

Faculty Senate Policy Committee

DRAFT Meeting Agenda, Scholes Hall Room 101, April 5, 2017 3:30 – 5:00 pm

Updates

1. D176 “Graduate Student Conduct and Grievance Policy”
2. D170 “Student Attendance” taskforce
3. Campus Comment Period: E40 “Research Misconduct” and D175 “Undergraduate Student Conduct and Grievance Policy”
4. C20 “Employment of UNM Graduates”

Agenda Topics

Consent Agenda Topics: None

Action Items

1. C09 “Respectful Campus”
2. E90 “Human Subjects in Research”
3. C50 “Faculty Contracts” and C205 “Annual Leave”
4. D90 “Posthumous Degrees”
5. Branch Campus Policies:
 - F10 “Role and Function of UNM Branch Community Colleges”
 - F70 “Articulation, Degree Approval, Transfer of Course Credit and Approval of Credentialing Standards”
 - F100 “Teaching Load”

Future Business



C09: Respectful Campus

Approved By: Faculty Senate

Effective: February 4, 2014 **Draft Revision 10/8/16**

Responsible Faculty Committee: Policy Committee

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

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

POLICY RATIONALE

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

POLICY STATEMENT

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

1. Values and Behaviors

A respectful campus exhibits and promotes the following values and behaviors:

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

- 1.2. Practicing fairness. ~~and understanding.~~
- 1.3. Exhibiting respect for individual rights and differences.
- ~~1.4. Demonstrating harmony in the working and educational environment.~~
- 1.4. ~~Respecting~~ Demonstrating respect for diversity and difference.
- 1.5. Being responsible and accountable for one's actions.
- 1.6. Emphasizing communication and collaborative resolution of problems and conflicts.
- 1.7. Developing and maintaining confidentiality and trust.

~~□—achieving accountability at all levels.~~

2. Cornerstones of a Respectful Campus

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

- 2.1. ~~All individuals have important contributions to make toward the overall success of UNM's mission, 2.2. UNM's mission is best carried out in~~ UNM strives for an atmosphere where individuals at all levels and in all units value each other's contributions and treat each other with respect.
- 2.2. Individuals in positions of authority serve as role models in the promotion of a respectful campus. Promoting courtesy, civility, and respectful communication is consistent with the responsibility of leadership.
- 2.3. Individuals at all levels are allowed to discuss issues of concern in an open and honest manner, without fear of reprisal or retaliation. ~~from individuals above or below them in UNM's hierarchy.~~
- 2.4. ~~At the same time,~~ The right to address issues of concern does not grant individuals license to make untrue allegations, unduly inflammatory statements or unduly personal attacks, or to harass others, to violate confidentiality requirements, or engage in other conduct that violates the law or UNM policy.

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

3. Destructive Actions

Actions that are destructive to a respectful campus will not be tolerated. ~~Credible reports of destructive actions will be addressed in accordance with applicable UNM policy; and substantiated findings that an individual has engaged in destructive actions will lead to appropriate consequences.~~

3.1. Destructive Actions Covered by This Policy

Commented [CT1]: Replace with "Credible reports of the destructive actions covered by this policy and other specific UNM policies. Substantiated findings that an individual has engaged in the destructive prohibited actions will lead to appropriate consequences."

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

3.1.1. 4. Definition of Bullying Behavior

~~Bullying can occur when one individual or a group of individuals exhibits bullying behavior toward one or more individuals. Bullying is defined by UNM as repeated mistreatment of one individual or a group of individuals. This mistreatment can include, but is not limited to the following behaviors:~~

~~by verbal abuse, threatening, intimidating, humiliating conduct or sabotage that creates or promotes an adverse and counterproductive environment, so as to interfere with or undermine legitimate University learning, teaching, and/or operations. Bullying is not about occasional differences of opinion, conflicts and problems in workplace relationships as these may be part of working life. Bullying can adversely affect dignity, health, and productivity and may be grounds for corrective disciplinary action, up to and including dismissal. The University Counseling, Assistance, and Referral Services (CARS) Department and the University Ombuds/Dispute Resolution Services for Faculty and Staff can provide guidance for determining whether behavior meets the definition of bullying. Examples of behaviors that meet the definition of bullying above include, but are not limited to:~~

4.1. Physical Bullying

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

3.1.1.1. 4.2. Verbal Bullying

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

3.1.1.2. 4.3. Nonverbal Bullying

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

3.1.1.3. 4.5. Threatening Behavior toward a Person's Job or Well-Being

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

unsatisfactory academic work and the potential for course failure or dismissal from the program if uncorrected.

3.1.1.4. ~~4.4.~~ Anonymous Bullying

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

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

3.1.2. Single Incident of Destructive Behavior

Bullying is defined as a repetitive pattern of behavior; however, a single incident of the bullying behavior defined above may be so severe or egregious that it creates a hostile environment and may be reported according to the provisions of this Policy.

Commented [CT2]: Replace with: *Bully is defined in 3.1.1 above as repeated mistreatment. A single incident should be handled by a supervisor using informal processes.*

3.2. Destructive Actions Covered by Other UNM Policies

Credible reports of the destructive actions described below will be addressed in accordance with the applicable policy listed. Destructive actions covered by UNM Policy include, but are not limited to:

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

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

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

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

3.2.5. Conduct which can adversely affect UNM's educational function, disrupt community living on campus, or interfere with the right of others to pursue their education or to conduct their UNM duties and responsibilities--refer to UNM Faculty Handbook, Section C05, "Rights and Responsibilities at the University of New Mexico." "Visitor Code of Conduct," "Student Code of Conduct," and UAP 2220 "Freedom of Expression and Dissent."

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

4. Supervisor Responsibilities

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

5.1—Students

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

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

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

5.2—Staff

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

5.3. Faculty

An individual who believes a faculty member has engaged in bullying behavior should follow the procedures listed in the Procedures Section below. These procedures were approved by the Faculty Senate and all subsequent changes must be approved in accordance with processes defined by the Faculty Senate.

6.—Monitoring

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

APPLICABILITY

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

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

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

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

DEFINITIONS

Bullying. Refer to Section 3.1.1 above for detailed definition.

