

# Faculty Senate Meeting Agenda

## January 26, 2010

### 3:00 P.M.

## Lobo Room (3037), Student Union Building

## The University of New Mexico

### AGENDA TOPICS

3:00	1. Approval of Agenda	<b>Action</b>
	2. Acceptance of the November 24, 2009 Summarized Minutes	<b>Action</b>
	3. <a href="#">Acceptance of the Corrected April 28, 2009 Summarized Minutes</a>	<b>Action</b>
3:05	4. Faculty Senate President's Report	<b>Information</b> Doug Fields
3:20	5. Faculty Senate Undergraduate Committee Report	<b>Information</b> Amy Neel
3:30	6. Provost's Report	<b>Information</b> Suzanne Ortega

### CONSENT AGENDA TOPICS

3:45	7. Forms C from the Curricula Committee	<b>Action</b> Doug Fields
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[Revision of M.S. in Physics, College of Arts and Sciences](#)  
[Revision of Ph.D. in Physics, College of Arts and Sciences](#)  
[Deletion of B.A. Ed. in Psychology, College of Arts and Sciences](#)  
[Revision of B.A. in Physics and Astrophysics, College of Arts and Sciences](#)  
[Deletion of B.A. Education in Sociology, College of Arts and Sciences](#)  
[Deletion of B.A. Education in History, College of Arts and Sciences](#)  
[Deletion of B.S. Education in Biology, College of Arts and Sciences](#)  
[Deletion of B.S. Education in Physics, College of Arts and Sciences](#)  
[Deletion of B.A. Education in Communications, College of Arts and Sciences](#)  
[Revision of A.A. Early Childhood Education, Los Alamos](#)  
[Deletion of B.A. Education in Political Science, College of Arts and Sciences](#)  
[Name Change of Concentration in BBA Organizational Management, Anderson School of Management](#)  
[New Pd.D. Concentration of Health Policy in Nursing, College of Nursing](#)  
[Revision of Ph.D. in Linguistics, College of Arts and Sciences](#)  
[Revision of M.A. in Linguistics, College of Arts and Sciences](#)  
[Revision of B.A. in Linguistics, College of Arts and Sciences](#)  
[Revision of B.A. in Architecture, School of Architecture and Planning](#)  
[Revision of Concentration in B.A./B.S. Anthropology, College of Arts and Sciences](#)  
[Revision of M.A. in Architecture, School of Architecture and Planning](#)  
[Name Change of Mass Media Concentration in B.A. of Communication, College of Arts and Sciences](#)

8. [Approval of Faculty Senate Committee Appointments](#)

**Action**  
Doug Fields

**AGENDA TOPICS**

3:50 9. Retirement Incentive Update

**Information**  
Richard Wood

4:00 10. Faculty Senate Budget Committee Report

**Information**  
Anne Brooks

4:10 11. Budget Discussion

**Discussion**

4:40 12. [Respectful Campus Policy](#)

**Action**  
Nikki Katalanos

4:50 13. New Business and Open Discussion

5:00 14. Adjournment

**NOTES:**

1. All faculty are invited to attend Faculty Senate meetings.
2. Full agenda packets are available at <http://www.unm.edu/~facsen/>
3. All information pertaining to the Faculty Senate can be found at <http://www.unm.edu/~facsen/>
4. Questions should be directed to the Office of the Secretary, Scholes 103, 277-4664
5. Information found in agenda packets is in draft form only and may not be used for quotes or dissemination of information until approved by the Faculty Senate.

## Faculty Senate Attendance 2009-2010

P - present; E - excused; U - unexcused; R - rep in attendance; H - attended half of the meeting

Full Name	Department	8/25	9/22	10/27	11/24	1/26	2/23	3/23	4/27	Comments
Margaret Alba	Pathology	P	P	P	E					
Teresa Anderson	Pediatrics	P	U	U	U					
Jan Armstrong	Educational Psychology	P	P	P	P					
Renee Barela Gutierrez	UNM Taos	U	U	U	U					
Audra Bellmore	University Libraries	U	U	U	R					Rep: Jackie Shane
Steven Block	Music	E	E	P	E					
Adrian Brearley	Earth and Planetary Sciences	P	P	U	P					
Jonathan Brinkerhoff	Teacher Education	P	P	E	P					
Ann Brooks	Accounting	E	P	P	P					
David Brookshire	Economics	P	U	P	P					
Andy Burgess	Philosophy	P	P	P	P					
Christopher Butler	Political Science	x	P	P	P					Joined August 27, 2009
Tim Castillo	Architecture and Planning	P	P	P	U					
Ann Caudell	Nursing	P	P	P	U					
Tahseen Cheema	Orthopedics	E	E	E	E					
Gary Cuttrel	Surgery	U	P	P	E					
Dennis Davies-Wilson	Los Alamos	P	E	P	E					
Ed DeSantis	University Honors	P	P	P	P					
Elaine DiFederico	Obstetrics/Gynecology	P	U	P	P					
Douglas Fields	Physics and Astronomy	P	P	P	P					
Nick Flor	Mkt, Info, and Decision Sci	U	P	U	U					
Kimberly Gauderman	History	P	P	P	P					
Melissa Gonzales	Internal Medicine	P	P	P	E					
Steve Hersee	Electrical and Computer Engineering	U	U	U	P					
Dennie Jones	Internal Medicine	P	U	U	U					
Nancy Joste	Pathology	P	P	P	P					
Nikki Katalanos	Family & Comm Medicine	P	E	P	E					
Dubra Karnes-Padilla	Valencia	U	P	P	P					
Denece Kesler	Internal Medicine	P	E	E	E					
Tariq Khraishi	Mechanical Engineering	P	P	P	U					
Christee King	Health Sciences Library	P	P	P	P					
Mary Lipscomb	Pathology	P	E	P	P					
Pamela Lutgen-Sandvik	Communication and Journalism	E	P	P	P					
Glenabah Martinez	Educational Thought and Sociocultural Studies	U	P	P	P					

Martha Muller	Pediatrics	P	P	E	E					
Roxana Moreno	Ind, Fam, & Comm Ed	U	P	P	U					
Amy Neel	Speech and Hearing Sciences	P	P	U	P					
Mary Anne Newhall	Theatre and Dance	U	P	E	P					
Jeffrey Norenberg	Pharmacy	U	U	P	E					
Linda Penaloza	Pediatrics	X	X	X	X	X	X	X	X	Resigned 8/2009
Stefan Posse	Neurology	P	E	P	P					
Mary Power	English	P	P	P	P					
Pamela Pyle	Associate Past President	E	P	P	E					
Mario Rivera	Public Administration	U	U	U	U					
Timothy Ross	Civil Engineering	P	P	E	E					
Robert Sapien	Emergency Medicine	U	U	U	U					
Heidi Sanders	Pediatrics	U	U	U	U					
Katja Schroeter	Foreign Languages & Literatures	E	P	E	P					
Robert Schwartz	Law	E	E	E	E					
Howard Snell	Past President	P	P	P	E					
Victor Strasburger	Pediatrics	P	E	P	P					
Mahmoud Reda Taha	Civil Engineering	U	P	P	U					
Akaysha Tang	Psychology	U	U	U	U					
Phillip Wagner	Internal Medicine	U	U	U	U					
Timothy Wawrzyniec	Earth and Planetary Sciences	P	P	P	U					
Richard Wood	President Elect	P	P	P	P					
Said Yassin	Surgery	P	E	E	E					
Steven Yourstone	Anderson School of Management	P	P	P	P					

# FACULTY SENATE SUMMARIZED MINUTES

2009-2010 Faculty Senate

November 24, 2009

*(DRAFT-AWAITING APPROVAL AT THE JANUARY 26, 2010 FACULTY SENATE MEETING)*

The Faculty Senate meeting for November 24 was called to order at 3:05 p.m. in the Lobo Room of the Student Union Building. Senate President Douglas Fields presided.

## 1. [ATTENDANCE](#)

**Guests Present:** Dean Brenda Claiborne (Arts and Sciences), Deputy Provost Richard Holder, Professor Mary Kaven (Psychiatry), Chair Rosalie Otero (Teaching Enhancement Committee), and Professor Virginia Shipman (Education).

## 2. APPROVAL OF THE AGENDA

The agenda was approved as written.

## 3. APPROVAL OF SUMMARIZED MINUTES FOR OCTOBER 27, 2009 MEETING

The minutes were approved with as written.

## 4. PROVOST'S REPORT

Deputy Provost Richard Holder reported the following:

- The last budget rescission amount discussed is less than one percent.
- The first draft of the retirement incentive proposal has been turned in to President Schmidly. Some data is still needed. A rough proposal for public distribution should be ready in the next couple of weeks. Dr. Holder has authored a proposal that will be reviewed by a committee or task force. There will be a lot of retirements in the next four to five years.

## CONSENT AGENDA

### 5. FORMS C FROM THE CURRICULA COMMITTEE

The following Forms C were approved by voice vote of the Faculty Senate:

- New Admission Requirements for MACCT, Anderson School of Management
- New Graduate Minor in Literacy, College Arts and Sciences
- Revision of Masters Degree in Organizational Learning and Instructional Technology, College of Education
- Revision of Masters of Accounting, Anderson School of Management
- Revision of Pharm D Requirements, College of Pharmacy

### 6. FALL 2009 DEGREE CANDIDATES

The Fall 2009 Degree Candidates were approved by unanimous voice vote of the Faculty Senate.

## AGENDA TOPICS

### 7. HONORARY DEGREE CANDIDATES

The Faculty Senate voted to move the Honorary Degree agenda item from the Consent Agenda to an agenda topic. Ballots for Honorary Degree Candidate consideration were then distributed to the Faculty

Senate. Senators were instructed to mark their choices and return the ballots before adjournment. Honorary Degree awards will be announced prior to the Spring 2010 University Commencement ceremony.

