

Faculty Senate Policy Committee
Meeting Agenda, Scholes Hall Room 101, September 4, 2019, 3:30 – 5:00 pm

Updates

1. Introductions
2. Update on” **D175** “Undergraduate Student Conduct and Grievance Policy” and **D176** “Graduate and Professional Student Conduct and Grievance Policy” **pgs. 1 & 25**
3. Update on **D170** “Student Attendance,” to go out for 2nd campus comment period **pg. 47**
4. Policy Status Report **pg. 54**
5. CoG Report **pg. 60**
6. Section B Taskforce
7. Consensual Relationships Policy Taskforce **pg. 69**

Agenda Topics

Consent Agenda Topics: None

Action Items

1. **A53.1 “Policies Applicable to Faculty”** Review table for required updates. **pg. 71**

Discussion Items

1. Alignment of UNM policies **pg. 74**
2. Work Status Report **pg. 75**

D175: Undergraduate Student Conduct and Grievance Policy

Approved By: Faculty Senate and UNM President

Last Updated: **Draft 8/1/19**

Responsible Faculty Committee: Faculty Senate Policy Committee

Office Responsible for Administration: Dean of Students

Legend: Proposed text shown in **red**; proposed deletions shown in ~~strikeout~~. Large sections of deleted text shown at end of Policy draft to limit interruption of document flow.

Revisions to the Policy Rationale, Policy Statement, and Applicability sections of this document must be approved by the full Faculty Senate and the UNM President after consultation with the ASUNM President and the Dean of Students.

POLICY RATIONALE

The University of New Mexico (UNM) is committed to academic excellence and student success. ~~The UNM Student Grievance Procedure is intended to~~ **This Policy** provides procedures for resolution of disputes of an academic nature between undergraduate students and UNM faculty, allegations of discrimination or sexual harassment by undergraduate students, and allegations of other kinds of undergraduate student misconduct, as well as procedures for handling undergraduate student disciplinary matters.

POLICY STATEMENT

Whenever possible, it is important to take a supportive problem-solving approach to resolving academic disputes. However, UNM may take disciplinary action against an undergraduate student for a violation of the Student Code of Conduct or other UNM policy when the offense occurs on UNM premises or at a UNM-sponsored event, or when the violation occurs off campus and failure to take disciplinary action is likely to ~~threaten~~ disruption of the academic process or other campus functions, ~~interfere with the educational process or the orderly operation of UNM,~~ or endanger the health, safety or welfare of the UNM community or any individual student or employee. ~~UNM may take disciplinary action for a violation of the Visitor Code of Conduct when the offense occurs on UNM premises, as part of a UNM-sponsored event or in connection with University activities.~~

1. Matters Covered Under this Policy

The following ~~categories~~ types of disputes or disciplinary matters are covered by this Policy and handled in accordance with the procedures described in the Procedures Section of this document. Any questions about these procedures should be directed to the Office of the Dean of Students. The Dean of Students may create additional processes and procedures that are in accordance with this Policy to aid the Dean of Students in administration of this Policy.

1.1. Academic record disputes involving undergraduate students seeking retroactive withdrawal, enrollment, or disenrollment or for other academic record changes.

1.2. Academic disputes arising within the academic process, shall follow the procedures set for in Article 2, unless they involve allegations of academic dishonesty which are handled under Article 3. whereby an undergraduate student believes that he or she has been academic progress has been evaluated in an unfair or improper manner treatment by a faculty member or academic program/department in connection with the academic process. For example, it applies to disputes over assignment of grades, decisions about program or degree requirements or eligibility, or claims that course requirements are unfair.

1.3. Allegations of Academic Dishonesty arising from violation of academic dishonesty rules as defined in the Definitions Section herein.

1.4. Allegations of Discrimination and/or Sexual Harassment

UNM urges any individual who has experienced discrimination, sexual harassment, sexual misconduct and/or sexual violence, or has knowledge about such an incident, to report the incident to the Title IX Coordinator at Office of Equal Opportunity (OEO) within 24 hours, or as soon as reasonably practicable, by calling (505) 277-5251 or by email at oeounm@unm.edu. Confidential and/or anonymous reports can be made (refer to Procedures Section 4 herein for reporting options). Complaints can also be made to the UNM Ethicspoint Hotline 1-888-899-6092. The UNM OEO is tasked with investigating allegations of discrimination, sexual harassment, sexual misconduct and/or sexual violence and determining whether anti-discrimination policy has been violated. If OEO determines that an undergraduate student has violated UNM's anti-discrimination policy, disciplinary proceedings shall be handled under the Procedures set forth in Article 4 herein.

1.5. Allegations of Student Misconduct NOT Involving Discrimination or Sexual Harassment arising from violation of the Student Code of Conduct or other UNM policy.

2. Matters that may also be Covered under other UNM Policies

2.1. Health Sciences Center (HSC) Students

Additional policies and procedures listed in section 6.3.2 herein apply to HSC undergraduate students.

2.2. Visitors to the UNM campus

Visitors to the UNM campus are subject to the Visitor Code of Conduct.

3. Matters Not Covered Under This Policy

3.1. Disputes involving access to or information in an undergraduate student's educational records shall follow procedures set forth in the UNM Student Records Policy, published in the student handbook, the *Pathfinder*.

3.2. Grievances arising out of an undergraduate student’s status as a UNM employee hired through the Student Employment Office shall follow procedures set forth in the [UNM Student Employee Grievance Procedure](#), published in the student handbook, the *Pathfinder*.

3.3. Disputes involving matters occurring in the residence halls shall follow the procedures set forth in the Residence Hall Handbook in addition to this Policy.

3.4. Any undergraduate student grievances concerning decisions made by UNM personnel, outside the academic process, for which specific procedures are not established, shall be resolved between the [undergraduate](#) student and the office or department involved. If no resolution is reached, the parties may appeal to the appropriate dean or director and then to the appropriate vice president, [Provost, or Chancellor](#). Appeals should be filed in writing within [ten \(10\) working days](#) ~~one week~~ of the decision.

3.5. Resolution of disputes of an academic nature initiated by graduate [or professional](#) students shall follow the *Faculty Handbook* [Policy D176](#) “Graduate and Professional Student Grievance Policy.”

APPLICABILITY

All academic UNM units, including the Health Sciences Center and branch community colleges.

Revisions to the remaining sections of this document may be amended with the approval of the Faculty Senate Policy and Operations Committees after consultation with the ASUNM President and the Dean of Students.

DEFINITIONS

[Academic Dishonesty](#) includes, but is not limited to, [plagiarism \(including self-plagiarism\), dishonesty in quizzes, tests, or assignments; claiming credit for work not done or done by others; hindering the academic work of other students; misrepresenting academic or professional qualifications within or without UNM; and nondisclosure or misrepresentation in filling out applications or other University records.](#)

[Complaint](#) refers to:

- [request for formal resolution of academic matters per Section 2.3. herein;](#)
- [allegations of prohibited discrimination as defined herein filed with UNM's Office of Equal Opportunity; or](#)
- [allegations of misconduct referred to the Dean of Students per Section 5.2. herein.](#)

[Discrimination](#) includes all forms of unlawful discrimination based on an individual's or group's protected class(es), including unlawful discrimination based on [age \(40 and over\), ancestry, color, ethnicity, gender identity, gender/sex, genetic information, medical condition, national origin, physical or mental disability, pregnancy, race, religion, sexual orientation, spousal affiliation, veteran status and any other protected class as described in University](#)

Administrative Policy #2720. Sexual harassment is a form of gender discrimination that includes sexual violence, which is considered a severe form of sexual harassment. For purposes of this Policy, "discrimination" also includes retaliation for having made allegations of discrimination, having participated in an investigation into allegations of discrimination, or otherwise having engaged in opposition to unlawful discrimination. Retaliation is explicitly prohibited under University Administrative Policies #2200, 2720, and 2740.

Misconduct is any activity performed by a UNM undergraduate student that violates state and/or federal laws or regulations, local ordinances, or UNM policy.

Office of Equal Opportunity or OEO is the UNM office that processes allegations of discrimination or sexual harassment as defined herein, including but not limited to investigating such allegations and making determinations as to whether or not UNM's policies prohibiting discrimination or sexual harassment have been violated. OEO does not issue sanctions for violations of policy.

Undergraduate Student includes both full-time and part-time students pursuing undergraduate studies, degree and non-degree, including credit and noncredit courses. Student status continues for the entire period of enrollment, including UNM holidays, class breaks and summer session, if the student is enrolled for the preceding spring and following fall academic terms.

Working Days refer to UNM traditional work days defined by Human Resources as five (5) work days Monday through Friday ending at 5:00 PM. Working days do not include official UNM holidays listed in UAP Policy **3405** "Holidays."

WHO SHOULD READ THIS POLICY

- Undergraduate students including branch community college students
- Faculty members
- Staff in the Office of the Dean of Students
- Staff in the Office of Equal Opportunity
- Staff at Student Health and Counseling (SHAC)
- Administrative staff responsible for undergraduate student events

RELATED DOCUMENTS

Regents Policy Manual

RPM 1.5 "Appeals to the Board of Regents"

RPM 4.2 "Student Code of Conduct"

RPM 4.3 "Student Grievances"

RPM 4.4 "Student Records"

RPM 4.8 "Academic Dishonesty"

Faculty Handbook

D75 "Classroom Conduct"

D100 "Dishonesty in Academic Matters"

D176 “Graduate and Professional Student Conduct and Grievance Policy”

University Administrative Policies Manual

2200 “Reporting Suspected Misconduct and Whistleblower Protection from Retaliation”

2720 “Prohibited Discrimination and Equal Opportunity”

2740 “Sexual Misconduct”

3405 “Holidays”

The *Pathfinder*—UNM Student Handbook.

Office of Equal Opportunity **Discrimination Claims Procedure**

CONTACTS

Direct any questions about this policy to Dean of Students Office.

PROCEDURES

Reasonable deviations from these procedures by UNM will not invalidate a decision or proceeding unless significant prejudice results. At branch community colleges, the role of Dean of Students will be performed by the applicable position designated at each branch community college.

Article 1. Academic Record Disputes

1.1. Scope

This article sets forth the procedures which should be followed by an undergraduate student seeking retroactive withdrawal, enrollment, or disenrollment, or for other academic record changes involving exceptions to the rules governing registration and academic records which are set forth in the UNM Catalog. It does not cover disputes involving academic judgment (e.g. grades).

1.2. Petitions

1.2.1. An undergraduate student seeking a change in the student's ~~his or her~~ academic record within the scope of this article shall submit a petition to the Registrar's Office for consideration by the Faculty Senate Admissions and Registration Committee. The petition shall:

1. Include a statement of the nature of the request including why the student feels it should be granted.
2. Specify the semester involved and the subject/department code, course and section numbers.
3. Specify the student's name, UNM I.D. number, mailing address, email address and telephone number.
4. Include documentation of extenuating circumstances, such as medical, family, or employment needs.
5. Be typed and signed.
6. Optionally, include supporting statements from involved faculty and academic units.

1.2.2. Upon receipt of the petition, the Registrar’s Office shall forward a copy to the instructor of the course. The instructor shall make any response within fifteen (15) working days of receipt. If the instructor has not responded within fifteen (15) working days, the Faculty Senate Admissions and Registration Committee (“Committee”) shall proceed to consider the petition without the instructor's response.

1.3. Appeal

At the next regular meeting after receipt of the instructor's response (or lack of response), the Faculty Senate Admissions and Registration Committee shall take action on the petition. If the Committee denies the petition, it shall issue a brief statement giving the reasons for the denial. Absent any new information from the undergraduate student, the Committee’s decision shall be final. If the undergraduate student has new information that was unavailable at the time the Committee made the decision and that may affect the Committee’s decision of denying the petition, the undergraduate student may request reconsideration from the Committee. The Committee’s decision upon reconsideration is final for UNM.

Article 2. Academic Disputes

2.1. Scope

This article sets forth the procedures which should be followed by an undergraduate student who believes that ~~he or she has been~~ **academic progress has been evaluated in** an unfairly or improperly **manner** ~~treated~~ by a faculty member or academic program/department. For example, it applies to disputes over assignment of grades, decisions about program or degree requirements or eligibility, or claims that course requirements are unfair.

2.2. Informal Resolution

2.2.1. The **undergraduate** student should first try to resolve the grievance informally by discussing the grievance with the faculty member as soon as reasonably possible after the **undergraduate** student becomes or should become aware of the matter. If the **undergraduate** student and faculty member cannot reach agreement, the **undergraduate** student should discuss the grievance with the chairperson or supervisor of the department or division. If the grievance is still not resolved, the **undergraduate** student should discuss the grievance with the appropriate dean. When the dispute arises from a particular course, the appropriate dean is the dean of the college offering the course.

2.2.2. In these informal discussions, the chairperson, supervisor, or dean is encouraged to mediate the dispute actively. In particular, the chairperson, supervisor, or dean should talk to both the **undergraduate** student and the faculty member, separately or together, and should examine any relevant evidence, including any written statements the parties wish to submit.

2.2.3. These informal discussions shall be completed within twenty (20) working days ~~four weeks~~ after the **undergraduate** student **initially raised the issue with the faculty member.** ~~becomes or should become aware of the matter.~~

2.3. Formal Resolution Appeals of Academic Matters

If the informal discussions do not resolve the grievance, the undergraduate student may bring a formal complaint appeal using the procedures set forth in the following sections. During the formal resolution process, the chairperson and/or dean cannot overrule a faculty member's academic judgment. This formal complaint-appeal process shall begin within ten (10) working days ~~two weeks~~ following completion of the informal discussions.

2.3.1. The undergraduate student shall make a written complaint to the appropriate dean within ten (10) working days following completion of the informal discussions.

2.3.2. The complaint shall describe the grievance, including a statement of what happened, and the undergraduate student's reasons for challenging the action or decision. The complaint shall also describe the undergraduate student's attempts to resolve the grievance informally. The undergraduate student may attach copies of any relevant documents. The undergraduate student shall send a copy of the complaint to the faculty member and the faculty member's ~~his or her~~ chairperson. The faculty member shall have five (5) working days ~~two weeks~~ from the receipt of the complaint to respond in writing to the dean. A copy of the faculty member's response shall be provided to the undergraduate student, consistent with the federal Family Educational Rights and Privacy Act (FERPA).

2.3.3. ~~In deciding the appeal~~ In making a determination on the formal complaint, the dean shall receive and review any written evidence or statements submitted by the parties, and shall provide both parties the opportunity to review and respond to all evidence. The dean shall interview each party and may interview other persons with relevant information. At the dean's ~~his or her~~ discretion, the dean may decide to hold an informal hearing involving both parties and any witnesses. Where the dispute primarily concerns factual questions, rather than matters of academic judgment, the dean should normally hold such a hearing. If a hearing is to be held, the dean will give the parties no less than five (5) working days notice. The undergraduate student and/or faculty member shall be allowed to bring an advisor to the hearing, but legal counsel shall not be permitted. Cross-examination of witnesses shall be permitted, but the dean may require that questions be directed through the dean.

2.3.4. At the dean's ~~his or her~~ discretion, the dean may convene an advisory committee to hold a hearing or otherwise help the dean ~~him or her~~ evaluate the dispute. For this purpose, the dean may utilize a standing committee appointed within the dean's college.

2.3.5. The dean shall issue a written decision explaining the dean's ~~his or her~~ findings, conclusions, and reasons for the decision. The decision shall be sent to each party, and to the faculty member's chair. The decision shall be made within twenty (20) working days ~~three weeks~~ after the complaint is filed, unless an informal hearing is held, in which case the decision shall be made within thirty (30) working days ~~four weeks~~. (This period may be extended to allow for UNM holidays or other periods when UNM is not in session.) The chairperson or dean cannot overrule a faculty member's academic judgment.

2.4. Appeal of Formal Decision

During the appeal process, the Provost, President, and/or Board of Regents cannot overrule a faculty member's academic judgment.

2.4.1. Appeal to Provost or Chancellor

Either party may appeal the dean's decision to the Provost or Chancellor within ten (10) working days of receipt of the decision. The Provost or Chancellor or designee shall resolve the grievance utilizing any procedures available to the dean set out above. At the Provost's or Chancellor's discretion, the Provost or Chancellor ~~his or her~~ may refer the matter to the Faculty Ethics and Advisory Committee for consideration of disciplinary action against the faculty member involved, if such action appears warranted.

2.4.2. Appeal to the President

~~The President has the discretionary authority to review all decisions by the senior administrators. A request for a review by the President shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office seven (7) ~~ten (10)~~ working days of the date of the written decision from the last reviewer.~~

2.4.2. Appeal to the Board of Regents

In accordance with Regent Policy 1.5 "Appeals to the Board of Regents," students affected by a decision of the administration, faculty, student government, or hearing board may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within ~~ten (10)~~ seven (7) working days of the date of the written decision from the last reviewer.

Article 3. Academic Dishonesty

3.1. Scope

This article sets forth procedures which shall be followed in cases of suspected academic dishonesty as defined in the Definitions Section of this Policy. These procedures are not exclusive; various UNM departments and programs may have additional policies and procedures on academic dishonesty.

3.2. Academic Dishonesty within Courses: Faculty-Imposed ~~Sanctions~~ Consequences

3.2.1. When a violation of the academic dishonesty rules appears to have occurred within the academic process, the faculty member shall discuss the apparent violation with the undergraduate student as soon as possible and give the undergraduate student an opportunity to explain. ~~After this discussion,~~ The faculty member may impose an appropriate consequence ~~sanction~~ within the scope of the academic activity, such as grade reduction and/or involuntary withdrawal from the course. The faculty member shall notify the undergraduate student of the

academic **consequence** sanction. The faculty member should contact the Dean of Students Office to see if there are any prior incidents of academic dishonesty on file for that student.

3.2.2. The faculty member ~~should~~ **may** report the matter to the Dean of Students Office, by ~~using the faculty adjudication form provided by that office or~~ submitting written documentation describing the events and indicating if he/she **the faculty member** wishes the Dean of Students Office to pursue any additional disciplinary action against the undergraduate student. The faculty member may use the Dean of Students Office's faculty adjudication form in submitting the written documentation. The Dean of Students Office will notify the undergraduate student of the report, and the undergraduate student may request a copy of the report from Dean of Students Office. ~~A copy of such report shall be sent by the Dean of Students Office to the student.~~ In cases where the undergraduate student has multiple findings of academic dishonesty, the Dean of Students Office may initiate additional disciplinary action in accordance with the Policy.

3.2.3. The **undergraduate** student may challenge a faculty-imposed **consequence** ~~sanction~~ using the process defined in section **2.3** herein.

3.3. Academic Dishonesty in Other Settings

When academic dishonesty occurs other than in connection with a course, the person who observes or discovers the apparent violation ~~shall~~ **may** transmit a statement describing the occurrence in writing to **the appropriate faculty member or** Dean of Students. The Dean of Students Office will notify the undergraduate student of the report, and the undergraduate student may request a copy of the report from Dean of Students Office. ~~A copy of such report shall be sent by the Dean of Students Office to the student.~~ The faculty member or Dean of Students will address the situation in accordance with sections 3.2.1 or 3.4 herein, respectively.

3.4. Sanctions Imposed by the Dean of Students

Upon receiving a report of academic dishonesty pursuant to section 3.3 herein, the Dean of Students may initiate disciplinary action in accordance with this Policy. In some instances, a faculty member may impose academic consequences and the undergraduate student may also be sanctioned by the Dean of Students for violating the Student Conduct Policy. A decision of the Dean of Students may be appealed in accordance with Section 5.7 herein.

Article 4. Allegations of Discrimination and/or Sexual Harassment

UNM urges any individual who has experienced discrimination, sexual harassment, sexual misconduct and/or sexual violence, or has knowledge about such an incident, to report the incident to the Title IX Coordinator at Office of Equal Opportunity within 24 hours, or as soon as reasonably practicable, by calling (505) 277-5251 or by email at oeounm@unm.edu. Confidential and/or anonymous reports can be made. Complaints can also be made to the UNM Ethicspoint Hotline 1-888-899-6092.

UNM recognizes that an individual who has experienced sexual misconduct may want to speak with someone on campus before deciding whether to report the incident to the police or OEO for investigation. UNM and community partners have developed a victim-centered and victim-controlled process. The following centers are designated advocacy and support sites for those

students who have experienced all types of crimes or violence including sexual misconduct. Students who utilize these centers may talk with anonymity to individuals employed at these centers. However, these centers will report the nature, date of report and general location of the incident to the Clery Act Compliance Officer. in OEO.

- LoboRESPECT Advocacy Center – Phone Number: (505)277-2911 Website: <https://loborespect.unm.edu/>
- LGBTQ Resource Center – Phone Number: (505)277-5428 Website: <https://lgbtqrc.unm.edu>
- Women’s Resource Center – Phone Number (505)277-3716 Website: <https://women.unm.edu>

4.1. Scope

This article sets forth the procedures which should be followed when there are allegations that an undergraduate student has engaged in an act of discrimination or sexual harassment, which ~~by definition~~ includes sexual misconduct and sexual violence.

4.2. Reporting to/and Investigation by the Office of Equal Opportunity (OEO)

4.2.1. Allegation(s) that a student has engaged in an act of discrimination or sexual harassment will be referred to UNM’s Office of Equal Opportunity (OEO) for investigation pursuant to OEO’s Discrimination Claims Procedure.

