

INTRODUCTION

PURPOSE OF THE MANUAL

This MANUAL has been designed and developed to serve two main purposes: 1) as a guide for the Board of Regents in carrying out its constitutional responsibility for the control and management of the University, and 2) as a source of information for others concerning the basic policies of the University and procedures followed by the Board. Campus groups of administrators, faculty members, students, and staff who will continue to contribute materially to the development of these policies have a vital need for this information. The Commission on Higher Education, the Legislature, and the general public must also have convenient access to it.

CODIFICATION OF EXISTING POLICIES

This edition of the MANUAL is primarily a codification of existing policies and procedures approved by the Regents.

EFFECTIVE DATE

This MANUAL becomes effective on the date of its adoption by the WNMU Board of Regents.

SCOPE OF THE MANUAL

In general the policies and procedures of the Regents are listed and explained briefly in the main body of the MANUAL.

The REGENT'S POLICY MANUAL as adopted and as amended from time to time, is the basic document governing the University community. Power not expressly, or by necessary implication, delegated by this MANUAL is reserved to the Regents.

All the appendices are hereby expressly incorporated into this MANUAL, thereby having the same effect as though set out in the MANUAL in full.

MODIFICATIONS TO MANUAL

This MANUAL and the policies included may be modified by a majority vote of the Board of Regents at any of its meetings subject to the policy on formulation of policies. It is the intention of the Regents that proposed modifications will receive adequate publicity and discussion prior to their adoption. Any proposals for amendment originating within the University will first be submitted to the President and then to the Board of Regents, which will take final action after giving due consideration to the opinions of the Faculty Senate, the Staff Senate, and the Administration.

GLOSSARY

(These items are for the convenience of the reader and do not have the effect of policy.)

ACADEMIC DISCIPLINE

A field of study, such as “history or physics.”

ACADEMIC FREEDOM

Used in college and university circles to mean the right of a faculty to do research, teach, write, and speak, both on and off campus, free from institutional censorship or discipline. This freedom carries with it responsibilities correlative with rights.

ACADEMIC LOAD

The official work-load responsibility of any faculty member, measured in units as defined later in this glossary. It may include classroom teaching, conducting seminars and laboratories, committee assignments, conducting scholarly activities to include sponsored and non-sponsored research, directing thesis, sponsored and unsponsored research, University sanctioned grants and contracts, advising students, supervising students placed in field experiences, or carrying out assigned administrative responsibilities.

ADMINISTRATION

When capitalized, this word usually refers to those persons comprising the central administration of the University, including the President and Vice-Presidents. Occasionally, “Administration” may be used to include additional administrative officers such as the Human Resources Officer, the Registrar, and the Librarian.

ADVANCED DEGREE

Any academic degree above the baccalaureate degree. For example, a master’s degree, a doctor of philosophy degree, or a doctor of education degree.

ADVISORY SEARCH COMMITTEE

A committee appointed to assist in the search for and to help screen candidates for a faculty, staff, or administrative position to be filled. Such a committee provides input from which the final selection will be made.

AFFIRMATIVE ACTION

The process of employment which prohibits discrimination on the basis of race, color, religion, sex, national origin, sexual orientation, age, handicap or military involvement and which includes special efforts to improve the recruitment, employment, development, and promotional opportunities for women and members of minority groups.

ALUMNI ASSOCIATION

The Western New Mexico University Alumni Association, an independent body.

AMERICAN ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES (AASCU)

An organization operated for educational, scientific, and literary purposes; specifically to (1) improve higher education within its member institutions through cooperative planning, through a more unified program of action among its members, and (2) provide

other needed and worthwhile educational service to the state colleges and universities it represents.

AUDITING

INTERNAL AUDITING - A continuous process of examination and verification of accounts and procedures carried on internally at the University.

EXTERNAL AUDITING - An examination and verification of University books of account carried out annually by the state auditor, personnel of the state auditor's office designated by him or her, or by independent auditors.

BOARD OF REGENTS

The five-member body charged by the New Mexico Constitution with the management and control of the University. (This body sometimes referred to as the "The Regents" or "The Board".)

CODE OF CONDUCT

This code stipulates the kinds of conduct required of all University employees in matters involving business transactions, possible conflict of interest situations, and acceptance of gratuities.

COMMISSION ON HIGHER EDUCATION

Commonly referred to as the CHE, this body was created to deal with problems of finance of the designated state institutions of higher learning.

COURSES

Academic offerings in various fields of study, usually described and measured in terms of semester hours of credit.

CURRICULUM

Most commonly used to mean a group of courses leading to a certificate, diploma, or degree offered by an educational institution.

DEPARTMENT OF FINANCE AND ADMINISTRATION

Often referred to as the DFA, this is a department in the executive branch of state government in New Mexico concerned with the expenditure of public monies.

FACULTY

The academic body of the University made up of all persons holding faculty contracts.

FACULTY SENATE

An elected representative body of the Faculty charged with carrying out certain responsibilities on behalf of the Faculty.

FREEDOM OF INQUIRY

The freedom of a faculty, of a faculty member or student to investigate and report on any topic without censorship or penalty.

GRIEVANCE

An official complaint by an employee or student that he or she has been adversely affected by a violation of the University's policies and practices regarding terms and conditions of employment.

HONORARY DEGREE

A highly prestigious recognition given by the University to carefully selected persons of distinction.

LEAVE OF ABSENCE

A period of absence without pay of University employees from assigned duties, approved in accordance with leave policy.

OUTSIDE EMPLOYMENT

Professional employment for compensation which is not disbursed by the University. (See Chapter IV)

OVERLOAD (COMPENSATION)

Money paid by the University to its faculty over and above their contracted salaries in return for extra services rendered by them.

PRESIDENT

When capitalized, the President of the University.

PROFESSIONAL TITLES

Professor, Associate Professor, Assistant Professor, Instructor, full-time persons in these ranks, unless on temporary status, hold tenure or are on a tenure-track contract unless their contracts specifically state the contrary. A lecturer is a full-or part-time teacher whose appointment does not lead to tenure.

PROGRAM REVIEW

The process of defining, collecting, and analyzing information about an existing program to arrive at a judgment about the continuation, modification, enhancement, or termination of the program.

PROMOTION IN ACADEMIC RANK

The upward movement in academic rank and title by faculty members; for example, a promotion from the rank of Assistant Professor of English to Associate Professor of English.

PUBLIC SERVICE

Service rendered with or without extra compensation by University employees to individuals, groups, or agencies outside the University.

QUORUM

The number of members of a body required to be duly assembled in order for the body legally to transact its business. (At the University, such bodies would include among others the Board of Regents, the General Faculty, the Faculty Senate, the Staff Senate, the Student Senate, etc.)

THE REGENTS OF WESTERN NEW MEXICO UNIVERSITY

The corporate title of the University.

RESEARCH

SPONSORED RESEARCH - Organized investigation in a field of study paid by a person or agency outside the University. (Research supported by the State or Federal Governments is included in this category of research.)

UNSPONSORED RESEARCH - Scholarly investigation in a field of study done by faculty members and/or students on their own time and at their own expense. Such research may or may not make use of University facilities and equipment.

SCHOLARSHIP, RESEARCH, AND CREATIVE ACTIVITIES

The chief non-teaching activities of a faculty member, including writing on scholarly topics, carrying on scholarly investigation, and creating works of art.

SEMESTER

An instructional period of approximately 16 weeks including a period of one week for examinations or other appropriate culminating activities, usually beginning in late August (Fall Semester) or mid-January. (Spring Semester).

SEMESTER HOUR

The credit that is allowed for one 50-minute period per week throughout a semester or its equivalent in a lecture class. (A course listed for three hours of credit would meet for three periods per week throughout a semester, or, as in the case of summer sessions, a course that would require a comparable time/credit ratio.)

SOLICITATION OF EMPLOYEES

As used in this MANUAL and its appendices this term includes electioneering of any kind, as well as the usual forms of soliciting.

SPECIAL MEETING OF THE BOARD OF REGENTS

Any meeting of the Board other than "regular" meetings (which are scheduled in advance by decision at a regular meeting) or emergency meetings.

STAFF

Those persons employed at the University holding positions other than teaching and who do not have faculty rank.

STAFF SENATE

The elected representative body of the staff composed of 15 Senators who serve as a source of input for issues and decisions of the University as they relate to the general welfare and conditions of employment of the staff.

STUDENT SENATE

The elected representative body of the student government of the University which transacts business on behalf of the student body.

STUDENT CREDIT HOURS

Used in determining teaching loads of faculty members, student credit hours are determined by multiplying the number of semester hours of credit listed for a course by the number of students enrolled in a course. For example, a three-semester hours course in which 30 students are enrolled would produce 90 student-credit hours.

STUDENTS

Persons enrolled in courses, seminars, or other academic programs offered by the University.

TEACHING

A term used broadly to include preparing and giving lectures and demonstrations leading discussion, preparing and administering examinations, grading papers, advising students, assigning grades for student performance, and other duties directly related to the instruction of students.

TENURE (ACADEMIC)

Academic status, which when awarded to full-time faculty member, assures the faculty member that he or she may be terminated from employment as a teacher at the University only for adequate cause, except under extraordinary circumstances due to demonstrably bonafide financial exigencies of the University.

TERRITORIAL LEGISLATURE

The Legislature of the Territory of New Mexico in existence before New Mexico was admitted as a state in 1912.

UNIVERSITY

When capitalized, "the University" means Western New Mexico University, (also referred to as WNMU) including all its parts shown on the Organization Chart. When not capitalized, it refers to such institution generally.

WESTERN NEW MEXICO UNIVERSITY FOUNDATION

A public, non-profit corporation chartered by the New Mexico State Corporation Commission and established for the sole purpose of providing financial support to the University.

CHAPTER I

General Policies and Principles

I.1. History of the University

In 1893, the far-thinking leaders of Silver City petitioned the Territorial Legislature of New Mexico to fund “An Act to Establish and Provide for the Maintenance and Governance of the Normal Schools of New Mexico.” Both Silver City and Las Vegas earned the right to establish Normal Schools to train rural school teachers. Governor L. Bradford Prince appointed a Board of Regents to manage the new school, and Regent John W. Fleming donated twenty acres on a high hill with a view north to what would become the Gila National Forest and east to the copper mining community of Santa Rita.

Classes began in September of 1894 in the Presbyterian Church while workmen laid the foundations for Old Main, which was to be the first of dozens of campus buildings. Originally selected as the second principal of the Normal School, Dr. Charles M. Light also became the first college president. Miss Isabelle Eckles moved to Silver City in 1888 because her father was in town “chasing the cure” for tuberculosis. She became the first graduate of Grant County, which at that time included Grant and Hidalgo Counties and part of Luna County. Miss Eckles instituted essential reforms in education and continued those reforms as State Superintendent of Education for two terms. Other Western New Mexico University graduates have gone on to excel in business, education, science, mining, ranching and government.

In the early 1900’s the Normal School continued to expand with the addition of new buildings including Ritch Hall (the women’s dormitory) in 1906, and Fleming Hall, now the University Museum, in 1917--the same year that telephones were installed on campus. In 1923, the name of the school became New Mexico State Teachers College and five years later Light Hall was completed as an auditorium, library, and classroom facility. In 1928, the men’s dorm at Bowden Hall was finished and plans were begun to create a new high school at the east edge of the campus. With returning veterans after World War II and an increase in enrollment, the college grew and its name changed to New Mexico Western College in 1949.

Campus expansion included new dormitory space, a new library, and housing units for married couples. In 1963, the name of the institution changed for the final time to Western New Mexico University, and three years later the Fine Arts Complex was completed to house music, art and drama departments. In 1967, students began the annual Great Race, pushing college co-eds in hand-built cars quickly around the campus and through deep water traps. Laboratory and office space increased in 1971 on the north edge of campus with completion of the two story Felix Martinez and Phelps Dodge Buildings. In 1982 a major landscaping project enhanced the campus appearance.

A handicapped accessible dormitory has been completed on the site of the old Teacher Training High School, and students fortunate enough to earn a room there will have a stunning view to the east of the Kneeling Nun, a local landmark. Computer services, computer labs, and on-line data retrieval and internet access at Miller Library allow rapid information access on campus, and recently historic buildings have been repainted and listed on the National Register of Historic Sites.

In September, 1894, the Normal School in Silver City had two faculty and forty students. In September, 1998 Western New Mexico University's enrollment of 2,254 students was taught by ninety-two faculty. The campus has grown to thirty buildings on eighty acres. With over 4,000 active alumni in nearly all fifty states and in foreign countries, Western New Mexico University continues to build upon its reputation for quality education in a stunning southwestern mountain environment along the Continental Divide.

I.2. Mission Statement (Revision Approved March 1, 1996; May 13, 1999)

Western New Mexico University serves the people of the State of New Mexico and its surrounding areas as a comprehensive, regional, rural, public, and coeducational university. Its student body is diverse in age, culture, language, and ethnic background. Teacher education continues to provide the basic foundation of WNMU's programs. That focus has broadened to include a range of certificate, associate, baccalaureate, and several graduate programs which also meet the needs of the students in allied health, arts, and sciences, business, and vocational education. All undergraduate degree programs include a strong comprehensive general education requirement.

Excellence in teaching is a preeminent goal at Western New Mexico University. The University encourages the exchange of ideas; fosters the cultural, emotional, intellectual, physical, and social growth of students; nurtures a lasting appreciation of learning; encourages increased relationships with people of diverse backgrounds; and furthers an appreciation for the benefits and opportunities derived from community involvement. WNMU, through advanced technology and telecommunications, creates opportunities for its students, the faculty and staff, and the communities it serves to participate more fully in educational efforts which provide access to information and outreach to the global community.

WNMU recognizes as a strength the multilingual, multicultural population of the region and state and accepts the responsibility to be particularly mindful and supportive of the unique opportunities afforded by this diversity. The University aspires to increase access to all levels of education and to help people better understand and appreciate diversity, tolerance, and cooperation. The University is committed to help preserve and enhance the rich cultural heritage of the region it serves and to broaden its student diversity by reaching out to students from other states and nations.

WNMU values the contributions of its faculty, staff, and students and is committed to their professional growth and personal enrichment. Faculty and staff encourage student success by providing quality educational opportunities that are affordable and accessible. The University supports innovative and scholarly work, promotes

integrity and equity in its dealings with people, actively pursues accreditation by recognized national and regional accreditation agencies, and seeks continual improvement of institutional management practices and processes.

WNMU works diligently to maintain fiscal and ethical integrity in its activities, to provide for the future educational needs of the people of southwestern New Mexico, and to build a collaborative relationship with its constituencies. The University addresses the educational, cultural, community, and economic development needs of the region through its library, museum, gallery, fine arts center theatre, and through supportive partnerships with community and educational organizations, business, industry, and local governments.

I.3. Review and Approval of the Mission

This manual contains a more detailed statement of the mission and goals of the University, all of which are hereby incorporated by reference and made a part of this manual as set out in full herein.

Annual review and approval of the developing and changing mission and goals contained herein is an important role of the Board of Regents in shaping the master planning for the future of the University and shall take place no later than the third quarter of each calendar year.

I.4. Role of the Regents

The legal basis for the ultimate authority of the WNMU Board of Regents in carrying out the objectives stated above is quite clearly expressed in the New Mexico State Constitution. Certain statutes on higher education enacted by the Legislature over the years stipulate that additional responsibility and accountability for control and management of each “state educational institution” in New Mexico is vested in a board of regents for that institution. Legal opinions about this “control management” charge, however, support the customary practice of regents nationwide to delegate certain powers to certain individuals and groups at the institution in order to facilitate operation and to ensure a sound basis for certain decisions, particularly those in the academic area.

I.5. Shared Responsibility

At Western New Mexico University, a sensitive and generally successful balance between Regents’ control and the delegation of certain responsibilities to other groups within the University — particularly the faculty — has been a recognized goal for several decades. Such a situation has been quite advantageous to all concerned; and the Board intends that this MANUAL shall further strengthen this relationship and cooperation by clarifying not only its own duties, responsibilities, and powers but also those of the Administration, Faculty, Student Body, and Staff at the University, in order that the mutually held objectives of teaching, research, and public services will in the future be carried out even more successfully.

I.6. Commitment to General Principles

The Board holds that the following principles are fundamental to the functioning of a university in a free society and that they are fully applicable to Western New Mexico University.

1. The purposes of the University are to improve the quality of life and enhance the dignity of humankind. The means used to achieve these purposes are teaching/learning, research, and public service. The Regents and the vast majority of the students, faculty, staff, alumni, and citizens share the same goals for the University — that it be an exciting and progressive center of education, free from any influence which might deter effective teaching and learning or deter an unfettered search for the truth.
2. Freedom of inquiry and freedom of expression are indispensable elements of a great university. The freedom to express dissent by lawful means, including peaceable assembly and the right of petition, is as important on a university campus as elsewhere in our society. The Regents have protected and defended and will continue to protect and defend the academic freedom of all members to dissent, however, it must not interfere with the right of others or with the educational process.
3. Broad avenues of communication are essential to the orderly functioning of the University. The Regents invite advice and suggestions about how this institution might carry out its mission more effectively. This invitation is extended to individuals and groups, both on and off campus.
4. In order to assure its autonomy and integrity, the University shall not be an instrument of partisan political action. Expression of political opinions and viewpoints will be those of the individual and not of the University.
5. All members of the faculty, whether tenured or not, are entitled to academic freedom. Academic Freedom: (Quotes from the 1940 Statement of Principles on Academic Freedom and Tenure With 1970 Interpretive Comments, as developed by representatives of the American Association of University Professors and the Association of Colleges during 1969. The governing bodies of the associations adopted several changes in language in order to remove gender-specific references from the original text.)
 - (a) Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

(b) Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.”

