombuds Services for Faculty"
- Policy E40 "Research Misconduct
- Policy E110 "Conflicts of Interest in Research"

University Administrative Policies and Procedures Manual:

- Policy 2140 "Use and Possession of Alcohol on University Property"
- Policy 2200 "Reporting Suspected Misconduct and Whistleblower Protection from Retaliation"
- Policy 2210 "Campus Violence"
- Policy 2215 "Consensual Relationships and Conflicts of Interest"
- Policy 2220 "Freedom of Expression and Dissent"
- Policy 2240 "Respectful Campus"
- Policy 2500 "Acceptable Computer Use"
- Policy 2720 "Prohibited Discrimination and Equal Opportunity"
- Policy 2740 "Sexual Harassment Including Sexual Assault"
- Policy 3270 "Suspected Employee Impairment at Work"
- Policy 3720 "Employee Code of Conduct and Conflicts of Interest Policy"
- Policy 7205 "Dishonest or Fraudulent Activities"

UNM Pathfinder:

- Visitor Code of Conduct
- Student Code of Conduct

History

- July 1, 2025 - Policy format updated to align with FHB A53

- June 20, 2024 - Updated to reflect name change of Ombuds Services, per FHB Policy A53 procedures
- 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: September 17, 2024
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.

Applicability

This Policy is applicable to all UNM faculty and academic administrators, including the Health Sciences Center and Branch Community Colleges. 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.”

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 normalpart of working life and should not be considered bullying.

3.1.2. Single Incident of Destructive Action

Bullying is defined in sections 3.1.1through 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.

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.

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 Services,, and the Dean of Students office for undergraduate students, and 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, EVPHS), 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 responsible supervisor that it has counseled the responsible supervisor on 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 Services are voluntary and are available to faculty at all levels, faculty administrators, and graduate students. These services are also available to staff as described in UAP 3220 "Ombuds Services." The Ombuds Services office 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 make agreements for moving forward.

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

Definitions

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

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).

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”
- 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."

History

- July 1, 2025 - Policy format updated to align with FHB A53
- September 17, 2024 - Amended procedures approved by the Faculty Senate Operations Committee
- September 4, 2024 - Amended procedures approved by the Faculty Senate Policy Committee
- 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

Approved by Faculty on March 9, 1976, by Regents on March 19, 1976. Amended in 1979.

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.

Applicability

All UNM faculty including the Health Sciences and branch campuses.

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.

> 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.

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.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

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

History

- July 1, 2025 - Policy format updated to align with FHB A53

- 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 l-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.

Applicability

Visiting Scholars to UNM.

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.

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.

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.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

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

Related Documents

None at this time.

History

- July 1, 2025 - Policy format updated to align with FHB A53
- 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 Academic Affairs

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

Applicability

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

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.

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.

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.

Documents	Department File	College School File	Academic Affairs File	Human Resources Files
Offer letter	X	X	X	
Annual performance reviews	X	X		
Response/rebuttal to annual review	X			
Annual performance review summaries		X	X	
Peer teaching observations	X			
CV	X	X	X	
Tenure and promotion documents, including • Chair’s & Dean’s letter, department and College committee recommendations		X		
Tenure and promotion dossier (rpt archive, including: • Chair’s, Dean’s, SVP, and Provost’s letter, department, college & Provost committee • Teaching portfolio, scholarly/creative work exemplars, etc.			X	
Personnel Actions – initiated at dept level	X			
Personnel Actions		X	X	
Sabbatical leave request	X	X	X	
Sabbatical report		X	X	
Parental leave request	X	X	X	
Special Administrative Compensation (SACs)	X	X	X	
Faculty discipline (C07): Chair’s written report – summary	X			

Documents	Department File	College School File	Academic Affairs File	Human Resources Files
Faculty discipline (C07): Dean's notice – uphold, modify or reverse disciplinary action		X		
Faculty discipline (C07): Provost's notice – uphold, modify or reverse disciplinary action			X	
Censure, suspension without pay, notice of dismissal	X	X	X	
Benefits				X
W2				X
Retirement				X
I9				X

Definitions

No specific definitions are required for the Policy Statement.

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.

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"

History

- July 1, 2025 - Policy format updated to align with FHB A53
- Revisions approved by the Faculty Senate 4/26/22 and approved by the Regents 5/11/23
- Revisions approved by the Faculty Senate 10/29/09 and approved by the Regents 12/15/09
- 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
- Adopted by the Faculty Senate 4/15/80 and the Regents 7/28/81

C80: Faculty Assigned Duties, Commitments, and Availability to Students

Approved By: Faculty Senate
Effective Date: November 28, 2023
Responsible Faculty Committee: Faculty Senate Policy Committee
Office Responsible for Administration: Provost's Office of Academic Affairs or Executive Vice President for Health Sciences' Office Academic Affairs

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

Applicability

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

Policy Rationale

University of New Mexico (UNM) faculty's teaching and service responsibilities require clear communication pertaining to their scheduled availability to students and other constituents. This Policy details faculty responsibilities pertaining to assigned duties, commitments, and availability to students outside of classroom instruction.

Policy Statement

1. Faculty Duties and Commitments
Except for authorized holidays, vacations, or other breaks listed in the academic calendar, described in Faculty Handbook policies C220: Holidays and C260: Religious Accommodations 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 (1) 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.

2. Faculty Availability to Students Outside of Classroom Instruction
It is expected that each faculty member teaching a course will be available for student consultation outside of classroom instruction. The faculty member shall notify each class of the hours during which the faculty member is available for consultation and publish this information in the class syllabus. The syllabus should also state that if these options do not address a student's scheduling needs, the faculty member will reasonably accommodate the student outside of regular or stated fixed hours.

Consultation hours shall be in accordance with departmental procedures which determine the minimum hours required and the modality. If appropriate, these procedures may allow:

- a faculty member to have fixed hours each week and/or offer flexible times for students, and
- consultation may be either in person and/or electronically.

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.

Procedures

No specific procedures are required.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who Should Read This Policy

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

Related Documents

Faculty Handbook
C50: Faculty Contracts
C220: Holidays
C260: Religious Accommodations

History

- July 1, 2025 - Policy format updated to align with FHB A53
- November 28, 2023- Approved by Faculty Senate

C90: Dates of Campus Duty

Policy Abolished 11/28/2023 by Faculty Senate due to being combined into Policy C80: Faculty Assigned Duties, Commitments and Availability to Students

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

Approved By: Faculty Senate and Board of Regents
Effective Date: February 25, 2025
Responsible Faculty Committee: Policy Committee
Office Responsible for Administration: Provost and Executive Vice President for Health Sciences

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

Applicability

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

Policy Rationale

The interests of the University of New Mexico (UNM) may be well served by having UNM faculty members conduct professional activities outside of their normal departmental duties. With approvals specified in this Policy, faculty members performing such activities may receive extra compensation from UNM. Prior approval of such activities for extra compensation will be contingent on the determination by the cognizant supervisors that the activities are in the best interests of UNM and that such activities will not replace or diminish the ability of the faculty member to fulfill their normal contractual responsibilities.

Policy Statement

1. Faculty members may receive extra compensation from UNM for additional work done in connection with UNM-related activities provided that:
    1. The faculty member wishes to pursue the opportunity for extra compensation;
    2. 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; and
    3. The work done for extra compensation does not in the opinion of the approving authorities:
        1. Conflict in time with regular UNM duties and assignments;
        2. Constitute a "conflict of interest" situation for the faculty member; or
        3. 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 “Outside Employment and Conflicts of Commitment.
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.

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 Policy C07 “Faculty Disciplinary Policy.”

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.

Procedures

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

Definitions

Special Teaching Component: Extra compensation for teaching outside the faculty member’s contract department(s), above and beyond the faculty member's regular teaching responsibilities. A STC may not be awarded for teaching done outside faculty member’s contract department(s) that is required as part of the base contract salary, for example, teaching required by the appointment contract in interdisciplinary programs or by virtue of joint or secondary appointments.

Contacts

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

Who Should Read This Policy

- Board of Regents
- Faculty
- Academic deans and other executives, department chairs, directors, and managers
- Administrative staff responsible for academic appointments and compensation

Related Documents

Faculty Handbook:
Policy C07 FH Policy C07: Faculty Disciplinary Policy
Policy C100 FH Policy C100: Academic Load
Policy C110 FH Policy C110: Teaching Assignments
Policy C120 FH Policy C120: Summer Session Teaching
Policy C130FH Policy C130: Outside Employment and Conflicts of Commitment
Policy C180 FH Policy C180: Special Administrative Component

UNM Board of Regents' Policy Manual:
Policy 5.6 RPM 5.6: Extra Compensation Paid by the University

University Administrative Policies and Procedures Manual:
Policy 2615 UAP 2615: Non-Standard Payment Processing

History

- July 1, 2025 - Policy format updated to align with FHB A53
- February 25, 2025 - Approved by the Faculty Senate
- January 15, 2025 - Approved by the Policy Committee
- August 25, 2022 - Updated titles of Senior Vice Provost for Academic Affairs and HSC Vice President for Academic Affairs
- October 14, 2008 – Approved by the UNM Board of Regents Revised by the Faculty Senate in response to a request by the UNM Board of Regents
- December, 13, 1973 – Approved by the UNM Board of Regents

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.

Applicability

All UNM academic faculty and administrators.

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 activies 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 excepts from these appendices desgined 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.

> 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.

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.

Definitions

There are no specific definitions required by this 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.

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"

History

- July 1, 2025 - Policy format updated to align with FHB A53
- 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

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

Applicability

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

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.

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.

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.

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.

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.

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"

History

- July 1, 2025 - Policy format updated to align with FHB A53
- 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

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

Applicability

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

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).

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.

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.

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.

Contacts

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

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

History

- July 1, 2025 - Policy format updated to align with FHB A53
- 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.

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.

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.

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.

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.

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.

C200: Sabbatical Leave

Approved By: Academic Freedom and Tenure Committee, UNM Faculty, and Board of Regents
Effective Date: February 15, 2024
Responsible Faculty Committee: Faculty Senate Policy Committee
Office Responsible for Administration: Provost and Executive Vice President for Health Sciences

Revisions to the Policy Rationale, Policy Statement, and Applicability sections of this document must be approved by the Academic Freedom and Tenure Committee, Faculty, and Board of Regents

Applicability

This Policy applies to all academic UNM units, including the Health Sciences Center and Branch Community Colleges. Agreements reached by collective bargaining will hold precedence over any element of this Policy for faculty members covered by the agreement. In areas where there are differences, the Collective Bargaining Agreement (CBA) will hold precedence; however, parts of this Policy not covered by the CBA apply to all tenured and tenure-track faculty.

Policy Rationale

The University of New Mexico (UNM) prizes an inclusive view of scholarship with the recognition that knowledge is acquired and advanced through research, synthesis, practice, and teaching. A sabbatical is an important tool in developing academic scholarship and is time for concentrated professional development. A sabbatical is a privilege granted by UNM to faculty for the advancement of UNM’s mission. UNM faculty and the Board of Regents approve the principle of sabbatical leave.

Policy Statement

1. Effective Date of Policy Changes

The changes resulting from this revision are NOT retroactive. If on the effective date of this revision, a faculty member has accumulated more than six (6) years toward a sabbatical leave, only six (6) years will be carried forward. Time requirements listed in this revised Policy begin with the effective date of the approved revision, except for:

- Faculty covered by a collective bargaining agreement which governs the time requirements.
- Written agreements between a faculty member and their chair or dean in place before the effective date of this Policy.

2. Allowable Uses for Sabbatical Leave

The faculty member will use the sabbatical leave in a manner that will enhance their scholarly portfolio and potentially enrich their service to UNM. Given this philosophy, sabbatical leaves may be granted to further any of the following objectives: research and publication; creative work; teaching improvement (including the

creation of teaching materials such as new textbooks, software, multimedia materials, or case books); community engaged scholarship related to the faculty member's expertise; integration and interpretation of existing knowledge into larger interdisciplinary frameworks; and pursuit of advanced studies that will enhance the faculty member's contributions to UNM.

3. Eligibility

Sabbatical leave is available to any faculty member with tenure or to any faculty member in the last year of the probationary period for whom a favorable tenure decision has been reached. There are several sabbatical leave options discussed below. All faculty members who qualify have the right to apply for sabbatical leave; however, sabbatical leave will not be granted automatically upon completion of the necessary period of service. Rather, the faculty member shall present, as part of the application, evidence of recent research, scholarship, creative work, or other academic achievement, including publications to support the program of work which is planned for sabbatical leave. Also, this program shall give reasonable expectations of accomplishing the stated goals of the leave as cited in the Policy Statement above.

Tenured faculty with part-time appointments are eligible for sabbatical leave. Such leave benefits may be earned on the same timetable as those for full-time faculty members, but the sabbatical salary shall be proportionately reduced.

4. Options

Sabbatical leave is available under the following options. These options should be discussed with the department chair, and the application for sabbatical leave should indicate the option desired.

> a) After every period of three (3) years of full-time service (or equivalent part-time service) at UNM without a sabbatical (adjusted for any deferral as discussed in section 7.1 below), the faculty member may apply for one semester of sabbatical leave at 2/3 (67%) salary for that semester.
>
> b) After every period of six (6) years of full-time service (or equivalent part-time service) at UNM without a sabbatical (adjusted for any deferral as discussed in section 7.1 below), a faculty member may apply for:
>
> > i) one semester of sabbatical leave at no reduction in annual salary, ii) one full academic year of sabbatical leave at 2/3 (67%) salary, or iii) two (2) consecutive semesters (fall and spring; spring and fall) of sabbatical leave at 2/3 (67%) salary for each semester of leave. iv) An alternative combination of time and salary options. The above time and salary options for sabbatical leave are designed to address the majority of faculty sabbatical needs. However if due to the nature of the sabbatical and/or the faculty member's duties and assignments, an alternative combination of time and salary arrangements for the sabbatical are more practical, the faculty member may submit a sabbatical proposal with alternative but equivalent time and salary options for consideration by the chair and/or dean.

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."

A faculty member receiving a reduced salary (67%) during their sabbatical period may supplement their salary from grants, fellowships, employment, or grants-in-aid or other sources of external funding. I & G funds cannot be used to supplement salary. Any such additional compensation is to be explained on the application form and may not unduly interfere with the objectives of the sabbatical.

A faculty member on sabbatical leave will be treated the same as any other faculty member. Sabbatical leave shall not be used to prejudice the faculty member, whether it be salary, promotion, voting rights, or other considerations.

5. Approval

Sabbatical requests are subject to approval by the department chair, dean, and Provost/EVPHS. (See below for procedures).

6. Faculty Obligation

Sabbatical leaves will be approved only with the clear expectation that the faculty member will at the completion of the sabbatical return to UNM for a period of service not less than the duration of the leave.

7. Restrictions

7.1. If, for whatever reason, it is necessary for a faculty member to defer a sabbatical or defer applying for a sabbatical, the duration required for eligibility for a subsequent sabbatical will be reduced by the length of the deferral. These deferral decisions will be documented in writing and recorded in departmental files and the faculty member’s personnel file.

7.2. Sabbatical leave is counted toward retirement as specified in the applicable retirement plan. While a faculty member is on sabbatical leave, UNM will continue to pay its share toward retirement, group insurance, and social security benefits.

7.3. Upon returning to UNM, every faculty member granted a sabbatical leave shall submit a full report of the research, creative work, publications, or other results of the period of leave to the Provost or the EVPHS within the timeline determined by departmental policy, with copies to the department chair and dean. The report submitted shall be placed in the faculty member's personnel file.

8. Appeal

If at any stage of the approval process, the faculty member believes that their 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, the faculty member may appeal to the Committee on Academic Freedom and Tenure for a review of the matter, in accordance with Policy B6 “Academic Freedom and Tenure Committee.”

Revisions to the remaining sections of this document may be amended with the approval of the Academic Freedom and Tenure Committee and simple majority of the UNM Voting Faculty.

Procedures

1. Long-range department plans should consider the necessity of, and provide for, temporary absences for sabbatical leave. Department chairs and/or deans are responsible for tracking faculty member eligibility for sabbatical and developing plans to cover teaching and vital operations including allocating funds to pay for

such sabbaticals. Requests for sabbatical leaves from faculty members of small or large departments shall receive equal consideration. If in the judgment of the chair, dean, and Provost/EVPHS the granting of a sabbatical would adversely affect the critical operations of the university due to scheduling or clinical needs a sabbatical leave request may be deferred. However, in such instances administrators must develop an operations continuity plan to ensure the faculty member is provided the sabbatical leave the following year or at a later time jointly agreed to by the faculty member and administration. A sabbatical may not be deferred more than twice for this reason.

Department chairs shall present with each recommendation for sabbatical a statement of how the department will address the programmatic needs created by the sabbatical leave. A department may, for example, decide to alternate courses or to cancel certain offerings. Further, it is expected that the department, with approval of the Provost/EVPHS, 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 faculty.

2. Approval of Application: Primary responsibility for determining the merit of a proposed sabbatical lies with the department and should be accomplished by a departmental committee. The department chair shall forward to the dean the departmental evaluation, and a statement as to how programmatic needs can be met. The dean with the advice of a college-wide faculty committee shall then evaluate the proposal on its merits and forward to the Provost or EVPHS for approval.

3. All Applications May be Submitted up to Eighteen (18) Months in Advance

Sabbatical applications may be submitted up to eighteen (18) months (or three (3) semesters) in advance of the proposed sabbatical leave in order to provide faculty members with sufficient time to make academic and personal arrangements, such as fellowship support, obtain visiting faculty status at a host institution, and enable family members to accompany the faculty member. In such cases approval would occur twelve (12) months prior to the start of the sabbatical. However, the application must be submitted in time to meet the following deadlines in accordance with departmental procedures.

> **(a) Deadlines for Nine-Month Faculty,**
> The dean shall send the departmental and college recommendations to the Provost so that the original and one (1) copy of the proposal together with all recommendations shall reach that office by February 1 for a leave commencing in the fall semester of that year and by October 1 for a leave commencing in the spring semester of the following year. The Director of the Office for Academic Personnel shall verify that the faculty member is eligible for the proposed leave and that provisions of this Policy have been properly followed. The Provost (or designee) shall make the final decision.
>
> **(b) Deadlines For Twelve-month Faculty**
> The dean shall send the departmental and college recommendations to the Provost/EVPHS so that the original and one (1) copy of the proposal together with all recommendations shall reach that office at least four (4) months in advance of the anticipated sabbatical date. The Director of Office for Academic Personnel/HSC Office of Academic Affairs (VPAA) shall verify that the faculty member is eligible for the proposed leave and that provisions of this Policy have been properly followed. The Provost/EVPHS (or designee) shall make the final decision.

4. If a faculty member on sabbatical finds it necessary to alter substantially the work plan or objectives of the sabbatical project, the faculty member must inform the department chair and dean in writing as soon as possible of the reasons for the proposed change and secure their written approval for the revised plan.

5. See Policy C280 “Leave Without Pay” for combination of sabbatical and leave without pay.

6. Those faculty members who receive part of their salaries directly from agencies outside of UNM will be granted sabbatical with renumeration as determined by their UNM base salary.

7. 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 accrue annual leave on a pro-rated basis while on sabbatical leave.

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 to meet the full-time service requirements listed in this policy.

Contacts

Direct any questions about this Policy to your chair or dean.

Who Should Read This Policy

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

Related Documents

Regents Policy Manual

- Policy 5.1 “The Faculty’s Role in the University’s Academic Mission”
- Policy 5.4 “Leaves of Absence”

Faculty Handbook

- Policy A51 “Faculty Constitution”
- Section B: “Policy on Academic Freedom and Tenure”
- Policy B3.4 "Academic Leave for Pricipal Lecturers"
- Policy C130 “Outside Employment”
- Policy C280 “Leave Without Pay”

Faculty Contracts Sabbatical Leave Form

History

Amended:

- July 1, 2025 - Policy format updated to align with FHB A53
- February 15, 2024 - Approved by the UNM Board of Regants
- November 2, 2023 - Approved by UNM Faculty

- May 14, 2004 – Approved by the UNM Faculty and the UNM Board of Regents
- April 3, 2004 – Approved by the UNM Faculty
- Aug 29, 1978 – Approved by the UNM Board of Regents
- May 10, 1978 – Approved by the UNM Faculty
- May 18, 1975 – Approved by the UNM Board of Regents
- April 8, 1975 – Approved by the UNM Faculty
- February 1, 1975 – Approved by the UNM Board of Regents

Effective:

- March 14, 1974 – Approved by the UNM Board of Regents
- March 12, 1974 – Approved by the UNM Faculty

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

Supporting Documents

- Memo on extended sick leave

C215: Parental Leave

Approved By: Faculty Senate and UNM President
Effective Date: October 10, 2025
Responsible Faculty Committees: Faculty Senate Policy Committee
Office Responsible for Administration: Office of the Provost and Office of the Executive Vice President for Health Sciences (EVPHS)

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

Applicability

This Policy applies to all academic University of New Mexico (UNM) units, including the Health Sciences Center and Branch Community Colleges. Agreements reached by collective bargaining will hold precedence over any element of this Policy for faculty members covered by the agreement. In areas where there are differences, the Collective Bargaining Agreement (CBA) will hold precedence; however, parts of this Policy not covered by the CBA apply to all eligible faculty.

Policy Rationale

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 balance sometimes-competing academic and personal priorities. UNM is committed to creating an environment that supports faculty with new parenthood responsibilities by providing paid time away from work.

Policy Statement

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

1. Parental Leave

The purpose of parental leave is to spend time caring for and bonding with a child who has recently joined the household. All paid parental leave received by a faculty member under this Policy will count toward the faculty member’s Family Medical Leave (FML) entitlement, if the employee is eligible for FML (Refer to UAP Policy 3440). When parental leave runs concurrently with FML it will provide full relief from all academic duties and responsibilities. If the faculty member has exhausted their FML, the faculty member may still take parental leave, but the chair may request research and advising duties to continue during parental leave in accordance with approved college or school procedures/guidelines.

Extraordinary circumstances such as multiple births/adoptions or events involving special-needs children may necessitate additional leave and/or flexibility and shall be referred to the Provost/EVPHS, or their designees, for a determination of other options. Refer to Policy C280 “Leave Without Pay.”

2. Eligibility

Faculty with professorial appointments, continuing non-tenure appointments, and renewable research appointments, are eligible for parental leave if they have been employed at UNM at least one (1) semester at 0.5 FTE or higher. The specific faculty titles in each of these appointment categories is listed on the Office for Academic Personnel website in accordance with Section B of the Faculty Handbook. If both parents are faculty members, each is eligible for parental leave and will be reimbursed at their full salary whether taken consecutively or concurrently.

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). In cases of disagreement, the dean will make the final decision, which can be appealed in accordance with Section 4 below. 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 parental leave under this Policy.

3. Eligible Events

Parental leave should 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 Procedures Section 6. herein.

4. 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.

Revisions to the remaining sections of this document may be amended with the approval of the Faculty Senate Policy and Operations Committees.

Procedures

1. Role of Academic Leadership

Academic leaders and supervisors foster an environment in which every eligible faculty member is encouraged to take the parental leave opportunity offered through this Policy. Deans, department chairs, and program directors should make every effort to promote use of parental leave. 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.

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 endeavor and leadership.

This benefit is a revocable benefit under certain circumstances. Parental leave may not be used for outside work, whether part-time or full-time, for pay. The parent taking leave must also agree to return to work at UNM at the conclusion of parental leave for a minimum of time equal to leave time taken.

3. 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 to make alternative teaching, patient care, and other academic arrangements. 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.

4. Tenure Clock

The probationary period will be suspended, unless otherwise requested in writing, when a faculty member is on parental leave. If the research of a probationary faculty member is substantively impacted by an individual taking parental leave, the probationary faculty member may request an extension of their probationary period to their dean. Subsequent mid-probationary and tenure reviews will be pushed back one (1) full year. Deans, department chairs, and program directors should help faculty members to make informed decisions about suspending the probationary period.

5. Sabbatical or Academic Leave

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

6. 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 EVPHS for a determination. These situations will be reviewed on a case-by-case basis to determine how best to meet the needs of the faculty member and UNM. These decisions will be applied consistently across UNM to ensure equitable treatment.

7. Program Review and Evaluation

The Provost’s Office and HSC Office of Academic Affairs will review this parental leave program biennially to ensure that it is applied equitably and consistently across UNM. Reviews will also analyze the program’s impact on UNM’s mission and faculty recruitment, retention, and satisfaction.

Definitions

Full Salary. This refers to the faculty member’s guaranteed salary amount. It does not include:
• non-standard payments (see UAP Policy 2615),
• special administrative components (see FH Policy C180), or
• summer research or teaching (see FH Policy C120).

Who Should Read This Policy

• Board of Regents
• Faculty and academic staff

• Academic deans and other executives, department chairs, directors, and managers

Related Documents

Faculty Handbook
FH Policy C120 “Summer Session Teaching”
FH Policy C180 “Special Administrative Component”
FH Policy C210 “Sick Leave”

University Administrative Policies and Procedures Manual
UAP Policy 2615 “Non-Standard Payment Processing
UAP Policy 3415 “Leave with Pay”
UAP Policy 3440 “Family and Medical Leave.”

Contacts

Direct any questions about this Policy to your chair or dean.

History

- October 10, 2025 - Policy revisions approved by UNM President
- September 30, 2025 - Policy revisions approved by Faculty Senate
- November 29, 2011 - Approved by UNM President
- November 23, 2010 - Approved by Faculty Senate

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

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

Applicability

All UNM academic faculty and administrators.

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
- Juneteenth
- 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

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.

Procedures

No specific procedures at this time.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

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

Faculty Handbook Policy

- C260: Religious Accommodations

University Administrative Policies and Procedures Manual

- Policy 3405 “Holidays”

History

- July 1, 2025 - Policy format updated to align with FHB A53 and updated list holidays observed by UNM to align with UAP 3405
- March 26, 2025 - Minor/Maintenance update
- 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.

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.

Applicability

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

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.

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.

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.

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."

Contacts

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

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

History

- July 1, 2025 - Policy format updated to align with FHB A53
- 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

C240: Leave of Absence Incident to Political Activity

Policy abolished 4/10/2023 by Board of Regents

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)

(The following is excerpted from the Faculty Handbook section entitled, "Political Activities of UNM Faculty")

A leave of absence incident to political activity should come under the University's normal rules and regulations for leaves of absence. 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.

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.

Applicability

All UNM students, academic faculty and administrators.

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.

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.

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.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

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

History

- July 1, 2025 - Policy format updated to align with FHB A53
- March 26, 2025 - Minor/maintenance update
- 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

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

Applicability

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

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.

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.

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.

Definitions

No specific definitions are required for this Policy

Contacts

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

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.

History

- July 1, 2025 - Policy format updated to align with FHB A53
- 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 Services for Faculty

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

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

Applicability

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

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. UNM Ombuds Services 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 Services 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 ombuds 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

Ombuds are neutral and maintain no personal stake in the outcome of any dispute. The Ombuds Services 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

Ombuds exercise autonomy regarding their responsibilities. The University Ombuds reports to the Office of the President, 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

Ombuds Services 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.

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.

Procedures

These services are voluntary and are available to faculty, staff, and graduate students at all levels and to faculty administrators.

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.

Definitions

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

Contacts

Direct any questions about this policy to Ombuds Services.

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

- Policy 2200 “Reporting Suspected Misconduct and Whistleblower Protection from Retaliation
- Policy 2720 “Prohibited Discrimination and Equal Opportunity”
- Policy 2740 “Sexual Harassment Including Sexual Assault”
- Policy 3220 "Ombuds Services for Staff"

History

- July 1, 2025 - Policy format updated to align with FHB A53
- June 3, 2024-- Updated to reflect name change of the Ombuds/Dispute Resolution Services for Faculty to Ombuds Services, per FHB Policy A53 procedures
- 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 advisory 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.

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.

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.

D50: Assignment of Credit Hours

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

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

Applicability

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

Policy Rationale

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

Policy Statement

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

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

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.