WHO SHOULD READ THIS POLICY

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

RELATED DOCUMENTS

University Administrative Policies and Procedures Manual:

[Policy 2200](#) “Whistleblower Protection and Reporting Suspected Misconduct and Retaliation”

[Policy 2210](#) “Campus Violence”

[Policy 2220](#) “Freedom of Expression and Dissent”

[Policy 2240](#) “Respectful Campus”

[Policy 2720](#) “Equal Opportunity, Non-Discrimination, and Affirmative Action”

[Policy 2730](#) “Sexual Harassment”

[Policy 3320](#) “Ombuds/Dispute Resolution Services for Staff”

[Policy 3750](#) “Counseling, Assistance, and Referral Services”

Faculty Handbook:

[Policy C05](#) “Rights and Responsibility at the University of New Mexico”

[Policy C07](#) “Faculty Disciplinary Policy”

[Policy C70](#) “Confidentiality of Faculty Records”

[Section B, Section 5.5.](#) “Suspension” and “Appendix V”

[UNM Pathfinder:](#)
[Student Code of Conduct](#)
[Visitor Code of Conduct](#)

[UNM School of Medicine "Teacher Conduct and Learner Complaints."](#)

CONTACTS

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

PROCEDURES

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

~~1. Initial Complaint~~

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

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

~~1. Informal Processes~~

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

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

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

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

2.1. A ~~initial-formal~~ written complaint pursuant to this Policy should be brought to the attention of the person who has direct supervisory responsibility over the individual(s) whose actions are in question (e.g., chairperson, supervisor, director, dean, Provost, Chancellor for Health Sciences), or who is the supervisor of the unit in which the alleged destructive behavior occurred. A ~~initial-formal~~ complaint may also be made by using the procedures specified in UAP 2200 “Whistle Blower Protection and Reporting Suspected Misconduct and Retaliation,” which includes a UNM Hotline phone number.
~~namely:~~

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

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

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

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

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

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

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

2.2.5. Documentary evidence.

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

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

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

2.5. Upon receipt of a formal written complaint, the responsible supervisor should interview the complainant, unless the complaint has been anonymous. If an alleged wrongdoer is named, the supervisor should interview both the complainant and the alleged wrongdoer. Based on the written complaint, the interview(s), and written responses, the responsible

supervisor may make an initial effort to effect an informal resolution of the matter, but only if an informal approach has not already been tried prior to the receipt of the formal complaint. The supervisor may suggest any of the processes specified in this document or other informal processes as appropriate. In most cases, the alleged wrongdoer may be given a reasonable opportunity to correct or otherwise cease the behavior before any formal action is taken.

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

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

3. Investigation

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

The responsible supervisor is charged with initiating the investigation within ~~10-UNM-business-14~~ calendar days of receiving the written complaint, or following the conclusion of informal processes if they have been unsuccessful. It is of paramount importance that the investigation ~~should~~ be conducted by an unbiased investigator. Prior to initiating the investigation, the responsible supervisor must confer with the OUC for guidance in interpreting this Policy and in formulating the specific steps to be followed in conducting an unbiased investigation and in preparing the final investigatory report. The OUC will inform the supervisor of the responsible supervisor that it has counseled the responsible supervisor on the specific matter. Following the advice of OUC, the supervisor who receives the complaint ~~may~~ will appoint an independent investigator with no connection to either the complainant or the alleged wrongdoer respondent; the investigator may in turn decide to appoint a three to five person ad hoc investigatory

committee of independent, unbiased individuals whose UNM status is similar to that of the complainant and that of the [alleged wrongdoer respondent](#).

As soon as it has been determined who will conduct the investigation and how [it the investigation](#) will be conducted, the investigator will notify the complainant, the [alleged wrongdoer respondent](#), and the supervisor of the [alleged wrongdoer respondent](#), that an investigation has been initiated. If either the complainant or the [alleged wrongdoer respondent](#) wishes to request that a different investigator be appointed, a written request, including a detailed justification, must be provided to the supervisor of the [alleged wrongdoer respondent](#) within [five UNM business seven calendar](#) days. The supervisor will take the request into consideration and will either confirm the appointment of the original investigator or will appoint a different investigator. The parties will be notified of the supervisor's decision no later than [five UNM business seven calendar](#) days after receipt of the request. If the investigator decides to appoint an ad hoc committee to assist with the investigation, the [alleged wrongdoer respondent](#) and the complainant will be notified in writing and given [10 UNM business 14 calendar](#) days to submit a written objection to the membership of the ad hoc committee. The investigator will take the objections into consideration before finalizing the appointments. The membership of the investigatory committee must be finalized no later than [20 UNM business 28 calendar](#) days after the [alleged wrongdoer respondent](#) and complainant have been provided with the initial notification referenced above.

The investigation should normally include interviews with all parties to the complaint, as well as any others who the complainant or [alleged wrongdoer respondent](#) believes will be able to provide material information relevant to the complaint. [recognizing that an investigation will often exclude redundant or immaterial information or information that is not readily available. Additional information may be provided by any of the parties at any point during the investigation.](#) The investigation should normally be completed no later than [30 UNM business 42 calendar](#) days after the [initial formal written](#) complaint has been brought to the supervisor of the [alleged wrongdoer respondent](#), or after the membership of the ad hoc committee has been finalized, whichever is later. If the investigation cannot be completed within this time frame, a written notification of the delay, and the reasons for delay, should be provided to the complainant, the [alleged wrongdoer respondent](#), and the supervisor of the [alleged wrongdoer respondent](#). When the investigation has been completed, a confidential report of the investigation will be sent for appropriate action to the supervisor of the [alleged wrongdoer respondent](#), with a written copy provided to the [alleged wrongdoer respondent](#) and the complainant, unless the complainant is anonymous. The confidential report will include, at a minimum, the following information:

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

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

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

The investigator is responsible for thoroughly documenting the investigation and creating an investigatory file. Except as noted in Section 7 below, this file will be maintained in the [alleged wrongdoer's respondent's](#) personnel file. ~~in the respondent's college or school.~~ The file is confidential and shall be secured in accordance with [Policy C70](#) "Confidentiality of Faculty Records." The file should include the following:

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

~~3. Alternative Procedures~~

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

4. Appeals of Investigatory Findings

If the responsible supervisor does not resolve the issue to the satisfaction of the parties to the complaint or within the required time frame, the parties will have ~~10 UNM business~~ [14 calendar](#) days from the date on which they received written notification of the results of the investigation to appeal the decision to the next higher level person in the supervisory chain, who will review the record and determine whether the investigation was reasonably conducted and the findings supported by the evidence. The reviewing official will usually obtain the advice of OUC on how to conduct the review. The reviewing official may uphold, reverse, or modify the findings or may remand the matter for further investigation. A written copy of the reviewing official's decision, concerning whether a violation of this policy occurred, will be provided to the supervisor of the [alleged wrongdoer respondent](#) and the initial investigator; a summary statement will be provided to the [alleged wrongdoer respondent](#) and the complainant. If the reviewing official's determination is not satisfactory to the complainant or the [alleged wrongdoer respondent](#), a final appeal can be made to the Provost or Chancellor for Health Sciences, who in his or her discretion may review the record. Absent discretionary review by the Provost or Chancellor for Health Sciences, the decision of the reviewing official, concerning

whether a violation of this policy occurred, shall be final. If the Provost or Chancellor for Health Sciences reviews the matter, his or her decision shall be final.

5. Actions Following Investigation

If the final determination is that ~~the respondent an individual~~ has violated this Policy, UNM shall take appropriate action, which may include disciplinary sanctions up to and including dismissal from UNM in accordance with [Policy C07](#) “Faculty Disciplinary Policy.”