## 8. FACULTY SENATE PRESIDENT'S REPORT

Faculty Senate President Douglas Fields reported the following:

- Faculty Requested Audit:
  - Issue with presence during the Agreed-Upon Procedures. Moss Adams will not meet with the University unless President Fields is present.
  - Still need faculty advisor with audit expertise.
- Respectful Campus Policy/Ombudsman:
  - Out of the University Counsel's office
  - Now in the Policy Committee for review
- General Faculty Meeting:
  - After the recent General Faculty meeting, I was approached by several faculty members asking for us give them specifics on our long term goals and strategies for achieving them. After some deliberation with other faculty leaders, here is what we have come up with:
  - **Long Term Goal**—We would like to align ourselves with President Schmidly's stated goal of UNM becoming a member of the AAU (see <http://www.aau.edu>). For reference, we include in this newsletter AAU's membership policies, principles and indicators on pages 6 and 7. I would ask that each faculty member at UNM familiarize themselves with these, but my summary of the criteria is quality faculty and faculty led research. With that as our primary goal, each of the following strategic goals are linked to accomplishing the primary goal:
  - 1) We see the faculty of the University of New Mexico as the strongest advocate for quality research, teaching and service. Their guidance as the university sets budget priorities is crucial, especially in times of financial hardship. Therefore, faculty governance of the university must be strengthened both from within (as per our changing the faculty governance structure) and institutionally (by a change in the willingness of the Regents and upper administration to engage cooperatively with the faculty and staff governance structures). We discuss new structures on pages 4 and 5 with examples taken from long-standing members of the AAU, Iowa State University and the University of Wisconsin.
  - 2) Budget priorities must be given to the academic mission. We are joining the call from other AAU faculties for fiscal restraint and transparency in Intercollegiate Athletics. Our athletics department should be truly self-funding, in that all expenses should be paid from money brought in by athletics, with NO I&G money or institutional support. We are NOT calling for the elimination of athletics. A similar call came from the faculty senate of University of California, Berkeley. The UCB administration response was that the University's Chancellor has called for a plan to make athletics self funded.
  - 3) An independent, well documented audit of past performance of I&G money is critical to creating good plans for the future. The faculty requested audit must be carried out in a transparent manner consistent with the spirit of the General Faculty resolution of this past February.
  - 4) From the HLC report: "The consensus of the members of the HLC team is that the governing board and members of the executive team might take the recent criticism and concerns expressed by faculty and turn it to a beneficial discussion about the respective contributions of the participants in shared governance." We attempted to engage the Regents and administration in such a discussion at the recent general faculty meeting. However, at the most recent Board of Regent's meeting, one Regent asked if shared

governance meant that Regents should decide about textbooks and another wanted to vet the Shared Governance Survey through the BOR before it goes out. We are therefore asking that the Regents formally respond to the HLC report recommendation that states: "Because it appeared during the visit that the culture of the Board of Regents may differ in some ways from standard understandings of best practice, the Board might benefit considerably from broader acquaintance with widely shared understandings of effective board operations and assumptions."

- We reaffirm our commitment to the students of UNM, to the people of New Mexico, and to the institution. We believe that our goals are in the best interest of all whom we serve, and are based on principles that are worthy of extreme measures to protect. We sincerely hope that faculty, staff, students, regents and administration can work together to give UNM the reputation that the state and its people deserve.
- Budget:
  - At a Dean's Council meeting, President Schmidly and David Harris told the Deans that the cuts to academics would be \$555,000.
  - They were grateful since they were anticipating something larger.

## From President Schmidly's presentation

**Division I  
Institutions**

**Median  
(and Range)  
Revenues  
and Expenses**

	Football Bowl Subdivision (1)	University of New Mexico (2)	Main Campus Budget
Generated Revenues	30,494,000	22,855,130	561,289,601
Allocated Revenues	10,594,000		
State Support		3,781,653	201,699,000
UNM Support		1,700,842	126,600,462
Subtotal	10,594,000	5,482,495	328,299,462
Total Revenues	41,088,000	28,337,625	889,589,063
Total Expenditures	41,363,000	28,337,625	889,589,063
Net Generated Revenues	(8,089,000)	(5,482,495)	(328,299,462)
Less Athletic's SCH Formula Generation		(5,018,924)	
Total University Support Net of Formula Funds		(463,571)	
Divided by: Total University Support		328,299,462	
Percent of UNM's Budget Supporting Athletic's		0.14%	
OR			
Cents on the Dollar: State Support/T&F		\$ 0.0014	
OR			
Percent of Athletic's Budget Supported by UNM		1.64%	
(1) NCAA data from FY 2008			
(2) FY 2010 Athletic Department Budget			

## 9. REORGANIZATION

Government and Community Relations Director Marc Saavedra reported the following:

Faculty Senators,

I would like to take some time at the next meeting of the Faculty Senate to begin discussing with you (and through you, with the overall faculty) about revising the structure through which the Faculty Senate conducts its business. It has become increasingly difficult for the Faculty Senate President and the Operations Committee (OPS) to adequately meet all the legitimate needs and time demands of their respective roles. It is also increasingly difficult for the Faculty Senate to respond to new initiatives and weigh in proactively on strategic directives coming from the Administration, the Regents, and our wider organizational environment. If shared governance within the University is to really work well, and lead

UNM in the best strategic pursuit of its academic mission in the future, I believe we simply *have to have* a structure that both embodies democratic practice *and* is capable of responding in an efficient way which is less centralized in the person of the FS President.

The initial proposal attached strives to do this, and is intended only to initiate discussion in this direction. The Operations Committee has discussed it extensively, and I have consulted with many other individuals. **This is not a finished product.** Indeed, the point of bringing this proposal – call it a pre-proposal – to you today is to ask for your counsel, insight, and concerns in how best to address the need for a democratic, more efficient, and less centralized structure. Throughout this proposal, I attempt to identify what I think are core components necessary to meet this end, and to identify areas of uncertainty for which there are many valid solutions. I invite your input and reaction to all of it.

In putting this proposal together, the members of the task force realize that while many of the problems that the Faculty Senate and its committees are facing could be fixed without changing the structure (by garnering more faculty and administration support for the missions of the committees, etc.), however, we feel that these are symptoms of the underlying structural problems.

Doug

### **Faculty Senate Structure Proposal**

Submitted by the OPS Task Force on Structure: Douglas Fields (Chair), Pamela Viktoria Pyle and Richard Wood.

#### **Statement of Purpose**

The University of New Mexico Faculty Senate Operations Committee created a Task Force on Structure to form a proposal for restructuring the Faculty Senate to be more responsive and flexible to the needs of the faculty, administration and the University as a whole.

#### **Executive Summary**

The current structure of the UNM Faculty Senate is not optimized for flexibility and responsiveness. We propose to build umbrella structures (Councils), led by elected faculty leaders. These Councils will have broad authority within their domains to create and define committee structures and to make operational decisions in collaboration with the Faculty Senate and administration representatives. Policies formed by Councils (or Committees of the Councils) would be taken to the Faculty Senate for adoption or rejection.

#### **Current Faculty Senate Structure**

The current structure of the UNM Faculty Senate is as follows:

The Faculty Senate is comprised of Senators elected from the entirety of the UNM campus, including the branch campuses. There are 55 Senators divided between the various units, with an addition 8 at-large Senators.

There is one executive committee, known as the Operations Committee (OPS) of the Faculty Senate. It is comprised of the FS President, the President-elect, the past-President and 4 members, all elected by the Faculty Senate. The charge of this committee is to oversee the workings of the FS Committees, set the agendas for the Faculty Senate Meetings, and be a conduit between the administration and the FS Committees and Faculty Senate.

The standing Committees of the Faculty Senate are currently:

- Admissions and Registration Committee
- Athletic Council
- Budget Committee
- Campus Planning Committee
- Computer Use Committee



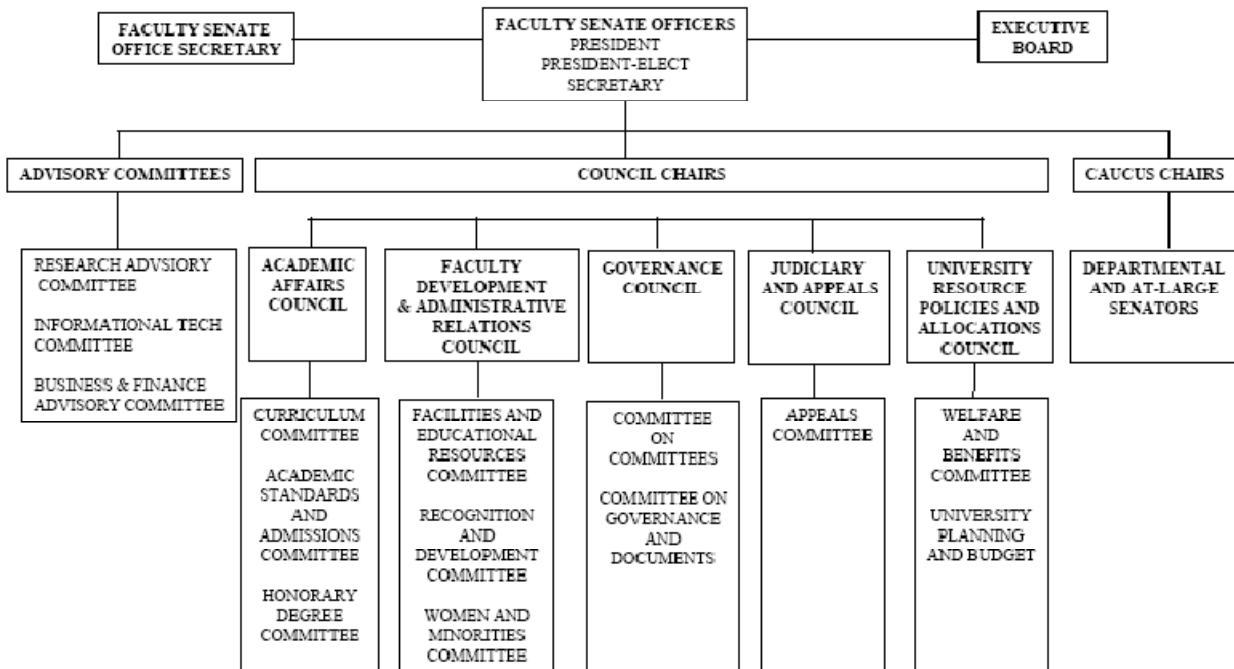
- Curricula Committee
- Faculty Ethics and Advisory Committee
- Faculty and Staff Benefits Committee
- Graduate Committee (members appointed by Colleges/Schools)
- Governmental Relations Committee
- Intellectual Property Committee
- Library Committee
- Policy Committee
- Research Allocations Committee
- Research Policy Committee
- Scholarship Committee
- Teaching Enhancement Committee
- Undergraduate Committee
- University Honors Council
- University Press Committee

Each of these committees has, in its charge, a definition of the faculty voting members and administrative, staff, and student ex-officio (non-voting) members. The faculty membership usually is defined in such a way as to have representation on the committee by as diverse a group as possible.