Procedures

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

Definitions

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

Equivalent amount of work can include, but is not limited to, activities such as laboratory work, internships, practica, studio work, ensemble music, and other academic work.

Out-of-class student work. This consists of time students spend outside of classroom or direct faculty instruction to fulfill course objectives, which includes but is not limited to, reading assignments, working out problems, preparing for exams, online and face-to-face group work, writing paper(s), and working on project(s).

Contacts

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

Who should read this policy

- Faculty members
- Academic administrators

Related Documents

Regents' Policy Manual

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

Faculty Handbook

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

UNM Course Catalogs

History

- July 1, 2025 - Policy format updated to align with FHB A53
- April 24, 2018 Approved by Faculty Senate

D75: Classroom Conduct

Approved By: Faculty Senate
Effective Date: April 29, 2025
Responsible Faculty Committee: Faculty Senate Policy Committee
Office Responsible for Administration: Office of the Registrar

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

Applicability

All academic University of New Mexico (UNM) units, including the Health Sciences Center and Branch Community Colleges.

Policy Rationale

UNM promotes a working, learning, and social environment where all members of the UNM community work together in a mutually respectful, psychologically-healthy environment. Appropriate classroom conduct is necessary to provide a learning environment consistent with UNM's academic mission and is critical to student success.

Policy Statement

The classroom instructor has primary responsibility for classroom conduct, behavior, and discipline. UNM policy permits only enrolled students, persons authorized by the instructor, and administrative personnel to be admitted to instructional areas during scheduled periods. UNM policy and New Mexico state law also prohibit all forms of disruptive or obstructive behavior in academic areas or any actions that would disrupt a scheduled academic activity.

Any person or persons in unauthorized attendance or causing a disturbance during scheduled academic activity shall be identified by the instructor and asked to leave. Persons refusing such a request may be removed by the UNM Police and are liable to legal prosecution. The instructor may refer situations involving classroom misconduct to the Dean of Students for additional action under the Student Code of Conduct as published in the UNM *Pathfinder.*

1. Provide Guidelines and Expectations in Course Syllabus

The instructor is encouraged to include general guidelines about expectations regarding adherence to the Student Code of Conduct in the course syllabus. Under UNM policy (see Related Documents below) and relative to federal protections of a student's right to educational access, an instructor may not simply drop a student from a course due to a one-time occurrence of disruptive behavior; therefore, an instructor must explicitly state in the syllabus that:

• disruptive behavior will result in a student being asked to leave a class meeting, which will be recorded as an unexcused absence; and
• per the absence policy for this class, the student will be dropped after ___(a specific number must be stated) of unexcused absences.

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

Procedures

The classroom instructor is responsible for maintaining a respectful and productive learning environment and should address disruptive conduct promptly and appropriately. The progressive approach described below provides the instructor with procedures that are intended to be corrective, not punitive in nature, and are designed to provide the student with notice and an opportunity to take corrective action. Whenever an instructor is concerned about threats and/or risks to the health or safety of individuals, they must report the incident promptly to UNMPD and the Dean of Students. Some disruptive conduct may be of such a serious nature that the instructor or someone designated by the instructor should call UNMPD or 911 immediately.

For support concerning behavior, repeated disruption, or possible threat, the instructor may consult their chair, dean, or Campus Assessment Response Education (CARE). Referring students to support resources, such as a referral to LoboRESPECT Advocacy Center, can be an effective part of correcting disruptive behavior.

1. Progressive Approach for Addressing Disruptive Conduct

The instructor has the authority to establish progressive remedial steps and respond to disruptions immediately. Addressing disruptive behavior directly and immediately with a progressive approach can be more effective than letting something go, particularly in cases involving bullying.

1.1 Mild Intervention

Mild intervention is appropriate for an initial and/or isolated occurrences of disruptive conduct that may, or may not, be intentional. The instructor should remind the student and/or class about standards of conduct and why particular conduct is deemed disruptive and unacceptable. If the student repeats the disruption, the instructor should ask the student to leave the classroom which will count as an unexcused absence.

1.2 Intermediate Intervention

Intermediate intervention is appropriate for persistent disruptions, an escalation in the disruption, and/or more serious disruptions of the learning environment. The instructor should request the student to stop the disruptive conduct immediately or they will be directed to leave the classroom, which will count as an unexcused absence.

1.3 Emergency Intervention

Emergency intervention is appropriate when disruptive conduct threatens or endangers the safety of individuals, for example when the instructor believes that they or another person are in imminent danger or when the instructor believes that the student may engage in imminent self-harm. Emergency intervention may also be appropriate when the disruptive conduct prohibits the continuation of the class or when a person enters or remains in the learning environment after being instructed by the instructor to leave. In these situations, the instructor, or someone designated by the instructor, must call UNMPD or 911 immediately. In all cases where UNMPD or 911 are called, the instructor must report the incident to the department chair and Dean of Students.

1.4. Returning the Student to the Classroom

Before the student returns to class, the instructor must inform the student in writing of the conditions for return, expectations regarding conduct, and of opportunities to make-up, or not make-up, missed work. The instructor may schedule a follow-up meeting with the student to discuss the disruptive behavior; the meeting may to include the department chair, academic advisor, or other designee.

2. Documenting Interventions and Disruptive Behavior

In all incidents in which a student is asked to leave the classroom, the instructor should document the incident in writing. Written documentation should include the time, date, a brief description of the incident, and what actions were taken and share this with your departmental chair or program director. Documentation should always be factual and avoid personal interjections or conjecture.

3. Dropping a Student from the Course

The instructor is authorized to drop the student from the course for accumulated unexcused absences as stated in the course syllabus.

4. Guidelines

Guidelines are available from the offices of the Provost or the Executive Vice President for Health Sciences, and schools and colleges may have more detailed information.

Definitions

Classroom. A classroom includes any academic activity, real or virtual, that is instructor led.

Course. A course includes any formal credit or noncredit course, formal training, or internships.

Disruptive Conduct. Disruptive conduct is behavior that obstructs the teaching or learning process, distracts or intimidates others in a manner that interferes with instructional activities, or fails to adhere to an instructor’s appropriate classroom rules or instructions as stated in the syllabus.

Contacts

Direct any questions about this policy to Dean of Students Office.

Who Should Read This Policy

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

Related Documents

Faculty Handbook
FH Policy C09: Respectful Campus
FH Policy D170: Student Attendance
FH Policy D175: Undergraduate Student Conduct and Grievance Procedures
FH Policy D176: Graduate and Professional Student Conduct and Grievance Procedures

UNM Catalog
The Pathfinder—UNM Student Handbook "Student Code of Conduct"

History

- July 1, 2025 - Policy format updated to align with FHB A53
- April 29, 2025 - Approved by the Faculty Senate

D90: Posthumous Degrees

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

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

Applicability

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

Policy Rationale

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

Policy Statement

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

1. Posthumous

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

2. In Memoriam

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

3. Extraordinary Circumstances

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

a. Terminally Ill

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

b. Rare and Unusual Situations

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

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.

Procedures

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

Definitions

No specific definitions are required for the Policy.

Contacts

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

Who should read this policy

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

Related Documents

Regents Policy Manual

- RPM 1.1: Responsibilities of the Board of Regents
- Posthumous Degree Request Form

History

- July 1, 2025 - Policy format updated to align with FHB A53
- February 27, 2007--Approved by the Faculty Senate

D100: Dishonesty in Academic Matters

Policy

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

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

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

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

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

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

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

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

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

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

In order to be as fair as possible to students, it is recommended that faculty members teaching lower division courses inform the class, at the beginning of each course, as to their policy and the University policy with reference to dishonest academic practices. Students thus informed will thereafter have no basis for pleading ignorance of regulations.

Refer also to Policy D175: Undergraduate Student Conduct and Grievance Procedures in the Faculty Handbook and the UNM Academic Catalog Student Information & Policies: Scholastic Regulations section.

D170: Student Attendance

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

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

Applicability

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

Policy Rationale

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

Policy Statement

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

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

1. UNM Official Absences

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

2. Legally or Administratively Compelled Absence(s)

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

3. Military Obligations

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

4. Illness, Accident, or Death in the Family

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

5. Disability

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

5.1. Attendance Accommodation for Students with Disabilities

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

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

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

6. Pregnancy

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

7. Religious Observances

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

8. Request for Reconsideration

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

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.

Procedures

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

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

1. Course Attendance Expectations

Students are expected to fulfill all course requirements, including attendance if specified. Course instructors are responsible for setting attendance policies for their individual courses except where academic units, required by special circumstances such as accreditation standards, establish unit-wide policies through normal faculty governance procedures. Instructors should inform students of their expectations for attendance and participation on the first day of class and are encouraged to include this Policy in the course syllabus. Instructors may also require students to notify them of anticipated absences at the beginning of the

semester and may require reasonable verification of the reason for an excused absence such as a doctor’s note, hospital billing, military orders, or death notices.

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

2. Verification of Absence

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

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

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

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

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

5. Exceptions

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

Definitions

There are no additional definitions for this Policy.

Contacts

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

Who should read this policy

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

Related Documents

Faculty Handbook

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

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

History

- July 1, 2025 - Policy format updated to align with FHB A53
- April 28, 2020 - Amended by Faculty Senate

D175: Undergraduate Student Conduct and Grievance Procedures

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

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

Applicability

All UNM academic faculty, staff, and administrators.

Policy Rationale

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

Policy Statement

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

**1. Matters Covered Under this Policy **

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

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

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

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

**1.4. Allegations of Discrimination and/or Sexual Harassment **

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

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

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

**2.1. Health Sciences Center (HSC) Students **

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

**2.2. Visitors to the UNM campus **

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

**3. Matters Not Covered Under This Policy **

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

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

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

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

the decision.

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

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.

Procedures

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

Article 1. Academic Record Disputes

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

**1.2. Petitions **

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

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

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

**1.3. Appeal **

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

**Article 2. Academic Disputes **

**2.1. Scope **

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

**2.2. Informal Resolution **

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

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

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

**2.3. Formal Resolution of Academic Matters **

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

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

2.3.2. The complaint shall describe the grievance, including a statement of what happened, and the undergraduate student's reasons for challenging the action or decision. The complaint shall also describe the undergraduate student's attempts to resolve the grievance informally. The undergraduate student may attach copies of any relevant documents. The undergraduate student shall send a copy of the complaint to the faculty member and the faculty member’s chairperson. The faculty member shall have five (5) working days from the receipt of the complaint to respond in writing to the dean. A copy of the faculty member’s response shall be provided to the undergraduate student, consistent with the federal Family Educational Rights and Privacy Act (FERPA).

2.3.3. In making a determination on the formal complaint, the dean shall receive and review any written evidence or statements submitted by the parties, and shall provide both parties the opportunity to review and respond to all evidence. The dean shall interview each party and may interview other persons with relevant information. At the dean’s discretion, the dean may decide to hold an informal hearing involving both parties and any witnesses. Where the dispute primarily concerns factual questions, rather than matters of academic judgment, the dean should normally hold such a hearing. If a hearing is to be held, the dean will give the

parties no less than five (5) working days notice. The undergraduate student and/or faculty member shall be allowed to bring an advisor to the hearing, but legal counsel shall not be permitted. Cross-examination of witnesses shall be permitted, but the dean may require that questions be directed through the dean.

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

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

**2.4. Appeal of Formal Decision **

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

**2.4.1. Appeal to Provost or EVP for Health Sciences **

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

**2.4.2. Appeal to the Board of Regents **

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

**Article 3. Academic Dishonesty **

**3.1. Scope **

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

**3.2. Academic Dishonesty within Courses: Faculty-Imposed Consequences **

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

academic consequence.

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

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

**3.3. Academic Dishonesty in Other Settings **

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

**3.4. Sanctions Imposed by the Dean of Students **

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

**Article 4. Allegations of Discrimination and/or Sexual Harassment **

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

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

- LoboRESPECT Advocacy Center – Phone Number: (505) 277-2911 Website: loborespect.unm.edu
- Arcoíris Resource Center – Phone Number: (505) 277-5428 Website: arcoiris.unm.edu
- Vassar House – Phone Number: (505) 277-0191 Email: vassarhouse@salud.unm.edu

- Women’s Resource Center – Phone Number: (505) 277-3716 Website: women.unm.edu

4.1. Scope

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

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

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

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

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

**4.3. Appeals **

**4.3.1. Appeal to the UNM President **

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

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

Appeals of the Hearing Officer’s determination or sanctions issued for violations of the University's prohibition against discrimination, including sex discrimination, sexual harassment, sexual misconduct, or sexual violence, are only permissible in accordance with CEEO Discrimination Procedure, which list

allowable grounds and procedures for appeal.

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

4.3.2. Appeal to the Board of Regents

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

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

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

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

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

**5.1. Scope **

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

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

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

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

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

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

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

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

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

**5.4. Emergency Suspension and Banning from Campus **

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

**5.5. Appeals, Records, and Rights **

5.5.1. Appeal of Sanctions Issued by Dean of Students

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

sufficient to have materially affected the outcome; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

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

5.5.2. Appeal of Sanctions Issued by the Applicable HSC Dean

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

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

**5.5.2.1. Discretionary Appeal to the UNM President **

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

5.5.3. Appeal to the Board of Regents

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

Article 6. General Provisions

6.1. Undergraduate Student Conduct Records

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

6.2. Rights of the Parties Participating in Grievances

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

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

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

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

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

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

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

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

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

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

6.3. Variances

6.3.1. Introduction

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

6.3.2. Health Sciences Center

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

6.4. Former Students

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

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

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

Definitions

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

Complaint refers to:

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

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

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

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

Undergraduate Students include both full-time and part-time students pursuing undergraduate studies, degree and non-degree, including credit and non-credit courses. Student status continues for the entire

period of enrollment, including UNM holidays, class breaks, and summer session, if the student is enrolled for the preceding spring and following fall academic terms.

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

Contacts

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

Who should read this policy

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

Related Documents

Regents Policy Manual

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

Faculty Handbook

- D75 “Classroom Conduct”
- D100 “Dishonesty in Academic Matters”
- D176 “Graduate and Professional Student Conduct and Grievance Policy”

University Administrative Policies Manual

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

The Pathfinder—UNM Student Handbook

Office of Compliance, Ethics, and Equal Opportunity Grievance Procedure

History

- November 10, 2025 - Updated email adresses, UAP Policy names, CEEO grievance procedure name, and resource center names in accordance with FH Policy A53

- July 1, 2025 - Policy format updated to align with FH Policy A53
- September 13, 2022 - Revisions approved by the Faculty Senate Operations Committee
- September 7, 2022 - Revisions approved by the Faculty Senate Policy Committee
- February 7, 2022 – Revisions approved by the President
- January 25, 2022 – Revisions approved by Faculty Senate
- December 1, 2021 – Revisions approved by Faculty Senate Policy Committee
- August 14, 2020 – Revised to address Title IX Rule Changes
- April 15, 2020 – Revisions approved by the President
- September 24, 2019 – Revisions approved by the Faculty Senate
- May 13, 2014 – Revisions approved by the President
- July 2, 2013 – Revisions approved by the President
- June 19, 2001 – Revisions approved by the President
- March 5, 1999 – Revisions approved by the President
- May 1995 – Revisions approved by the President
- May 1994 – Revisions approved by the Faculty Senate
- August 11, 1987 – Approved by Board of Regents
- May 2, 1087 – Approved by GSA Senate
- April 1, 1987 – Approved by ASUNM Senate
- March 10, 1987 – Approved by Faculty Senate

D176: Graduate and Professional Student Conduct and Grievance Procedures

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

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

Applicability

All academic UNM units, including the Health Sciences Center.

Policy Rationale

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

Policy Statement

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

1. Matters Covered under this Policy

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

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

1.3. Academic disputes arising within the academic process, whereby a student believes that academic progress has been evaluated in an unfair or improper manner by a faculty member or academic

program/department in connection with the academic process. For example, it applies to disputes over assignment of grades, decisions about program or degree requirements or eligibility, or claims that course requirements are unfair.

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

1.5. Allegations of Discrimination and/or Sexual Harassment

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

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

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

2.1. School of Law

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

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

2.2. Health Sciences Center

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

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

3. Matters Not Covered Under This Policy

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

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

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

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

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.

Procedures

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

UNM School of Law Students

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

Health Sciences Center Students (HSC)

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

Article 1. Petition to Modify Academic Requirements

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

1.1. Scope

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

1.2. Petition

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

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

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

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

A written response to a petition will usually be sent to the student within ten (10) working days from its receipt by the school or college dean, and a copy sent to the academic unit. (This period may be extended to allow for UNM holidays or other periods when UNM is not in session.) The original petition will be retained in the student's file. Petitions that are lacking required documentation will be returned to the student, and will not be considered until all documentation has been received.

1.2.4. The student may appeal the dean’s decision to the Provost/EVP for Health Sciences and Board of Regents in accordance with Section 3.4 herein.

Article 2. Academic Record Disputes

2.1. Scope

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

2.2. Petitions

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

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

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

2.3. Committee Decision and Appeals Process

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

Article 3. Academic Disputes

3.1. Scope

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

3.2. Informal Resolution

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

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

3.2.2. The student should either directly or with the assistance of the UNM Ombuds Services meet with the faculty or administrator involved in the complaint to address the problem and to explore the possibility of a jointly achieved resolution.

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

3.3. Formal Resolution of Academic Matters

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

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

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

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

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

3.4. Appeal of Formal Decision

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

3.4.1. Appeal to Provost or EVP for Health Sciences

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

3.4.2. Appeal to the Board of Regents

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

Article 4. Academic Dishonesty

4.1. Scope

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

4.2. Academic Dishonesty within Courses: Faculty-Imposed Consequences

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

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

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

4.3. Academic Dishonesty in Other Settings

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

4.4. Sanctions Imposed by the Dean of Students

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

Article 5. Allegations of Discrimination or Sexual Harassment

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

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

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

5.1. Scope

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

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

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

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

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

5.3. Appeals

**5.3.1 Appeal to the UNM President **

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

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

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

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

5.3.2. Appeal to the Board of Regents

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

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

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

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

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

6.1. Scope

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

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

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

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

6.3. Referral of Misconduct to the Law School Dean

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

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

6.4. Referral of Misconduct to the Applicable HSC Dean

Allegations of misconduct by an HSC student in violation of the Student Code of Conduct or other UNM or HSC policies must be in writing and submitted to the applicable HSC dean. Complaints of alleged misconduct

should be submitted as soon as possible after the event takes place, preferably within sixty (60) calendar days. Absent just cause, complaints must be submitted within one (1) year following discovery of the suspected misconduct.

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

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

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

6.7. Emergency Suspension and Banning from Campus

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

6.8. Appeals, Records, and Rights

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

6.8.1.1 Appeal to Vice President for Student Affairs

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

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

6.8.1.2. Appeal to the Board of Regents

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

6.8.2. Appeal of Sanctions Issued by the Dean of the Law School or Applicable HSC Dean

6.8.2.1. Appeal to the President

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

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

6.8.2.2. Appeal to the Board of Regents

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

6.8.3. Appeal of Sanctions Issued by an HSC Dean

Article 7. General Provisions

7.1. Student Conduct Records

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

7.2. Rights of the Parties Participating in Student Code of Conduct Grievances The rights of the parties participating in grievances as provided herein include:

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

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

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

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

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

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

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

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

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

7.3. Former Students

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

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

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

Definitions

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

Complaint refers to:

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

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

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

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

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

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

Contacts

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

Who should read this policy

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

Related Documents

Regents Policy Manual

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

Faculty Handbook

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

University Administrative Policies Manual

- UAP 2200 “Reporting Suspected Misconduct and Whistleblower Protection from Retaliation”
- UAP 2720 “ Equal Opportunity and Prohibited Discrimination (Interim)”* UAP 2740 “Sex Discrimination Including Sexual Misconduct (Interim)”
- UAP 3220 "Ombuds Services"
- UAP 3405 “Holidays”

Pathfinder: Student Code of Conduct

Office of Compliance, Ethics, and Equal Opportunity Grievance Procedure

The School of Law Bulletin and Handbook of Policies

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

History

- November 10, 2025 - Updated email adresses, UAP Policy names, and resource center name in accordance with FH Policy A53
- July 1, 2025 - Policy format updated to align with FHB A53
- June 3, 2024 - Updated to reflect name change from UNM Ombuds/Dispute Resolution Services for Graduate Students to UNM Ombuds Services, per FHB policy A53 procedures
- September 13, 2022 – Revisions approved by Faculty Senate Operations Committee
- September 7, 2022 – Revisions approved by Faculty Senate Policy Committee
- February 7, 2022 – Revisions approved by the University President
- January 25, 2022 – Revisions approved by Faculty Senate
- December 1, 2021 – Revisions approved by Faculty Senate Policy Committee
- August 14, 2020 – Revised to address Title IX Rule Changes
- April 15, 2020 – Approved by University President
- September 24, 2019 – Approved by Faculty Senate
- March 6, 1997 – Approved by Faculty Senate Graduate Committee
- October 20, 1994 – Approved by Faculty Senate Graduate Committee

Information: D25: Academic Renewal Policy

Information

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

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

ACADEMIC RENEWAL GUIDELINES

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

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

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

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

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

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

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

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

9. The cumulative grade-point average after academic renewal will be calculated on the basis of courses taken since the readmission following the five-year absence.

10. Non-degree, second undergraduate degree, or graduate students are not eligible for Academic Renewal.

Information: D30: Allowable Maximum Semester Load

Information

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

Information: D40: Audited Courses

Information

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

Information: D60: Class Lists

Information

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

Information: D105: Examination to Establish or Validate Credit

Information

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

Information: D120: Resolving Grade Grievence Involving Failure to Accommodate

Information

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

Information: D145: Instructor Drops

Information

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

E10: Classified Research Policy

Approved By: Faculty Senate and UNM President
Effective Date: May 26, 2026
Responsible Faculty Committee: Research Policy Committee
Office Responsible for Administration: Vice President for Research (VPR) and Health Sciences Vice President for Research (HSVPR)

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

APPLICABILITY

This Policy applies to all UNM academic units including the Health Sciences Center and Branch Community Colleges. Individuals subject to this Policy include, but are not limited to, faculty, staff, students, visiting scholars, and postdoctoral fellows, external research partners and collaborators, and any other persons at UNM participating in classified research at or on behalf of UNM.

POLICY RATIONALE

Because of the highly sensitive and regulated nature of classified research, the intent of this Policy is to maintain a separation between classified research and unclassified research functions of UNM. This Policy describes the rights and obligations of UNM faculty, staff, students, and visiting scholars who participate in classified research on behalf of UNM. It also describes federal requirements and restrictions pertaining to classified research.

In preservation of academic freedom, the University of New Mexico (UNM) recognizes the right of every faculty member to solicit, conduct, or participate in both privately and governmentally sponsored research of their choice, including classified research, so long as the research is within the limits of existing UNM policies as detailed in the *Faculty Handbook*.

POLICY STATEMENT

Classified research is never conducted on UNM Property but only at a government contracting agency facility. Classified information requires access only by authorized personnel who possess both a security clearance and a "need to know," therefore UNM faculty, staff and students may not use, share, or provide access to classified data for publications, course presentations, conference presentations, course credit, theses, or dissertations. If a student intends to use material from a classified project for a thesis or dissertation, the supervising faculty member must advise the student that they will not be permitted to use any data that would cause the thesis or dissertation to be restricted from dissemination. Dissemination is interpreted to mean "availability to anyone without restriction."

As a recipient of Government Contracting Agencies Facility Clearance (FCL) UNM is a Cleared Defense Contractor (CDC) and is obligated to follow National Industrial Security Program (NISP) requirements, restrictions and other safeguards that are necessary to prevent unauthorized disclosure of classified

information, and to control authorized disclosure of classified information released by U.S. government executive branch departments and agencies to their contractors. This Policy establishes guidelines to ensure UNM's compliance with guidance provided in the 32 CFR Part 117, National Industrial Security Program Operating Manual (NISPOM).

1. Appeals

Per Board of Regents RPM 1.5: Appeals to the Board of Regents, "faculty, staff, or students affected by a final decision of any University authority may appeal the decision to the Board of Regents" only after appealing to the President of the University, or the President's designee. All appeals to the Board of Regents are discretionary, and the Board will exercise discretion to hear such appeals only in extraordinary cases.

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

PROCEDURES

1. Security Procedures

1.1 UNM has been issued a Facility Clearance (FCL) by the U.S. Department of Defense and Department of Energy. The FCL allows UNM to do classified work with other Government Contracting Agencies.

1.2 All requests for security clearances of employees and students who require access to classified information are originated by the applicable Project Manager and submitted to the Facility Security Officer (FSO) for processing. The project manager must provide a "Justification for Clearance Form." Authorizations are not valid until authenticated by the FSO or designee.

1.3 The Defense Counterintelligence and Security Agency (DCSA) conducts periodic inspections of UNM's Industrial Security practices on behalf of the Department of Defense. The FSO or designee must conduct self-inspections as appropriate to ensure continued compliance with the NISPOM.

1.4 Classified discussions and the storage of classified material is prohibited outside of any DCSA approved facility.

1.5 The FSO has developed detailed Standard Practice and Procedures (SPP) to ensure UNM compliance with the NISPOM. Contact the FSO at the Industrial Security Office for questions related to classified information.

2. Disclosure of Classified Information

2.1 Individuals authorized to have access to classified information must follow established procedures at all times and are responsible for guarding against unauthorized disclosure of classified information.

2.2 Cleared employees must ensure that classified information is disclosed only to persons with an appropriate clearance level and a need to know as authorized in accordance with 32 CFR Part 117 NISPOM, Chapter 117.15(h).

2.3 The Government Contracting Agency (GCA) grants classified contracts and security requirements necessary to execute a classified contract.

2.4 Classified contracts will be routed from the Office of Sponsored Projects to the FSO for review prior to execution.

3. Security Violations

All security violations regardless of where they occur (on or off campus) must be reported to the FSO. In the event of violations or negligence a faculty, staff, or student member will be subject to discipline in accordance with applicable laws, regulations, and applicable UNM discipline policies (see Related Documents section below).

3.1 Any violation of established security procedures must be reported to the FSO immediately so the FSO may assist in bringing the situation back into compliance. Examples of security violations include but are not limited to:

> (a) Leaving a safe containing classified material open and unattended.
>
> (b) Allowing non-cleared individuals to have access to classified material, either by viewing classified material or by conducting classified discussions in a non-secured area or over a non-secured form of communication.
>
> (c) Allowing non-cleared individuals access to combinations for safes in which classified material is stored.
>
> (d) Storing the written combination to a safe in a non-approved container.
>
> (e) Sending or sharing classified material via non-approved transmission methods.
>
> (f) Removing classified material from the building in which it is normally stored without permission from the FSO.
>
> (g) Copying or destroying classified material.
>
> (h) Generating, accessing, and storing classified material on a non-approved computer or other device.

Security violations are recorded by the FSO in the form of the Security Incident Report. The FSO will investigate the violation and submit initial and final reports to the DCSA if required.

3.2 In addition to disciplinary action that may be taken pursuant to UNM policy, 32 CFR Part 117, NISPOM, Chapter 118.8(e)(2) requires a plan for a graduated scale of disciplinary actions in the event of employee or student violations or negligence. The FSO provides the plan for a graduated scale of discipline to cleared personnel. Prior to finalizing the disciplinary action, the UNM sanctioning officer must discuss the proposed disciplinary action with the FSO to ensure it complies with 32 CFR Part 117 requirements. Violators may also be subject to criminal punishment.

In the event that a conflict arises concerning the interpretation of existing UNM policies and rules with respect to classified research, an appeal will be heard by the Provost/Executive Vice President for Health Sciences (EVPHS) who fulfills the role of KMP (key management personnel) required by federal regulations (32 Code of Federal Regulation Part 117). If the conflict cannot be resolved, the route of further appeals would be the President and the Board of Regents (see Policy Statement, Section 1. above).