Whether or not ~~the respondent an individual~~ is found to have violated this Policy, reasonable efforts will be undertaken to ensure that complainants who make allegations of [destructive actions](#) ~~bullying~~ in good faith and others who cooperate in good faith with inquiries and investigations of such allegations are not retaliated against for initiating or participating in the investigation. [Refer to UAP Policy 2200 for information on retaliation.](#)

6. False Information

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

7. False or Inaccurate Accusations

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

8. [UNM Processes and Resources That Can Assist Individuals Impacted by Destructive Actions](#)

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

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

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

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

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

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

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

DRAFT HISTORY

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

May 18, 2016— Task force submits final proposed revision to FS Policy Committee for review

January 6, 2016--Task force appointed by FS Policy Committee to review C09 for implementation issues and free speech concerns.

HISTORY

February 4, 2014 – Amended procedures approved by Faculty Senate Operations Committee

January 29, 2014– Amended procedures approved by Faculty Senate Policy Committee

June 16, 2011—Approved by UNM President

March 22, 2011—Approved by Faculty Senate

COMMENTS TO: handbook@unm.edu	FACULTY HANDBOOK HOME	TABLE OF CONTENTS	TABLE OF POLICIES	UNM HOME
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E90: Human Subjects in Research

Approved By: Faculty Senate

Last Updated: **Draft 2/20/17**

Responsible Faculty Committee: Research Policy Committee

Office Responsible for Administration: Vice President for Research and HSC Vice Chancellor for Research

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

POLICY RATIONALE

In the oversight of all Human Subjects Research, the University of New Mexico (UNM) as a whole, is committed to protecting the rights and welfare of participants in Human Subjects Research consistent with the ethical principles outlined in the April 18, 1979, report of The National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research titled “Ethical Principles and Guidelines for the Protection of Human Subjects of Research,” also known as “The Belmont Report”:

- Respect for Persons
- Beneficence
- Justice

POLICY STATEMENT

UNM aims to promote a culture of compliance with the highest legal and ethical standards for the conduct of human research. UNM recognizes research as one of its chartered enterprises and shares ~~with its individual faculty members~~ responsibility for promoting and managing ~~defending~~ this activity with its individual researchers when conducted under its auspices.

To ensure comprehensive protection of the rights and welfare of subjects in human research across a diverse social-behavioral and biomedical research enterprise, UNM holds two distinct Federal Wide Assurances (FWAs) approved by the U.S. Department of Health and Human Services, one for the University Main Campus and a separate FWA for the Health Sciences Center (HSC). Under these agreements, UNM assures that all of its activities related to human subjects in research (“Human Subjects Research”) are conducted in accordance with all applicable federal regulations (e.g., 45 C.F.R. § 46, 21 C.F.R. § 50, 21 C.F.R. § 56, 21 C.F.R. § 312, 21 C.F.R. § 812).

~~The following policy is not intended to relieve the individual scientist of his/her ultimate responsibility for moral and ethical conduct nor to deny her/him the right to reasonable freedom of inquiry. The policy does make explicit~~

the criteria, by which the propriety of an action should be judged. The procedure is designed to protect the University (including faculty, students and the administration) against alleged violation of these criteria.

1. In considering the participation of humans as research subjects, the guiding principle is that no one should be exposed to risk to health or well-being without being given all reasonable protection and without being adequately informed. The rights and welfare of the study subjects are of paramount importance.

2. In general, the purpose of the study, the procedures followed, and the possible risks involved must be explained to the subject. The investigator must be satisfied that the explanation of participation has been understood, and consent must be obtained without duress or deception. Such an explanation may be postponed or even omitted where there are no risks to the subject, and a full account of the purposes and procedure in advance might bias the result.

3. It is the responsibility of the individual investigator to have adequate knowledge of the possible consequences of his research, or of research done under his direction.

4. Whenever possible, any hazards to health or well-being of each procedure must first be investigated with animals.

5. Whenever medication or physical intervention is used, or whenever the subject is exposed to unusual environmental conditions, proper protection and supervision must be provided.

6. The individual's personal privacy and the confidentiality of information received from him/her must be protected.

7. The individual's time should not be invaded to the extent that the participation creates conflict with other obligations.

8. Remuneration may be offered for the time involved in a study, provided the remuneration is not so large as to constitute an improper inducement to participate.

9. Any individual may request termination of his/her participation at any time and this request will be honored promptly and without prejudice.

10. The review procedures as described below are intended to help maintain a positive attitude toward scientific research. Unless there are reliable indications to the contrary, all University of New Mexico faculty members are presumed to behave responsibly and all experimental subjects should be willing to contribute to the advancement of knowledge, provided their personal rights are respected.

- APPLICABILITY

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

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

DEFINITIONS

[HRRC refers to UNM HSC's Human Research Review Committees \(HRRC\)](#)

IRB. Refers to the UNM Main Campus Office of the Institutional Review Board (IRB)

Human Research Subject. The United States Department of Health and Human Services (HHS) defines a human research subject as a living individual about whom a research investigator (whether a professional or a student) obtains data through 1) intervention or interaction with the individual, or 2) identifiable private information (32 C.F.R. 219.102(f))

WHO SHOULD READ THIS POLICY

- Faculty and staff conducting sponsored research
- Members of the Faculty Senate and the Research Policy Committee
- Academic deans or other executives, department chairs, directors, and managers
- Administrative staff responsible for sponsored research management.

RELATED DOCUMENTS

UNM Regents' Policy Manual

Policy 5.1 "The Faculty's Role in UNM's Academic Mission"

Policy 5.14 "Human Beings as Subjects in Research"

Policy 5.13 "Research Fraud"

Faculty Handbook, Policy E40 "Research Misconduct"

CONTACTS

Direct any questions about this policy to Office of the Vice President for Research or the HSC Office of the Vice Chancellor for Research.

PROCEDURES

All Principal Investigators and involved researchers engaged in Human Subjects Research are required to:

1. Obtain approval from the IRB or HRRC following the procedures established by the Main Campus Office of the IRB (OIRB) and the Main Campus IRB; or the HSC Human Research Protections Office and the HSC's Human Research Review Committees (HRRC), depending on the Principal Investigator's primary appointment. Procedures are posted on the respective websites and are regularly and continually updated to comply with federal regulations and accreditation standards.
2. Monitor ongoing research and teaching activities under their supervision to ensure that they continue to be conducted in accordance with approved protocols.
3. Ensure that all personnel involved in Human Subjects Research under their supervision are appropriately trained on the applicable laws, rules, and regulations regarding Human Subjects

Research as well as the Main Campus IRB's or HRRC's policies and procedures, as the case may be, with respect to Human Subjects Research.

4. Comply with and ensure compliance with all determinations and additional requirements of the IRB and/or HRRC, as the case may be, with jurisdiction over the research.

The policy described above shall be implemented as follows.

1. Several Human Research Review Committees shall be established in the manner described below.

(a) The dean of each school or college, or the chief administrative officer of each UNM division or agency involved in research of this type, is directly responsible that a Human Research Review Committee exist to evaluate proposals which may come from her/his faculty or professional staff.

In carrying out this responsibility, the administrative officer may establish a Human Research Review Committee to serve his/her particular school, college or agency. Or, if deemed desirable and feasible, she/he may cooperate with another dean or administrative officer in setting up a joint committee to serve more than one group. (In any case, any proposed research involving human beings as subjects would have to be reviewed in advance by some Human Research Review Committee.)

