

Faculty Senate Policy Committee

Meeting Agenda

Scholes Hall, Room 141

October 9, 2013

Policy Updates

1. C170: Endowed Chairs- pg. 1
 - Outcome of Faculty Senate Process and Vote
 - Sent to Provost for approval before going into Faculty Handbook
2. C250: Academic Leave for Principal Lecturers- pg. 4
 - Approved at the 10/3/13 ASAR meeting
 - Approved at the 10/8/13 Board of Regents meeting
3. C190: Procedures for Lecturer Annual and Promotion Reviews- pg. 8
4. C09: Respectful Campus- pg. 15
5. C140: Extra Compensation
 - Policy revision update-Carol Parker
6. Scheduling of future meetings

C170: Endowed Chairs and Named Professorships

Approved By: Faculty Senate

Last Updated: **Draft 9/24/13**

Responsible Faculty Committee: Operations

Office Responsible for Administration: Faculty Contracts

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

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 Chancellor for the Health Sciences Center (HSC), 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 HSC Chancellor, 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 of Equal Opportunity (see Section III, OEO Faculty Hiring Guidelines). The search committees will be constituted in the usual way, except that the Faculty Senate, Provost or HSC Chancellor, and the donor may suggest one or more additional members. A majority of the members of the search committee must be full-time UNM faculty, and departments or units in which the appointment is made may vote to limit the number of non-faculty members. While a donor may suggest potential candidates,

UNM retains the responsibility and authority to name the successful candidate and confer the rank and/or tenured status according to its existing standards and by its existing procedures.

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

APPLICABILITY

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

DEFINITIONS

No specific definitions are required for the Policy Statement.

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

WHO SHOULD READ THIS POLICY

- 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 Equal Opportunity ["Faculty Hiring Guidelines"](#)

CONTACTS

Direct any questions about this policy to the UNM [Office of Faculty Contracts](#)

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 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 he or she is tenured, retaining his or her 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 HSC Chancellor, the UNM Foundation, and the Regents upon request.

HISTORY

DRAFT HISTORY

September 11, 2013—Policy Committee reviewed draft and proposed changes. Awaiting Faculty Senate approval.

August 27, 2013— Revised policy draft went to the Faculty Senate for approval. Tabled for further discussion at AF&T

April 23, 2013—Draft discussed by Faculty Senate and returned to Faculty Senate Policy Committee for further discussion.

August 27, 2013—Draft tabled by the Faculty Senate for further review by the Academic Freedom and Tenure Committee.

COMMENTS TO:
handbook@unm.edu

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C250: Academic Leave For Principal Lecturers

Approved By: Faculty Senate

Last Updated: **Draft 9/24/13**

Responsible Faculty Committee: Operations

Office Responsible for Administration: Faculty Contracts

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

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.

APPLICABILITY

This Policy applies to all academic UNM units, including the Health Sciences Center (HSC) and Branch Campuses.

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.

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

WHO SHOULD READ THIS POLICY

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

RELATED DOCUMENTS

[Section B: "Policy on Academic Freedom and Tenure."](#)
[Policy C280 "Leave Without Pay."](#)

CONTACTS

Direct any questions about this policy to your chair and/or dean or the Office of Faculty Contracts.

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 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.

HISTORY

DRAFT HISTORY

January 19, 2013 – Draft awaiting Faculty Senate and Board of Regents approval.

March 11, 2013 – Tabled by the Board of Regents.

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C190: Lecturer Annual and Promotion Reviews

Approved By: Faculty Senate

Last Updated: **Draft 9/17/13**

Responsible Faculty Committee: Policy Committee

Office Responsible for Administration: Office of the Provost and Office of the HSC Chancellor

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

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 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 Dept. Chair and/or Assoc. 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 250) professional development teaching release* with pay to pursue other academic and/or professional opportunity activities. A Principal Lecturer will subsequently be eligible to apply for such releases 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**, sections 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 section 6.2 of the Faculty Handbook.