3.3 Individual Culpability Reports When individual responsibility for a security violation can be determined and one or more of the following factors are evident, an Individual Culpability Report will be sent to DCSA by the FSO. Factors include:

> (a) Deliberate disregard of security requirements.
>
> (b) Gross negligence in the handling of classified material.
>
> (c) A pattern of negligence or carelessness.

4. Insider Threat Program

The Insider Threat Program is intended to address threats to personnel, facilities, material, information, equipment or other Department of Defense, Department of Energy or U.S. government assets. The UNM President has designated the FSO as the Insider Threat Program Senior Official (ITPSO). The FSO has created an Insider Threat Program, in accordance with 32 CFR Part 117 NISPOM, Section 117.7(b)(4), and 117.7(d).

DEFINITIONS

Classified Information. Records, files, reports and other data or material relating to contracts between UNM and the U.S. government which are required by the contract, pursuant to Executive Order 12958 (Apr. 17, 1995), to be protected against unauthorized disclosure in the interest of national security.

Classified Research. Refers to research that involves information or materials designated by the U.S. government as requiring protection against unauthorized disclosure for national security reasons. This type of research is governed by federal classification standards (e.g. Confidential, Secret, Top Secret) and access is restricted to individuals with the appropriate security clearance and need to know.

Facility Clearance (FCL). An administrative determination issued by the DOD and DOE that a facility is eligible for access to classified information or award of a classified contract. Contractors are eligible for custody (possession) of classified material if they have an FCL and storage capability approved by the Cognizant Security Agency.

National Industrial Security Program Operating Manual (NISPOM). A manual that provides baseline standards for the protection of classified information released or disclosed in connection with classified contracts under the National Industrial Security Program.

Facility Security Officer (FSO). The FSO supervises and directs security measures necessary for implementing the applicable requirements of 32 CFR Part 117 and the related USG security requirements to ensure the protection of classified information.

Insider Threat Program Senior Official (ITPSO). The ITPSO will establish and execute an Insider Threat Program.

Senior Management Official (SMO). The SMO is a person occupying a position in the entity with ultimate authority over the facility’s operations and the authority to direct actions necessary for the safeguarding of classified information in the facility.” UNM’s SMO is the UNM President.

CONTACTS

Direct any questions about this Policy or its components to the Office of the Vice President for Research (OVPR) or the Office of the Health Sciences Vice President for Research (HSVPR).

WHO SHOULD READ THIS POLICY

- Students
- Faculty
- Staff
- Department chairs, academic deans and other academic administrators and executives
- External research collaborators who are provided access to UNM managed research data

RELATED DOCUMENTS

UNM Regents' Policy Manual

- RPM 5.10: Conflicts of Interest in Research
- RPM 5.11: Classified Research
- RPM 5.13: Research Fraud
- RPM 5.17: Conflict of Interest Waiver Policy for Technology Transfer

Faculty Handbook

- FH Section B: Academic Freedom and Tenure
- FH Policy C07: Faculty Disciplinary Policy
- FH Policy D175: Undergraduate Student Conduct and Grievance Procedures
- FH Policy D176: Graduate and Professional Student Conduct and Grievance Procedures
- FH Policy E30: Research Data Management
- FH Policy E40: Research Misconduct
- FH Policy E60: Sponsored Research
- FH Policy E110: Conflict of Interest in Research
- FH Policy E130: Foreign Talent Recruitment Programs

University Administrative Policies and Procedures Manual

- UAP 3215: Performance Improvement

Federal Regulation

- 32 Code of Federal Regulation Part 117

HISTORY

Approved by the University Faculty on March 13, 1973

E20: Overseas Research: Guidelines

Policy

The following statement, formulated by Education and World Affairs (now the International Council for Educational Development), was adopted in its entirety by the University Faculty on December 12, 1967, as official policy in matters pertaining to the overseas research of the University and its faculty members. The topic sentences of the EWA Guidelines are reproduced below. The full statement is on file in the Office of the University Secretary.

1. The universities must assume an active and effective role in providing safeguards and setting high standards for U.S. study and research undertakings overseas.

2. The university must take the lead in insisting on the rule of candor and full disclosure in connection with all overseas research.

3. The university should reject covert funding of overseas research and at the same time press for an enlargement in the grant-making capacity of those government agencies which are not part of the military and intelligence complexes. It should seek to assure that faculty members applying for funds are aware of the full range of possibilities, public and private.

4. The university should use all available means to assure that suitable academic quality standards are met with respect to overseas research projects and the scholars who will carry them out.

5. The university should seek to assure that the overseas research of its faculty members enhances the American academic presence abroad and projects the best qualities of our educational community. It can do so partly by encouraging its scholars who are going abroad to take active account of the other country's developmental needs in education and research.

6. The university should lend its support to the strengthening of our educational representation abroad as a basis for more effective cooperation with the academic communities of other countries.

7. Through its graduate faculties and professional schools, the university should begin to build into the training of students an appreciation of the types of problems that are involved in overseas research.

E30: Research Data Management

Approved by: Faculty Senate
Effective: October 31, 2023
Responsible FS Committee: Research Policy Committee
Office Responsible for Administration: Vice President for Research (VPR) and Health Sciences Vice President for Research (HSVPR)

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

Applicability

This Policy applies to all members of the UNM community including, but not limited to, faculty, staff, students, visiting scholars, and postdoctoral fellows, and any other persons at UNM involved in the creation, acquisition, modification, access, use, management, sharing, storage, preservation, and destruction of research data at or on behalf of UNM. Collaborating individuals and institutions outside of UNM must agree to comply with the requirements of this and related UNM policies prior to being allowed any access to and/or management of UNM research data. This Policy applies regardless of the source of support for the research project/activity and therefore does not distinguish between externally or internally funded and unfunded efforts.

Policy Rationale

UNM maintains a steadfast commitment to support the academic freedom of its research community and maximizing the impact of UNM's research activities. This includes researchers' rights and responsibilities to determine the direction of their research and scholarly work and dissemination of their findings. UNM's commitment to teaching and research is primary, and this Policy does not diminish the right and obligation of faculty, staff, and students to disseminate research results for scholarly purposes.

This Policy reflects UNM's commitment to complying with research data management laws, agreements, and regulations throughout the research lifecycle. As recipients of sponsored awards, participants in the research enterprise, and stewards of public trust, UNM, its researchers, and other UNM personnel have rights and responsibilities concerning access, use, sharing, privacy, security, confidentiality, maintenance, storage, retention, and disclosure of research data and must comply with this and other UNM policies relating to research data management. Faculty members working with students on research projects must inform students in advance of their responsibilities under this Policy.

Policy Statement

Research data requirements originating from regulators, sponsors, and publishers; combined with disciplinary norms and institutional values of transparency, replicability of research findings, and compliance with legal and ethical standards produce a complex data management landscape within which UNM research is conducted. The purpose of this Policy is to delineate rights and responsibilities pertaining to ownership

and management of data and associated materials for UNM research activities. The Vice President for Research (VPR) and the Health Sciences Vice President for Research (HSVPR) have final authority for compliance with this Policy and are responsible for its implementation. Consistent with this responsibility, the VPR and HSVPR may designate advisory support and enforcement decisions to other individuals or offices at UNM, and coordinate with research support service providers to facilitate researcher and program compliance with this and related policies.

If state or federal laws or regulatory requirements differ from this Policy, the state and federal requirements shall supersede all relevant portions of this Policy.

1. Ownership and Transfer of Research Data

As research data and materials generated by UNM researchers under sponsored agreements for projects conducted at UNM, under the auspices of UNM, or otherwise with UNM resources are “Technical Information” or “Technological Works,” all rights are owned by UNM in accordance with Board of Regents Policy 5.8 and Faculty Handbook Policy E70 "Intellectual Property". UNM’s rights apply in all cases except where explicitly precluded by the specific terms of sponsorship, other agreements, (such as sub-award or institutional collaboration agreements), or in the case of student research data as specified in Section 1.1 below.

In the absence of specific restrictions, under applicable law, UNM policy, or contractual obligation, UNM grants to the researcher who creates research data an unrestricted right to use, modify, develop derived products, and redistribute the data as they determine. The researcher is responsible for being cognizant of and remaining compliant with any regulatory, legal, and contract issues related to the research data. The researcher will be informed of regulatory, legal, and contract issues during the pre-award process and should contact the VPR or HSVPR for clarification or to address issues when appropriate. If a researcher has questions or concerns about their responsibilities, they may contact their dean or designee, the VPR or HSVPR who will refer the researcher to the appropriate support resources to help them comply with this Policy.

1.1 Student Research Data

Students own research data that they generate or acquire in the course of independent research, unless the research data are:

- generated or acquired within the scope of their employment at UNM,
- generated or acquired through use of substantial UNM resources as delineated in Sections 2.2.2, 2.3.3, and 2.3.4 of Faculty Handbook Policy E70: "Intellectual Property"
- generated as a part of a sponsored project, or
- subject to other agreements and regulations that supersede this right, including but not limited to, Institutional Review Board (IRB), Electronic Health Record (EHR), Protected Health Information (PHI) requirements, or other data use agreements.

If there are questions about student ownership of data, inquiries should first be directed to the student’s department, then, if unresolved, to the Office of the VPR (OVPR) or HSVPR.

1.2 Research Investigator Leaves UNM

In the event that a research investigator leaves UNM, research data (originals and any duplicates) must be:

- retained by UNM at an appropriate location, and

- if made publicly available, provided persistent identifiers (such as Digital Object Identifiers – DOIs) facilitating citation, discovery, and appropriate authoritative access.

The VPR or HSVPR, or their designee, will work with the departing research investigator and the investigator's new institution (if applicable) to craft an appropriate material transfer agreement to accomplish the transfer of such research data when UNM determines it is necessary or desirable to have such an agreement because of the nature of the research data; or because of regulatory, legal, or contract issues. In the rare event that the research data cannot be divided, replicated, or otherwise reproduced, UNM will work with the departing research investigator and the investigator's new institution to develop an appropriate plan for access, sharing, and continued use of the research data. The departing research investigator(s) must ensure the proper disclosure and transfer of research data to an appropriate UNM steward (defined in UAP 2580: Data Governance) prior to completing UNM's separation process. In cases where a final determination of research misconduct has occurred in accordance with Faculty Handbook Policy E40 "Research Misconduct," it is the decision of the VPR or HSVPR as to what if any research data is appropriate for transfer.

2. Research Data Management

Research data management involves responsible access, use, sharing, privacy, security, confidentiality, maintenance, storage, retention, and disclosure of research data. Ensuring appropriate protection of research data is a fundamental responsibility of all members of the UNM research community and others who may have access to research data. The obligation to protect access to research data is rooted in a commitment to confidentiality (i.e., not breaching the trust of collaborators when results are not yet published); integrity (i.e., maintaining the structural and content consistency of data); availability to authorized users; and compliance with commitments made to human subjects, other research participants, data providers, and users (i.e., through contracts and agreements), applicable laws and regulations related to Controlled Unclassified Information (CUI), contractual terms, and other legal requirements (e.g., data retention requirements, export control laws, Health Insurance Portability and Accountability Act (HIPAA,) Family Educational Rights and Privacy Act (FERPA). The requirements listed in all sections of this Policy must be followed to ensure proper research data management.

3. Rights and Responsibilities

As recipients of sponsored awards, participants in the research enterprise, and stewards of public trust, UNM, its researchers, and other UNM personnel have rights and responsibilities concerning access, use, sharing, privacy, security, confidentiality, and maintenance of research data, both in analog and digital form. In addition to this Policy, other UNM policies, including but not limited to UAP 2580 "Data Governance," relating to the rights and responsibilities of researchers and other UNM personnel related to research data are listed in the Related Documents section of this Policy. "Data Governance" defines specific roles and responsibilities relating to UNM data, including research data. These roles are described in the following sections. Faculty Handbook Standard E30#1 "Research Data Management" is being developed to provide standards and guidelines that ensure compliance with this Policy.

3.1 Researcher

For the purposes of this Policy, researcher refers to a UNM faculty member, staff member, student, or collaborator, who participates in or contributes to research activities occurring at UNM, involving use of UNM resources, or otherwise conducted by or on behalf of UNM, regardless of whether the research is supported by external funds. UNM researchers are expected to pursue their work in accordance with UNM policies, ethical standards, award terms and conditions, and all additional requirements set forth in applicable agreements (e.g., Non-disclosure or Confidentiality Agreements, Data Use Agreements, etc.) that

govern research data management. Agreements with collaborators should be developed to ensure compliance with UNM policies. The Office of the VPR or HSVPR can assist the researcher in developing such agreements. Depending on the size and complexity of a specific research project, the lead researcher may serve in multiple roles or solely as a research data steward. Specific research data responsibilities and activities related to these roles are outlined in this Policy.

3.2 Research Data Owners

As the designated officers for research at UNM, the VPR and the HSVPR serve as research data owners for all research data covered by this Policy and have ultimate authority and responsibility for research data management within their respective campuses. Research data owners are responsible for:

- Protecting the rights and welfare of human research subjects from which research data is derived.
- Protecting the rights of UNM researchers as provided in this Policy, including their right to academic freedom and right to access data from research in which they participate.
- Protecting the rights of former UNM researchers to retain access to available copies of research data.
- Developing, implementing, and supporting policies, guidance, training, and efficient processes to ensure:
    - A shared understanding of the rights and responsibilities of all participants in the research process relative to research data.
    - UNM compliance with sponsor terms, conditions, and legal requirements, including public access requirements.
    - Effective investigation of allegations of research misconduct and other UNM compliance and audit reviews that may necessitate access to, sequestration of, and analysis of research data.
- Supporting UNM systems and services that enable researchers to maintain research data throughout the data lifecycle in computing and physical environments that meet tiered computational, privacy, security, and physical environmental requirements based on the nature of the data.

3.3 Research Data Stewards

Research data owners appoint research data stewards who have direct operational-level authority and responsibility for research data management for specific research applications. Principal/lead investigators typically serve in this role. Research data stewards are responsible for ensuring that research data and materials are managed in compliance with this Policy, legal and regulatory requirements, other UNM policies, and contractual requirements on behalf of UNM.

Research data stewards are responsible for:

- Determining the roles and responsibilities of the individuals working on the project.
- Assuring continued stewardship of the project’s data in case of a change in project leadership.
- Defining administrative, operational, physical, and technical safeguards to reasonably and appropriately protect research data.
- Defining data management standards, permissions for sharing and access, and procedures that apply to the project’s data.
- Developing and implementing a written Data Management Plan (DMP) in accordance with Standard E30 #1 (under development) Research Data Management, Section 2.1 Data Management Planning. In the case of student researchers or researchers with questions about DMP development, this DMP should be developed in consultation with their faculty advisors, instructors, or campus research data support providers listed in Section 4 of Standard E30#1 (under development).
- Ensuring that institutional data sharing, preservation, and protection obligations documented in the DMP and other research proposal documents and agreements are met.

- Ensuring that the data are retained and subsequently destroyed in compliance with institutional, legal, and regulatory retention requirements.

3.4 Research Data Custodians

Research data custodians are individuals and/or units that provide technical services and infrastructure to support researchers, research data owners, research data stewards, and research data users in meeting UNM research data obligations. Researchers (i.e., research data stewards or research data users) retain responsibility for compliance with all research data obligations; however, if they lack the technical capacity to serve or are legally prohibited from serving in the capacity of research data custodian for their data, they should contact the VPR, HSVPR, or the Director of Clinical Translational Sciences Center (HSC) for other resources to serve in that role.

Research data custodians typically are associated with UNM administrative technical functions but may also include systems administrators within academic and administrative units, or research data stewards themselves in the absence of supporting staff. Research data custodians are responsible for the operation and management of technology, systems, and servers that collect, store, process, manage, and provide access to UNM data. In accordance with directions provided by the research data steward, the research data custodian is also responsible for ensuring that all research data are:

- archived and stored in a secure and persistent manner,
- accessible only to authorized users,
- secured at rest and in transit,
- securely backed up,
- securely transferred,
- securely destroyed when required.

The research data custodian will provide auditing and logging services on the infrastructure.

3.5 Research Data Users

Research data users are individuals who access UNM data to perform assigned research duties or functions. Lead researchers/principal investigators and other UNM researchers or personnel who create, access, maintain, or store research data and research materials are accountable as research data users. When data have been made publicly available, users of research data may be external to UNM. In reference to research data, UNM co-investigators, collaborating researchers, and students are considered research data users.

Research data users are responsible for:

- The appropriate use, management, and application of privacy and security standards for the data they are authorized to use.
- Collecting, recording, managing, documenting, retaining, and sharing research data and research materials in accordance with the terms and conditions of sponsored awards, UNM policies, and any other legal, regulatory, or contractual requirements.
- Complying with the research data management requirements of this Policy and Faculty Handbook Standard E30 (under development).

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.

Procedures

1. Stewardship of Research Data

Proper data stewardship is expected of all UNM researchers and personnel and is understood as an iterative, lifecycle-oriented set of actions related to routine data management activities such as:

- Planning; data acquisition, management, and analysis; creating and validating backups
- Ensuring data security
- Sharing data with collaborators
- Generating research outputs
- Publishing results
- Preserving and sharing data
- Retaining data in compliance with institutional, state, federal, and sponsor requirements
- Transferring of research data
- Destruction of research data

Additional, data specific administrative activities such as confirmation that data sharing, retention, destruction, and preservation requirements have been integrated into project planning throughout the project lifecycle. A representative set of activities includes:

- Preparation of plans for data management that will meet all relevant requirements, in consultation with campus research support service providers such as the University Libraries' Research Data Services program, Center for Advanced Research Computing, the Health Sciences Library and Informatics Center, and Offices of the Vice Presidents for Research (Main Campus and Health Sciences Center).
- Provision and use of secure storage and routine and verified backup capacity. Definition and validation of routine data backup and recovery procedures.
- Documentation of resources, applications, and methods used for data collection and analysis.
- Preparation of data and documentation in support of data retention, destruction, archiving, discovery, access, and sharing for a specified period of time beyond the close of a research project, and in compliance with IRB and other regulatory and contractual requirements.
- Specification of appropriate access and the necessary security provisions to prevent unauthorized access and use.

Responsibilities of researchers, research data owners, research data stewards, research data custodians, and research data users are delineated in the Policy Statement section above.

2. Research Data Use Agreements

Research Data Use Agreements (DUA) may be required when data will be exchanged with recipients or providers outside UNM. Data may be solely incoming, solely outgoing, or both (incoming and outgoing). The need for a DUA is driven by restrictions on data use required by the sender or the recipient. These include research or sponsored projects involving human subject data (including de-identified data), student data, data from or about populations that are subject to special legal protections, a Limited Data Set (LDS), or Protected Health Information (PHI), as defined in HIPAA and institutional policy, and other classes of protected data.

3. IRB Obligation to Human Subjects

Federal regulations require IRBs to determine the adequacy of provisions to protect the privacy of subjects and to maintain the confidentiality of their data. To meet this requirement, federal regulations require researchers to provide a plan to protect the confidentiality of research data. If the IRB finds that researchers have collected data in a manner noncompliant with their approved protocol, or without proper consent, the IRB is obligated to take action in order to protect the human subjects from which the data was derived. This action may include limiting the use of the inappropriately collected data, appropriate consenting of the human subjects, the destruction of inappropriately collected data, or other measures as determined by the IRB.

Definitions

Controlled Unclassified Information (CUI). CUI is information the government creates or possesses, or that an entity creates or possesses for or on behalf of the government, that a law, regulation, or government-wide policy requires or permits an agency to handle using safeguarding or dissemination controls. However, CUI does not include classified information or information a non-executive branch entity possesses and maintains in its own systems that did not come from, or was not created or possessed by or for, an executive branch agency or an entity acting for an agency.

In the context of UNM research examples include, but are not limited to:

- Personally identifiable information, such as that covered by IRB requirements and PHI protocols.
- Data that is subject to HIPAA and/or FERPA regulations.
- Sensitive information about animal species or archaeological sites.

In some cases, data that are not included in the definition of CUI may be subject to more stringent requirements and regulations. Examples include, but are not limited to:

- Export-controlled data.
- Classified data.
- Data contracted or licensed from third parties.

Data Preservation. The process and practice of placing research data into a designated preservation system that is actively managed to ensure preservation of the deposited data for as long as determined necessary for future potential research, teaching, and other forms of beneficial access and reuse.

Data Retention. The process and practice of securely storing research data in compliance with institutional, regulatory, and sponsor requirements – typically in support of audit or investigative activities, or public records requests.

Data Destruction. The process and practice of securely destroying research data in compliance with institutional, regulatory, and sponsor requirements.

Data Transfer. The process and practice of exchanging data between systems or organizations.

Data Sharing. The process and practice of making research data available to collaborators, other investigators, students, and the general public.

Research. Basic (or fundamental) research is experimental or theoretical work undertaken primarily to acquire new knowledge of the underlying foundations of phenomena and observable facts, without any particular application or use in view. Applied research is the original investigation undertaken to acquire new

knowledge directed primarily towards a specific, practical aim or objective. The aims and objectives of applied research may also include innovation and commercialization.

Research Data. The recorded factual material necessary to validate research findings and includes original, primary, and raw data, as well as analyzed or synthesized data, including recordings of such data.

Research Data Lifecycle. All stages of data from creation to destruction. A lifecycle view is used to enable active management of the data objects and resource over time, thus maintaining accessibility and usability.

Research Data Management. Processes concerning access, use, sharing, privacy, security, confidentiality, maintenance, storage, retention, and disclosure of research data that ensure compliance with research data policies, laws, agreements, and regulations.

Source Data. Data or other information necessary to perform the research received from a party external to UNM via a properly executed agreement. Source Data do not include original data generated by UNM researchers or the results of analyses conducted using Source Data.

Contacts

Direct any questions about this Policy or its components to the Office of the Vice President for Research (OVPR) or the Office of the Health Sciences Vice President for Research (HSVPR).

Who Should Read This Policy

- Students
- Faculty
- Staff
- Department chairs, academic deans and other academic administrators and executives
- External research collaborators who are provided access to UNM managed research data.

Related Documents

UNM Regents' Policy Manual

- Policy 2.9 "University Archives and Records"
- Policy 2.17 "Public Access to University Records"
- Policy 5.8 "Intellectual Property"
- Policy 5.10 "Conflicts of Interest in Research"
- Policy 5.13 "Research Fraud"
- Policy 5.14 "Human Beings as Subjects in Research"
- Policy 5.15 "Use of Animals in Education and Research"
- Policy 5.17 "Conflict of Interest Waiver Policy for Technology Transfer"

Faculty Handbook

- Policy on Academic Freedom and Tenure
- Policy C07 "Faculty Disciplinary Policy"
- Policy C70 "Confidentiality of Faculty Records"
- Policy D100 "Dishonesty in Academic Matters"
- Policy D175 "Undergraduate Student Conduct and Grievance Procedures"

- Policy D176 “Graduate and Professional Student Conduct and Grievance Procedures”
- Policy E10 “Classified Research Policy”
- Policy E40 “Research Misconduct”
- Policy E70 “Intellectual Property Policy"
- Policy E80 “Conflict of Interest Waiver Policy for Technology Transfer”
- Policy E90 “Human Beings as Subjects in Research”
- Policy E100 “Policy Concerning Use of Animals”
- Standard E30#1 “Research Data Management” (under development)

University Administrative Policies

- Policy 2200 “Reporting Suspected Misconduct and Whistleblower Protection-Retaliation”
- Policy 2300 “Inspection of Public Records”
- Policy 2500 “Acceptable Information and Information System Use”
- Policy 2520 “Accessing and Safeguarding Personally Identifiable and Controlled Information”
- Policy 2550 “Information Security”
- Policy 2580 “Data Governance”
- Policy 3215 “Performance Management”
- Policy 6020 “Records Management, Retention, and Disposition”

UNM Health Sciences Center (HSC) Policies and Procedures

- HSC-R-801 PR.1 “Research Data and Materials Retention Policy”
- HSC-230 “Electronic Data Storage and Transmission”
- HSC-300 “ePHI Security Compliance”
- HSC-311 “HIPAA Use and Disclosure of Protected Health Information Policy”
- HSC-313 “HIPAA Responding to Breaches of Protected Health Information Policy”
- HSC-312 “HIPAA Right to Access of PHI by the Patient Policy”
- HSC-310 “HIPAA Right to Request to Amend Designated Record Set Policy”

UNM Data Classification IT Standard:
https://cio.unm.edu/standards/

History

- July 1, 2025 - Policy format updated to align with FHB A53
- October 31, 2023- Approved by Facutly Senate

E40: Research Misconduct

Approved by: Faculty Senate and UNM President
Effective: November 17, 2025
Responsible FS Committee: Research Policy Committee
Office Responsible for Administration: Vice President for Research and HSC Vice President for Research

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

Applicability

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

Policy Rationale

Integrity, trust, and respect are important elements in an academic research environment. Investigators typically conduct research and explain findings and theories with painstaking diligence, precision, and responsibility. However, research misconduct threatens both to erode the public trust and to cast doubt on the credibility of all researchers. This policy and procedures regarding research misconduct are intended to protect the integrity of The University of New Mexico's (UNM) research enterprise and not hinder the search for truth or interfere with the expansion of knowledge.

Policy Statement

Because UNM as well as the general public and government are affected by research misconduct, UNM faculty and administration have created a process to ensure the credibility and objectivity of research activities and deal with research misconduct if it arises. In broad terms this process is designed to:

- Ensure that ethical standards for research at UNM are clearly stated and applied.
- Promptly inquire into allegations of misconduct and, where appropriate, initiate formal investigations and advise sponsors of action taken.
- Ensure that each investigation is properly documented to support findings and carefully conducted to protect any person whose reputation may be placed at risk during the process.
- Respect the principles of academic freedom.

This policy applies to all individuals who may be involved with a research project, including, but not limited to, faculty, graduate/undergraduate students, staff, employees, contractors, visiting scholars, and any other member of UNM’s academic community.

General Principles

1. Research misconduct cannot be tolerated and will be firmly dealt with when found to exist.

2. For purposes of resolving allegations of research misconduct, the process established by this Policy shall apply to allegations of fabrication, falsification, or plagiarism. All other allegations of research misconduct shall be resolved utilizing other applicable UNM policies and procedures.

3. Every effort shall be made to protect the rights and the reputations of everyone involved, including the individual who in good faith alleges perceived misconduct as well as the alleged violator(s). A good faith allegation is made with the honest belief that research misconduct may have occurred. Persons making a good faith allegation shall be protected against retaliation. However, persons making allegations in bad faith will be subject to disciplinary action, up to and including termination or expulsion. An allegation is made in bad faith if the complainant knows that it is false or makes the allegation with reckless disregard for or willful ignorance of facts that would disprove it.

4. All members of the UNM community are expected to cooperate with committees conducting inquiries or investigations.

5. *Confidentiality.* Care will be exercised at all times to ensure confidentiality to the maximum extent possible and to protect the privacy of persons involved in the research under inquiry or investigation. The privacy of those who report misconduct in good faith will also be protected to the maximum 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 Definitions below.

6. *Conflict of Interest.* If the Provost, the Executive Vice President for Health Sciences (EVPHS), Vice President for Research, or HSC Vice President for Research, as appropriate, has any actual or potential conflict of interest, the persons shall recuse themselves from the case. The President of UNM shall appoint a designee to act instead.

   When a case continues to the Inquiry and Investigation stages (Procedures Sections 2. and 3.), if the President of the Faculty Senate has any actual or potential conflict of interest, the person shall recuse themselves from the case and the Senate President-Elect shall appoint a designee to act instead.

   If any member of the Faculty Senate Operations Committee or the Chair of the Research Policy Committee has any actual or potential conflict of interest, the persons shall recuse themselves from the case. The Faculty Senate President, or designee as appropriate, shall appoint faculty members to act instead.

7. UNM will respond to each research misconduct allegation in a thorough, competent, objective, and fair manner.

8. UNM will ensure its deans, directors, chairs, and graduate advisors are reminded annually of UNM policies and procedures on Research Misconduct, including this Policy. UNM will also inform all faculty, students, and staff of:

   (1) the need and importance of research integrity; and
   (2) the importance of compliance with applicable policies and procedures.