(c) College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As people of learning and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

6. Universities traditionally have been sanctuaries for diversity of thought, free exchange of ideas, and the search for truth. The Regents fully support the application of this principle at this University, though recognizing that rights carry with them corresponding responsibilities. The Regents also emphasize that this campus will not be a sanctuary for those who use unlawful or violent means to pursue their aims.

General Policies

I.7. Code of Conduct

1. Business Ethics. Employees of the University shall maintain the highest standards of business ethics in transactions with the University, the State, Federal, and local governments, and with the public.
2. Outside Activities. Employees of the University are expected to perform their duties faithfully and efficiently and never to give rise to suspicion of improper conflict with interests of the University.
3. Gratuities. Employees of the University shall not accept any favor or gratuity from any person, firm, or corporation which is engaged in or attempting to engage in business transactions with the University which might affect or be suspected of affecting the employees' judgment in the impartial performance of their duties.

I.8. CONDUCT LEADING TO DISCIPLINARY ACTION

One of the important aspects of academic due process is a clear statement of the kinds of conduct that will lead to University disciplinary action. It is deemed important, therefore, to clarify the type of conduct which shall be considered to affect adversely the University's educational function, to disrupt community living on campus, or to interfere with the right of others to the pursuit of their education

or to conduct the University duties and responsibilities. In an effort to accomplish this, but without intending the statement to be all-inclusive, the following is hereby set forth:

- a. Any member of the University community -- student or member of the faculty or staff -- who commits or attempts to commit any of the following acts of misconduct shall be subject to appropriate disciplinary procedures and sanctions:
 - i. Obstruction or disruption, by any means, of teaching, research, administration, disciplinary procedures, or other University or University-authorized functions, events, or activities.
 - ii. Unauthorized or prohibited entry into or onto, or unauthorized or prohibited occupation or use of, any University facility, building, vehicle, or other University property.
 - iii. Physical abuse, the threat of physical abuse, or intimidation of any person on campus or at any University-authorized function or event, or other conduct which threatens or endangers the health, freedom of action, or safety of any such person.
 - iv. Theft of, damage to, or defacement of property of University or the property of any person on campus.
 - v. Denial of, or interference with any person's lawful right of access to, use of, or exit from any University facility or with any other lawful right of any person on campus.
 - vi. The destruction of, or damage to, property of the University or of others on campus by setting fire.
 - vii. Use or possession on the campus of firearms, ammunition, or other dangerous weapons, substances, or materials, or of bombs, explosives, or incendiary devices, except as authorized.
 - viii. Forgery or alteration or destruction of University documents or furnishings of an intentionally falsified information document submitted to the University or making intentionally false accusations against any member of the University by filing a complaint or charges under these rules.
 - ix. The repeated use of obscene or abusive language in a classroom or public meeting where such language is

beyond the bounds of generally accepted good taste and which, if in a class, is not significantly related to the teaching of the subject; the use of obscene or abusive language against another member of the University, faculty, staff, or students.

- x. Disorderly, lewd, or indecent conduct occurring on campus or at a University-recognized or University-sponsored activity off campus.
- xi. Aid to others in committing or inciting others to commit any act of misconduct set forth in 8.a.(i) through 8.a.(x).
- xii. Any act that demonstrates the probability that the person constitutes a physical danger to himself or herself or others on campus.
- xiii. Willfully refusing or failing to leave the property of, or any building or other facility owned, operated, or controlled by the Board of Regents upon being requested to do so by the President, if the person is committing, threatening to commit, or inciting others to commit, any act which would disrupt, impair, interfere with or obstruct the lawful mission, processes, procedures, or functions of the University. As used herein, "President" means the President (or acting President) of the University or any person or persons designated by him/her to act on his/her behalf.
- xiv. Consumption of alcoholic beverages on campus except as specifically authorized as outlined in policy.
- xv. Any other acts or omissions which affect adversely the University's public image, its educational function, disrupt community living on campus, interfere with the rights of others to the pursuit of their education, or affect adversely the processes of the University.

b. Sanctions

- i. Any student who violates any of the rules set forth in 8.a.(i) through 8.a.(xv) shall be subject to censure, warning, disciplinary probation, suspension, or expulsion, as well as full restitution, if applicable.
- ii. Any member of the faculty or staff who violates any of the rules set forth in 8.a.(i) through 8.a.(xv) shall be subject to censure, warning, disciplinary probation, or dismissal, as well as full restitution, if applicable.

- iii. As used in 8.b.(i) and (ii).
- a. “Warning” means a notice, oral or written, that continuation or repetition, within a stated reasonable period of time, of conduct found to be wrong doing may be cause for more severe disciplinary action.
 - b. “Censure” means a written reprimand for violation of a specific regulation, including the possibility of a more severe disciplinary action in the event a conviction for a later violation of a University regulation committee within a stated reasonable period of time.
 - c. “Restitution” means the requirement to reimburse the legal owner for loss due to defacement, damage, or misappropriation of property. Reimbursement shall be to the full extent of the loss incurred.
 - d. “Disciplinary Probation” means that individuals violating the aforementioned regulations may be placed on probation for a period not exceeding one (1) year. The person placed on probation shall be notified in writing that repetition of the act or other acts prohibited by these regulations will lead to more severe sanction. The official transcript of a student shall be marked “Disciplinary Probation” for the period of probation and any “exclusions” noted. The parents will be notified of the action for students under majority age. For faculty violations, a notice of probation will be placed in the faculty member’s personnel file.
 - e. “Suspension” means exclusion of a student for a definite period of time from attending classes and participating in other University activities as set forth in a notice to the student. The official transcript of the student shall be marked “Disciplinary Suspension, effective to ,” and parents of students under majority age will be notified of the action.

A student who is not currently enrolled at the University and was not registered during the previous semester or graduated at the end of the previous semester may request that the notation of “Disciplinary Suspension” be removed from a permanent record when two (2) years have elapsed

since the expiration of the student's suspension. Such request must be submitted in writing to the President. If the request is not granted, the student may submit another request after one (1) year.

f. "Expulsion" means a termination of student status for an indefinite period of time. Permission of the President shall be required for readmission. The official transcript of the student shall be marked, "Disciplinary Expulsion effective to" and parents will be notified of the action for students under majority age.

g. "Dismissal" means termination of employment for cause, either for a stated time period or indefinitely.

c. If any of the acts of misconduct set forth in 8.a.(i) through 8.a.(xv) are committed by a person who is not a student or member of the faculty or staff, such persons may be denied admission, readmission, or employment by the University.

d. Appeals: Any appeals from any sanction imposed shall follow the same channels and procedures as established for other grievances.

I.9. STATE OF EMERGENCY:

As noted above, the Regents and the vast majority of students, faculty staff, alumni, and citizens share the same goal for the University -- that it be a stable and peaceful center of teaching, research, discussion, learning, and service, free from coercion and unlawful use of force. In situations where the stability and peace of the institution are threatened, extraordinary measures are required. The Regents are determined to use all lawful means to assure the continuity and the integrity of the educational process at the University. As part of this effort, we adopt the following as an interim measure pending further study and adoption of permanent policy:

a. As used in this Policy:

"President" means the President (or acting President) of the University or any person or persons designated to act on his/her behalf for purposes of these rules.

"Official" means any person authorized by the President to act on behalf of the University.

"Student" means a person who is a student at the University in an undergraduate, graduate, or professional program on campus, whether for credit or noncredit, full- or part-time.

“Visitor” means any person on campus who is not a student or member of the faculty or staff.

“Person” means any student, member of the faculty, staff or visitor.

- b. The President is authorized to declare a State of Emergency at the University upon finding that the orderly processes of the University are seriously threatened. In making such a finding, the President shall consider whether disruptive activities are such as to require immediate, extraordinary measures to safeguard persons or property or to maintain the University’s educational function. As soon as reasonably possible after the Declaration of Emergency, the President shall inform available Regents of his/her action. The Regents shall have a plan to inform all board members of such action. When the President determines that the serious threat has passed, he/she shall, after consultation with available regents, declare the State of Emergency to be at an end.
- c. (1) During a State of Emergency, the President, in the exercise of reasonable judgment in the circumstances, is authorized to take whatever actions he/she finds necessary in order to safeguard persons or property or to maintain the University’s educational function. Such actions shall remain in effect during the State of Emergency unless sooner canceled by the President. During a State of Emergency, the President may, if in his/her judgment the circumstances warrant it, suspend University activities for a day or a portion thereof.
- (2) During a State of Emergency, the violation by any person of a presidential order or ruling under 9.c.(1) of this Policy, or the commission during such State of Emergency of any act or acts of misconduct of the kind set forth in section 8.a.(i) through 8.a.(xv) of the Regents’ Policy on Conduct Leading to Disciplinary Action will be considered an offense of the gravest nature and sanction (as listed in Section 6 of the Statement on Rights and Responsibilities) appropriate to the gravity of such offense or offenses shall be imposed.
- (3) A visitor who, after appropriate hearing, is found to have violated a presidential order authorized by Section 9.c. of this Policy may be denied admission to and employment by the University.
- d. During a State of Emergency, any person who, after being requested to do so by a properly identified official and after being advised by such official of the sanction for failure to identify oneself, fails to identify himself/herself by name and status as a student, member of the faculty or staff, or visitor to such official shall have imposed upon him/her, after appropriate hearing, the appropriate sanctions set forth in Section 8 of the Policy on Conduct Leading to Disciplinary Action.

I.10.

DRUG FREE WORK PLACE POLICY
(Adopted May 12, 1989; Revised 1999; May 10, 2001)

The Board of Regents of Western New Mexico University adopts this policy to implement the Drug Free Workplace Act of 1988, P. L. 100-690, 102 STAT, 4304 (1988) and the regulations promulgated pursuant thereto, 54 Fed. Reg. 4945 (1989).

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited on the premises of Western New Mexico University, including but not limited to its campuses, grounds, facilities, vehicles, or at any activity held on University premises. If any employee of the University violates this policy, that individual will be immediately referred to the Director of Human Resources.

DEFINITION:

Western New Mexico University, hereafter referred to as "the University," means the University campus, its off-campus center, and its associated activities.

Employee is any person hired by Western New Mexico University to work for wages or salary, including student employees.

Director of Human Resources will mean the Director of Human Resources of Western New Mexico University or his/her authorized representative.

RESPONSIBILITY:

The President of the University is responsible for the administration of the Drug-Free Workplace policy and program. The Director of Human Resources is designated by the President to administer this program for employees. The Director of Contracts and Grants is designated by the President to certify this program for University grants and contracts.

The President's Executive Council is designated by the President to oversee the development and implementation of the Drug-Free Workplace policy and program. The Director of Human Resources and the Director of Contracts and Grants are delegated to assist the Council in this process.

PROGRAMS:

The University establishes the following Drug-Free Workplace program.

1. The purpose of the program is to inform the University's employees about:
 - a. the dangers of drug abuse at the University as a workplace;
 - b. the Board or Regents' policy for maintaining a drug-free University environment;

- c. the information on available drug counseling, rehabilitation, or employee assistance programs;
 - d. the appropriate disciplinary action and penalties that may be imposed for a drug abuse violation.
2. The program requires the Director of Human Resources to provide each employee with a copy of the policy.
3. The program requires each employee, as a condition of employment to:
 - a. abide by the Board of Regents' Drug-Free Workplace Policy;
 - b. notify the Director of Human Resources of any criminal drug statute conviction for a violation occurring on the University premises no later than five days after conviction;
 - c. sign a certification of awareness of the University Drug-Free Workplace policy and program.
4. The program requires the Director of Contracts and Grants to:
 - a. sign a certification of the University Drug-Free Workplace policy and program for all grant and contract proposals and agreements;
 - b. notify the appropriate federal contracting agency within ten days after receiving notice from an employee of a conviction of any criminal drug statute or of receiving annual notice of the conviction.
5. The Program requires the Director of Human Resources to take one of the following actions after receiving notice of any criminal drug statute conviction:
 - a. appropriate disciplinary action according to established personnel policy and procedure up to and including dismissal; and/or
 - b. requiring the employee to participate in an approved drug-abuse assistance or rehabilitation program.
6. The program requires the University to make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy and program.
7. Independent contractors, when engaged in work for the University where its employees perform work on property owned by the University will abide by this policy. To enforce this policy the following statement will be added to University contracts with independent contractors who have employees working on campus: "Contractor agrees that as to Contractor's employees that

work on University property, Contractor will abide by the University's Drug Free Work Place policy found in the University's Regents' Policy Manual."

1.11.

RELEASE OF PERSONNEL INFORMATION
(Adopted October 21, 1988; Revised 1999)

It shall be the policy of the Board of Regents and Administration of Western New Mexico University (WNMU) to protect that privacy of current, former and prospective employees to the extent permitted by law. Accordingly, all personnel information retained by WNMU shall be considered confidential unless the Inspection of Public Records Act, NMSA 14-2-1 et seq., requires otherwise.

Confidential personnel information will not be released without the affected person's written consent, unless an administrator who is responsible for maintaining the relevant records determines that exceptional circumstances justify such action. Other personnel information will be made available pursuant to the Inspection of Public Records Act, as interpreted by the New Mexico courts.

The types of personnel information that may be treated as confidential include, but are not limited to the following:

1. letters of reference concerning employment, licensing or permits;
2. letters or memoranda which are matters of opinion in personnel files, including documents concerning infractions and disciplinary actions, performance evaluations and related materials, opinions as to whether a person should be rehired or reasons why an applicant was not hired, and any other material expressing an opinion as to a current or former employee or an applicant for employment;
3. medical and related information pertaining to illness, injury, disability to perform a job task, or sick leave;
4. names or other identifying information of applicants for positions with WNMU, until and unless a candidate is selected for the position;
5. other types of personal information such as military discharge or arrest records, (a) which is solicited by WNMU; (b) which is considered vital to the employment procedure; (c) which was furnished after a promise to keep the information confidential, and (d) for which disclosure would not appear to serve any identifiable public interest.

WNMU will treat these types of information as confidential to protect the privacy of current, former and prospective employees and to encourage qualified persons to apply for positions with assurance that the mere fact of their application for another job needs to become public information.

WNMU shall be entitled to ask persons seeking disclosure of personnel records to provide reasonable justification for such disclosure.

I.12. CENTRAL FILE OF PUBLICATIONS AND POLICY STATEMENT
(Revised May 2001)

In order that publications and policy statements developed and issued, from time to time, by various WNMU colleges and other entities within the University may be easily accessible to all persons wishing to see them, a central file of all such documents currently in force is to be set up in the office of the President of the University. The chief administrators for the units referred to are responsible for sending to the President's office copies of publications and policy-type statements developed and currently being used in their respective areas. They are also responsible for notifying the President concerning any outdated material previously submitted.

Categories of Documents to be in Central File

- a. Requirements for admission of students to:
 1. the several undergraduate departments;
 2. department ("major") programs of study;
 3. graduate studies in the several academic fields;
 4. Continuing Education courses.
- b. Policy Statements related to recruiting, research instructional and administrative programs and services currently used by various educational and administrative units of the University, including eligibility policy rules for athletic programs.
 1. Policies related to recruiting, research, instructional and administrative programs and services currently used by various educational and administrative units of the University, including eligibility policy rules for athletic programs.
 2. The Board of Regents Manual shall be published on the WNMU Web site.
 3. The Faculty Handbook shall be published on the WNMU web site.
 4. The Staff Handbook shall be published on the WNMU web site.
 5. The Student Handbook shall be published on the WNMU web site.
- c. Publications, including catalogs, bulletins, newsletters, and flyers currently in use by various units within the University.

Purpose for Having a Central File

The major purpose for having and maintaining current materials in a central file is to make readily available this kind of information to all who seek it — not only WNMU Regents and other members of the University community, but also the media and the general public.

Advance approval of such documents by the Board of Regents is not required, provided they are not in conflict with general University policies.

I. 13.

WESTERN NEW MEXICO UNIVERSITY
ACQUIRED IMMUNE DEFICIENCY SYNDROME POLICY
(Adopted July 10, 1992; Revised May 10, 2001)

The purpose of this policy is to establish procedures to be followed in the event a student, employee, or other school contact is infected with the HIV virus or has been diagnosed by a physician as being infected with the HIV virus.

Goals

1. Maintain and protect all rights and privacy of persons infected with the HIV virus or related illnesses.
2. Continue to observe non-discriminatory guidelines for all areas of campus life whether social, academic or cultural.
3. Create a comprehensive educational program for students, staff or faculty who may come in contact with hazardous materials.
4. Increase awareness and provide education to prevent further spread of the disease within the University community.

Admissions Policy

1. The University does not, by state law, require students, faculty or staff to reveal infection with the HIV virus or other illness as a prerequisite to admission.
2. Any person infected with the HIV virus will have the same rights as any other person on the campus and will have use of all service, facilities and activities.
3. If students or employees volunteer disclosure of infection with the HIV virus, each case will be responded to individually based on the facts in that case.
4. Routine testing or screening for HIV of students/employees is not required.
5. Decisions about residential housing of students, faculty or staff infected with the HIV virus will be made on a case-by-case basis.

Medical Procedures

1. The Center for Disease Control (CDC) Guidelines for prevention of the spread of the HIV infection will be adopted by the University. Explanation and application of the guidelines will be communicated through workshops.
2. It is the responsibility of individuals who know they have HIV infection to take appropriate precautions to protect their own health and that of others. Individuals seeking assistance on campus should contact the Vice President for Student Affairs or Director of Housing.