### Structures at Other Universities

There are as many Faculty Governance structures as there are universities. A full study on the efficacy of each structure is beyond the scope of this document. We present here one example of a structure that is similar to what we are envisioning for UNM. Below is the organizational chart for Iowa State University Faculty Senate. Many others (University of Washington, SUNY, University of Virginia...) have similar structures.

### FACULTY SENATE STRUCTURE



## Summary of Criticisms of the Faculty Senate Structure

- The number of committees reporting directly to the OPS committee:
  - Makes it hard to organize tasks
  - Makes it difficult for faculty and administration to decide which committee to go to with issues
  - Makes it difficult for faculty to understand responsibilities, and decide on which committee to sit
  - Dilutes the authority and power of each committee
  - Makes it impossible to offer compensation for committee chairs
- Rigidity of charges
- Rigidity of membership

## Proposal for Structure

The general guidelines for this proposal for Faculty Senate structure are:

### The Operations Committee

The Operations Committee of the Faculty Senate (OPS) will be composed of the President of the Faculty Senate (Chairs the OPS committee), the past-President, the President-elect and three at-large members of the Senate. The charge of the Operations Committee is to coordinate issues that cross Council boundaries, act as an information conduit from global structure such as the Regents, upper administration and the general faculty and staff, and to provide a conduit of information from the councils back to these general structures. The Operations Committee meets weekly, and monthly with the chairs of the Faculty Senate Councils.

### Policy Review Committee

The Policy Review Committee is charged with oversight of policies in the faculty handbook and in Big Red. Voting members of the committee are: the Chair (elected to a two-year term by a vote of the Faculty Senate, to be given an appropriate course release and SAC), three members of the Faculty Senate (elected by that body for a one-year term), and the chairs of any sub-committees of the Policy Review Committee (both standing and ad-hoc committees, appointed by the Policy Review Committee Chair). Non-voting members of the Committee include a representative of the University Counsel's office. The council meets monthly, or as needed.

### Faculty Senate Councils

The Councils of the Faculty Senate are created paralleling the divisions of university life - Research and Creative Works Council, Academic Council, Business Council, Faculty Life Council, Health Sciences Council, and Athletic Council. Each Council is chaired by a faculty member elected by the faculty as a whole, and given appropriate course release(s) and special administrative compensation (SAC) to allow the Council Chairs to fulfill their duties and to attract experienced faculty into these positions. In addition, each Council has three representatives from the faculty senate, elected by that body. Non-voting members of each Council from the administrative structure bring knowledge of current situations and facilitate dialog between administrative and faculty governance structures. Each Council may have standing Faculty Senate Committees assigned to it (by the OPS Committee), but are charged with the design of each committee's charge, membership and duration of existence, with the approval of the faculty senate.

### Executive Council

The OPS committee, together with the chairs of the Councils, form the Executive Council of the Faculty Senate. The charge of the Executive Council is to coordinate activities across Councils, ensure that information (policies, resolutions, etc.) flows promptly from the Councils to the Faculty Senate, and that issues brought up at the University-wide level finds the appropriate place within the Council structure for deliberation. The Executive Council shall meet monthly throughout the year.

### Research and Creative Works Council

The Research and Creative Works Council is charged with oversight of the research endeavor of the university including both "big-science" and smaller, unfunded or underfunded creative works. Voting members of the council are: the Chair (elected to a two-year term by a vote of the full faculty, to be given an appropriate course release and SAC), three members of the Faculty Senate (elected by that body for a

one-year term), and the chairs of any committees of the Council (both standing and ad-hoc committees of the Council, appointed by the Council Chair). Non-voting members of the Council are: the Vice-Provost for Research and the HSC Vice-Provost for Research, and Council committee members. The council meets monthly.

### **Academic Council**

The Academic Council is charged with oversight of the teaching and curricula of the university including at the undergraduate, graduate and professional levels. Voting members of the council are: the Chair (elected to a two-year term by a vote of the full faculty, to be given an appropriate course release and SAC), three members of the Faculty Senate (elected by that body for a one-year term), and the chairs of any committees of the Council (both standing and ad-hoc committees of the Council, appointed by the Council Chair). Non-voting members of the Council are: the Vice-Provost for Academic Affairs, the VP for Enrollment Management, and Council committee members. The council meets monthly.

### **Business Council**

The Business Council is charged with oversight of the business aspects of the university including the budget, government relations, campus planning, capital projects, etc. Voting members of the council are: the Chair (elected to a two-year term by a vote of the full faculty, to be given an appropriate course release and SAC), three members of the Faculty Senate (elected by that body for a one-year term), and the chairs of any committees of the Council (both standing and ad-hoc committees of the Council, appointed by the Council Chair). Non-voting members of the Council are: the Vice-President for Finance, the University Controller, and Council committee members. The council meets monthly.

### **Faculty Life Council**

The Faculty Life Council is charged with oversight of faculty benefits, faculty responsibilities, faculty ethics, as well as the Faculty Club. Voting members of the council are: the Chair (elected to a two-year term by a vote of the full faculty, to be given an appropriate course release and SAC), three members of the Faculty Senate (elected by that body for a one-year term), and the chairs of any committees of the Council (both standing and ad-hoc committees of the Council, appointed by the Council Chair). Non-voting members of the Council are: the Vice-President for Human Resources, the President of the Staff Council, and Council committee members. The council meets monthly.

### **Health Sciences Council**

The Health Sciences Council is charged with oversight of faculty issues that are unique to the Health Sciences Center and the School of Medicine. Voting members of the council are: the Chair (elected to a two-year term by a vote of the full faculty, to be given an appropriate course release and SAC), three members of the Faculty Senate (elected by that body for a one-year term), and the chairs of any committees of the Council (both standing and ad-hoc committees of the Council, appointed by the Council Chair). Non-voting members of the Council are: the Vice-President for Human Resources, the President of the Staff Council, and Council committee members. The council meets monthly.

### **Athletic Council**

The Athletic Council is charged with oversight of intercollegiate and intramural athletics. Voting members of the council are: the Chair (elected to a two-year term by a vote of the full faculty, to be given an appropriate course release and SAC), three members of the Faculty Senate (elected by that body for a one-year term), and the chairs of any committees of the Council (both standing and ad-hoc committees of the Council, appointed by the Council Chair). Non-voting members of the Council are: the Vice President for Athletics, the Associate Director of Athletics, the faculty representative to the National Collegiate Athletic Association (NCAA), and Council committee members. The council meets monthly.

## **10. NEW TEACHING AWARDS AND TEACHING ENHANCEMENT COMMITTEE REPORT**

Teaching Enhancement Committee Chair Rosalie Otero presented two new teaching awards. One is the 'New Teacher of the Year' award that is given to new-hire, tenure-track faculty that have outstanding ideas and are great teachers. The other new award is the 'Distance Education and Online Teacher' award. Their teaching is very different from the traditional classroom style. Faculty should have already

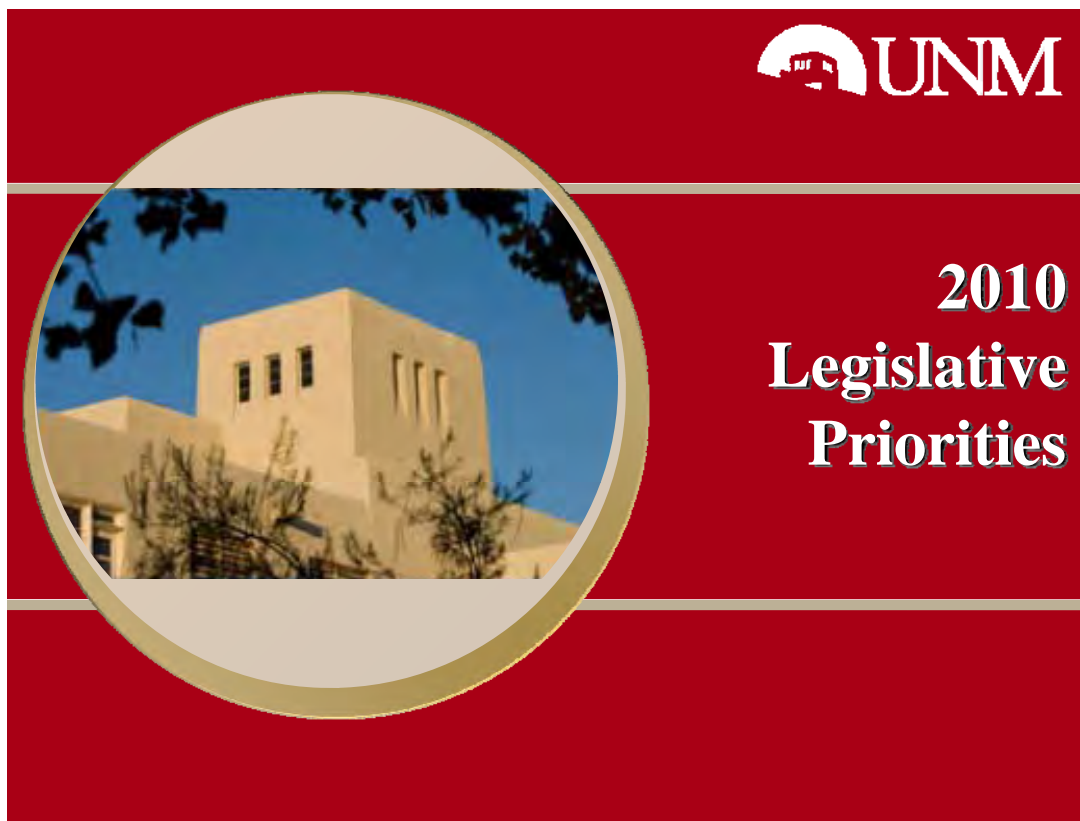
begun to receive information, criteria, and a call for nominations. Chair Otero asks senators to nominate faculty for these awards.