Revisions to the remaining sections of this document may be amended with the approval of the Faculty Senate Research Policy Committee, Policy Committee, and Operations Committee and in accordance with applicable federal guidelines listed in Section 5.7 herein.

Procedures

All applicable persons will report observed, suspected, or apparent research misconduct in accordance with this Policy. Allegations may be made in writing or orally, and in either case may be anonymous, and in all cases; must be sufficiently credible and specific. If an individual is unsure whether a suspected incident falls within the definition of research misconduct, he or she may meet with or contact the Vice President for Research, HSC Vice President for Research, or the Office of Research Integrity and Compliance to discuss the suspected research misconduct informally, which may include discussing it anonymously and/or hypothetically. If at any point in the process, an allegation is determined to be made in bad faith by the Research Integrity Officer (RIO) or the inquiry or investigation committees, this will be documented and reported to the Vice President for Research (for allegations concerning a central campus or branch community college researcher) or HSC Vice President for Research (for allegations concerning a HSC researcher) for review and transmission to the appropriate university official for potential disciplinary action. A copy of this policy shall be made available to the complainant.

1. Preliminary Assessment of UNM Allegations

1.1. An initial report of alleged research misconduct shall be treated in a confidential manner and brought to the attention of the applicable ROI, or to the Vice President for Research (for allegations concerning a central campus or branch community college researcher), or HSC Vice President for Research (for allegations concerning a HSC researcher).

1.2. An initial report of alleged research misconduct might arise as part of an administrative review. Such an allegation will be acted upon in accordance with this Policy. The allegation should be brought confidentially to the RIO, Vice President for Research, or HSC Vice President for Research, as appropriate.

1.3 Upon receiving an allegation of research misconduct, the Vice President for Research or the HSC Vice President for Research, or designee (e.g., the RIO), shall conduct a preliminary assessment within ten (10) working days. The purpose of the preliminary assessment is to determine whether the allegation:

(1) is sufficiently credible and specific so that potential evidence of research misconduct may be identified;

(2) falls within the definition of research misconduct; and

(3) is within the jurisdictional criteria of this Policy.

An inquiry must be conducted if all three (3) criteria are met. The assessment must be documented, and all research records must be promptly sequestered according to Section 2.2. below.

In conducting the preliminary assessment, the complainant, respondent, or other witnesses need not be interviewed and data need not be gathered beyond any that may have been submitted with the allegation, except as necessary to determine whether the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified.

1.4 If the Vice President for Research, or the HSC Vice President for Research, or designee (e.g. the RIO) determines the requirements for an inquiry are not met, they must keep sufficiently detailed documentation of the assessment, in accordance with applicable federal regulations.

2. Inquiry

2.1 Purpose and Initiation

If the preliminary assessment reveals that the allegation falls within the definition of research misconduct and there is sufficient information to allow specific follow-up, the inquiry process shall be initiated by the Vice President for Research or HSC Vice President for Research, as appropriate. The initiating official will clearly identify the original allegation and any related issues that should be evaluated in the inquiry. The purpose of the inquiry is to conduct an initial review of the available evidence to determine whether there is sufficient credible evidence of possible research misconduct to warrant conducting an investigation. An inquiry does not require a full review of the evidence related to an allegation, The purpose of the inquiry is not to reach a final conclusion about whether misconduct occurred. The findings of the inquiry shall be set forth in an inquiry report.

2.2 Securing Research Records

Prompt securing of the research records is in the best interest of both the respondent and UNM. Either before or at the time UNM notifies the respondent of the allegation, inquiry, or investigation, the Vice President for Research or the HSC Vice President for Research, or designee (e.g., the RIO) as appropriate, will take all reasonable and practical steps to obtain custody of all the research records and evidence needed to conduct the research misconduct proceeding, inventory the records and evidence, and sequester them in a secure manner, except that where the research records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments.

Upon ensuring that the research records are secure, UNM must make a good faith effort to notify the respondent in writing that an inquiry is being initiated and the charges and the procedures to be followed. An inventory of the secured records shall be provided to the respondent as soon as reasonable and practicable. The respondent will be provided with copies of, or supervised access to, the research records, if requested. The steps required to obtain custody, inventory, and sequester any additional research records and evidence will be followed throughout the inquiry process in the course of securing records. UNM will take reasonable measures to minimize the impact of record collection on the ongoing research, so long as such measures do not conflict with UNM’s obligations to sequester. In addition, if research records are located in laboratories or other facilities where chemical, biological, and hazards exist, UNM will take steps to ensure that the collection of such records does not jeopardize the health and safety of any individuals.

2.3 Inquiry Committee

The inquiry shall be carried out by a committee of three (3) persons appointed by the Vice President for Research or HSC Vice President for Research, as appropriate, in consultation with the President of the Faculty Senate. At least two Inquiry Committee members shall be tenured faculty. One of the tenured faculty members shall chair the Committee. Committee members should be selected on the basis of relevant research background and experience. Faculty members from other universities may be named to the Inquiry Committee if a sufficient number of qualified UNM faculty members are not available. Members of the Committee shall have no actual or potential conflicts of interest in the case, shall be unbiased, and shall, together, possess sufficient expertise to enable the committee to conduct the inquiry.

If the Committee so requests, the Vice President for Research or HSC Vice President for Research, as appropriate, shall designate an official to assist the Committee in conducting the inquiry. The Committee shall receive a written charge from the Vice President for Research or HSC Vice President for Research, as appropriate, defining the subject matter of its inquiry prior to beginning its work.

2.4 Inquiry Process

The respondent and complainant shall be given an opportunity to interview with the Inquiry Committee. The Committee may interview others and examine relevant research records, as necessary, to determine whether there is sufficient credible evidence of possible research misconduct to warrant conducting an investigation. University legal counsel shall be available to the Committee for consultation. The Committee will diligently pursue all significant issues and leads discovered that are determined relevant to the inquiry, including any evidence of any additional instances of possible research misconduct, and continue the inquiry to completion.

Findings of research misconduct, including the determination of whether the alleged misconduct is intentional, knowing, or reckless, cannot be made at the inquiry stage.

The length of the inquiry shall not exceed ninety (90) calendar days unless prior written approval for a longer period is obtained from the Vice President for Research or HSC Vice President for Research as appropriate. If the period is extended, the record of the inquiry shall include documentation of the reasons for exceeding the ninety-day period.

2.5 Inquiry Report

The Inquiry Committee shall prepare a report that includes:

(1) the names and titles of the Committee members, and experts consulted, if any;
(2) the allegations;

(3) the PHS support, if any; '

(4) a summary of the inquiry process;

(5) a summary of the evidence reviewed;

(6) a summary of any interviews;

(7) the conclusions of the inquiry as to whether an investigation is recommended; and

(8) whether any other action should be taken if an investigation is not recommended.

If there is potential evidence of honest error or difference of opinion, UNM must note this in the inquiry report regardless of the recommendation(s). The respondent shall be given fourteen (14) calendar days to review the report and to add their comments, which will become part of the final inquiry report and record. Based upon the respondent's comments, the Inquiry Committee may revise its report.

2.6 Inquiry Determination

The Inquiry Committee final report will be sent to the Vice President for Research or HSC Vice President for Research, as appropriate, who will determine whether the results of the inquiry provide sufficient evidence of possible research misconduct to warrant conducting an investigation or whether the matter will not be pursued further. The respondent and complainant shall be notified in writing of the decision.

For PHS funded research, ORI must be provided a copy of the inquiry report within thirty (30) days of determining an investigation is warranted. If an investigation is not warranted, detailed documentation of inquiries must be kept to permit later assessment by ORI of the reasons why an investigation was not conducted. A copy of the inquiry report will be provided to other agencies as applicable.

3. Investigation

3.1 Purpose and Initiation

The purpose of the investigation is to explore the allegations in detail, examine the evidence in depth, and determine specifically whether research misconduct has been committed, by whom, and to what extent. If instances of possible misconduct involving a different respondent are uncovered, the matter should be sent to the Vice President for Research or HSC Vice President for Research, as appropriate, to initiate a preliminary assessment.

The Investigation Committee will be appointed and the process initiated within thirty (30) calendar days after the conclusion of the inquiry. If required by sponsoring agency regulations, the office of the Vice President for Research or HSC Vice President for Research, as appropriate, shall notify the agency of its decision to commence an investigation on or before the date the investigation begins and provide an inquiry report as required.

3.2 Securing Research Records

Any additional pertinent research records that were not previously sequestered during the inquiry will be immediately sequestered when the decision is made to conduct an investigation. The Vice President for Research or HSC Vice President for Research, as appropriate, or designee (e.g., ROI) will direct this process. This sequestration should occur before or at the time the respondent is notified that an investigation will begin. The need for additional sequestration of records may occur for any number of reasons, including a decision to investigate additional allegations not considered during the inquiry stage or the identification of records during the inquiry process that had not been previously secured. As soon as practicable, a copy of each sequestered record will be provided to the respondent, or to the individual from whom the record is taken if not the respondent, if requested.

3.3 Investigation Committee

The investigation shall be conducted by a committee of five (5) persons appointed by the Faculty Senate Operations Committee, in consultation with the Chair of the Research Policy Committee or designee. Committee members should be selected on the basis of relevant research background and experience. All

persons appointed from UNM shall be tenured faculty. Tenured faculty members from other universities or senior researchers from research institutions may be named to the Investigation Committee if a sufficient number of qualified UNM faculty members are not available. Members of the committee shall have no actual or potential conflicts of interest in the case, shall be unbiased, and shall, together, possess sufficient expertise to enable the committee to conduct the investigation. Inquiry Committee may serve on the Investigation Committee.

The respondent and the complainant shall be notified via email of the proposed committee membership and may object in writing to any of the proposed appointees on the grounds that the person, or the Committee as a whole, does not meet the criteria stated above. This objection must be made in writing within fourteen (14) calendar days of receipt of such notification. The Faculty Senate Operations Committee will consider the objection and if it has merit, shall make appropriate substitution(s), in consultation with the Chair of the Research Policy Committee or designee. In the case of disagreement regarding appointments made by the Faculty Senate Operations Committee, the Vice President for Research or HSC Vice President for Research, as appropriate, shall decide the challenge. That decision shall be final.

If the Committee so requests, the Vice President for Research or HSC Vice President for Research shall designate an official to assist the Committee in conducting the investigation. The Committee shall receive a written charge from the Vice President for Research or Vice Chancellor for Research, as appropriate, defining the subject matter of its investigation prior to beginning its work.

3.4 Investigation Process

The Investigation Committee must interview each complainant, the respondent, and other individuals who might have information regarding aspects of the allegations. The interviews will be recorded on a recording device. A verbatim written record shall be made of all interviews. A transcript of their respective interview shall be provided to each interviewee for review and correction of errors, which shall be returned and become part of the investigatory file. The respondent(s) must not be present during the witnesses’ interviews but must be provided a transcript of the interview. University legal counsel shall be available to the Committee for consultation. The Committee will diligently pursue all significant issues and leads discovered that are determined relevant to the investigation, including any evidence of any additional instances of possible research misconduct, and continue the investigation to completion. If additional allegations are raised, the respondent(s) must be notified in writing of the additional allegations against them. All aspects of an investigation must be completed within 180 days (or 120 days if DOE sponsored) of beginning it, including transmitting the institutional record including the final investigation report and decision by the Deciding Official to federal agencies.

3.5 Investigation Report

The Investigation Committee shall prepare a draft of the final report that includes:

(1) the names, titles, and subject matter expertise of the committee members, and experts consulted, if any;

(2) description of the nature of the allegations(s) of research misconduct, including any additional allegation(s) addressed during the research misconduct proceeding;

(3) description of the specific allegations for consideration in the investigation;

(4) description of federal support, if any;

(5) any scientific or forensic analyses conducted;

(6) inventory of sequestered research records and other evidence considered;

(7) transcripts of all interviews conducted;

(8) findings and basis for each finding;

(9) conclusion(s) as to whether research misconduct occurred; and

(10) recommendations for institutional action.

Copies of all significant documentary evidence that is referenced in the report should be appended to the report. Additional information will be included in the investigation report as required by specific federal agencies.

A finding of research misconduct requires that four (4) conditions be met:

(1) the conduct at issue falls within this policy's definition of research misconduct;
(2) the misconduct was committed intentionally, or knowingly, or recklessly;

(3) there is a significant departure from accepted practices of the relevant research community; and

(4) the allegation has been proven by a preponderance of the evidence. This means that the evidence shows that it is more likely than not that the respondent committed research misconduct.

The respondent shall be given a copy of the draft investigation report for comment, and concurrently, a copy of, or supervised access to, the research records or other evidence on which the report is based. The respondent will be allowed thirty (30) calendar days from the date the respondent received the draft report to submit comments. The respondent's comments must be included and considered in the final report.

If the Investigation Committee puts forward a final report with a finding of research misconduct, the respondent has fourteen (14) calendar days from receipt of the report to request a hearing before the Provost or EVPHS, as appropriate. The hearing will allow for argument, rebuttal, cross-examinations and a written record of the proceedings.

3.6 Institutional Review and Determination

The Investigation Committee final report will be forwarded to the Vice President for Research or HSC Vice President for Research, as appropriate. The Vice President for Research will transmit the report to the Provost who is the UNM deciding official for cases where the respondent is not a Health Sciences Center employee. The EVPHS is the deciding official for cases where the respondent is a Health Sciences Center employee. The deciding official will make the final determination whether to accept the investigation report, its findings, and the recommended institutional actions.

The deciding official's decision should be consistent with the definition of research misconduct, UNM's policies, and the evidence reviewed and analyzed by the Investigation Committee. The deciding official may also return the report to the Investigation Committee with a request for further fact-finding or analysis. The deciding official's final determination will be sent to the respondent and complainant. If the deciding official's decision varies from that of the Investigation Committee, the basis for rendering a different decision will be explained in the report to ORI and other agencies as appropriate.

Respondents may appeal the final determination to the UNM President. An appeal must be made within fifteen (15) working days of UNM's determination and is limited to:

(1) a claim of procedural error; and/or

(2) a claim that the sanction imposed as a result of a finding of research misconduct is inappropriate.

Except for Department of Energy (DOE) funded research, the investigation shall be completed within one hundred eighty (180) calendar days of the first meeting of the Investigation Committee. For DOE sponsored research the investigation shall be completed within one hundred twenty (120) calendar days of the first meeting of the Investigation Committee.

Federal agencies will be notified and provided documentation according to specific agency requirements.

4. Actions Following Investigation

4.1 Finding of Research Misconduct

If the final determination is that research misconduct occurred, UNM shall take appropriate action, which may include but is not limited to:

(1) notification of the sponsoring agency;

(2) withdrawal or correction of all pending or published abstracts and papers emanating from the research;

(3) removal of the responsible person from the particular project, letter of reprimand, special monitoring of future work, probation, suspension, salary reduction, rank reduction or termination of employment in accordance with UNM policies and procedures. In cases involving faculty, implementation must be consistent with the Policy on Academic Freedom and Tenure;

(4) determination of whether law enforcement agencies, professional societies, professional licensing boards, collaborators of the respondent, or other relevant parties should be notified; and

(5) any other steps deemed appropriate to accomplish justice and preserve the integrity of UNM and the credibility of the sponsor’s program.

4.2 Restoration of Respondent’s Reputation

If the final determination is that no research misconduct occurred, efforts shall be undertaken to the extent possible and appropriate to fully protect, restore, or maintain the credibility of the research project, research results, and the reputation of the respondent, the sponsor, and others who were involved in the investigation or deleteriously affected thereby. Depending on the circumstances, consideration should be given to notifying those individuals aware of or involved in the investigation of the final outcome, publicizing the final outcome in forums in which the allegation of research misconduct was previously publicized, expunging all reference to the research misconduct allegation from the respondent’s personnel files, or reviewing negative decisions related to tenure or advancement to candidacy that occurred during the investigation. Any institutional actions to restore the respondent’s reputation must first be approved by the Vice President for Research or HSC Vice President for Research, as appropriate.

4.3 Protection of the Complainant and Others

Regardless of whether UNM determines that research misconduct occurred, reasonable efforts will be undertaken to protect complainants who made allegations of scientific misconduct in good faith and others who cooperate in good faith with inquiries and investigations of such allegations. The Vice President for

Research or HSC Vice President for Research, or designee, will also take appropriate steps during the inquiry and investigation to prevent retaliation against the complainant. If a complainant believes that retaliation was threatened, attempted, or occurred, they may file a complaint with the UNM Internal Audit Department.

4.4 Allegations Made in Bad Faith

If relevant, the Vice President for Research or HSC Vice President for Research will determine whether the complainant's allegation of research misconduct was made in good faith. If an allegation was made in bad faith, appropriate disciplinary action will be taken in accordance with UNM policies and procedures. If the complainant is not associated with UNM, appropriate organizations or authorities may be notified and administrative or legal action considered.

5. Other Considerations

5.1 Requirements for Reporting to ORI When Funding from PHS Is Involved

5.1.1 The decision to initiate an investigation must be reported in writing to the Director of the ORI, within thirty (30) calendar days of finding that an investigation is warranted. The notification must include at a minimum the name of the person(s) against whom the allegations have been made, the general nature of the allegation, and the PHS application or grant number(s) involved.

5.1.2 If UNM plans to terminate an inquiry or investigation without completing all relevant requirements of the PHS regulation, a report of such planned termination shall be made to ORI, including a description of the reasons for the proposed termination.

5.1.3 If UNM determines that it will not be able to complete the investigation within one hundred eighty (180) calendar days, a written request for an extension shall be submitted to ORI that explains the delay, reports on the progress to date, estimates the date of completion, and describes other necessary steps to be taken. If the request is granted, UNM must file periodic progress reports as requested by ORI.

5.1.4 UNM will keep ORI apprised of any developments during the course of an investigation that may affect current or potential Department of Health and Human Services funding for the individual(s) under investigation or that the PHS needs to know to ensure appropriate use of federal funds and otherwise protect the public interest.

5.1.5 ORI shall be notified immediately, at any time during a research misconduct proceeding, if there is any reason to believe that any of the following conditions exist:

(1) Health or safety of the public is a risk, including an immediate need to protect human or animal subjects;

(2) HHS resources or interests are threatened;

(3) Research activities should be suspended;

(4) There is a reasonable indication of possible violations of civil or criminal law;

(5) Federal action is required to protect the interests of those involved in the research misconduct proceeding;

(6) The research misconduct proceeding may be made public prematurely and HHS action may be necessary to safeguard evidence and protect the rights of those involved; or

(7) The research community or public should be informed.

5.2. Funding Agency Requirements for Reporting

When support from other funding agencies is implicated in research subject to the allegation of potential misconduct, the funding agency policies must be researched and followed.

5.3 Administrative Action

UNM officials will take administrative actions, as appropriate, to protect federal funds and ensure that the purposes of the federal financial assistance are carried out. UNM officials shall ensure that administrative actions taken by UNM and ORI are enforced and shall take appropriate action to notify other involved parties such as sponsors, law enforcement agencies, professional societies, and licensing boards, of those actions.

5.4 Termination of UNM Employment

The termination of the respondent's UNM employment, by resignation or otherwise, before or after an allegation of possible research misconduct has been reported, will not preclude or terminate the misconduct procedures. If the respondent refuses to participate in the process after termination of employment, the Committee will use its best efforts to reach a conclusion concerning the allegations, noting in its report the respondent's failure to cooperate and its effect on the Committee's review of all the evidence.

5.5 Record Retention

Records of the research misconduct proceeding will be maintained in a secure manner for seven (7) years after completion of any proceeding by UNM involving research misconduct allegations, or the completion of any ORI proceeding involving the allegation of research misconduct, whichever is later, unless custody of the records has been transferred to ORI or ORI has advised that the records no longer need to be retained. When it is determined that an investigation is not warranted, detailed documentation of the inquiry must be retained for at least seven (7) years after termination of the inquiry, so that ORI may assess the reasons why UNM decided not to conduct an investigation.

5.6 Reimbursement

If requested, the UNM Board of Regents in the pursuit of justice and fairness may, in its sole discretion, fully or partially reimburse the respondent and/or the complainant for legal fees in cases of unusual hardship.

5.7 Federal Regulatory Changes

If PHS, ORI, NSF, or any other federal agency amends its requirements on research misconduct, those amendments shall govern where applicable and shall be incorporated into this policy by reference herein. Such changes in federal requirements shall supersede all relevant portions of this Policy.

Definitions

Bad Faith. (a) An allegation or cooperation with a research misconduct proceeding when made with the knowledge of, or reckless disregard for information that would negate the truth of the allegation or testimony. (b) An Institutional member or committee member acts or omits to act during the research misconduct proceedings in ways that are dishonest or influenced by personal, professional, or financial

conflicts of interest with those involved in the research misconduct proceeding.

Complainant means a person who makes an allegation of research misconduct. There can be more than one complainant in any inquiry or investigation. (42CFR 93.206)

Confidentiality. UNM officials shall, as required by 42 CFR § 93.108 : (1) limit disclosure of the identity of respondents and complainants (and witnesses when the circumstances indicate that witnesses may be harassed or otherwise need protection) to those who need to know in order to carry out a thorough, competent, objective and fair research misconduct proceeding; and (2) except as otherwise prescribed by law, limit the disclosure of any records or evidence from which research subjects might be identified to those who need to know in order to carry out a research misconduct proceeding. Written confidentiality agreements or other mechanisms may be used to ensure that recipients do not make any further disclosure of identifying information.

Conflict of Interest. All officials or officially appointed participants in an investigation, appeal, or decision must be able to participate in a completely disinterested frame of mind. A conflict of interest exists if an individual who would participate as an institutional representative or appointee in an investigatory process, an appellate process, or a decision-making process also has a relationship with a complainant, respondent, or witness that could be seen as a source of bias. Potential relationships and/or circumstances that could create a conflict of interest include:

- Being or having been in a teacher-learner, mentor-mentee, or similar relationship with either a complainant or respondent;
- Working or having worked in the research labs of either a complainant or respondent;
- Being a current co-investigator with either a complainant or respondent on any research project or grant;
- Being a current co-author with either a complainant or the respondent on any publication or on any manuscripts that may be awaiting publication;
- Being involved in any unrelated E40 Research Misconduct process or investigation;
- Having any unresolved personal, professional, or financial conflicts with either a complainant, respondent, or witness;
- Any other circumstance that could interfere with an individual’s ability to participate with objectivity and without bias.

Deciding Official will make the final determination whether to accept the investigation report, its findings, and the recommended institutional actions. The Provost is the deciding official for cases where the respondent is not a HSC employee. The EVPHS is the deciding official for cases where the respondent is a HSC employee.

Designee means someone who is designated to perform a specific role. In the Research Misconduct process, it is often the Vice President of Research or HSC Vice President for Research who will designate someone to oversee a specific task. This designee will be either the Research Integrity Officer or other official in the Office of Research or HSC Office of Research.

Evidence means anything offered or obtained during a research misconduct proceeding that tends to prove or disprove the existence of an alleged fact. Evidence includes documents, whether in hard copy or electronic form, information, tangible items, and testimony. (42 CFR 93.210)

Fabrication is making up data or results and recording or reporting them. (42 CFR 93.211)

Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record. (42 CFR 93.212)

Good Faith. (a) As applied to a complainant or witness, means having a reasonable belief in the truth of one's allegation or testimony, based on the information known to the complainant or witness at the time. (b) As applied to an institutional or committee member means cooperating with the research misconduct proceeding by impartially carrying out the duties assigned for the purpose of helping UNM meet its responsibilities. (42 CFR 93.214)

Intentionally means to act with aim of carrying out the act. (42 CFR 93.221)

Knowingly means to act with awareness of the act. (42 CFR 93.223)

NSF means the National Science Foundation. The NSF has adopted rules establishing standards for institutional responses to allegations of research misconduct.

OIG means the Office of the Inspector General, an office within a U.S. federal agency (other than PHS) that is charged with oversight and implementation of that federal agency's policies and procedures on research misconduct.

ORI means the Office of Research Integrity, an office established by the Public Health Service Act section 493 (42 U.S.C. 289b) and to which the U.S. Department of Health and Human Services (HHS) Secretary has delegated responsibility for addressing integrity and misconduct issues related to Public Health Service (PHS) supported activities.

PHS or the Public Health Service, consists of the following components within HHS: the Office of the Assistant Secretary for Health, the Office of Global Affairs, the Administration for Strategic Preparedness and Response, the Advanced Research Projects Agency for Health, the Agency for Healthcare Research and Quality, the Agency for Toxic Substances and Disease Registry, the Centers for Disease Control and Prevention, the Food and Drug Administration, the Health Resources and Services Administration, the Indian Health Service, the National Institutes of Health, and the Substance Abuse and Mental Health Services Administration, and the offices of the Regional Health Administrators or any other components of HHS designated or established as components of the PHS. (42 CFR 93.229). The PHS has adopted rules establishing standards for institutional responses to allegations of research misconduct.

Plagiarism is the appropriation of another person's ideas, processes, results, images, audio or video, or words without giving appropriate credit. Plagiarism may include the unattributed verbatim or nearly verbatim copying of sentences and paragraphs from another's work that materially misleads the reader regarding the contributions of the author. It does not include the limited use of identical or nearly identical phrases that describe a commonly used methodology. For allegations under PHS funds, plagiarism does not include self-plagiarism or authorship or credit disputes, including disputes among former collaborators who participated jointly in the development or conduct of a research project (42 CFR 93.227). Other funding agencies may determine self-plagiarism or authorship or credit disputes to be plagiarism.

Recklessly means to propose, perform, or review research, or report research results, with indifference to a known risk of fabrication, falsification, or plagiarism. (42 CFR 93.231)

Research Integrity Applicability. This policy is intended to carry out UNM's responsibilities under the PHS Policies on Research Misconduct, 42 CFR Part 93, and other applicable regulations governing research misconduct. It applies to allegations of research misconduct (as defined below), or in the reporting of research results involving:

- any individual who, at the time of the alleged research misconduct, was employed by, was an agent of, or was affiliated by contract or agreement with UNM; including, but not limited to, faculty,

graduate/undergraduate students, postdoctoral fellows, staff, employees, contractors, visiting scholars, and any other member of UNM’s academic community; and

- research subject to PHS regulations and policies, one or more of the following also applies:

(1) PHS supported or non-PHS supported biomedical or behavioral research, or research training or activities related to that research or research training, such as the operation of tissue and data banks and the dissemination of research information;

(2) applications or proposals for PHS-supported or non-PHS-supported biomedical or behavioral research; or research training or activities related to that research or research training; or

(3) plagiarism of research records produced in the course of research, research training or activities related to that research or research training.

This includes any research proposed, performed, reviewed, or reported, or any research record generated from that research, regardless of whether an application or proposal resulted in a grant, contract, cooperative agreement, or any other form of support.

These policies and procedures apply only to allegations of research misconduct that occurred within six (6) years of the date on which UNM or HHS received the allegation, subject to the subsequent use, health or safety of the public, and grandfather exceptions in 42 CFR93.105(b) and other applicable regulations governing research misconduct.

Research misconduct is defined as fabrication, falsification, or plagiarism in proposing, conducting, reporting, or reviewing sponsored or unsponsored research. The misconduct must have been committed intentionally, knowingly, or recklessly. Research misconduct is further defined to include gross carelessness in conducting research amounting to wanton disregard of truth or objectivity, or failure to comply or at least attempt to comply with material and relevant aspects of valid statutory or regulatory requirements governing the research in question. Research misconduct is more than a simple instance of an honest error in judgment, a misinterpretation of experimental results, an oversight in attribution, a difference in opinion, a failure in either inductive or deductive reasoning, an error in planning or carrying out experiments, or a calculation mistake.