3. AIDS Committee members should be familiar with sources for HIV testing for students requesting such services.
4. Protection of confidential medical information will be superseded only by the necessity to protect others in very specific threatening circumstances.

Educational Program

1. Educational programs will be provided for students, faculty and staff who may come in contact with hazardous materials.
2. Educational programs will focus on: the need to protect the public from AIDS and its spread; prevention of discrimination against high risk groups.
3. Educational workshops will include information about the Universal Precautions set out by the Center for Disease Control. The in-service training will include the Generic Universal Guidelines for handling body fluids and hazardous materials, including the disposal of needles, slides, gloves and other materials used in labs, custodial service and nurseries.
4. The University community will be educated about behavior changes needed with regard to drug addiction and sexual practices to prevent the spread of HIV infection.
5. Educational seminars will also emphasize that HIV is a deadly virus that is relatively hard to contract and requires intimate contact and the exchange of body fluids with an infected person.
6. Although disclosure is not required of persons infected with the HIV virus, information that is voluntarily disclosed will be held strictly confidential.

WESTERN NEW MEXICO UNIVERSITY CENTER FOR DISEASE CONTROL UNIVERSAL PRECAUTIONS

To prevent exposure to blood borne infection, the Center for Disease (CDC) recommends the use of Universal Precautions. These precautions are to be used to reduce the chance of acquiring blood-borne infection from exposure to contagious fluids. These precautions will protect against all blood-borne infections.

Precautions apply to:

1. blood
2. body cavity fluids
3. moist body substances (stool, sputum, urine, mucus membranes, vomitus)
4. semen
5. vaginal secretions

General Guidelines

1. Decontamination
 - a. Employees must decontaminate working surfaces and equipment with an appropriate disinfectant after completing procedures involving exposure to blood or body fluids.
 - b. Employees must also clean:
 1. when surfaces become obviously contaminated,
 2. after any spill of blood or other potentially infectious materials
 3. at the end of the shift if contamination may have occurred.
 - c. If the employee is cleaning up broken glass, forceps or other mechanical means to sweep up the glass must be used. Broken glass, should not be picked up with the hands even if they are gloved.
2. Regulated Waste
 - a. Includes blood in any form or other potentially contaminated fluids.
 - b. Containers used to store regulated waste must be closeable and suitable to contain the contents in a way which prevents leakage of fluids.
 - c. Containers must be labeled or color coded to make employees aware of the potential hazard.
 1. biohazard legend is typically used,
 2. red bags or container may be substituted for labels,
 3. labels must be affixed to container of regulated waste, refrigerators or freezers which hold blood or other infectious materials, and containers used to ship and transport.
3. Sharps
 - a. Prevent injuries with contaminated sharps; DO NOT recap needles if at all possible. If recapping is required, DO NOT use two hands to recap; DO NOT break needles.
 - b. Dispose of used sharps immediately in a puncture resistant, leak proof container. Containers must be maintained in an upright position.
 - c. Seal with a tight-fitting lids and dispose of sharps containers when they are two-thirds full.
 - d. Sharps containers should be easily accessible in areas where sharps are commonly used.
 - e. The risk appears greater with hollow bore needles and with solid needles.
 - f. Wearing gloves, particularly double gloves reduces the amount of blood exposure even when the needle punctures the skin and should theoretically reduce the transmission risk.
4. Personal Protective Equipment (PPE)
 - a. Employers must provide appropriate and suitable PPE and clothing free of charge to employees. They must also launder protective clothing and keep in good repair.
 - b. Employers must ensure that workers wear/use PPE and clothing.
 - c. Gear must be readily accessible and available in appropriate sizes for employees.
 - d. The employer must provide hypo-allergenic gloves to employees who need them.

- e. Equipment:
1. GLOVES - Must be worn if hand contact with blood or potentially infectious materials or contaminated surfaces is expected.
 - **change gloves between contact and wash hands after removing
 - **do not wash or reuse single-use gloves
 - **watch for new developments: Kevlar gloves and nonoxynol-impregnated cotton gloves to be “sandwiched” between latex gloves.
 2. EYE PROTECTION - Goggles, or glasses with solid side shields, or face shields should be worn if there is a chance of body fluid splattering into the eyes.
 3. MOUTH PROTECTION - Masks should be worn if there is a chance of aerosolized blood being introduced into the air or if there is a chance of blood splattering into the face.
 4. MORE EXTENSIVE COVERINGS
 - **gowns should be worn if there is a chance of body fluids splattering on clothes.
 - **latex boots and waterproof gowns are recommended during procedures when gown or shoes may be contaminated.

HANDWASHING is still the MOST important means of infection control.

- a. Wash hands and skin surface immediately if contamination with a body fluid occurs.
- b. Handwashing becomes especially important when wearing gloves, since glove wearing creates an environment in which organisms can multiply rapidly on skin surfaces. Hands should be washed whenever gloves are removed.
- c. Refrain from eating, drinking, smoking, applying cosmetics and handling contact lenses in areas where exposure to blood or other potentially infectious fluids is possible.
- d. Flush eyes with water as soon as possible after eye exposure to blood or other potentially infectious fluid.

REMEMBER: As an employee of WNMU, you have the right and the responsibility to protect yourself from work-related infection. You have the right to be concerned about yourself and to consider your health as well as the health of others around you.

I.14.

EXPOSURE CONTROL PLAN (Adopted April 2, 1993)

Policy for Employee Exposure to Hepatitis B or HIV

- 1.0 Policy
 - 1.1 All employees will follow the recommendation of Universal Precautions when coming into contact with blood or body fluids. WNMU will provide testing,

and appropriate follow-up testing, and appropriate follow-up testing for employees who have an on-the-job exposure to Hepatitis B and/or HIV.

2.0 Procedure

2.1 The employee should report an exposure to their supervisor immediately. The Human Resources Office will assist the employee to complete and submit an EMPLOYEE ACCIDENT REPORT. If the source person can be determined and permission obtained, collection of and testing of the source person's blood to determine the presence of HIV or HBV infection will be done.

2.2 The employee who has been exposed at work will be referred for follow-up and blood testing to a licensed consulting physician. All laboratory tests will be conducted by an accredited laboratory.

Follow-up must include a confidential medical evaluation documenting the circumstance of the exposure, identifying and testing the source individual (if feasible and testing the exposed employee's blood if he/she consents, post-exposure prophylaxis, counseling and evaluation of reported illness.

All laboratory tests must be provided for at no cost to the employee. For each evaluation by a physician, WNMU shall provide the employee with a copy of the evaluating physician's written opinion within 15 working days of the completion of the evaluation. The written opinion shall be limited to the following information:

- a. The physician's recommendation of the employee's ability to receive HBV vaccination.
- b. A statement that the employee has been informed of the resulting medical evaluation and that the employee has been evaluated for any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation.
- c. Specific findings or diagnosis which are related to employee's ability to receive HBV vaccination. Any other finding or diagnosis shall remain confidential.

Employers must provide the physician with the following information:

- a. a copy of the OSHA standards.
- b. a description of the exposed employee's duties as they relate to the exposure incident.
- c. documentation of the route of exposure and circumstances under which exposure occurred.
- d. results of the source individual's blood testing, if available.

- e. all medical records relevant to the appropriate treatment of the employee including vaccination status, which are the employers' responsibility to maintain.
- 2.3 If the employee agrees to be tested, tests will be done immediately to provide a baseline, at six weeks, six months, and one year. This is necessary because the test checks for antibodies which form in response to an infection. In some people, it takes up to six months to form enough anti-body for HIV to be detected by the test. If an employee does not wish to be tested for HIV, he or she may opt to have blood drawn and held for up to 90 days. Should the employee decide that there is a need to establish a baseline HIV status, the stored blood sample may be used.
 - 2.4 If the exposure was from blood that is known to be infected with HBV, the employee will be offered a Gamma Globulin injection within 24 hours of the incident as ordered by the employee's physician of choice.
 - 2.5 Employees who work in high risk area (reasonably anticipated to come into contact with blood or body fluids) are encouraged to receive the series of hepatitis B vaccine at no cost to them within ten working days of assignment. HBV anti-body testing shall be made available to an employee who desires such testing prior to deciding whether or not to receive HBV vaccination. If an employee initially declines HBV vaccination, but at a later date while still covered under the standard decides to accept the vaccine, WNMU shall provide the vaccine at the time. Should a booster dose be recommended at a future date, it will be provided.
- Employees must sign a declination form if they choose not to be vaccinated.
- 2.6 Employees who test positive for HIV following an on-the-job exposure, other than the baseline result, will be referred to Human Resources for Workman's Compensation processing.
 - 2.7 Proper documentation will assist the employee to make future Worker's Compensation claims. Worker's Compensation only covers employees who are unable to work due to occupationally related injury or disease. Since problems may not develop until years after an exposure, it is prudent to have the proper documentation, blood work, and follow-up care.
 - 2.8 Employee health records are confidential. HIV and/or HBV status must not be reported to the employer or Workman's Compensation without permission of the employee.

1. Medical Records

- a. The employer shall establish and maintain an accurate record for each employee.
- b. The medical record shall include:
 - 1) The name and social security number of the employee.

- 2) A copy of the employee's Hepatitis B vaccination records and records relative to the employee's ability to receive the vaccination.
 - 3) The circumstances of an exposure incident.
 - 4) A copy of all medical evaluation, testing, and follow-up as they relate to the employee ability to receive the Hepatitis B vaccination.
 - 5) The employer's copy of the physician opinion.
 - 6) A copy of information provided to the health-care provider.
 - 7) A copy of OSHA standards that was sent to the health-care professional.
- c. The employer shall keep all medical records confidential in a separate file with limited access. Information about the source person's medical information must also be kept confidential.
- d. Medical records must be made available to the employee or anyone with written consent of the employee or OSHA.

Employers are required to maintain an employee's health records for thirty years after the individual terminates employment at the institution.

I.15. Building Architectural Style Policy
(Adopted October 29, 1992)

All remodeling and new construction shall emphasize the development and implementation of a unifying theme based upon the historical design and coloration of the southwestern version of the "California Mission Revival Style" of architecture exemplified by Graham Gym.

I.16. Affirmative Action Policy
(Approved August 12, 1996; Revised 1999)

The Regents of Western New Mexico University pledge full support and commitment to equal employment opportunity in recruiting, hiring, training, and promoting without regard to race, color, religion, sex, age, sexual orientation, national origin or ancestry, disability, medical condition and disabled veteran or Vietnam era veterans, except when one of these criteria is a bona fide qualification for employment. The University will make every effort to provide reasonable accommodations to otherwise qualified disabled employees and/or applicants as are necessary to enable him or her to perform the essential functions of the job in question and which does not impose an undue hardship on the University.

The University will abide by the provisions of Title VII of the U.S. Civil Rights Act of 1964, and the New Mexico Human Rights Act, and is committed to non-discrimination based on race, color, religion, sex, age, sexual orientation, national origin or ancestry, disability, medical condition, and disabled veteran or Vietnam era veterans. The University will implement its commitment as specified in this plan, by seeking to recruit and hire qualified minority or female

applicants for professional, staff, and faculty positions, so long as the hiring decision is made on the basis of the best qualified applicant.

The University will make reasonable accommodation to the religious practices and observances of all its employees. Such accommodations will include provisions to allow individuals to participate in regularly observed religious holidays which may conflict with their normal work schedules as long as such accommodation does not interfere with or disrupt Western New Mexico University programs or operations.

Western New Mexico University will not discriminate against employees or applicants for employment based on age, as required by the Federal Age Discrimination in Employment Act, and the New Mexico Human Rights Act.

The University will not tolerate conduct which results in discriminatory treatment of any employee because of race, color, religion, sex, age, sexual orientation, national origin or ancestry, disability, medical condition, and disabled veteran or Vietnam era veterans, or retaliation against employees who exercise their rights under the affirmative action plan or laws upon which it is based. All University personnel should be aware that such conduct may result in disciplinary action. The University urges those who believe they are victims of such conduct to pursue the matter via affirmative action grievance procedures.

In accordance with the provisions of Title VII of the U.S. Civil Rights Act of 1964, the University will recruit employees of both sexes for all jobs.

The University will make no distinction based upon gender in employment and applicants will have an equal opportunity to any available job for which he or she is qualified to perform, so long as gender does not constitute a bona fide occupational qualification.

The University has appointed an Officer for Affirmative Action and Equal Employment Opportunity Programs. The AA/EEO Officer will report directly to the President of the University on AA/EEO matters and will be responsible for monitoring and reviewing the personnel actions and procedures to ensure that the Affirmative Action Programs and Equal Employment Opportunity policies and objectives are followed.

All employees at Western New Mexico University are encouraged to submit complaints, inquiries, or grievances to the Affirmative Action Officer. All such discussions shall remain confidential to the extent authorized by law.

I.17. Use of Advisory Search Committees

It is customary and generally expected, under the affirmative action policy for advisory search committees to be appointed to assist in identifying and attracting the most promising candidates for most administrative positions to be filled.

After giving serious consideration to recommendations from search committees and administrative colleagues, but not being restricted to such recommendations, the President of the University or persons designated by the President are responsible for naming the persons to fill administrative and staff positions.

I.18.

POLICY ON RACISM
(Approved in Student HB 1/26/96; Revised 1999)

In keeping with the purposes of WNMU, it is the policy of Western New Mexico University not to discriminate on the basis of race, color, religion, ancestry, national origin, sex, age, sexual orientation, mental or physical handicap in its educational programs, activities or employment policies.

Western New Mexico University encourages cultural diversity and respect for differences as a fundamental role of higher education and therefore, does not tolerate the subordination of a person or group based on race, color, creed, disability, marital status, national origin, sex or sexual orientation.

The University will take strong and effective steps to achieve a diverse learning environment and workplace respectful of differences. Clear, fair, and effective policies will be formulated and communicated to all members of the campus community, and will respond promptly and consistently to complaints about any acts that violate these policies.

I.19.

SEXUAL HARASSMENT POLICY STATEMENT
(approved in Student HB 1/26/96; Revised 1999; May 2001)

Due to the purposes of WNMU and in recognition of the fact that sexual harassment is a form of discrimination Western New Mexico University is committed to maintaining an environment free of sexual discrimination for students, faculty, and staff of Western New Mexico University.

I. Definitions

A. Conduct of Sexual Nature

Conduct of a sexual nature may include, but is not limited to, verbal or physical sexual advances, including subtle pressure for sexual activity; touching, pinching, patting, or brushing against; comments regarding physical or personality characteristics of a sexual nature; sexually-oriented "kidding," "teasing," double entendres, and jokes, and any harassing conduct to which an employee or student would not be subjected but for such employee's or student's sex.

B. Unwelcome Conduct of a Sexual Nature

1. Verbal or physical conduct of a sexual nature may constitute sexual harassment when the allegedly harassed employee or student has indicated, by his or her conduct, that it is unwelcome.
2. An employee or student who has initially welcomed such conduct by active participation must give specific notice to the alleged harasser that such conduct is no longer welcome in order for any such subsequent conduct to be deemed unwelcome.

II. Sexual Harassment Prohibited

- A. For the purposes of this policy, unwelcome sexual advances or requests for sexual favors, and other unwelcome conduct of a sexual nature constitute prohibited sexual harassment if:
1. submission to the conduct is made either an explicit condition of employment, or in the case of a student, academic advancement;
 2. submission to or rejection to the conduct is used as a basis for an employment decision affecting the harassed employee; or
 3. the conduct substantially interferes with an individual's work/academic performance, or creates an intimidating, hostile, or offensive work/academic environment.
- B. Specific Prohibitions
1. Administrators and Supervisors
 - a. It is sexual harassment for an administrator or supervisor to use his or her authority to solicit sexual favors or attention from subordinates when the subordinate's failure to submit will result in preferential treatment.
 - b. Administrators and supervisors who either engage in sexual harassment or tolerate such conduct by other employees shall be subject to sanctions, as described below.
 2. Faculty and University Staff
 - a. It is a sexual harassment for a faculty member or university staff to use his or her status to solicit sexual favors or attention from students when the student's failure to submit will result in adverse treatment, or when the student's acquiescence will result in preferential treatment.
 - b. Faculty and university staff who either engage in sexual harassment or tolerate conduct shall be subject to sanctions as described below.
 3. Non-administrative and Non-supervisory Employees
 - a. It is sexual harassment for a non-administrative and non-supervisory employee to subject another such employee to any conduct of a sexual nature. Employees who engage in such conduct shall be subject to sanctions as described below.
- C. Reporting, Investigation, and Sanctions
1. It is the duty of the University to attempt to eliminate all sexual harassment and therefore all persons with knowledge of sexual harassment are required to report incidents of sexual harassment. You may report sexual harassment using the Affirmative Action Grievance

Procedure or by reporting to the President's Office, or to the office of the appropriate Vice President.

- a. Employees who feel that administrators, supervisors, or faculty are conditioning promotions, increases in wages, continuation of employment, or other terms or conditions of employment or academic advancement upon agreement to unwelcome conduct shall report these conditions to the appropriate administrator.

If the employee's direct administrator or supervisor is the offending person, the report shall be made to the next higher level of administration or supervision. In the case of students, the report shall be made to the department chair or the Vice President for Academic Affairs.

- b. Individuals are also urged to report any unwelcome conduct of a sexual nature by supervisors, fellow employees or students if such conduct interferes with the individual's work/academic performance, or creates a hostile or offensive environment.
 - c. Confidentiality will be maintained and no reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment.
2. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct and context in which the alleged conduct occurred will be investigated. The Affirmative Action Officer has the responsibility of investigating and resolving complaints of sexual harassment.
 3. Any employee found to have engaged in sexual harassment shall be subject to sanctions, including, but not limited to, warning or reprimand, suspension, or termination, subject to applicable procedural requirements.