NOTE #1: Propose deletion of OEO procedures which are governed by OEO Claims Procedures—see proposed deleted text at end of this document.

4.2.2. OEO has no sanctioning authority. If the respondent is an undergraduate student other than an HSC undergraduate student and is found to have violated policy, OEO will refer the matter to the Dean of Students Office to determine the sanction to be imposed, as defined through Regent Policy 4.2 “Student Code of Conduct.” If the respondent is an HSC undergraduate student, OEO will refer the matter to the applicable HSC dean to determine the sanction. Before determining sanctions for sexual discrimination, the applicable HSC dean should consult with the Dean of Students to ensure consistency of sanctions pertaining to OEO findings. Sanctions should be designed to eliminate the misconduct, prevent its recurrence, and remedy its effects, while supporting UNM’s educational mission and obligations under UNM policy and state and federal law, including but not limited to Title IX of the Education Amendments of 1972, the Civil Rights Act of 1964, and the New Mexico Human rights Act.

If the respondent is a faculty member, OEO will refer the matter to the faculty member’s department chair to determine the sanction to impose in accordance with Faculty Handbook Policy C07 “Faculty Discipline.” If the respondent is a staff member, OEO will refer the matter to the staff member’s supervisor to determine the sanction to be imposed in accordance with University Administrative Policy 3215 “Performance Management.”

4.3. Appeals

4.3.1. Appeal OEO Findings to the UNM President

Students may appeal a final determination issued by OEO to the President within five (5) working days of the date of issuance of the final determination from OEO. Refer to the OEO Discrimination Claims Procedures for allowable grounds for appeal and procedures.

4.3.2. Appeal of Sanctions Issued by the Office of the Dean of Students

Decisions regarding a sanction of suspension, expulsion or banning from campus or results in a significant interruption toward degree completion. imposed by the Office of the Dean of Students for violations of the University's prohibition against discrimination may be appealed to the Office of the President. The appeal must be in writing, contain a statement of the sanction (s) being appealed and the grounds therefore, and must be received at the Office of the President within seven (7) working days of the date of the written decision from the Office of the Dean of Students. Either the sanctioned student or complainant may appeal a sanctioning decision in cases involving sexual discrimination, sexual harassment, sexual misconduct, or sexual violence. Only the sanctioned student may appeal a sanctioning decision in cases involving discrimination that is not related to sexual harassment, sexual misconduct, or sexual violence.

Appeals of sanctions issued for violations of the University's prohibition against discrimination, including sex discrimination, sexual harassment, sexual misconduct, or sexual violence, are only permissible if the grounds for such appeal are that: 1) there was significant procedural error of a nature sufficient to have materially affected the outcome; 2) the decision was not in accordance with the evidence presented; 3) there is significant new evidence of which the appellant was not previously aware, that the appellant would not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome ; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

4.3.3. Appeal of Sanctions Issued by the Applicable HSC Dean

Decisions regarding HSC undergraduate students receiving a sanction of suspension, expulsion or banning from campus or results in a significant interruption toward degree completion. imposed by the applicable HSC dean for violations of the University's prohibition against discrimination may be appealed to the HSC Chancellor. The appeal must be in writing, contain a statement of the sanction (s) being appealed and the grounds therefore, and must be received at the Office of the Chancellor within seven (7) working days of the date of the written decision from the applicable HSC dean. Either the sanctioned student or complainant may appeal a sanctioning decision in cases involving sexual discrimination, sexual harassment, sexual misconduct, or sexual violence. Only the sanctioned student may appeal a sanctioning decision in cases involving discrimination that is not related to sexual harassment, sexual misconduct, or sexual violence.

Appeals of sanctions issued for violations of the University's prohibition against discrimination, including sex discrimination, sexual harassment, sexual misconduct, or sexual violence, are only permissible if the grounds for such appeal are that: 1) there was significant procedural error of

a nature sufficient to have materially affected the outcome; 2) the decision was not in accordance with the evidence presented; 3) there is significant new evidence of which the appellant was not previously aware, that the appellant would not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome ; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

4.3.3.1. Discretionary Appeal to the UNM President

The President has the discretionary authority to review the decision of the HSC Chancellor. A request for a review by the President shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) ~~ten (10)~~ working days of the date of the written decision from the last reviewer.

4.3.1. Appeal to the Vice President for Student Affairs

The decision on sanctions made by the Dean of Students Office may be appealed to the Vice President for Student Affairs ~~if the sanction imposed is suspension, expulsion or banning from the campus or results in a significant interruption toward degree completion.~~ The undergraduate student must submit a written request for appeal to the Vice President for Student Affairs within ten (10) working days of the date of the written decision from the Dean of Students. The Vice President for Student Affairs will send written notification of the decision to the appealing party within ten (10) working days of receiving the request for appeal. A copy of the decision shall be sent to the Dean of Students.

4.3.2. Appeal to the President

The President has the discretionary authority to review all decisions by senior administrators. A request for a review by the President shall be made in writing and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within ~~ten (10)~~ seven (7) working days of the date of the written decision from the last reviewer.

4.3.4. Appeal to the Board of Regents

In accordance with Regent Policy 1.5 "Appeals to the Board of Regents," students affected by a decision of the administration, faculty, student government, or hearing board may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within ~~ten (10)~~ seven (7) working days of the date of the written decision from the last reviewer.

4.4. Disciplinary Information Provided to Victim of Violence or a Non-forcible Sex Offense

Upon written request, Dean of Students UNM, to the extent permitted by the federal Family Educational Rights and Privacy Act (FERPA), will disclose to the individual who alleges that they were subjected to a crime of violence or a nonforcible sex offense the final results of the disciplinary proceedings conducted by UNM issued to the undergraduate student who is the alleged perpetrator of the offense(s) alleged. If the individual who is alleged to have been subjected to the crime of violence or nonforcible sex offense at issue is deceased as a result of

such offense(s), the next of kin of such individual shall be treated the same as that individual for the purpose of disclosing the final result of the disciplinary proceedings.

Additionally, in cases of sexual violence as described herein, the respondent and inquiring parties have the right to be notified in writing of the final determination and any sanctions imposed to the extent permitted by the federal Family Educational Rights and Privacy Act (FERPA).

NOTE #2: Propose deletion of Rights of Complainants Alleging Sexual Violence because they are governed by OEO Claims Procedures—see proposed deleted text at end of this document.

Article 5. Allegations of Student Misconduct NOT Involving Discrimination or Sexual Harassment.

5.1. Scope

This article sets forth the procedures which should be followed when there are allegations that an undergraduate student violated Regent **Policy 4.2** “Student Code of Conduct” or other UNM policy not involving discrimination or sexual harassment, which are addressed in Article 4 herein.

5.2. Referral of Misconduct to Dean of Students Office for Non-HSC Students

Allegations of misconduct in violation of the Student Code of Conduct or other UNM policy must be in writing and submitted to the Dean of Students Office which has primary authority to deal with disciplinary matters pertaining to undergraduate students other than HSC undergraduate students. Complaints of alleged misconduct should be submitted as soon as possible after the event takes place, preferably within sixty (60) calendar days. Absent just cause, complaints must be submitted within one (1) year following discovery of the suspected misconduct.

The standard of proof utilized to resolve misconduct violating the Student Code of Conduct ~~and Visitor Code of Conduct~~ charges shall be that of preponderance of the evidence, meaning that the evidence, considered in its entirety, indicates that, more likely than not, the accused undergraduate student (or chartered student organization) ~~or visitor~~ violated UNM policy or the Code of Conduct. Charges will be resolved in accordance with the Dean of Students Procedures. The Dean of Students may refer the complaint to the Student Conduct Officer for review, investigation, and/or resolution. A decision, in most cases, will be rendered within sixty (60) calendar days of the filing of a complaint. This date can be modified at the discretion of the Dean of Students ~~or the Student Conduct Officer~~ if deemed necessary such as to conduct a hearing that protects the rights of all parties. Decisions of the Dean of Students pertaining to undergraduate students are subject to appeal in accordance with Section 5.5 herein.

5.2.1. Options for Resolving the Charges

Upon referral, or upon the Student Conduct Officer's his or her own initiative, the Student Conduct Officer may review relevant evidence and consult with the person referring the allegation, the undergraduate student accused, and any witnesses. The Student Conduct Officer will send written notification to the accused undergraduate

student indicating the nature of the activity in which the undergraduate student was allegedly involved, and what UNM rules were allegedly violated. The undergraduate student will be given the opportunity to meet with the Student Conduct Officer to review the options for resolving the charges.

If the undergraduate student fails to attend the meeting, the Student Conduct Officer may decide the charges based upon the information available and/or place a hold on the undergraduate student's registration. The accused undergraduate student will also be offered one or more of the following options to resolve the charges; however, the Student Conduct Officer is authorized to refer the charges for a formal hearing before the Student Conduct Committee even if the undergraduate student does not elect a formal hearing. If an undergraduate student fails to select an option, the Student Conduct Officer will decide which hearing process will be followed. The options for resolving the charges are:

5.2.1.1. Mediation: This option is reserved for situations where all relevant parties in an incident agree to have a conflict resolved through mediation and sign an agreement to mediate. If all parties agree to this process and mediation is successful, a formal finding will not be issued with regard to the Student Code of Conduct charges. However, failure of the mediation process or failure to fulfill the terms of a final mediation agreement could lead to reactivation of these charges and additional disciplinary action. Mediation will not be used to resolve complaints alleging sexual violence.

5.2.1.2. Informal Disposition Conference: The accused undergraduate student and Student Conduct Officer will meet informally to discuss the alleged violation(s). If the substantive facts and sanction can be agreed upon, a disciplinary action agreement will be prepared by the Student Conduct Officer and signed by the accused undergraduate student. A signed disciplinary action agreement will constitute a waiver by the student of the right to an administrative hearing or formal hearing as well as any appeal, and an acceptance of the findings and sanction.

5.2.1.3. Administrative Hearing with the Student Conduct Officer: This option allows the accused undergraduate student to present evidence to the Student Conduct Officer for consideration and suggest witnesses that the Student Conduct Officer may consider interviewing before a decision is rendered. The Student Conduct Officer may contact other individuals who have knowledge about the incident giving rise to the charges. The party waives the right to question such individuals or otherwise participate in an evidentiary hearing. Administrative Hearings are not tape recorded. Within three (3) weeks of the completion of all witness interviews, the Student Conduct Officer will send the party charged a letter which indicates the finding in the case and any disciplinary sanction imposed. The Student Conduct Officer may find the party charged not responsible for violating the Student Code of Conduct, or may find the party responsible and impose a disciplinary sanction in accordance with Article 4 of the Student Code of Conduct.

5.2.1.4. Formal Hearing with the Student Conduct Committee: The Student Conduct Committee will hold a hearing when a party chooses the hearing option of a formal hearing before the Committee or when the Student Conduct Officer refers the matter to the Committee. This option allows the accused undergraduate student to respond to the charges, present witnesses on the student's his or her own behalf and question witnesses. Formal hearings are tape recorded. Within three (3) weeks of the conclusion of the hearing, the Student Conduct Committee will send the party charged a letter which indicates the finding in the case and any disciplinary sanction imposed. The Student Conduct Committee may find the party charged not responsible for violating the Student Code of Conduct, or may find the party responsible and impose a disciplinary sanction in accordance with Article 4 of the Student Code of Conduct.

A formal hearing with the Student Conduct Committee is conducted in accordance with the Dean of Students Hearing Procedures, approved by the UNM President, that ensure all the rights listed in section 6 herein.

Note #3: The above sentence results in proposed deletion of the detailed hearing procedures in the current policy; see proposed deleted text at end of this document.

Decisions of the Student Conduct Committee are subject to appeal to the Vice President for Student Affairs, as per Article 5.7.1 herein if the sanction imposed by the Committee is suspension, expulsion or banning from the campus

or results in a significant interruption toward degree completion. Per Section sections 5.7.2 and 5.7.3 the President and Board of Regents have discretionary authority to review decisions of the Student Conduct Committee and senior administrators.

The Student Conduct Committee will consist of three (3) members, ordinarily including one (1) undergraduate student, one (1) faculty member and one (1) staff member, with the Dean of Students serving as an additional, nonvoting member and Chair of the Student Conduct Committee. The undergraduate student, faculty member, and staff member of a Student Conduct Committee are drawn from a standing pool consisting of faculty members designated by the Faculty Senate President, staff members designated by the Staff Council President, and undergraduate student members designated by the Presidents of ASUNM and GPSA.

B. No one may serve on the Student Conduct Committee who has a conflict of interest or bias with respect to the case to be heard such that he or she cannot hear the case fairly and impartially, however, prior knowledge of the parties in the case or of the conduct that is the subject of the case does not itself constitute a conflict of interest or bias. Allegations that a member of the Committee has a conflict of interest or is biased shall be reviewed by the Dean of Students, whose decision is final.

C. A party charged may be found responsible for violating the Code of Conduct by a majority vote of the Student Conduct Committee.

5.2.1.5. When a case involves misconduct violating the Student Code of Conduct charges against more than one party, the Student Conduct Officer will determine whether to hold one hearing to resolve charges against all parties or hold separate hearings for each accused undergraduate student.

5.2.1.6. The Student Conduct Officer will prepare an Investigation Report for the Student Conduct Committee. The Investigation Report includes, among other things, summaries of interviews with the complainant, the accused undergraduate student and any third-party witnesses; photographs of the relevant site(s); other relevant evidence; and a detailed written analysis of the events in question. The Investigation Report will be provided to the Student Conduct Committee, the complainant, and the accused undergraduate student.

5.3. An undergraduate student allegedly committing a criminal offense under state or federal law that is also a violation of the Student Code of Conduct or other UNM policy may be subject to UNM disciplinary proceedings. UNM may pursue disciplinary action against an undergraduate student at the same time the undergraduate student is facing criminal charges for the same offense, even if the criminal prosecution is pending. UNM may also pursue disciplinary action even if criminal charges were dismissed, reduced or resolved in favor of the undergraduate student-defendant.

5.4. Unless otherwise specified in the decision, sanctions issued by the Dean of Students Office (not including an Emergency Suspension as outlined in in section 5.5 herein) shall not be implemented until the appeal process as set forth under section 5.7 herein is completed.

5.3. Referral of Misconduct to Applicable HSC Dean for HSC Undergraduate Students

Allegations of misconduct in violation of the Student Code of Conduct, HSC Student Conduct policies, or other UNM policy must be in writing and submitted to the applicable HSC dean. Complaints of alleged misconduct should be submitted as soon as possible after the event takes place, preferably within sixty (60) calendar days. Absent just cause, complaints must be submitted within one (1) year following discovery of the suspected misconduct.

The standard of proof utilized to resolve misconduct charges shall be that of preponderance of the evidence, meaning that the evidence, considered in its entirety, indicates that, more likely

than not, the accused undergraduate HSC student violated UNM or HSC policies. The applicable HSC dean will render a decision within sixty (60) calendar days of the filing of a complaint. This date can be modified at the discretion of the dean if deemed necessary such as to conduct a hearing that protects the rights of all parties.

An undergraduate student allegedly committing a criminal offense under state or federal law that is also a violation of the Student Code of Conduct or other UNM policy may be subject to UNM disciplinary proceedings. UNM may pursue disciplinary action against an undergraduate student at the same time the undergraduate student is facing criminal charges for the same offense, even if the criminal prosecution is pending. UNM may also pursue disciplinary action even if criminal charges were dismissed, reduced or resolved in favor of the undergraduate student-defendant.

5.4. Emergency Suspension and Banning from Campus

The Dean of Students may immediately suspend an undergraduate student (or chartered student organization) and/or ban an undergraduate student ~~or visitor~~ if the Dean concludes that the person's continued presence on the campus may endanger persons or property or may threaten disruption of the academic process or other campus functions. When a person has been immediately suspended or banned by the Dean of Students, the person may request to meet with the Dean to consider whether the emergency suspension should be continued. ~~The meeting shall be held as soon as possible (no later than one week) after the request. The Dean of Students shall give the person an opportunity to explain his or her position and shall receive evidence or hear from witnesses with pertinent information, if requested by the person. In the case of a chartered student organization, the Dean will meet, if requested, with the organization's president or other designated officer.~~

~~C. After the meeting, if the Dean finds that the person's continued presence may endanger persons or property or threaten disruption of the academic process or other campus functions, the Dean shall continue the suspension and/or ban. Otherwise, the emergency suspension and/or ban shall be revoked or modified.~~

For undergraduate students and chartered student organizations, an emergency suspension or banning does not end the disciplinary process. Resolution of the charges will proceed as set forth herein. ~~Visitors will normally be given the opportunity to meet with the Dean of Students to discuss alleged violations of the Visitor Code of Conduct prior to a decision concerning the visitor's final status on campus. For visitors, the Dean of Students will decide whether to maintain an emergency ban and make it permanent, or modify or end the emergency ban, ordinarily after giving the visitor an opportunity to meet. The decision of the Dean of Students concerning a visitor is final.~~

5.5. Appeals, Records, and Rights

5.5.1. Appeal of Sanctions by Issued by Dean of Students ~~to Vice President for Student Affairs~~

The decision on sanctions pertaining to undergraduate students made by the Dean of Students may be appealed to the Vice President for Student Affairs if the sanction imposed by the Committee is suspension, expulsion or banning from the campus or results in a significant interruption toward degree completion. The undergraduate student must submit a written request for appeal to the Vice President for Student Affairs within ~~ten (10)~~ seven (7) working days of the date of the written decision from the Dean of Students. The grounds for appeal to the Vice President are that: 1) there was significant procedural error of a nature sufficient to

have materially affected the outcome; 2) the decision was not in accordance with the evidence presented; 3) there is significant new evidence of which the appellant was not previously aware, that the appellant would not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome ; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed. ~~or the Student Conduct Committee. A complainant may appeal to the Vice President only in cases involving alleged sexual violence.~~

The Vice President for Student Affairs will send written notification of the decision to the appealing party within seven (7) ~~ten (10) working days two weeks~~ of receiving the request for appeal. A copy of the decision shall be sent to the Dean of Students.

The grounds for appeal to the Vice President are the same as for an appeal to the Dean of Students (see Article 7.1(A)). On appeal the Vice President for Student Affairs shall review the decisions of the Student Conduct Officer, Student Conduct Committee and/or the Dean of Students. The Vice President for Student Affairs may meet with the party appealing to discuss the reasons for the appeal.

C. After reviewing the case, the Vice President for Student Affairs may:

- i. Affirm or overturn the findings of the Dean of Students or the Student Conduct Committee;
- ii. Affirm or alter the sanction imposed by the Dean of Students or the Student Conduct Committee; or
- iii. Remand the case to the original tribunal (Student Conduct Committee or Student Conduct Officer) for further proceedings. A remand will generally occur where new evidence is to be reviewed or as otherwise determined by the Vice President for Student Affairs. Where a case is remanded, the decision of the Student Conduct Committee or Student Conduct Officer may be appealed after rehearing to the Vice President for Student Affairs.

5.7.2. Appeal to the President

The President has the discretionary authority to review all decisions by senior administrators. A request for a review by the President shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within ten (10) ~~seven (7)~~ working days of the date of the written decision from the last reviewer.

5.5.2. Appeal of Sanctions Issued by the Applicable HSC Dean

Decisions regarding HSC undergraduate students receiving a sanction of suspension, expulsion or banning from campus or results in a significant interruption toward degree completion imposed by the applicable HSC dean for violations of UNM or HSC policies may be appealed to the HSC Chancellor. The undergraduate HSC student must submit a written request for appeal to the Office of the HSC Chancellor within seven (7) ~~ten (10)~~ working days of the date of the written decision from the applicable HSC dean. The grounds for appeal to the HSC Chancellor are that: 1) there was significant procedural error of a nature sufficient to have materially affected the outcome; 2) the decision was not in accordance with the evidence presented; 3) there is significant new evidence of which the appellant was not previously aware, that the appellant would not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome ; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

The HSC Chancellor will notify the appealing party of the Chancellor's decision within ten (10) working days of receiving the request for appeal. A copy of the decision shall be sent to the applicable HSC dean.

5.5.2.1. Discretionary Appeal to the UNM President

The President has the discretionary authority to review the decision of the HSC Chancellor. A request for a review by the President shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) ~~ten (10)~~ working days of the date of the written decision from the last reviewer.

5.5.3. Appeal to the Board of Regents

In accordance with Regent Policy 1.5 "Appeals to the Board of Regents," students may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered." A request for a review by the Board of Regents shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within ~~ten (10)~~ seven (7) working days of the date of the written decision from the last reviewer.

Article 6. General Provisions

The following provisions are applicable to all portions of this Policy

6.1. Undergraduate Student ~~and Visitor~~ Conduct Records

Records regarding undergraduate student conduct shall be kept in the Dean of Students Office for a period of ten (10) years after final disposition, except for records of expulsions which shall be permanently maintained. ~~Records regarding action taken against visitors to UNM may be permanently maintained. Tape recordings of Student Conduct Committee hearings will be maintained in the Dean of Students Office for the same time period as the written records pertaining to the case. Copies of the final decision shall, in an academic dishonesty case, be sent to the faculty member.~~

6.2. ~~Rights of those Charged with Violations~~ the Parties Participating in ~~Student Code of Conduct~~ Grievances

~~Rights of Those Charged~~
~~Rights of Complainants~~

The rights of the parties participating in grievances as provided herein include:

6.2.1. The party charged with an alleged violation has the right to written notice of the charges at issue in the proceeding that contains sufficient detail and time to prepare for a hearing.