Research records mean the record of data or results that embody the facts resulting from scholarly inquiry. Data or results may be in physical or electronic form. Examples of items, materials, or information that may be considered part of the research record include, but are not limited to, research proposals, raw data, processed data, clinical research records, laboratory records, study records, laboratory notebooks, progress reports, manuscripts, abstracts, theses, records of oral presentations, online content, lab meeting reports, interview recordings/transcripts, and journal articles (42 CFR 93.236)

Respondent means the individual against whom an allegation of research misconduct is directed or the person who is the subject of the inquiry or investigation. There can be more than one respondent in any inquiry or investigation. (42 CFR 93.237)

Contacts

Direct any questions about this policy to Office of the Vice President for Research or the HSC Office of Research.

Who should read this policy

- Faculty, staff, students, contractors, visiting scholars, and any other member of UNM's academic community involved in the conduct of research or the reporting of research results.
- Members of the Faculty Senate and the Research Policy Committee.
- Academic deans or other executives, department chairs, directors, and managers.
- Administrative staff responsible for sponsored research management.
- Any person who brings forth any allegation of research misconduct.
- Any person against whom an allegation of research misconduct is directed or the person who is the subject of a research misconduct inquiry or investigation.

Related Documents

UNM Regents' Policy Manual

- RPM Policy 5.10 "Conflicts of Interest in Research"
- RPM Policy 5.13 "Research Fraud"
- RPM Policy 5.14 "Human Beings as Subjects in Research"
- RPM Policy 5.15 "Use of Animals in Education and Research"

Faculty Handbook

- FH Policy C07 "Faculty Disciplinary Policy"
- FH Policy E90 "Human Beings as Subjects in Research"
- FH Policy E100 "Policy Concerning Use of Animals"
- FH Policy E110 "Conflict of Interest in Research"

University Admininstrative Policies and Procedures Manual

- UAP Policy 2200 "Reporting Suspected Misconduct and Whistelblower Protection from Retaliation"

Federal Regulations

- 42 CFR Part 93 (PHS)
- 45 CFR Part 89 (NSF)
- 14 CFR Part 1275 (NASA)
- 10 CFR Part 733 (DOE)
- U.S. Dept. of Justice Scientific and Research Integrity Policy
- Dept. of Defense Directive 3216.2

History

- November 11, 2025 - Regulatory and procedural changes approved by Faculty Senate Operations Committee
- November 5, 2025 - Regulatory and procedural changes approved by Faculty Senate Policy Committee
- August 22, 2025 - Regulatory and procedural changes approved by Faculty Senate Research Policy Committee
- July 1, 2025 - Policy format updated to align with FHB A53
- November 14, 2023- Regulatory changes approved by Facutly Senate Operations Committee
- November 10, 2023 - Regulatory changes approved by Faculty Senate Research Policy Committee
- November 1, 2023 - Regulatory changes approved by Faculty Senate Policy Committee

- September 1, 2022 - Updated titles of HSC Vice President for Research and Executive Vice President for Health Sciences, per Faculty Handbook Policy A53 procedures
- April 25, 2017 - Approved by Faculty Senate
- April 13, 2004 - Approved by UNM Board of Regents
- February 24, 2004 - Approved by Faculty Senate
- April 22, 2003 - Approved by Faculty Senate
- May 10, 2002 - Approved by UNM Board of Regents
- April 23, 2002 - Approved by Faculty Senate
- October 10, 1996 - Approved by UNM Board of Regents
- September 10, 1996 - Approved by Faculty Senate

E50: Export Control

Approved By: Faculty Senate and UNM President
Effective Date: February 3, 2026
Responsible Faculty Committee: Research Policy Committee
Office Responsible for Administration: Vice President for Research (VPR) and Health Sciences Vice President for Research (HSVPR)

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

Applicability

This Policy applies to all members of the University of New Mexico (UNM) community including but not limited to, faculty, staff, students, visiting scholars, postdoctoral fellows, individuals with UNM Letters of Academic Title, volunteers, and any other persons participating in activities at or on behalf of UNM that are subject to export control regulations (See Related Documents section below). For the purpose of this Policy export control laws and regulations refer to U.S. laws and regulations.

Policy Rationale

UNM promotes and conducts research to advance knowledge, enhance student learning experiences, and build its reputation in the scientific community. While UNM endorses the principles of freedom of inquiry and open exchange of knowledge, it is the policy of UNM to comply with all laws applicable to research including export controls regulations. Export controls (see Definitions below) are laws and regulations that govern the export of certain commodities (which include products, technology, and services) and/or information to persons and entities outside the U.S. as well as to foreign nationals inside the U.S., for reasons of national security or protection of trade. It also governs certain interactions with embargoed or sanctioned countries, organizations, or individuals.

Policy Statement

UNM is committed to complying with all applicable export control laws and regulations. This Policy focuses on export control regulations, for information pertaining to foreign talent recruitment programs see the Related Documents section below. Export controls have become increasingly prevalent in the modern research community resulting in the need for appropriate institutional compliance and oversight. These regulations may apply to communications and/or collaborations with foreign individuals, countries, or entities, inside or outside the U.S.

The vast majority of research conducted by UNM is excluded from export controls. Activities that qualify for exclusions are described in sections 1.1, 1.2, or 1.3 below.

1. Exclusions

1.1 Fundamental Research Exclusion

Fundamental research does not normally come under export controls because the information and data generated by such research are intended to be published and shared within the scientific community. However, some information may still be restricted depending on the type of information, with whom the information will be shared, and for what purpose.

NSDD 189, National Policy on the Transfer of Scientific, Technical and Engineering Information, defines fundamental research as "… basic and applied research in science and engineering, the results of which ordinarily are published and shared broadly within the scientific community, as distinguished from proprietary research and from industrial development, design, production, and product utilization, the results of which ordinarily are restricted for proprietary or national security reasons."

The Fundamental Research exclusion does not apply if there are restrictions on public dissemination of research results; employment, collaboration, and/or access to project materials by foreign persons; or if conducting proprietary research.

1.2 Education Exclusion

The Educational Information Exclusion applies to instruction in general science, engineering, or mathematics, and information that is commonly taught at universities or that is conveyed in courses listed in course catalogs.

1.3 Public Domain Exclusion

The Public Domain Exclusion applies if information is already in the public domain or publicly available normally, meaning it is published and generally available to the public through unrestricted distribution. This includes published materials, open-source software, and publicly accessible websites.

1.4 Exceptions to Exclusions

Not all activities qualify for exclusions. Certain activities are not covered by the exclusions, such as: physical exports, research concerning military, weapons, defense, chemical or biological weapons, research involving encryption technology and encryption software, space or other dual-use items or export restricted technologies, and research involving sanctioned or embargoed countries. If the research contains restrictions regarding participation by non-US persons, the research is not covered by these exclusions.

The UN Biological Weapons Convention prohibits the development, production, acquisition, transfer, stockpiling and use of biological and toxin weapons. The UN Chemical Weapons Convention prohibits the development, production, acquisition, stockpiling, retention, transfer or use of chemical weapons. The United States is signatory to both the UN Biological and Chemical Weapons Conventions. Biological and Chemical weapons research is not permitted in the United States and has been prohibited since 1972 and 1993 for biological and toxin weapons and chemical weapons, respectively.

For assistance or if you have questions regarding an exclusion contact the UNM Industrial Security Department (ISD) for central and branch community colleges and contact UNM HSC (Health Sciences Center) Export Control for assistance for the HSC. UNM biological research is exclusively managed under UNM's Biosafety Program in the HSC Office of Research for all areas of UNM.

2. Responsibilities for Compliance

UNM ISD is responsible for central and branch community colleges and HSC Export Control is responsible for the Health Sciences Center oversight of export-controlled activities to proactively manage compliance. Penalties for violations can be quite severe, potentially including large fines and imprisonment and apply to both individuals and the institution. The ISD and HSC Export Control are responsible for creating and implementing an Export Control Compliance Program (ECCP) meeting federal guidelines to mitigate the severity of any fines or penalties that might be imposed.

All members of the UNM Community including but not limited to faculty, staff, and students (see Definitions section below) are responsible for complying with applicable laws and regulations and this Policy and taking required training. ISD and/or HSC Export Control are responsible for providing training to assist the UNM Community members with questions or concerns related to export control compliance. This Policy provides information and procedures to assist members of the UNM Community in understanding and complying with applicable laws and regulations. ISD and/or HSC Export Control will notify the UNM Community of any changes to applicable laws and regulations and listings of embargoed or sanctioned organizations or individuals.

3. Violations

A UNM Community member should contact the ISD and/or HSC Export Control upon becoming aware of a potential export control regulatory violation at UNM. Known or suspected export control violations must be reported to the ISD and/or HSC Export Control promptly.

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.

Procedures

These Procedures are to be used in conjunction with the remaining sections of this document including Definitions and Related Documents that are applicable to this Policy.

Violation of U.S. export control laws and regulations is punishable by fines, prison time, and debarment. These penalties apply to individuals of the UNM Community as well as the institution. The most important risk mitigation strategy is comprehensive oversight of export-controlled activities to proactively manage compliance. This requires diligence on behalf of UNM Community members and the administrative functions that support them.

These regulations apply to sponsored research, non-sponsored research, international travel, collaboration, professional meetings, purchasing, property accounting and disposal, material transfer agreement’s, non-disclosure agreements, confidential disclosure agreements, and I-129 petitions, with certain foreign countries, entities, or individuals inside or outside the U.S.

1. UNM Community Member Responsibilities

The UNM Community Member leading the research will be informed of regulatory, legal, and contract issues during the pre-award process and should contact the VPR or HSVPR for clarification or to address issues when appropriate. The UNM Community Member leading the research effort is responsible for informing all research team members from UNM and outside of UNM of all applicable restrictions, UNM Export Control policy, and mandatory trainings to ensure their compliance.

The UNM Community member working on research involving dual-use items should consult with ISD and HSC Export control office regarding applicable regulations. If any UNM Community member has questions or concerns about their responsibilities, they may contact their dean or designee, the VPR or HSVPR who will refer the researcher to the appropriate support resources to help them comply with this Policy.

A UNM Community member (see Definitions Section below) may not engage in any activity, or commit UNM to engage in any activity:

- that is prohibited by Export Controls or federal regulations, or
- that requires a license or other agency approval under Export Controls or federal regulations, unless such license or approval has been obtained.

All members of the UNM Community are responsible for proactively identifying potential export control issues and seeking assistance from the ISD and/or HSC Export Control. UNM Community members should consult the ISD and/or HSC Export Control:

- When questions arise while filling out the Export Control Exclusion Screening (ECES) form.
- When sponsors attempt to impose publication or personnel access restrictions on research activities.
- Before receiving export-controlled technical information from an outside party, such as an industry or U.S. government research sponsor.
- When documents from sponsors or other parties refer to the Export Administration Regulations (EAR), International Traffic in Arms Regulations (ITAR), Office of Foreign Assets Control (OFAC) or export controls generally.
- When making purchases from foreign sources.
- Before accepting hardware, software, technology, or technical data from an outside party (such as an industry sponsor) to be used in a project or as part of an instructional course.
- Before exporting from the U.S. any technologies, equipment, materials or chemical or biological agents (including toxins and genetic elements) on the EAR’s Commerce Control List (CCL).
- Before handling or exporting from the U.S. any hardware, software, technical data, or services subject to the ITAR.
- Before traveling to an embargoed country or region: contact ISD and/or HSC Export Control for the most up-to-date list.
- When traveling internationally with UNM-owned equipment or UNM-owned information (refer to UAP 4030: Travel Expenses and Per Diem"Travel").

2. UNM Office of Sponsored Projects (OSP) and UNM HSC Sponsored Projects Office (SPO) Responsibilities

Under specific circumstances, such as restrictions on publication, travel, intellectual property or foreign nationals, the OSP and/or SPO may be prompted to request an export control review to assist in determining and verifying whether or not the project is Fundamental Research. The review is required even when no exporting will occur.

3. UNM Purchasing Department Responsibilities

The Purchasing Department is prompted to request an export control review when specific notifications or forms are received from a vendor.

4. UNM Industrial Security Department (ISD) and/or HSC Export Control Responsibilities

The ISD and/or HSC Export Control are responsible for:

- Providing necessary training to UNM Community members.
- Notifying the UNM Community of any changes to applicable laws and regulations and listings of embargoed or sanctioned organizations or individuals.
- Conducting export control reviews.
- Administering and monitoring the Export Controls Compliance Program (ECCP) and serving as the central point-of-contact for procedures administered to mitigate export control risks.
- Comprehensive oversight of export-controlled activities to proactively manage compliance.
- Implementing compliance measures and/or technology control plans (TCPs) designed to mitigate compliance.
- Raising awareness through communication and training, so that faculty and other academic appointees, staff, students, and non-employee participants in UNM programs, especially those conducting work in high-risk areas, can identify activities that may have export control implications and seek guidance from subject experts.
- Investigating any known or suspected export control violations.

4.1 Export Control Compliance Program (ECCP)

The purpose of the ECCP is to provide oversight to help the UNM Community understand their responsibility for compliance and to manage export-related decisions and transactions to ensure compliance with applicable laws and regulations. Key elements of the ECCP are:

- Identification of research activities with the greatest risk.
- Risk assessment of employees who are neither a U.S. citizen or a U.S. green card holder.
- Documentation of risk assessment procedures and results.
- Export control training for individuals based on expected roles at UNM.
- Procedures for investigating and addressing a problem.
- Regular audits of policies and procedures to ensure they are being followed and are in compliance with applicable laws and regulations.
- Audits of selected activities based on the sensitivity of the involved technology and existing government recommendations.

4.2 Possible Activities with Export Control Implications

The following is a partial list of activities that may fall under the umbrella of Export Control compliance, and is not all-inclusive:

- educational activities;
- external employment requests;
- financial transactions;
- gifts;

- intellectual property management and licensing agreements;
- internal risk assessment and monitoring;
- non–sponsored agreements and contracts;
- non–U.S. person visitors and faculty, staff, and students;
- record–keeping;
- shipments (international);
- sponsored research;
- training; and
- travel (international).

The Export Control Offices will conduct an annual audit of all TCPs to confirm the information is current and correct.

4.3. ISD and HSC Export Control Officers (ECOs)

The ECOs serve as the primary representatives and points-of-contact for all UNM export control related activities. Specifically, the ECOs are responsible for any registration, license, commodity jurisdiction, advisory opinion, commodity classification, or voluntary disclosure activities required for compliance with export control laws and regulations.

4.4 ISD and/or HSC Office of Research ITAR Empowered Officials (EOs)

EOs have the authority to sign a licensing application and to inquire into any aspect of a proposed export and verify the legality and accuracy of the information submitted for a transaction. EOs will be the final approval for TCP's. In certain circumstances, such as license applications, advisory opinion requests, commodity classifications, or commodity jurisdiction requests, the EOs may delegate these responsibilities to an appropriate designee within the ISD, Export Control Office or the HSC Office of Research.

The EOs or their designee are authorized to investigate any known or suspected export control violations. Accordingly, the EOs are also authorized to suspend or terminate activities if it is determined such activity is not in compliance with export control laws and regulations.

Definitions

Commodity. Any product, technology, or service.

Dual Use. Research that has civilian applications as well as military, terrorism, weapons of mass destruction, or law-enforcement-related applications.

EAR. Export Administration Regulations.

Export. The transfer of products, technology or services from the United States to another country or to foreign persons within the United States. This includes Deemed Exports which include the transfer of technology, including articles, information, data or use of equipment that has certain export restrictions, to a foreign national in the US.

Foreign Person. Any natural person who is not a lawful permanent resident of the United States, citizen of the United States, or any other protected individual as defined by 8 U.S.C. 1324b(a)(3). It also means any corporation, business association, partnership, trust, society or any other entity or group that is not incorporated in the United States or organized to do business in the United States, as well as international organizations, foreign governments and any agency or subdivision of a foreign government.

ITAR. International Traffic in Arms Regulations.

Professional Meetings. An assembly of two or more individuals discussing a common professional purpose. These include but are not limited to conferences, workshops, training, interviews, presentations, taskforces, committees, and/or boards.

Public Domain. Information which is published and generally accessible or available to the public; interchangeable with the term publicly available. (22CFR 120.11)

OFAC. Office of Foreign Assets Control

UNM Community. This includes, but is not limited to, faculty, staff, students, visiting scholars, postdoctoral fellows, individuals with UNM Letter of Academic Title, volunteers, and any other persons participating in activities at or on behalf of UNM that are subject to export control regulations.

US Person. (22CFR 120.15) includes the following:

- Someone who has been lawfully accorded the privilege of residing permanently in the U.S. as an immigrant in accordance with immigration laws (a lawful permanent resident; 8 U.S.C. 1101(a)(20)).
- U.S. Citizen or U.S. National (protected individual; 8 U.S.C. 1324b(a)(3)).
- Any corporation, business association, partnership, society, trust, or any other entity, organization or group that is incorporated to do business in the United States.
- Any U.S. governmental (federal, state or local) entity.
- An individual who is (protected individual; 8 U.S.C. 1324b(a)(3)):
    - An alien who is lawfully admitted for permanent residence
    - Granted status of an alien lawfully admitted for temporary residence
    - Admitted as a refugee

Contacts

Direct any questions about this Policy or its components to the Office of the Vice President for Research (OVPR) or the Office of the Health Sciences Vice President for Research (HSVPR).

Related Documents

UNM Regents' Policy Manual

- RPM 5.9: Sponsored Research
- RPM 5.11: Classified Research
- RPM 5.14: Human Beings as Subjects in Research

Faculty Handbook

- FH Policy E10: Classified Research Policy
- FH Policy E60: Sponsored Research
- FH Policy E90: Human Beings as Subjects in Research
- FH Policy E130: Foreign Talent Recruitment Programs

University Administrative Policies and Procedures Manual

- UAP 2710: Education Abroad Health and Safety Section 9

- UAP 4030: Travel Expenses and Per Diem "Travel"
- UAP 7200: Cash Management Section 3.2.3.2.
- Foreign Talent Recruitment Program Compliance Memorandum, from President Garnett S. Stokes

Federal Regulations

- ITAR (International Traffic in Arms Regulations) – Department of State International Traffic in Arms Regulations (ITAR) 22 CFR 120-130
- EAR (Export Administration Regulations) – Department of Commerce
- Export Administration Regulations (EAR) 15 CFR 730-774
- FACR (Foreign Assets Control Regulations) – Department of Treasury
- Office of Foreign Assets Control (OFAC) 31 CFR 500-598
- National Security Decision Directive 189
- Atomic Energy Act of 1954 and Nuclear Regulatory Commission Regulations to 10 CFR Part 110
- Sanctions Programs and Country Information | U.S. Department of the Treasury
- United Nations
- Biological Weapons Convention (UN)
- Chemical Weapons Convention (UN)

History

February 2, 2026 New Policy Approved by UNM President
January 27, 2026 New Policy Approved by UNM Faculty Senate

E60: Sponsored Research

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

Applicability

All academic and research UNM units, including the Health Sciences Center and Branch Campuses.

Policy Rationale

It is the policy of the University of New Mexico (UNM) to encourage faculty members to participate in research sponsored by outside agencies when such research is consistent with the basic aims of UNM in regard to the education of students, the extension of knowledge, and the broadening of man's horizon in the sciences, engineering, arts, and humanities. To ensure the most effective administration of UNM's sponsored research, this policy document provides policies and procedures for the submission of proposals, approval of research contracts and grants, budgeting of facilities and administrative (F&A) expenditures, and reporting of actual F&A expenditures.

Policy Statement

The Vice President for Research (VPR) has been designated by the President as UNM's reviewing, certifying, and negotiation coordinating officer for all main-campus and branch-campus research proposals submitted to outside agencies. The Senior Executive Officer for Finance & Administration (SEOFA), Health Sciences Center (HSC), has been designated by the President as UNM's reviewing, certifying, and negotiation coordinating officer for all HSC research proposals submitted to outside agencies. The VPR and SEOFA HSC have also been designated the approval authority for any modifications to awards, in response to research proposals.

Final authority for accepting and signing research contracts and grants is vested in the President of UNM, and has been delegated as indicated in UAP Policy 2010, "Contracts Signature Authority and Review.'

On an annual basis the Vice President for Research shall consult with the Research Council of the UNM Faculty Senate to discuss research priorities of, and adjustments to, the F&A distribution algorithm for main-campus and branch-campus sponsored research. These discussions shall reflect input articulated to the Faculty Senate by its various committees and individual faculty members involved in sponsored research.

Similarly, on an annual basis, the HSC Vice President for Research shall consult with the HSC Council of the Faculty Senate and other HSC research committees concerning research priorities of, and adjustments to, the F&A distribution for HSC-sponsored research.

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.

Procedures

1. Faculty shall follow procedures for proposal preparation and submission as outlined, from time to time, in the procedures promulgated by the Office of the VPR, for main-campus and branch-campus sponsored research, and the HSC Vice President for Research for HSC sponsored research.

1a. Faculty Research Support Services (FRSS), under the direction of the VPR, provides assistance to non-HSC faculty and staff by:

- Finding funding sources matching research interests and project development.
- Developing and preparing proposals (including budget).
- Navigating UNM's proposal process.
- Planning, coordinating, and supporting large and complex proposal efforts requiring numerous partnerships and multidisciplinary collaborations.

FRSS also acts as liaison between the sponsor agency and the faculty when requested to do so.

1b. The Office of HSC Vice President for Research provides services similar to those described in 1a above to HSC faculty and staff.

2. The Office of the Vice President for Research will coordinate closely with the main-campus and branch-campus principal investigators and appropriate members of the Contract and Grant Accounting Office to ensure that the prior approval function, of modifying grant and contract budgets in force, is in accordance with the regulations of the sponsoring agencies or foundations. Similarly the Office of the HSC Vice President for Research will coordinate closely with the principal investigators and appropriate members of the HSC sponsored research management teams to ensure that the prior approval function, of modifying grant and contracts budgets in force, is in accordance with the regulations of the sponsoring agencies or foundations.

3. In consultation with the Provost, the Office of the Vice President for Research, and the Faculty Senate Research Council, a formula (or algorithm) for the distribution of the main campus and branch campus F&A funds to units and centers, shall be developed by the Office of the Vice President for Research and posted on the Office’s website on an annual basis for main-campus sponsored research. The annual budget shall also be posted on the Office of the Vice President for Research’s website

Similarly, in consultation with the Office of the HSC Vice President for Research and the Faculty Senate HSC Council, a formula (or algorithm) for the distribution of the HSC F&A funds to units, centers, and institutes, shall be developed by the Office of the HSC Vice President for Research, approved by the Executive Vice President for Health Sciences, and posted on the Office of the HSC Vice President for Research’s website on an annual basis for HSC sponsored research. The annual budget shall also be posted on the Office of the HSC Vice President for Research’s website.

4. Actual F&A distributions for main campus sponsored research, for each fiscal year shall be documented and posted on Office of the Vice President for Research’s website no later than three months after the end of the fiscal year. Similarly, actual F&A distributions shall be posted on the website no later than three (3) months after the end of the fiscal year.

5. During the regular academic year when the contract or grant calls for released time from regular UNM duties, the basic nine-month salary from the instructional budget will be reduced proportionally. The released time will be compensated from contract or grant funds at the basic salary rate.

Definitions

Facilities and Administrative (F&A) Expenditures. F&A expenditures reflect costs associated with providing and maintaining the infrastructure that supports the research enterprise (buildings and their maintenance, libraries, etc.) and which cannot easily be identified with a specific project. F&A expenditures are calculated using rates determined in conjunction with auditors from the applicable federal agency. The rate is calculated and charged as a percentage of modified total direct costs (MTDC).

Sponsored Research: Sponsored research shall be construed to include sponsored research, service, training projects, and other categories of awards for all except basic capital construction and maintenance projects.

Contacts

Direct any questions about this policy to Office of the Vice President for Research or the Office of the HSC Vice President for Research.

Who should read this policy

- Faculty and staff conducting sponsored research
- Members of the Faculty Senate and the Research Policy Committee
- Academic deans or other executives, department chairs, directors, and managers
- Administrative staff responsible for sponsored research management.

Related Documents

UNM Regents’ Policy Manual

- Policy 5.9: Sponsored Research

Faculty Handbook,

- E70: Intellectual Property Policy

University Administrative Policies and Procedures Manual

- Policy 2010 Contracts Signature Authority and Review
- Policy 2425 Recovery of Facilities and Administrative Costs

Office of the Vice President for Research, "Proposal Development and Award Guide"

History

- July 1, 2025 - Policy format updated to align with FHB A53
- September 2, 2022 - Updated titles of the HSC Vice President for Research and the Executive Vice President for Health Sciences, per FHB Policy A53 procedures

- October 27, 2015—Approved by the Faculty Senate

E70: Intellectual Property Policy

Policy

Foreword

In the course of conducting their university-administered activities, the faculty, staff, and students of The University of New Mexico (UNM) often create intellectual property that may be protectable by patent, copyright, or other means. UNM wants a policy that encourages the treatment of such property in ways beneficial to the creators of such works, as well as to the University and to the public. To these ends, UNM and the creators should assist each other in identifying, evaluating, protecting, and exploiting such property. Such efforts will also help in recognizing the creation of intellectual property as a significant academic achievement.

Accordingly, this Policy seeks to recognize such achievements; to provide advice and assistance to faculty, staff, and students; to promote a clear understanding of legal relationships; and to realize and optimize the benefits of potentially valuable intellectual property to the creators as well as to UNM. A feature of this Policy is to encourage creators to perform key roles in the utilization of intellectual property.

This Policy governs the ownership, protection, and transfer of Scholarly/Artistic Works (as defined in Section 2.2) and Technological Works (as defined in Section 2.3) created by UNM faculty, staff, and students. Inventors and authors are referred to in this Policy as creators. It is the purpose of this Policy to encourage, support, and reward scientific research and scholarship, and to recognize the rights and interests of creators, UNM, and the public.

However, UNM's commitment to teaching and research is primary and this Policy does not diminish the right and obligation of faculty, staff, and students to disseminate research results for scholarly purposes. The latter is considered by UNM to take precedence over the commercialization of Scholarly/Artistic and Technological Works.

Summary

This summary of the Intellectual Property Policy is intended only as an aid to reading the Policy. Wording in the summary should not be relied upon as a substitute for the Policy.

1. The Policy applies to all UNM faculty, staff, and students, hereafter referred to as creators. (See Article 1.)

2. UNM's commitment to teaching and research is primary, and the right and obligation of creators to disseminate research results for scholarly purposes takes precedence over the commercialization of Scholarly/Artistic and Technological Works.

3. Faculty members working with students on research projects must inform students in advance of the terms of this Policy and of any obligations of nondisclosure or confidentiality.

4. All inventions, tangible research results, and artistic and literary works are subject to this Policy and to federal and state laws and regulations governing intellectual property. (See Sections 2.2 and 2.3.)

5. All Scholarly/Artistic Works are owned by creators unless they were created with substantial directed investment of UNM facilities or funds or capitalize on affiliation with UNM. (See Section 2.2.)

6. Technological Works (inventions and tangible research results) that are owned by UNM under this Policy are:

- those created using UNM facilities or funds;
- and those created without UNM facilities or funds but within the scope of the creators' employment (determined by the creators' recent teaching, research, or other UNM activities).

Exception is made for inventions and tangible research results that were assigned by creators to an outside entity pursuant to a consulting agreement that is consistent with other University policies (including conflict of interest) and that has received prior approval by the creators' department chair and dean or unit director. (See Sections 2.3, 2.4, and 2.5.)

7. The Policy is administered by the Provost or the Executive Vice President for Health Sciences (EVPHS) for their respective reporting units. (See Article 3.)

8. Royalties from commercialization by UNM Rainforest Innovations (UNMRI) (the main commercialization arm of UNM) of inventions, tangible research results, and other types of intellectual property are allocated (see Section 2.6):

40% equally among the creators
40% to UNMRI.
20% to UNM.