I. 20.

LANGUAGE POLICY (Approved February 7, 1997)

Western New Mexico University strives to create a campus climate which values diversity among students, faculty, staff and administration. WNMU recognizes the importance of building a campus culture based on understanding and mutual respect for the many cultural differences that exist within the campus population, including differences in language.

WNMU is dedicated to encouraging a multicultural, multilingual environment. It is the policy of the University that any employee, student, or staff member may speak any language except when the speaking of a particular language is a business necessity. Interactions among faculty, staff, or students not directly related to the conduct of University business do not fall within the business necessity exception.

WHEREAS, it is understood by the University and the Foundation that in those few instances where gifts or donations are given directly to the University that they will be reported in writing within 30 days to the Foundation; and,

WHEREAS, the University desires the Foundation to continue to solicit, receive, hold, administer and invest for it gifts made to and for the benefit of the University; the University will make available to the Foundation assistance to meet its objectives; and

WHEREAS, the Foundation will provide a regular annual written report to the University regarding the status of its investments, contributions to the Foundation for the benefit of the University, and other activities of the Foundation. The University will provide an annual written report to the Foundation regarding its needs for funds held by the Foundation.

Now, therefore, the parties mutually agree as follows:

1. Independence of Foundation.

The Foundation and University agree that, at all times and for all purposes of this Agreement, the Foundation as an entity, in the performance of this Agreement and other activities to be undertaken by the Foundation, shall act in an independent, separate legal capacity and not as an agent of the University. Each party agrees to be responsible for its own acts or omissions which may occur during the performance of this Agreement and which result in claims by individuals or entities not parties to this Agreement.

2. Investments.

The Foundation will prudently invest endowment funds or other funds available for investment, for the benefit of the University.

3. Relationship and Authority.

A. The management of the Foundation is autonomous from the management of the University. Employees of the University and members of the Board of Regents are not allowed to be voting members of the Board of Directors of the Foundation. However, the Bylaws of the Foundation provide that the President, Vice-President for Business Affairs, and the Chairman of the Board of Regents of the University will be non-voting ex-officio members of the Board of Directors of the Foundation. The University provides guidance to the Foundation regarding the goals and needs of the University for the funds entrusted to the Foundation on behalf of the University.

4. Complement and Support Functions.

The Vice President for Business Affairs or the Vice President's designee has authority to invest funds which are held by the University exclusively for educational purposes, and to receive contributions, grants, and endowments for the benefit of the educational purposes of the University. The Foundation may support this portion of the University's statutory authority by:

A. Coordinating with the University on opportunities for, and assistance in, soliciting and obtaining grants, and other non-private funds for the benefit and use for the University;

B. Advising and assisting the University with regard to other programs to raise Foundation funds, contributions and endowments for the University's educational and civic purposes;

C. Investing assets held by the Foundation for the benefit and use for the University;

D. Providing funding for scholarships, faculty and staff development, special programs, and equipment and capital needs-

E. Complement the University's Marketing, Publicity, and Community Relations Plans in the support of the Foundation's Mission;

F. Performing other support functions upon which the Foundation and the University may mutually agree.

5. Accounting and Audits.

A. The Foundation shall have a financial accounting system which is adequate under customarily and currently accepted accounting standards applicable to non-profit foundations.

B. The financial affairs of the Foundation shall be audited annually in accordance with generally accepted auditing standards when required by GASB 39, by an independent professional auditor. According to New Mexico State Auditing rule 2.2.2.10 A(6) the component unit (WNMU Foundation) is to be audited by the same auditor who audits the primary governmental unit (WNMU). An exemption can be requested, in writing, through the state auditor's office. (the "Auditor") Copies of the Auditor's annual audit will be furnished (the "Audit") to the President of the University and to the members of the Board of Regents. Upon written request by the University, any working papers developed by the Auditor in connection with the Audit shall be available to the University for review for a period of three years after the Audit report date. The Audit, exclusive of any lists of donors or donations, shall be a public record.

C. The Foundation will do all things necessary to retain the Foundation's legal status as a tax-exempt organization pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986 as it now exists or may hereafter exist.

6. Property Subject to New Mexico Laws.

Any funds or property transferred, with or without consideration, to the University by the Foundation are subject to all New Mexico state laws and regulations governing the disbursement and administration of public funds and public property, except to the extent that, in any particular instance, specific transfer conditions are acceptable to the University and do not require actions that are punishable as crimes under New Mexico law.

7. Bylaws of Foundation.

The President of the University and the Chairman of the Board of Regents have reviewed the Bylaws of the Foundation and found them acceptable. The Foundation

shall furnish copies of any amendments to its Bylaws to the University promptly upon adoption.

8. Consideration.

A. The University recognizes the value and benefits, both economic and otherwise, which it obtains from the services performed by the Foundation. In consideration of those services, the University agrees that it will:

(1) Allow Foundation staff to use office space, office furnishings and office equipment on the campus of the University as the University determines appropriate. Utilities, maintenance and repairs and property insurance will be provided by the University. The Foundation also may use appropriate University facilities for its events in accordance with the University's policies. No rental should be paid by the Foundation for this permitted use.

(2) Provide for the insurance and retirement benefits (but not the salary, sick leave, annual leave or tuition waiver benefits) of the Director of the Foundation and the Development Specialist for the Foundation.

(3) Provide administrative payroll functions for the Director of the Foundation and the Development Specialist of the Foundation.

B. The Foundation will continue to provide scholarship funds for the University and other University needs as agreed upon by the two entities-

9. Investment Standard.

The Foundation will apply the standard described in Section 6-8-10 NMSA 1978, as amended, as the standard for evaluating investments of the Foundation.

10. Miscellaneous.

A. Term. The term of this Agreement shall be for a three-year term subject to amendment by mutual agreement in writing of the parties.

B. Amendment. This Agreement shall not be altered, changed or amended except by an instrument in writing executed by the parties hereto.

C. Open Meetings Act and Public Records Act Compliance. The parties agree that the Foundation will not be subject to the provisions of the Open Meetings Act (Chapter 10, Article 15, NMSA 1978, as amended) nor will any of its records other than the annual audit required by this Agreement, become public record within the purview of the Inspection of Public Records Act (Chapter 14, Article 2, NMSA 1978, as amended).

D. Merger. This Agreement incorporates all of the agreements, covenants and understanding between the parties hereto; comprising the subject matter hereof; and all such covenants, agreements and understandings have been merged into this written Agreement. No prior agreement or understandings, verbal or otherwise, of Agreement.

E. Binding Effect. This Agreement is binding on, and the benefits inure to the parties hereto, their successors and transferees.

F. Governing Law. This Agreement is governed by the laws of the State of New Mexico.

IN WITNESS WHEREOF, the parties have herein below set their hand.

WESTERN NEW MEXICO UNIVERSITY

By _____
Its _____

Date _____

WESTERN NEW MEXICO
UNIVERSITY FOUNDATION

By _____
Its _____

Date _____

CHAPTER II

The Board of Regents

II.1. Constitutional and Legal Provisions

The Board of Regents of Western New Mexico University is constitutionally and legally responsible for the control and management of this institution. This responsibility and authority may be exercised only by the Board as a unit. Its individual members are without power to act separately in connection with University business, except when one of the Board's officers is specifically authorized to act in behalf of the Board. Whether referred to as "the Board" or as the "the Regents" throughout this MANUAL, the meaning is the same. In carrying out their responsibility, the Board may and quite often does delegate limited powers to certain individuals and groups within the University, but such delegation of specific power and authority on a limited basis does not relieve the Board from its ultimate responsibility for the entire institution. Similarly, the Board may withdraw or modify delegated authority, but not on a retroactive basis.

II.2. Duties and Functions (Revised May 10, 2001)

Under its broad responsibility for the management and control of the University, the Board has many specific duties and functions too numerous to list here. Its power to control, manage, and govern the institution necessarily includes exercise of wide discretion—including discretion in what actions it takes directly and in what authority it delegates to other bodies within the University.

Listed below are those duties and functions considered by the Board to be among the most important:

1. Select and appoint a President of the University who serves as the University's Chief Executive Officer.
2. Adopt policies, rules, and regulations to govern the University.
3. Evaluate the mission, goals and objectives of the University not later than the third quarter of each calendar year and establish policies of the Regents.
4. Delegate authority and responsibility deemed by the Board as appropriate and necessary for the most effective operation of the University, with full understanding that such delegation implies the right of the Board to withdraw or modify the delegation when it is considered wise to do so.
5. Approve or authorize others to approve all contracts between the University and other parties, including those contracts for services rendered, equipment and materials to be purchased, construction of buildings, and care and preservation of all University property.
6. Approve, by budgeting, the expenditures of all monies.

7. Approve requests for leaves without pay and sabbatical leaves in accordance with existing policies set forth.
8. Approve constitutions and by-laws and other governing documents (including proposed amendments) of all groups and bodies within the University operating under such documents.
9. Lease, rent, purchase, and sell land on behalf of the University.
10. Approve all degrees to be awarded by the University including both earned and honorary degrees.
11. Borrow money, as provided by law, for the purpose of erecting, altering, improving, furnishing or equipping buildings, for acquisition of land for use by the University, or for other authorized purposes.
12. Receive benefits and donations directly from the federal government and from private or corporate sources to use in ways deemed by the Regents to be in the best interest of the University.
13. Bear legal responsibility and authority for all aspects of the University's operations.
14. Represent the citizens of the state, and interpret their thinking in terms of institutional policies, facilities and programs.

II.3. Composition

The Board is composed of five regents who are appointed by the Governor of the State and confirmed by the Senate. One of the members of the Board of Regents is required to be a member of the student body of WNMU. The terms of appointment of the non-student members of the Board of Regents are staggered terms of six years. The student Regent serves a two-year term. The Governor and State Superintendent of Public Instruction are designated as ex-officio, non-voting members, and the Chair of the Faculty and Staff Senates and the Student Body President are ex-officio non-voting members.

II.4. Organization

No later than the second regular meeting of each calendar year the Board elects one of its members as chair, another as vice-chair, and a third as secretary/treasurer. The chair is the chief executive officer of the Board and presides at all its meetings. When he or she is absent, the vice-chair will preside; if both are absent, the Board may appoint a chair pro tem.

The statutes provide that the secretary/treasurer makes disbursements of funds, on the order of the Board, such disbursements to be countersigned by the chair of the Board. These functions are delegated by the Board to the President of the University and persons designated by the President.

Each year, after the election of new officers of the Board of Regents, the following authorizations are approved by the Board, such authorizations being affective until rescinded or until the next election of the Board officers.

- a. The newly elected officers of the Board are authorized to sign checks, drafts, and other documents on the Regents' behalf;
- b. The chair is authorized to execute (buy, sell, assign or endorse for transfer) certificates representing stocks, bonds or other securities now registered or hereafter registered in the name of the University;
- c. The President of the University and the University Vice-President for Business Affairs are authorized to continue to sign contracts, grants, and other agreements that are necessary for the daily operation of the University. The President of the University is further authorized to delegate power to certain other administrative officers connected with various entities at the University to execute designated contractual documents related to their respective organizations.

II.5. Committees

The committees of the Board are the Audit Committee, the Budget and Finance Committee, the Building, Facility, and Space Naming Committee, and the Honorary Degree Committee. Members of these committees shall be appointed by the chair of the Board. The chair of the Board is an ex-officio member. Ad Hoc committees may be formed by the chairperson as needed for specific purposes and will be disbanded when their task has been completed.

II.6. BUILDING, FACILITY, AND SPACE NAMING COMMITTEE (Adopted May 8, 1987; Revised 1999; August 2001; and December 12, 2002)

From time to time the Board may appoint a Building Facility, and Space Naming Committee comprised of no more than seven members, whose duty it shall be to recommend to the Board the naming of a University building, group of buildings or major facilities after the names of persons meeting the criteria listed below. The Chairman of this Committee shall always be a member of the Board of Regents of WNMU.

1. In the consideration of naming an existing building or one to be constructed, group of buildings, or a major facility, such honor shall be awarded only to that person or those persons who have made substantial contributions to Western New Mexico University.
2. It shall be the policy of the Board not to name any building, group of buildings, or major facility after any person who is presently employed by the University or serving as a Regent.
3. A building, group of buildings, or major facility may be named after a member of the University community who has been retired from active service for at least two years or who has been deceased for at least two years.

4. Requests for naming a building, group of buildings, or major facility, may originate from any source. Requests shall be submitted to the President of the University. Such requests are considered a part of the outside environment and must then be referred by the President to the Regents' Building, Facility and Space Naming Committee for consideration and recommendation. The Committee's recommendation and the recommendation of the President shall be forwarded to the Board of Regents for final action.
5. Request for naming facilities that are part of the interior space of the University such as library/reading rooms, laboratories, seminar rooms, galleries, recreational courts, lounges, academic and service centers, shall be made in writing to the President of the University. The President/ after consultation with the Regents' Building, Facility, and Space Naming Committee, shall decide each case on its merits. The President may consult with the Regents if he/she wishes on a case by case basis.

II.6.A. PLAQUES ON NEW BUILDINGS

The names appearing on building plaques will constitute those persons serving in office at the time that the buildings are completed and accepted.

II.7. BUDGET AND FINANCE COMMITTEE (Adopted September 1, 1989)

The Board of Regents Committee on Budget and Finance shall consist of two Board Members appointed annually for the purpose of advising the Board on all matters pertaining to the formulation, implementation, supervision, audit, and compliance of the University's capital and operating budgets.

II.8. AUDIT COMMITTEE (Adopted January 26, 1996; Revised 1999)

The Audit Committee is to be made up of two members of the Board of Regents, appointed by the Chair of the Board, and the University's internal auditor. The following responsibilities lay with the Audit Committee:

- The Audit Committee members will help guide, mentor, monitor, and meet with the University's internal auditor. These meetings may take the form of, but are not limited to, phone calls, conference calls, and meetings prior to the regular advertised Board of Regents' open meeting.
- The Audit Committee will participate in the structuring of the internal audit function, including but not limited to such areas as: the University's audit plan, monitoring of policies and procedures, special projects and other duties as assigned to the internal auditor. Further, the Audit Committee will be responsible for the annual evaluation of the internal auditor.
- The Audit Committee will have the option in the extent of participation in recruiting the external audit firm for the University. The final recommendation for the external auditor will need to be obtained from the Audit Committee who will have the recommendation ratified by the Board of Regents. The Purchasing Department will receive the approved recommendation and the department will then forward the information to the State Auditor's Office.

•During the University's year-end external audit, the external auditor will be expected to report, as needed, to the Audit Committee. An "exit meeting" will also be scheduled by the external audit firm to report on the final audit opinion and any findings and/or material weaknesses found.

II.9. HONORARY DEGREE COMMITTEE - (Revised May 10, 2001,
Revised December 13, 2002)

Criteria for Selection

The Honorary degrees of Doctorate of Laws, Doctorate of Humane Letters, and Doctorate of Arts shall be awarded to individuals who have made contributions of exceptional substance to Western New Mexico University or who have significantly enriched the educational, cultural, scientific, or intellectual life of the region, state, or nation.

Procedure

- 1) Nominations can come from any source, on or off campus with a deadlines of September 15 for the fall presentation or February 1 for the spring or summer presentation.
- 2) The Office of the President will serve as the clearinghouse.
- 3) A comprehensive vita will be prepared for each potential candidate.
- 4) Accomplishments of potential honorary degree recipients will be reviewed by an Honorary Degree Committee composed of:
 - A. One or two Regents (one of whom will serve as Chair)
 - B. One faculty member elected from each of five departments designated by the Vice-President of Academic Affairs for an academic year so that departments are rotated annually on this committee.
 - C. The Chairperson of the Board may appoint up to one additional student and one Western alumnus to the committee.
- 5) Recommendations of the Committee will be made to the President who will take the Committee's and her/his recommendations to the Board of Regents for final decision.

All deliberations will be confidential but the final action by the Board of Regents will be at the open meeting of the Board. Usually no more than two honorary degrees will be conferred on each presentation/occasion. An exception may occasionally occur but all such exceptions require the concurrence of the committee, the President and the Regents.

In each case, as appropriate, a biographical sketch will be developed and will become an integral part of the presentation ceremony. Honorary Degrees may be

presented only at Commencement or other official or formal convocations of the University.

II.10. Resolution Adopting Notice Procedures Pursuant to the New Mexico Open Meetings Act Sections 10-15-1 Through 10-15-4 NMSA 1978
(Approved December 12, 2008)

WHEREAS, the Board of Regents of Western New Mexico University (the "Board") met in regular session at the Student Memorial Building on the WNMU campus on December 12, 2008, at 2:30 p.m. as required by law; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to 10-15-4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the Board to determine annually what constitutes reasonable notice of its public meetings; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF REGENTS OF WESTERN NEW MEXICO UNIVERSITY:

11.11 Time and Place of Meetings

1. All meetings shall be held as indicated in the meeting notice.

11.12 Notice to the Public Concerning Meetings (Revised May 10, 2001)

2. Regular Meetings - Unless otherwise specified, regular meetings shall be held each quarter, one in January, February or March; one in May, one in July or August, and one in December. The notice of regular meetings shall specify the date, time, place and the agenda items to be addressed and shall be given five (5) days in advance of the meeting date by the Executive Assistant to the President/Board, whose office is located in Castorena Hall, 1000 College Avenue, Silver City, New Mexico. If it becomes necessary to add an item to the published agenda, a second notice shall be published at least two (2) days prior to the meeting.
3. Special Meetings - Special meetings may be called by the Chairman or a majority of the members upon three (3) days notice. The notice shall include the date, time, place and agenda for the meeting.
4. Emergency Meetings - Emergency meetings may be called only under unforeseen circumstances which demand immediate action to protect the health,

safety and property of citizens or to protect the public body from substantial financial loss. The Board shall avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or a majority of the members upon twenty-four hours notice, unless threat of personal injury or property damage require less notice. The notice for all emergency meetings shall include the date, time, place, and agenda for the meeting.