6.2.2. The party charged with an alleged violation has the right to a timely hearing before an appropriate official or committee.

6.2.3. The party charged with an alleged violation has the right to know the nature and source of the evidence used in a hearing process.

6.2.4. Both parties have the right to present evidence ~~in~~ on their ~~his or her~~ own behalf.

6.2.5. Both parties have the right to choose not to testify and/or not to answer questions; in such cases, the decision maker will decide the charges based upon all of the evidence presented.

6.2.6. Subject to the limits set forth in this Policy, both parties have the right to be accompanied by an advisor at a hearing. The advisor may be an attorney retained by a party at their ~~his or her~~ own expense. The advisor, including an attorney advisor, cannot act as a representative of the advisee, cannot have a voice in meetings or hearing and therefore is not permitted to present arguments or evidence or otherwise participate directly in meetings or hearing.”

6.2.7. The party alleging that the accused undergraduate student engaged in misconduct has the right to submit a victim impact statement to the hearing officer or committee during the sanctioning portion of the discipline process.

6.2.8. The party alleging that the accused undergraduate student engaged in misconduct has the right to have past irrelevant behavior excluded from the discipline process.

6.2.9. Both parties have the right to be free from retaliation for having made an allegation of misconduct or having participated in a grievance under this procedure. See UAP Policy 2200 “Reporting Suspected Misconduct and Whistleblower Protection from Retaliation.”

6.3. Variances

6.3.1. Introduction

This Policy, ~~These Student Grievance Procedures~~ to the extent applicable, shall apply to all UNM units. Because of differences in administrative structure, however, some modifications to these rules are necessary. The following sections identify those modifications.

6.3.2. Health Sciences Center

Undergraduate students in academic programs in the Health Sciences Center (HSC) have adopted student codes of conduct (including standards of professionalism) with which undergraduate students in those academic programs must comply, in addition to the UNM Student Code of Conduct and other UNM policies. Except for allegations of discrimination or sexual harassment, which shall be referred to the UNM OEO Office as provided in Article 4 herein, to the extent that HSC academic programs have adopted policies and procedures that govern the adjudication of undergraduate student conduct and undergraduate student grievance matters, those policies and procedures supersede this Policy. A decision by the dean of the School of Medicine, College of Pharmacy, College of Nursing, or College of Population

Health may be appealed to the HSC Chancellor, or his or her designee, under procedures adopted by the Chancellor's Office.

Discretionary review by the UNM President and Board of Regents, as provided for in Section 5.7 herein, is accorded to undergraduate students in academic programs in the HSC.

~~Academic programs in the School of Medicine, College of Pharmacy and College of Nursing may, at their discretion, refer cases of alleged student misconduct to the UNM Dean of Students for review and possible action under the UNM Student Code of Conduct, except that allegations that a student in a Health Sciences Center academic program has engaged in any act of sexual violence shall be referred to the UNM Office of Equal Opportunity.~~

6.4. Former Students

These procedures apply to disputes between undergraduate students and other members of the UNM community. If the undergraduate student has left the UNM community (by graduation or otherwise), these procedures shall continue to apply so long as the event giving rise to the dispute occurred while the student was a member of the UNM community and so long as UNM has the power to resolve the matter. UNM retains the right to change grades or rescind degrees, when, after the grade or degree has been awarded, it discovers new information indicating that the grade or degree was not earned in accordance with all UNM academic, student conduct and other applicable requirements and policies.

6.5. Designees of Deans, Vice Presidents, Vice Chancellors, or Senior Level Administrators

Whenever this Policy specifies an action or decision by a college/school dean, the Dean of Students, a vice president, a vice chancellor, or other senior level administrator, that individual may delegate consideration and decision of the matter to a designee. Such designee will normally be, but is not required to be, a member of the decision maker's staff.

Below are sections that are proposed to be deleted:

NOTE #1 Propose deletion of the following OEO procedures from Section 4.4 of current policy because they are governed by OEO Claims Procedures

~~A. A complaint alleging that a student has engaged in an act of sexual violence, as defined in footnote 1 herein, or sexual harassment, as defined in University Administrative Policy #2730, will be referred to the University's Office of Equal Opportunity (OEO) for investigation pursuant to OEO's Discrimination Claims Procedure. OEO will issue a Final Letter of Determination finding either No Probable Cause or Probable Cause that the accused student has committed an act of sexual violence or otherwise violated the University's prohibition against sexual harassment. The accused student and complainant have the right to appeal OEO's Final Letter of Determination as provided for in OEO's Discrimination Claims Procedure.~~

~~B. If Probable Cause is found that a student committed an act of sexual violence or sexual harassment, OEO will refer the matter to the Dean of Students Office to determine the sanction to be imposed. Sanctions should be designed to eliminate the misconduct, prevent its recurrence, and remedy its effects, while supporting the University's educational mission and obligations under Title IX. Ordinarily, after consulting with the accused student, the Student Conduct Officer will decide which of the options set forth in Section 4.2(B) herein will be utilized to determine the sanction. The options of an administrative hearing with the Student Conduct Officer and the formal hearing with the Student Conduct Committee will be modified as appropriate so as to focus solely on determining what sanction(s) to impose.~~

~~C. The decision on sanctions made by either the Student Conduct Officer or Student Conduct Committee may be appealed as provided for by Article 7 herein, except that the only permissible grounds for appeal is that there was significant procedural error of a nature sufficient to have materially affected the outcome of the sanction decision, and/or the severity of the sanction is grossly disproportionate to the violation(s) committed. Both the accused student and the complainant may appeal the sanction decision. Neither the accused student nor the complainant may appeal the findings and determination made by OEO in the Article 7 appeals process.~~

~~D. If OEO finds No Probable Cause that a student committed an act of sexual violence or sexual harassment, OEO will refer the matter to the Dean of Students Office for review to determine whether charges under any other provisions of the UNM Student Code of Conduct are warranted or other action should be taken.~~

NOTE #2: Propose deletion of the following Rights of Complainants Alleging Sexual Violence because they which are governed by OEO Claims Procedures

~~7.6. Rights of Complainants Alleging Sexual Violence~~

~~Because of the serious nature of the alleged action, in addition to the rights listed in Article 7.5, complainants alleging sexual violence also have these additional rights:~~

~~A. The right to request to be permitted to testify from another room or in such a way as to be visually screened from the accused student.~~

~~B. The right to know the nature and source of the evidence used in a hearing process and to submit evidence and suggest witnesses, consistent with the rights of the accused.~~

~~C. The right to be notified in writing of the final determination and any sanctions imposed to the extent permitted by the federal Family Educational Rights and Privacy Act (FERPA).~~

~~D. The right to be informed of options to notify law enforcement authorities on and off campus as to the incident and to be assisted in doing so by campus officials. Criminal complaints filed with law enforcement are investigated separately from the student disciplinary process.~~

~~E. The right to be informed about other resources on campus, including UNM's Office of Equal Opportunity, Student Health and Counseling, and the Women's Resource Center.~~

~~F. The right to be informed of interim measures available to assist the complainant during the disciplinary process, for example, making reasonable changes in academic and/or on-campus living situations, and providing counseling or security escort service on campus.~~

~~G. The right to have past sexual history excluded as evidence unless the Dean of Students makes a specific finding that it is relevant.~~

~~H. The right to appeal a decision of the Student Conduct Officer or the Student Conduct Committee, subject to the same requirements and limitations as the accused.~~

Note #3: Propose deletion of the following rules for hearings because hearings will follow Model Hearing Procedures approved by the President.

~~The following rules shall apply to formal hearings conducted by Student Conduct Committee:~~

~~6.1 The hearing shall be closed, unless the Dean of Students decides to let others attend if he or she deems that their presence may be helpful to the review and determination of the charges, or if there are other compelling reasons for their presence.~~

~~6.2. The accused student, the complainant and their advisors, if any, shall be allowed to attend the entire portion of the hearing at which information is received (excluding deliberations).~~

6.3. The accused student and the complainant may each have an advisor (including an attorney) attend the hearing. The role of the advisor is to provide his or her advisee with support and counsel regarding the process. The advisor (including an attorney advisor) cannot act as a representative of his or her advisee, cannot have a voice in the hearing and therefore is not permitted to present arguments or evidence or otherwise participate directly in the hearing.

6.4. Student Conduct Committee members may question the accused student, the complainant and any witnesses.

6.5. The accused student has the right, within reasonable limits set by the Dean of Students to question all witnesses who testify. The Dean of Students may also permit the complainant to question the witnesses, within reasonable limits. However, the accused student and the complainant will not be permitted to directly question each other in hearings to determine the sanction to be imposed on a student for whom UNM's Office of Equal Opportunity has issued a Probable Cause determination under Article 4.4 herein. Questions for the accused student and the complainant from the other party may be suggested by each of them to the Student Conduct Committee who will decide whether to pose them.

6.6. The accused student and the complainant may each request the presence of witnesses at the hearing by informing the Dean of Students of their names and expected testimony at least five business days before the hearing. Based upon the Investigation Report, the Student Conduct Committee may call witnesses not identified by either the complaint or the accused student. The Dean of Students may refuse to call a requested witness if he or she determines that the expected testimony is not sufficiently relevant to the charges, would be duplicative of other testimony, or would otherwise not be significantly helpful to the review and determination of the charges. The Dean of Students will try to arrange the attendance of witnesses who are members of the University community (students, staff and faculty). The accused student and complainant are responsible for arranging the attendance of persons from outside of the University. The Student Conduct Committee has no subpoena authority. The accused student and complainant will each receive a list of witnesses called to testify at least three business days before the hearing.

6.7. The accused student and the complainant may each submit pertinent documentary evidence for consideration by the Student Conduct Committee at least five business days before the hearing. As with witnesses, the Dean of Students may, for the reasons cited in Article 6.6, decline to accept a party's evidence. Both parties will be provided access to all documentary evidence accepted, consistent with the federal Family Educational Rights and Privacy Act (FERPA).

6.8. The Student Conduct Committee may proceed independently to secure evidence for the hearing. Both parties will have an opportunity to review any such evidence at least three business days before the hearing, consistent with the federal Family Educational Rights and Privacy Act (FERPA).

6.9. The hearing will be tape recorded and the Dean of Students Office will keep the tape(s). The tape is the property of the University. No typed record will be made.

6.10. The rules of evidence used in civil or criminal trials are not applicable to formal hearings conducted by the Student Conduct Committee.

6.11. Within three weeks of the conclusion of the hearing, the Student Conduct Committee will send the accused student a decision letter which includes the Committee's findings and any disciplinary sanction imposed. The Student Conduct Committee may find the party charged not responsible for violating the Code of Conduct, or may find the party responsible and impose a disciplinary sanction. As set forth in Article 7.6.C, in a case of alleged sexual violence, the complainant will also be notified of the Student Conduct Committee's decision, to the extent permitted by the federal Family Educational Rights and Privacy Act (FERPA).

6.12. The Student Conduct Committee may seek advice from the Office of University Counsel throughout the adjudication process on questions of law or procedure; however, factual determinations are the exclusive domain of the Committee.

6.13. Decisions of the Student Conduct Committee are subject to appeal to the Vice President for Student Affairs,

as per Article 7.2 herein, if the sanction imposed by the Committee is suspension, expulsion or banning from the campus.

Note #4: Propose deletion of the following procedures for appeal because they violate Regent Policies 1.5 and 4.3 pertaining to appeals.

~~10.4. Review by the President and the Board of Regents~~

~~A. The parties' right to appeal decisions under these procedures terminates where indicated herein. The President and the Board of Regents normally review appeals of student grievance or disciplinary decisions only in extraordinary cases, such as where proper procedures have apparently not been followed, where the decision appears to be unsupported by the facts, or where the decision appears to violate University policy.~~

~~B. Requests for review made to the President or the Board of Regents normally will be considered only after the avenues of appeal established herein have been exhausted. C. If review is granted, appropriate procedures shall be set by the President or the Board of Regents. The procedures shall be communicated to the parties in advance, and shall provide each party the opportunity to explain his or her position orally and/or in writing. New evidence (such as additional documents or testimony of witness) will not normally be taken by the President or Regents.~~

~~10.5. Conflict with Other Procedures~~

~~Except as otherwise stated herein, in the event this Student Grievance Procedure conflicts with previously adopted policies and procedures, these procedures shall take precedence.~~

HISTORY

May 13, 2014 – Revisions approved by the President
July 2, 2013 – Revisions approved by the President
June 19, 2001 – Revisions approved by the President
March 5, 1999 – Revisions approved by the President
May 1995 – Revisions approved by the President
May 1994 – Revisions approved by the Faculty Senate
August 11, 1987 – Approved by Board of Regents
May 2, 1987 – Approved by GSA Senate
April 1, 1987 – Approved by ASUNM Senate
March 10, 1987 – Approved by Faculty Senate

DRAFT HISTORY

[June 20, 2019—Draft revision updated to address campus comments.](#)

February 19, 2019 – Draft revision updated for FSPC changes in response to recommendations from Operations Committee.

February 9, 2019 – Draft revision updated with recommendation from Operations Committee for consideration by Policy Committee.

October 4, 2018 -- Draft revision updated to include latest review by Policy Committee

September 26, 2018 – Draft revision updated to include latest review by Policy Committee

June 23, 2017 – Draft revision updated to address campus comments and Policy Committee recommendations.

March 13, 2017 – Draft revisions to remove DOS procedures and other D175 Taskforce recommendations.

January 2, 2017—Draft revisions based on D175 Taskforce recommendations.

September 20, 2016—Draft revision developed to address inconsistencies between the Pathfinder and Faculty Handbook.

D176: Graduate and Professional Student Conduct and Grievance Policy

Approved By: Faculty Senate and UNM President

Last Updated: **Draft 8/1/19**

Responsible Faculty Committee: Faculty Senate Graduate and Professional Committee

Office Responsible for Administration: Graduate Studies and Dean of Students

Legend: Proposed text shown in red; proposed deletions shown in ~~strikeout~~.

Revisions to the Policy Rationale, Policy Statement, and Applicability sections of this document must be approved by the Faculty Senate and the UNM President after consultation with the GPSA President, Graduate Studies, and the Dean of Students.

POLICY RATIONALE

The University of New Mexico (UNM) is committed to academic excellence and student success. The Graduate Student Academic Grievance (GSAG) Procedures have been established to address ~~This Policy~~ provides procedures for resolution of complaints, disputes, or grievances of an academic nature initiated by students enrolled in graduate and professional degree programs at UNM. It also addresses allegations of discrimination or sexual harassment, and allegations of student misconduct, as well as procedures for handling student disciplinary matters. This Policy does not apply to undergraduate students in professional schools, which are subject to Faculty Handbook Policy D175 "Undergraduate Student Conduct and Grievance Policy."

POLICY STATEMENT

Whenever possible, it is important to take a supportive problem-solving approach to resolving academic disputes. However, UNM may take disciplinary action against a student for a violation of the Student Code of Conduct or other UNM policy when the offense occurs on UNM premises or at a UNM-sponsored event, or when the violation occurs off campus and failure to take disciplinary action is likely to disrupt the academic process or other campus functions, or endanger the health, safety or welfare of the UNM community or any individual student or employee.

1. Matters Covered under this Policy

The following types of disputes or disciplinary matters are covered by this Policy and handled in accordance with the procedures described in the Procedures Section of this document. Any questions about these procedures should be directed to Graduate Studies or the Office of the Dean of Students. Graduate Studies or the Dean of Students may create additional processes and procedures that are in accordance with this Policy to aid in administration of this Policy.

1.1. Petitions to Modify Academic Requirements due to unusual or extraordinary events.

1.2. Academic record disputes involving students seeking retroactive withdrawal, enrollment, or disenrollment, or for other academic record changes.

1.3. Academic disputes arising within the academic process, whereby a student believes that academic progress has been evaluated in an unfair or improper manner by a faculty member or academic program/department in connection with the academic process. For example, it applies to disputes over assignment of grades, decisions about program or degree requirements or eligibility, or claims that course requirements are unfair.

1.4. Allegations of Academic Dishonesty arising from violation of academic dishonesty rules as defined in the Definitions Section.

1.5. Allegations of Discrimination and/or Sexual Harassment

UNM urges any individual who has experienced discrimination, sexual harassment, sexual misconduct and/or sexual violence, or has knowledge about such an incident, to report the incident to the Title IX Coordinator at Office of Equal Opportunity (OEO) within 24 hours, or as soon as reasonably practicable, by calling (505) 277-5251 or by email at oeounm@unm.edu. Confidential and/or anonymous reports can be made (refer to Procedures Article 5 herein for reporting options). Complaints can also be made to the UNM Ethicspoint Hotline 1-888-899-6092. The UNM OEO is tasked with investigating allegations of discrimination, sexual harassment, sexual misconduct and/or sexual violence and determining whether anti-discrimination policy has been violated. If OEO determines that a graduate student has violated UNM anti-discrimination policy, disciplinary proceedings shall be handled under the Procedures set forth in Article 5 herein.

1.6. Allegations of Student Misconduct NOT Involving Discrimination or Sexual Harassment arising from violation of the Student Code of Conduct or other UNM policy.

2. Matters that may also be Covered under other UNM Policy

2.1. School of Law

Students attending the UNM School of Law must comply with the UNM Law School Bulletin and Handbook of Policies (Bulletin), in addition to this Policy. Allegations of academic misconduct, as enumerated in the Law School Student Code of Conduct (found in the Bulletin), are addressed by the processes defined in that Code. Other kinds of alleged misconduct, except for allegations of an act of discrimination or sexual harassment, may be addressed as described in the School of Law Administrative Due Process Policy and Procedure (found in the Bulletin). Allegations that a student in the School of Law has engaged in any discriminatory or sexual harassment as provided in Article 5. herein, shall be referred to the UNM OEO Office.

The Bulletin governs students enrolled in the Law School and to the extent this Policy differs from the policies and procedures in the Bulletin, the Bulletin supersedes this Policy. The School of Law may, refer cases of alleged student misconduct to the Dean of Students for review and possible action under the UNM Student Code of Conduct.

Discretionary review by the Board of Regents, as provided for in Procedures Sections 5.3 and 6.7 herein, is accorded to students in the School of Law.

2.2. Health Sciences Center

Graduate and professional students in academic programs in the Health Sciences Center (HSC) have adopted student codes of conduct (including standards of professionalism) with which students in those academic programs must comply, in addition to the UNM “Student Code of Conduct” and other UNM policies. Except for allegations of discrimination or sexual harassment, which shall be referred to the UNM OEO, to the extent that HSC academic programs have adopted policies and procedures the govern the adjudication of student conduct and student grievance matters, those policies and procedures supersede this Policy. A decision by the dean of the School of Medicine, College of Pharmacy, College of Nursing, or College of Population Health may be appealed to the HSC Chancellor, or designee, under procedures adopted by the HSC Chancellor's Office.

Discretionary review by the UNM President and Board of Regents, as provided for in Procedures Sections 5.3 and 6.7 herein, is accorded to graduate and professional students in academic programs in the HSC.

3. Matters Not Covered Under This Policy

3.1. Disputes involving access to or information in a student's educational records shall follow procedures set forth in the **UNM Student Records Policy**, published in the student handbook, *The Pathfinder*.

3.2. Grievances arising out of a student’s status as a UNM employee hired through the Student Employment Office shall follow procedures set forth in the **UNM Student Employee Grievance Procedure**, published in the student handbook, *The Pathfinder*.

3.3. Any student grievances concerning decisions made by UNM personnel, outside the academic process, for which specific procedures are not established, shall be resolved between the student and the office or department involved. If no resolution is reached, the parties may appeal to the appropriate dean or director and then to the appropriate vice president, Provost, or Chancellor. Appeals should be filed in writing within ten (10) working days of the decision.

3.4. Disputes arising from a graduate or professional student holding an assistantship shall follow procedures in the *Faculty Handbook*.

APPLICABILITY

All academic UNM units, including the Health Sciences Center.

Revisions to the remaining sections of this document may be amended with the approval of the Faculty Senate Policy and Operations Committees after consultation with the GPSA President, Graduate Studies, and the Dean of Students.

DEFINITIONS

Academic Dishonesty includes, but is not limited to, plagiarism (including self-plagiarism), dishonesty in quizzes, tests, or assignments; claiming credit for work not done or done by others; hindering the academic work of other students; misrepresenting academic or professional qualifications within or without UNM; and nondisclosure or misrepresentation in filling out applications or other University records.

Complaint refers to:

- request for informal resolution of academic matters in Procedures Section 3.3. herein;
- allegations of prohibited discrimination as defined herein filed with UNM's Office of Equal Opportunity; or
- allegations of misconduct referred to the Dean of Students per Procedures Section 6.2. herein.

Discrimination includes all forms of unlawful discrimination based on an individual's or group's protected class(es), including unlawful discrimination based on age (40 and over), ancestry, color, ethnicity, gender identity, gender/sex, genetic information, medical condition, national origin, physical or mental disability, pregnancy, race, religion, sexual orientation, spousal affiliation, veteran status and any other protected class as described in University Administrative Policy #2720. Sexual harassment is a form of gender discrimination that includes sexual violence, which is considered a severe form of sexual harassment. For purposes of this Policy, "discrimination" also includes retaliation for having made allegations of discrimination or sexual harassment, having participated in an investigation into allegations of discrimination or sexual harassment, or otherwise having engaged in opposition to unlawful discrimination or sexual harassment. Retaliation is explicitly prohibited under University Administrative Policies #2200, 2720, and 2740.