APPLICABILITY

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

DEFINITIONS

No specific definitions are required for this 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.

WHO SHOULD READ THIS POLICY

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

RELATED DOCUMENTS

Faculty Handbook

Section B: Academic Freedom and Tenure, 2.3.2, 3.4.2, and 4.10.

Policy 250, “Academic Leave”

CONTACTS

Direct any questions about this Policy to the Office of the Provost or the Office of the Chancellor for HSC.

PROCEDURES

Ad Hoc Transition Process Used for Current Lecturers—Expires June 30, 2014.

The following implementation procedures are designed as a one-time transition and apply only to Lecturers employed by UNM on the date this Procedures Document is approved and to decisions made prior to June 30, 2014. For all new hires, the promotion path will start at year one unless credit for service elsewhere has been applied (section B.4. above).

The University currently employs Lecturers who have been with their departments for varying years of service. Lecturers who have taught at institutions of higher education other than UNM may use these years of service (at the discretion of their Department Chair) to qualify for ad hoc advancement.

All existing Lecturers should initially be assigned the rank of “Lecturer” (I, II, or III). For those Lecturers who have served in their departments for five years or more, a one-time ad hoc decision for promotion to “Senior Lecturer (I, II, or III)” status can be made by the Provost or Chancellor upon the recommendation of the Department Chair and Dean, based solely upon the individual’s current employment file. If approved, the benefits detailed in Section 4 above will be applied to the Lecturer. Likewise, if a Lecturer has been employed by their department for 11 years or more, a one-time ad hoc decision for promotion to “Principal Lecturer (I, II, or III)” status can be made by the Provost or Chancellor upon the recommendation of the Department Chair and Dean, based solely upon that individual’s current employment file. If approved, the benefits detailed in Section 5 above will be applied to the Lecturer.

HISTORY

DRAFT HISTORY

September 17, 2013—Draft revised for Policy Committee Changes, awaiting Faculty Senate approval.

September 9, 2013 --Draft of revised policy awaiting approval of Policy Committee and Faculty Senate.

COMMENTS TO:
handbook@unm.edu

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C09: Respectful Campus

Approved By: Faculty Senate

Last Updated: **Draft 10/2/13**

Responsible Faculty Committee: Policy Committee

Office Responsible for Administration: Office of the Provost

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

POLICY RATIONALE

The University of New Mexico promotes a working, learning, and social environment where all members of the UNM community, including but not limited to the Board of Regents, administrators, faculty, staff, students, and volunteers work together in a mutually respectful, psychologically-healthy environment. UNM strives to foster an environment that reflects courtesy, civility, and respectful communication because such an environment promotes learning, research, and productivity through relationships. Because a respectful campus environment 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 the University's mission and values, the University is committed to providing a respectful campus, free of bullying in all of its forms.

POLICY STATEMENT

This Policy describes the values, cornerstones, and behaviors that delineate a respectful campus and applies to all members of the UNM community, including, but not limited to students, faculty, and staff.

1. Values

A respectful campus exhibits and promotes the following values:

- displaying personal integrity and professionalism;
- practicing fairness and understanding;
- exhibiting respect for individual rights and differences;
- demonstrating harmony in the working and educational environment;
- respecting diversity and difference;
- being accountable for one's actions;
- emphasizing communication and collaborative resolution of problems and conflicts;
- developing and maintaining confidentiality and trust; and
- achieving accountability at all levels.

2. Cornerstones of a Respectful Campus

The commitment to a respectful campus calls for promotion of an environment where the following are upheld:

- All individuals have important contributions to make toward the overall success of the university's mission.
- UNM's mission is best carried out in an atmosphere where individuals at all levels and in all units value each other and treat each other with respect.
- 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.
- Individuals at all levels are allowed to discuss issues of concern in an open and honest manner, without fear of reprisal or retaliation from individuals above or below them in the university's hierarchy. At the same time, 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 University policy.

Bullying is unacceptable in all working, learning, and service interactions.