5. For the purposes of regular meetings described in paragraph 2 of this resolution, notice requirements are met if the notice is placed in a newspaper of general circulation in Grant County, posted on the bulletin board located opposite the main public entrance of the administration building (Castorena Hall), furnished to any person requesting such notice and publishing the notice on the University's web-site. Copies of the written notice shall also be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation which have made a written request for notice of public meetings.
6. For the purposes of special meetings described in paragraph 3 of this resolution, notice requirements are met if the notice is published in a newspaper of general circulation in Grant County, posted on the bulletin board located opposite the main public entrance of the administration building (Castorena Hall), furnished to any person requesting such notice, and published on the University's web-site. Copies of the written notice shall also be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.
7. For the purposes of emergency meetings described in paragraph 4 of this resolution, notice requirements are met if notice of the date, time, place and agenda is published in a newspaper of general circulation in Grant County and posted on the bulletin board located opposite the main public entrance of the administration building (Castorena Hall). Copies of the written notice shall also be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request of public meetings.
8. In addition to the information specified above, all notices shall include the following language:

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Executive Assistant to the President/Board at 1000 College Avenue, Silver City, New Mexico at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats.

II.13. Closed Meetings

Meetings of the Board held for the following purposes may be closed to the public:

1. meetings pertaining to issuance, suspension, renewal, or revocation of a license, except that all final actions on the issuance, suspension, renewal or revocation of a license shall only be taken at an open meeting.
2. meetings pertaining to limited personnel matters, as defined by law, except that (i) all final actions on personnel shall be taken at open meetings and (ii) an affected employee may demand a public hearing.
3. meetings pertaining to the discussion of personally identifiable information about any individual student, unless the student, his parent or guardian requests otherwise.
4. meetings for the discussion of bargaining strategy preliminary to collective bargaining negotiations between the University and a bargaining unit representing the employees of the University and collective bargaining unit are present.
5. that portion of meetings at which a decision concerning purchases in an amount exceeding ten thousand dollars (\$10,000) that can be made only from one source and that portion of meetings at which the contents of competitive sealed proposals solicited pursuant to the Procurement Code are discussed during contract negotiation process. However, the actual approval of purchase of the item or final action regarding the selection of a contractor shall only be made in an open meeting;
6. meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant;
7. meetings for the discussion of the purchase, acquisition or disposal of real property of water rights by the University.

Following the completion of any closed meeting, the minutes of the open meeting that was closed, or the next open meeting, if the closed meeting was separately scheduled, shall state that the matters discussed in the closed meeting were limited only to those specified in the motion for closure or in the notice of the separate closed meeting.

II.14. Quorum for Meeting (Revised 2002)

A majority of the five members of the Board shall constitute a quorum for the transaction of business.

1. Authority to Call a Board Meeting - The Chairperson of the Board, or the President of the University, or three Members of the Board may call a meeting of the Board. Any individual may make a written request to call a Board meeting. Such requests shall be made in writing, with supporting reasons, to the President of the University or any member of the Board. There is no obligation to call a meeting as requested herein.
2. Working Session
A quorum of the Board may also meet periodically in "working sessions." A "working session" is any meeting of a quorum of the Board which does not involve any formal action by the Board. Such sessions include, but are not

limited to: 1) discussions related to the formulation of public policy prior to the publication of any proposed general order; 2) discussions related to the formulation of public policy prior to the formal discussion or adoption of any resolution, rule, regulation or any order in any case pending before the Board, or prior to the taking of any other formal action authorized by the higher education statutes; 3) discussions of internal administrative actions concerning the operations of the University, and 4) informational discussions between staff and the Board in preparation for formal discussion or action.

Working sessions of a quorum of the Board are open meetings and are open to the public. Any person wishing to attend a working session of the Board shall be allowed to attend and listen to the discussions. The Board will conspicuously publish a notice of the working session at least twenty-four hours prior to the working session in the media. The notice shall state the time, date, and location of the meeting and that no formal action shall be taken.

3. Written records of all such notices of meetings given to the public will be kept. (See Sec. 10-15-1 through 10-15-4 NMSA 1978)
The Board will review and determine, at least annually, what notice for a public meeting is reasonable.

II.15. Parliamentary Authority (Approved 7-23-93)

The Board will generally operate under Robert's Rules of Order (latest edition).

II.16. Agenda for Meetings

The Board Chairperson, after consultation with the University President and other Board members, shall have the Executive Assistant to the President/Board produce copies of the agenda for the Regents and the President of the University. The Executive Assistant to the President/Board will make the agenda available to those requesting it.

Persons or groups wishing to place an item on the agenda of the Board of Regents are required to submit a letter to that effect to the Chair of the Board via the President of the University not less than ten (10) days prior to the scheduled meeting.

In addition, the petitioner shall submit:

- a. a summarized "brief" of the intended statement;
- b. the specific action requested from the Board of Regents;
- c. the name of the person(s) designated to speak (e.g., legal counsel);
- d. a summarized review of any internal administrative action or hearing the topic has previously received;
- e. the approximate length of time of the presentation.

Persons wishing to speak before the Board at one of its meetings on an item not on the agenda should make such a request in advance of the meeting to the Chair of the Board or to the President of the University, either of whom will make every reasonable effort to accommodate the request. The Board will always be receptive to the Faculty Senate, Staff Senate, or the Student Senate.

Also, the Chair of the Board may request or allow other persons present at a meeting to address the Regents -- both on topics already on the agenda and on items introduced initially at the meeting or in the Regents' Information Session-- but no blanket assurance can be given for such an opportunity.

On internal administrative matters such as budget requests, salary considerations, and decisions ordinarily delegated to the President, the Board reserves the right to review only the written appeal and forego oral presentation.

Final decisions to grant or deny requests or petitions to appear and speak before the Board will be rendered by the Chair of the Board on its behalf.

The written agenda will normally be followed, with any possible additions having received the Board's approval.

II.17. Minutes of Meetings

Minutes of all open meetings will be kept and are open to public inspection. The minutes will include as a minimum the date, time and place of the meeting, the names of members present and absent, the substance of all proposals considered, and record of any decisions and votes taken which show how each member voted. Drafted minutes will be prepared by the President's Assistant after editing by the elected secretary within ten (10) working days of the meeting. Minutes will become official only after approval by a quorum of the members of the Board at its next meeting.

II.18. Resolution on Open Meetings Act (Re-adopted December 13, 2002)

We, the Board of Regents of Western New Mexico University, hereby reaffirms that the Board's open meetings policy has been reexamined to meet the requirement of the State's Open Meetings Act (10-15-1 to 10-15-4, NMSA 1978). The Board of Regents hereby adopts the new policy as its current open meetings policy.

II.19. Regents Information Session

The Regents Information Session, which was formulated to enhance the relations of the University and the public, will consist of a 15-minute period of time following completion of the Board's formal agenda. During this period, individuals may address the Board concerning matters not covered in the agenda, concerning Western New Mexico University and of interest to the Board, excluding grievances and personnel matters for which procedural guidelines

have been established. This session will consist of a 15-minute total period of time and each individual presentation will be limited to three minutes. The Board will have the prerogative of responding to items presented.

II.20. Conflict of Interest Policy (Adopted March 1, 1991)

Any quality of interest or probable conflict of interest on the part of any Regent shall be disclosed to the other members of the Board and made a matter of record, either by an annual procedure or when the interest becomes a matter of Board action.

Any Regent having a conflict of interest on any matter shall not vote or use his/her personal influence on the matter and shall not be counted in the quorum for the meeting. The minutes of the meeting shall reflect that disclosure was made and the abstention, for voting and quorum purposes.

The foregoing requirements shall not be construed to prevent the Regent from briefly stating his/her position on the matter nor asking appropriate questions of other Board members since his/her knowledge may be of assistance.

This policy shall be reviewed annually for the information and guidance of the Regents and any new member shall be advised of this policy.

II.21. Board of Regents Scholarships

With funds provided by the State for this purpose, academic scholarships are awarded in the name of the Board of Regents to graduating seniors from New Mexico high schools with honor roll status. Preference is given to high schools in closer proximity to the University.

II.22. Formulation of Policies (Approved 12-13-90)

Policies may be adopted only after consideration at two meetings of the Board. The formal adoption of policies shall be recorded and noted in the minutes of the Board.

Policies are subject to amendment only by a majority vote of the entire Board and after consideration at two consecutive meetings.

If a quorum of the Board votes to do so, a policy may be waived at any meeting in order to permit a specific action.

II.23. Periodic Re-evaluation of Policies

The Board of Regents deems it highly important for University policies to be re-evaluated periodically. The purposes of such re-evaluation are at least two-fold: first, to remind both new and continuing members of the University community (including the Regents themselves) about policies currently in effect; and to afford the Regents convenient opportunities to modify policy when deemed desirable.

The Board shall set aside a part of one or more meetings each year for the purpose of discussion and/or re-evaluation of University policies. At least one session during the first or second quarter shall be set aside for this purpose.

II.24. Compensation

Members are not remunerated for their services. They are, however, paid per diem and allowance for necessary travel as provided by law.

II.25. Orientation of New Members

When a new member is appointed to the Board, he or she will be briefed by the President of the University. The President will explain the overall organization of the University and provide appropriate information.

II.26. Rights and Responsibilities

The purpose of this statement is to help clarify relationships between the Regents and the Administration, Faculty, and Students of the University. "Management and Control" of the University are vested in the Regents, and they are also charged with the authority and "duty to enact laws, rules, and regulations for the government of the University." Inevitably, the management responsibilities of the Regents must be delegated, and so is much of their authority to govern the affairs of the institution subject to overall policy which they establish. In this situation, it may be helpful to have a statement of the position of the Regents on certain topics of current interest and concern.

1. As limited by the applicable law, these policies, and other actions of the Regents, the Board recognizes and approves:
 - a. the authority and responsibility of the Administration in all matters relating to the operation of the University;
 - b. the authority and responsibility of the Faculty, in cooperation with Administration, to set educational policies, to screen faculty personnel, and in general, to deal with all matters relating to teaching and research; and
 - c. the rights and responsibility of the Students of the University to provide for their own self-government with authority in the affairs of the student community.
2. There presently exist adequate procedures for determining most matters affecting University operation. In order that the University may function properly under the authority of those in direct charge of its activities, the Regents ordinarily will not interfere with actions of the Administration, the Faculty, Staff, or Student Government. The Regents cannot, however,

ignore the responsibilities of management and control vested in them by the Constitution and laws of the State of New Mexico. Thus, they reserve unto themselves the right to consider and determine, if deemed necessary, any matter relating to the University. Except as otherwise provided, appeals of Administration, Faculty, or Student decisions should be addressed in writing to the Regents via the President of the University. The Regents will consider such appeals as a body. In their discretion, the Regents may request written briefs or oral argument or both.

3. The Regents recognize and approve the right of free speech and honest expression of opinion on any subject by any member of the University community, whether the subject relates to on- or off-campus issues, but those who speak or act shall not do so in the name of the University or any of its organizations unless there has been specific authorization to do so.
4. Off-campus speakers, if approved in accordance with University regulations, should be allowed free expression of their views. Students with diverse points of view should permit such speakers to be heard without harassment.
5. Any member of the University community — student or member of the faculty or staff — is subject to discipline if he/she acts in such a way as to affect adversely the University's educational function or to disrupt community living on campus. All authorized University activities are deemed to be part of its educational function. No member of the University community has a right to interfere with another in the pursuit of an education or in the conduct of University duties and responsibilities.

The rights and responsibilities of each member of the University community, the same as every other citizen, are measured by laws of our country. Respect for the law is fundamental and necessary for the preservation of our form of government. The Regents will take action to enforce this principle, if it should be necessary.

II.27. Policy on Board Member Travel (Adopted May 8, 1992)

Policy Statement. Each member of the Board of Regents shall be reimbursed for travel expenses incurred in the discharge of official duties as provided in the Per Diem and Mileage Act (NMSA 1978 Sections 10-8-1 through 10-8-8), and the rules and regulations issued pursuant thereto by the Department of Finance and Administration (DFA), except as such regulations are modified by this policy.

Travel Vouchers Required. Every claim for reimbursement shall be paid only upon presentation of a duly executed travel voucher, together with any required receipts attached thereto.

Per Diem for Board Meetings. Notwithstanding any other provisions of the Per Diem and Mileage Act or DFA rules, members of the Board of Regents may elect to receive per diem for attending each Board of Regents meeting or meetings of duly appointed committees of the Board of Regents at the rate of \$75.00 as per diem expenses:

1. For each board or committee meeting attended; or
2. For each day spent in discharge of official duties (for travel within the state but away from the Board member's home).

Board members who travel to attend a board meeting or a committee meeting may elect to be reimbursed for per diem under either paragraph III (1) or (2).

Reimbursement for Actual Expenses. With prior written approval of the President of the Board of Regents, a member of the Board of Regents shall be permitted to obtain reimbursement for actual expenses for lodging and reimbursement for actual expenses for meals (not to exceed \$22.50 per day) for travel in the discharge of the official duties of the member of the board, as contemplated by NMSA 1978 Section 10-8-4L. The Regent claiming such actual reimbursement must submit receipts for such actual expenses incurred.

Out-of-State Travel. Requests shall be presented to and approved by the Board prior to the date of travel. Only thereafter will the travel request be honored. Should circumstances arise necessitating that a travel request be approved between board meetings, the President of the Board of Regents may approve the travel request subject to board approval at the next regular Regents meeting.

Travel by Aircraft. The WNMU Administration is hereby authorized to arrange for travel by state-owned aircraft for the convenience and benefit of members of the Regents to board or committee meetings. Passengers on such aircraft will generally be limited to members of the Board of Regents, University employees, or those persons performing direct contractual services on behalf of the University. Other passengers may be allowed to travel on a space-available basis subject to the approval of the Chair and at a pro-rata cost. Concern for economical use of transportation is of paramount importance as is the most efficient use of Board member's time. Therefore, group travel is expected whenever feasible. The exception to this rule is that no more than two executive administrators shall be passengers on the same flight.

Use of state-owned aircraft will not be allowed where the meeting is held less than 150 miles from the member's home or place of business or employment. The WNMU Administration is directed to pay for travel on state-owned aircraft at the rates established by the General Services Department and to charge such travel expense to the Board of Regents' in-state travel budget.

II. 28. Resolution For Board Meetings Utilizing Conference Telephone or Similar Communications Equipment
(Adopted December 20, 1991; Revised August 9, 2002)

Whereas, the Board of Regents has found that it is necessary on occasion for the Board to act on a matter by a specified deadline by which time it is impossible for individual members to attend a meeting in person; and

Whereas, the Board of Regents has been advised of the provisions of the New Mexico Open Meetings Act (Section 10-15-1 et seq., NMSA 1978), and in particular Section 10-15-1C which governs the use of conference telephone or other similar communication equipment in connection with attendance by members at meetings of a public body; and

Whereas, the Board of Regents concludes that provision should be made for attendance at certain meetings by means of conference telephone or other similar communications equipment in a manner consistent with the New Mexico Open Meetings Act.

Now, therefore be it resolved by the Board of Regents of Western New Mexico University that:

1. The President of the Board, or the President of the University, or three members of the Board may call a special or emergency meeting of the Board as to which members of the Board who find it difficult or impossible to attend in person may attend by means of a conference telephone or other similar communication equipment. In any meeting in which conference telephone or other similar communication equipment is utilized, it is necessary that each member of the Board can be identified when speaking, that all participants are able to hear each other at the same time, and that all members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.
2. All such meetings shall comply with the New Mexico Open Meetings act in all particulars.
3. Participation by a Regent in a meeting by such telephonic means shall constitute presence in person at the meeting.

CHAPTER III
The President

III.1. The Office of the President

The President of the University is the Chief Executive Officer and is recognized by the Regents as the ranking officer of the University.

III.2. Appointment

The President of the University is appointed by and reports directly to the Board of Regents.

When the position of President becomes or is about to become vacant, the Regents conduct a search for qualified candidates for the Presidency.

The Board is guided in this effort by ethical and affirmative action principles and procedures and may be aided by an advisory search committee which it appoints. The Board has the sole responsibility for appointing a President of the University.

III.3. Relationship Between the President and the Board of Regents

The functions of the Board are regarded as essentially lay in nature rather than professional. Its primary responsibility is to establish policy for the University and then hold the President of the University responsible for seeing that approved policy is implemented throughout the institution.

The Board of Regents is well aware of the critical relationship and necessary interdependence between policy-making and administration at the University and has by its resolutions and actions established what it deems to be a proper balance between these two functions.

III.4. Responsibilities

All decisions and actions of the President must be in accordance with general policies approved by the Board of Regents and are subject to the right of the Board to intervene. This right is rarely exercised, however, for both philosophical and practical reasons. The magnitude and complexity of the operation of the University make it neither wise nor feasible for the Regents to intervene in decisions of management, except in the most unusual circumstances.