9. Standard procedures for review are described in Article 4.10. Appeal of UNM ownership is covered in Article 5.

1 Scope

This Policy applies to all UNM faculty, staff, and students (hereafter referred to as creators). Reference to this Policy should be made in the University Administrative Policies and Procedures Manual (UAPPM) as well as in the UNM Pathfinder. Faculty members working with students on research projects must inform students in advance of the terms of this Policy and of any obligations of nondisclosure or confidentiality.

2. Rights in Scholarly/Artistic and Technological Works

2.1 Commercialization

The term "commercialization" shall mean the entire process of gaining commercial value for intellectual property, from seeking intellectual property protection to licensure of, granting of access to, or sale of said intellectual property.

2.2 Scholarly/Artistic Works

2.2.1 Scholarly, artistic, literary, and musical works in any medium are collectively referred to as Scholarly/Artistic Works. This category includes all materials developed by faculty and other personnel directly involved in instruction.

2.2.2 All rights in Scholarly/Artistic Works are owned by the creators, with three exceptions:

1. Works created by pre-arranged contractual obligation with substantial directed investment of UNM facilities or funds (exclusive of creators' salary) or in the performance of a written UNM work assignment or commission to create such a work. All rights in such works are owned by UNM.

2. Works that capitalize on an affiliation with UNM by explicit labeling of the work to gain a market advantage, beyond the noting of the creator's affiliation. Such uses of the UNM name, seal, or logo are regulated by UAP Policy 1010: University Graphic Identification Standards (see also Section 2.5). All rights in such works are owned by UNM.

3. Works created under a sponsored agreement that requires rights to be relinquished to the sponsor.

2.3 Technological Works and Technical Information

2.3.1

The term Technological Works means all inventions, discoveries, and other innovations that are protectable by patents, copyrights, mask works, or other means. Innovations include, for example, computer programs, integrated circuit designs, databases, and other technical creations.

2.3.2

The term Technical Information means all tangible and intangible research results, including data, graphs, charts, lab notebooks, technical drawings, biogenic materials, and samples.

2.3.3

All rights in Technological Works and Technical Information created by UNM creators with the use of UNM facilities or funds administered by UNM are owned by UNM, with income from commercialization of Technological Works distributed in accordance with this Policy.

2.3.4

All rights in Technological Works and Technical Information created by creators without the use of UNM facilities (with the exception of the university libraries) or funds administered by UNM, but that fall within the creators' scope of employment (see Section 2.3.5) at UNM are owned by UNM. However, UNM ordinarily will assert no ownership rights or interests in the following two instances:

1. Technological Works and Technical Information created pursuant to outside employment (see Faculty Handbook Policy C130: Outside Employment and Conflicts of Commitment) under a consulting agreement between a faculty member and an outside entity in which Technological Works and Technical Information are assigned to said entity. The consulting agreement must be consistent with UNM policies, including conflict of interest policies, and must be disclosed in writing and agreed to by the creators' chair and dean or unit director in advance of execution of the consulting agreement. (Contracts in existence at the time of adoption of this Policy must be disclosed within sixty (60) calendar days.)

2. Technological Works and Technical Information created pursuant to independent research or other outside activity that is consistent with UNM policies, including conflict of interest policies, and that was disclosed in writing and agreed to by the creators' chair and dean or unit director at the beginning phase of this research activity.

2.3.5

For purposes of this Policy, factors considered in determining the scope of a creator's employment normally shall include the relationship of the Technological Works and Technical Information to that creator's recent teaching, research, and other UNM activities, as well as activities stipulated in any appointment contract.

2.3.6

Disagreements concerning ownership can be appealed as described below in Article 5.

2.4 UNM Intellectual Property (UNM IP)

For purposes of this Policy, UNM IP means Scholarly/Artistic Works, Technological Works, or Technical Information deemed to be owned by UNM. (See Sections 2.2 and 2.3.)

2.5 Use of UNM Name, Logos, or Trademarks

Commercial use of the University's name, seal, logos, or trademarks requires prior written approval from UNM University Communications and Marketing. (See UAP Policy 1010.)

2.6 Costs, Royalties, and Other Commercialization Income

2.6.1

In the case of collaborations between UNM and outside entities, the provisions of Section 2.6 are applicable only to the ownership interests of UNM.

2.6.2

UNM and/or UNMRI shall normally bear the costs they have elected to incur in securing protection for intellectual property (including evaluation, prior art searches, preparation, filing, and prosecution of any patent application, and issuance and maintenance of patents issuing therefrom) and commercializing said property, until said property is licensed, assigned, or otherwise commercialized.

2.6.3

Prior to distribution of royalties (which, for purposes of this policy, are deemed to mean all income received by UNM or UNMRI for a license of UNM IP, but does not include payments for research, development, or reimbursement of patent costs), UNMRI shall be reimbursed for all unreimbursed or non-contractually reimbursable costs incurred in securing intellectual property protection and any litigation costs.

2.6.4

Royalties received by UNM from commercialization of UNM IP by UNMRI shall be divided as follows:

- Forty percent (40%) to be divided equally (unless otherwise unanimously agreed to and represented on the submitted invention disclosure form) among the creators;
- Forty percent (40%) to UNMRI; and
- Twenty percent (20%) to the University to be invested and administered by the Vice President for Research (on main campus) or the Vice President for Research (at the Health Sciences Center (HSC)), generally, in amounts consistent with the source(s) of the UNM IP. Accrued revenues will be used, in consultation with faculty, to support UNM units involved in ongoing research and educational pursuits relevant to commercialization efforts or will otherwise be administered as required by sponsor(s).

2.6.5

In any case where royalties shall be represented by shares of stock or other intangible assets, these assets shall be held in the name of UNM or UNMRI and managed by them. At the discretion of the managing unit (UNM or UNMRI), such stock or other intangible assets may be divided prior to liquidation and distributed in the proportions specified in Section 2.6.4.

2.7 Duties of Creators

2.7.1

All provisions of Section 2.7 apply to individual efforts of creators and to collaborative efforts with outside entities.

2.7.2

UNM's commitment to teaching and research is primary, and the right and obligation of creators to disseminate research results for scholarly purposes take precedence over the commercialization of Scholarly/Artistic and Technological Works.

2.7.3 Disclosure and Reporting Requirements Imposed by Agreements Sponsoring and Facilitating Research

Sponsored research agreements often carry requirements that any inventions or other intellectual property created in the performance of the agreement must be reported to the sponsor. Such agreements often also impose other requirements pertaining to commercialization of such intellectual property. Upon execution of any sponsored research agreement, the Office of Research Services, or the HSC Sponsored Projects Office, as appropriate, shall inform the principal investigator of any such requirements pertaining to intellectual property resulting from the work. In addition to sponsored research agreements from industry and government, other agreements facilitating research may impose intellectual property disclosure requirements, such as grants, equipment loan and transfer agreements, and material transfer agreements.

When UNM IP results from work under an agreement creating reporting obligations to sponsors or other third parties, then the Principal Investigator shall be responsible for ensuring disclosure of the UNM IP to UNM by submitting a Copyright or Invention Disclosure Form to UNMRI. Such disclosures shall be made as soon as possible and at least within two (2) months of creation.

UNM, and in some cases, UNMRI shall in turn report UNM IP to research sponsors and other third parties as required by federal and state laws and regulations, and by third party agreements of which UNM or UNMRI has been made aware.

2.7.4. Voluntary Disclosure

If the invention is not subject to third party disclosure obligations, then the creators have the choice as to whether to disclose the UNM IP to UNM or to UNMRI. Any disclosures shall be made on forms provided by UNM or UNMRI. Creators may consult with either the Office of University Counsel (OUC) or UNMRI as to the advisability of disclosure. Creators who choose not to disclose their UNM IP have no obligation to participate in the commercialization process outlined herein. Creators who chose to disclose thereby agree to participate in the commercialization process outlined herein.

Creators may not commercialize UNM IP created by them except by following the procedures outlined herein.

2.7.5

During as well as after their association with UNM, creators of UNM IP shall assist and cooperate with efforts by UNM and UNMRI to secure intellectual property protection and to pursue commercialization by executing all appropriate legal documents, including assignments, to perfect UNM's legal rights.

2.7.5.1 Creators shall make available to UNM and UNMRI all Technical Information necessary to support intellectual property protection.

2.7.5.2 Creators may, at their discretion, retain a copy of any Technical Information to use in scholarly pursuits.

2.7.6

In the event UNM or UNMRI takes legal action against a creator who refuses to execute necessary documents pertaining to disclosed UNM IP or otherwise fails to act in accordance with this Policy, any costs reasonably and necessarily incurred by UNM and/or UNMRI as a direct result thereof shall be deducted from that creator's share of royalties.

3 Administration of the Intellectual Property Policy

3.1 Provost of the University

The Provost, or designee, shall be responsible for the interpretation, implementation, and enforcement of this Policy on main campus and branches; the EVPHS, or designee, shall be responsible for the interpretation, implementation, and enforcement of this Policy on the Health Sciences Center campus. The Provost and/or EVPHS shall be responsible for University relations in areas where this Policy affects the University community, governmental authorities, private research sponsors, industry, and the public.

3.2 Office of University Counsel (OUC)

3.2.1

The OUC shall provide legal advice to the University on issues related to UNM IP.

3.2.2

The OUC is authorized with the prior approval of the Provost, EVPHS, and the RPC, to promulgate and publish information and procedures to implement this policy.

3.3 UNM Rainforest Innovations, or UNMRI (formerly known as Science & Technology Corporation @ UNM or STC.UNM)

3.3.1

UNM Rainforest Innovations (UNMRI) was granted by UNM a right to take assignment of UNM IP pursuant to a Memorandum of Agreement (MOA) between UNM and UNMRI, for the purpose of active support by UNMRI for commercialization of UNM IP. The mission of UNMRI is to serve the University of New Mexico by facilitating University inventors' commercialization of UNM IP, increasing UNM's non-governmental sponsored research, and contributing to economic development in New Mexico.

3.3.2

UNMRI, among other duties as described in the MOA, pursues the licensing of UNM IP by assessing the market for the IP, selecting the best means to commercialize the IP, negotiating commercialization agreements, overseeing commercialization activity, and receiving and distributing royalties to creators and UNM in accordance with this Policy.

3.3.3

The full text of the MOA can be obtained from UNMRI or the OUC.

4 Review of Disclosures and Commercialization

UNM and UNMRI shall expedite processing of reviews of disclosures and commercialization decisions.

4.1 Review of Disclosures

The specific implementation of the items under Article 4 will be determined under written regulations agreed upon by UNMRI and UNM.

4.1.1

UNM or UNMRI may require creators to consult with UNMRI prior to publishing for a reasonable period not to exceed ninety (90) calendar days from the date of disclosure, in order to enable a sponsor or UNM or UNMRI to evaluate a UNM IP and determine whether to pursue any form of intellectual property protection. In some cases, UNMRI may require creators to refrain from publishing certain materials within the said 90-day period. UNM and UNMRI shall cooperate in accelerating commercialization review to enable creators to publish their work in theses and dissertations or to pursue patent protection in cases of statutory bars.

4.1.2

When the OUC has accepted an appropriately completed disclosure as specified in Section 2.7.3, the OUC shall forward a copy to UNMRI within one (1) week. The creators may submit disclosures directly to UNMRI, in which case UNMRI shall forward a copy to the OUC within one (1) week of receipt.

4.1.3

UNMRI shall make a written determination as to whether or not commercialization is to be pursued within 120 calendar days from the date of disclosure of the IP to UNMRI.

(a) If UNMRI determines to pursue commercialization, it will make a decision about intellectual property protection within the 120 days from the date of disclosure delineated above.

(b) UNMRI may find the work described in the disclosure to be of significant interest, but insufficiently developed or documented for commercialization. In that case, UNMRI may recommend that the disclosure be returned to the creator(s), with suggestions for further development or requests for additional documentation. The creator(s) may then submit a new disclosure on the more fully developed or documented work.

(c) In certain cases, UNMRI may determine that a disclosure should be held in abeyance because further similar inventions are anticipated within nine (9) months. In such cases, UNMRI may delay processing the disclosure for up to nine (9) months, or even longer with the consent of the creator(s).

4.1.4

If no determination is made by UNMRI within the deadline, the creator(s) shall have the option of extending the deadline or of sending a written letter to UNMRI requesting a determination within ten (10) UNM business days. If UNMRI does not respond within this period or responds that it will not pursue commercialization UNM shall release the intellectual property to the creator pursuant to Section 4.4.2.

4.1.5

If, at any step during the process, both UNM and UNMRI determine not to pursue the commercialization of a particular UNM IP, UNM shall release the intellectual property to the creator, subject to sponsor approval.

4.1.6

If UNM or UNMRI shall have expended funds for prior art search and patent prosecution, reimbursement shall be in the manner described in Section 2.6.2 and 2.6.3.

4.2 Reporting

Within twelve (12) months of a complete disclosure, and at 18 months and 24 months, respectively thereafter, UNMRI shall provide to UNM and to each creator whose disclosure is in the hands of UNMRI a report detailing the current state of commercialization of the disclosure, including patenting, marketing, and licensing efforts. Any UNM creator may request and obtain from UNMRI access to UNMRI's current activity related to the disclosures for which they are the creator or co-creator.

4.3 Commercialization

In the event UNMRI has not made a reasonable effort to commercialize the UNM IP within two (2) years of its decision to commercialize (as per Section 4.1.3), UNM or the creator(s) may request UNMRI to return the UNM IP to UNM. If the UNM IP is returned to UNM, UNM and the creator(s) will attempt to commercialize the UNM IP within a mutually agreeable period; if these efforts are unsuccessful, the creator(s) may require that the UNM IP be released to them, subject to sponsor approval.

4.4 Filing Deadlines

4.4.1

At least 90 calendar days in advance, UNMRI shall advise UNM and the creator(s) of Technological Works of the following three (3) deadlines:

- A statutory bar to filing a U.S. patent application or provisional application;
- Initiation of filing for foreign patent rights under the Patent Cooperation Treaty (PCT); and

- Entry into national status under the PCT. Any exceptions in meeting the 90-day deadline shall be promptly communicated by UNMRI to OUC and the creators.

4.4.2

In the event UNMRI does not intend to continue commercialization efforts and does not commit itself to meeting the above deadlines, UNM shall release the intellectual property rights to the creator(s), subject to sponsor approval, within 30 days of UNMRI's notification to UNM.

5 Appeal of University Ownership

5.1

In the event a creator does not believe UNM is entitled to the rights in a Work, the creator may seek a determination or a waiver of UNM's interests in said Work. The OUC will provide the creator with a Determination of Rights Form which must then be completed and returned to the OUC, with all documents supporting the creator's claim. The OUC will forward a copy of the Form and supporting documentation to UNMRI for comments.

5.1.2

The OUC shall forward the Determination of Rights Form with attachments and the OUC's and UNMRI's written comments (the "Record") to the Vice President for Research or HSC Vice President for Research, as appropriate, who will form a three (3) person advisory committee in consultation with the President of the Faculty Senate, or designee. At least two (2) advisory committee members shall be tenured faculty. One of the tenured faculty members shall chair the committee. Committee members should be selected on the basis of relevant research background and experience. The creator shall be notified of the proposed committee membership and may object in writing to any of the proposed appointees on the grounds that the person, or the committee as a whole, does not meet the criteria stated above. The Vice President for Research or HSC Vice President for Research, as appropriate, in consultation with the President of the Faculty Senate, or designee, will determine whether the objection has merit, and, if so, will make appropriate substitution(s). In the case of disagreement regarding appointments, the Vice President for Research or HSC Vice President for Research, as appropriate, will make a final decision on the matter.

5.1.3

The advisory committee will endeavor to review the Record and hear all evidence within thirty (30) calendar days of receipt of the Record and will issue a written recommendation to the Vice President for Research campus or HSC Vice President for Research, as appropriate, within thirty (30) calendar days of hearing the last evidence. The committee will keep written minutes of all its meetings.

5.1.4

The Vice President for Research or HSC Vice President for Research will issue an ownership determination within thirty (30) calendar days of receiving the advisory committee's recommendation.

5.1.5

Participation in an appeal of ownership as described herein does not prevent the creator from pursuing other remedies.

5.1.6

The creator may appeal the ownership determination made by the VP for Research or the HSC VP for Research to the Provost or EVPHS (based on the department of the creator(s)) by written request to the Provost or EVPHS within ten (10) UNM business days of receiving notice of the ownership determination. The Provost/EVPHS will meet with all interested persons. Within sixty (60) calendar days of receiving the creator's written request, the Provost/EVPHS will make a final decision.

5.1.7

If the dispute involves rights in Works being claimed by the Provost/EVPHS, only the President shall have authority to review the ownership determination and make a final decision.

5.1.8

If the dispute involves rights in Works being claimed by the President, only a designee of the Board of Regents shall have authority to review the ownership determination and make a final decision.

5.1.8.1

Nothing in this section is in derogation of the Regents' discretionary right of review.

5.1.9

All materials produced by the creator and UNM under this section shall be retained as a permanent UNM record. This record shall be made available by the OUC to any party upon consent of the owners of the intellectual property.

5.2 Determination of Inventorship or Authorship among Creators

In the event individuals believe they are creators of UNM IP, and have not been adequately acknowledged as such at any point in the protection and commercialization process, they may petition UNM or UNMRI to assess their claim. The OUC will provide the petitioners with a Determination of Inventorship/Authorship Form which must be completed and returned with any relevant attachments for review. UNM or UNMRI will seek the opinion of outside patent counsel for determination. Any further inventorship or authorship dispute among creators shall fall outside the scope of this policy.

6 Related Provisions

6.1 Flexibility

UNM may accept, on terms beneficial to UNM, a voluntary assignment of a Scholarly/Artistic or Technological Work. It may waive, assign or grant (subject to the MOA with UNMRI) all or part of its rights in any Scholarly/Artistic or Technological Work under terms and conditions deemed appropriate and beneficial for the University.

6.2 Legal Actions

UNM or UNMRI may take such action as it deems appropriate to defend or enforce any patent, copyright, or other intellectual property right. In the case of claims against UNM, settlement of a claim or conduct of litigation shall be within the exclusive control of UNM.

History

- September 6, 2022 - Updated titles of departments and administrators, per FHB Policy A53 procedures
- February 23, 2022 – Updated to reflect name change of the Science and Technology Corporation @ UNM (STC.UNM) to UNM Rainforest Innovations (UNMRI), per FHB Policy A53 procedures
- September 14, 2010 – Approved by the Board of Regents
- April 27, 2010 – Revision of entire policy approved by the Faculty Senate
- May 10, 2002 – Approved by the Board of Regents
- February 26, 2002 – Revisions to IPP Section 2.7 approved by Faculty Senate
- June 8, 1999 – Approved by the Board of Regents
- February 23, 1999 – Approved by the Faculty Senate

E80: Conflict of Interest Waiver Policy for Technology Transfer

Policy

Approved by the Faculty Senate 8/24/99 and Board of Regents 10/12/99

This Policy is adopted pursuant to § 21-28-25 NMSA 1978. Under certain circumstances this Policy will permit an officer or employee of the University of New Mexico (UNM) to establish and maintain a substantial interest in private entity that provides or receives equipment, materials, supplies or services under contract with UNM in order to facilitate the transfer of technology developed by the officer or employee from UNM to commercial and industrial enterprises for economic development.

IMPLEMENTATION

1. Approval Authority. The President of UNM, or a designee of the President ("President"), may grant permission for an officer or employee of UNM to establish and maintain a substantial interest in a private entity which contracts with UNM for the purpose of providing goods and/or services to the University, or receiving goods and/or services from UNM, in accordance with the following procedures. It is acknowledged that each request will be unique and therefore each request must be dealt with on a case-by-case basis at the discretion of the President.

2. Application Requirement. An officer or employee seeking the permission of the President in accordance with this policy, shall submit a written application for such permission to the President, with copies to the UNM Conflict of Interest Committee ("the Committee"), and to the Provost (main campus and branches) or Executive Vice President for Health Sciences (HSC). The application shall contain the following:

a. A detailed description of the officer or employee's interest in the private entity.
b. A full description of the nature of the proposed undertaking.
c. Factors that demonstrate that the proposed undertaking will benefit the economy of the State of New Mexico.
d. Factors that demonstrate that the proposed undertaking will not adversely affect research, public service, or institutional activities at the University.
e. Factors that demonstrate the officer's or employee's interest in the private entity, or benefit from the interest, will not adversely affect any substantial interest of the State of New Mexico.

3. Committee Recommendation. The Committee shall issue its recommendation on the application to the President within one (1) month of receipt of the application. Unless the Committee fails to issue a recommendation within the timeline, the President shall give full consideration to the Committee recommendation prior to issuing a decision.

4. Approval Criteria. If the President determines that the application meets the requirements stated above and that the proposed undertaking is in the best interest of, or does not adversely affect, the interest of UNM and that it will benefit the economy of the State and not adversely affect research, public service, or instructional activities at UNM, nor adversely affect any substantial State interest, the President may grant permission to the individual or entity as requested. As part of any approval, the President may impose such additional limitations or conditions on the approval as the President may deem appropriate.

5. Advance Approval Required. Such approval must be received prior to conducting or formally offering to conduct business with UNM.

6. Compliance with Law and UNM Procedures. Permission granted by the President pursuant to this Policy authorizes the employee or officer to simultaneously hold an interest in a private entity and in a contract with UNM that might otherwise be prohibited by conflict of interest laws or procedures. It does not, however, eliminate the requirement for any such contracts to be entered into and carried out in compliance with other federal and state laws, and UNM policies and procedures.

E90: Human Beings as Subjects in Research

Approved by: Faculty Senate
Effective: April 25, 2017
Responsible FS Committee: Research Policy Committee
Office Responsible for Administration: Vice President for Research and HSC Vice President for Research

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

Applicability

All academic and research UNM units, including the Health Sciences Center and Branch Campuses.

Policy Rationale

In the oversight of all Human Subjects Research, the University of New Mexico (UNM) as a whole, is committed to protecting the rights and welfare of participants in Human Subjects Research consistent with the ethical principles outlined in the April 18, 1979, report of The National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research titled "Ethical Principles and Guidelines for the Protection of Human Subjects of Research," also known as "The Belmont Report":

- Respect for Persons.
- Beneficence.
- Justice.

Policy Statement

UNM aims to promote a culture of compliance with the highest legal and ethical standards for the conduct of human research. UNM recognizes research as one of its chartered enterprises and shares responsibility for promoting and managing this activity with its individual researchers when conducted under its auspices.

To ensure comprehensive protection of the rights and welfare of subjects in human research across a diverse social-behavioral and biomedical research enterprise, UNM holds two distinct Federal Wide Assurances (FWAs) approved by the U.S. Department of Health and Human Services, one for the University Main Campus and a separate FWA for the Health Sciences Center (HSC). Under these agreements, UNM assures that all of its activities related to human subjects in research ("Human Subjects Research") are conducted in accordance with all applicable federal regulations (e.g., 45 C.F.R. § 46, 21 C.F.R. § 50, 21 C.F.R. § 56, 21 C.F.R. § 312, 21 C.F.R. § 812).

Revisions to the remaining sections of this document may be amended with the approval of the Faculty Senate Research Policy Committee, Policy Committee, and Operations Committee.

Procedures

All Principal Investigators and involved researchers engaged in Human Subjects Research are required to:

1. Obtain approval from the IRB or HRRC following the procedures established by the Main Campus Office of the IRB (OIRB) and the Main Campus IRB; or the HSC Human Research Protections Office and the HSC's Human Research Review Committees (HRRC), depending on the Principal Investigator's primary appointment. Procedures are posted on the respective websites and are regularly and continually updated to comply with federal regulations and accreditation standards.

2. Monitor ongoing research and teaching activities under their supervision to ensure that they continue to be conducted in accordance with approved protocols.

3. Ensure that all personnel involved in Human Subjects Research under their supervision are appropriately trained on the applicable laws, rules, and regulations regarding Human Subjects Research as well as the Main Campus IRB's or HRRC's policies and procedures, as the case may be, with respect to Human Subjects Research.

4. Comply with and ensure compliance with all determinations and additional requirements of the IRB and/or HRRC, as the case may be, with jurisdiction over the research.

Definitions

HRRC refers to UNM HSC's Human Research Review Committees (HRRC).

IRB refers to the UNM Main Campus Office of the Institutional Review Board (IRB).

Human Research Subject. The United States Department of Health and Human Services (HHS) defines a human research subject as a living individual about whom a research investigator (whether a professional or a student) obtains data through 1) intervention or interaction with the individual, or 2) identifiable private information (32 C.F.R. 219.102(f)).

Contacts

Direct any questions about this policy to Office of the Vice President for Research or the HSC Office of Research.

Who should read this policy

- Faculty, staff, and students conducting research
- Members of the Faculty Senate and the Research Policy Committee
- Academic deans or other executives, department chairs, directors, and managers
- Administrative staff responsible for sponsored research management

Related Documents

UNM Regents’ Policy Manual

- Policy 5.1 “The Faculty’s Role in UNM’s Academic Mission”
- Policy 5.13 "Research Fraud"
- Policy 5.14 “Human Beings as Subjects in Research”

Faculty Handbook

- E40: Research Misconduct

History

- July 1, 2025 - Policy format updated to align with FHB A53
- April 25, 2017 - Approved by Faculty Senate
- November 15, 1966 - Revised

E100: Policy Concerning Use of Animals

Policy

Approved by Faculty Senate, May 8, 1990; Ratified by Regents, September 11, 1990.

The University of New Mexico (UNM) has long recognized both a scientific and an ethical responsibility for the humane care and use of all animals utilized in our educational and research activities. It is also recognized that all UNM personnel who care for or use animals in educational or research activities must assume responsibility for the animal's general welfare. Obviously, investigators involved in open field research, such as ecology or animal behavior, do not control the animal environment and cannot be held responsible for animal welfare. The intent of these educational and/or research activities is to provide experience and data that will advance knowledge of immediate or potential benefit to humans and animals. UNM faculty, students, and administration shall continue to develop and use scientifically valid adjunct or alternative methods which can refine, reduce, and/or replace the use of animals. Some situations exist which still require the use of animals. Therefore, UNM supports the continued and judicious use of animals in our educational and research programs.

The UNM Animals Care and Use Programs will provide optimal care to all animals and will conform to all federal, state, and local laws. The Programs will comply with the provisions of the Animal Welfare Act of 1966 "Public Law 89-544" and all subsequent amendments; The Public Health Service Policy on Humane Care and Use of Laboratory Animals "Health Research Extension Act of 1985, Public Law 99-158;" and the Guide for the Care and Use of Laboratory Animals "HHS Publication Number 'NIH' 85-23." All educational and/or research projects involving animals will be reviewed and approved by UNM's respective Animal Care and Use Committees. Students who think they have been unfairly treated by the decisions of any professor or department regarding decisions concerning animal use shall have the right of appeal according to the due process procedures appropriate to the college in which the action was taken.

E110: Conflict of Interest in Research

Approved By: Faculty Senate and UNM President
Effective Date: July 21, 2026
Responsible Faculty Committees: Research Policy Committee
Office Responsible for Administration: Vice President for Research and Health Sciences Vice President for Research (HSVPR)

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

Applicability

This Policy applies to all investigators who are responsible for the design, conduct, or reporting of University of New Mexico (UNM) research, including UNM faculty, staff, students, post-doctoral fellows, and volunteers, and non-UNM investigators who are not subject to their own institutional conflict of interest (COI) policy. The Policy covers actual and potential COI associated with participation in UNM research, which includes:

1. Research funded by or through UNM (including outside sponsored funding);
2. Research conducted at UNM, regardless of funding; and
3. Unsponsored research conducted off campus by UNM employees.

Policy Rationale

The purpose of this Policy is to protect the integrity, trust, and respect of UNM, its academic community and its research activities. This Policy is intended to enable compliance with applicable laws and other regulatory requirements and to protect investigators who may be exposed to conflict of interest (COI) including conflict of commitment (COC) situations when conducting research. It is designed to inform investigators of their disclosure responsibilities, provide an efficient method for making disclosures, and facilitate effective identification and management of COIs or COCs.