#### **11. LEGISLATOR RECEPTION AND GOVERNMENTAL RELATIONS COMMITTEE REPORT**

Governmental Relations Committee member Mary Kaven announced that the Legislator Reception hosted by the Faculty Senate and Staff Council is Wednesday, December 2, at 6:00 p.m. in the Faculty/Staff Club. This is a meet and greet between the legislative sessions. The university and faculty could benefit from networking and personal relationships with legislators. The goal of the event is to build a base with legislators and Dr. Kaven advises against any heavy lobbying.

#### **12. SPECIAL LEGISLATIVE SESSION**

Governmental and Community Relations Director Marc Saavedra presented the following PowerPoint regarding the 2010 Legislative Priorities.



# Council of University Presidents (CUP) Priorities

## FLEXIBILITY

Request operating budget discretion within and across appropriated line items in order to make timely, prudent budgetary decisions in a dynamic environment.

## NO TUITION CREDIT

Institutions must have the ability to locally generate and retain additional resources needed to be responsive to campus level program needs. In these circumstances, it is particularly appropriate for institutions to work directly with students to balance program needs, course availability, and student services with carefully considered tuition increases.



## CUP Priorities

# HB2 Language for FY11

Notwithstanding the provisions of Section 21-1-33 NMSA 1978 or the provisions of the higher education department manual of financial reporting for public institutions in New Mexico, in fiscal year 2011, higher education institutions may, *subject to the prior approval of the higher education department*, budget and expend up to \* \_\_\_\_ percent of funds appropriated in the General Appropriation Act of 2010 between appropriated line items provided that the transfer will be used to augment existing programs or line items.

\* *The original language called for ten percent*

Notwithstanding the provisions of Section 21-1-33 NMSA 1978 or the provisions of the higher education department manual of financial reporting for public institutions in New Mexico, in fiscal year 2011, higher education institutions may, *subject to the prior approval of the higher education department and the department of finance and administration*, budget and expend amounts over \*\* \_\_\_\_ percent and not more than \*\* \_\_\_\_ percent of funds appropriated in the General Appropriation Act of 2010 between appropriated line items provided that the transfers will be used to augment existing programs or line items.

\*\* *The original language called for ten to seventy-five percent.*



# Solvency to Date

## MAIN CAMPUS I&G APPROPRIATIONS

<u>YEAR</u>	<u>Percentage Increase</u>	<u>Percentage Cut</u>	<u>APPROPRIATION</u>
FY08 OPERATING BUDGET	10.9%		\$188,558,200
FY09 OPERATING BUDGET	3.2%		\$194,675,100
FY09 SOLVENCY		2.5%	\$189,828,110
FY10 OPERATING BUDGET		3.7%	\$187,411,000
FY10 SOLVENCY		4.0%	\$178,914,560

**TOTAL MAIN CAMPUS CUTS: \$9,643,600**

### RESEARCH PUBLIC SERVICE PROJECTS (RPSPs)

- Special Projects 0% Cut below line
  - In the FY09 Solvency Plan, Main Campus special projects received a 2.5% budget reduction.
  - In the FY10 Budget, Main Campus special projects received an average 18% budget reduction.
  - In the FY10 Solvency Plan, Main Campus and HSC special projects received a 6.5% budget cut, with full flexibility with which to make the cuts internally.



# Solvency to Date

## HEALTH SCIENCES CENTER I&G APPROPRIATIONS

<u>YEAR</u>	<u>Percentage Increase</u>	<u>Percentage Cut</u>	<u>APPROPRIATION</u>
FY08 OPERATING BUDGET	16.0%		\$59,889,400
FY09 OPERATING BUDGET	8.0%		\$64,704,200
FY09 SOLVENCY		2.5%	\$63,111,595
FY10 OPERATING BUDGET		2.9%	\$62,851,400
FY10 SOLVENCY		4.0%	\$60,374,544

### RESEARCH PUBLIC SERVICE PROJECTS (RPSPs)

- Special Projects 0% Cut below line
  - In the FY09 Solvency Plan, HSC special projects received a 2.5% budget reduction
  - In the FY10 Budget, HSC special projects received an average 2.1% budget reduction, which includes a 6% reduction in Tobacco Settlement Funds (TSF).
  - In the FY10 Solvency Plan, UNM's special projects received a 6.5% budget cut, with full flexibility with which to make the cuts internally



# Solvency to Date

## BRANCH CAMPUSES

CAMPUS	ORIGINAL	4% I&G, 6.5% Oth	2% I&G, 6.5% Oth
GALLUP	\$9,869,700	\$394,788	\$197,394
GALLUP NURSING	\$35,100	\$2,282	\$2,282
LOS ALAMOS	\$2,315,300	\$92,612	\$46,306
VALENCIA	\$5,428,300	\$217,132	\$108,566
TAOS	\$2,436,500	\$97,460	\$48,730

TOTAL BRANCH CAMPUS CUTS: \$ 403,278



# Stimulus Priority

Use federal stimulus dollars to restore funding to FY08 levels as outlined below

*New Mexico plans to allocate the restoration amounts to those individual institutions that received a decrease in FY10 from FY09 funding levels. In FY10, New Mexico's IHE (institutions of higher education) budgets, including the University of New Mexico Health Science Center, were reduced in a number of ways ranging from funding formula reductions for operations and building renewal and replacement, as well as reductions in research and public services projects. Because of significant workload growth in some institutions, 6 of 15 IHEs actually received a net increase from FY09. The funding will be allocated to the IHEs that received reductions from FY10, pro rated among the institutions on the actual reductions.*

- Replace cuts in FY10 and FY10 solvency
- If necessary, use of stimulus money to offset cuts for FY11



# Budget Priorities

- **0% further budget cuts** to Higher Education (UNM)
  - Full flexibility with any cuts
- I&G 0% Cut above the line
  - In the FY10 Solvency Plan, UNM was cut 4% in instruction and general funds with backfill of about 2% coming back from ARRA.
- In order to fulfill its core missions, UNM must receive **full formula funding**
- Permanently **freeze the tuition credit**
  - Out of the four-year institutes UNM currently provides 42% of the funding imposed from tuition credits, much more than any other Institute of Higher Education in New Mexico.

See attached "TUITION REVENUE BASE FOR FY10 AND FY11".

	FY 10		FY 11	
Total 4-Year	\$1,765,600	79.36%	\$1,817,800	79.36%
Total 2-Year	\$459,200	20.64%	\$472,900	20.64%
Total Higher Education	\$2,224,800	100.00%	\$2,290,700	100.00%



# Budget Priorities

## TUITION CREDIT DEFINITION

The New Mexico higher education funding formula incorporates a tuition revenue credit that offsets a portion of the General Fund appropriation for Instruction and General. Under the current methodology, the State eventually takes credit for every dollar of tuition we collect. Discussions of the tuition credit break it into two components, and our lobbying efforts address one of these.

The base tuition credit, which totals about \$95 Million for UNM, is calculated by the HED every Fall based on total student credit hours and tuition rates. Establishing this base allows the HED, LFC and DFA to make "tuition rate increase assumptions" during the Legislative session that add to the initial tuition credit. The annual percentage increase in this rate, i.e. 3% or 5%, is the portion of the tuition credit we want to disappear. So, while we would like to see something different than the base credit, our efforts with the Legislature and Governor are to eliminate this annual rate increase. On another front, we are working through the HED's Formula Task Force to change the base methodology of the credit.





# Budget Priorities

## STUDENT SUCCESS AND HEALTHY COMMUNITIES

### BA/MD Program

**\$ 853,400**

The Combined BA/MD accepts a diverse group of the best high school graduates from around the state into a 4+4 program: 4 years of pre-med courses augmented with unique seminars and practica and 4 years of medical school. The program offers a long-term solution to the critical problem of physician shortage in New Mexico by adding more physicians around the state who are committed to practicing in our communities with the greatest need. During the 2009-10 academic year, the admissions process will take place to admit the fifth class of BA/MD students.



# Budget Priorities

## OTHER PRIORITIES

- 0.75% employers share to match the .25 employee retirement contribution.
  - 2005, SB 181 Educational Retirement Employment Contribution, Senator John Arthur Smith
- Cost of Opening Doors
- Equipment Renewal and Replacement (ER&R) – Base Funding Adjustment to 70%
- Building Renewal and Replacement (BR&R) get back to 70%.
  - Reduction in funding brought the formula down to 67.5%.