3. Destructive Actions

Actions that are destructive to a respectful campus will not be tolerated. These actions include, but are not limited to:

- Sexual harassment--refer to [UAP 3780](#) "Sexual Harassment Policy";
- Retaliation-- refer to [UAP 2200](#) "Whistleblower Protection and Reporting Suspected Misconduct and Retaliation Policy" ;
- Conduct which can affect adversely the University's educational function, disrupt community living on campus, or interfere with the right of others to the pursuit of their education or to conduct their University duties and responsibilities--refer to UNM *Faculty Handbook*, [Section C05](#), "Rights and Responsibilities at the University of New Mexico." "[Visitor Code of Conduct](#)," "[Student Code of Conduct](#)," and [UAP 2220](#) "Freedom of Expression and Dissent";
- Unethical conduct--refer to UNM *Faculty Handbook*, [Section B, Appendix V](#), "Harassment and Professional Ethics Policy"; and Bullying behavior which is defined in [Section 4](#). herein.

4. Definition of Bullying

Bullying can occur when one individual or a group of individuals exhibits bullying behavior toward one or more individuals. Bullying is defined by the University as repeated mistreatment of an individual(s) by verbal abuse, threatening, intimidating, humiliating conduct or sabotage that creates or promotes an adverse and counterproductive environment, so as to interfere with or undermine legitimate University learning, teaching, and/or operations. Bullying is not about occasional differences of opinion, conflicts and problems in workplace relationships as these may be part of working life. Bullying can adversely affect dignity, health, and productivity

and may be grounds for corrective disciplinary action, up to and including dismissal. The University Counseling, Assistance, and Referral Services (CARS) Department and the University Ombuds/Dispute Resolution Services for Faculty and Staff can provide guidance for determining whether behavior meets the definition of bullying. Examples of behaviors that meet the definition of bullying above include, but are not limited to:

4.1. Physical Bullying

Physical bullying is pushing, shoving, kicking, poking, and/or tripping; assault or threat of physical assault; damage to a person's work area or property; damage to or destruction of a person's work product.

4.2. Verbal Bullying

Verbal bullying is 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; or shouting at others in public and/or in private where such conduct is so severe or pervasive as to cause or create a hostile or offensive educational or working environment or unreasonably interfere with the person's work or school performance or participation.

4.3. Nonverbal Bullying

Nonverbal bullying can consist of directing threatening gestures toward a person or persons or invading personal space after being asked to move or step away.

4.4. Anonymous Bullying

Anonymous bullying can consist of withholding or disguising identity while treating a person in a malicious manner, sending insulting or threatening anonymous messages, placing objectionable objects among a person's belongings, leaving degrading written or pictorial material about a person where others can see.

4.5. Threatening Behavior 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 behavior for a supervisor to note an employee's poor job performance and potential consequences within the framework of University 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.

5. Reporting Destructive Actions

The destructive actions described in **Section 4.** herein should be reported in accordance with the applicable policies and procedures listed herein; however, extreme incidents may be reported directly to UNM Police in accordance with [UAP 2210](#) "Campus Violence." Bullying behavior should be reported as follows:

5.1 Students

An individual who believes a student has engaged in bullying behavior should report the behavior to the Dean of Students Office. Students in the School of Medicine who believe that a faculty member has engaged in bullying behavior towards them should follow the procedures in the UNM School of Medicine "Teacher Conduct and Learner Complaints." All other students who believe that a staff or faculty member has engaged in bullying behavior towards them may follow the procedures listed in Sections 5.2. and 5.3. below. Students may also report bullying behavior by:

- contacting the Dean of Students Office,
- calling the UNM Hotline 1-888-899-6092 (call may be anonymous, but doing so may limit the University's ability to conduct a full investigation), or
- contacting the University Internal Audit Department.

If the bullying of students is based on race, color, religion, national origin, physical or mental disability, age, sex, sexual preference, gender identity, ancestry, medical condition, or spousal affiliation, it should be reported to the University Office of Equal Opportunity.