Policy Statement

Members of the UNM community are engaged in many contractual, consulting, and advisory relationships with other universities, government agencies and private sector entities. UNM encourages these relationships for their contributions to research, education, technological advancement, and professional development. UNM members must be cautious, however, to prevent unresolved COIs or COCs in these relationships that might undermine the credibility of their work or damage their reputation. Additionally, full-time faculty members and researchers must be mindful of their obligation to devote their primary professional efforts and allegiance to UNM. Other activities should not interfere or significantly conflict with this responsibility. It is the intent of this Policy to provide assurance to investigators, UNM, sponsors of institutional research, and the public that research activities at UNM will be conducted in a manner consistent with institutional and public values.

1. Conflicts of Interest (COI)

COI or the appearance of COI may occur when an investigator's research responsibilities compete with their private interests, such as financial interests, raising questions of objectivity and improper gain. COIs are inevitable in modern research universities and do not imply any impropriety on the part of the investigator. A COI may exist despite the highest standards of conduct and candor. Most conflicts can be successfully resolved without impeding research activities.

2. Disclosure

Disclosing the required information at the earliest possible time will afford the best protection of an investigator's interests. Investigators are required to disclose any situation that to the best of their knowledge could conceivably be viewed as a COI or a reportable financial interest, and to favor more rather than less disclosure. See the Definitions Section of this Policy for examples of situations that may require disclosure. Individuals who are uncertain about this Policy's application to their situation should contact the Office of Research Integrity and Compliance (ORIC) or HSC Conflict of Interest and Commitment Office (collectively, UNM COI offices) for assistance.

3. Training Requirements

Investigators must complete COI training prior to engaging in research and as required by UNM COI Offices every four (4) years, unless funding agency and sponsor policies require more frequent training. When certain revisions to this Policy are made, when an investigator changes institution, or when an investigator is found to be out of compliance with this Policy, training will be required within sixty (60) days.

4. COI Committees

There will be one or more COI committees formed at the Provost's and Executive Vice President for Health Sciences (EVPHS)’s discretion. The applicable COI Committee will regularly review and assess COI disclosure forms referred to them by a UNM COI Office to determine whether an actual or potential conflict exists and work with the investigator to determine how it should be resolved or managed to best protect the investigator, the institution, and the research results.

5. Appeals

An investigator may appeal the COI Committee decision to the Provost/EVPHS or designee, who will meet with the investigator and the COI Committee (or its representative) prior to making a final decision on the appeal. The investigator will not have spending authority on research grants and contracts pending appeal.

6. Confidentiality of Disclosures

All individuals involved in handling a disclosure must exercise care at all times to protect the confidentiality of the disclosed information and the privacy of the investigator, to the extent permitted by law. Individuals may be required to sign appropriate confidentiality agreements, especially individuals external to UNM.

7. Applicability of Federal and State Rules

If a federal agency issues rules governing COI in sponsored UNM research, those rules will govern where applicable. This Policy is intended to comply with those requirements. Any changes in the federal requirements will supersede the relevant provisions of this Policy. New Mexico's Governmental Conduct Act, NMSA Section 10-16-3 (C) also has disclosure requirements pertaining to potential conflicts that must be followed in addition to the federal requirements. UNM COI offices are responsible for updating the COI disclosure forms to follow the provisions of governing laws and rules related to COI.

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.

Procedures

1. Initial Disclosure Procedures

1.1 Sponsored Research Proposals: UNM Investigators

1.1.1.

When required by the funding agency, prior to submission of a sponsored research proposal to the Office of Sponsored Projects (OSP) or the Health Sciences Sponsored Project Office (HS-SPO), all UNM individuals who will serve as Investigators on the proposed research must submit a completed COI form that discloses the following, among other things:

> a) Any foreign or domestic significant financial interest (SFI) that would reasonably appear to be affected by the research.
>
> b) For NIH-funded research only, any foreign and domestic SFI that would reasonably appear related to the investigator's institutional responsibilities.
>
> c) Any significant financial interest in an entity whose financial interests would reasonably appear to be affected by the research.
>
> d) Any other situation that could call into question the investigator's professional commitments to UNM in undertaking the research.

1.1.2.

The principal investigator, and any co-principal investigator, are responsible for identifying the research investigators, informing them of the requirements of this Policy, and providing a list of their names to the COI Office. The COI Office must receive completed disclosure forms from each investigator prior to the proposal's submission to the funding agency. If the funding agency does not require a separate COI disclosure, the Annual COI Disclosure forms on file with a UNM COI Office will be deemed sufficient.

1.1.3.

No research expenditures associated with the individuals that may have a potential COI will be allowed on a new/renewed award until disclosures have been reviewed and any conflicts have been properly managed.

1.2. Sponsored Research Proposals: Non-UNM Investigators

For non-UNM investigators, the following conditions must be satisfied.

1.2.1.

If the research will involve a sub-award with an entity that employs the non-UNM investigator, that entity must provide adequate documentation to UNM that its system for compliance with federal and state COI requirements will address the proposed research. If the entity is unable to provide this documentation in a timely fashion, the non-UNM investigator must follow the disclosure requirements and procedures specified for UNM investigators. These actions must be completed prior submission of the proposal.

1.2.2.

If there is no sub-award, non-UNM investigators must follow the disclosure requirements and procedures specified for UNM investigators.

1.3. Unsponsored Research and UNM-Sponsored Research

1.3.1.

Each UNM investigator whose unsponsored research or UNM sponsored research involves human subject research, must submit a completed COI disclosure form to the COI Office. The disclosure form must be submitted to the COI Office before the unsponsored or UNM sponsored research proposal is submitted to the Institutional Review Board (IRB). If a current or updated (see sections 2.1 and 2.2 below) Annual COI Disclosure is on file with UNM COI Offices, no additional disclosure is required.

1.3.2.

UNM employees working on unsponsored research at other institutions must submit a disclosure to UNM and provide the institution any applicable COI management plan.

2. Ongoing Disclosure Procedures

2.1.

Disclosure requirements apply for the duration of the UNM research. Investigators must disclose any of the following, among other things, that occur during the conduct of UNM research:

> a) A new significant financial interest that would reasonably appear to affect the research.
>
> b) For NIH-funded research only, any new SFI that would reasonably appear to be related to the investigator’s institutional responsibilities.

c) A new significant financial interest in an entity whose financial interests would reasonably appear to affect the research.

d) A new situation that could call into question the investigator's professional commitments in undertaking the research or the investigator's primary obligation to UNM.

e) A significant change to a previously reported disclosure.

2.2.

Investigators must submit updated disclosure forms to the COI Office within thirty (30) days after the disclosable situation arises.

2.3.

All newly added investigators on UNM research must submit a completed COI disclosure form to the UNM COI Office within thirty (30) days from beginning work on the research. The principal investigator, and any co-principal investigator, are responsible for informing newly added investigators of this requirement and ensuring that they submit disclosure forms. Newly added investigators are subject to the ongoing disclosure requirements of this section.

3. UNM COI Offices and COI Committees

3.1.

The purpose of the COI Committees is to protect the integrity of investigators, UNM, human research subjects, and UNM research by identifying and resolving COIs when they exist. The UNM COI Offices and Committees carry out this charge in a manner that is intended to foster, not hinder, research relationships. In addition to reviewing COI disclosures, the UNM COI Offices and Committees may offer advice on general questions concerning COI.

3.2.

The UNM COI Office, in consultation with the relevant COI Committee Chair, may refer a disclosure to the COI Committee if the conflict has the potential to be categorized as high risk or otherwise requires COI Committee review.

3.3. COI Committee Composition

3.3.1.

The membership of each COI committee will comprise six (6) faculty members, one (1) person not primarily employed by UNM, and one (1) UNM official with administrative responsibility for contracts. Notwithstanding the formation of two (2) or more COI committees, these COI committees will be referred to collectively as "the COI Committee" in all other sections of this Policy.

3.3.2.

Members of the COI Committee will be selected by the Provost or the EVPHS in consultation with the current Chair of the relevant COI Committee.

3.3.3.

Each COI Committee member will serve a three (3)-year, renewable term. The terms will be staggered to allow for continuity and rotation of members. Upon adoption of this revised Policy, the members of the COI Committees established under previous Policy will continue to serve their appointed terms. The UNM official with administrative responsibility for contracts and grants may be assigned on the case-by-case basis, rather than serving the full term.

3.3.4.

Terms shall begin July 1 and will end on June 30, three (3) years later. In the event of a vacancy, the replacement committee member will be appointed by the same method and from the same category as the departing member and shall serve for the remaining duration of the departing member's term.

3.4. Decision Making

A quorum consisting of a simple majority of serving members is required for the COI Committee to perform its functions. Decisions are to be made by majority vote. The Committee may develop guidelines for reviewing and assessing disclosures.

3.5. Recusal of COI Committee Members

Under certain circumstances, COI Committee members may have to recuse themselves from reviewing a disclosure. The standard for recusal is a reasonable belief that a member may be unable to make a decision based solely on the evidence. Examples of situations that would warrant recusal include:

> a) The member is directly involved in the disclosure under review.
>
> b) The member has a personal or professional relationship with the investigator that would interfere with the member's objectivity.

3.5.1.

COI Committee members may self-recuse at any stage in the review process.

3.5.2.

An investigator may request recusal of a member at any stage in the review process. The COI Committee will deliberate and decide on this request in the absence of the member whose recusal is sought.

3.5.3.

Upon recusal of a member, the COI Committee Chair, in consultation with the Provost/EVPHS, will select a temporary member from the same category as the recused member to serve on the COI Committee on an interim basis for the remainder of the disclosure review and assessment.

3.6. Removal of COI Committee Members

A member will be removed only for good cause and only by the Provost/EVPHS upon recommendation of a majority of a quorum of the COI Committee on which the member sat. Good cause will include:

a) Change in eligibility status.

b) Insufficient attendance at COI committee meetings.

4. Review and Management of COI Disclosures

4.1. Initial Screening

4.1.1.

The UNM COI Offices will be responsible for initial screening of COI disclosure forms. The UNM COI Office, in consultation with the applicable COI Committee Chair, will review all disclosure forms and refer those that indicate a possible COI to the applicable COI Committee, unless otherwise specified in any screening guidelines provided by the COI Committee. In addition, if the research involves human subjects, or research funded by a formal award from internal UNM sources based on submission of a proposal, the UNM COI Office will notify the Institutional Review Board (IRB) or the Research Allocation Committee (RAC) that COI exists.

4.1.2.

If the referred disclosure form was submitted by an investigator other than the principal investigator, the UNM COI Office will notify the principal investigator of the general nature of the referral without divulging the particulars of the disclosed information.

4.2. Determination of COI

4.2.1.

The COI Committees will regularly review and assess COI disclosure forms referred by the UNM COI Offices. For NIH-funded research only, reviews will occur within 60 days and will be done in accordance with SOP “FCOI Review of NIH Funded Research”. If the COI Committee determines after initial review of a disclosure that no COI exists, it will conclude its assessment. If the COI Committee is unable to make this determination, it may invite the investigator who submitted the disclosure to meet with the COI Committee, COI Committee Chair, or designee and explain the circumstances of the UNM research and the possible COI. The COI Committee will determine whether a COI exists, and if so, work with the investigator to determine how it might be managed or resolved to best protect the investigator, the institution and the research results.

4.2.2.

On occasion, circumstances may require the Provost/EVPHS or designee to make an expedited decision to accept funding for UNM research before the COI Committee has had an opportunity to review a disclosure related to the research. In that event, the COI Committee subsequently will review and assess the disclosure according to its regular process. No research expenditures associated with the individuals that may have a potential COI will be made pending COI Committee review or resolution of the conflict.

4.3. Role of Principal Investigator

4.3.1.

When the investigator whose disclosure is reviewed by the COI Committee is not the principal investigator for the UNM research, the privacy of the investigator must be balanced with the principal investigator's need for sufficient information to manage the research responsibly. Accordingly, if the COI Committee believes upon initial review of the disclosure that a COI may exist, the COI Committee will ask the investigator for consent to reveal the disclosure to the principal investigator and to invite the principal investigator to meet with the COI Committee and participate in discussion of the research circumstances.

4.3.2.

If the investigator consents to the principal investigator's participation, the COI Committee will proceed accordingly. If the investigator refuses consent, the COI Committee will keep the disclosure details confidential and proceed in its assessment of the disclosure with the investigator's participation. Despite the refusal, the COI Committee may confer generally with the principal investigator about the research and the investigator's role in it, revealing no more than the overall nature of the possible conflict.

4.3.3.

If the COI Committee finds that an investigator who did not consent to the principal investigator's participation in the review process has a COI, the COI Committee will try to manage the conflict in a manner that does not involve the principal investigator. The principal investigator should be involved in the conflict management plan only if the plan would affect the conduct of the research. Without the involvement of the principal investigator, the COI Committee cannot remedy the conflict by recommending modification of the research protocol or oversight of the research. Consequently, refusal to involve the principal investigator may prevent the effective management of a conflict. If the investigator and the COI Committee cannot agree on a resolution that would not affect the research, the investigator must either consent to involvement of the principal investigator in managing the conflict or withdraw from the research.

4.4. Management of COI

4.4.1.

If the COI Committee determines that an investigator has a COI in UNM research, it will decide how the conflict should be managed so the research may proceed if at all possible. The COI Committee may impose conditions or restrictions to control, reduce or eliminate the possibility that the conflict will affect the objectivity of the research. The COI Committee may designate other UNM officials to assist in this process. Examples of conflict-of-interest management options include, but are not limited to:

> a) Disclosure of the conflict in publications and professional presentations (e.g., when presenting or publishing the research; to staff members working on the project; to the Institution’s Institutional Review Board(s), Institutional Animal Care and Use Committee(s), etc.).
>
> b) Monitoring of the research by independent experts familiar with the research subject, appointed by the COI Committee.
>
> c) Modification of the research plan.

d) Disclosure of the conflict to human research participants through an informed consent document;

e) Request for an additional faculty advisor to monitor academic process of students involved in a researcher’s commercial enterprise;

f) Divestiture of the investigator's conflicting financial interests or placement in a blind trust.

g) Escrow of an equity interest until certain triggering conditions are met.

h) Prohibition on the investigator's involvement in contract negotiations for the research.

i) Reduction, elimination, or severance of the investigator's relationships that create the conflict.

j) Withdrawal of the investigator from participation in part of the research.

4.4.2.

Any COIs must be resolved in accordance with a management plan approved by the COI Committee or the COI Committee Chair for the UNM research associated with the individuals that may have a potential COI to proceed. This applies to all UNM research that is subject to the disclosure requirements of this Policy, regardless of whether the research is funded. No conflicts may be waived. If a COI cannot be managed, the investigator must withdraw from the research or UNM may need to decline acceptance of the award or terminate the sponsored agreement. Monitoring of compliance with a management plan will be overseen by the applicable COI Monitor.

4.5. Notification of COI Committee Decisions

4.5.1.

If the COI Committee determines that an investigator's disclosure does not constitute a COI, the UNM COI Office will provide written notification of the decision and rationale to the investigator.

4.5.2.

If the COI Committee finds that a COI does exist, the UNM COI Office will notify the investigator, the principal investigator if different from the investigator, the chair of the investigator's department, the director of the center, if appropriate, the dean, and the supervisor if the investigator is not a faculty member, of the existence of the conflict and the management plan.

4.5.3.

The COI Committee will provide copies of all of its decisions to the Provost/EVPHS and to either the Vice President for Research or the HSC Vice President for Research.

4.5.4.

If the research involves human subjects, or research funded by a formal award from internal UNM sources based on submission of a proposal, the UNM COI Office will notify the appropriate COI Committee that a management plan has been developed and approved.

5. Appeals

An investigator may appeal the COI Committee decision in accordance with Section 5 of the Policy Statement above.

6. Reporting and Records Requirements

6.1. Reports to Research Sponsors

The UNM COI Offices, OSP, and HS-SPO will work to ensure that UNM complies with the research sponsor's requirements for reporting COIs. NIH-funded research will be reported according to UNM FCOI Procedures for NIH-funded Research.

6.2. Records Retention

The UNM COI Offices will keep records of all COI disclosures and all actions taken with respect to those disclosures, including retrospective reviews, for at least three (3) years after the later of these events:

- Termination or completion (the date the final expenditures report is submitted) of the UNM research, or where applicable, from other dates specified in 2 CFR 200.334;
- Resolution of any government action involving the records; or
- As otherwise provided by law.

7. Policy Enforcement

7.1. Types of Noncompliance

Noncompliance with this Policy can occur through the following actions:

- Failure to disclose required information,
- Failure of the institution to timely review or manage a COI, or
- Failure to follow a conflict-of-interest management plan.

7.2. Enforcement Responsibility

The Provost/EVPHS or designee is responsible for enforcing this Policy, including investigating and sanctioning noncompliance. The COI Committee is responsible for reviewing the cases referred to them during an enforcement process. The Provost/EVPHS or designee may consult with the COI Committee during this process.

7.3. Reporting Noncompliance

7.3.1.

Anyone who suspects that an investigator has not complied with this Policy may bring the matter to the attention of the principal investigator, if different from the investigator. If this is not feasible or does not resolve the matter, individuals should report their concerns to the Provost/EVPHS or designee. The COI Committee may likewise report its own concerns about an investigator's noncompliance.

7.3.2.

UNM encourages good faith reporting of COI concerns. UNM prohibits retaliation against a person who reports under this Policy in good faith. Retaliation for good faith reporting may result in disciplinary action up to and including dismissal. Similarly, UNM does not tolerate bad faith reporting. Reporting an individual in bad faith may result in disciplinary action up to and including dismissal.

7.4. Investigation

7.4.1.

The Provost/EVPHS or designee will investigate allegations of policy noncompliance by conducting a retrospective review according to SOP Retrospective Review of COI Compliance. The procedures in FH Policy C07 “Faculty Disciplinary Policy” and FH Policy E40 “Research Misconduct” may be used for guidance.

7.4.2.

Any information that arises from the investigation that is disclosable under Section 1 of these Procedures above will be referred to the COI Committee for review and management.

7.5. Sanctions

The Provost/EVPHS or designee may employ a range of options and sanctions in handling investigator noncompliance, including disciplinary and legal action and refusing or rescinding acceptance of an award. If sanctions involve UNM faculty, staff, or students, UNM discipline policies must be followed.

7.6 Notification of Research Sponsors

If an investigator's noncompliance with this Policy may have biased the design, conduct, or reporting of the UNM research, UNM will promptly notify the funding agency (within 60 days). Research sponsors may impose additional restrictions, including suspension of funding.

Definitions

Conflict of Interest (COI) is a situation associated with an investigator's participation in UNM research where it reasonably appears, on an actual or potential basis, that the following circumstances may occur:

> a) **Financial COI:** The investigator or the investigator’s spouse, partner, or dependent children, has a significant financial interest or financial relationship that could directly and significantly affect the design, conduct, or reporting of UNM research activity and/or sponsored research; or
>
> b) **Conflict of Commitment (COC):** a situation where an individual engages in outside research activities, either paid or unpaid, that interferes with or is similar to the individual’s professional obligation and commitment to UNM.

Examples of the types of situations that may come within this definition include but are not limited to:

a) Holding a direct or indirect interest in an outside entity that conducts business in an area closely related to the UNM research or serving as a director, officer, partner, trustee, manager, or employee in such an entity.

b) Undertaking or steering UNM research to serve the research or other needs of an outside entity, without approval of UNM and the research sponsor.

c) Directing potential research efforts away from UNM and toward the investigator's outside entity, or an outside entity in which the investigator has a financial interest.

d) Transmitting to an outside entity without UNM and the research sponsor's consent, or otherwise using for personal gain, sponsored work products, results, materials, records or information that are not generally made available. This does not necessarily preclude contracts between faculty start-ups and either UNM or UNM Rainforest Innovations (UNMRI), although these contracts may give rise to COI situations.

e) Using privileged information acquired in connection with the investigator's UNM research activities for personal gain or for unauthorized purposes. Privileged information includes medical, personnel or security records of individuals, anticipated material requirements or price actions, possible new sites for government operations, and knowledge of forthcoming programs or selection of contractors or subcontractors in advance of official announcements.

f) Negotiating or influencing the negotiation of contracts related to the investigator's UNM research between UNM and outside entities with which the investigator has consulting, equity, or fiduciary relationships.

g) Accepting gratuities, in-kind support, or special favors from entities with which UNM does or may conduct business in connection with UNM research or extending gratuities or special favors to employees of the sponsor, under circumstances that reasonably might be interpreted as an attempt to influence the recipients in the conduct of their duties.

h) Assignment of students or other supervisees into activities from which the employee intends to realize personal financial gain and/or that would compromise or interfere with the students’ primary educational and research duties; and

i) Accepting an honorary faculty position at a foreign institution.

Conflict Management comprises measures taken to address the risk of bias or the appearance of bias, protect research subjects, and maintain public trust in UNM research and its personnel when there may be a real or perceived COI. If the conflict can be managed, the COI Management Plan should be set forth in writing.

Investigator means the principal investigator, the co-principal investigator and any other person (including faculty, staff and students) paid or unpaid who is responsible for the design, conduct, or reporting of UNM research. Any individual responsible for a task that could have a significant effect on the research design, conduct, or reporting is considered to be an investigator, even if the individual does not have sole or primary responsibility for the task or the research.

Institutional Responsibilities are those professional responsibilities on behalf of UNM (e.g. research, research consultation, teaching, professional practice, etc.).

Non-UNM Investigator means any person who is:

1. Responsible for the design, conduct, or reporting of UNM research; and
2. Employed by an entity other than UNM, working pursuant to a sub-award with another entity, working as an independent contractor or collaborator, or otherwise not employed by UNM.

Reporting of Research includes the authorship of publications to journals or otherwise, generating and submitting reports to a research sponsor, presentation at conferences or technical meetings related to the research, other public presentations, or research funding proposals.

Significant Financial Interest (SFI) as defined by NIH and only applicable to NIH research, means anything of monetary value belonging to the investigator and their spouse or partner, and dependent children, that reasonably appears related to the Investigator's institutional responsibilities including but not limited to:

a) With regard to any publicly traded entity, a significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds $5,000. For purposes of this definition, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value.

b) Remuneration received from any non-publicly traded entity in the twelve months preceding the disclosure, when aggregated, exceeds $5,000, or when the Investigator (or the Investigator's spouse or dependent children) holds any equity interest (e.g., stock option, or other ownership interest).

c) Royalties from intellectual property rights and interests, such as patents and copyrights, upon receipt of related income and not associated with UNM.

SFI does not include the following:

a) Salary, royalties or other remuneration from UNM including payments or other technology commercialization proceeds through the UNMRI (see FH Policy E70 "Intellectual Property Policy").

b) Income from seminars, lectures, teaching engagements, or service on advisory committees or review panels for a federal, state, or local government agency located in the United States, a United States institution of higher education, an academic teaching hospital, a medical center, or a research institute that is affiliated with a United States institution of higher education.

c) Interests in widely held investment vehicles, such as mutual funds and retirement accounts as long as the Investigator does not directly control the investment decisions made in these vehicles.

Reimbursed or Sponsored Travel includes travel expenses paid for by an outside entity, whether it is paid for on behalf of the person or reimbursed to the person after purchase and related to the Investigator's institutional responsibilities.

UNM research means a systematic investigation designed to develop or contribute to generalizable knowledge, including basic and applied investigations and product development, that is:

1. Funded by or through UNM (including outside sponsored funding);
2. Conducted at UNM, regardless of funding; or
3. Unsponsored research conducted by UNM employees regardless of where research is performed.

Contacts

Direct any questions about this policy to Office of the Vice President for Research (VPR) or the HSC Vice President for Research (HSVPR).

Who Should Read This Policy

- Faculty, staff, and students conducting research.
- Members of the Faculty Senate and the Research Policy Committee.
- Academic deans or other executives, department chairs, directors, and managers.
- Administrative staff responsible for research management.

Related Documents

UNM Regents Policy Manual
RPM 5.1: The Faculty's Role in the University's Academic Mission
RPM 5.8: Intellectual Property
RPM 5.10: Conflicts of Interest in Research
RPM 5.13: Research Fraud
RPM 5.14: Human Beings as Subjects in Research RPM 5.17: Conflict of Interest Waiver Policy for Technology Transfer
RPM 6.4: Employee Code of Conduct and Conflicts of Interest Policy

UNM Faculty Handbook
FH Policy C130: Outside Employment and Conflicts of Commitment
FH Policy E40: Research Misconduct
FH Policy E70: Intellectual Property Policy
FH Policy E80: Conflict of Interest Waiver Policy for Technology Transfer
FH Policy E90: Human Beings as Subjects in Research
FH Policy E130: Foreign Talent Recruitment Programs

University Administrative Policies and Procedures Manual
UAP 3720: Employee Code of Conduct and Conflicts of Interest

Federal Regulations

- 42 CFR Part 50
- 45 CFR Part 94
- 2 CFR 200.112
- PAPPG

- 34 CFR 75
- FAL Letter 2022-02
- 2 CFR 200.334

Conflict of Interest Office Procedures

- SOP Retrospective Review of COI Compliance
- SOP FCOI Procedures for NIH-funded Research

History

- July 21, 2026 - Regulatory changes approved by Faculty Senate Operations Committee
- July 13, 2026 - Regulatory changes approved by Faculty Senate Policy Committee
- December 11, 2025 - Approved by the UNM President
- November 25, 2025 - Amended and approved by the Faculty Senate
- September 7, 2022 - Updated to reflect title changes for Vice President of Research, HSC Sponsored Projects Office, and Executive Vice President for Health Sciences, per FHB Policy A53 procedures
- February 23, 2022 – Updated to reflect name change of the Science and Technology Corporation @ UNM (STC.UNM) to UNM Rainforest Innovations (UNMRI), per FHB Policy A53 procedures
- May 12, 2003 – Approved by the UNM President
- April 22, 2003 – Revised by the Faculty Senate
- April 11, 2000 – Adopted by the Board of Regents

E120: Effort Reporting

Approved By: Faculty Senate and President
Effective Date: December 16, 2024
Responsible Faculty Committees: Research Policy Committee
Office Responsible for Administration: Vice President for Research (VPR) and Health Sciences Vice President for Research (HSVPR)

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

Applicability

This Policy applies to faculty and staff participating in sponsored research at or on behalf of UNM.

Policy Rationale

Conduct of research is a primary mission of The University of New Mexico (UNM). UNM is committed to ensuring that effort expended on federally sponsored agreements is appropriately documented, that salaries and wages charged to sponsored agreements reasonably reflect the effort expended on those agreements, that effort is certified by authorized personnel in a timely manner, and that effort certifications comply with sponsor requirements and federal regulations.

Policy Statement

Certification of effort is a federal requirement that UNM agrees to when a contract or grant is accepted that is fully or partly funded by the federal government. Timely effort reports, generated by UNM, are used to document the certification of effort. The federal requirement is designed to ensure that:

a) The percent of effort expended on each project is not less than the percent of effort committed to the sponsor to spend on the project; and

b) The percent of effort expended on each project is not less than the percent of salary charged to the project.

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

Procedures

To comply with federal requirements, an individual with first-hand knowledge of the work performed and the benefitting sponsored project shall certify effort reports in a timely manner.

Monitoring Uncertified Effort Reports: UNM is committed to ensuring that effort reports made in connection with federally sponsored projects are accurate, timely, reasonably reflect the actual level of effort expended, and comply with all agency requirements. It is each department's responsibility to ensure that a process has been appropriately established to certify effort reports on a timely basis. Effort reports that are outstanding at the certification deadline may result in salary and related costs being disallowed by the federal funding agency. Principal Investigators, department chairs or equivalent, and deans/directors or above, as appropriate, will be notified of effort reports that have not been certified.

Independent Evaluation: The UNM President or designee will ensure that there are periodic reviews of the effort reporting system.

Definitions

Contacts

Direct any questions about this Policy or its components to the Office of the Vice President for Research (OVPR) or the Office of the Health Sciences Vice President for Research (HSVPR).