(b) The number of persons to serve on a Human Research Review Committee, the term of office, and the type of faculty representation on such a committee would be at the discretion of those responsible for establishing these committees. However, each Human Research Review Committee must include in its membership one or more persons outside the college, school, or agency it specifically serves. Projects involving investigational new drugs (INDS) must be reviewed by a committee quorum that includes not less than two members who are licensed to administer drugs, and one who is not so licensed.

2. The Human Research Review Committees shall evaluate procedures against the Policy described above and the specific standards described in item 4 below, as well as such additional standards as may be appropriate to the research area. In so doing, they shall call upon specialists, including, where appropriate, consultants not on the University faculty, and may interview the investigator and his/her staff. Decisions shall be reached in executive session by the MANN rule (majority aye, no nay).

3. Each Human Research Committee shall maintain formal records of its decisions for at least five years. It shall receive and, where deemed appropriate, verify reaffirmations by the researcher that her/his methods are essentially unchanged and that no adverse consequences have occurred. Such reaffirmation must be made at six-month intervals, although the committee may require more frequent reporting on some research and may make inspections or take such other actions as found necessary to insure compliance with the policy and procedures herein stated.

4. The investigator shall be responsible for obtaining approval from a Human Research Review Committee prior to conducting any research involving human subjects. Application for approval is submitted in the form of a memorandum approved by the department chairperson or other appropriate person and must contain complete and explicit information concerning each of the following:-

(a) Name of the responsible faculty member.

(b) Name(s) of any others who will make contact with human subjects. In the case of continuing research programs with standard procedures, it may be sufficient to indicate the type of assistants to be used (e.g., graduate research assistant) and the method used to insure that they are properly trained.

(c) Title of the research. Also indicate its status (e.g., grant supported dissertation, independent study, etc.).

(d) Objectives of the research. Indicate the type of conclusions anticipated. Especially when any risks are involved, the description of the objectives should be sufficiently detailed so that the potential benefits of the research can be weighed against those risks.

(e) Methods of procedure. Interest here is in those procedures that make actual contact with the human subject. Specifically, if any medications are to be used, list their names and dose ranges. If "deception" is involved, describe the extent of deception and why it is deemed necessary. If remuneration is involved, state how the level was arrived at. In general, describe the nature of the experiences that the subjects will encounter. Include also the methods for selecting and screening subjects, and the amount of time expected of them.

(f) Protection measures. Give the techniques used to protect the subject against unnecessary risk in relation to the procedures just described. For example, if medication is used, for how long will observation be maintained to insure that no residual effects are present? If electric stimulation is involved, how will the subject be protected from the chance of a serious shock? If deception or stress is involved, how will the subject be relieved of these after the experiment? If personal or private information is to be revealed, how will security of such information be guaranteed? In general, describe the precautions that will be taken to preclude physical, social, or psychological harm. Where possible, include reference to similar procedures previously used either by the investigator or in other laboratories.

(g) Consent. The matter of consent involves three issues: 1) is consent necessary? 2) if so, who is the appropriate consenting agent? and 3) what information is necessary to insure that consent is adequately "informed"? In her/his application, the investigator must deal with these issues so as to justify the procedure according to the following guidelines:

(1) Where no risks or harmful disclosures are involved, where the research is a by-product of ordinary training or treatment, and where no permanent effect upon the subject is anticipated, consent is not required. Where some degree of deception, stress, or discomfort is involved, where the research requires specific participation, or where significant changes in health or well-being are intended by the use of procedures that are controversial, or not proved, consent may or may not be required depending upon the particular study proposed. Where risk or invasion of privacy is involved, where abnormal conditions will be encountered, or where treatment is proposed by new methods, consent is required.

(2) The consenting agent shall normally be the parent or guardian of minors, except that the consent of college students may in some cases be acceptable. Consent by an adult is acceptable provided there is no question about the soundness of her/his understanding of the information given in obtaining consent; where such question exists, the next of kin or legal guardian is appropriate.

(3) The amount of information necessary for consent to be adequately "informed" varies with the nature of the research and the amount of risk involved. The investigator must submit in writing an account in lay language of what he/she intends to tell the subjects in soliciting their participation, in instructing them as to procedures, and in insuring them their right to withdraw without prejudice. The experimenter may, but is not required to, obtain consent in writing from the subjects. In any event, she/he is required to maintain a record identifying the subjects, to note therein that each subject was informed in the manner described in the written account, and to sign his/her name indicating that the subject understood the research to the extent indicated and agreed to participate.

(h) Changes. Any changes in methods or procedure from those described above or any unexpected consequences adversely affecting the subjects will be brought promptly to the attention of the Human Research Review Committee involved.

5. Continuing approval may be granted when the essentials of methods of procedure remain unchanged over an extended series of studies; in this case, reassurance must be provided at six-month intervals. Minor modifications of procedure may be approved as a supplement to prior general approval.

6. Where relatively standardized methods and procedures have been developed (e.g., ethnographic field studies, learning of paired associates, etc.), the appropriate department chairperson or other persons responsible for the agency or division in which the research is being conducted may, on application, be granted blanket authorization to approve such studies without further review. The semi-annual report must include a listing of specific approvals granted in sufficient detail to permit the Human Research Review Committee to review this standing authorization.

7. A student's advisory committee may authorize preliminary pilot research.

8. A faculty member must retain adequate records concerning the procedures described above. Specifically, records indicating informed consent should be held for at least three years after a subject has participated, and especially where invasion of privacy might be at issue, after the results have been published and the final disposition of the original protocols has been made.

9. Whenever a procedure has been disapproved by either a department chairperson or a Human Research Review Committee, the investigator may appeal to the department chairperson, or the college dean, as appropriate. The mechanism for reconsideration, if warranted, is discretionary. The committee may be asked to reconsider; an ad hoc committee of the faculty may be appointed to act as an appeal group; experts not on the faculty may be consulted. The final decision should rest with whatever appeal mechanism is established in the individual case. If the appeal should result in approval, the records of the disapproval shall be retained but, in the case of an application for grant support, only the record of approval shall be forwarded to the granting agency.

10. All faculty members share the responsibility for compliance with the policy as herein stated, but first-line responsibility resides with the individual faculty member for all work done under his/her direction and second-line responsibility resides with the department chairperson who should remain cognizant of the research activities within her/his department.

HISTORY

Effective:

Revised November 15, 1966

DRAFT HISTORY

February 20, 2017—draft highlights all changes between current policy and proposed policy.

December 7, 2016—RPC Endorsed draft was revised by Policy Committee to include definitions and clarify Item 1 of Procedures. Draft endorsed by Policy Committee to submit to Operations for endorsement to send to faculty for review and comment.

April 4, 2016—Draft revised by the Faculty Senate Policy Committee and submitted to the Faculty Senate Research Policy Committee (RPC) for review.