5.2 Staff

An individual who believes a staff member has engaged in bullying behavior may report the behavior using any of the options listed in [UAP 2000](#), Section 4 of "Whistleblower Protection and Reporting Suspected Misconduct and Retaliation." The individual should select the reporting method he or she is most comfortable with and is most appropriate to the situation. Although bullying behavior may not meet the definition of misconduct in Policy 2200, suspected bullying behavior will be reported and investigated in the same manner as misconduct.

5.3. Faculty

An individual who believes a faculty member has engaged in bullying behavior should follow the procedures listed *in the Procedures Section below*. ~~on the Faculty Handbook website maintained by the Office of the University Secretary.~~ These procedures were approved by the Faculty Senate and all subsequent changes must be approved in accordance with processes defined by the Faculty Senate.

6. Monitoring

An annual survey will be undertaken by the Faculty Senate Policy Committee in collaboration with the Staff Council and the Division of Human Resources to measure the effectiveness of the Respectful Campus Policy. The survey should provide ongoing monitoring of faculty and staff attitudes concerning the campus climate and culture. The survey results will be distributed to the Faculty Senate, Staff Council, President of the University, and executive vice presidents.

APPLICABILITY

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

DEFINITIONS

Bullying. Refer to Section 4. Above for detailed definition.

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

WHO SHOULD READ THIS POLICY

- 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](#) “Whistleblower Protection and Reporting Suspected Misconduct and Retaliation”

[Policy 2240](#) “Respectful Campus”

CONTACTS

Direct any questions about this Policy to the Office of the Provost.

PROCEDURES

Below are the procedures for reporting and investigating complaints of faculty bullying. ~~in accordance with the “Respectful Campus Policy”—Faculty Handbook Policy C09.~~

1. Initial Complaint

An initial written complaint pursuant to ~~this Policy Faculty Handbook Policy C09~~ *may 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, Chancellor for Health Sciences). An initial complaint may also be made by using the procedures specified in [UAP 2200](#) “Whistle Blower Protection and Reporting Suspected Misconduct and Retaliation,” namely:

- Calling the UNM Hotline 1-888-899-6092. The call may be anonymous, but doing so may limit an employee's protection from retaliation and the University's ability to conduct a full investigation.
- Reporting the conduct – orally or in writing – to the Internal Audit Department.

A complainant should report suspected misconduct as soon as reasonably possible, preferably within 60 days from the time the complainant becomes aware of the suspected misconduct. 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:

- clear specific allegations against the named person or persons;
- where possible, dates, times, locations, and witnesses to incidents;
- factual description of events with direct quotes where possible;
- indication of how each incident made the complainant feel;
- documentary evidence; and
- description of any action the complainant or others have already taken.

Regardless of the mechanism chosen for the initial 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 accused's direct supervisor. A copy of the written complaint must be provided to the accused, from whom a written response will be solicited within a specified time-frame. The written response from the accused will be provided to the complainant.

2. Investigation

The responsible supervisor is charged with initiating the investigation within 10 UNM business days of receiving the written complaint. It is of paramount importance that the investigation should be conducted by an unbiased investigator. Prior to initiating the investigation, the responsible supervisor must confer with the Office of University Counsel (OUC) for guidance in interpreting *this Policy* the ~~Respectful Campus Policy~~ and in formulating the specific steps to be followed in conducting an unbiased investigation and in preparing the final investigatory report. The 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 may appoint an independent investigator with no connection to either the complainant or the accused; the investigator may in turn decide to appoint a three *to* five person ad hoc investigatory committee of independent, unbiased individuals whose UNM status is similar to that of the complainant and that of the accused.

