



C09: Respectful Campus

Approved By: Faculty Senate

Effective: February 4, 2014 **Draft Revision 4/6/17**

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, and Applicability sections of this document must be approved by the full Faculty Senate.

POLICY RATIONALE

The University of New Mexico (UNM) is committed to freedom of academic inquiry and encourages an environment of spirited and open debate. UNM does not attempt to shield people from ideas they may find unwelcome, disagreeable, or even offensive. At the same time, UNM ~~promotes~~ is committed to providing a respectful campus ~~free from bullying in all of its forms.~~ 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 ~~that reflects courtesy, civility, and respectful communication because such an environment promotes learning, research, and productivity through relationships.~~ 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 ~~values, behaviors,~~ actions and cornerstones, that characterize ~~delineate~~ a respectful campus and to which ~~applies to~~ all members of the UNM community ~~including but not limited to students, faculty and staff~~ 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. ~~Values~~ Constructive Actions

A respectful campus exhibits and promotes the following ~~values~~ constructive actions:

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

- ~~1.2. Practicing fairness. and understanding.~~
- 1.3. Exhibiting respect for individual rights and differences.
- ~~1.4. Demonstrating harmony in the working and educational environment.~~
- 1.4. ~~Respecting~~ 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.
- ~~• 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:

- ~~2.1. All individuals have important contributions to make toward the overall success of UNM's mission, 2.2. UNM's mission is best carried out in~~ 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. ~~from individuals above or below them in UNM's hierarchy.~~
- 2.4. ~~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 UNM 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.

3.1. Destructive Actions Covered by This Policy

This Policy covers the destructive actions described in sections 3.1.1 through 3.1.2. Credible reports of such actions will be addressed in accordance with the Procedures Section of this Policy.

3.1.1. ~~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 UNM as repeated mistreatment of one or more individuals or a pattern of mistreatment of more than one individual. ~~a group of individuals.~~ This mistreatment can include, but is not limited to the following actions behaviors:

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.

3.1.1.1. ~~4.2.~~ 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 ~~that~~ or unreasonably interferes with a person's work or school performance or participation.

3.1.1.2. ~~4.3.~~ 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. ~~4.5.~~ Threatening Behavior 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 ~~behavior~~ for a supervisor to ~~note~~ 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. ~~4.4.~~ Anonymous Bullying

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

Differences of opinion, conflicts, or problems in workplace relationships may occasionally occur as a normal part of working life and should not be considered bullying.

3.1.2. Single Incident of Destructive Action

Bullying is defined in section 3.1.1 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. actions include, but are not limited to:

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

3.2.2. Sexual harassment--refer to UAP 2730 ~~3780~~ "Sexual Harassment Policy."

3.2.3. Other forms of harassment—refer to UAP 2720 “Equal Opportunity, Affirmative Action, and Non-Discrimination.”

3.2.4. Retaliation-- refer to UAP 2200 "Whistleblower Protection and Reporting Suspected Misconduct and Retaliation Policy."

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--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."

3.2.6. Unethical conduct--refer to UNM *Faculty Handbook*, Section B, Appendix V, "Statement of Professional Ethics." "~~Harassment and Professional Ethics Policy~~" and bullying behavior which is defined in Section 4 below.

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.

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. 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

This Policy is applicable to all UNM faculty and academic administrators, including the Health Sciences Center and Branch Campuses. The reporting and investigatory procedures listed in this policy document are applicable whenever a UNM faculty member or academic administrator is accused of actions destructive to a respectful campus. However, when a resident, fellow, or faculty member in the School of Medicine is accused by a student of violations of this Policy, the reporting and investigatory procedures described in the UNM School of Medicine "Teacher Conduct and Learner Complaints" 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** “Whistleblower Protection and Reporting Suspected Misconduct and 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** “Whistleblower Protection and Reporting Suspected Misconduct and Retaliation.”

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

DEFINITIONS

Bullying. Refer to Section 3.1.1 above for detailed definition.

WHO SHOULD READ THIS POLICY

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

RELATED DOCUMENTS

University Administrative Policies and Procedures Manual:

Policy 2200 “Whistleblower Protection and Reporting Suspected Misconduct and Retaliation”

Policy 2210 “Campus Violence”

Policy 2220 “Freedom of Expression and Dissent”

Policy 2240 “Respectful Campus”

Policy 2720 “Equal Opportunity, Non-Discrimination, and Affirmative Action”

Policy 2730 “Sexual Harassment”

Policy 3320 “Ombuds/Dispute Resolution Services for Staff”

Policy 3750 “Counseling, Assistance, and Referral Services”

Faculty Handbook:

Policy C05 “Rights and Responsibility at the University of New Mexico”

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 "**Teacher Conduct and Learner Complaints.**"

CONTACTS

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

PROCEDURES

Below are the procedures for reporting and investigating complaints of faculty bullying

1. Initial Complaint

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. ~~Bullying action should be~~ 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 ~~may~~ be reported directly to UNM Police in accordance with UAP 2210 "Campus Violence."