September 6, 2015—Proposed revised draft placed in new policy format for review by the Faculty Senate Policy Committee

July 1, 2015-- Revised draft prepared by HSC

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[FACULTY HANDBOOK HOME](#)

[TABLE OF CONTENTS](#)

[TABLE OF POLICIES](#)

[UNM HOME](#)

C50: Faculty Contracts

Approved By: Faculty Senate

Effective Date: **Draft 2/6/16**

Responsible Faculty Committee: Policy Committee

Office Responsible for Administration: Office of Faculty Affairs and Services or Vice Chancellor for Academic Affairs.

Legend for highlights: Text from current policy shown in **black**; text suggested to comply with new format shown in red, underlined; text recommended by Carol Parker shown in blue, underlined.

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

POLICY RATIONALE

Faculty are hired at the University of New Mexico (UNM) on a contract basis. Provisions for faculty appointments and contracts are covered by Faculty Handbook Section B "Policy on Academic Freedom and Tenure."

POLICY STATEMENT

Contract terms are defined by an Initial Appointment Letter, governed by Faculty Handbook policies concerning faculty workload, performance reviews, promotions, and other changes in rank or status that may affect expectations and compensation increases.

Initial Faculty Contract

An employment contract is created when an offer of employment (Offer Letter) is accepted by a candidate and counter-signed by the Provost (offers are conditional subject to final approval by the Provost). A copy of the counter-signed letter is then provided to the new faculty member and it becomes an official employment contract and is legally binding upon UNM and the new faculty member.

Renewal of Faculty Contracts

Faculty members with continuing appointments hold employment contracts which automatically renew subject to satisfactory performance in accordance with Faculty Handbook Section FHB B3.1. Continuing contracts can only be discontinued in accordance with Faculty Handbook Section B4-B6 procedures.

Non-continuing contracts (temporary contracts) may be either Renewable or Non-Renewable. Renewable indicates the appointment will automatically cease at the end of its stated term

[unless hiring officer exercises his/her discretion to request renewal \(no presumption of renewal\). Non-Renewable indicates the appointment will automatically cease at the end of its stated term with no option of renewal, e.g., Visitorships.](#)

[Amendment of Faculty Contracts](#)

[Amendments to the terms of an appointment must be memorialized in writing and are subject to approval by the appropriate university officials.](#)

[Compensation Adjustments](#)

[Faculty with continuing appointments receive a “base” salary associated with their appointment in exchange for delivery of an appropriate academic workload which typically encompasses some combination of teaching, research and service. Faculty are eligible for increases to their base salary for meritorious service and/or promotions in rank, as documented through various means \(most commonly through the annual, retention, promotion, or tenure review processes\).](#)

APPLICABILITY

[All UNM faculty.](#)

DEFINITIONS

[No specific definitions are required for the Policy Statement.](#)

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

WHO SHOULD READ THIS POLICY

- [Faculty](#)
- [Department Chairs, academic deans and other academic administrators and executives.](#)

RELATED DOCUMENTS

[UNM Regents Policy Manual Policy 5.4 “Leaves of Absence”](#)

[Faculty Handbook](#)

[Policy A53.1 “Policies Applicable to Faculty”](#)

[Section B “Academic Freedom and Tenure](#)

[Policy C205 “Annual Leave”](#)

CONTACTS

[Direct any questions about this policy to the Office of Faculty Affairs and Services or Vice Chancellor for Academic Affairs.](#)

PROCEDURES

[Verification of Current Appointment and Compensation Data of Record](#)

[A portal under the Employee Tab in LoboWeb \(<https://my.unm.edu>\), entitled “Faculty Base Contract Salary” allows faculty members to verify their current appointment and compensation data as shown in Banner. Tenure clock information is included for probationary faculty. Faculty members in need of a hard copy record of their current appointment and compensation data of record can print one on demand by using the portal’s ‘print’ feature. Academic units have the ability to query Banner data by using the MyReports tool to verify all current appointment and compensation data for their faculty members.](#)

[Assistance provided by Office of Faculty Affairs and Services or Vice Chancellor for Academic Affairs \(VCAA\).](#)

[Offer letter templates](#) are available to assist hiring officers with drafting offer letter/contracts. A brief guide to types of appointments can be found at the Office of Faculty Affairs and Services (OFAS) website under “[Academic Appointments and Titles](#).”

[Base compensation changes can be initiated through the “Salary Planner” process which occurs in the Spring of each year.](#)

[Appointment status, and base compensation changes that occur off-cycle, must be initiated by \[request forms\]\(#\).](#)

[Nine-Month Faculty](#)

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

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

The following procedure has been established for computing the salary of a faculty member whose period of employment (1) does not begin with the start of the academic year, or (2) ends before Commencement.

Count the number of weeks of service and relate that number to 39 weeks in the nine-month academic year. Example A: A faculty member starts work in February on a date which is 14 weeks before Commencement; salary amount will be 14/39 of a nine-month base salary. Example B: A faculty member who starts work one week before classes begin, as is customary,

Commented [UNM1]: Link to: new page entitled Offer Letter/Contract Templates

Commented [UNM2]: Link to <http://ofas.unm.edu/docs/appointments-chart.pdf>

Commented [UNM3]: Link to new forms

finishes work at the end of the first semester; salary amount will be 50% of a nine-month base salary, and contract dates for one semester will include 19.5 weeks.

Twelve-Month Faculty

The contract of a person employed for the fiscal year (administrators and certain faculty) is written to indicate a 12-month period of employment, [and the individual is eligible for annual leave in accordance with Policy C205 “Annual Leave.”](#)

Conversion of Status

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

For a person on a 12-month contract whose period of employment does not coincide with the start and end of the fiscal year (July 1-June 30), salary is computed as follows: Divide the annual base salary by 12 and multiply the quotient by the remaining number of months in the budget year; i.e., a person employed on December 1 on an annual base salary of \$36,000 would receive a contract for \$21,000-\$3,000 per month for the 7 months remaining in the fiscal year.

NOTE: Language pertaining to Annual Leave moved to C205 “Annual Leave.”

DRAFT HISTORY

February 6, 2017—Added Carol Parker’s recommendations and placed policy in new format. Move language pertaining to Annual Leave to C205 “Annual Leave.”

HISTORY

unknown

COMMENTS TO: handbook@unm.edu	FACULTY HANDBOOK HOME	TABLE OF CONTENTS	TABLE OF POLICIES	UNM HOME
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C205: Annual Leave

Approved By: Faculty Senate

Effective Date: **Draft 2/6/17**

Responsible Faculty Committee: [Policy Committee](#)

Office Responsible for Administration: [Office of Faculty Affairs and Services and _____](#) for HSC

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

POLICY RATIONALE

Most faculty members at the University of New Mexico (UNM) are hired on nine-month contracts and do not accrue annual leave. However, faculty administrators, School of Medicine (SOM) full-time faculty, and certain other faculty who have duties that require them to work beyond the academic year are hired on twelve-month contracts. UNM recognizes the need to provide these individuals with annual leave to provide the opportunity to take time off to relax and return to the job with renewed interest and vitality.

POLICY STATEMENT

Faculty administrators, SOM full-time faculty, and certain other faculty that are hired on twelve-month contracts accrue ~~vacation~~ annual leave at a rate of 1.75 days per month for a total of 21 days per year for full-time faculty. Annual leave for part-time faculty on twelve-month contracts and SOM faculty who are paid by both UNM and the Veterans Affairs Medical Center (VAMC) is prorated. Faculty members on twelve-month contracts do not accrue annual leave while on sabbatical leave.