### Non – Recurring

- Patient Care Equipment at UNM Hospitals \$10,000,000

### Student Initiatives - ASUNM / GPSA Initiative(s):

- Maintain current level of Financial Aid for students
- Permanently Freeze the Tuition Credit
- Maintain Lottery Scholarship funding



# General Obligation Bond/ Capital Projects

<b>MAIN CAMPUS ACADEMIC</b>	
Chemistry Building Renovation – Phase I	\$15,000,000
Complete Renovation & Expansion of Existing Biology Building-Phase II (leveraged by federal funds) and Sevilleta Research Station Completion	\$ 4,000,000
Collaborative Teaching & Learning Bldg. - COE – Phase II	\$ 9,000,000
<b>SUBTOTAL</b>	<b>\$28,000,000</b>
<b>HEALTH SCIENCES CENTER</b>	
Health Education Building – Phase III (leveraged by federal funds)	\$10,000,000
Carrie Tingly Hospital and Teaching Center	\$20,000,000
<b>SUBTOTAL</b>	<b>\$30,000,000</b>
<b>BRANCH CAMPUSES</b>	
UNM Taos Learning Library Resource and Research Center – Phase I	\$ 1,500,000
UNM Gallup Zollinger Library Completion of Shell Space	\$ 1,400,000
UNM Gallup Lion’s Hall	\$ 4,500,000
UNM Valencia Westside Facility	\$ 3,937,500
UNM Los Alamos Science Labs Renovation	\$ 750,000
<b>SUBTOTAL</b>	<b>\$ 12,087,500</b>
<b>TOTAL</b>	<b>\$ 70,087,500</b>



# General Obligation Bond/ Capital Projects

- UNM accounts for 48% of the state’s total FTE equivalent student enrollment. See attached “PERFORMANCE EFFECTIVENESS REPORT”.
- UNM serves students from every county in the state. See attached “FALL 2009 HEADCOUNT” from the UNM Office of the Registrar.
- UNM invests more money than any other institution in the GO Bond campaign. See attached “G.O. BOND CAMPAIGN INFORMATION” from the UNM Office of the University Secretary. 45% of the G.O Bond campaign is funded by UNM.
- UNM accounts for 32.7% of the square footage of the total 67.8% of all Four Year institutions. We request our GOB funding be at or above 32.7%.



# Questions

The University of New Mexico  
Office of Government & Community Relations

Marc H. Saavedra, Director

*office* 277.1670  
*mobile* 681.4882  
<http://govrel.unm.edu/>

## **13. NEW BUSINESS AND OPEN DISCUSSION**

No new business was raised.

## **14. ADJOURNMENT**

The meeting was adjourned at 4:50 p.m.

Respectfully submitted,

Rick Holmes  
Office of the Secretary

# FACULTY SENATE SUMMARIZED MINUTES

2008-2009 Faculty Senate

April 28, 2009

(CORRECTED DRAFT until approved at the January 26, 2010 Faculty Senate meeting)

The Faculty Senate meeting for April 28, 2009 was called to order at 3:05 p.m. in the Lobo Room of the Student Union Building. Senate President Howard Snell presided.

## 1. ATTENDANCE

**Guests Present:** President Elect Elisha Allen (Staff Council), Associate Vice President Terry Babbitt (Enrollment Management), Assistant Professor Audra Bellmore (University Libraries), Assistant Professor Cathleen Cahill (History), Sari Krosinsky (University Communication and Marketing), Professor Margaret Connell-Szasz (History), Provost Suzanne Ortega, Supervisor Maya Sutton (Osher Lifelong Learning, Continuing Education), and Professor Craig White (Anderson School of Management).

## 2. APPROVAL OF THE AGENDA

The agenda was approved as written.

## 3. APPROVAL OF SUMMARIZED MINUTES FOR MARCH 24, 2009 MEETING

The minutes were approved as written.

## 4. FACULTY SENATE PRESIDENT'S REPORT

The Faculty Senate President reported on the following:

The budget suggestions from the senate were sent to President Schmidly. The suggestion of the University covering the 1.5 percent decrease in retirement contribution from the state was not accepted. The budget was already allocated. The budget passed as proposed.

There is funding in the budget for new faculty lines. The amount available is unknown and the number of new faculty to be hired is unknown.

Board of Regents President Raymond Sanchez has added Provost and Executive Vice President Suzanne Ortega and EVP Paul Roth to the Board of Regents' Finance and Facilities Subcommittee. These appointments allow faculty to have direct representation at the table.

President Snell presented slides regarding the faculty count trends at UNM.

(slides to be inserted when converted)

## 5. PROVOST'S REPORT

Provost Suzanne Ortega provided the following update on the Faculty Senate Six Points approved at the February 25, 2009 General Faculty Meeting:

Items four through six are essentially completed. Number four asked that the EVPs from Health Sciences and from Academic Affairs to be added as voting members on the Finance and Facilities subcommittee of the Board of Regents.

Item five, all searches should be national, is agreed upon by Provost Ortega and President Schmidly. Provost Ortega asked Vice President Helen Gonzales (Human Resources) for staff hires, and Deputy Provost Richard Holder of faculty hires, to insert the language where appropriate on hiring policy guidebooks.

Item six, the request for annual report on faculty retention, is currently being worked on. The first annual report should be ready by September 2009.

Item number one, addressing the appropriate organizational structure, has had a thorough review by President Schmidly. Peer institutes were studied for their organizational structures. There are recommendations being finalized regarding the organizational structure and possible changes.

Item number two, provided for broader input in the evaluation of the senior administration team. President Schmidly and Provost Ortega fully support the notion of broader input. President Schmidly has shared the instrument he has developed to evaluate his direct reports. The President and Provost invite faculty to respond if there are particular expectations that should be included in the evaluation above and beyond what is already used. President Schmidly and Provost Ortega request advice on the most appropriate mechanism for providing this input.

Item number three, the center of authority for policy development needs to rest with deans and department chairs. More specific examples are needed of exactly what the faculty would like to see and where they would like to see the changes made. The criterion that is used to judge expectations needs to be agreed upon by the faculty and the administration.

## **CONSENT AGENDA**

### **6. SPRING 2009 DEGREE CANDIDATES**

The Spring 2009 Degree Candidates were approved by unanimous voice vote of the Faculty Senate.

## **AGENDA TOPICS**

### **7. INTELLECTUAL PROPERTY GROUP REVISION OF POLICY - FINAL VERSION**

Professor Craig White presented the following revised Intellectual Property Policy. After brief discussion, the Faculty Senate passed the revision by unanimous voice vote.

#### **INTELLECTUAL PROPERTY POLICY**

Amended by the Faculty Senate 2/26/02 and the Board of Regents 5/10/02.

Approved by the Faculty Senate 2/23/99 and the Board of Regents 6/8/99.

#### *Foreword*

In the course of conducting their University-administered activities, the faculty, staff, and students often create intellectual property that may be protectable by patent, copyright, or other means. The University 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, the University 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 the University and the public. 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 University 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, the University, and the public.

However, the University'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 the University 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 University faculty, staff, and students, hereafter referred to as creators. (See Article 1.)

2. The University'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 University facilities or funds or capitalize on affiliation with the University. (See Section 2.2.)

6. Technological Works (inventions and tangible research results) that are owned by the University under this Policy are:

- those created using University facilities or funds; and
- those created without University facilities or funds but within the scope of the creators' employment (determined by the creators' recent teaching, research, or other University 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 his/her designees. (See Article 3.)

8. Royalties from commercialization by the Science & Technology Corporation @ UNM (STC, the main commercialization arm of the University) of inventions, tangible research results, and other types of intellectual property are allocated (see Section 2.6):

- 40% equally among the creators
- 40% to the Science & Technology Corporation @ UNM
- 20% to the University.

9. Standard procedures for review are described in Article 4.

10. Redress of disputes is covered in Articles 5 and 6.

## **1 Scope**

This Policy applies to all University faculty, staff, and students (hereafter referred to as creators). Reference to this Policy should be made in the *University's Business Policies and Procedures Manual* as well as in the University's *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 University facilities or funds (exclusive of creators' salary) or in the performance of a written university work assignment or commission to create such a work. All rights in such works are owned by the University.
- 2) Works that capitalize on an affiliation with the University by explicit labeling of the work to gain a market advantage, beyond the noting of the creator's affiliation. Such uses of the University's name, seal, or logo are regulated by Section 1010 of the University Business Policies and Procedures Manual (see also Section 2.5). All rights in such works are owned by the University.
- 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 University creators with the use of University facilities or funds administered by the University are owned by the University, 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 University facilities (with the exception of the University libraries) or funds administered by the University, but that fall within the creators' scope of employment (see Section 2.3.5) at the University are owned by the University. However, the University 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 the Faculty Handbook) 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 University 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 University 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 University activities, as well as activities stipulated in any appointment contract.

### **2.3.6**

Disagreements concerning ownership can be appealed to the Intellectual Property Committee. (See 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 the University. (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 the Office of the Vice President for Institutional Advancement or (for the logo) the



Director of Marketing and Licensing in the Athletic Department. (See Section 1010 in the University Business Policies and Procedures Manual.)

## **2.6 Costs, Royalties, and Other Commercialization Income**

### **2.6.1**

In the case of collaborations between the University and outside entities, the provisions of Section 2.6 are applicable only to the ownership interests of the University.

### **2.6.2**

The University and/or the STC.UNM 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 the University or the STC.UNM for a license of UNM IP, but does not include payments for research, development, or reimbursement of patent costs), the STC.UNM 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 the University from commercialization of UNM IP by the STC.UNM shall be divided as follows:

Forty percent (40%) to be divided equally (unless unanimously agreed to and represented on the submitted invention disclosure form) among the creators;

Forty percent (40%) to the STC.UNM; 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 Translational 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 University 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 the University or the STC.UNM and managed by them. At the discretion of the managing unit (the University or the STC.UNM), 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**

The University'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 Requirements Imposed by Sponsored Research Agreements**

Sponsored research agreements often carry requirements that any inventions or other intellectual property created in the performance of the agreement must be disclosed 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 Pre-Award 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 disclosure obligations to sponsors or other third parties, then the Principal Investigator shall be responsible for ensuring disclosure of the UNM IP to the Office of University Counsel (OUC) or specifying such reporting requirements on the Copyright or Invention Disclosure Form submitted to STC.UNM. Such disclosures shall be made to the OUC or STC.UNM as soon as possible and at least within one month of creation. The disclosure shall be made by completing forms generated by the OUC.