As soon as it has been determined who will conduct the investigation and how the investigation will be conducted, the investigator will ~~inform~~ notify the complainant, the accused, and the supervisor of the accused, that an investigation has been initiated. If either the complainant or the accused wishes to request that a different investigator be appointed, a written request, including a detailed justification, must be provided to the supervisor of the accused within five UNM business 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 five UNM business days after receipt of the request. If the investigator decides to appoint an ad hoc committee to

assist with the investigation, the accused and the complainant will be notified in writing and given 10 UNM working business 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 20 UNM business days after the accused 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 accused believes will be able to provide material information relevant to the complaint, recognizing that an investigation will often exclude redundant or immaterial information or information that is not readily available. The investigation should normally be completed no later than 30 UNM business days after the initial complaint has been brought to the supervisor of the accused, 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 accused, and the supervisor of the accused. When the investigation has been completed, a confidential report of the investigation will be sent for appropriate action to the supervisor of the accused, Provost or Chancellor for Health Sciences for Health Sciences, with a written copy provided to the accused and the and the complainant, unless the complainant is anonymous. ~~If the complainant is not anonymous, the complainant will also receive a copy of the confidential report.~~ The confidential report will include, at a minimum, the following information:

- Identity of investigator and others involved in conducting the investigation
- Allegations
- Investigative Process, including ~~list~~ the number of witnesses interviewed, but excluding the identities of the witnesses
- Summary of facts
- Final Determination

The investigator may also choose to include recommendations in the report.

The investigator will make reasonable efforts to maintain confidentiality. The identities of the accused 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 ~~the accused's personnel file in the accused's college or school~~ Office of University Counsel. The file should include the following:

- Initial complaint
- 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 accused
- If applicable, signed confidentiality agreements

- If applicable, ad hoc committee meeting minutes

3. Alternative Procedures

The procedures set forth in this policy *document* are not exclusive. Although complainants are encouraged to utilize the procedures set forth above, the complaint may also be taken to the Ombuds Dispute Resolution Services for Faculty and Staff, or to the Academic Freedom and Tenure Committee (AF&T), if the complainant is a faculty member and the complaint involves allegations of violations that are within the jurisdiction of the AF&T Committee. If the Ombuds Dispute Resolution office or the AF&T Committee is presented with the complaint, and if they decide that it is within their jurisdiction, they will follow the procedures stated in the Faculty Handbook Policies ([Policy C345](#) and [Section B](#), respectively). If AF&T determines that it has jurisdiction and accepts the complaint, its proceedings would supplant the procedures set forth under this *Policy*. ~~[Respectful Campus Policy](#)~~.

4. Actions Following Investigation

If the final determination [of the supervisor](#) is that the accused is guilty of one or more violations of ~~[this Policy](#)~~ ~~[the Respectful Campus policy C09](#)~~, UNM shall take appropriate action, which may include disciplinary sanctions up to and including dismissal from the University. Whether or not the accused is found to have violated ~~[this Policy](#)~~ ~~[the Respectful Campus policy](#)~~, reasonable efforts will be undertaken to ensure that complainants who make allegations of bullying 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.

5. Appeals

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 10 UNM business 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 will be provided to the ~~accused~~, supervisor of the accused and the initial investigator; a summary statement will be provided to the [accused and the](#) complainant. If ~~this is not~~ [the reviewing official's determination is not](#) satisfactory to the complainant or the accused, a final appeal can be made to the Provost or Chancellor for Health Sciences, who in his or her discretion may review the record. Absent discretionary review by the Provost or Chancellor for Health Sciences, the decision of the reviewing official shall be final. If the Provost or Chancellor for Health Sciences reviews the matter, his or her decision shall be final.

6. False Information

An employee who knowingly gives false information or knowingly makes a false report of alleged violation of ~~[this](#)~~ ~~[the Respectful Campus](#)~~ 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 the University.

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 the Respectful Campus~~ 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 years after the date the file is sealed, after which time it may be destroyed.

HISTORY

June 16, 2011—Approved by President David Schmidly
March 22, 2011—Approved by Faculty Senate

DRAFT HISTORY

October 2, 2013—Draft of revised policy updated to include changes from John Trotter. Awaiting review by representative of Office of University Counsel.

September 4, 2013 --Draft of revised policy awaiting approval of Policy Committee and Faculty Senate.

COMMENTS TO:
handbook@unm.edu

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