APPLICABILITY

Faculty administrators, SOM full-time faculty, and certain other faculty that are hired on twelve-month contracts.

DEFINITIONS

No specific definitions are required for the Policy Statement.

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

WHO SHOULD READ THIS POLICY

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

RELATED DOCUMENTS

[UNM Regents Policy Manual Policy 5.4 “Leaves of Absence”](#)

[Faculty Handbook](#)

[Policy A53.1 “Policies Applicable to Faculty”](#)

[Policy C50 “Faculty Contracts”](#)

[Policy C200 “Sabbatical Leave”](#)

[Policy C210 “Sick Leave”](#)

[Policy C215 “Parental Leave”](#)

[Policy C220 “Holidays”](#)

[Policy C225 “Professional Leave.”](#)

CONTACTS

Direct any questions about this policy to your department chair or dean or the [Office of Faculty Affairs and Services](#).

PROCEDURES

a) Annual Leave Accrual. One month [of annual leave for twelve-month faculty](#) is construed as 21 working days, and a paid holiday(s) in a ~~vacation~~ [annual leave](#) period is counted as a holiday(s) and not as a day of ~~vacation~~ [annual leave](#). To accrue annual leave for a given month, faculty must receive pay for at least 12 days during that month; faculty may accrue up to a total of 31.5 days of annual leave.

Question: There seems to be a dual meaning for accrue in this policy—in the Policy Statement section above we say “accrue annual leave at a rate of 1.75 days per month for a total of 21 days per year.” In a) above we say :faculty may accrue up to a total of 31.5 days of annual leave.” I think we may be wanting to say they earn 1.75 days per month for a total of 21 days, but can only accrue a maximum of 31.5 days of annual leave (if they don’t use annual leave, they won’t earn additional days)

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

Question: Does a faculty member accrue annual leave while on sabbatical? Whatever the answer this should be clarified in this policy.

b) Use of Annual Leave. While ~~vacation~~ annual leave will be granted whenever possible to satisfy individual requests, continuity of operations must be maintained. Consequently, ~~vacation~~ annual leave must be scheduled with the approval of the dean or director concerned.

Question? How is annual leave reported in days or hours? Does this differ between full-time and part faculty? Annual Leave is described for full-time faculty in days, but for part-time faculty in hours—is this the way it should stay?

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

DRAFT HISTORY

February 6, 2017—Revised draft based on revision draft of Policy C50 “Faculty Contracts.”

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HISTORY

unknown

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[FACULTY HANDBOOK HOME](#)

[TABLE OF CONTENTS](#)

[TABLE OF POLICIES](#)

[UNM HOME](#)

D90: Granting Degrees for Posthumous, Memorial, and Extraordinary Circumstances

Approved By: Faculty Senate

Last Updated: **Draft 3/30/17**

Responsible Faculty Committee: Faculty Senate Policy Committee

Office Responsible for Administration: Office of University Secretary

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

POLICY RATIONALE

The University of New Mexico (UNM) recognizes that ~~earning~~ an academic degree is a matter of legitimate pride in achievement not only for students themselves but also for the family members and friends who provide students with vitally important support and encouragement during the course of their studies. UNM also recognizes that not only the degree, but also ~~significant~~ progress in an academic program is, under certain circumstances, an achievement which warrants special recognition. Accordingly, UNM ~~will make available~~ may grant degrees posthumously, in memorial, or in extraordinary circumstances. A degree of the appropriate type and level may be bestowed upon a student who meets required criteria with appropriate approvals.

POLICY STATEMENT

Requests for granting degrees posthumously, in memorial, or due to an extraordinary circumstance may be initiated by the student, student's family, the faculty of the department and/or college/school, or a UNM administrator. The request should be submitted to the Office of University Secretary who will determine what documentation is required and facilitate review and approval by the appropriate faculty, college/school official(s), Faculty Senate (FS) Committees, and the Faculty Senate. Awarding of graduate and professional degrees require approval of the Departmental faculty and the Faculty Senate Graduate and Professional Committee. Approved degree requests may be awarded under the following circumstances:

1. Posthumous

If approved by all levels as specified herein, UNM may grant posthumous degrees to a student who dies before he or she is able to complete his/her program. The student must be in degree status and either currently enrolled or enrolled in the academic year previous to his/her death. Normally, the student should ~~must~~ have completed ~~a minimum of~~ half of the credits required for the degree. The degree will be noted as "posthumous" on both the diploma and the transcript.

2. In Memoriam

If approved by all levels as specified herein, UNM may award a degree in memoriam to a student who was in good standing at UNM at the time of his or her death and who does not meet the requirements necessary to be awarded a posthumous degree. The degree will be noted as "in memoriam" on both the diploma and the transcript.

3. Extraordinary Circumstances

If approved by all levels as specified herein, UNM may grant a degree when extraordinary circumstances beyond the student's control prevent the student from completion of his or her academic program. Normally, the student should have completed half of the credits required for the degree. If departmental faculty vote to waive remaining degree requirements, the student will be awarded a degree without special notation on the diploma and transcript. If degree requirements are not waived, a special notation will be added to the diploma and transcript.

a. Terminally Ill

If approved by all levels as specified herein, special consideration may be given for terminally ill students. Before the student dies, the student and family may be informed of the college's/school's and UNM's decision to award the degree. The dean, department chair, or other appropriate representatives may present the degree in a private gathering as a special gesture to the family and student. The family will receive the diploma as soon as it's produced.

b. Rare and Unusual Situations

If approved by all levels as specified herein, degrees may be awarded to a student or former student due to extraordinary circumstances. These situations are extremely rare and unusual, and the required criteria will be determined on a case-by-case basis by UNM. A request for consideration of granting a degree for an extraordinary circumstance, must describe the exceptional situation(s) that impacted the student's ability to complete the academic program.

APPLICABILITY

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

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

DEFINITIONS

No definitions specific to this Policy.

WHO SHOULD READ THIS POLICY

- Students
- Faculty members
- Staff in Office of the Dean of Students
- Academic administrators

RELATED DOCUMENTS

[Regents Policy Manual RPM 1.1 “Responsibilities of the Board of Regents”](#)

CONTACTS

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

PROCEDURES

[Approval of these degrees by the Board of Regents will follow established degree approval processes.](#)

HISTORY

February 27, 2007--Approved by the Faculty Senate

DRAFT HISTORY

[March 30, 2017 – Revised draft address graduate degree requirements.](#)

March 6, 2017—Draft to add terminally ill students and extraordinary circumstances such as the World War II veteran who was granted a degree.