Who Should Read This Policy

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

Related Documents

- UNM Regents' Policy Manual Policy 5.13 "Research Fraud"
- Faculty Handbook Policy E30 "Research Data Management"
- Faculty Handbook Policy E40 "Research Misconduct"

History

- July 1, 2025 - Policy format updated to align with FHB A53
- December 16, 2024 - Approved by University President
- November 27, 2024 - Approved by Faculty Senate
- March 28, 2012 - Approved by Provost
- February 23, 2010 - Approved by Faculty Senate
- March 13, 1973 - Approved by University Faculty

E130: Foreign Talent Recruitment Programs

Approved By: Faculty Senate and UNM President
Effective Date: May 26, 2026
Responsible Faculty Committee: Research Policy Committee
Office Responsible for Administration: Vice President for Research (VPR) and Health Sciences Vice President for Research (HSVPR)

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

Applicability

The Policy applies to all members of the University of New Mexico (UNM) community participating in research activities at or on behalf of UNM, who contribute in a substantive, meaningful way to the scientific development or execution of a research and development project proposed to be carried out with a research and development award, including but not limited to faculty, staff, students, visiting scholars, postdoctoral fellows. We refer to those individuals as ‘’covered individuals,” within this policy as defined by the CHIPS and Science Act 2022.

Policy Rationale

Many countries sponsor Foreign Talent Recruitment Programs (FTRPs) to attract researchers in targeted fields. Many programs utilize legitimate, transparent mechanisms of talent recruitment, including use of research fellowships, student and scholar exchanges, and grants. However, some programs, designated by the federal government as malign foreign talent recruitment programs (MFTRPs), provide direction or levy requirements, including through language in binding contracts, that create conflicts of interest and/or conflicts of commitment for people directly or indirectly involved in research activities; some have been shown to encourage or direct unethical and even criminal behaviors.

To ensure that federal funds are not used to support MFTRPs, federal regulations require covered individuals to disclose all participation in FTRPs and to certify at proposal, and annually for the duration of the award, that they are not a party to a MFTRP. Research Institutions applying for awards will need to certify that covered individuals have been made aware of this requirement.

UNM promotes and conducts research to advance knowledge, enhance student learning experiences, and build its reputation in the scientific community. While UNM endorses the principles of freedom of inquiry and open exchange of knowledge, it is the policy of UNM to comply with all federal laws and regulations, as well as other relevant sponsor requirements. It is UNM’s responsibility to safeguard information and technologies from exploitation. This Policy provides UNM faculty, staff, and students and any other persons participating in research activities at, or on behalf of, UNM, with information on applicable federal regulations and definitions pertaining to FTRPs; UNM’s requirements designed to ensure compliance with applicable laws, regulations and sponsor requirements; and prohibits participation in a MFTRP.

Policy Statement

Participation in FTRPs can involve risks that warrant careful consideration, mitigation, and in some cases complete avoidance. Therefore, all members of the UNM community who are designated as covered individuals by a federal agency:

- must disclose all participation in FTRP contracts, agreements, or other similar arrangements:
- are prohibited from participating in any MFTRP;
- comply with all sponsor policies and certifications regarding MFTRP as they are developed and implemented, and that disclosures are true, complete, and accurate to the best of the covered individual's knowledge;
- certify at proposal submission stage, and annually for the duration of the award, that they are not a party to a MFRTP; and
- attend all training required by the Office of Research Integrity and Compliance (ORIC) or HSC Office of Research, only if those trainings are required by the Federal sponsors.

1. Violations

Any individual who suspects a violation of this Policy must report the suspected violation to the ORIC and/or the HSC Office of Research who will refer investigation of the matter to ISD. The investigation procedures in FH Policy C07: Faculty Disciplinary Policy may be used for guidance. Individuals who violate this Policy may be subject to an internal compliance review, which may include reporting to relevant federal agencies. False, fictitious, or fraudulent statements or claims (including omissions) in violation of this Policy may result in criminal, civil, and administrative penalties and/or UNM disciplinary action. Penalties for violations can be quite severe, potentially including large fines and imprisonment and could apply to both individuals and the institution.

Examples of violations include, but are not limited to:

- An employee or researcher failing to appropriately disclose participating in an FTRP or MFTRP to OSP or HSC-SPO;
- A researcher engaged in federally funded research failing to disclose participation in a MFTRP to the federal sponsor, per federal research agency requirements; or
- A researcher engaged in federally funded research participating in an MFTRP, in violation of federal sponsor requirements.

Comprehensive definitions of applicable federal terms are provided in the Definitions section below.

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

Procedures

These procedures pertaining to FTRPs and MFTRPs are to be used in conjunction with all sections of this document, including Definitions. It is the responsibility of members of the UNM community to safeguard information and technologies from exploitation as described below.

1. Covered Individuals’ Responsibilities

All UNM Covered Individuals are responsible for:

- seeking assistance from the Industrial Security Department (ISD) if a potential Malign Foreign Talent issue occurs,
- fully disclosing such participation in a FTRP to the Office of Sponsored Projects (OSP) or HSC Sponsored Projects Office (HSC-SPO); and
- complying with federal sponsor policies; and
- fulfilling training required by the federal sponsor and offered by the Office of Research Integrity and Compliance (ORIC) or HSC Office of Research; and
- refraining from engaging with parties on U.S. government restricted entity lists; and
- refraining from participating in MFTRPs.

1.1 Prohibition of Malign FTRP Participation

Participation in a MFTRP is a prohibiting factor for a researcher involved in certain federal funding. Personnel involved in a MFTRP may need to be replaced on projects, or a proposal may be rejected by the federal funding agency. Participation with a Foreign Entity of Concern may result in termination of support from the federal funding agency, and a prohibition from receiving or participating in covered support for a period of not less than one (1) year but not more than ten (10) years.

2. OSP/HSC-SPO Responsibilities

OSP/HSC-SPO is responsible for:

- requesting a FTRP review by the UNM Industrial Security Department (ISD) if a covered individual discloses participation in a FTRP; and
- certifying that covered individuals have been made aware of this Policy’s requirements.

3. ORIC/HSC Office of Research Responsibilities

ORIC/HSC Office of Research is responsible for:

- administering policies for Conflict of Interest and Conflict of Commitment related to UNM research;
- administering annual disclosure processes;
- including MFTRP as part of Responsible Conduct of Research training; and
- referring appropriate cases to the ISD.

4. UNM ISD Responsibilities

The ISD serves as the primary representative and point-of-contact for all UNM foreign related activities. Specifically, ISD is responsible for:

- conducting FTRP reviews and MFTRP control reviews;
- administering and monitoring the Research Security Program and serving as the central point-of-contact for procedures administered to mitigate risks;
- overseeing foreign participation activities to proactively manage compliance;
- raising awareness through communication and required trainings, so that faculty and other academic appointees, staff, students, and non-employee participants in UNM programs, especially those

conducting work in high-risk areas, can identify activities that may have foreign influence implications and seek guidance from subject experts;
- investigating any known or suspected export control or foreign influence violations; and
- creating and implementing an MFRTP evaluation process according to federal guidelines to mitigate the severity of any fines or penalties that might be imposed.

4.1 UNM Research Security Program

The purpose of the Research Security Program, coordinated by ISD, is to provide oversight to help UNM research community understand their responsibility for compliance and to manage foreign influence-related decisions and transactions to ensure compliance with applicable laws and regulations. Key elements of the Research Security Program are:

1. cybersecurity;
2. foreign travel security;
3. research security training; and
4. export control training.

Some examples:

- Identification of research activities with the greatest risk;
- Risk assessment of employees who are participants in FRTPs;
- Documentation of risk assessment procedures and results;
- Foreign Influence training for individuals based on expected roles at UNM;
- Procedures for investigating and addressing a problem;
- Regular audits of research policies and procedures to ensure they are being followed and follow applicable laws and regulations; and
- Audits of selected research activities based on the sensitivity of the involved technology and existing government recommendations.

4.2. ISD Research Security Officer

Research Security Officer is responsible for analysis of foreign programs or sponsorship activities to ensure compliance with laws and regulations.

Definitions

Covered Individual. As defined in the CHIPS and Science Act.

The term “covered individual” means an individual (faculty, student, postdoctoral fellow, staff) who:

> (A) contributes in a substantive, meaningful way to the scientific development or execution of a research and development project proposed to be carried out with a research and development award from a federal research agency; and
>
> (B) is designated as a covered individual by the federal research agency concerned.

Export. The transfer of products, technology or services from the United States to another country or to foreign persons within the United States. This includes Deemed Exports which include the transfer of technology, including articles, information, data or use of equipment that has certain export restrictions, to a

foreign national in the US.

Foreign Country of Concern. Any country determined to be a country of concern by the Department of State. For the most current list, refer to: https://www.state.gov/countries-of-particular-concern-special-watch-list-countries-entities-of-particular-concern/

Foreign Entity of Concern. As defined in the CHIPS and Science Act.

> (A) "The term "foreign entity of concern" means a foreign entity that is— designated as a foreign terrorist organization by the Secretary of State under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));
>
> (B) included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (commonly known as the SDN list);
>
> (C) owned by, controlled by, or subject to the jurisdiction or direction of a government of a foreign country that is a covered nation (as such term is defined in section 4872 of title 10, United States Code);
>
> (D) alleged by the Attorney General to have been involved in activities for which a conviction was obtained under—
>
> > (i) chapter 37 of title 18, United States Code (commonly known as the Espionage Act);
> >
> > (ii) section 951 or 1030 of title 18, United State Code;
> >
> > (iii) chapter 90 of title 18, United State Code (commonly known as the Economic Espionage Act of 1996);
> >
> > (iv) the Arms Export Control Act (22 U.S.C. 2751 et seq.);
> >
> > (v) The Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.); or
> >
> > (vi) The International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or
>
> (E) Determined by the Secretary of Commerce, in consultation with the Secretary of Defense and the Director of national Intelligence, to be engaged in unauthorized conduct that is detrimental to the national security or foreign policy of the United States.

Foreign Person. Any natural person who is not a lawful permanent resident of the United States, citizen of the United States, or any other protected individual as defined by 8 U.S.C. 1324b(a)(3). It also means any corporation, business association, partnership, trust, society or any other entity or group that is not incorporated in the United States or organized to do business in the United States, as well as international organizations, foreign governments and any agency or subdivision of a foreign government.

Foreign Talent Recruitment Program (FTRP). As defined by the CHIPS and Science Act.

Effort organized, managed, or funded by a foreign government, or a foreign government instrumentality or entity, to recruit science and technology professionals or students (regardless of citizenship or national origin, or whether having a full-time or part-time position).

Malign Foreign Talent Recruitment Program (MFTRP). As defined by the CHIPS and Science Act.

A MFTRP exists if the arrangement is as described in Section A below, and has at least one factor from Section B below and at least one factor from Section C below.

Section A. Definition:

Any program, position, or activity that includes compensation in the form of cash, in-kind compensation, including research funding, promised future compensation, complimentary foreign travel, things of non de minimis value, honorific titles, career advancement opportunities, or other types of remuneration or consideration directly provided by a foreign country at any level (national, provincial, or local) or their designee, or an entity based in, funded by, or affiliated with a foreign country, whether or not directly sponsored by the foreign country, to the targeted individual, whether directly or indirectly stated in the arrangement, contract, or other documentation at issue.

Section B Problematic Obligations/Activities

In exchange for the individual—

(i) engaging in the unauthorized transfer of intellectual property, materials, data products, or other nonpublic information owned by a United States entity or developed with a federal research and development award to the government of a foreign country or an entity based in, funded by, or affiliated with a foreign country regardless of whether that government or entity provided support for the development of the intellectual property, materials, or data products;

(ii) being required to recruit trainees or researchers to enroll in such program, position, or activity;

(iii) establishing a laboratory or company, accepting a faculty position, or undertaking any other employment or appointment in a foreign country or with an entity based in, funded by, or affiliated with a foreign country if such activities are in violation of the standard terms and conditions of a federal research and development award;

(iv) being unable to terminate the foreign talent recruitment program contract or agreement except in extraordinary circumstances;

(v) through funding or effort related to the foreign talent recruitment program, being limited in the capacity to carry out a research and development award or required to engage in work that would result in substantial overlap or duplication with a federal research and development award;

(vi) being required to apply for and successfully receive funding from the sponsoring foreign government's funding agencies with the sponsoring foreign organization as the recipient;

(vii) being required to omit acknowledgment of the recipient institution with which the individual is affiliated, or the federal research agency sponsoring the research and development award, contrary to the institutional policies or standard terms and conditions of the federal research and development award;

(viii) being required to not disclose to the federal research agency or employing institution the participation of such individual in such program, position, or activity; or

(ix) having a conflict of interest or conflict of commitment contrary to the standard terms and conditions of the Federal research and development award.

Section C Problematic Sponsorship

A program that is sponsored by—

> (i) a foreign country of concern or an entity based in a foreign country of concern, whether or not directly sponsored by the foreign country of concern;
>
> (ii) an academic institution on the list developed under section 1286(c)(8) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 4001 note; Public Law 115-232);
>
> (iii) or a foreign talent recruitment program on the list developed under section 1286(c)(9) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 4001 note; Public Law 115-232).

Acronyms

FTRP - Foreign Talent Recruitment Programs

MFTRP - Malign Foreign Talent Recruitment Programs

COI - Conflict of Interests

COC - Conflict of Commitments

ISD - Industrial Security Department

OSP - Office of Sponsor Research

HSC - Health Science Center

SPO - Sponsor Project Office

ORIC - Office of Research & Compliance

Contacts

Direct any questions about this policy to the UNM Industrial Security Department.

Who Should Read This Policy

Faculty, postdoctoral fellows, students and staff conducting research.

Members of the Faculty Senate and the Research Policy Committees.

Academic deans or other executives, department chairs, directors, and managers.

Administrative staff responsible for research management.

Any other persons participating in research activities at or on behalf of UNM

Related Documents

UNM Regents’ Policy Manual

- RPM 5.9: Sponsored Research
- RPM 5.11: Classified Research
- RPM 5.10: Conflicts of Interest in Research
- RPM 5.17: Conflict of Interest Waiver Policy for Technology Transfer

Faculty Handbook

- FH Policy C07: Faculty Disciplinary Policy
- FH Policy C130: Outside Employment and Conflicts of Commitment
- FH Policy E10: Classified Research Policy
- FH Policy E60: Sponsored Research
- FH Policy E90: Human Beings as Subjects in Research
- FH Policy E50: Export Control
- FH Policy E80: Conflict of Interest Waiver Policy for Technology Transfer
- FH Policy E110: Conflict of Interest in Research

University Administrative Policies

- UAP 3720: Employee Code of Conduct and Conflicts of Interest

Federal Regulations

- National Security Presidential Memorandum (NSPM)-33
- Creating Helpful Incentives to Produce Semiconductors (CHIPS) and Science Act of 2022
- Guidelines for Federal Research Agencies Regarding Foreign Talent Recruitment Programs
- Countering Unwanted Foreign Influence in Department-funded Research at Institutions of Higher Education

Information: Reprints of Scholarly Research Publications

Information

Abolished July 21, 2023

Recognizing the importance of disseminating faculty research findings, the University supports the publication of scholarly research by underwriting the purchase of reprints, in accordance with the following policy.

As funds remain available during the fiscal year:

1. An author may apply for a maximum of $300 per year for page costs and reprints irrespective of the number of publications during that year.

2. A request written by the author and endorsed by the chairperson attached to the appropriate payment documents, shall be directed to the Vice President for Research.

3. The request must include the following information:

> 1. Author's name 2. Title of article 3. Date of acceptance for publication 4. Publisher and address 5. Number (normal maximum = 100) and cost of reprints 6. Page costs (if applicable)

4. Funds cannot be furnished when publication costs can be covered from contracts or grants.

F10: Roles and Functions of UNM Branch Community Colleges

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

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

Applicability

All UNM academic faculty, staff, and administrators.

Policy Rationale

Branch community colleges play important roles and functions within the University of New Mexico (UNM) system by responding to the unique needs of their communities. This Policy document describes authorized branch community college roles and functions.

Policy Statement

As provided by New Mexico Statute (21-14-1), UNM has established branch community colleges to serve the citizens of New Mexico more fully and to provide the highest quality of education throughout the state for students in different locations pursuing postsecondary education. Branch community colleges respond specifically to the unique needs and multicultural background of the citizens in their respective communities by offering Associate Degree programs (transfer programs that prepare students for upper division entry into colleges and universities), certificates (career technical education pathways), workforce credential preparation, and community education programs.

Branch community colleges utilize resources in the community and therefore also function as an integral part of the community. The branch community colleges of UNM are considered fully integrated component colleges, and they are committed to serving the needs of their respective communities in the manner of a comprehensive community college, offering a variety of academic, career, and community service programs. The branch community colleges commit themselves to protect the quality and integrity of all academic curricula.

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.

Procedures

No specific procedures required at this time.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

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

Related Documents

UNM Regents' Policy Manual

- Policy 2.14 "Branch Colleges and Off-Campus Education Centers"

New Mexico Statute

- NMSA Chapter 21, Article 14, 21-14-1

History

- July 1, 2025 - Policy format updated to align with FHB A53
- September 8, 2022 - Updated title of Executive Vice President for Health Sciences, per Faculty Handbook A53 procedures Information item in Faculty Handbook.

F70: Articulation, Degree Approval, Transfer of Course Credit, and Approval of Credentialing Standards

Approved by: Faculty Senate
Effective: January 22, 2019
Responsible FS Committee: Policy Committee
Office Responsible for Administration: Office of the Provost

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

Applicability

All UNM academic faculty, staff, and administrators.

Policy Rationale

Branch community college degree offerings are approved by the University of New Mexico (UNM), and many of their courses carry transfer credit toward UNM baccalaureate degrees. The policies that govern the articulation of degree programs, the determination of course credit, and the approval of credentialing standards for UNM branch community colleges are presented below.

Policy Statement

A. Degree, Certificate, and Credential Approval

1. All associate degree programs are authorized to be offered at branch community colleges, upon approval by the appropriate college and department or program on the UNM main campus.

2. Branch community colleges are authorized to develop and offer programs leading to all associate degrees, as well as provide certificates and workforce credentials, provided the programs go through the required approval process for such programs at the UNM main campus. The transferability to the main campus of credit for courses in these programs will be determined in accordance with the policy statements B.1 and B.2 below.

B. Transfer of Course Credit

UNM main campus will accept baccalaureate credits and branch community colleges will accept transferable course, certificate, and workforce credential credits, earned by students at any UNM branch community

college, in accordance with the following policy:

1. Lower-division courses within the New Mexico common course numbering system offered at UNM branch community colleges will be transferable anywhere within the UNM System. These courses will have consistent learning outcomes and competencies. Existing courses at the UNM main campus or a UNM branch community college may be adopted by another branch community college without going through curriculum workflow, as long as the branch community college has obtained permission to use the appropriate course prefix (if not already in use at that branch), and the course is 200 level or below.

2. Proposed new lower division courses must follow the same approval process as any other course offered at UNM main campus and, if designed for transfer credit, must be approved by the appropriate department or program and/or college.

C. Approval of Credentialing Standards for Course Delivery

Branch community college faculty shall be qualified to deliver courses under the current UNM accrediting body's credentialing guidelines. Branch community colleges shall maintain adequate records to verify that appropriate accreditation credentialing guidelines are met.

> 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.

Procedures

No specific procedures required at this time.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

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

Related Documents

UNM Regents' Policy Manual

- Policy 2.14 "Branch Colleges and Off-Campus Education Centers"

Higher Learning Commission Faculty Credentialing Guidelines

History

- July 1, 2025 - Policy format updated to align with FHB A53
- September 9, 2022 - Updated title of Executive Vice President for Health Sciences, per Faculty Handbook Policy A53 procedures
- January 22, 2019 – Approved by the Faculty Senate
- April 2005 - Approved by the Faculty Senate

F80: Representation on Faculty Senate and Its Committees

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

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

Applicability

All UNM academic faculty, staff, and administrators.

Policy Rationale

The Faculty Constitution affirms the rights of branch community college faculty to be represented in the Faculty Senate and to decide upon the faculty governance procedures best suited to the effective functioning of each individual branch community college.

Policy Statement

In accordance with the procedures established by the Faculty Senate and its component committees, branch community colleges shall have representation on the Faculty Senate Standing Committees and the Faculty Senate. Faculty at branch community colleges shall have the right to create faculty governance bodies, policies, and procedures for their campuses, provided those assemblies do not conflict with the authority and functions of the Faculty Senate described in the Faculty Constitution.

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.

Procedures

No specific procedures required at this time.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

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

Related Documents

UNM Regents' Policy Manual

- Policy 2.14 "Branch Colleges and Off-Campus Education Centers"

Faculty Handbook

- A51: Faculty Constitution "Faculty Constitution, Article II"

History

- July 1, 2025 - Policy format updated to align with FHB A53
- April 24, 2018—Policy Approved by Faculty Senate

F100: Teaching Load

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

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

Applicability

All UNM academic faculty, staff, and administrators.

Policy Rationale

The primary mission of the branch community colleges is teaching so this policy document provides modification of academic load for faculty.

Policy Statement

The determination of academic load of faculty at branch community colleges shall follow the description in Faculty Handbook policy C100, with one exception stated below. Each branch community college shall have a written faculty workload policy on file that includes the terms and conditions for workload adjustments as appropriate under Faculty Handbook Policy C110. A full-time faculty member at a branch community college shall typically be assigned a teaching load of fifteen (15) load units or the equivalent per semester. For any case in which a full-time faculty member is assigned more or less than fifteen (15) load units, advance approval is needed from the Dean of Instruction at the specific branch community college.

> 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.

Procedures

No specific procedures required at this time.

Definitions

No specific definitions are required for the Policy Statement.

Contacts

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

Who should read this policy

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

Related Documents

UNM Regents’ Policy Manual

- Policy 2.14 “Branch Colleges and Off-Campus Education Centers”

Faculty Handbook

- C100: Academic Load
- C110: Teaching Assignments

History

- July 1, 2025 - Policy format updated to align with FHB A53

Information: F20: Statutory Provisions and Funding

Information

The Branch Community College Act (section 21-14-1 NMSA 1978), was enacted in 1957, to provide (a) the first two (2) years of college transfer education or (b) organized career curricula of not more than two (2) years' duration designed to prepare individuals for employment in recognized occupations, or both of the above. New Mexico Higher Education Department, a lay-board appointed by the Governor, is responsible for supporting two-year education in New Mexico. Branch colleges are organized by one or more school districts with local public school boards or specially elected advisory boards serving each branch in an advisory capacity. The advisory boards have three (3) major responsibilities: calling elections for local property taxes for annual operating levies and capital outlay general obligation bonds; approving operating budgets; and certifying the local tax levy. Funding for the branch colleges comes from direct State appropriations and local tax levies. Budget requests for the branch colleges are approved by the local advisory boards, the University of New Mexico Board of Regents, and the New Mexico Higher Education Department before being submitted to the Legislature.

History

September 13, 2022 - Policy reviewed by Office of University Secretary staff to add links to relevant statute

Information: F30: UNM-Gallup Mission Statement

Information

Mission Statement

The University of New Mexico - Gallup prepares people to achieve their educational and professional goals in a context of respect for the traditions and values of the many groups it serves.

Vision Statement

The University of New Mexico - Gallup will be a nationally recognized leader in community focused, regionally specific and culturally vibrant education.

Values

We value EXCELLENCE by providing quality decisions and actions through our people, programs and outcomes.

We value INTEGRITY through our commitment to managing our resources wisely, keeping our promises and ensuring accountability to our students, the community and all who serve UNM-Gallup's mission.

We value DIVERSITY by striving to strengthen our university, our community and our society through the respectful treatment of all people. UNM-Gallup recognizes, accepts and values differences of culture, ethnicity, gender, sexual orientation, nationality, religion, language and academic discipline and embraces diversity as a learning opportunity.

We value FREEDOM by encouraging inquiry, candor, creative activity, and the pursuit of ideas.

We value SUSTAINABILITY by meeting the needs of the present while preserving the well-being of future generations.

We value ACCESS WITH SUPPORT TO SUCCEED by offering all who desire the opportunity to take full advantage of the wealth of UNM-Gallup resources and be fully included in the UNM-Gallup community.

We value RESPECTFUL RELATIONSHIPS as demonstrated by our commitment to building trust, inspiring collaboration, and ensuring teamwork essential to UNM-Gallup's success.

www.gallup.unm.edu/about/vision-mission.html

History

- July 1, 2025 - Mission, Values, and Vision statements updated to current versions by OUS

Information: F40: UNM-Los Alamos Mission Statement

Information

Mission

Preparation for Transfer…Pathways for Careers…Passion for Lifelong Learning!

UNM–LA is an innovative, rigorous, and affordable comprehensive branch community college that provides foundations for transfer, leading-edge career programs, and lifelong learning opportunities. We strive to prepare students who are capable, competent, and successful through high-quality instruction and personalized attention.

Vision

UNM–LA is recognized as a premier education provider for Los Alamos and the region by offering unique forward-looking learning opportunities, spanning the sciences and the arts, and building on unique local and regional assets.

We aspire to a future in which we are known for the following:

Commitment to Excellence

We are respected for excellence in all academic endeavors, offering traditional and innovative programs.

Success through Collaboration

We are seen as a committed partner supporting education and regional development.

Engagement with Community

We build on the history, geography, and cultures of our region for an improved quality of life for all.

Values

The values that guide UNM–LA are Excellence, Integrity, Diversity, Respect, Collaboration, Innovation, Creativity, Accessibility.

losalamos.unm.edu/catalog/general-information.html

History

- July 1, 2025 - Mission, Values, and Vision statements updated to current versions by OUS

Information: F50: UNM-Valencia Branch Mission Statement

Information

Mission

To provide educational opportunities and community engagement that will foster academic achievement and increase the prosperity of the diverse population throughout our rural region.

Vision

To improve the quality of life in the Middle Rio Grande Valley through excellence in education, student, staff, and faculty success, and community partnerships.

Values

- Excellence - We value excellence in all of our work, and strive to perform and achieve at the highest levels.
- Inclusion - We respect and celebrate the differences of all persons and value a collaborative working and learning environment where diversity and belonging are cherished.
- Integrity - We act with equity, honesty, and transparency in accordance with the highest academic, professional, and ethical standards.
- Place - We honor the peoples and places of our community and respect our local culture and history.
- Success - We value student success, and foster a welcoming, creative, and academically-engaging campus environment.

valencia.unm.edu/about/strategic-plan/strategic-plan-2023-2025.pdf

History

- July 1, 2025 - Mission, Vision, and Values statements updated to current versions by OUS

Information: F60: UNM-Taos Mission Statement

Information

Mission

Our mission is to provide high-quality education to transform students' educational journeys. We empower our students to imagine possibilities, cultivate knowledge, and achieve personal and economic well-being. UNM-Taos strengthens the regional economy by developing a skilled workforce in partnership with local employers. Our committed faculty and staff honor student stories, a weaving together of family, tradition, and heritage.

Vision

Empowering Northern New Mexican communities to honor our diverse cultures and ensure a sustainable future.

Values

SERVINGNESS We respect our students' unique journeys. We listen to students and connect them to resources and people who support them in imagining futures, pursuing careers, and further strengthening the fabric of their communities.

EXCELLENCE We value excellence in all of our work, and we strive to perform and achieve at the highest levels.

INCLUSION We respect and celebrate the differences of all persons and value working in a collaborative environment where diversity is cherished and there is a shared sense of belonging.

ENVIRONMENT We are dedicated to the protection of our planet to ensure the health, well-being, and success of future generations.

INTEGRITY We value fairness, honesty, and transparency. We are good stewards of the resources that have been given to us.

PLACE We are dedicated to the peoples and places of New Mexico even as we reach for global impact for the benefit of all humanity.

taos.unm.edu/about/index.html

History

- July 1, 2025 - Mission, Vision, and Values statements updated to current versions by OUS