The OUC shall in turn make such disclosures as required by federal and state laws and regulations, and by third party agreements of which it 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. Any disclosures shall be made on forms provided by the OUC. Creators may consult with either OUC or STC.UNM 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 disclosing to OUC or STC.UNM and following the procedures outlined herein.

## **2.7.5**

During as well as after their association with the University, creators shall assist and cooperate with the OUC's and the STC.UNM's efforts to secure intellectual property protection and pursue commercialization of disclosed UNM IP by executing all appropriate legal documents, including assignments, to perfect the University's legal rights.

**2.7.5.1** Creators shall make available to the OUC and the STC.UNM 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 the University or the STC.UNM 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 the University and/or the STC.UNM 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 and Executive Vice President for Health Sciences**

The Provost, or designee, shall be responsible for the interpretation, implementation, and enforcement of this Policy on main campus; the Executive Vice President for Health Sciences shall be responsible for the interpretation, implementation and enforcement of this Policy on the Health Sciences Center campus. The Provost and/or Executive VP for Health Sciences 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. In order to ensure that the intellectual property provisions of sponsored research agreements are consistent with this Policy, the OUC shall support faculty, staff, students and administration in the areas of copyright, trademark, patent, material transfer agreements, federal statutory compliance and any other UNM IP matters; and assist the University's sponsored research services office. Consistent with its University role, the OUC may also assist the STC.UNM with other matters from time to time.

#### **3.2.2**

The member of the OUC charged with patent administration duties, hereafter the Patent Administrator, is authorized with the approval of the Provost, Executive Vice President for Health Sciences and the RPC, to promulgate and publish information and procedures to implement this policy.

### **3.3 STC.UNM (formerly known as Science & Technology Corporation @ UNM) (STC.UNM)**

The STC.UNM was granted by the University a right to take assignment of UNM IP pursuant to a Memorandum of Agreement (MOA) between the University and the STC.UNM, for the purpose of active support by the STC.UNM for commercialization of UNM IP. The STC.UNM, among other duties as described in the MOA, shall pursue the licensing of UNM IP by assessing the market for same, selecting the means by which they shall be commercialized, negotiating commercialization agreements, overseeing commercialization activity, and receiving and distributing royalties to creators and the University in accordance with this Policy.

#### **3.3.1**

The mission of the STC.UNM is to serve the University of New Mexico by facilitating University inventors, increasing the University's non-governmental sponsored research, and contributing to economic development in New Mexico.

### **3.3.2**

The full text of the MOA can be obtained from the STC.UNM or the OUC.

## **3.4 Intellectual Property Committee (IPC)**

### **3.4.1**

The IPC serves as an *ad hoc* committee whose purpose is to arbitrate any intellectual property rights disputes arising under this policy. (See Article 5)

### **3.4.2**

The IPC shall comprise three members appointed by the Provost or Executive Vice President for Health Sciences (based on the department of the creator(s)), and three members appointed by the chair of the Research Policy Committee in consultation with the President of the Faculty Senate. Each appointing party shall designate a co-chair for the IPC. The Senior Associate Counsel for Research & Technology Law, and the President of the STC.UNM, or their designees respectively, are nonvoting members *ex officio*.

## **4. Review of Disclosures and Commercialization**

The University and the STC.UNM 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 STC.UNM and the OUC.

#### **4.1.1**

The University or STC.UNM may require creators to consult with STC.UNM 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 the University or STC.UNM to evaluate a UNM IP and determine whether to pursue any form of intellectual property protection. In some cases, STC.UNM may require creators to refrain from publishing certain materials within the said 90-day period. The University and the STC.UNM 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 the STC.UNM within one (1) week. The creators may submit disclosures directly to STC.UNM, in which case STC.UNM shall forward a copy to OUC within one (1) week of receipt.

#### **4.1.3**

STC.UNM shall make a written determination as to whether or not commercialization is to be pursued within 120 calendar days from the date of disclosure.

(a) The STC.UNM may find the work described in the disclosure to be of significant interest, but insufficiently developed or documented for commercialization. In that case, the STC.UNM 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.

(b) In certain cases, the STC.UNM may determine that a disclosure should be held in abeyance because further similar inventions are anticipated within nine (9) months. In such cases, the STC.UNM may delay processing the disclosure for up to nine (9) months, or even longer with the consent of the creator(s).

#### **4.1.3.2**

If no determination is made by the STC.UNM within the deadline, the creator(s) shall have the option of extending the deadline or of sending a written letter to the STC.UNM requesting a determination within ten (10) UNM business days. If the STC.UNM does not respond within this period or responds that it will not pursue commercialization the University shall release the intellectual property to the creator pursuant to Section 4.4.2.

#### **4.1.4**

Once the STC.UNM has determined to pursue commercialization, it will make a decision about intellectual property protection within 90 days from the date of disclosure.

#### **4.1.5**

If, at any step during the process, both [either] the OUC [or] and the STC.UNM determine not to pursue the commercialization of a particular UNM IP, the University shall release the intellectual property to the creator, subject to sponsor approval.

#### **4.1.5.1**

If the University or the STC.UNM 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, the STC.UNM shall provide to the OUC and to each creator whose disclosure is in the hands of the STC.UNM a report detailing the current state of commercialization of the

disclosure, including patenting, marketing, and licensing efforts. The OUC and creators are encouraged to obtain up-to-date information on any disclosures by accessing STC.UNM's on-line "My Technologies" section. Any UNM creator may request on-line access from STC.UNM to view current activity of those disclosures for which he or she is the creator or co-creator.

### **4.3 Commercialization**

In the event the STC.UNM 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), the University or the creator(s) may request the STC.UNM to return the UNM IP to the University. If the UNM IP is returned to the University, the University 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, STC.UNM shall advise the OUC and the creator(s) of Technological Works of the following three 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 STC.UNM to OUC and the creators.

##### **4.4.2**

In the event STC.UNM does not intend to continue commercialization efforts and does not commit itself to meeting the above deadlines, the University shall release the intellectual property rights to the creator(s), subject to sponsor approval, within 30 days of STC.UNM's notification to the University.

#### **5 Appeal of Ownership Determination**

##### **5.1**

In the event a creator does not believe the University is entitled to the rights in a Work, the creator may seek a determination or a waiver of the University'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 the STC.UNM for comments.

##### **5.1.2**

The OUC shall forward the Determination of Rights Form with attachments and the OUC's and the STC.UNM's written comments (the "Record") to the IPC.

##### **5.1.3**

The IPC shall endeavor to review the Record and hear all evidence within thirty (30) calendar days of receipt of the Record and shall issue a written decision within thirty (30) calendar days of hearing the last evidence. The IPC shall keep written minutes of all its meetings.

Participation in an appeal to the IPC does not close off other available remedies. The IPC shall keep written minutes of all its meetings, and its final decision shall be in writing.

##### **5.1.4**

The creator or the OUC may appeal the IPC's determination to the Provost or Executive Vice President for Health Sciences (based on the department of the creator(s)) by written request to the Provost or Executive Vice President for Health Sciences within ten (10) UNM business days of receiving notice of the IPC's determination. The Provost/EVP HSC shall notify the RPC, and

meet with all interested persons. Within sixty (60) calendar days of receiving the appealing party's written request, the Provost/EVP HSC shall make a final decision.

#### **5.1.4.1**

If the dispute involves rights in Works being claimed by the Provost/EVP HSC, only the President shall have authority to review the IPC's determination and make a final decision.

#### **5.1.4.2**

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 IPC's determination and make a final decision.

#### **5.1.4.3**

Nothing in this section is in derogation of the Regents' discretionary right of review.

#### **5.1.5**

All materials produced by the creator and the University under this section shall be retained as a permanent University 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 the OUC or STC.UNM 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. The OUC or STC.UNM 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**

The University may accept, on terms beneficial to the University, a voluntary assignment of a Scholarly/Artistic or Technological Work. It may waive, assign or grant (subject to the MOA with the STC.UNM) 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**

The University or STC.UNM 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 the University, settlement of a claim or conduct of litigation shall be within the exclusive control of the University.

## **8. UNIVERSITY PRESS COMMITTEE**

Operations Committee member Nikki Katalanos and Operations Committee liaison to the University Press Committee presented the following charge for the re-instatement as a Faculty Senate Committee. The

University Press Committee had been removed as a senate committee by the Faculty Senate in April 2006.

After consultation with former committee members and concerned faculty, the Operations Committee determined that the committee should be re-instated as a Faculty Senate Committee. The committee would be moved back under the jurisdiction of the Faculty Senate.

After brief discussion the senate unanimously approved the re-instatement of the University Press Committee as a Faculty Senate standing committee. The Faculty Senate charged the committee to review and revise their charge as their first point of business.

**A61.21**  
*Policy*  
**UNIVERSITY PRESS COMMITTEE**

General supervision of the editorial policies and publishing operations of the University Press is vested in a committee so named. It 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 Administration regarding the appointment of the Director of the Press. The committee submits to the Faculty Senate an annual report on the state of the press. (The UNM Printing Plant is a separate department of the University and not under the jurisdiction of the University Press Committee.)

(Twelve faculty members, appointed by the Faculty Senate in consultation with the Director of the Press; also the Director of the University Press. No more than two members shall be from any one department. The terms of office shall be for three years, set up on a staggered basis so that the terms of four members will expire each year. A member may be appointed for a second three-year term. The chairperson is elected by the Committee.)

Senator Kimberly Gauderman (History) presented the following resolution in support of the University Press by the Faculty Senate. The resolution is sponsored by Senator Gauderman.