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[FACULTY HANDBOOK HOME](#)

[TABLE OF CONTENTS](#)

[TABLE OF POLICIES](#)

[UNM HOME](#)

F10: Role and Function of UNM Branch Community Colleges

Approved By: [Faculty Senate](#)

Effective Date: **Draft 2/28/17**

Responsible Faculty Committee: [Policy Committee](#)

Office Responsible for Administration: [Office of the Provost](#)

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

POLICY RATIONALE

[Branch community colleges play an important role and function within the University of New Mexico \(UNM\) system by responding to the unique needs of their communities. This Policy document describes authorized branch campus roles and functions.](#)

POLICY STATEMENT

[As provided by New Mexico Statute \(21-14-1\)](#), UNM has established branch [community](#) colleges to serve the citizens of New Mexico more fully and to provide the highest quality of education throughout the state for students in different locations pursuing postsecondary education. Branch [community](#) colleges respond specifically to the unique needs and multicultural background of the citizens in their respective communities by offering Associate Degree programs (transfer programs that prepare students for upper division entry into colleges and universities), certificates ([career technical education pathways](#)), [workforce credential preparation](#), and community education programs.

Branch [community](#) colleges utilize resources in the community and therefore also function as an integral part of the community. The branch [community colleges](#) campuses of UNM are considered fully integrated component colleges, and they are committed to serving the needs of their respective communities in the manner of a comprehensive community college, offering a variety of academic, career, and community service programs. The branch [community](#) colleges commit themselves to protect the quality and integrity of all academic curricula, and the main campus commits its resources, whenever appropriate and practical, to the fulfillment of the varied missions of the branches.

APPLICABILITY

[All UNM academic faculty, staff, and administrators.](#)

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

DEFINITIONS

[No specific definitions are required for the Policy Statement.](#)

WHO SHOULD READ THIS POLICY

- [Faculty and academic staff](#)
- [Department Chairs, academic deans and other academic administrators and executives](#)

RELATED DOCUMENTS

UNM Regents' Policy Manual **[Policy 2.14](#)** "Branch Colleges and Off-Campus Education Centers"
New Mexico Statute NMSA Chapter 21, Article 14, 21-14-1

CONTACTS

[Direct any questions about this policy to the Office of the Provost.](#)

PROCEDURES

[No specific procedures required at this time.](#)

DRAFT HISTORY

February 28, 2017 – Incorporated final changes based on feedback from task force and faculty at the branch campuses.

November 10, 2016 – Incorporate changes based on feedback from the faculty at the branch campuses and from the Section F task force.

September 26, 2016 – Prepare revised draft to reflect changes requested by the Section F taskforce and move from information item to Policy document.

HISTORY

Information item in Faculty Handbook.

COMMENTS TO:
handbook@unm.edu

[FACULTY HANDBOOK HOME](#)

[TABLE OF CONTENTS](#)

[TABLE OF POLICIES](#)

[UNM HOME](#)

F70: Articulation, Degree Approval, Transfer of Course Credit, and Faculty Approval of Credentialing Standards

Approved By: Faculty Senate

Effective Date: **Draft 2/28/17**

Responsible Faculty Committee: Policy Committee

Office Responsible for Administration: Office of the Provost

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

POLICY RATIONALE

Articulation: Though the branch colleges operate under an admissions policy different from that of the main campus, their The branch community college degree offerings are approved by the University of New Mexico (UNM), and many of their courses carry transfer credit toward UNM main campus baccalaureate degrees. This connection or articulation of programs means that branch college faculty members may be required to meet a more specific set of approval standards in order to teach transferable courses than to teach non-transferable courses. The policies that which govern the articulation of degree programs, the determination of course credit, and the approval of credentialing standards faculty approval between the for UNM branch community colleges the main campus are presented below.

POLICY STATEMENT

A. Degree, Certificate, and Credential Approval

1. All associate degree programs offered at the main campus in Albuquerque are authorized to be offered at the branches, upon approval by the appropriate college and department or program on the Albuquerque UNM main campus.
2. To meet local needs, The branch community colleges are authorized to develop and offer, with the approval of the Undergraduate Committee, the Curricula Committee, and the Faculty Senate, programs leading to all Associate the degrees, of Associate of Arts, and Associate of Sciences and The branches are also authorized to develop and offer, with the approval of the Office of the Provost/Executive Vice President for Academic Affairs, programs leading to the degree of Associate of Applied Sciences, as well as provide certificates and workforce credentials, provided the programs go through the required approval process for such programs at UNM main campus. The transferability to the main campus of credit for courses in these programs will be determined in accordance with the policy statements B. 1, 2, and 3 below.

B. Transfer of Course Credit, Certificates, and Credentials

The University UNM main campus will accept baccalaureate credits, and branch community colleges will accept transferable, certificate, and workforce credential credits, earned by students at any UNM branch community college, in accordance with the following policy:

1. Transferable credits earned in lower division courses that already appear in the any UNM campus catalog and/or UNM campus schedule of classes, which have been submitted by the branches and approved for credit by the appropriate department or program and the UNM Curricula Committee, and the branch instructor, content, and level of performance for said courses having been approved by the appropriate main campus department or program, will be accepted by the appropriate UNM campus as though they were earned on the main campus of origin, at the University in Albuquerque. Under the following provisions: the course sections must meet the catalog course description in the UNM campus of origin, and the course must follow the same student learning objectives or competencies as the sections at the campus of origin. As needed, syllabi, final exams, and/or other course materials may be requested by the corresponding department or program for articulation.
2. Proposed new lower division courses must follow the same approval process as any other course offered at UNM main campus and, if designed for transfer credit, must be approved by the appropriate department or program and/or college. which do not appear in the UNM Catalog and/or the UNM Schedule of Classes will be accepted by the University as though they were earned on the main campus if they have been designed by the branches in cooperation with the appropriate main campus department or program and college; approved for credit by the appropriate department or program and college and by the UNM Curricula Committee; and approved for their instructor, content, and level of performance by the appropriate main campus department or program.
3. Any lower division courses that have not gone through the required approval process prior to being offered are generally not acceptable for baccalaureate credit towards a UNM degree or certificate.
4. New and existing lower division courses designed by the branches which do not appear in the UNM Catalog and/or the UNM Schedule of Classes, and which have not been approved by a main campus department and the UNM Curricula Committee prior to being offered, are generally not acceptable for baccalaureate credit except (a) by petition and approval from the UNM degree granting unit, or (b) if determined to be equivalent to a main campus course by the UNM department or program which offers that course.
5. Special curricular offerings are authorized to meet local educational needs which are not being met by other institutions in the area. The transferability to the main campus of credit for these offerings will be determined in accordance with the policy statements B. 1, 2, and 3 above.

C. Faculty Approval of Credentialing Standards for Course Delivery

Branch community college faculty shall be qualified to deliver courses under the current UNM accrediting body's credentialing guidelines. Branch community colleges shall maintain adequate records to verify that appropriate accreditation credentialing guidelines are met.