Graduate and Professional Student includes both full-time and part-time students pursuing graduate or professional studies. Student status continues for the entire period of enrollment, including UNM holidays, class breaks and summer session, if the student is enrolled for the preceding spring and following fall academic terms. This Policy does not apply to undergraduate students in professional schools.

Misconduct is any activity performed by a UNM graduate or professional student that violates state and/or federal laws or regulations, local ordinances, or UNM policy.

Office of Equal Opportunity or OEO is the UNM office that processes allegations of discrimination or sexual harassment as defined herein, including but not limited to investigating such allegations and making determinations as to whether or not UNM's policies prohibiting discrimination or sexual harassment have been violated. OEO does not issue sanctions for violations of policy.

Working Days refer to UNM traditional work days defined by UNM Human Resources as five (5) work days Monday through Friday ending at 5:00 PM. Working days do not include official UNM holidays listed in UAP Policy **3405** “Holidays.”

WHO SHOULD READ THIS POLICY

- Graduate and Professional Students
- Faculty members
- Staff in the Office of the Dean of Students
- Staff in the Office of Equal Opportunity
- Staff at Student Health and Counseling (SHAC)
- Administrative staff responsible for student events

RELATED DOCUMENTS

Regents Policy Manual

RPM 1.5 “Appeals to the Board of Regents”

RPM 4.2 “Student Code of Conduct”

RPM 4.3 “Student Grievances”

RPM 4.4 “Student Records”

RPM 4.8 “Academic Dishonesty”

Faculty Handbook

D75 “Classroom Conduct”

D100 “Dishonesty in Academic Matters”

D175 “Undergraduate Student Conduct and Grievance Policy”

University Administrative Policies Manual

2200 “Reporting Suspected Misconduct and Whistleblower Protection from Retaliation”

2720 “Prohibited Discrimination and Equal Opportunity”

2740 “Sexual Misconduct”

3405 “Holidays”

Pathfinder “Student Code of Conduct”

Office of Equal Opportunity **Discrimination Claims Procedure**

The School of Law Bulletin and Handbook of Policies (Bulletin)

<http://lawschool.unm.edu/academics/common/docs/bulletin-handbook-policies.pdf>

HSC School of Medicine, College of Pharmacy, College of Nursing, and College of Population Health Handbooks

CONTACTS

Direct any questions about this Policy to Graduate Studies or the Dean of Students.

PROCEDURES

Reasonable deviations from these procedures by UNM will not invalidate a decision or proceeding unless significant prejudice results.

UNM School of Law Students

Graduate and professional students attending the UNM School of Law must comply with the UNM Law School Bulletin and Handbook of Policies (Bulletin), in addition to this Policy (see section 2.1 in Policy Statement above for more information). To the extent these Procedures differ from the Bulletin, the Bulletin supersedes these Procedures. Pertaining to law students, the Dean of the Law School, or designee, has the same sanctioning authorities as granted to the Dean of Students, and may fulfill the responsibilities placed with the Dean of Graduate Studies.

Health Sciences Center Students (HSC)

Graduate and professional students in academic programs in the HSC must comply with applicable HSC student codes of conduct in addition to this Policy (see section 2.2 in Policy Statement above for more information). To the extent these Procedures differ from HSC student codes of conduct, the HSC student codes of conduct supersede these Procedures. Pertaining to HSC graduate and professional students, the Chancellor of the HSC, or designee, has the same sanctioning authorities as granted to the Dean of Students, and may fulfill the responsibilities placed with the Dean of Graduate Studies.

Article 1. Petition to Modify Academic Requirements

Graduate and professional students wishing to petition to modify academic requirements should contact the head of graduate and professional programs for their respective school or college. Graduate and professional students at the HSC wishing to petition to modify academic requirements should contact their school or college dean. Graduate and professional students at the Law School wishing to petition to modify academic requirements should contact the Associate Dean for Academic Affairs at the Law School.

1.1. Scope

Graduate students may petition the Dean of Graduate Studies for an exception to any of the University-wide policies or regulations specified in the *University Catalog*. Petitions are intended to allow students the opportunity to deal with unusual or extraordinary events, particularly circumstances beyond their control that would penalize them unfairly. It should be kept in mind, however, that a hallmark of fairness is the uniform application of the same standards and deadlines to all students.

1.2. Petition

A petition ~~should be initiated and signed by the student in the form of a memo or letter addressed to the Dean of Graduate Studies.~~ It should clearly state the specific nature of the exception or special consideration being requested and provide a complete but concise justification. If the request involves the extension of a deadline, a proposed new deadline date should be indicated. ~~Before considering a petition, the Dean will require that the student have an approved "Application for Candidacy" on file at the Office of Graduate Studies (OGS). If this has not already been submitted, both documents may be turned in~~

~~simultaneously, with the petition attached to the front.~~ Petitions must be submitted in the sequence listed below:

1.2.1. ~~1.~~ The student must first submit the petition to ~~his/her~~ the student's graduate or professional advisor or equivalent, if one is assigned to the student. The advisor should indicate whether ~~he/she~~ the advisor endorses the student's request, and why.

1.2.2. ~~2.~~ The petition must next be submitted to the student's graduate unit -- the faculty graduate director, the chair, or the departmental graduate committee, depending upon the practice in the particular unit. The student may choose to submit the petition to the graduate unit even if it was not endorsed by the advisor. The unit should also indicate whether it supports or does not support the student's request, and why.

1.2.3. ~~3.~~ The petition should then be forwarded to the school or college dean. ~~the Office of Graduate Studies.~~ The student may choose to submit the petition to school or college dean Graduate Studies ~~the OGS~~ even if it was not supported by ~~his/her~~ the student's academic unit. ~~In certain cases,~~ The school or college dean or ~~his/her~~ designee may ask the Faculty Senate Graduate and Professional Committee, serving in an advisory capacity, to review the petition and offer its recommendation for approval or disapproval. ~~The decision of the school or college dean is final.~~

A written response to a petition will usually be ~~mailed~~ sent to the student within ten (10) working days ~~two (2) weeks~~ from its receipt by the school or college dean ~~the OGS~~, and a copy sent to the academic unit. (This period may be extended to allow for UNM holidays or other periods when UNM is not in session.) The original petition will be retained in the student's file. ~~at the OGS.~~ Petitions that are lacking required documentation will be returned to the student, and will not be considered until all documentation has been received. ~~Inquiries regarding the status of a petition should be directed to the Academic Records Assistant at (505) 277-2714.~~

1.2.4. The student may appeal the dean's decision to the Provost/Chancellor and Board of Regents in accordance with Section 3.4 herein.

Article 2. Academic Record Disputes

2.1. Scope

This article sets forth the procedures which should be followed by a student seeking retroactive withdrawal, enrollment, or disenrollment, or for other academic record changes involving exceptions to the rules governing registration and academic records which are set forth in the UNM Catalog. It does not cover disputes involving academic judgment (e.g. grades).

2.2. Petitions

2.2.1. A student seeking a change in the student's academic record within the scope of this article shall submit a petition to Registrar's Office for consideration by the Faculty Senate Admissions and Registration Committee. The petition shall:

1. Include a statement of the nature of the request including why the student feels it should be granted.

2. Specify the semester involved and the subject/department code, course and section numbers.
3. Specify the student's name, UNM I.D. number, mailing address, email address and telephone number.
4. Include documentation of extenuating circumstances, such as medical, family, or employment needs.
5. Be typed and signed.
6. Optionally, include supporting statements from involved faculty and academic units.

2.2.2. Upon receipt of the petition, Registrar's Office shall forward a copy to the instructor of the course. The instructor shall make any response within fifteen (15) working days of receipt. If the instructor has not responded within fifteen (15) working days, the Faculty Senate Admissions and Registration Committee ("Committee") shall proceed to consider the petition without the instructor's response.

2.3. Committee Decision and Appeals Process

At the next regular meeting after receipt of the instructor's response (or lack of response), the Faculty Senate Admissions and Registration Committee shall take action on the petition. If the Committee denies the petition, it shall issue a brief statement giving the reasons for the denial. Absent any new information from the student, the Committee's decision shall be final. If the student has new information that was unavailable at the time the Committee made the decision and that may affect the Committee's decision of denying the petition, the student may request reconsideration from the Committee. The Committee's decision upon reconsideration is final for UNM.

Article 3. Academic Disputes

3.1. Scope

This article sets forth the procedures ~~The GSAG procedures are available~~ for resolution of a variety of possible issues related to the academic process. These may include, but are not limited to, issues related to progress toward a degree and allegedly improper or unreasonable treatment, except that disputes or grievances based upon alleged discrimination or sexual harassment should be directed to the Office of Equal Opportunity (OEO) in accordance with Article 5 herein. The procedures may not be used to challenge the denial of admission to a degree program, nor to appeal the refusal of a petition by the Dean of Graduate Studies for an exception to UNM-wide degree requirements, policies or procedures.

3.2. Informal Resolution

Although conflicts that on occasion occur between students and faculty or administrators may be resolved through formal adjudication, a more informal and productive kind of resolution -- one that is mutually agreed upon by the parties involved -- is strongly encouraged.

3.2.1. ~~1.~~ A student with a complaint related to academic matters is encouraged to consult with the Office of Graduate Studies to discuss his/her the concerns, seek to clarify pertinent rules and regulations governing graduate study, and explore constructive ways to resolve the problem

directly with the faculty member or administrator involved. This should occur as soon as reasonably possible after the student has become aware of the problem.

3.2.2. ~~2-~~ The student should then arrange a meeting with the faculty or administrator involved in the complaint to address the problem and to explore the possibility of a jointly achieved resolution.

3.2.3. ~~3-~~ If agreement cannot be reached, the student may seek the assistance of the departmental faculty graduate advisor and/or the chair in resolving the dispute. If the dispute is with a faculty member in a department different from the student's, the appropriate chair or advisor would be in the department in which the faculty member resides or in which the course in which the dispute arose was offered. It is expected that these administrators will play an active part in helping to resolve the disagreement. In the event that the graduate unit involved is non-departmentalized, the student may go directly to the school or college dean or director of that unit for assistance.

3.3. Formal Resolution of Academic Matters

4- If the matter cannot be resolved at the departmental level, the student may bring the problem to the attention of the school or college dean. The school or college dean will determine whether to adjudicate the dispute or to refer the student to the Dean of Graduate Studies for a resolution. If the dispute is with a faculty member in a school or college different from the student's, the appropriate dean would be the one in the unit in which the faculty member resides, or in which the course in which the dispute arose was offered. In the resolution of grievances at the level of a school or college dean or the Dean of Graduate Studies, the following procedures will apply. , as described also in the Pathfinder, under "Student Grievance Procedure," Sections 2.3.1.–2.3.7.

3.3.1. 4(a) The Student must submit a formal, written statement of his/her the grievance within ten (10) working days ~~two weeks~~ following completion of the informal discussions. This document should summarize the facts that support the grievance, indicate the desired resolution and describe the efforts already made at reaching that resolution, as well as their outcome. The faculty or staff member against whom a grievance has been filed will be sent a copy of the written statement, and will have five (5) working days ~~two (2) weeks~~ in which to respond in writing to the school or college dean.

3.3.2. 4(b) The school or college dean will review all written materials submitted and provide both parties the opportunity to review and respond to all evidence. The school or college dean will interview each party, as well as any other persons who may have relevant information. The school or college dean may elect to hold an informal hearing involving both the parties to the grievance and witnesses. If such a hearing is held, the parties will be given five (5) working days' notice. Each party will be allowed to bring an advisor to the hearing, who may or may not be an attorney, but the advisor may not participate in the hearing. ~~but will not be permitted legal representation.~~ Cross examination of witnesses will be permitted, although the school or college dean may require that questions be directed though the school or college dean. ~~him/her.~~

3.3.3. 4(c) The school or college dean may choose to convene an advisory committee to help evaluate the grievance. A school or college dean may utilize a standing committee from that

unit; the Dean of Graduate Studies will utilize the Senate Graduate and Professional Committee.

3.3.4. ~~4(d)~~ Generally, a written report on the grievance will be issued by the school or college dean within a period of ~~four weeks~~ twenty (20) working days after it has been formally filed, unless an informal hearing is held, in which case the decision shall be made within thirty (30) ~~twenty (20)~~ working days. (This period may be extended to allow for ~~University holidays or other~~ periods when UNM is not in session.) The report will explain the school or college dean's findings, conclusions, ~~his/her~~ decision, and the basis for that decision. A copy will be sent to each party, and to the chairperson or supervisor of the faculty or staff member involved.

3.4. Appeal of Formal Decision

During the appeal process, the Chairperson, Dean, Provost, Chancellor, and/or Board of Regents cannot overrule a faculty member's academic judgement.

3.4.1. Appeal to Provost or Chancellor

~~4(e). The decision of the Dean may be appealed by either party to the Office of the Provost within a period of two weeks. The Provost will reconsider that decision only if there are substantive, procedural grounds for doing so (for example, significant evidence that was not accepted or has arisen since the Dean's decision was announced). The decision of the Provost is final.~~

Either party may appeal the school or college dean's decision to the Provost or Chancellor within ten (10) working days of receipt of the decision. The Provost or Chancellor or designee shall resolve the grievance utilizing any procedures available to the school or college dean set out above. The Provost or Chancellor may refer the matter to the Faculty Ethics and Advisory Committee for consideration of disciplinary action against the faculty member involved, if such action appears warranted.

3.4.3. Appeal to the Board of Regents

In accordance with Regent Policy 1.5 "Appeals to the Board of Regents," students affected by a decision of the administration, faculty, student government, or hearing board may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) ~~ten (10)~~ working days of the date of the written decision from the last reviewer.

Article 4. Academic Dishonesty

4.1. Scope

This article sets forth procedures which shall be followed in cases of suspected academic dishonesty as defined in the Definitions Section of this Policy. These procedures are not exclusive; various UNM departments and programs may have additional policies and procedures on academic dishonesty.

4.2. Academic Dishonesty within Courses: Faculty-Imposed Consequences Sanctions

4.2.1. When a violation of the academic dishonesty rules appears to have occurred within the academic process, the faculty member shall discuss the apparent violation with the student as soon as possible and give the student an opportunity to explain. The faculty member should consult with Graduate Studies to discuss possible courses of action. The faculty member may impose an appropriate academic consequence sanction within the scope of the academic activity, such as grade reduction and/or involuntary withdrawal from the course. The faculty member shall notify the student of the academic consequence sanction.

4.2.2. The faculty member may report the matter to the Dean of Students, by submitting written documentation describing the events and indicating if the faculty member wishes the Dean of Students Office to pursue any additional disciplinary action against the student. The faculty member may use the Dean of Students Office's faculty adjudication form in submitting the written documentation. The Dean of Students Office will notify the student of the report, and the student may request a copy of the report from Dean of Students Office. In cases where the student has multiple finding of academic dishonest, the Dean of Students Office may initiate sanction(s) in accordance with this Policy.

4.2.3. The student may challenge an academic consequence sanction imposed by a faculty member using the process defined in Procedures section 3.4. herein. The student may challenge a sanction imposed by the Dean of Students for a code of conduct issue using the process defined in Procedures section 6.7 herein.

4.3. Academic Dishonesty in Other Settings

When academic dishonesty occurs other than in connection with a course, the person who observes or discovers the apparent violation may transmit in writing to the appropriate faculty member or Dean of Students a statement describing the occurrence. The faculty member or Dean of Students will send a copy to the student and will address the situation in accordance with Procedures sections 4.2.1 and 4.2.2 herein respectively.

4.4. Sanctions Imposed by the Dean of Students

Upon receiving a report of academic dishonesty pursuant to section 4.3 herein, the Dean of Students may initiate disciplinary action in accordance with this Policy. In some instances, a faculty member may impose academic consequences and the undergraduate student may also be sanctioned by the Dean of Students for violating the Student Conduct Policy. A decision of the Dean of Students may be appealed in accordance with Section 6.8.1 herein.

Article 5. Allegations of Discrimination or Sexual Harassment

UNM urges any individual who has experienced discrimination, sexual harassment, sexual misconduct and/or sexual violence, or has knowledge about such an incident, to report the incident to the Title IX Coordinator at Office of Equal Opportunity (OEO) within 24 hours, or as soon as reasonably practicable, by calling (505) 277-5251 or by email at oeounm@unm.edu. Confidential and/or anonymous reports can be made. Complaints can also be made to the UNM Ethicspoint Hotline 1-888-899-6092.

UNM recognizes that an individual who has experienced sexual misconduct may want to speak with someone on campus before deciding whether to report the incident to the police or OEO for investigation. UNM and community partners have developed a victim-centered and victim-controlled process. The following centers are designated advocacy and support sites for those students who have experienced all types of crimes or violence including sexual misconduct. Students who utilize these centers may talk with anonymity to individuals employed at these centers. However, these centers will report the nature, date of report and general location of the incident to the Clery Act Compliance Officer. ~~in OEO.~~

- LoboRESPECT Advocacy Center – Phone Number: (505)277-2911 Website: <https://loborespect.unm.edu/>
- LGBTQ Resource Center – Phone Number: (505)277-5428 Website: <https://lgbtqrc.unm.edu>
- Women’s Resource Center – Phone Number (505)277-3716 Website: <https://women.unm.edu>

5.1. Scope

This article sets forth the procedures which should be followed when there are allegations that a student has engaged in an act of discrimination or sexual harassment, which includes sexual misconduct and sexual violence.

5.2. Reporting to/and Investigation by the Office of Equal Opportunity (OEO)

5.2.1. Allegation(s) that an undergraduate student has engaged in an act of discrimination or sexual harassment will be referred to UNM’s Office of Equal Opportunity (OEO) for investigation pursuant to OEO’s Discrimination Claims Procedure.

5.2.2. OEO has no sanctioning authority. If the respondent is a student and is found to have violated policy, OEO will refer the matter to the HSC Chancellor for HSC students, the Dean of the Law School for law students, or the Dean of Students Office for all other graduate or professional students to determine the sanction to be imposed as defined in Regent Policy 4.2 “Student Code of Conduct.” Sanctions should be designed to eliminate the misconduct, prevent its recurrence, and remedy its effects, while supporting UNM’s educational mission and obligations under UNM policy and state and federal law, including but not limited to Title IX of the Education Amendments of 1972, the Civil Rights Act of 1964, and the New Mexico Human rights Act. Before determining sanctions for sexual discrimination, the Dean of the Law School or the applicable HSC dean should consult with the Dean of Students to ensure consistency of sanctions pertaining to OEO findings.

If the respondent is a faculty member, OEO will refer the matter to the faculty member’s department chair to determine the sanction to impose in accordance with *Faculty Handbook* Policy C07 “Faculty Discipline.” If the respondent is a staff member, OEO will refer the matter to the staff member’s supervisor to determine the sanction to be imposed in accordance with University Administrative Policy 3215 “Performance Management.”

5.3. Appeals

Graduate and professional students in the law school and the HSC may appeal sanction decisions to the UNM President and the Board of Regents per sections 5.3.2 and 5.3.3 herein.

5.3.1. Appeal OEO Findings to the UNM President

Students may appeal a final determination issued by OEO to the President within five (5) working days of the date of issuance of the final determination from OEO. Refer to the OEO Discrimination Claims Procedures for allowable grounds for appeal and procedures.

5.3.1. Appeal to the Vice President for Student Affairs

The decision on sanctions made by the Dean of Students Office may be appealed to the Vice President for Student Affairs if the sanction imposed is suspension, expulsion or banning from the campus or results in a significant interruption toward degree completion. The student must submit a written request for appeal to the Vice President for Student Affairs within seven (7) working days of the date of the written decision from the Dean of Students Office. The Vice President for Student Affairs will send written notification of the decision to the appealing party within ten (10) working days of receiving the request for appeal. A copy of the decision shall be sent to the Dean of Students Office.

5.3.1. Appeal of Sanctions Issued by the Dean of Students or the dean of the Law School (non-HSC)

5.3.2.1. Appeal to the UNM President

Decisions regarding a sanction of suspension, expulsion or banning from campus or results in a significant interruption toward degree completion imposed by the Dean of Students or the Dean of the Law School for violations of the University's prohibition against discrimination may be appealed to the Office of the President. The appeal must be in writing, contain a statement of the sanction (s) being appealed and the grounds therefore, and must be received at the Office of the President within seven (7) working days of the date of the written decision from applicable dean. Either the sanctioned student or complainant may appeal a sanctioning decision in cases involving sexual discrimination, sexual harassment, sexual misconduct, or sexual violence. Only the sanctioned student may appeal a sanctioning decision in cases involving discrimination that is not related to sexual harassment, sexual misconduct, or sexual violence.

Appeals of sanctions issued for violations of the University's prohibition against discrimination, including sex discrimination, sexual harassment, sexual misconduct, or sexual violence, are only permissible if the grounds for such appeal are that: 1) there was significant procedural error of a nature sufficient to have materially affected the outcome; 2) the decision was not in accordance with the evidence presented; 3) there is significant new evidence of which the appellant was not previously aware, that the appellant would not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

5.3.2.2. Appeal to the Board of Regents

In accordance with Regent Policy 1.5 “Appeals to the Board of Regents,” students affected by a decision of the administration, faculty, student government, or hearing board may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) ~~ten (10)~~ working days of the date of the written decision from the last reviewer.