Resolved:

1. That the University of New Mexico Faculty Senate supports the University of New Mexico Press in its efforts to maintain high standards of academic honesty and an open, productive relationship with its Faculty Oversight Committee-The University Press Committee-which, historically, has been charged with "General supervision of the editorial policies and publishing operations of the University Press"[Faculty Handbook, A61.21];
2. That the UNM Faculty Senate encourages the UNM Press to continue to reflect the stature of UNM which is currently ranked as a "Very High" Research University by the Carnegie Foundation of the Advancement of Teaching;
3. That the Faculty Senate endorses the significance of the UNM Press as a cultural icon for the State of New Mexico-a respected contributor to the Academy, region, and nation through its publications, and an enduring voice of the University of New Mexico across the Southwest

After discussion, the resolution was by unanimous vote of the Faculty Senate.



## 9. ADMISSION REQUIREMENTS REVISION

Associate Vice President Terry Babbitt (Enrollment Management) presented the following PowerPoint regarding the revision of the admission requirements to The University of New Mexico. The Faculty Senate voted unanimously to accept the proposed changes in the admissions requirements. Terry Babbitt asked for any input or suggestions be sent to him.

# Admission Requirement Proposal

## Discussion of Admission Requirements



## Stakeholders Consulted

- Students
  - Current and Prospective Students
    - ASUNM, Prospective Student Surveys
- Faculty and Staff
  - Admissions and Registration Faculty Senate Committee
  - Title V Faculty Advisory Committee
  - Special Emphasis Committee for Accreditation
  - Diversity Council
  - Athletics
- School District Superintendents, Principals, and Guidance Counselors
  - APS, PED, NMCSA, Visits to Pueblo and smaller rural schools
  - Letters to 160 School Principals
- Tribal Leadership
  - All Indian Pueblo Council
- Community Organizations
  - Hispanic Round Table Education Committee and Full Round Table
  - Albuquerque Partnership
- State Legislators and Executive Branch



# Admission Pathways

- The University of New Mexico is committed to student success and on-time degree completion. To this end we are discussing the modification of our existing admissions process.
- The new process would provide educational opportunities to all that apply to UNM and ensure that all applicants have a greater chance for academic success.
- **No first time New Mexico freshman student will be denied admissions to UNM.**
- Students would be admitted using a two-tier approach: (1) Those that meet the requirements will be admitted to the ABQ Campus. (2) Students who need more preparation will receive admission to UNM through branch campuses, CNM, or other state community colleges to begin.
- A weighted grade point formula and phased approach will give all students an opportunity to be prepared for admission.



## Student Benefits

- 6% Increase in Retention from 2.25 to 2.5
- Start in the Best Position to get a Bridge and Lottery Scholarship
- All Students Can Achieve Admission Standards
- No Admission Refusal
- Maximize ROI in a Tough Economy



## High School Curriculum

- “The academic intensity of the student's high school curriculum still counts more than anything else in precollegiate history in providing momentum toward completing a bachelor's degree.”\*
  - Students need a minimum of 15 college prep units to graduate from college on time. 16 Units increase graduation rates by 6% over 13 units.
  - The most successful students had nearly 20 college preparatory units.
  - Increased high school curriculum intensity has a profound positive impact on Latino students in degree completion.

\*Clifford Adelman  
*THE TOOLBOX REVISITED*  
*Paths to Degree Completion from High School Through College*



# Admission Standards - Curriculum

## UNIVERSITY OF NEW MEXICO PROPOSED PRE-COLLEGE CURRICULUM

UNM Admissions (current)	NMPED Per SB 561 (Class of 2013)	PROPOSED Pre-college curriculum to be recommended to NM schools
4 English, (one is Composition)	4 English	4 English, w/composition in Yr 4
3 Math (Alg I, Geometry, Alg II, Trig, Calc, or higher math)	4 Math (through at least Alg II)	4 Math (Alg I, Geometry, Alg II, and highly recommend capstone or higher math such as Trig, Calc, etc. in Yr 4)
2 Science (one with lab)	3 Science (two labs)	3 Science (two labs)
2 Social Science (one U.S. History)	3.5 Social Science (NM Hist, US Hist & Geog, World Hist & Geog, Gov, Econ)	3 Social Science
2 Foreign Language	2 Foreign Lang. 1 Phys. Ed. 1 Comm. or Bus. Ed. , 5.5 Electives	2 Foreign Language
13 units		16 units



## Weighted GPA Strategy Supports State Dual Credit Initiative (SB 943, 2007) and Access

The cumulative weighted grade point average includes additional weight for Dual Enrollment, Advanced Placement (AP), International Baccalaureate (IB), and Advanced International Certificate of Education (AICE) courses, as well as Level III (Honors) high school courses. \*

Grade	Dual Enrollment/ AP / IB/ AICE	Honors	Other Courses
A	5	4.5	4
B	4	3.5	3
C	3	2.5	2
D	1	1	1
F	0	0	0

\* Students are encouraged to take these courses due to the higher level of rigor and opportunity to improve their GPA and overall preparation.



## Student Data

- 2008 Cohort – 3226 students
- 135 below 2.5 GPA
  - 40 White of 1376 = 2.9%
  - 65 Hispanic of 1272 = 5.1%
  - 8 Asian of 136 = 5.9%
  - 8 American Indian of 186 = 4.3%
  - 8 African American of 128 = 6.3%
- Approx. 35 Would be Admitted Under Formula
- Weighted GPA Also Improves Admission Chances



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## Retention by ACT 1995-2006

ACT Composite	3 <sup>rd</sup> Semester Retention	Number of Students
Missing	.66	361
<= 16	.65	2102
17	.69	1645
18	.70	2242
19	.69	2558
20 & 21	.73	5633
22 & 23	.75	5301
24 & 25	.77	4587
>= 26	.81	5996
<b>Total</b>	<b>.74</b>	<b>30425</b>



## Graduation by ACT 1995-2001 Cohorts

ACT Composite	6 Year Graduation Rate	Number of Students
Missing	.44	305
<= 16	.21	756
17	.31	603
18	.30	884
19	.37	1064
20 & 21	.39	2450
22 & 23	.43	2367
24 & 25	.48	2087
>= 26	.55	2838
<b>Total</b>	<b>.43</b>	<b>13354</b>

OIR Freshman Cohort Tracking



## Minimum 18 ACT Impact on the Freshman Class

	Head-count	% Decrease	Head-count Decrease	Freshman Class Size Projection	% of Class Pre	% of Class Post
White	1360	6.17%	84	1276	45.3%	48.9%
Black	93	22.31%	21	72	3.1%	2.8%
Hispanic	1136	18.12%	206	930	37.9%	35.7%
Am Ind	160	25.76%	41	119	5.3%	4.6%
Asian	126	16.92%	21	105	4.2%	4.0%
Other	125	14.71%	18	107	4.2%	4.1%
<b>Total</b>	<b>3000</b>	<b>13.03%</b>	<b>391</b>	<b>2609</b>		



## Retention by High School GPA 1995-2006

HS GPA Ranges	3 <sup>rd</sup> Semester Retention	Number of Students
Missing	.68	854
<2.50	.56	1135
<b>&gt;=2.50,&lt;2.75</b>	<b>.62</b>	<b>2878</b>
>=2.75,<3.00	.65	3996
>=3.00,<3.25	.70	5161
>=3.25,<3.50	.75	4941
>=3.50,<3.75	.80	4852
>=3.75,<3.95	.85	3259
>=3.95	.90	3349
<b>Total</b>	<b>.74</b>	<b>30425</b>

OIR Freshman Cohort Tracking



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## Graduation by High School GPA 1995-2001 Cohorts

HS GPA Ranges	6 Year Graduation Rates	Number of Students
Missing	.40	491
<2.50	.17	619
>=2.50,<2.75	.20	1361
>=2.75,<3.00	.29	1797
>=3.00,<3.25	.35	2184
>=3.25,<3.50	.44	2135
>=3.50,<3.75	.53	1996
>=3.75,<3.95	.60	1387
>=3.95	.72	1384
<b>Total</b>	<b>.43</b>	<b>13354</b>

OIR Freshman Cohort Tracking



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### Minimum 2.75 GPA Impact on the Freshman Class

	Head-count	% Decrease	Head-count Decrease	Freshman Class Size Projection	% of Class Pre	% of Class Post
White	1360	11.65%	158	1202	45.3%	46.2%
Black	93	24.05%	22	71	3.1%	2.7%
Hispanic	1136	14.51%	165	971	37.9%	37.3%
Am Ind	160	17.20%	28	132	5.3%	5.1%
Asian	126	10.13%	13	113	4.2%	4.4%
Other	125	9.70%	12	113	4.2%	4.3%
<b>Total</b>	<b>3000</b>	<b>13.19%</b>	<b>398</b>	<b>2602</b>		



### Minimum 2.5 GPA Impact on the Freshman Class

	Head-count	% Decrease	Head-count Decrease	Freshman Class Size Projection	% of Class Pre	% of Class Post
White	1360	3.25%	44	1316	45.3%	45.6%
Black	93	8.60%	8	85	3.1%	2.9%
Hispanic	1136	3.89%	44	1092	37.9%	37.8%
Am Ind	160	5.25%	8	152	5.3%	5.3%
Asian	126	3.79%	5	121	4.2%	4.2%
Other	125	2.45%	3	122	4.2%	4.2%
<b>Total</b>	<b>3000</b>	<b>3.73%</b>	<b>113</b>	<b>2887</b>		





## Proposed Changes in Print – Phase I

1. Minimum GPA of a ~~2.3~~ **2.5** average on a 4.00 weighted scale for all high school courses plus completion of the following ~~13~~ **14** specific college preparatory units ~~with at least a 2.35 GPA average~~ (two semesters equal one unit).