1. Informal Processes

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

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

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

2. ~~Initial~~ Formal Processes and Written Complaints

2.1. ~~A initial~~ 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, Chancellor for Health Sciences), or who is the supervisor of the unit in which the alleged destructive action occurred. ~~A initial~~ formal complaint may also be made by using the

procedures specified in [UAP 2200](#) “Whistle Blower Protection and Reporting Suspected Misconduct and Retaliation,” [which includes a UNM Hotline phone number.](#)

namely:

~~2.1.1. Calling the UNM Hotline 1-888-899-6092. The call may be anonymous, but doing so may limit an individual’s protection from retaliation and UNM’s ability to conduct a full investigation.~~

~~2.1.2. Reporting the conduct—orally or in writing—to the Internal Audit Department.~~

2.2. A complainant should report suspected [destructive action](#) ~~misconduct~~ as soon as reasonably possible, preferably within 60 [calendar](#) days from the time the complainant becomes aware of the suspected [destructive action](#) ~~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:

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 initial [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.](#) ~~respondent’s direct supervisor.~~ [If an alleged wrongdoer is named in the report, the report will be shared with the person accused](#) ~~a copy of the written complaint must be provided to the respondent, of the behavior~~ [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 time frame specified.~~ The written response from the [alleged wrongdoer](#) ~~respondent~~ 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 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, he or she 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 ~~10 UNM business~~ 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 ~~should~~ be conducted by an unbiased investigator. Prior to by appointing an unbiased investigator, ~~initiating the investigation~~, the responsible supervisor must confer with the 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. 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 will appoint an independent investigator with no connection to either the complainant or the alleged wrongdoer ~~respondent~~; the investigator must confer with OUC for guidance. ~~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 respondent.~~

As soon as it has been determined who will conduct the investigation and how it ~~the investigation~~ will be conducted, the investigator will notify the complainant, the alleged wrongdoer

~~respondent~~, and the supervisor of the alleged wrongdoer ~~respondent~~, that an investigation has been initiated. If either the complainant or the alleged wrongdoer ~~respondent~~ 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 ~~respondent~~ within ~~five UNM business~~ seven 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 ~~five UNM business~~ seven 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 ~~respondent~~ and the complainant will be notified in writing and given ~~10 UNM business~~ 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 ~~20 UNM business~~ 28 calendar days after the alleged wrongdoer ~~respondent~~ 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 ~~respondent~~ 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.~~ 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 ~~30 UNM business~~ 42 calendar days after the ~~initial~~ formal written complaint has been brought to the supervisor of the alleged wrongdoer ~~respondent~~, 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 ~~respondent~~, and the supervisor of the alleged wrongdoer ~~respondent~~. 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 ~~respondent~~, with a written copy provided to the alleged wrongdoer ~~respondent~~ 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 ~~respondent~~ 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 respondent's personnel file. ~~in the respondent's college or school.~~ The file is confidential and shall be secured in accordance with Policy C70 "Confidentiality of Faculty Records." The file should include the following:

- ~~Initial~~ 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 respondent and complainant
- If applicable, signed confidentiality agreements
- If applicable, ad hoc committee meeting minutes
- Copy of investigation report

~~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.~~

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 ~~10 UNM business~~ 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 respondent and the initial investigator; a summary statement will be provided to the alleged wrongdoer respondent and the complainant. If the reviewing official's determination is not satisfactory to the complainant or the alleged wrongdoer respondent, 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, concerning whether a violation of this policy occurred, shall be final. If the Provost or Chancellor for Health Sciences reviews the matter, his or her decision shall be final.

5. Actions Following Investigation

If the final determination is that ~~the respondent~~ 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 ~~the respondent~~ an individual is found to have violated this Policy, reasonable efforts will be undertaken to ensure that complainants who make allegations of destructive actions 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. Refer to UAP Policy 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 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 **Policy 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 university policies and available resources, remedial and growth-oriented coaching, and group/team-based interventions.

8.3. Ombuds Dispute Resolution Services for Faculty is a confidential, impartial, informal and independent resource for addressing concerns about respectful campus interactions and for exploring the possibility of resolving difficulties at the least adversarial level. Services include confidential respectful consultations about

experiences and concerns, discussion of options, information about policies and relevant UNM resources, collaborative problem-solving, and mediation. In the mediation process, the individuals decide if and how they will resolve their difficulties and they can write agreements for moving forward. These services are voluntary and are available to faculty at all levels and to faculty administrators. This office coordinates services with Ombuds Dispute Resolution for Staff, Ombuds Dispute Resolution for Graduate Students, and with the Dean of Students office as needs arise.

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

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

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

DRAFT HISTORY

October 8, 2016—FS Policy Committee reviews task force’s recommended revision and makes recommended changes. Draft approved for campus comment.

May 18, 2016— Task force submits final proposed revision to FS Policy Committee for review
January 6, 2016--Task force appointed by FS Policy Committee to review C09 for implementation issues and free speech concerns.

HISTORY

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

COMMENTS TO:
handbook@unm.edu

[FACULTY HANDBOOK HOME](#)

[TABLE OF CONTENTS](#)

[TABLE OF POLICIES](#)

[UNM HOME](#)