5.3.3. Appeal of Sanctions Issued by an HSC Dean

5.3.3.1. Appeal to the Chancellor

Decisions regarding a sanction of suspension, expulsion or banning from campus or results in a significant interruption toward degree completion imposed by the applicable HSC dean for violations of the University's prohibition against discrimination may be appealed to the Office of the HSC Chancellor. The appeal must be in writing, contain a statement of the sanction(s) being appealed and the grounds therefore, and must be received at the Office of the HSC Chancellor within seven (7) working days of the date of the written decision from applicable dean. Either the sanctioned student or complainant may appeal a sanctioning decision in cases involving sexual discrimination, sexual harassment, sexual misconduct, or sexual violence. Only the sanctioned student may appeal a sanctioning decision in cases involving discrimination that is not related to sexual harassment, sexual misconduct, or sexual violence.

Appeals of sanctions issued for violations of the University's prohibition against discrimination, including sex discrimination, sexual harassment, sexual misconduct, or sexual violence, are only permissible if the grounds for such appeal are that: 1) there was significant procedural error of a nature sufficient to have materially affected the outcome; 2) the decision was not in accordance with the evidence presented; 3) there is significant new evidence of which the appellant was not previously aware, that the appellant would not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome ; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

5.3.3.2. Discretionary Appeal to the UNM President

The President has the discretionary authority to review the decision of the HSC Chancellor. A request for a review by the President shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) ~~ten (10)~~ working days of the date of the written decision from the last reviewer.

5.3.3.3. Appeal to the Board of Regents

In accordance with Regent Policy 1.5 “Appeals to the Board of Regents,” students affected by a decision of the administration, faculty, student government, or hearing board may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing, and

must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) ~~ten (10)~~ working days of the date of the written decision from the last reviewer.

5.3.2. Appeal to the President

The President has the discretionary authority to review all decisions by the senior administrators. A request for a review by the President shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within ten (10) working days of the date of the written decision from the last reviewer.

5.4. Disciplinary Information Provided to Victim of Violence or a Non-forcible Sex Offense

Upon written request, the Dean of Students UNM, to the extent permitted by the federal Family Educational Rights and Privacy Act (FERPA), will disclose to the individual who alleges that they were subjected to a crime of violence or a nonforcible sex offense the final results of the disciplinary proceedings conducted by UNM issued to the student who is the alleged perpetrator of the offense(s) alleged. If the individual who is alleged to have been subjected to the crime of violence or non-forcible sex offense at issue is deceased as a result of such offense(s), the next of kin of such individual shall be treated the same as that individual for the purpose of disclosing the final result of the disciplinary proceedings.

Additionally, in cases of sexual violence as described in Procedures Article 5 herein, the respondent and inquiring parties have the right to be notified in writing of the final determination and any sanctions imposed to the extent permitted by the federal Family Educational Rights and Privacy Act (FERPA).

Article 6. Allegations of Student Misconduct NOT Involving Discrimination or Sexual Harassment

6.1. Scope

This article sets forth the procedures which should be followed when there are allegations that a student violated the Student Code of Conduct or other UNM policy not involving discrimination or sexual harassment, which are addressed in Procedures Article 5 herein.

6.2. Referral of Misconduct to Dean of Students Office (Not Law or HSC Students)

Allegations of misconduct in violation of the Student Code of Conduct or other UNM policy must be in writing and submitted to the Dean of Students Office which has primary authority to deal with disciplinary matters pertaining to students other than law or HSC students. Complaints of alleged misconduct should be submitted as soon as possible after the event takes place, preferably within sixty (60) calendar-days. Absent just cause, complaints must be submitted within one (1) year following discovery of the suspected misconduct.

The standard of proof utilized to resolve misconduct violating the Student Code of Conduct charges shall be that of preponderance of the evidence, meaning that the evidence, considered in its entirety, indicates that, more likely than not, the accused student ~~(or chartered student)~~

organization or visitor) violated UNM policy the Code of Conduct. The Dean of Students may refer the complaint to the Student Conduct Officer for review, investigation, and/or resolution. A decision, in most cases, will be rendered within sixty (60) calendar days of the filing of a complaint. This date can be modified at the discretion of the Dean of Students or the Student Conduct Officer if deemed necessary such as to conduct a hearing that protects the rights of all parties.

6.2.1. Options for Resolving the Charges

Upon referral, or upon the Student Conduct Officer's own initiative, the Student Conduct Officer may review relevant evidence and consult with the person referring the allegation, the undergraduate student accused, and any witnesses. The Student Conduct Officer will send written notification to the accused undergraduate student indicating the nature of the activity in which the undergraduate student was allegedly involved, and what UNM rules were allegedly violated. The undergraduate student will be given the opportunity to meet with the Student Conduct Officer to review the options for resolving the charges.

If the undergraduate student fails to attend the meeting, the Student Conduct Officer may decide the charges based upon the information available and/or place a hold on the undergraduate student's registration. The accused undergraduate student will also be offered one or more of the following options to resolve the charges; however, the Student Conduct Officer is authorized to refer the charges for a formal hearing before the Student Conduct Committee even if the undergraduate student does not elect a formal hearing. If an undergraduate student fails to select an option, the Student Conduct Officer will decide which hearing process will be followed. The options for resolving the charges are:

6.2.1.1. Mediation: This option is reserved for situations where all relevant parties in an incident agree to have a conflict resolved through mediation and sign an agreement to mediate. If all parties agree to this process and mediation is successful, a formal finding will not be issued with regard to the Student Code of Conduct charges. However, failure of the mediation process or failure to fulfill the terms of a final mediation agreement could lead to reactivation of these charges and additional disciplinary action. Mediation will not be used to resolve complaints alleging sexual violence.

6.2.1.2. Informal Disposition Conference: The accused undergraduate student and Student Conduct Officer will meet informally to discuss the alleged violation(s). If the substantive facts and sanction can be agreed upon, a disciplinary action agreement will be prepared by the Student Conduct Officer and signed by the accused undergraduate student.

6.2.1.3. Administrative Hearing with the Student Conduct Officer: This option allows the accused undergraduate student to present evidence to the Student Conduct Officer for consideration and suggest witnesses that the Student Conduct Officer may consider interviewing before a decision is rendered. Within three (3) weeks of the completion of all witness interviews, the Student Conduct Officer will send the party charged a letter which indicates the finding in the case and any disciplinary sanction imposed.

6.2.1.4. Formal Hearing with the Student Conduct Committee: This option allows the accused undergraduate student to respond to the charges, present witnesses on the student's own behalf and question witnesses. Formal hearings are recorded. Within three (3) weeks of the conclusion of the hearing, the Student Conduct Committee will send the party charged a letter which indicates the finding in the case and any disciplinary sanction imposed.

A formal hearing with the Student Conduct Committee is conducted in accordance with the Dean of Students Hearing Procedures, approved by the UNM President, that ensure all the rights listed in section 7 herein.

Decisions of the Student Conduct Committee are subject to appeal to the Vice President for Student Affairs, as per Article 6.7.1 herein if the sanction imposed by the Committee is suspension, expulsion or banning from the campus or results in a significant interruption toward degree completion. Per Section sections 6.7.2 and 6.7.3 the President and Board of Regents have discretionary authority to review decisions of the Student Conduct Committee and senior administrators.

6.3. Referral of Misconduct to the Law School Dean

Allegations of misconduct by a Law student in violation of the Student Code of Conduct or other UNM or Law School policies must be in writing and submitted to the Dean of the Law School. Complaints of alleged misconduct should be submitted as soon as possible after the event takes place, preferably within sixty (60) calendar-days. Absent just cause, complaints must be submitted within one (1) year following discovery of the suspected misconduct.

The standard of proof utilized to resolve misconduct shall be that of preponderance of the evidence, meaning that the evidence, considered in its entirety, indicates that, more likely than not, the accused student violated UNM or Law School policy. A decision, in most cases, will be rendered within sixty (60) calendar days of the filing of a complaint. This date can be modified at the discretion of the Dean if deemed necessary such as to conduct a hearing that protects the rights of all parties.

6.4. Referral of Misconduct to the Applicable HSC Dean

Allegations of misconduct by an HSC student in violation of the Student Code of Conduct or other UNM or HSC policies must be in writing and submitted to the applicable HSC dean. Complaints of alleged misconduct should be submitted as soon as possible after the event takes place, preferably within sixty (60) calendar-days. Absent just cause, complaints must be submitted within one (1) year following discovery of the suspected misconduct.

The standard of proof utilized to resolve misconduct shall be that of preponderance of the evidence, meaning that the evidence, considered in its entirety, indicates that, more likely than not, the accused student violated UNM policy or HSC policy. A decision, in most cases, will be rendered within sixty (60) calendar days of the filing of a complaint. This date can be modified at the discretion of the dean if deemed necessary such as to conduct a hearing that protects the rights of all parties.

6.5. A student allegedly committing a criminal offense under state or federal law that is also a violation of the Student Code of Conduct or other UNM policy may be subject to UNM disciplinary proceedings. UNM may pursue disciplinary action against a student at the same time the student is facing criminal charges for the same offense, even if the criminal prosecution is pending. UNM may also pursue disciplinary action even if criminal charges were dismissed, reduced or resolved in favor of the student-defendant.

6.6. Unless otherwise specified in the decision, sanctions issued by the Dean of the Law School, applicable HSC dean HSC Chancellor, or Dean of Students Office (not including an Emergency Suspension as outlined in in Procedures section 6.7 herein) shall not be implemented until the appeal process as set forth under Procedures section 6.8 herein is completed.

6.7. Emergency Suspension and Banning from Campus

The Dean of Students may immediately suspend a student (or chartered student organization) and/or ban a student or visitor if the Dean of Students concludes that the person's continued presence on the campus may endanger persons or property or may threaten disruption of the academic process or other campus functions. When a person has been immediately suspended or

banned by the Dean of Students, the person may request to meet with the Dean of Students to consider whether the emergency suspension should be continued. For students and chartered student organizations, an emergency suspension or banning does not end the disciplinary process. Resolution of the charges will proceed as set forth in herein.

6.6. Decisions of the Dean of Students Office pertaining to students are subject to appeal in accordance with Procedures section 6.7 herein.

6.8. Appeals, Records, and Rights

Graduate and professional students in the law school and the HSC may appeal sanction decisions to the UNM President and the Board of Regents per sections 6.7.2 and 6.7.3 herein.

6.8.1. Appeal of Sanctions Issued by the Dean of Students (Not Law or HSC Students)

6.8.1.1 Appeal to Vice President for Student Affairs

The decision on sanctions pertaining to students, other than Law or HSC students, made by the Dean of Students Office may be appealed to the Vice President for Student Affairs if the sanction imposed is suspension, expulsion or banning from the campus or results in a significant interruption toward degree completion. The student must submit a written request for appeal to the Vice President for Student Affairs within ten (10) working days of the date of the written decision from the Dean of Students Office. The grounds for appeal to the Vice President for Student Affairs are that: 1) there was significant procedural error of a nature sufficient to have materially affected the outcome; 2) the decision was not in accordance with the evidence presented; 3) there is significant new evidence of which the appellant was not previously aware, that the appellant would not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome ; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

The Vice President for Student Affairs will notify send written notification of the decision to the appealing party within ten (10) working days of receiving the request for appeal. A copy of the decision shall be sent to the Dean of Students. Office.

6.7.2. Appeal to the President

The President has the discretionary authority to review all decisions by the senior administrators. A request for a review by the President shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within ten (10) working days of the date of the written decision from the last reviewer.

6.8.1.2. Appeal to the Board of Regents

In accordance with Regent Policy 1.5 "Appeals to the Board of Regents," students may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the

reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) ~~ten (10)~~ working days of the date of the written decision from the last reviewer.

6.8.2. Appeal of Sanctions Issued by the Dean of the Law School

6.8.2.1. Appeal to the President

Decisions regarding Law students receiving a sanction of suspension, expulsion or banning from campus or results in a significant interruption toward degree completion imposed by the Dean of the Law School for violations of UNM or Law School policies may be appealed to the President. The student must submit a written request for appeal to the Office of the President within seven (7) ~~ten (10)~~ working days of the date of the written decision from the Dean of the Law School. The grounds for appeal to the President are that: 1) there was significant procedural error of a nature sufficient to have materially affected the outcome; 2) the decision was not in accordance with the evidence presented; 3) there is significant new evidence of which the appellant was not previously aware, that the appellant would not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome ; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

The President will notify the appealing party of the President's decision and a copy will be sent to the Dean of the Law School.

6.8.2.2. Appeal to the Board of Regents

In accordance with Regent **Policy 1.5** "Appeals to the Board of Regents," students may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) ~~ten (10)~~ working days of the date of the written decision from the last reviewer.

6.8.3. Appeal of Sanctions Issued by an HSC Dean

6.8.3.1. Appeal to the HSC Chancellor

Decisions regarding HSC graduate or professional students receiving a sanction of suspension, expulsion or banning from campus or results in a significant interruption toward degree completion imposed by the applicable HSC dean for violations of UNM or HSC policies may be appealed to the HSC Chancellor. The HSC student must submit a written request for appeal to the Office of the HSC Chancellor within ten (10) working days of the date of the written decision from the applicable HSC dean. The grounds for appeal to the HSC Chancellor are that: 1) there was significant procedural error of a nature sufficient to have materially affected the outcome; 2) the decision was not in accordance with the evidence presented; 3) there is significant new evidence of which the appellant was not previously aware, that the appellant would not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome ; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

The HSC Chancellor will notify the appealing party of the Chancellor's decision within ten (10) working days of receiving the request for appeal. A copy of the decision shall be sent to the applicable HSC dean.

6.8.3.2. Appeal to the President

The President has the discretionary authority to review the decision of the HSC Chancellor. A request for a review by the President shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) ~~ten (10)~~ working days of the date of the written decision from the last reviewer.

6.8.3.3. Appeal to the Board of Regents

In accordance with Regent **Policy 1.5** "Appeals to the Board of Regents," students may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) ~~ten (10)~~ working days of the date of the written decision from the last reviewer.

Article 7. General Provisions

7.1. Student Conduct Records

Records regarding student conduct shall be kept in the Dean of Students Office for a period of ten (10) years after final disposition, except for records of expulsions which shall be permanently maintained. Copies of the final decision shall, in an academic dishonesty case, be sent to the faculty member.

7.2. Rights of the Parties Participating in Student Code of Conduct Grievances

The rights of the parties participating in grievances as provided herein include:

7.2.1. The party charged with an alleged violation has the right to written notice of the charges at issue in the proceeding that contains sufficient detail and time to prepare for a hearing.

7.2.2. The party charged with an alleged violation has the right to a timely hearing before an appropriate official or committee.

7.2.3. The party charged with an alleged violation has the right to know the nature and source of the evidence used in a hearing process.

7.2.4. Both parties have the right to present evidence in their own behalf.

7.2.5. Both parties have the right to choose not to testify and/or not to answer questions; in such cases, the decision maker will decide the charges based upon all of the evidence presented.

7.2.6. Subject to the limits set forth in Procedures section 3.3.2 both parties have the right to be accompanied by an advisor at a hearing, who may or may not be an attorney, but the advisor may not participate in the hearing. The advisor, including an attorney advisor, cannot act as a representative of the advisee, cannot have a voice in meetings or hearing and therefore is not permitted to present arguments or evidence or otherwise participate directly in meetings or hearing.”

7.2.7. The party alleging that the accused student engaged in misconduct has the right to submit a victim impact statement to the hearing officer or committee during the sanctioning portion of the discipline process.

7.2.8. The party alleging that the accused student engaged in misconduct has the right to have past irrelevant behavior excluded from the discipline process.

7.2.9. Both parties have the right to be free from retaliation for having made an allegation of misconduct or having participated in a grievance under this procedure. Allegations of retaliation should be submitted to the Dean of Students Office. See UAP Policy 2200 “Reporting Suspected Misconduct and Whistleblower Protection from Retaliation.”

7.3. Former Students

These procedures apply to disputes between students and other members of the UNM community. If the student has left the UNM community (by graduation or otherwise), these procedures shall continue to apply so long as the event giving rise to the dispute occurred while the student was a member of the UNM community and so long as UNM has the power to resolve the matter. UNM retains the right to change grades or rescind degrees, when, after the grade or degree has been awarded, it discovers new information indicating that the grade or degree was not earned in accordance with all UNM academic, student conduct, and other applicable requirements and policies.

7.4. Designees of Deans, Vice Presidents, Vice Chancellors, or Senior Level Administrators

Whenever this Policy specifies an action or decision by a school or college dean, the Dean of Students, the Dean of Graduate Studies, a vice president, a vice chancellor, or a more senior level administrator, that individual may delegate consideration and decision of the matter to a designee. Such designee will normally be but is not required to be, a member of the decision maker's staff.

HISTORY

*Approved by Faculty Senate Graduate Committee 10/20/1994
Revisions approved March 6, 1997 by Faculty Senate Graduate Committee*

DRAFT HISTORY

[June 26, 2019 – Draft revised to address campus comments.](#)

February 17, 2019 – Draft revision updated for FSPC changes in response to recommendations from Operations Committee.

February 10, 2019 – Draft revision updated with recommendation from Operations Committee for consideration by Policy Committee.

October 11, 2018 – Draft revised to include changes from FSPC Oct 2018 meeting.

September 28, 2018 – Draft revised to address comments at and after FSPC Sept 2018 meeting.

October 5, 2017 – Draft revised per 10/4/17 FSPC meeting.

September 23, 2017—Draft revised to reflect changes made in response to comments from Dean of Students and Office of Equal Opportunity.

April 28, 2017 Draft revised to reflect changes from 4/18/17 task force meeting.

April 17, 2017 – Draft revised to reflect changes from 3/21/17 task force meeting.

March 21, 2017 – Draft revised to reflect changes from last meeting pertaining to the Law School and to incorporate changes submitted by Graduate Studies.

March 5, 2016 – Draft revised to reflect changes to D175 and changes requested by Graduate Studies.

February 18, 2017 Draft revised to reflect recent changes to D175.

January 7, 2017 – Draft revision prepared for Taskforce discussing at its next meeting scheduled for 2/9/17. The taskforce is revising the policy because law and HSC students are being removed by D175. In addition, appeal rights need to be corrected in D176. It also appears that many of the items addressed in D175 for undergraduate students might also be needed in D176 for graduate students.

COMMENTS TO: handbook@unm.edu	FACULTY HANDBOOK HOME	TABLE OF CONTENTS	TABLE OF POLICIES	UNM HOME
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D170: Student Attendance

Approved By: Faculty Senate

Last Updated: **Draft 8/28/19**

Responsible Faculty Committee: Faculty Senate Policy Committee

Office Responsible for Administration: Dean of Students

Legend: Proposed changes are highlighted in **red**. Recent changes to address campus comments are shaded in **gray**.

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

POLICY RATIONALE

Class attendance is critical for the overall success of the students at the University of New Mexico (UNM). However, there are situations when a student may qualify for an excused absence and be provided with the opportunity to make up assignments or examinations missed. This Policy describes absences that normally qualify as excused absences and provides the process for reporting such absences and completing missed assignments and exams.

POLICY STATEMENT

The absences listed below are normally excused unless the instructor determines that the absences are excessive or adversely impact learning, or fundamentally threaten the integrity of the class. An excused absence does not relieve the student of responsibility for missed assignments, exams, etc. The student is to take the initiative in arranging with his/her instructor(s) to make up missed work, and it is expected that the faculty member will cooperate with the student in reasonable arrangements in this regard.

~~Students should have the opportunity to make up any assignments or examinations missed. Instructors should provide an opportunity to make up an assignment or test and not limit the accommodation to dropping the lowest test or assignment grade.~~ However, the student must recognize that some classes or class-work (quizzes, seminars, small labs, etc.) cannot be made up. Classes or class-work that cannot be made up will be identified in the syllabus.

To ensure equitable treatment of students, when there is concern on the type of absences that should be excused and reasonable accommodations for such absences, instructors are encouraged to consult with their chair or dean, or the Dean of Students or equivalent position designated for graduate or professional schools or colleges and branch community colleges.

1. UNM Official Absences

Instructors should excuse absences due to UNM official absences which result when a student is required to represent UNM at University functions or related extracurricular activities such as professional meetings, academic competitions, field trips, research activities, NCAA athletic competitions, or other similar activities.

2. Legally or Administratively Compelled Absence(s)

Instructors should must excuse absences due to a legally or administratively compelled absence when a student is required to participate in legal proceedings or administrative procedures. This includes mandatory admissions interviews for professional or graduate school, or mandatory internships that cannot be rescheduled.

3. Military Obligations

Instructors should must excuse absences due to military obligations for students serving in the military, military reserves, or National Guard of the United States who are required to miss class due to military obligations. If the military obligations require withdrawal, ~~in recognition of the service of deployed military personnel,~~ the instructor should refer to the UNM Catalog or contact the Dean of Students Office or equivalent position for graduate or professional schools or colleges and branch community colleges for procedures pertaining to withdrawal and re-enrollment of military personnel.

4. Illness, Accident, or Death in the Family

Instructors should excuse unexpected absences due to personal or family illness, accident, or death in the family. Instructors may require students who are ill for more than fifteen percent (15%) of required contact hours ~~six (6) class days or longer~~ to obtain official notification from the Dean of Students office or equivalent position designated for graduate or professional schools or colleges and branch community colleges.