English - 4 units, one of which must be 11th or 12th grade composition

Math - 3 units including Algebra I, Algebra II, Geometry, Trigonometry, Calculus, or higher mathematics

Social Science - ~~2~~ **3** units, one of which must be U.S. History

Natural Science - 2 units, one of which must be a lab science in Biology, Chemistry, or Physics

Foreign Language - 2 units, both units must be the same language or evidence of proficiency in a second language

2. ~~Minimum of a 2.25 average in all high school courses plus a~~ **A** formula based on ACT or SAT scores and ~~class-rank cumulative grade point average:~~

<u>Minimum ACT Composite / <del>Class-Rank</del> GPA</u>	<u>Minimum Combined <del>Critical Reading and Mathematics</del> SAT / <del>Class-Rank</del> GPA</u>
18 / 2.7	870 / 2.7
19 / 2.6	910 / 2.6
20 / 2.5	950 / 2.5
21 / 2.4	990 / 2.4
22 / 2.3	1030 / 2.3
23 / 2.2	1070 / 2.2
24 / 2.1	1110 / 2.1
25 / 2.0	1150 / 2.0
29 or higher / No minimum	1300 or higher / No minimum

3. Special Admissions - a limited number of students who do not qualify for admission under criteria 1 or 2 may request "special consideration" through an appeal process. A combination of quantitative and subjective factors are used in making these admissions decisions.



## Potential Timeline

Fall 2010	Fall 2011	Fall 2012	Fall 2013
2.3 GPA	2.4 GPA	2.5 GPA	
Require 14 college preparatory units	Require 15 college preparatory units	Require 16 college preparatory units	Potential Phase 2



# Community Input

## Ongoing Feedback Opportunities

[tellus@unm.edu](mailto:tellus@unm.edu)

## Other Forums



### **10. OSHER LIFELONG LEARNING**

Maya Sutton of the Osher Lifelong Learning Institute provided a brief summary. Ms. Sutton invites the faculty to become part of the Osher Lifelong Learning Institute. The institute is housed at Continuing Education. It is funded by the Bernard Osher Foundation in San Francisco. There are 120 institutes across the United States only at universities. UNM currently has the only institute in the state and will remain so. The institute is a mini university for people aged 50 and above. There are about 60-70 courses per year. Ms. Sutton has brochures available if faculty are interested. If faculty would like to teach, please contact Maya soon as the course catalog will be going to print the last week in April.

### **11. NEW BUSINESS AND OPEN DISCUSSION**

No new business was raised.

### **12. ADJOURNMENT**

The meeting was adjourned at 4:30 p.m.

Respectfully submitted,

Rick Holmes  
Office of the Secretary

### Faculty Senate Committee Appointments Needing Senate Approval

First	Last	Title	Dept	Committee	Date
Kuppu	Iyengar	Associate Professor	School of Architecture & Planning	Curricula	8/26/2009
Cedric	Page	Executive Director	Los Alamos	Governmental Relations	8/27/2009
John	Scariano	Research Assistant Professor	SOM Pathology Medical Lab Scis	KUNM Radio Board	8/28/2009
Dorothy	Baca	Professor	Theatre and Dance	KUNM Radio Board	8/29/2009
Mario	Rivera	Professor	School of Public Admin	Curricula	9/22/2009
Tim	Wawrzyniec	Lecturer III	Earth & Planetary Sciences	Curricula	9/29/2009
Marsha	Baum	Professor	School of Law	Benefits	10/2/2009
Floyd	Kezele	Associate Professor	Gallup	Curricula	10/1/2009
L. M.	Garcia y Griego	Director	SW Hispanic Research Institute	Research Policy	10/2/2009
Michelle	Touson	GPSA Student	African American Studies	Athletics	10/12/2009
Elizabeth	Browning	GPSA Student	Psychology	Research Policy	10/29/2009
Christina	Maris	Coordinator, Education Support	SOM Graduatel Medical Education	Benefits	12/1/2009
Steve	Castillo	Lecturer III	Valencia Branch	Teaching Enhancement	12/4/2009
Greg	Heileman	Associate Chairperson	Electrical Computer Engineering	Governmental Relations	12/9/2009
Mary	Lipscomb	Professor	Pathology	Campus Development	12/15/2009
Oksana	Gerlits	Lecturer III	Los Alamos	Curricula	1/7/2010
Judith	Harris	Lecturer II	College of Nursing	Budget	1/14/2010

## Draft Respectful Campus Policy

November 19, 2009

### I. Respectful Campus Policy

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<sup>1</sup>, 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.

A respectful campus exhibits and promotes the following values:

- a. Displaying personal integrity and professionalism;
- b. Practicing fairness and understanding;
- c. Exhibiting respect for individual rights and differences;
- d. Demonstrating harmony in the working and educational environment;
- e. Respecting diversity and difference;
- f. Being accountable for one's actions;
- g. Emphasizing communication and collaborative resolution of problems and conflicts
- h. Developing and maintaining confidentiality and trust; and
- i. Achieving accountability at all levels.

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

- a. All individuals have important contributions to make toward the overall success of the university's mission.
- b. The university'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.
- c. 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.
- d. 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.

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<sup>1</sup> Students who believe that staff or faculty have engaged in bullying behavior towards them may follow the complaint process set forth in this policy. Allegations from any member of the campus community that a student has behaved as a bully must be addressed pursuant to the UNM Student Code of Conduct.

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

Actions that are destructive to a respectful campus and that the University will not tolerate include sexual harassment (see UNM Business Policy 3780, “Sexual Harassment Policy”); retaliation (see UNM Business Policy 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 (see UNM Faculty Handbook, Section C05, “Rights and Responsibilities at the University of New Mexico”); unethical conduct (see UNM Faculty Handbook, Section B, Appendix V, “Harassment and Professional Ethics Policy”); and bullying behavior which is the subject of this policy. Each of these has a specific route to be taken to raise and seek resolution of problems.

Bullying is defined by the University as repeated mistreatment of an individual 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 – these are part of working life and every conflict certainly does not constitute bullying. Bullying can adversely affect dignity, health and productivity and may be grounds for corrective disciplinary action, up to and including dismissal. This Policy applies to all members of the UNM community, including the Board of Regents, officers, faculty, staff, students, and volunteers.

In interpreting and applying this policy, the University is obligated to respect the constitutional rights of persons to whom the policy applies. The University is first and foremost a place of scholarship and learning. It is committed to the uninhibited exchange of ideas and respects the right enjoyed by all members of the University community to express themselves freely. The exchange of diverse viewpoints, and the way they are expressed, may expose people to ideas some find offensive. Such communication generally does not constitute bullying. The University recognizes that the First Amendment limits its authority to prevent or in most circumstances to sanction viewpoints or opinions that some may regard as offensive. At the same time, University officials and other University personnel are entitled to express their disagreement with, and even their condemnation of, speech they deem to be intolerant, disrespectful, uncivil, or intended to cause offense.

Examples of behaviors that meet the above definition of bullying include, but are not limited to:

- a. Verbal bullying: 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.

- b. Physical bullying: pushing, shoving, kicking, poking, 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;
- c. Nonverbal bullying: directing threatening gestures toward a person or persons, or invading personal space after being asked to move or step away;
- d. Anonymous bullying: 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;
- e. Threatening 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. 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.

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.

## II. Bullying Complaint Process

### 1. Written Complaint

An initial written complaint pursuant to this policy of bullying shall be brought to the attention of the person (e.g., chairperson, supervisor, director, dean, Provost, Executive Vice President for Health Sciences) who has direct supervisory responsibility over the individual(s) whose actions are in question. The written complaint should include as much of the following as possible:

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

### 2. Investigation

The responsible supervisor is charged with initiating the investigation within 5 UNM business days of receiving the complaint.<sup>2</sup> This should normally include

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<sup>2</sup> The timelines listed herein are not to imply that the respectful campus policy takes precedence over other policies that do not have detailed timelines. The timelines are to ensure that the complaint does not get lost in the day-to-day activities of the supervisor and operations of the unit.

interviewing of all parties to the complaint, as well as any others who the complainant 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 responsible supervisor may designate an ad hoc investigatory committee to conduct or assist in the investigation, if deemed appropriate. The investigation should normally be completed no later than 20 UNM business days after receipt of the initial complaint. If the investigation cannot be completed within 20 UNM business days, a written notification of the delay, and the reasons for delay, should be provided to the complainant. A written report of the findings of the investigation, including a statement as to whether the charge of bullying is upheld or not upheld, will be provided to the complainant and the person against whom the complaint was made.

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 complaint may be taken to the next higher level individual 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 may uphold, reverse or modify the findings or may remand the matter for further investigation. . If this is not satisfactory to the parties, a final appeal can be made to the appropriate Executive Vice-President who in his or her discretion may review the record. Absent discretionary review by the Executive Vice-President, the decision of the reviewing official shall be final. If the Executive Vice-President reviews the matter, his or her decision shall be final.

### 3. Actions Following Investigation

#### a. Finding of Bullying

If the final determination is that bullying occurred, UNM shall take appropriate action, which may include disciplinary sanctions up to and including dismissal of the person complained of from the University.

#### b. Protection of the Complainant and Others

Regardless of whether UNM determines that bullying occurred, 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.

#### c. Allegations Made in Bad Faith

If relevant, the responsible supervisor will determine whether the complainant's allegation of bullying, or a witness' factual assertion, was made in bad faith. If an

allegation is determined to have been made in bad faith, UNM shall take appropriate action, which may include disciplinary sanctions up to and including to dismissal of the complainant or witness from the University.

#### 4. Alternative Procedures

The procedure set forth in this policy is not exclusive. However, faculty are encouraged to utilize the procedures set forth above. The complainant may also take the complaint to the Staff or Faculty Dispute Resolution office (whichever is appropriate), 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 office of Dispute Resolution 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 Respectful Campus Policy.

All complaints of bullying and any investigative materials shall be considered to be matters of opinion in personnel files the confidentiality of which is protected from disclosure under the New Mexico Inspection of Public Records Act and corresponding University policies.

#### 5. Monitoring

An annual survey will be undertaken by the Faculty Senate Policy Committee in collaboration with the Staff Council 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 the Executive Vice-Presidents.