Under the general authority granted to the President of the University by the Regents by these policies, the President has duties and responsibilities including but not limited to:

1. the administration of Board policies regulating institutional mission, goals and objectives, instructional program, research, public service, financial affairs, student affairs and physical facilities;
2. the direction of current and long-range planning relating to his or her institutional responsibilities;
3. the development and maintenance of an appropriate administrative organization and governance structure to facilitate the most efficient and effective utilization of institutional resources in the achievement of the institution's mission and goals;
4. the development and maintenance of a personnel system concerned with the recruitment, selection, assignment, supervision, evaluation, promotion, and retention or tenure of all personnel employed by the institution;
5. the planning and development of the means for securing and maintaining the resources necessary for the achievement of the institution's mission at the highest possible level of quality, including the presentation to appropriate funding agencies of the needs of the institution;
6. the preparation and presentation of the annual operating and capital budgets and the institutional allocation and supervision of all appropriated and other funds;
7. the development and maintenance of the facilities, materials, equipment, and services necessary for the support of institutional functions;
8. the communication of the policies and views of the Board to the institutional community and other constituencies and, conversely, communication of the views of the University's constituencies on appropriate issues to the governing board;
9. the presentation of information to the governing board about the current and prospective condition of the institution, including its goals, accomplishments, and potential problems;
10. the representation of the University to relevant external constituencies;
11. the development and maintenance of academic programs to achieve the institution's missions and goals;
12. the termination of his or her association with the institution in a professional manner that does not unnecessarily discredit or damage public confidence in the governing board or the institution; and
13. re-delegating authority as deemed necessary.

III.5. Removal

No President of the University may be removed from office during the term for which he or she is appointed except for cause, and after trial by the Board of Regents. (See Sec. 21-1-7 NMSA 1978)

III.6. Place in the University Organization

As shown in the Organization Chart, THE PRESIDENT AND THE INTERNAL AUDITOR REPORT DIRECTLY TO THE REGENTS. Other individuals and groups within the University, except those responsible for internal auditing, may approach the Board of Regents officially on University business only through the President or in accordance with the procedures contained in this MANUAL relative to appeals or setting the Regents' agenda. The President may reorganize the structure of the University, subject to the approval of the Board.

As provided in the policy on "Rights and Responsibilities at Western New Mexico University" (See Chapter II), appeals of decisions of the Administration, Faculty, or Student Government should be addressed in writing to the Regents via the President of the University.

The reporting responsibilities of all individuals at the University will be as indicated in the chart and other documents relating to the organizational structure of the University.

III.7. Terms and Conditions of Employment

The appointment status, academic rank, tenure status, term of office, compensation, prerequisites of office duties, extent of services, working facilities, expenses, vacations, and other appropriate conditions of employment, shall be set forth in an Employment Agreement which shall be dated and signed by the President and the Chair of the Board of Regents.

III.8. Absences

The President shall establish an order of precedence within his or her Administration which will specify the order in which the University officers will assume temporary responsibility for his/her duties in his/her absence. A current copy of this document will be provided to each member of the Board of Regents.

While the President is completely free to regulate his/her own absences from the University on business or for personal reasons, with vacations as governed by the Employment Agreement, he or she should, as a matter of courtesy, inform the Board of Regents of any protracted absence (e.g., over five working days) and of his/her anticipated date of return.

III.9. Evaluation of the President - (Revised May 10, 2001)

The Board of Regents shall conduct an annual written evaluation of the President no later than March 1 of each year, using the responsibilities listed under item III. 4 and the criteria provided below. The Board wishes to emphasize that the evaluation process should be reviewed as a constructive tool to assist with the growth of the chief executive officer and the University as a whole.

1. Leadership

- a. Sensitivity and perceptiveness in working with people
- b. Recognition of staff accomplishments
- c. Interest and concern for helping those in need
- d. Project a clear vision of the university
- e. Inspire a desire for excellence
- f. Encourage and listen to divergent viewpoints
- g. Stimulate the staff to work effectively and cooperatively
- h. Decisiveness
- i. Ability to deal with State Legislature

2. Staff Development

- a. Recruitment of competent staff
- b. Delegation of responsibility in a clear understandable fashion
- b. Provide opportunities for staff professional growth
- c. Fair and equitable treatment of staff

3. Planning and Organization

- a. Develops goals and objectives related to the organizational long-range plan that are realistic within the confines of the budget
- b. Develops the proper structure to meet the program needs of the organization
- c. Develops new programs for the university to be of service to its constituency
- d. Objectively evaluates the programs of the university

4. Knowledge of Fiscal Management and Budgeting
 - a. Considers the total university in building the budget
 - b. Phases out unnecessary programs
 - c. Does not exceed budget
5. Other Considerations
 - a. Good speaking and writing skills
 - b. Drive and energy
 - c. Dependability
 - d. Integrity
 - e. Positive attitude
 - f. Involvement in the community
 - g. Ability to deal with the media in a positive manner

CHAPTER IV

The Faculty

IV.1. Role

The Board of Regents fully appreciates the strategic role of the Faculty in carrying out the stated objectives of teaching/learning, research, and public service. The Board therefore delegates to the Faculty, in cooperation with the Administration and subject to review by the Board, responsibility for policies and actions of a specifically academic character such as curricular changes in existing degree programs, degree and graduation requirements, candidates for degrees, and matters pertaining to the immediate academic governance of all undergraduate and graduate units. Included in the areas in which formal approval by the Board is required, following review and action by the Faculty Administration, and other sources, are: formulation and revision of institutional aims, creation or abolition of degree programs or of majors; candidates for degrees; requirements for admission of students; granting tenure; policies for appointment, promotion in rank, and dismissal of faculty members; policies governing leaves for faculty members, and faculty welfare issues as those related directly to fiscal and institutional issues.

The Regents cannot ignore the responsibility for management and control vested in them by the Constitution and laws of the State of New Mexico. Thus, they reserve unto themselves the right to consider and determine, if deemed necessary, any matter relating to the University. However, as stated in the document "Rights and Responsibilities at Western New Mexico University" (See Chapter II), the Regents will ordinarily not interfere with actions of the Administration, the Faculty or Student Government.

IV.2. Appointment

Each year the Board of Regents authorizes the President and his or her designees to negotiate contracts with new and continuing faculty members, administrators, and athletic coaches for services to be rendered. Authorization to negotiate contracts is given with clear understanding that all procedures leading to proposed contractual agreements will be in accord with applicable law and the following policies of the Regents: 1) Affirmative Action Policy; 2) Policy on Academic Freedom and Tenure; and 3) Appointment and Promotion Policy.

A detailed listing of signed contracts for all new faculty and administrative appointments is periodically sent to the Regents for approval.

IV.3. Duties and Responsibilities of the Faculty

All faculty members are expected to be directly involved in the main objectives of the institution: teaching/learning, research, and public service. The extent to which any faculty member is involved in sponsored research or any appreciable amount of public service as a part of his/her assigned duties depends

upon what additional and specially earmarked funds are made available to the University to support these activities.

Faculty members are also encouraged to engage in some form of scholarly research or creative activity over and above their teaching responsibilities. With prior administrative approval, such research or creative activity, along with sponsored research and public service supported by outside agencies, may be counted as part of a faculty member's total academic load, thereby reducing the required teaching load in order to allow time for these other activities.

The principal duties and responsibilities of WNMU faculty members are listed below:

1. TEACHING - (in classrooms, seminars and laboratories) The teaching function includes (a) keeping up with the latest developments in the subject field being taught; (b) designing new courses and revising old ones; (c) preparing lectures and demonstrations; (d) giving lectures and demonstrations and leading discussions; (e) designing, giving, and evaluating results of tests and examinations and other written assignments; (f) keeping office hours for consultation with students and others; and (g) evaluating student performances and assigning grades to be entered on permanent records.
2. UNSPONSORED RESEARCH - Research not supported by outside agencies.
3. SPONSORED RESEARCH AND PUBLIC SERVICE. As indicated above, these activities are carried on when special funds are made available to support them.
4. FACULTY COMMITTEE WORK/FACULTY SENATE SERVICE
5. ACADEMIC ADVISING
6. OTHER CAMPUS AND COMMUNITY RESPONSIBILITIES - Statutes enacted by the Territorial Legislature, and still the law, say "The Regents shall have the power to regulate the course of instruction, and prescribe the books and authorities to be used in the several departments..."

Subject to law, these policies and other actions by the Regents, the Regents delegate this power to the Faculty which, as by custom and practice, have been given general responsibility for the teaching function, which includes designing degree programs, choosing and developing courses, and selecting textbooks.

IV.4. Academic Load

The term "academic load" encompasses all officially recognized University duties carried out by an individual member of the Faculty at any given time. Teaching in regularly scheduled classes is basic, of course, but overall load may also include scholarly or sponsored research, creative work, committee assignments, student advisement, direction of thesis, and administrative or supervisory duties. The

normal teaching load each semester is 12 adjusted credit hours (equivalent of four regular lecture courses, each meeting for three 50-minute periods per week).

With prior administrative approval, faculty teaching master's level only graduate courses will have a normal teaching load each semester of 9 adjusted credit hours. Faculty teaching split level courses, that is those taught for both senior level undergraduates as well as graduate credit, may have an adjusted load between 9 and 12 hours in any given semester with prior administrative approval.

IV.4A. Policy on Class Size (Adopted November 16, 1990; Revised 1999)

Consistent with its stated mission, the University shall conduct classes of a numerical size and nature to meet the needs of the student body in its rural service area. Generally there shall be a minimum of 10 students for a lower division course, 8 students for an upper division course and 5 students for a graduate course.

Those courses with mixed upper division and graduate enrollment and combined numbering (400-500) will be of adequate size if: (1) either the upper division or the graduate count is met; or (2) counting each undergraduate as 5/8 graduate student, the total would meet the requirement for a graduate class; or (3) counting each graduate student as 1 3/5 undergraduate student, the total would meet the requirement for an undergraduate class. Those classes which are nearly the minimum size (e.g., 7 in an upper division class) simply do not meet the size requirements and must meet other guidelines to avoid cancellation.

Background

The University mission statement recognizes as a strength the modest size of the institution which allows for small classes and individualized attention. External agency intrusion along with perceived cost effectiveness requirements have, at times, caused conflicting messages to be sent to faculty, administrators, and students resulting in confusion, misapplication of perceived policy, poor communication, and misunderstandings among and between parties affected by the resulting decisions.

Class size is a concern when classes are too small or when classes become too large. Classes which are too small may cause a variety of difficulties for the University. Almost all of these difficulties concern the appropriate use of resources. Some of these resources are directly fiscal in nature and may include salary concerns or state funding formulas, while other non-fiscal resources may include appropriate use of instructional talent or physical facilities. Non-resource related issues are program impact and viability. Classes which are too large may also cause a variety of difficulties for the University. Here however, the primary difficulties are almost never directly fiscal. Instead the concerns are usually those demands placed upon physical resources (adequate classroom size, sufficient student equipment, etc.) and perhaps more important, the ability to provide quality instruction to individual students. The fiscal aspects of large class sizes concern the lack of budgeted funds to provide additional class sections with additional instructors or increased supplies of student equipment. Other factors which must be considered are:

1. The Vice President for Academic Affairs, in conjunction with the appropriate Department Chair, Director, or Dean will monitor class sizes using available data. Classes that are too large or too small will be identified in a timely manner and through consultation between the VPAA and the appropriate Department Chair, Director, or Dean, appropriate adjustments will be made. The Department Chair, Director, or Dean will keep the instructor of the class, where designated, informed of any actions being undertaken. Final decisions regarding status of such a class shall be made through consultation between the appropriate department chair, director or dean and the VPAA by the end of the first week of classes, during the regular academic year, or prior to the second class session for other instructional schedules. Failure to do so would normally indicate intent to proceed with the class without change in status.
2. Impact on individual students and program viability
3. Alternatives available for utilization of the instructor
4. Distribution of class size within the department
5. Goals and viability of the program

Classes in which enrollment exceed expectations shall be considered for reduction in student size by developing extra sections so as to afford a near optimum learning environment for every student and allow for appropriate individualized attention. Additional factors to be considered regarding addition of section to deal with large classes are as follows:

1. Availability of appropriate instructional equipment
2. Capacity of available classrooms
3. Availability of additional qualified instructors
4. Expertise of the current instructor
5. Student body perceptions regarding alternate instructors

In the event of an instructor not having a full teaching load in any given semester, the following actions will be taken:

1. The Instructor with the appropriate Department Chair will review the class schedule to find an additional course(s), which the instructor is qualified to teach.
2. If another course cannot be found, the instructor will be expected to take on other professional duties of special need to the institution for which he/she is qualified by virtue of education, background, experience and/or interest. The Vice President for Academic Affairs will consult with the instructor and Department Chair prior to making the final decision on assigned professional duties.

3. Professional duties would normally be limited to the following:

- A. Program Planning, Research and/or Development
- B. Academic Advisement
- C. Program Promotion and Recruitment
- D. Research and/or Scholarly Endeavor
- E. Institutional Service
- F. Community/Regional Service

IV.5. Promotion in Rank

It is the policy of the University to promote faculty members to higher academic ranks when they qualify under provisions of the Appointment and Promotion Policy, as listed in the Faculty Handbook.

IV.6. Tenure

Tenure is granted to faculty members according to the provisions covered under “Probationary Appointments and Attainment of Tenure” as listed in the Faculty Handbook.

IV.7. Dates of Campus Duty

Except for authorized holidays, vacations, or other recesses listed in the academic calendar or otherwise announced, it is the obligation of each faculty member to perform all assigned duties and commitments within the period designated by the beginning and ending dates of service in a particular contract period. There is no minimum number of hours of service to the University required of faculty members, but adherence to the policy on academic load described above generally results in a work week of at least forty clock hours for each faculty member. Each faculty member is expected to be available for campus duty during the period specified by the individual contract.

IV.8. Employment and Discharge of Persons Advocating Sabotage, Sedition, or Treason

No person shall be knowingly employed by the University who either directly or indirectly carries on, advocates, teaches, justifies, aids or abets a program of sabotage, force and violence, sedition, or treason against the government of the United States or of the State of New Mexico.

When it becomes reasonably apparent to his or her appointing power that any employee has committed any of the acts herein above described it shall be the duty of such employer to refer the date and information available to him or her to the district attorney of the judicial district wherein such employee resides, and it shall thereupon become the mandatory duty of the district attorney to institute a proceeding in the district court to determine whether the employee has violated

the law (Sec. 10-1-12 NMSA 1978). If such court determines that this law has been violated, such employee shall be immediately discharged.

IV.9. Employment and Advanced Degrees

1. Faculty Members - No faculty member may be awarded an advanced degree by the University in the same discipline or program in which he or she is employed. Faculty members are encouraged, however, to take courses outside their own disciplines, whether or not toward a degree. (See Faculty Handbook for further details.)
2. Graduate Students - A graduate student working toward an advanced degree at WNMU may, in accordance with applicable policy, be appointed as a teaching assistant in the area of his or her major or, with appropriate approval, in an area other than the major.

IV.10. Graduate Student Academic Staff

The terms and conditions of every appointment to a graduate or teaching assistantship will be stated in writing, and a copy of the appointment document will be supplied to the graduate or teaching assistant.

In no case will graduate or teaching assistants be dismissed without having been provided with a statement of reasons and an opportunity to be heard before a duly constituted committee. (A dismissal is a termination before the end of the period of appointment.)

A graduate or teaching assistant who establishes a prima facie case to the satisfaction of a duly constituted committee that the decision to dismiss him/her was based significantly on considerations violated of (1) academic freedom or (2) governing policies on making appointments without prejudice with respect to race, sex, religion, or national origin, will be given a statement of reason by those responsible for the non-reappointment and an opportunity to be heard by the committee.

Graduate or teaching assistants shall have access to a grievance procedure similar to that used in other student grievance procedures related to academic matters.

IV.11. Employment of WNMU Graduates

As a general policy, no person who has received a degree from Western New Mexico University shall be employed as a regular member of the faculty in a position which may lead to permanent tenure unless subsequent to the last degree received at the University he or she has taken at least one academic year of advanced work at another reputable institution or has established himself or herself professionally elsewhere. Such work or professional experience must be in his or her teaching field.

IV.12. Retirement

Opportunity is provided for retirement under the provisions of the New Mexico Educational Retirement Act regulations.

IV.13.

Western New Mexico University
Incentive Retirement Policy and Plan
(Adopted March 1, 1990)
(Revised December 1994, 1999)

I. Policy Statement:

The Board of Regents of Western New Mexico University (“WNMU”) hereby determines that it is in the best interests of the University to adopt a plan whereby tenured faculty members may negotiate for and take advantage of an appreciable and substantial monetary benefit in consideration for voluntary selection of early retirement and foregoing continuous tenure appointment at the conclusion of a special academic year.

- A. The goals of such a program, which the Board of Regents deem to be of benefit to the University and its faculty, are:
 - 1. to provide flexibility for tenured faculty members to consider new and alternative career opportunities.
 - 2. to provide flexibility and avoid potential problems in staffing and associated costs for the academic programs of the University.
- B. Now, therefore, the WNMU Administration is hereby authorized to publish the following as the WNMU Incentive Retirement Plan:

The voluntary Incentive Retirement Program is a benefit program of Western New Mexico University which is available only to eligible tenured faculty as hereafter provided. This benefit program shall exist separate and apart from all other employee benefit programs provided by the Board of Regents Policies.

II. Eligibility:

- A. Faculty members requesting benefits under the program must:
 - 1. Reach age 60 to 69 on or before July 1 of the calendar year preceding the proposed date of incentive retirement.
 - 2. Be employed under appointment with tenure, with ten or more years of continuous service at WNMU. Periods of approved leave or sabbatical shall not constitute an interruption of continuous service.