5. Disability

Instructors should must excuse absences due to disabilities where reasonable. Such requests must be processed in accordance with University Administrative Policy 2310 "Academic Adjustments for Students with Disabilities." ~~although instructors may require students to provide confirmation from the Accessibility Resource Center for ADA-protected disabilities.~~ For a short-term disability due to an illness or injury not covered by the ADA, students should contact the Dean of Students Office or equivalent position designated for graduate or professional schools or colleges and branch community colleges for assistance. They can also assist instructors with verification of the short-term disability.

5.1. Attendance Accommodation for Students with Disabilities

Attendance during scheduled class times is a necessary part of the learning process. The Accessibility Resource Center (ARC) may recommend flexibility in attendance for some students. This accommodation should be provided unless the accommodation threatens the integrity of the course as offered. The following six factors should be used in

considering if attendance is an essential element of the course and the flexibility in attendance recommended is not considered a reasonable accommodation:

1. Are there classroom interactions between the instructor and the students and among the students?
2. Do student contributions constitute a significant component of the learning process?
3. Does the functional nature of the course rely on student participation as an essential method for learning?
4. To what degree does a student's failure to attend constitute a significant loss to the educational experience of the other students in the course?
5. What do the course description and syllabus say?
6. What are the classroom practices and policies regarding attendance?

If an instructor disagrees with the determination by ARC, the faculty member should follow the procedures listed in University Administrative Policy 2310 "Academic Adjustments for Students with Disabilities."

6. Pregnancy

In accordance with Title IX of the Educational Amendments of 1972, instructors should must treat pregnancy related absences as excused as long as deemed medically necessary by the student's healthcare provider. If the length of absence is more than fifteen percent (15%) of required contact hours six (6) class days or longer, the student may be required to obtain official notification from the Dean of Students Office or equivalent position designated for graduate or professional schools or colleges and branch community colleges. If instructors have any questions, they may contact the UNM Office of Equal Opportunity (OEO)

7. Religious Observances

In recognition of UNM's diverse student population, instructors are encouraged to schedule important class events to minimize conflict with major religious observances. Students who request that an absence be excused for religious reasons should must be granted reasonable accommodations. Instructors should be sensitive to the difficulty some students may have anticipating all religious obligations. Absences due to religious accommodations should be requested in accordance with Policy C260 "Religious Accommodations." the faculty member will cooperate with the student in reasonable arrangements in this regard.

3. Request for Reconsideration

If a request for an excused absence and/or reasonable accommodation is denied by an instructor, the student may seek informal resolution of the matter by submitting a request for reconsideration to the department chair, program/course director, or equivalent position or designee. college/school dean. Given the need for timeliness of the issue, the student's request for reconsideration should be addressed as expeditiously as possible. This does not preclude the student from addressing the matter further in accordance with Policies D175 "Undergraduate Student Conduct and Grievance Policy" or D176 "Graduate and Professional Student Conduct and Grievance Policy."

APPLICABILITY

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

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

DEFINITIONS

WHO SHOULD READ THIS POLICY

- Faculty members
- Staff in Office of the Dean of Students
- Staff at Student Health and Counseling (SHAC)
- Administrative staff responsible for student events

RELATED DOCUMENTS

Faculty Handbook

Policy C220 “Holidays”

Policy C260 “Religious Accommodations”

D175 “Undergraduate Student Conduct and Grievance Policy”

D176 “Graduate and Professional Student Conduct and Grievance Policy.”

The Pathfinder—UNM Student Handbook. “Student Grievance Procedures”

CONTACTS

Direct any questions about this policy to Dean of Students Office or equivalent position designated for graduate or professional schools or colleges and branch community colleges.

PROCEDURES

The following procedures pertain to undergraduate students at the Albuquerque campus. Branch community college, graduate, and professional students should follow the attendance procedures issued by their respective school or college, when available.

Absences due to the situations described in the Policy Statement above ~~illness or to attend~~ authorized University activities such as field trips, athletic trips, etc. are to be reported by the student to his/her instructor(s) and to the Dean of Students Office in accordance with the procedures listed herein. If the student is unable to contact his/her the instructor(s), the student should leave a message at the instructor’s department.

UNM Official Absence(s) will be determined by a college dean or the Provost, or designee.

1. Course Attendance Expectations

Students are expected to fulfill all course requirements including attendance if specified. attend all meetings of the classes in which they are enrolled. No extensions of the vacation periods are given to any students, regardless of the location of their homes. Course instructors are responsible for setting attendance policies for their individual courses except where academic units, required by special circumstances such as accreditation standards, establish unit-wide policies through normal faculty governance procedures. Instructors should inform students of their expectations for attendance and participation on the first day of class and are encouraged to include this Policy in the course syllabus. Instructors may also require students to notify them of anticipated absences at the beginning of the semester and may require reasonable verification of the reason for an excused absence such as a doctor's note, hospital billing, military orders, or death notices.

Instructors may drop students with excessive absences with a grade of W ~~W/P or W/F.~~ The instructor They may also assign a failing grade of "F" at the end of the semester for excess unexcused absences, but should inform students if they will be dropped or penalized for unexcused absences. Academic units may also reserve the right to cancel a course reservation for a student who does not attend the first class meeting of the semester, although notification should be made before the student is dropped and reasonable accommodations should be made for excused absences. ~~Instructor drop request forms are available at all academic department offices.~~ Students should not assume that nonattendance results in being dropped from class. It is the student's responsibility to initiate drops or complete withdrawals within published deadlines utilizing the appropriate process.

2. Verification of Absence

Verification (such as doctor's note, hospital billing, military orders, death notices, etc.) of a student's report of absence will be provided by the student if requested ~~on request~~ by the instructor or the Dean of Students Office. ~~and in accordance with the following general procedures.~~ Student Athletes shall submit documentation to their instructors.

3. Short-Term Absence (Less than or Equal to 15% of Required Contact Hours) ~~(1-5 class days)~~

When notified in advance of an absence of 1-4 days, the Dean of Students Office will prepare an absence notice which the student may pick up and personally deliver to his/her instructor(s). On absences of 1-4 days reported to the Dean of Students Office after the fact, an absence notice may be picked up by the student after consultation with a dean, if such consultation provides a basis for issuing a notice. The Dean of Students Office will encourage the student to speak directly with the faculty member to work out absences that are less than fifteen percent (15%) of required contact hours ~~six (6) class days.~~ When requested by a faculty member, the Dean of Students Office may assist with verification of absences that are less than or equal to 15% of required contact hours ~~six (6) class days~~ on a case-by-case basis.

4. Extended Absence (More than or Equal to 15% of Required Contact Hours) ~~5-six (6) days or longer).~~

The Dean of Students Office, as a service to faculty and students, will send absence notifications to the respective faculty member should an absence be more than fifteen percent (15%) of required contact hours longer than five (5) class days. This service will only be utilized when an absence is for a family/student medical issue, death of a family member, military leave, or a UNM sponsored activity. The absence notification process is only meant as a notification and not meant to excuse the absence. Excusing an absence is entirely up to the faculty member of the course. notices to instructor(s) on absences of 5 days or longer when notification of the absence is received prior to or at the onset of the absence. If notified after the absence, the absence notice will be prepared, but the student must hand carry the notice to his/her instructor(s). Verification of extended absences is recommended (such as a doctor's note, hospital billing, etc.)

5. Exceptions. On request, members of the Dean of Students staff will review specific absence situations to determine if exceptions to the established absence procedures are warranted.

It should be noted that written medical excuses for class absence will not be issued routinely by Student Health and Counseling (SHAC) the Student Health Center except in the case of physical education classes, where participation would be detrimental to the student's condition. Where confirmation of a student's attendance at SHAC the Health Center is required by a faculty member of the teaching staff, this will be furnished on direct inquiry, without revealing the medical details necessitating such attendance. If it appears that a student will be absent for more than 15% of required contact hours five class days a week or more, the Dean of Students Office will be notified.

HISTORY

Effective:

Unknown (effective date not listed in current policy.)

DRAFT HISTORY

June 20, 2019—Draft revised to address campus comments.

November 11, 2018 – Draft revised for Policy Committee changes.

September 5, 2018 –Draft revised to refine policy revisions further.

June 27, 2018 – Draft revised to address different procedures for graduate and professional students and branch community colleges.

April 28, 2017 -- Draft revised for task force recommendations. April 4, 2017 – Draft revised for task force recommendations.

September 29, 2016 – Draft revised to incorporate input from FSPC member L. Oakes.

January 2, 2016—Draft developed to address COF task force recommendations.

July 19, 2015 Draft developed for Information Items taskforce review.

DRAFT Dear Faculty:

In accordance with Faculty Policy A53 "Development and Approval of Faculty Policies," the following proposed amended policy is available for a faculty review and comment period which ends _____. A proposed amendment to Policy D170 was sent out for faculty review and comment in January 2019. The changes discussed below were made to address concerns raised by faculty. Please email your comments to handbook@unm.edu.

#	Policy	Changes in Addition to Earlier Proposed Changes
D170	Student Attendance	<p>1) <u>Removed</u> the proposed limitation against accommodating the absence by dropping the lowest test or assignment grade. Such accommodation will be allowed.</p> <p>2) Replaced definition of missed class time before additional documentation/action is required from 6 days to 15% of required contact hours.</p> <p>3) Provide guidelines for determining acceptable ADA attendance accommodations with a link to University Administrative Policy 2310 "Academic Adjustments for Students with Disabilities." Policy 2310 describes faculty responsibilities and provides procedures for instructors to follow if there is a disagreement with requested accommodations.</p> <p>These recent changes and other minor changes are shaded in gray in the revised proposed amendment available for review and comments.</p>

Date: July 3, 2019

To: Faculty Senate Policy Committee (FSPC)
Kenedi Hubbard, University Secretary

From: Carol Stephens, Professional Consultant, Office of the University Secretary

Re: 2018- 2019 Academic Year Faculty Policy Work Status Report

This is a status report on the policy work performed during the 2018-19 Academic Year.

Policies Approved by the Faculty Senate in 2018-2019 and Posted to the *Faculty Handbook*

C290 “Ombuds/Dispute Resolution Services for Faculty.” Approved by Faculty Senate April 23, 2019. This new policy describes the role of Ombuds/Dispute Resolution Services for Faculty, and states that the service is a confidential, impartial, informal, and independent resource for faculty concerns and conflicts. The need for this policy was identified as part of the C09 “Respectful Campus” policy revision process.

F70 “Articulation, Degree Approval, Transfer of Course Credit and Approval of Credentialing Standards.” Approved by the Faculty Senate January 22, 2019. F70 was revised to:

- Clarify the types of degree programs and workforce pathways offered at the branch community colleges.
- Clarify the articulation and transfer of courses offered at branch community colleges; not only transfer credits for baccalaureate programs, but also credits that may transfer to other branch community colleges.
- Clarify that new courses and programs developed at branch community colleges follow the same process as those created by any other educational entity of UNM.
- State the circumstances under which courses at the branch community colleges may not be accepted for transfer to another entity in UNM.
- Clarify how qualifications of faculty teaching classes will be determined and that supporting documentation will be maintained.

COG Task force: In September 2015, the COG task force sent the FSPC a number of concerns and recommendations pertaining to *Faculty Handbook* policies. The FSPC has reviewed these recommendations and taken action on most items and issued a final report to COG providing an analysis of issues and actions taken by the FSPC.

Policies Pending Approval After Comment Periods which were Completed in April 2019:

D170 “Student Attendance.” The COG Task force asked the FSPC to perform a comprehensive review of this Policy. A taskforce was appointed by the FSPC and their recommendations were submitted to the FSPC on 6/6/18. Concerns was raised as to how the policy would apply to graduate and professional students. The FSPC addressed concerns and sent the proposed revised draft to the campus for review and comment in March 2019. Significant concerns were raised

and the FSPC has developed changes to address concerns. In addition, the FSPC is including attendance guidelines for accommodations to assist with implementation of UAP 2310 “Reasonable Accommodations for Students with Disabilities.” The revised draft will be sent out for a second comment period in September 2019.

D175 “Undergraduate Student Conduct and Grievance Policy.” In response to Department of Justice (DOJ) concerns about discrepancies between the D175 and the Student Grievance Procedures, the FSPC appointed a taskforce, that included the Dean of Students, to analyze the discrepancies and identified significant areas of concern with the Student Grievance Procedures, including violation of Regent policies. After considerable work, the task force brought a recommended revision to the FSPC. After approval by the FSPC and Operations, the proposed revision was sent for campus comments. Comments were received and the FSPC revised the draft to address some concerns. Memos were sent to the Dean of Students Office, the Office of Equal Opportunity and Amy Wohlert, Chief of Staff for the UNM President responding to their comments. The DOJ agreement was reviewed to ensure compliance. Concerns were raised as to the authority of the *Pathfinder* and its relationship to D175 and D176. COG and Interim Provost Wood determined the *Faculty Handbook* had jurisdiction. Operations released the proposed revised draft for a second campus comment period. Comments were received from OEO, the Dean of Students, and the VP for Student Affairs. The FSPC appropriately addressed comments received, and determined the proposed revisions are ready to the Faculty Senate for approval in the Fall of 2019.

D176 “Graduate and Professional Student Conduct and Grievance Policy.” D176 went out for campus comment in March 2019 and received the same comments as D175, so will follow the same path described above for D175.

Policies Awaiting Approval by the FS Operations Committee to send to Campus for Review and Comment:

A60 “Faculty Senate Bylaws” and A61 – 70 Council and Committee policies. A60 and A61–70 Committee policies need to be revised to reflect the Faculty Senate Restructure which adds councils and deletes some committees. In addition, new policies are required for the three Councils created by the restructure. The FSPC prepared revised drafts of 23 existing policies and developed 3 new policy drafts in 2017 and submitted them to the Faculty Senate Operations Committee in May 2017. Due to delayed action by the Faculty Senate Operations Committee, the 23 previously submitted policy drafts were revised to reflect changes that took place between May 2017 and March 2019. These revised drafts were submitted to Faculty Senate President Pyle for consideration in April 2019. Incoming Faculty President Coleman is reviewing the drafts in conjunction with a full review of the Faculty Senate Council and Committee structure to determine if additional changes to council and committee charges is desirable. I will work with President Coleman on the policy drafts.

COG has indicated that finalization of these policies is dependent on the Faculty Senate President sending a “Final Report on the Faculty Senate Reorganization” to the Committee on Governance (COG). To assist with this process, I prepared a draft report for consideration by the Faculty Senate President. This may need to be updated to reflect recent Faculty Senate action.

Note: Nancy Lopez (email dated 2/27/19) has requested changes to FS Bylaws pertaining to parliamentary, tally of votes, teleconferencing, 3-year term for President, position on governance bodies designated for equity, inclusion, and justice, and conflict of interest forms.

Faculty Discipline. Draft revisions of three policies related to faculty discipline which were approved by the FSPC and the Academic Freedom and Tenure Committee (AF&T) were submitted to the Faculty Senate Operations Committee in March 2018 for approval to send out to faculty for review and comment.

A52.1.1 “Faculty Misconduct Review Committee”

C05 “Rights and Responsibilities at the University of New Mexico” Title to be changed to “State of Emergency”

C07 “Faculty Disciplinary Policy”

The Operations Committee has concerns about the Faculty Misconduct Review Committee and is working with AF&T to arrive at a compromise. The Chair of AF&T indicated June 22, 2018, that they disagreed with the proposal by Operations that Ethics replace the proposed Faculty Misconduct Review Committee. Faculty Senate President Coleman is reviewing committee charges and hopefully the impasse will be resolved in the coming academic year.

Note: On Feb 24, 2019, John Trotter proposed some changes to the proposed draft of C07, which the FSPC may need to address.

Policies Currently with FSPC for Review and/or Development:

A 53.1 “Policies Applicable to Faculty.” The table in this policy is being reviewed to see if it needs to be updated to include any of the new policies issued by UAP: 5250 “Use of University Facilities,” 5320 “University Design,” 6020 “Records Management, Retention, and Disposition,” and 6420 “UNM Public Art Collection.”

A61.8 “Faculty Ethics and Advisory Committee.” In addition, to changes to reflect the Faculty Senate Restructure, in June 2015, the Ethics Committee requested revisions to Policy A61.8 which includes their charge and authority. Because of the possible implications to AF&T issues, the FSPC referred the requested changes to AF&T for review. The Policy revision is tied to the decision on the proposed “Faculty Misconduct Review Committee,” discussed above under faculty discipline.”

CXX “Consensual Relationships” Concern has been raised that there is an urgent need for a policy addressing consensual relationships between faculty and students. The FSPC voted to ask Operations for permission to appoint a taskforce which will include representatives from affected constituencies such as OEO, Women’s Resource Center, and LGBTQ. The taskforce will begin work in September 2019.

CXX “Copyright” The FSPC began work during the spring 2019 semester on the issue of copyright of class materials. Considerable discussion has taken place and the FSPC has identified the need for a policy on copyrights. It was suggested Extended University be included in the discussions.

C50 “Faculty Contracts.” This Policy needs to be updated and possibly remove annual leave text if Policy C205 “Annual Leave” is developed. Work on the revised draft was pending input from Carol Parker, Senior Associate Provost. This will need to be revisited since she is no longer at UNM. Recent concern has been raised by main campus faculty about the availability of faculty contracts.

C150 “Political Activity” and C240 “Political Activities of UNM Faculty.” The COG task force asked the FSPC to perform a comprehensive review of these policies. The FSPC briefly discussed C150 in January 2016, but no further action has taken place. At the 6/6/18 FSPC meeting Richard Wood indicated an interest in these policies. On 5/27/2018, I sent him copies of the draft policy revisions and an email with background information. Since Richard Wood is no longer in the Provost’s Office, the FSPC will need to determine what concerns the Provost office has pertaining to this issue.

C170 “Endowed Chairs and Named Professorships.” This Policy needs to be revised to add definitions, which are currently are under review by AF&T. I do not know the AF&T status.

C200 “Sabbatical.” The FSPC performed a comprehensive review of this Policy and proposed revisions to bring it up to date and to clarify some issues. The proposed revisions were sent to the campus for review and comment. Comments were addressed and the draft is now with AF&T for review before moving forward for required approvals, which include the Faculty Senate and the Board of Regents. Marsha Baum indicated at the 6/6/18 FSPC meeting that AF&T was recommending the policy not be changed. It should be placed on a future agenda for discussion on course of action, if any.

C205 Annual Leave.” The *Faculty Handbook* currently states “This policy C205 is under revision or is being developed. Current provisions for annual leave are located in C50 “Faculty Contracts.” The FSPC has identified this as a policy that needs to be developed in conjunction with the revision of C50.

C210 “Sick Leave.” This policy is out of date and may need to be revised.

C225 “Professional Leave.” The FSPC revised this policy, which was approved by the Faculty Senate; however, it was previously approved by the Regents in 1978, so the changes may need to be approved by the Regents. The revised version has not been added to the *Faculty Handbook*. A determination needs to be made if Regent approval is required, and if so, action needs to be taken to gain Regent approval, so that the version approved by the Faculty Senate can be posted.

C230 “Military Leave.” FSPC reviewed this policy and proposed changes. These changes need to be reviewed by AF&T.

C250 “Academic Leave.” If the proposed revisions to C200 Sabbatical are approved, this Policy needs to be revised to align with C200. C200 is awaiting action by AF&T. See C200 above.

C305 “Emeriti Policy.” This Policy needs to be revised to add department processes and criteria

for emeriti status. It is under consideration by AF&T. I do not know the AF&T status.

D75 “Classroom Conduct.” The FSPC feels this document should be moved from an information item to a Policy document. It needs to be put in the new format and reviewed for any needed changes. One important change is to redefine Classroom space to also address electronic classrooms. The FSPC will continue these discussions.

Policies pending Action by AF&T:

C170 “Endowed Chairs and Named Professorships”
C200 “Sabbatical”
C250 “Academic Leave” because it must align with C200 which is under review by AF&T
C305 “Emeriti Policy”

Policies that Require or May Require Change to Regent Policy

C20 “Employment of UNM Graduates”	RPM 5.3
C225 “Professional Leave” previously approved by the Regents in 2013	RPM 5.4
C200 “Sabbatical” previously approved by the Regents in 2004	RPM 5.4
C250 “Academic Leave” previously approved by the Regents	RPM 5.4
E40 “Research Misconduct”	RPM 5.13
E90 “Human Beings as Subjects in Research”	RPM 5.14
C130 “Outside Employment and Conflicts of Commitment”	RPM 5.5
C140 “Extra Compensation Paid by the University.”	RPM 5.6

Other tasks:

Regent Policy Revision: I worked briefly with Liz Hutchins to review agenda items for the Regent Policy Taskforce and prepared a memorandum stressing the importance of updating RPM 5.5 “Outside Employment” and RPM 5.6 “Extra Compensation Paid by the University” to reflect Regent approved changes to C130 “Outside Employment and Conflicts of Commitment” and C140 “Extra Compensation Paid by the University.” Regent minutes approving the changes to C130 and C140 were included with the supporting documentation.

Miscellaneous Outstanding Items:

UAP 2740: Katherine Miefert raised concerns that UAP 2740 “Sexual Misconduct” as written does not correctly reflect action pertaining to faculty. The FSPC discussed this and it was determined that a correction is needed to UAP 2740. I will prepare a draft memo for the FSPC to send to the Policy Office.