1. Approval standards for transferable courses. Branch college courses carrying pre-designated transferability shall be offered by approved faculty. Tenured/tenure track faculty, by virtue of the standards required for their appointment, are automatically approved to teach transferable courses in their fields of credentialed expertise. Non-tenured/tenure track faculty, and tenured/tenure track faculty teaching outside their fields of credentialed expertise, must be approved to teach transferable courses before or as early as possible during the first semester in which they offer those courses. To be approved to teach transferable courses, faculty members shall meet written standards appropriate to the courses they are to offer.
2. Formulation of standards. The faculty approval standards for each transferable course shall be formulated in writing and adopted jointly by the appropriate branch college and main campus administrators. Normally these will be the administrators immediately responsible for supervising course offerings in a particular field: e.g., the chairs (or directors or coordinators or heads) of the departments or programs in the relevant discipline. Once formulated, the standards for each course shall be transmitted to, and

reviewed by, the Office of the Provost/Executive Vice President for Academic Affairs. The standards shall be kept on file by the Office of the Provost and by the branch college and main campus administrators who formulated them. They shall be transferred to, and applied in a consistent manner by, subsequent administrators, and they shall be revised only by joint written agreement of the appropriate administrators holding office at the time. All revisions shall be promptly transmitted to, and reviewed by, the Office of the Provost/Executive Vice President for Academic Affairs. Approval standards for each transferable course should be submitted to the Office of the Provost no later than June 1, 2006. After that date, and until such time as standards for the course are submitted, the main campus department shall be presumed to approve all instructors employed by the branch to teach that course. The implementation of faculty approval standards for each transferable course, as described in paragraphs 3-5 below, shall not begin until the standards for that course have been formulated, adopted, and reviewed as stipulated in this paragraph.

3. *Implementation of standards.* The determination that a prospective instructor meets the faculty approval standards for a transferable course shall initially be made by the appropriate administrator (department chair, program director, coordinator, or head) at the branch college. Approval of the instructor shall then be reviewed and confirmed or denied by the college's Dean of Instruction. If the Dean confirms the approval, the branch college may hire the instructor prior to receiving main campus approval. The approval shall then be forwarded to the Branch Executive Director for recommendation to the appropriate main campus department chair or program director; it shall be submitted no later than the third week of the semester. The approval shall be accompanied by copies of the faculty member's vita and syllabus for the course in question. The main campus administrator shall confirm or deny the approval before or as early as possible during the first semester in which the faculty member offers the course. This decision shall be promptly communicated in writing to the appropriate branch campus administrator, the Dean of Instruction, and, if the approval is denied, the Office of the Provost/Executive Vice President for Academic Affairs.
4. *Denial of approval.* If faculty approval is denied, the main campus administrator shall communicate the reasons for this decision in writing to the appropriate branch college administrator, the Dean of Instruction, and the Office of the Provost/Vice President for Academic Affairs. This communication shall refer specifically to the written faculty approval standards for the course in question but may include other considerations as well. Courses already in progress shall not be cancelled solely because faculty approval is denied or delayed. If approval is denied, the branch college administrator shall work with the main campus administrator to identify and employ an eligible substitute instructor. If no eligible substitute can be obtained, the faculty member who began the course shall finish it under the supervision of the branch college administrator; but the same faculty member shall not be employed again to teach the same course, or any other course that has comparable approval standards, unless s/he has received branch and main campus approval to do so before the course begins.
5. *Exemptions from standards.* Faculty members may teach transferable courses without meeting established approval standards only if the appropriate branch college administrator submits, and the Dean of Instruction supports, a request for an individual exemption from the standards. The request shall be accompanied by a detailed explanation of the reasons for the request and by the proposed faculty member's vita and syllabus for the course in question. The request shall be submitted to the appropriate main campus administrator no later than two weeks before the semester begins. If the request is not approved by the appropriate main campus administrator before the course begins, the course shall not be offered by the proposed instructor.
6. *Non-transferable courses.* Branch college courses not carrying pre-designated transferability shall be offered by faculty who meet the appointment standards set forth in the college's statement on appointment and retention (see section F60 below), and who are recommended for appointment by the appropriate branch college administrator (department chair, program director, coordinator, or head), the Dean of Instruction, and the Branch Executive Director. In making recommendations concerning all faculty appointments, administrators shall act in accordance with the standards and procedures set forth in the branch college statement on appointment and retention and in section F60 below. All faculty appointments are subject to review by the Provost/Executive Vice President for Academic Affairs.

APPLICABILITY

All UNM academic faculty, staff, and administrators.

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

DEFINITIONS

No specific definitions are required for the Policy Statement.

WHO SHOULD READ THIS POLICY

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

RELATED DOCUMENTS

UNM Regents' Policy Manual [Policy 2.14](#) "Branch Colleges and Off-Campus Education Centers"
Higher Learning commission Faculty Credentialing Guidelines

CONTACTS

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

PROCEDURES

No specific procedures are required at this time.

DRAFT HISTORY

February 28, 2017 – Incorporated final changes based on feedback from task force and faculty at the branch campuses.

November 10, 2016 – Incorporate changes based on feedback from the faculty at the branch campuses and from the Section F task force.

September 26, 2016 – Prepare revised draft to reflect changes requested by the Section F taskforce and move from information item to Policy document.

HISTORY

April 2005--Approved by the Faculty Senate

COMMENTS TO:
handbook@unm.edu

[FACULTY HANDBOOK HOME](#)

[TABLE OF CONTENTS](#)

[TABLE OF POLICIES](#)

[UNM HOME](#)

F100: Teaching Load

Approved By: [Faculty Senate](#)

Effective Date: **Draft 12/08/16**

Responsible Faculty Committee: [Policy Committee](#)

Office Responsible for Administration: [Office of the Provost](#)

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

POLICY RATIONALE

The primary mission of the branch community colleges is teaching so this policy document provides modification of academic load for faculty.

POLICY STATEMENT

~~For the purposes of faculty FTE computation, the branches shall give due consideration to the Board of Educational Finance definition of a faculty FTE as determined for funding purposes. At the present time,~~ The determination of academic load of faculty at branch community colleges shall follow the description in *Faculty Handbook* policy C100. Each branch community college should have written faculty workload policies on file that include the terms and conditions for workload adjustments as appropriate under *Faculty Handbook* Policy C110. A normal full-time faculty member at a branch community college shall typically be assigned a teaching load consists of not less than fifteen load units credit hours or the equivalent per semester (see C110:5.1). As stated in *Faculty Handbook* Policy C110:5.2 for any case in which a full-time faculty member is assigned less than fifteen load units, advance approval is needed from the Dean of Instruction at the specific branch community college.

APPLICABILITY

All UNM academic faculty, staff, and administrators.

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

DEFINITIONS

No specific definitions are required for the Policy Statement.

WHO SHOULD READ THIS POLICY

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

RELATED DOCUMENTS

UNM Regents' Policy Manual **Policy 2.14** "Branch Colleges and Off-Campus Education Centers"
Faculty Handbook

C100 "Academic Load"

C110 "Teaching Assignments"

CONTACTS

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

PROCEDURES

No specific procedures at this time.

DRAFT HISTORY

November 21, 2016 -- Incorporate changes based on feedback from the faculty at the branch campuses and from the Section F task force.

October 24, 2016 – Prepare revised draft to reflect changes requested by the Section F taskforce.

HISTORY

COMMENTS TO: handbook@unm.edu	FACULTY HANDBOOK HOME	TABLE OF CONTENTS	TABLE OF POLICIES	UNM HOME
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