III. Process for Requesting Benefits:

- A. To request benefits under the program, a faculty member must:
1. Provide a written request to his or her Departmental Chair. All requests shall be reviewed by the Vice President of Academic Affairs.
 2. Final approval authority shall rest with the President, and the President shall possess the discretion to delay a request for incentive retirement if such action is deemed to be in the best interest of WNMU.

IV. Time Limits:

- A. Eligible faculty members will have an opportunity to indicate their intention to participate in the Incentive Retirement Program by submitting written request by March 15, 1991 for the first year of the program and by October 15 of each succeeding year thereafter.

V. Incentive Retirement Plan:

- A. Participants will receive a financial incentive in exchange for surrender of tenure and termination of employment, as specified in a written incentive retirement contract, described below. Specific dollar settlement incentive amounts will be based on a percentage of the participants base salary in 1990-91 for the first year and the preceding year's base salary (as approved by the President of the University) for all future years of the program.

- B. The amount of the incentive retirement payment shall be calculated as provided below:

<u>Age*</u>	<u>Percentage</u>	<u>Normal Incentive Payout Period</u>
60	100%	5 years (20% of base pay per year)
61	100%	4 years (25% of base pay per year)
62	100%	3 years (33.33% of base pay year)
63	87.5%	3 years (29.16% of base pay year)
64	75%	3 years (25% of base pay per year)
65	62.5%	2 years (31.25% of base pay per year)
66	50%	2 years (25% of base pay per year)
67	37.5%	1 payment
68	25%	1 payment
69	12.5%	1 payment

*On or before July 1 of each year preceding the academic year in which individual elects to participate in the program. No benefit shall be payable to an individual requesting to participate who has reached age 70 on or before July 1 of the year preceding the request.

C. Payment:

Payments under the Incentive Retirement Plan for participants will normally be made in equal monthly installments for the period specified above, beginning thirty days from the effective date of termination; however, a modified payment schedule may be negotiated between the participant and the University.

D. Other Benefits:

A member eligible for full ERA retirement benefits at the time he or she becomes an early incentive retiree will no longer have deducted contributions for ERA from their incentive salary payments. WNMU shall assist in processing ERA retirement at the time of incentive retirement and termination.

In addition to the incentive retirement payment provided for above, a faculty member eligible for early incentive retirement shall be permitted to retain coverage and to participate in WNMU's insurance programs under the same terms and conditions as are extended to all regularly retired faculty members.

VI. Negotiated Agreement:

Faculty members who are otherwise eligible for the program except for age may negotiate an individual agreement for incentive retirement when in the sole and exclusive discretion of the WNMU President, it is determined that such an arrangement is in the best interest of the individual and the University. The amount of incentive settlement, benefits, and payment schedule can be negotiated in such cases, but in no instance shall the incentive retirement payment exceed 100% of the prior year's base pay.

VII. Delayed Participation:

- A. Circumstances may exist under which it is not possible, practical, or in the best interest of the University for employment to be terminated in the next academic year. While the decision concerning incentive retirement settlement must be made in the established time frame, termination of employment may be delayed for up to one year in the discretion of the President.
- B. In exceptional cases, the President may extend the termination of employment up to one additional year when such an extension is imperative to retain the scope and quality of the academic program involved. The President shall make a written determination justifying the circumstances warranting such additional delay.
- C. The individual shall, in either case, be retained either full-time or part-time on a "Special Appointment" with a stated expiration date.
- D. In cases in which termination is delayed by the University, the participant will receive at termination the percentage incentive payment which would have been

applicable had there been no delay. In cases in which delay of termination is requested by the participant, the incentive payment will be based on the age of the participant at the time of actual termination.

VIII. Other Benefits and Privileges:

- A. Faculty members who elect to participate in the Incentive Retirement Program shall be eligible to receive, in addition to the benefits of the program, all other applicable University benefits and privileges continuing after retirement as are received by retired faculty who have not participated in the Incentive Retirement Program

IX. Form of Agreement:

- A. Each Incentive Retirement Plan agreement will be reduced to writing an Incentive Retirement Plan contract form which shall include the following.
1. Participant's Birthdate.
 2. Number of years on "Continuous Appointment" at WNMU.
 3. Effective date of Incentive Retirement Plan.
 4. Date of request for benefits and effective date of termination of Employment.
 5. Statement of voluntary retirement, resignation, and waiver of tenure rights and claims which complies with the Older Workers Benefit Protection Act.
 6. Amount of Incentive Retirement payment and payment schedule.
 7. Other benefits or privileges to which the faculty member is entitled and condition for receipt of such benefits.
 8. Terms of delayed participation if applicable.
 9. Identification of beneficiary.
 10. Other applicable or negotiated terms and conditions of the incentive retirement agreement.
- B. A request for incentive retirement becomes a binding and effective agreement upon acceptance by the Administration and approval of the President and after the expiration of seven (7) days from the date signed by the individual employee. An agreement for incentive retirement supersedes any and all rights an individual may have under the terms of his or her contract, University policy or any law or regulation, including tenure rights, and each individual who enters into an agreement with the University for incentive retirement waives any rights not specifically retained herein and agrees to release the University from any and all claim or liability other than for performance of the agreement, so long as such waiver and release comply with the Older Workers Benefit Protection Act.

C. Each individual who requests incentive retirement is encouraged to seek legal counsel for consultation with regard to the agreement.

X. Death of Participant:

A. In the event of the death of a participant, his or her beneficiaries shall receive the Incentive Retirement payments as provided under the terms of the agreement.

XI. Non-coercion:

A. No individual shall be coerced into participating in the Incentive Retirement Plan or have his or her employment terminated for the purpose of preventing him or her from becoming eligible to participate.

B. This policy shall be interpreted and implemented in a non-discriminatory manner in accordance with the WNMU Affirmative Action Plan, the Age Discrimination in Employment Act (ADEA) and the Older Workers Benefit Protection Act, 29 USC & 621 et seq.

XII. Amendment of Policy:

Nothing in this plan or Board policy shall be construed to create a property right, legitimate expectation or entitlement of any faculty member to participate in the benefits of this program.

The Board of Regents shall review this program every three years and reserves the right to amend, modify or terminate this program at any time subject to six months notification to eligible faculty members. Such action shall not affect the benefits payable to faculty members who have executed Incentive Retirement Plan contracts as of the effective date of such change.

IV.14. Contracts

Each faculty member employed by the University, except those with temporary part-time status, is offered a written contract each year. When this contract is signed by the faculty member and the President, it is binding on both parties for the period of time indicated.

IV.15. Faculty Contracts

All contracts issued and establishing a relationship between a faculty member and the University shall make reference to and be considered to include all conditions of employment covered in the Regents Policy Manual and the Faculty Handbook.

IV.16. Salary Increments

Increments shall not be given during the existing faculty contract on the basis of advanced study. (In short, the terms of the existing contract are binding on both parties.) When faculty complete a terminal degree during a given contract period,

the subsequent year's contract will reflect such change. Salary increments will be granted after appraisal of the credits or degree earned to determine if they relate to the increased competence and value to the University. Such appraisal will be made and recommendations tendered to the President.

IV.17. Summer Session Faculty Salaries and Contract

Six credit hours constitute a full-time load in the summer sessions. Salary paid for teaching a full load of six (6) credit hours should not exceed 16% of the regular academic salary for five (5) weeks of full-time teaching in the Summer Sessions. The maximum that may be provided for teaching six hours of summer school credit is designated in the salary compensation plan approved by the Board of Regents. Other deviations from this will follow the general guidelines of the National Association of Summer Sessions.

Summer session contracts will designate courses as confirmed or conditional. A confirmed course designation will indicate that if the course does not meet normally expected enrollment — an enrollment of ten (10) students for a lower division class, eight (8) for an upper division class or five (5) for a graduate class —the contract with the faculty member is still honored. If another course cannot be found for the instructor to teach, the instructor will be expected to take on other professional duties of special need to the institution for which he/she is qualified by virtue or education, background, experience and/or interest. A conditional course designation will indicate that if the course does not meet normally expected enrollments, the University is under no financial obligation to the faculty member for that course.

IV.18. Leave

Several different types of leave for full-time faculty members are authorized: sabbatical leave, leave of absence without pay, military leave, sick leave, maternity leave, professional leave, and leave of absence incident to political activity.

IV.19. Outside Professional Activities

Full-time members of the Faculty are encouraged to engage in outside professional activities such as writing, consulting, lecturing, or activities of a similar nature which will enhance their professional growth or reputation, subject to the following:

1. Since the faculty member's primary responsibility is to the University, all outside activity is considered secondary. Outside activities will be deemed excessive when, in the judgment of the head of department and the Vice-President for Academic Affairs, they are of an extent which interferes with the discharge of the faculty member's full obligation to the University. An individual faculty member will usually consider himself or herself the best evaluator of how he or she is husbanding professional energies. Nevertheless, the member is enjoined to consult with the head of the department whenever there might be any doubt as to whether the sum total of external obligations incurred could detract from the member's ability to give adequate and continuing attention to primary University obligations.

In any case, consultative assignments or other externally reimbursed professional activity shall not take the faculty member away from his/her teaching duties more than an average of one day per month during an academic year.

2. Outside professional activities shall not significantly conflict with classes, office hours, or other assigned duties and commitments. When outside activity does not involve absence from assigned duties and commitments, the faculty member is nevertheless responsible for keeping the head of department of the college fully informed in writing about the nature and extent of any current outside professional commitments.
3. Except in cases specifically approved in writing by the President authorizing official University involvement, the faculty member, in undertaking such employment, shall act as an individual and not as an agent of the University and shall not use the name of the University nor official University stationary in connection with such work nor shall the faculty member solicit such employment through use of his or her University position.
4. The amount of earnings from outside activities is not a concern of the University. However, in order to avoid possible charges against the University of unfair competition, a faculty member should charge fees at least as great as would be charged by firms or individuals doing similar work, except when advice or services are given free in the public interest.
5. In undertaking outside employment, the faculty member shall not make use of the University facilities nor personnel without prior written approval of the head of the department responsible. (Authorization for use of University facilities will not be given when comparable facilities are available in the immediate area or when the project will involve use of equipment on a continuing basis.)
6. Great care should be taken to avoid a conflict of interest or appearance of conflict situation in carrying out any type of consultant or research activity.
7. When exceptions to this policy are necessary in the interest of the University, they must have the advance written approval of the Vice-President for Academic Affairs.

IV.20. Extra Compensation Paid by the University

Faculty members may occasionally receive extra compensation from the University for additional work done in connection with University-related activities provided that:

1. recommendation for approval is given by the appropriate head of the department and approval by the appropriate budget officer;
2. the work done for extra compensation does not in the opinion of the approving authority:

- a. conflict in time with regular University duties and assignments;
 - b. constitute a “conflict of interest” situation for the faculty member.
3. the work for extra compensation, when added to any outside professional activities, does not take the faculty member away from his/her teaching duties more than an average of one day per month during an academic year.

IV.21. Holidays

The following annual holidays are authorized for all employees of the University:

New Years Day	(January 1)
Martin Luther King Day	(Third Monday of Jan.)
Good Friday	(Friday before Easter)
Memorial Day	(Last Monday of May)
Independence Day	(July 4)
Labor Day	(First Monday in Sep.)
Thanksgiving Day	(Fourth Thursday in Nov.)
Day after Thanksgiving	(Fourth Friday in Nov.)
Christmas Eve	(December 24)
Christmas Day	(December 25)

When a holiday falls on a Saturday or Sunday, the University will designate annually a day in lieu of the Saturday or Sunday holiday. Other holidays may be announced by the University Administration.

IV.22. Visiting Scholars

As a matter of academic tradition and courtesy, the University welcomes on its campus scholars from other universities who, because of sabbatical or research opportunities, wish to spend a period of time on campus and to have official affiliation take the form of lectureships or visiting professorships. Appointment procedures follow regular administrative channels.

IV.23. Political Activities

Faculty members are citizens and, like other citizens, are free to engage in political activities so far as they are able to do so consistent with their obligations as teachers and scholars. The University, therefore, has developed a policy which governs ways in which its faculty members and other employees may engage in political activities while employed or on leave.

IV.24. Termination of Employment

The provisions for both voluntary and involuntary termination of employment of faculty members are contained in the Faculty Handbook.

IV.25. Emeritus Status

Emeritus status may be granted as a mark of special recognition to retiring or retired faculty or administrators with the approval of the Board of Regents.

IV.26. Patent Policy

In connection with their research activities, faculty members may apply for and be granted rights for their inventions or discoveries. In order that both the researchers involved and the University are treated equitably in such cases, the following patent policy is in force:

PATENT AND COPYRIGHT POLICY

In consideration of employment afforded by any agreement for the same entered into with Western New Mexico University, or in consideration of University sponsorship or commissioning of research and development assignments or programs, and for the purpose of protecting the public interests, the following is an expressed policy and agreement between the Board of Regents of Western New Mexico University, and each and every person appointed as a member of the University staff.

1. With respect to every invention, product, process, apparatus, technique, design, book publication, research and service pamphlet, and bulletin that a staff member individually or jointly during the term of his/her employment at Western New Mexico University may invent, discover, conceive or originate, and related to or involving time, facilities, money, resources or material belonging to the University and made available to such staff member, it is understood and agreed by said staff member as follows:
 - a. that he/she will promptly and fully disclose all inventions and creations, as aforesaid, to the President of the University, and will not disclose the same to any other party without the consent of the President or the Board of Regents;
 - b. that he/she does hereby assign all inventions or creations as aforesaid, and all patents and copyrights, either domestic or foreign, or pending applications thereof to the University;
 - c. that he/she will, without expense to himself/herself, fully cooperate with the University, acting through its president in applying for and securing in the name of the University, patents or copyrights on inventions or creations as aforesaid, and that he/she will promptly execute all proper documents presented to him/her for signature for the purpose of enabling the University to secure such patent or copyright protection, as is provided by law, in the name of the University, its assignees or nominees.

2. Western New Mexico University agrees:
 - a. that in the event income is received by the University from any patent or copyright covered hereby, all costs of procuring and administering such patents or copyrights shall first be paid from such income. A proper share of the remaining net income shall be paid to the inventors or discoverers. This share is to be determined solely by the Regents of the University, after considering recommendations of the President of the University.
 - b. Contracts or grants from outside sponsors which carry the provision that the sponsoring agency may determine the disposition of patentable discoveries and materials subject to copyright developed thereunder, may be accepted by the University when required by federal statute or the established policies of the sponsoring agency, and when that agency is governmental or non-profit in character, and when the action of the University in waiving its rights to such discoveries is determined to be clearly in the public interest by the Regents of the University, after considering the recommendations of the President of the University. Generally, if patentable discoveries and material subject to copyright result from research sponsored by an agency outside the University, preferential treatment in the use of any resulting patent may be accorded that agency.

3. It is mutually understood and agreed that:
 - a. Exhibit A, attached when approved by the University administration, identifies all inventions and copyrights or pending applications thereof, in which the staff member personally holds an interest, and which are not subject to and are specifically excluded from this agreement;
 - b. this statement of policy and understanding shall ensure the benefit of Western New Mexico University, its successors and assigns, and shall be binding on the staff member, his/her heirs, legal representatives and assigns.

EXHIBIT "A"

The following identifies all inventions, copyrights or pending applications thereof, in which the undersigned has present interest.

DATED this _____ day of _____ 19____.

Staff Member

APPROVED: Western New Mexico University

By: _____

IV.27. Privileges and Benefits

A number of privileges and benefits are available to full-time faculty members. These include but are not limited to the following:

Enrollment in University course
Opportunity for summer session teaching
Group Insurance
Leaves of Absence
Support for scholarly activity
Participation in learned activities
Political activities
Retirement
Social Security
Unemployment compensation
Workmen's Compensation
Special admission rates for athletic and fine arts events
Tax-deferred annuities
Travel funds for University or professional activities

IV.28. Other Policies Applying to Faculty Only

Other policies, also referred to earlier, apply only to members of the faculty. These are:

1. Policies on: Appointment and Promotion, Professional Titles, and Interviewing Prospective Appointees
2. Policy on Academic Freedom and Tenure
3. Policy on Leaves of Absence
4. Policy on Visiting Scholars
5. Patent and Copyright Policy
6. Policy on Faculty Privileges and Benefits

CHAPTER V

Staff Employees

V.1. Definitions

The terms “Staff” refers to all full-time personnel who are in positions other than teaching and who do not have faculty rank.

For definitions of “general staff,” “professional staff,” and the categories of classifications of employees, see Staff Handbook.

V.2. General

The following WNMU policies, previously referred to in this MANUAL, are applicable not only to the Faculty and Administration but also to all other University employees as well:

1. Affirmative Action Policy
2. Code of Conduct
3. Policy of Political Activities (The section on “Political Activities of WNMU Faculty” is also hereby made applicable to staff employees.)

V.3. Policies applying to Staff Only

Still other policies in force at WNMU apply only to staff employees. All policies relating only to staff may be found stated in full in the WNMU Staff Handbook. For more general information, several of the key policies governing the employment, promotion, corrective discipline, transfer, and termination of employment of staff members are described briefly immediately below. Further details of these and other policies pertaining to staff employees may be found in the Staff Handbook.

V.4. Qualifications for Hiring, Promotion, and Transfer

All hiring, promotion, and transfer of non-faculty personnel shall be based on training, experience, and past performance.

Current employees shall be given preference in selection for promotion or transfer over outside applicants provided their qualifications, ability, and past performance are substantially equal as determined by the University. Seniority shall be given substantial weight when two or more employees possess qualifications which are substantially equal, as determined by the University.