UAP Policies 2310 “Reasonable Accommodation for Students with Disabilities” and 2710 “Education Abroad Health and Safety”: The FSPC raised significant concerns about the proposed revisions to these policies. These concerns were discussed at a meeting with subject matter experts and FSPC chair Gauderman. The group agreed to some of the FSPC’s concerns. 2310 will be approved with changes and a taskforce is working on changes to 2710.

Model Hearing Procedures: A draft was developed for use with *Faculty Handbook* policies such as C07. University Counsel's Office and Jean Bannon were going to review the draft. Not sure of the status of the procedures.

Standard #2 A91 "Creation, Review, Reorganization, and Termination of HSC Research Centers and Institutes" Policy A91 states, "A standards document will be developed to provide standards and guidelines applicable to HSC research centers and institutes." The FSPC needs to work with HSC to meet this requirement.

Section B "Academic Freedom and Tenure" Section 2.3.14 added Professor of Practice as a title, which I understand was approved by the required bodies on 1/25/13, but this approval date does not appear on the policy. I'm not sure if that date is needed, but the issue should be researched.

AF&T is appointing a taskforce to work on revisions to Section B. I have been asked to assist with the process. The taskforce met for the first time on 6/28/19.

No longer Outstanding, but noted for Records:

E110 "Conflicts of Interest in Research" Dr. Coffee Brown requested a small change to E110 to reflect less stringent disclosure requirements than currently listed in E110; however, that change generated some legal concerns pertaining the New Mexico state statute on disclosure requirements. The FSPC decided the change would NOT be made because it would violate state law.

Cc: Candyce Torres, Administrative Coordinator, Office of University Secretary

Date: June 19, 2019

To: Committee on Governance

From: Co-Chairs, Faculty Senate Policy Committee

Re: Final Report on CoG Task Force Recommendations Pertaining to Implementation of Faculty Constitutional Amendments

Over the past three years, considerable progress has been made in addressing the CoG Task Force recommendations. Due to changes in the Policy Committee leadership and membership and change in governance leadership, the FSPC respectfully submits this final report to CoG. The Policy Committee will continue to work on outstanding issues as resources allow and priorities dictate.

Nine policies have been revised, changes to four policies were determined not necessary, six policies are pending action from another Faculty Governance body or the Board of Regents, two are ready to go to the Faculty Senate for approval in September, five policies are currently under review by the Policy Committee, and two policy changes were determined to be beyond the scope of the Committee. In the Placeholder Policies category on page 6, the Committee took action it felt was within its scope. Some recommended changes to Regent and UAP policies have been submitted to the UNM Policy Office and are pending action by that Office or the Board of Regents, others were determined to be beyond the scope of the Committee. Below is the table of the CoG recommendations with a column added to indicate final Committee action.

**CoG Taskforce Recommendations for FH policy revision and Administrative policy review
Status of Faculty Senate Policy Committee (FSPC) Action**

Legend: Blue highlight indicates FSPC action completed; Green highlight indicates work is under way and will continue; No highlight means no action taken as of the date of this report.

FH Policy	FH Policy Title and References to be added	Reason and/or Other Recommendations or Concerns	FSPC Action
A20	Vision, Mission, and Values ... RPM 2.14 Branch Colleges and Off Campus Education Centers RPM 3.4 Health Sciences Center and Services UAP 1000 UNM History, Mission, and Organizations	A20 should be revised to better articulate the scope and how it relates to other policy documents.	Final: This Policy was approved by the Board of Regents and is <u>beyond the scope</u> of the Policy Committee. Any revision of the Policy should be done as a joint project by the three branches of Faculty Governance working with the President and Regents.

A50	RPM 5.1 <u>The Faculty's Role in the University's Academic Mission</u>	Regent policy that authorizes A50. Should RPM 2 nd para info be in A50? Is requirement for Regent approval too general?	Final: This Policy was approved by the Board of Regents and is <u>beyond the scope</u> of the Policy Committee. Any revision of the Policy should be done as a joint project by the three branches of Faculty Governance working with the President and Regents.
A53.1	<u>Policies Applicable to Faculty</u>	Review COG taskforce draft of comprehensive policy listing all policies applicable to faculty.	Completed: Policy issued 12/22/15. Policy updated April 2018 to reflect new, changed, and/or deleted policies. Each Fall the Policy Committee will update as necessary.
A60	<u>Faculty Senate Bylaws</u> RPM 1.7 Advisors to the Board of Regents	Regent policy lists Faculty Senate President as advisor to the Board of Regents.	In addition to the change requested by COG, A60 needs to be revised to reflect the reorganization of Faculty Senate (FS) councils and committees. The FSPC has drafted revisions of A60 and the council and committee charges. Approval and issuance of revised A60 and related policies will <u>depend on FS progress.</u>
A88	<u>Creation and Reorganization of UNM Academic Units</u> RPM 5.1 The Faculty's Role in the University's Academic Mission	RPM 5.1 gives faculty a role in the creation and reorganization of academic units.	Completed: Effective 10/27/15
A91	<u>Creation, Review, Reorganization, and Termination of UNM Research Centers and Institutes.</u> RPM 5.1 The Faculty's Role in the University's Academic Mission	RPM 5.1 gives faculty a role in the creation and reorganization of research centers and institutes.	Completed. Effective 3/7/16
C05	<u>Rights and Responsibilities at the University of New Mexico</u> RPM 2.4 Diversity and Campus Climate RPM 5.1 The Faculty's Role in the University's Academic Mission UAP 2210 Campus Violence	These policies provide important information that should be referenced in the Faculty Handbook. Policy content which focuses on a state of emergency seems inconsistent with C05 title. Content that should be in this policy seems to be missing.	AF&T proposed changing this policy to State of Emergency and moving any information pertaining to discipline to C07. Revised draft approved by AF&T and FSPC 3/7/18. <u>Operations endorsed changes but placed C07 on hold.</u> Revision of C05 is dependent

		The taskforce requests the Committee conduct a full review of this policy and perhaps broaden C05 to provide a positive description of faculty rights and responsibilities.	on C07 revision, so <u>C05 is on hold pending decision on C07.</u>
C07	<u>Faculty Disciplinary Policy</u> RPM 2.5 Sexual Harassment RPM 2.6 Drug Free Environment RPM 2.9 University Archives and Records RPM 6.4 Employee Code of Conduct and Conflicts of Interest policy UAP 2140 Possession of Alcohol on University Property UAP 2200 Whistleblower Protection and Reporting Suspected Misconduct and Retaliation UAP 2210 Campus Violence UAP 2215 Consensual Relationships and Conflicts of Interest UAP 2730 Sexual Harassment UAP 3715 Code of Conduct UAP 3720 Conflicts of Interest UAP 3270 Suspected Employee Impairment at Work UAP 3290 Professional Development and Training	<p>These policies provide important information that should be referenced in the Faculty Handbook.</p> <p>Include these references in C07 because they discuss behavior that can result in disciplinary action.</p>	AF&T Committee and FSPC performed extensive review of C07 and approved revisions 3/7/18. <u>Operations placed on hold due to concerns about Ethics Committee role.</u>
C09	<u>Respectful Campus</u> UAP 2200 Whistleblower Protection and Reporting Suspected Misconduct and Retaliation UAP 2210 Campus Violence	These policies provide important information that should be referenced in the Faculty Handbook.	Completed: Effective 4/25/17. In addition to the changes requested by COG, C09 has been reviewed by the Respectful Campus taskforce for implementation concerns and free speech issues raised by Professor G. Miller in FS meetings. Amended policy approved by Faculty Senate.
C20	RPM 5.3 <u>Employment of UNM Graduates</u>	Regent policy that authorizes C20. Update HSC Chancellor title.	Completed. Effective 11/18/17. Based on campus comment the Faculty Senate chose

			not to delete the policy but did revise it to address the concerns raised by CoG.
C70	<u>Confidentiality of Faculty Records</u> RPM 2.17 Public Access to University Records RPM 5.7 Confidentiality of Faculty Records RPM 6.8 Disclosure of Information About Employees UAP 2300 Inspection of Public Records UAP 3710 Personnel Information Disclosure Policy	These policies contain information that is important for faculty to know—such as “opt out procedures” to protect home address, phone#, personal cell phone #, and personal email addresses.	Final. The Policy Committee feels it is adequate to reference the related Regent and UAP policies in Faculty Handbook Policy A53.1 “Policies Applicable to Faculty”
C130	RPM 5.5 <u>Outside Employment</u> RPM 6.4 Employee Code of Conduct and Conflicts of Interest Policy UAP 3720 Conflicts of Interest	RPM 5.5 authorizes C130. RPM 6.4 and UAP 3720 provide conflict of interest restrictions and state law pertaining to financial disclosure requirements.	FSPC Work Completed—awaiting action by Regents. Policy Committee sent request for change to Policy Offices; unclear when change will be made.
C140	RPM 5.6 <u>Extra Compensation</u>	Update Chancellor title.	FSPC Work Completed—awaiting action by Regents. Policy Committee sent request for change to Policy Offices; unclear when change will be made.
C150	<u>Political Activities of UNM Faculty</u> RPM 2.7 Use of University’s Name and Symbols RPM 6.5 Political Activity UAP 1010 University External Graphic Identification Standards UAP 2060 Political Activity UAP 3740 Media Response	Useful information for faculty engaging in political activity. Newly revised political activity policy number changed to 2060. Either revise C150 to state UAP 2060 does not apply to faculty or ask Policy Office to update 2060 to reference process for leave for faculty to serve in legislature.	Draft under review by FSPC
C220	<u>Holidays</u>	Update for current holidays and add language asking instructors to accommodate student religious holidays. See UAP 3405 for useful language.	Completed. Effective 4/26/16
C225	<u>Professional Leave</u> RPM 7.7 Travel	These policies provide important information that should be referenced in the Faculty Handbook.	FSPC Work Completed. Effective 4/26/16; however original policy was approved by the Board of Regents, so issuance is pending

	UAP 4030 Travel Reimbursement and Per Diem		determination if the Regents have to approve the revision.
C230	<u>Military Leave of Absence</u>	Required by law, C230 is outdated and provides little guidance. Needs to address tenure clock—tricky because based on federal law; need assistance from legal counsel. See UAP 3425 for guidance.	FSPC revised draft and will forward to AF&T to review for tenure related issues.
NEW	Domestic Abuse Leave	This leave is required by NM State Law. Do faculty need a separate policy?	Final. A <i>Faculty Handbook</i> policy is not needed. UAP Policy 3445 is adequate.
C240	<u>Leave of Absence Incident to Political Activity</u> RPM 6.5 Political Activity by Employees	Regent policy authorizes C240.	Draft under review led by FSPC.
C305	<u>Emeriti Status</u> RPM 6.3 Privileges and Benefits	Regent policy authorizes C304.	Under preliminary review by FSPC and AF&T
NEW	Copyright Policy and Law	Consider developing a policy on copyrights. See Pathfinder for useful language.	Draft under review by FSPC
D100	RPM 4.8 <u>Academic Dishonesty</u>	Regent policy that authorizes D100. Does D100 need to be revised to include full RPM definition?	FSPC plans to review after completion of D175 and D176.
D170	<u>Student Attendance</u>	Need to add a section to address military withdrawal, recognize the use of on-line systems to drop, and make it clear it is the student's responsibility to make sure a drop happens.	Taskforce completed work, sent for campus comment. Considerable comments received, FSPC revised draft to address concerns and will send out for a second comment period in September 2019.
D175	<u>Student Conduct and Grievance Procedures</u> RPM 4.2 Student Code of Conduct RPM 4.3 Student Grievances	Regent policy that authorizes D175; and RPM 4.2 describes conduct subject to D175.	Taskforce completed work. Revised draft sent out for comment--considerable comments received. Went out for 2 nd comment period ending 4/16/19. FSPC addressed concerns raised and will send to Faculty Senate for approval in Sept. 2019.
D176	<u>Graduate Student Grievance Procedures</u> RPM 4.3 Student Grievances	Regent policy that authorizes D176. Update to allow for appeal to BOR.	Taskforce completed work. Went out for comment (ending 4/16/19). FSPC addressed concerns raised and will send to Faculty Senate for approval in September 2019.

E10	RPM 5.11 <u>Classified Research</u>	Regent policy authorizes and restricts classified research. Update E10 #4 for HSC counterparts.	
E20	RPM 5.12 <u>Overseas Research</u>	Discusses overseas research. Revise references in E20 to state the provisions of E40. E60 & E70 apply.	
E40	RPM 5.13 <u>Research Fraud</u>	Authorizes and requires E40. Update HSC titles.	Completed: Effective 4/25/17.
E60	RPM 5.9 <u>Sponsored Research</u> UAP 2425 Recovery of Facilities and Administration Costs UAP 2480 Incentives to Program Participants UAP 2470 Sub-Award Administration	These policies provide important information that should be referenced in the Faculty Handbook.	Completed: Effective 10/27/15.
E70	<u>Intellectual Property Policy</u> RPM 2.15 Science and Technology Corporation at UNM RPM 5.8 Intellectual Property	Describes requirements for protection and commercialization of intellectual property. Update HSC titles; possibly add sentence from RPM 2.15; add STC requirements from RPM 2.15 to E70.	FSPC Reviewing for Copyright concerns.
E80	RPM 5.17 <u>Conflict of Interest Waiver for Technology Transfer</u>	Authorizes E80. Update HSC title.	Completed: —no action taken. FSPC advised by legal counsel proposed change is contrary to state law.
E90	RPM 5.14 <u>Human Beings as Subjects in Research</u>	Provides guidance for E90.	Completed: Effective 10/27/15.
E100	RPM 5.15 <u>Use of Animals in Education and Research</u>	Provides guidance for E100. Is the FH Policy title complete?	
E110	RPM 5.10 <u>Conflict of Interest in Research</u>	Provides guidance for E110.	FSPC Work Completed—HSC requested change not made. Awaiting action by Regents. Policy Committee sent request for change to Policy Office; unclear when change will be made. HSC requested revision but there are legal concerns. Per legal counsel requested change would be illegal. No action taken.

Placeholder Policies in FH: In addition to the references listed above, the taskforce identified a few general topics that are not discussed in the FH, but that have a number of important RPM or UAP policies that are applicable to faculty, which made it difficult to associate the applicable policies with a FH policy that would reference them. These topics include employee benefits, information technology, safety and security, and student policies. The taskforce recommends that the Policy Committee review these topics to determine if a high-level faculty policy should be developed to address the issue and contain references to applicable RPM or UAP policies.

Employee Benefits	RPM 6.11 Dependent Education Benefits UAP 3600 Eligibility for Employee, Retiree, and Dependent Benefit Plans UAP 3625 Retirement UAP 3630 Worker's Compensation UAP 3635 Unemployment Compensation UAP 3640 Supplemental Retirement Savings Plans UAP 3650 Flexible Spending Accounts UAP 3700 Education Benefits UAP 3745 Service Awards UAP 3750 Counseling, Assistance, and Referral Service UAP 3790 Domestic Partners	Final: FSPC determined no Faculty Handbook policy needed.
Information Technology and Security—Does there need to be a separate IT Policy in the Faculty Handbook?	UAP 2000 Responsibility and Accountability for University Information and Transactions UAP 2030 Social Security Numbers UAP 2500 Acceptable Computer Use UAP 2510 Computer Use Guidelines UAP 2520 Computer Security Controls and Access to Sensitive and Protected Information UAP 2540 Student Email UAP 2550 Information Security UAP 2570 Official University Webpages	Final: FSPC determined no Faculty Handbook policy needed.
Payroll	UAP 2615 Non Standard Payment Processing UAP 2620 Distribution of Pay UAP 2635 Payroll Deductions, W-2s, and Tax Reporting UAP 2650 Payment When Terminating Employment UAP 2670 Garnishments and Other Wage Withholdings UAP 2680 Payroll Overpayments and Collection	Final: FSPC determined no Faculty Handbook policy needed.

Safety and Security	RPM 3.7 Health Sciences Center Institutional Compliance Program RPM 7.14 Risk Management and Insurance RPM 8.2 Law Enforcement on Campus RPM 8.3 Parking and Vehicles on Campus UAP 2210 Campus Violence UAP 2250 Tobacco-Free Campus UAP 2260 Bicycles and Other Non-Motorized Vehicles UAP 2290 Animal Control on University Property UAP 6100 Risk Management UAP 6110 Safety and Risk Services UAP 6130 Emergency Control UAP 6150 Casualty and Liability Insurance and Claims	Final: FSPC recommend to Faculty Senate Operations that an existing committee be charged with working with administration to ensure that faculty are consulted when significant safety and security decisions are made by UNM administration.
Student Policies	UAP 2310 Academic Adjustments for Student with Disabilities UAP 2710 Education Abroad Health and Safety	Final: FSPC determined no <i>Faculty Handbook</i> policy needed. These two UAP policies are being revised by the Policy Office and the FSPC has sent extensive comments and concerns. FSPC chair will attend a meeting in June to discuss concerns with subject experts.

Major Concerns with: Final: The FSPC determined these issues and policies are beyond the scope of the Policy Committee, except for FH C05 “Rights and Responsibility at UNM,” FH C09 “Respectful Campus,” and FH C150 “Political Activity,” which are discussed above.

UAP 2100 “Sustainability” The FSPC has developed a revision of C07 which was approved by AF&T and is with Faculty Senate Operations. Please review UAP 2100 pertaining to academic freedom. Sec 3.2.2 of UAP 2100 addresses faculty's role and Sec 5 addresses curriculum and research. The taskforce raised the following concerns about 2100:

- 1) Does there need to be a partner policy that protects academic freedom?
- 2) Should University Counsel be asked if this should even be a policy—isn't it more a value?
- 3) Can a faculty member be disciplined for not complying with UAP 2100? If so, should C07 be revised to address academic freedom concerns?

UAP 3425 “Military Leave and Related Service” The FSPC determined that UAP 3425 is adequate with the exception of addressing the tenure clock which the Policy Committee is working on. Please review UAP 3425 to determine applicability to faculty and students. There is concern as to how the policy would relate to the tenure clock. Also, there are specific grade, credit, and graduation legal requirements for faculty pertaining

to students who are called to active service during a semester. The Policy Committee should determine if changes need to be made to UAP 3425 or whether a separate *Faculty Handbook* policy should be developed.

Political Activities, Freedom of Speech and Media Response Policies. The FSPC is working on C150 and C240, the remaining policies are beyond the scope of the Committee. Please review UAP 3740 to determine if changes are needed to address the faculty role. This should be done in conjunction with a review on C150, RPM 2.1, RPM 6.5, UAP 2220, and UAP 3735, which pertain to political activity and freedom of speech. After review by the Policy Committee, requests should be made to the Policy Office for any revisions to applicable RPM and/or UAP policies.

Public Records. The FSPC determined this work is beyond the scope of the Committee. The Committee may want to revisit the discussion of public records and how faculty information is or is not released in response to an Inspection of public records request.

FIRE Report: Final: The FSPC created a report for Operations on this issue. The Foundation for Individual Rights in Education issued the report “Spotlight on Speech Codes 2015: The State of Free Speech on our Nation’s Campuses.” Professor Geoffrey Miller performed an analysis on UNM policies that he feels support or undermine academic free speech. He raised concerns, which may or may not be valid about the policies listed below. The taskforce wanted to bring his concerns to the attention of the Policy Committee for possible review.

FH A20 Vision, Mission, and Value Statements

FH C05 Rights and Responsibility at UNM -- This Policy is being rewritten to apply only to State of Emergency with discipline items moved to C07 “Faculty Discipline Policy”

FH C09 Respectful Campus—Completed 4/25/17

FH C150 Political Activity—The FSPC is working on C150. Professor Miller had only good comments for this policy, but as the Committee reviews it for other issues raised by the taskforce, it might be helpful to read Professor Miller’s analysis on this policy.

From: Lora Stone

Sent: Wed 7/31/2019 9:38 PM

To: Finnie Coleman <coleman@unm.edu>;

Subject: follow up Re: [OPS-L] Consensual Relationships Task Force!

Hi Finnie--

The idea for this task force began under the past co-chairs.

The Policy Committee voted in the June 5 meeting to submit the request to OPS.

There were requests from faculty outside PC and from within PC.

Definitely needs more discussion given the questions/concerns below.

More when I hear from Leslie.

Lora

From: Finnie Coleman <coleman@unm.edu>

Sent: Wednesday, July 31, 2019 6:34 PM

To: Faculty Senate Operations Committee <OPS-L@LIST.UNM.EDU>; Leslie Oakes <loakes@unm.edu>;

Lora Stone <lora@unm.edu>

Subject: Re: [OPS-L] Consensual Relationships Task Force!

Hi Leslie and Lora,

I would like for us to get together when your schedules allow to discuss the task force and a few other things. We were not able to have a full discussion on the task force during OPS, but will take it up as soon as we next have quorum. In your rationale you mention that there is an urgent need. Is something happening that serves as a predicate for that sentiment? Please let us know why it is urgent (not disagreeing – just want to know more). **As an effort designed to result in a change to the Faculty Handbook, it seems that there would be more faculty involved in the process** -the only faculty member is chairing the effort. At first blush, this seems to be a concern that should be shared by the entirety of our academic community. If so, **why wouldn't the work of this taskforce result in a university policy as opposed to a faculty policy?** We imagine that the language of such a policy would provide the antecedent for a FACSSEN policy. Also, for the sake of clarity, **did this effort emanate from a suggestion to the policy committee from a member of the faculty or was it generated internal to the policy committee?** Please share your thoughts with me as soon as possible.

All the best!

Finnie

Dr. Finnie D. Coleman
President, UNM Faculty Senate

From: Faculty Senate Operations Committee <OPS-L@LIST.UNM.EDU> on behalf of Candyce Torres <ctorres@UNM.EDU>

Reply-To: Faculty Senate Operations Committee <OPS-L@LIST.UNM.EDU>

Date: Monday, July 22, 2019 at 2:50 PM

To: "OPS-L@LIST.UNM.EDU" <OPS-L@LIST.UNM.EDU>

Subject: [OPS-L] Consensual Relationships Task Force!

Dear Operations Committee Members,

The Faculty Senate Policy Committee has elected to assemble a Task Force on Consensual Relationships, and respectfully requests your approval. The Charge, Rationale, and Membership are listed below, and a draft of the Invitation Letter is attached.

Sincerely,

Leslie Oakes and Lora Stone, Co-Chairs, Faculty Senate Policy Committee

Task Force Charge

The charge of the Task Force is to make recommendations for a “Consensual Relationships” policy in the UNM Faculty Handbook. As part of this process, the Task Force will review existing policies at UNM and other universities related to “Consensual Relationships.” The Task Force will make recommendations to the Faculty Senate Policy Committee for a “Consensual Relationships” policy, which will be vetted in the FSPC and then forwarded through the appropriate faculty governance approval process.

Rationale

At this time, there are no policies in the UNM Faculty Handbook that specifically address “Consensual Relationships.” The only existing policy that addresses “Consensual Relationships” is *Administrative Policies and Procedures Manual - Policy 2215: Consensual Relationships and Conflicts of Interest*, published 11-25-2014. There have been several inquiries and requests regarding “Consensual Relationships,” as well as an increase in concerns and grievances related to “Consensual Relationships.” There is an urgent need for a specific policy on “Consensual Relationships” in the UNM Faculty Handbook.

Task Force Voting Members

- Women's Resource Center (WRC), **Jessica Hidalgo Holland**, Director
 - Title IX, **Angela Catena**, Coordinator
 - Graduate and Professional Student Association (GPSA), **Muhammad Afzaal**, President
 - Associated Students of the University of New Mexico (ASUNM), **Becka Myers**, President
 - Office of University Counsel (OUC), **Katherine Miefert**, Associate University Counsel
 - Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) Resource Center, **Lawrence Roybal**, Acting Director
 - **Carol Stephens**, Professional Consultant, Office of the University Secretary
 - **Elizabeth Hutchison**, Chair of Task Force, Policy Committee Member
 - **Amy Levi**, Policy Committee Ex-Officio Member, HSC Vice Chancellor for Academic Affairs
- Additionally, the Dean of Students will be consulted but not included in the task force membership.

Memorandum

Date: August 29, 2019

To: Faculty Senate Policy Committee

From: Carol Stephens, Consultant, Office of the University Secretary

Re: Possible Revisions to Policy A 53.1 “Policies Applicable to Faculty”

Each year the table in Policy A53.1 needs to be reviewed to identify required changes.

1. I reviewed Regent and UAP Policies to determine if any new policies have been added. The following five new policies have been added to Regents and/or UAP. Based on a review of these policies I suggest the additions highlighted in **red** for your consideration.

Policy Number	Title	Effective Date
RPM 2.18	Guiding Principles	8/14/15 *
5250	Use of University Facilities	6/11/2018
5320	Universal Design	2/20/2019
6020	Records Management, Retention, and Disposition	6/11/2018
6420	UNM Public Art Collection	2/20/2019

* Although not recent, this policy was not previously cited in the table.

2. I checked the links in A53.1 to ensure they are still valid. Regent policies 2.3, 2.4, & 2.5 were consolidated into policy 2.3. I suggest the corrections highlighted in **blue** for your consideration.

3. I reviewed the items in the current table in light of recent Policy Committee work and suggest the following additions/corrections highlighted in **purple** for your consideration.

Topic	Board of Regents’ Policies	Faculty Handbook Policies	University Administrative Policies (UAP)
Academic Adjustments for Students with Disabilities	RPM 2.3	FH D170	UAP 2310
Academic Dishonesty	RPM 2.18 ; 4.8	FH D175; D176	
Academic Freedom and Tenure	RPM 1.5; 2.1; 2.3; 2.18 ; 5.2; 5.16; 6.5	FH Section B ; C150; C240	UAP 2060; 2220
Academic Mission	RPM 2.18 ; 5.1	FH A88; A91	UAP 1000
Accommodation for Employees with Disabilities	RPM 2.3; 2.18		UAP 3110; 5320
Accommodation for Students with Disabilities	RPM 2.3; 2.18	FH D170	UAP2310; 5320

Animal Use in Education and Research	RPM 2.18 ; 5.15	FH E100	
Animals, Service	RPM 2.18		UAP 2295
Annual Leave	RPM 5.4	FH C50 ; C205	
Appeals	RPM 1.5; 4.3	FH B6; D175; D176;	
Archives and Records--UNM	RPM 2.9	FH C07	UAP 6020
CARS		FH C09	UAP 3750
Code of Conduct (Employee)	RPM 2.18 ; 6.4		UAP 3720
Code of Conduct (Student)	RPM 2.18 ; 4.2; 4.3	FH D175; D176	
Conflict of Interest	RPM 2.18 ; 6.4	FH C130	UAP 3720
Conflicts of Interest in Research	RPM 2.18 ; 5.10	FH E110	UAP 3720
Consensual Relationships and Conflicts of Interest	RPM 2.5 2.3; 2.18	FH C07	UAP 2215
Counseling, Assistance, and Referral Service		FH C09	UAP 3750
Disabilities	RPM 2.18	FH D170	UAP 2310; 3110
Dishonest or Fraudulent Activities	RPM 2.18		UAP 7205
Dishonesty in Academic Matters	RPM 2.18 ; 4.8	FH D100; D175; D176	
Diversity and Campus Climate	RPM 2.4 2.3; 2.18	FH C50	
Equal Opportunity and Affirmative Action	RPM 2.18 ; 2.3 ; 5.2		UAP 2720
Faculty's Role in the University's Academic Mission	RPM 2.18 ;5.1	FH A91	
Fraudulent or Dishonest Activities	RPM 2.18		UAP 7205
Free Expression and Advocacy	RPM 2.1; 2.18	FH C150 ; C240	UAP 2060; 2220
Grievances -- Student	RPM 2.18 ; 4.2; 4.3	FH D175 ; D176	
Guiding Principles	RPM 2.18		
Human Beings as Subjects of Research	RPM 2.18 ; 5.14	FH E90	
Information Technologies (IT) Governance		FH A61.6	UAP 2560
Inspection of Public Records	RPM 2.17; 4.4; 5.7; 6.8	FH C70	UAP 2030; 2300; 3710; 6020
Misconduct --Reporting	RPM 2.18		UAP 2200
Misconduct --Research	RPM 2.18 ; 5.13	FH E40	
Museums and Collections			UAP 6410; 6420
Parental Leave	RPM 5.4	FH C215	UAP 3440
Political Activity	RPM 2.18 ; 6.5	FH C150 ; C240	UAP 2060; 2220; 3740

Public Information and/or Access to University Records	RPM 2.17; 4.4; 5.7; 6.8	FH C70	UAP 2300; 3710; 6020
Reasonable Accommodation for Employees with Disabilities	RPM 2.18		UAP 3110
Records Management, Retention, and Disposition	RPM 2.9		UAP 6020
Reporting Suspected Misconduct; Whistleblower Protection from Retaliation ;	RPM 2.18		UAP 2200
Research, Conflicts of Interest	RPM 2.18 ; 5.10	FH E110	UAP 3720
Research Misconduct	RPM 2.18 ; 5.13	FH E 40	
Research Subjects	RPM 2.18 ; 5.14; 5.15	FH E100	
Respectful Campus	RPM 2.18	FH C09	UAP 2240
Retaliation	RPM 2.18		UAP 2200
Retirement		FH B5	UAP 3600; 3625; 3640; 3700
Rights and Responsibilities	RPM 2.3 2.4 2.5 ; 2.6; 2.7; 2.9 2.18	FH C05	UAP 1010; 2140; 2215; 2740; 3290; 5010; 6110; 6150
Service Animals	RPM 2.18		UAP 2295
Sexual Harassment	RPM 2.18 ; 2.3 2.5	FH C07	UAP 2210; 2740; 3290
Sexual Misconduct	RPM 2.18 ; 2.3 2.5	FH C07	UAP 2210 ; 2740
Sick Leave	RPM 5.4	FH C210	UAP 3440
Student Code of Conduct	RPM 2.18 ; 4.2	FH D175; D176	
Student Grievances	RPM 2.18 ; 4.2; 4.3	FH D175 ; D176	
Student Records	RPM 4.4		UAP 6020
Students with Disabilities, Academic Adjustments	RPM 2.18	FH D170	UAP 2310
Sustainability	RPM 2.18		UAP 2100; 6350
University Archives and Records	RPM 2.9	FH C07; C70	UAP 6020
University Design			UAP 5320
UNM Public Art Collection			UAP 6420
Whistleblower Protection from Retaliation ; Reporting Suspected Misconduct	RPM 2.18		UAP 2200

UNM Board of Regents Policy Manual

This Manual sets forth policies adopted by the Board of Regents for the governance of the University of New Mexico.

The *Board of Regents' Policy Manual* shall be controlling in any matters in which there is an inconsistency between the *Faculty Handbook* or the *University Administrative Policy and Procedures Manual* and the *Board of Regents' Policy Manual*.

Faculty Handbook

Policies pertaining primarily to faculty and academic matters in compliance with the *Regents' Policy Manual*.

The *Faculty Handbook* shall be controlling in any faculty and academic matters in which there is an inconsistency between the *Faculty Handbook* and the *University Administrative Policies and Procedures Manual*, the *University Catalog*, or the *Pathfinder*.

University Administrative Policy and Procedures Manual (UAPPM)

UAPPM policies implement the policies in the *Regents' Policy Manual*.

UAPPM is intended to address administrative policies and procedures. It does not contain academic policies, which are published in the *Faculty Handbook*.

UNM Catalog

The UNM Catalog is UNM's primary and comprehensive single source of departmental, college and university-wide information related to academic programs. Must align with *Regent*, *Faculty Handbook*, and *UAPPM* policies.

Colleges and departments may have individual policy and procedure documents that establish specific guidelines for personnel in those organizations. These individual organizational guides must be consistent with the *UAPPM* and *Faculty Handbook*. Where conflict may exist, the *UAPPM* or *Faculty Handbook* shall prevail.

Pathfinder-- UNM Student Handbook

Most policies referenced in *The Pathfinder* can be found in the four policy manuals: *Board of Regents' Policy Manual*, *Faculty Handbook*, *UAPPM*, *UNM Catalog*.

Executive Division Policies

College/School Policies

Division Policies

Unit Policies

Departmental Policies

Policy Committee Work Status Table (updated 8/29/19)

(Rows shaded orange indicates active with FSPC; shaded purple indicates on hold pending action by another group)

Policy #	Brief Title	Date Last Revised	Date Added to List	Summary of Recommended Action	Related Documents & Notes or Concerns	Target Cycle	FSPC Action	Campus Comment Period	Faculty Senate Action	FH Status
NA	Policy Approval Table	N/A	November 2015	Identify the required approvals for all FH Policies						
A52.1.1	FMRC Charge		Feb 2018	Recommended by AF&T linked to C07		Spring '19	AF&T and FSPC approved 3/7/18 to go to Operations. Operations placed on hold pending review.			
A53.1	Policies Applicable to Faculty	4/20/2018		Update to reflect new and revised policies		Fall '19	FSPC needs to review in Fall '19 to see if any updates are needed			
A60	Faculty Senate Bylaws	4/27/04	11/4/15	Major changes required to reflect the Faculty Senate restructure. COG taskforce asked FSPC to add reference to RPM 1.7. Final action awaiting FS report to COG		Spring '19	Drafts reviewed by FSPC 2/7/18 & 3/24/19 and sent to Operations 2/27/18 & 3/24/19 for review. Operations is reviewing drafts			
A61 – A70	Council and Committee Charges			Charges need to be developed for new councils and committee charges need to be revised to reflect FS restructure in accordance with revision of A60 above		Spring '19	Drafts reviewed by FSPC 2/7/18 & 3/24/19 and sent to Operations 2/27/18, 3/24/19, July '19 for review. Operations will have chairs review drafts.			
A61.8	Faculty Ethics and Advisory Committee	unknown	June 2015	The Ethics Committee wants to update their charge. Referred to AF&T		Spring '19	AF&T recommendation for the FMRC linked to C07 being discussed with Operations on hold			
Sec B	AF&T			Hasn't been updated for approx. 20 years. AF&T has appointed a task force to review						
C05	Rights and Responsibilities at UNM	July 1982	12/2/15	COG taskforce asked FSPC to perform a comprehensive review. AF&T recommend change to State of Emergency and move disciplinary language to C07		Spring '19	FSPC approved 3/7/18 to go to Operations. Operations placed on hold pending review.			
C07	Faculty Disciplinary Policy	3/22/11	5/6/15	Assigned to AF&T for review. 1) need to add peer hearing procedures. 2) C Parker has implementation concerns. Stephens working with AF&T on revision		Spring '19	AF&T and FSPC approved 3/7/18 to go to Operations. Operations placed on hold pending review.			
C50	Faculty Contracts	unknown	3/6/14	Update and possibly remove annual leave issues if C205 developed			Referred to C Parker. C Parker has left. Need to discuss at future mtg.			
C150	Political Activities of UNM faculty	Sept 1970	12/2/15	COG taskforce asked FSPC to perform a comprehensive review.			FSPC briefly reviewed; will take up in Fall 2019			
C170	Endowed Chairs	10/15/13		Add definitions for endowed chairs and named professors.	Related to Sec B issues above		Researched other colleges and universities for definitions. ON HOLD pending AF&T			
C200	Sabbatical Leave	05/14/04	01/29/14	Good enough for now, but needs to be updated.	RPM 5.4; May require BOR approval	???	Addressed campus comments. FSPC sent draft to AF&T for review. M Baum thinks AF&T requested policy not be changed. May be addressed by Section B taskforce	2/18/15 to 3/20/15		
C205	Annual Leave	Unknown	01/29/14	Propose a policy be written that reflects current practice and removes annual leave	C50	Depends on C50	Tied to C 50 included in memo to be sent Parker to remind her. Need to discuss at future mtg.			75

				information from C50 Faculty Contracts Policy	RPM 5.4; May require BOR approval. Look at HSC policies for outside work					
C210	Sick Leave	08/29/78	01/29/14	Out of date. Needs to be completely rewritten	C50 RPM 5.4; May require BOR approval		Discussed at 2/4/15 meeting. Per FSPC Chairs leave alone.			
C225	Professional Leave	8/29/78	11/4/15	COG taskforce asked FSPC to add reference. FSPC identified a few other required changes		Spring '17	Approved by OPS for campus comment.	Ends 4/19/16	Approved by FS 4/26/16	Needs approval of faculty and Regents
C230	Military Leave	8/29/78	10/13/14	Review for consistency with revised admin policy; need to address tenure and also new military recruiting policy which Kim will send me	UAP 3425 Military recruit law	???	At 2/13/19 mtg approved revised draft, but requested it go to AF&T for review. Stephens will send draft to AF&T for review.			
C240	LOA Incident to Political Activity			See C 150 above			On FSPC 2/13/19 agenda. Needs further discussion			
C250	Academic Leave for Lectures	10/8/13	July 2015	Need to align with proposed changes to Sabbatical		??? depends on C200	FSPC needs to discuss and decide if to move off list re C200 Sabbatical & AF&T's request not to change.			
C305	Emeriti Policy	4/27/10	12/20/15	Add dept. processes and criteria for emeriti status.			Under consideration by AF&T			
D75	Classroom Conduct	Unknown	10/5/16	Reassign from info item to Policy document put in new format. Address Copyright issues			On FSPC 3/6/19 agenda. Needs further discussion			
D170	Student Attendance	unknown	12/2/15	COG taskforce asked FSPC to perform a comprehensive review. Taskforce work progressing	Pathfinder, Dean of Students pro, Catalog	Fall '18	FSPC made changes to address campus comments. FSPC to consider adding guidelines for attendance accommodation. On June 19, 2019 agenda. Needs to go out for 2nd comment period in Sept 2019.	1/30/19 – 3/1/19 To go out in Fall '19		
D175	Student Grievance Procedure	5/13/2014	June 2016	Inconsistencies between Pathfinder and FH; identified by DOJ as needing immediate attention			FSPC revised draft to address campus comments. Operations approved to go out for 2 nd comment period. Extensive comments received from DOS June 19, 2019 FSPC approved draft to go to Operations	4/7/17 to 5/10/17 2 nd comment period 2/13/19 to 4/13/16		
D176	Graduate Student Grievance Procedure	3/1/17		Remove graduate students from d175 and expand D176			FSPC revised draft to include changes made to D175 per campus comments. Operations approved to go out comment. Extensive comments received from DOS on June 19, 2019 FSPC approved draft to go to Operations	2/13/19 to 4/13/16		
E40	Research Misconduct	4/13/04	9/2015	Address ORI Concerns	RPM 5.13 may need to be revised.	Fall '17	ORI endorses per Dr Larson. RPM 5.13 may need to be revised.	4/7/17 to 4/21/17	Approved by FS 4/25/17	Posted Sept 2017 May need to be approved by Regents—previous versions were

Recently Completed Work

A53.1	Policies Applicable to Faculty	12/22/2015	3/27/2018	Update to reflect new and revised policies		Spring '18	Approved by FSPC 4/4/18	NA	Approved by Operations April 2018	Posted
A61.6	IT Use Committee		6/7/17	IT Use Committee requested changes		Spring '18	Approved by FSPC 4/4/18	3/23/18 - 4/22/18	FS Approv. 4/24/2018	Posted
A66	Policy Committee	11/27/07	6/7/1715	Update Committee membership.		Fall '17	FSPC approved draft	10/13/17 11/13/17	FS Approv. 11/28/2017	Posted
A91 Standard	Research Centers and Institutes	4/28/15		Need to post standard on FH webpage						POSTED to FH Resources page
C20	Employment of UNM graduates	03/12/51	01/29/14	Comprehensive review to address diversity and recruitment & NM Minority Doctoral Loan-for Service Program	RPM 5.3 Does not need to be revised	Fall '17	FSPC and Operations recommended deletion, but based on campus comments revised draft to reflect current practices	4/17/17 – 5/18/17 & 10/13/17 11/13/17	Approved by FS 11/28/2017	Posted
C290	Ombuds for Faculty	new	May 2016	The C09 Respectful Campus Taskforce suggested the Handbook needed a policy on Ombuds for Faculty similar to the staff policy			FSPC approved 12/5/18 to go to Operations to go out for campus comment		Approved by FS 4/23/19	Posted to FH
D50	Assignment of Credit Hours	NEW	2/26/18	HLC requires an institutional policy	Glossary of Terms Catalog	Spring '18	Out for campus comment. FSPC approved draft	3/23/18 - 4/22/18	Approved by FS 4/24/2018	Posted
D90	Posthumous Degrees			Revise to address new situations		Fall '17	FSPC approved; Approved by OPS for campus comment.	10/13/17 11/13/17	Approved by FS 11/28/2017	Posted
E40	Research Misconduct	4/13/04	9/2015	Address ORI Concerns	RPM 5.13 may need to be revised.	Fall '17	ORI endorses per Dr Larson. RPM 5.13 may need to be revised.	4/7/17 to 4/21/17	Approved by FS 4/25/17	Posted Sept 2017
E90	Human Beings as Subjects in Research	11/15/1966	1/27/16	IRB and Dr. Larson propose revisions	RPM 5.13 & 5.14; FH E40	Fall '17	ORI endorses per Dr Larson. RPM 5.14 may need to be revised.	March 2017	Approved by FS 4/25/17	Posted Sept 2017
E110	Conflict of Interest in Research	5/12/2003	5/2017	Coffee Brown requesting change to definition of significant financial int.	RPM 5.10	No action	Policy Committee not making requested change on advice of legal FSPC advised by legal counsel proposed change is contrary to state law.			Issue Closed—No changes on advice of legal
F10	Role and Functions of UNM Branch ...		4/20/17	Branch campus taskforce working on updating policies			FSPC approved; Approved by OPS for campus comment.	10/13/17 11/13/17	Approved by FS 11/28/2017	Posted
F70	Articulation, Degree Approval ...		4/20/17	Branch campus taskforce working on updating policies		Spring '18	FSPC addressed campus comments, FSPC approved to go out for subsequent comment period.	2/27/18 – 3/29/18 October 2018 ???	Approved by FS 1/22/19	Posted Feb 2019
F80	Representation on FS and Its Committees		4/20/17	Branch campus taskforce working on updating policies		Spring '18	FSPC approved 12/6/17, Operations approved to go out for campus comment.	2/27/18 – 3/29/18	Approved by FS 4/24/2018	Posted
F90	AF&T Appointment and Grievance Procedures		Oct 2017	Branch campus taskforce working on updating policies			Approved by AF&T and FSPC. Went to faculty for vote and was approved.		Approved by full faculty in Nov 2017	Posted
F100	Teaching Load		4/20/17	Branch campus taskforce working on updating policies			Approved by AF&T and FSPC. Went to faculty for vote and was approved.		Faculty Approved Nov 2017	Posted