Recognizing the need to help support the economy of the State of New Mexico and reduce the exodus of citizens who find it necessary to leave the state to seek employment elsewhere, the University endorses the employment of New Mexico residents.

V.5. Contracts for Administrators

Administrators who report directly to the President or to the Vice-President for Academic Affairs are issued faculty or staff contracts, as appropriate, on initial appointment and thereafter for each fiscal or academic year. When administrators serve only under authority of and with the approval of the President, their appointments are not governed by any consideration of tenure and a codicil to this effect shall be included in their contracts.

a. ADMINISTRATORS TO BE ISSUED FACULTY CONTRACTS

The Vice-President for Academic Affairs and the academic department heads are ex-officio members of the faculty and are issued faculty contracts. In addition, a member of the faculty who is assigned to an administrative position and who reports directly to the President or to the Vice-President for Academic Affairs, will retain faculty rank and tenure and will continue to receive a faculty contract unless the faculty appointment is relinquished. It is expected, on occasion, that such administrators will continue some teaching duties, with an appropriate portion of salary to be paid by the academic department concerned. Faculty Handbook policies apply to each employee whose appointment is confirmed by means of faculty contract.

b. ADMINISTRATORS TO BE ISSUED STAFF CONTRACTS

Most administrators are appointed and confirmed by means of staff contract, and the Staff Handbook governs all such employment.

c. ADMINISTRATORS TO BE ISSUED STAFF CONTRACTS OR FACULTY CONTRACTS, DEPENDING UPON DESCRIPTION OF THE POSITION

Administrative positions in the academic area are sometimes offered to those who may or may not have established a tie to a regular academic department.

Teaching duties required by the position are usually minimal or less than half-time. Such positions are confirmed by staff contracts and are governed by the Staff Handbook. If a regular academic department offers faculty rank, that part-time rank is shown as a secondary title on the staff contract. If an employee who is primarily a staff member, also holds faculty rank in an instructional department, ONLY those aspects of the employee's appointment dealing with faculty status are governed by the Faculty Handbook.

Should such an appointee wish to assume a significant teaching commitment in a department, subject to the recommendation by the academic unit and approval by the senior administrator to whom the staff member reports, the possibility of a tenure track appointment and eventual tenure in the academic unit may be considered. At least half-time teaching would be required, and the usual Faculty Handbook criteria would be applied in

judging qualifications. In this case, the appointment would require a faculty of the academic unit concerned. Such an appointment would be offered initially, and in even rarer cases, a tenure position at a senior rank would be offered, following the precedent of department heads or other senior academic administrators.

V.6. Management Rights

The University shall retain the right in accordance with applicable Federal and State Laws and Board policies, to determine the mission of the University and its constituent departments; to set standards; to exercise control and discretion over the University organization and its operations; to direct employees of the University; to hire, promote, transfer, assign, and retain employees in positions within the University; to suspend, demote, discharge, or take other disciplinary action against employees for proper cause; to lay off employees from duties because of lack of work or for other legitimate reasons; to maintain the efficiency of the operations entrusted to the administration; to determine the methods, means, and personnel by which such University operations are to be conducted; and to take whatever action may be necessary to carry out the functions and mission of the University and maintain uninterrupted service to its students and faculty in situations of emergency.

V.7. Corrective Discipline

Corrective discipline, as a method of dealing with unsatisfactory performance or misconduct of employees, is designed to provide the employee with an opportunity to become aware of and to correct the misconduct or substandard performance and restore the employee as a productive member of the work force.

Any supervisor may take corrective discipline with an employee under his or her authority, consistent with departmental policies which may require higher level approval.

V.8. Termination of Employment

Staff employees may be terminated from University employment for any of the following reasons:

Resignation	Discharge
Release	Retirement
Layoff	Death

Details about each of these categories are given in the Staff Handbook.

Written employment contracts of coaches in intercollegiate athletics or professional staff members, which expressly cover more than a one-year period, shall not be violated or terminated short of the period specified without the express consent of the Board of Regents.

V.9. Notice of Termination of Employment

Temporary and probationary employees and employees being discharged for cause are given reasonable notice, where practical, but no minimum notice is required. In

layoff situations, the University will make a good faith effort to provide minimum of two weeks notice.

In all layoff and discharge cases, prior consultation between the supervisor involved and Director of Human Resources and President of the University is required under normal circumstances. Whenever such consultation is not practical because of urgency and other pressing reasons, necessary action may be taken and the case reviewed with the Director of Human Resources and President of the University as soon as practical.

V.10. Layoff Policies (Approved May 27, 1983)

The following guidelines apply only to all regular status non-academic classified staff employees. This policy is an addendum to the layoff statement in the WNMU Handbook.

A layoff is the termination of an employee's service, or the elimination of a specific position, because of lack of funds, work termination, or other compelling reasons.

Employees scheduled for layoff, due to a reduction in force, are afforded the opportunity to apply for a transfer only if a vacancy exists to a like or lower classified position where the employee meets all the requirements. It is understood that an affected employee only has the right to be transferred in the event of a vacancy and in no event shall the affected employee have the right to "bump" or replace another employee on the basis of seniority or otherwise. Employees who transfer to a lower paying classified position will do so at the pay scale of the lower paying grade. Those individuals who are unable to transfer will be processed for termination and are subject to recall on a seniority basis whenever possible, within a two year period. Seniority is determined on the basis of service within the University. Those having the most seniority will be recalled first providing they meet all the necessary qualifications for the vacancy in existence.

This policy is effective immediately and will be implemented in the WNMU Staff Handbook.

V.11. Grievance Procedure

All staff employees have access to grievance procedures as described in the Staff Handbook.

A grievance is defined as a complaint by an employee that he or she has been adversely affected by a violation of WNMU's policies and practices regarding terms and conditions of employment.

V.12. Privileges and Benefits

Various kinds of privileges and benefits available to full time staff employees are described in the Staff Handbook. These benefits include but are not limited to the following:

Annual Leave
 Sick Leave
 Holidays
 Other Types of Leave
 Extra Compensation
 Education Assistance Program
 Life insurance, retirement, and savings plans
 Health insurance
 Workmen's Compensation
 Unemployment Compensation
 Retirement

V.13. Vacation Policy

(Adopted October 21, 1983) (Revised July 1991) (Revised October 1996)

The following vacation policy applies to all academic and non-academic employees of Western New Mexico University who are on twelve month appointments. These new policies and procedures apply and are addendums to the section regarding Vacation in the WNMU Staff Handbook.

This section states "upon termination of employment, payment of accrued vacation is based on straight time rate of pay." The preceding statement still applies; however, the specifications below will be imposed on all employees who voluntarily resign from the University.

- a. Departments within the university are put to a critical disadvantage when an employee resigns without giving proper notice. Improper notifications have caused the University to experience monetary losses when converting vacation accumulation to cash.
- b. Beginning with the new fiscal year, July 1, 1984, all employees specified above will be required to give ten (10) or more working days notice when resigning from WNMU.
- c. An employee who announces his resignation from the University and gives ten or more working days notice will make arrangements with his or her supervisor to take advantage of any vacation time-off they have accumulated. A supervisor has the right to request employees, under his/her jurisdiction, to schedule half of their vacation time at least six months in advance.
- d. In a case where the individual is terminated from the University, the employee should take all accrued annual leave before his/her termination date. If this is not possible because of University requests, the individual will be paid for unused leave up to the maximum of 160 hours.

V.14. Administrative Leave (Adopted May 11, 1984)

Western New Mexico University, realizing that it is in the best interest of the institution to upgrade the abilities, competencies and skills of its administrative staff, provides this opportunity for remunerated leave to its administrators.

This program is established to allow time for appropriate research, study, writing, and attendant travel; activity which is expected to benefit the university.

Eligibility: Persons applying for leave under this program will have been employed by the university in an administrative capacity (including other administrators who carry faculty rank) at the level of director or above for at least three years prior to the beginning of the leave period.

Time: Leaves must be so arranged that the office affected may function adequately in the administrator's absence. Applications must be presented to the President of the University at least three months in advance of the beginning of the leave period.

The leave period may be from two months to nine months (an academic year) and will be negotiated upon the needs of the proposed study or project and the needs of the institution.

Salary: Full salary will be paid during the leave period for leaves of four months or less duration; for leaves longer than four months, two-thirds salary will be paid.

Review: Each proposal will be reviewed by the supervising vice president who, in turn, will recommend acceptance (with or without modification) to the President of the University. Final approval lies with the Board of Regents. Initially one leave will be projected within any university fiscal year and, in the case of multiple applications, merit of the proposal and ultimate value of the proposed activities to the institution will be the evaluatory criteria.

Returning obligations: Any awardee is expected to remain in the employ of the university for at least one calendar year following the completion of the leave period. Failure to do so obligates the person to refund fully the salary paid during the leave.

A report of leave activities shall be presented to the President and the Board of Regents. New insights, skills or abilities gained shall be shared, as appropriate, with colleagues.

V.15. Holidays

Annual holidays for staff employees are the same as those listed in Chapter IV, "The Faculty," of this MANUAL.

V.16. Solicitation Policy (Approved December 13, 2002)

It is the responsibility of the Western New Mexico University President and Administration to implement and adhere to a Solicitation Policy which places certain restrictions on solicitation of employees within the buildings and facilities of Western New Mexico University (“WNMU”) to ensure that WNMU employees have the opportunity to perform their duties free from intrusions.

The policy will ensure that no solicitation of employees will be permitted on the WNMU campus unless the solicitation occurs with the full knowledge and prior approval of designated WNMU officials in a manner which is applied equally to all eligible parties.

PROCEDURES

DEFINITIONS:

Activity Request Form - A form used to approve solicitation activities on the WNMU campus [by the vice president for student affairs (or designee)].

Nonprofit Organizations - Public, governmental, and charitable organizations that, while not part of WNMU, may be permitted in some instances to utilize WNMU facilities or services because of their nonprofit status.

Solicitation - Activities which include:

- selling or encouraging the purchase of a product or service either directly or indirectly;
- seeking donations of time, money or other things of value;
- distributing or posting literature, advertisements or other materials which promote or tend to promote the sale of goods or services;
- recruiting members for an organization or cause;
- engaging in political fund-raising or campaigning activities;
- engaging in non-profit or charitable fund-raising activities; or
- other similar activities for the benefit of an individual or group.

Student Organizations - Organizations (recognized by (ASWNMU) whose membership is comprised of registered students who meet with the intention of accomplishing specific goals or interests of the members as stated in the bylaws (Biology Club, MECHA, SAM Club).

WNMU-Affiliate Organizations - Organizations which are recognized by WNMU to support its efforts and promote its welfare while operating outside its regular reporting structure ([examples]).

WNMU Department - An operating unit of WNMU which is supported by WNMU funds and reports through the WNMU structure (English Department, Admissions, etc.)

ON-CAMPUS SALES AND SOLICITATION BY WNMU DEPARTMENTS, STAFF, FACULTY, STUDENTS, AND STUDENT ORGANIZATIONS:

All sales (except those covered by WNMU contracts or accomplished through the Ticket Office) and/or solicitations on campus by recognized WNMU Departments, staff, faculty, and Student Organizations are subject to prior approval and authorization of the Activity Request Form. The

Activity Request Form shall be signed by an appropriate representative of the group or its supervisor and meet the requirements under the Request for Permission Section below. Such solicitations shall also be in accordance with regulations and policies governing the facilities where the activity will be held and this Policy. All funds collected shall be exclusively used to fulfill the purpose of the group earning the funds. [Groups utilizing WNMU accounts shall make weekly deposits.] (The department head or organization president shall keep appropriate documentation on file should an audit be found necessary, and such documentation shall be made available upon a request from a cognizant WNMU official.) WNMU departments will also be governed by WNMU rules and regulations. Affiliated organizations are not considered WNMU organizations for the purpose of this Policy and are not extended privileges for on-campus sales under this section.

DISTRIBUTION OF PRINTED MATERIALS:

Solicitations via distribution of printed materials shall be conducted consistent with the following regulations as well as other policies governing WNMU facilities:

1. Solicitation via distribution or posting of printed materials is subject to prior approval of an Activity Request Form.
2. Materials may not be attached to walls, doors, window glass, floors, or any other parts of WNMU buildings or structures, traffic signs, mailboxes, power or light poles, sidewalks, artistic displays, WNMU signs, or trees, or placed on automobiles under any circumstance.
3. The sponsoring group is responsible for timely removal and appropriate disposal of the material, including all debris at the end of its usefulness or 30 days after posting, whichever comes first.
4. Nails, transparent tape, etc., which leave a residue or which damage surfaces, shall not be used, and the group or individual will be held accountable for any damage.

ON-CAMPUS SALE OF PERSONAL ITEMS/SERVICES BY INDIVIDUAL STUDENTS, FACULTY AND STAFF:

Individual students, faculty, and staff are permitted to advertise the sale of personal items or services (e.g., books, tutoring, typing, babysitting, automobiles, computers, etc.) subject to prior approval of an Activity Request Form and in accordance with the following guidelines:

1. Individuals may not advertise as commercial distributors of products or services (e.g., Avon, Tupperware, credit cards, magazines, review courses, etc.).
2. Individuals in campus residences may advertise and conduct certain businesses in their residences (e.g., child care, typing, etc.) when that business is appropriate to the residence area, has been registered with the [Department of Housing and Dining Services], and is not related to a commercial vendor.
3. Yard sales in Student Family Housing may be conducted at individual units provided that Student Family Housing is notified in advance. Instruction in the proper methods of conducting sales and assistance in the advertisement of these sales is provided by Student Family Housing. Student Family Housing reserves the right to limit the number or duration of yard sales should they become disruptive to the neighborhood, excessive in nature, or if it is determined that the sales are being

organized for commercial purposes. Yard sales in conjunction with other chartered groups/organizations are permissible upon approval of an Activity Request Form.

(Note: Personal advertising of items for sale in WNMU publications or media such as the student newspaper or the student radio station is allowed.)

SALES/SOLICITATION POLICY FOR NON-WNMU ORGANIZATIONS AND INDIVIDUALS:

Commercial advertising, promotion, and/or solicitation by non-WNMU organizations and individuals is not permitted on the campus except in the following instances:

1. Media advertising/solicitation utilizing campus media outlets, including the Mustang, and other WNMU publications, etc., is permitted when done in accordance with any policies governing these media and when such advertising is presented in that media's primary format.
2. Use of a public address system and/or message boards in advertising/promoting an event is permitted when authorized by the vice president for student affairs (or designee). WNMU's electronic media may not be used for commercial solicitation. These media shall include (but are not limited to) the World Wide Web site and its attached materials, electronic mail (e-mail) system, and facsimile equipment.
3. Distribution of printed commercial advertising materials or similar advertising on WNMU grounds or in facilities during an event is permitted upon approval of an Activity Request Form and written approval for such an activity from the key administrator of the building used.
4. In-person solicitation on campus is permitted when a solicitor receives a personal invitation from an individual to meet on a private basis. Individuals (students or employees) may not extend invitations to solicitors to meet with a group of individuals for the purpose of soliciting without prior approval of an Activity Request Form.
5. In-person solicitation to individuals or select groups of employees by representatives of commercial organizations is permitted when directly related to the official business of WNMU and its departments (e.g., trade fairs or scientific equipment vendors). Such solicitation shall be approved by the cognizant department head, dean, and/or vice president.
6. Public sales and solicitation of products on WNMU property by non-WNMU vendors may be permitted under limited conditions on a private basis when the vendor is sponsored by a recognized campus organization or a WNMU Department; such activity will be directly related to the purposes and goals of WNMU and pertinent to the sponsoring group (e.g., fraternity and athletic club photographers, etc.) In all such cases, prior approval of an Activity Request Form must be obtained.

SOLICITATION BY NON-WNMU, NONPROFIT, OR NONCOMMERCIAL ORGANIZATIONS OR INDIVIDUALS:

1. Non-WNMU, nonprofit, or noncommercial organizations or individuals are permitted to display informational material within campus buildings and conduct in-person distribution of materials (handouts) or in-person direct contact (e.g., distribution of Bibles, etc.) upon prior approval of an Activity Request Form. This approval shall be subject to the specific policies governing the operation of the particular facility, or group of facilities, and other WNMU policies.
2. Activities by affiliate organizations shall be conducted in compliance with all the regulations contained herein for sales and solicitation, and shall be reviewed and approved by the WNMU Department to which each is affiliated. These regulations exist to support the organizations and to supplement the efforts of WNMU.
3. Distribution or presentation of informational materials in a WNMU facility hosting a particular event (to which the material is directed) may require approval from the event sponsor in addition to that of the vice president (or designee).
4. Direct public solicitation of gifts and/or donations on campus is prohibited except in instances involving approved and scheduled private, organized group activities (i.e., fund-raising banquets, meetings, gatherings with the sole intent of fund raising).
5. WNMU participates in the annual community United Way Fund drive. Personnel are appointed by the president to contact WNMU employees to support this endeavor. The purpose of this program is to afford WNMU employees an opportunity to participate, either by cash contribution or payroll deduction, at one time and not be subject to multiple solicitations throughout the year.

REQUESTS FOR PERMISSION TO SOLICIT:

Solicitations may not be made without prior approval of an Activity Request Form. An Activity Request Form to conduct on-campus solicitations shall be submitted to the vice president for student affairs (or designee)] at least three days in advance of the proposed activity date and shall include project purpose, dates, times, specific activities, and solicitation methods. The vice president for student affairs (or designee) shall either approve or deny the request by notice within 48 hours of its submission. If denied the request, an unsuccessful applicant may appeal to the President of WNMU within two business days of the notice of denial. The President of WNMU must provide a final response within two business days of the appeal.

SALE OF PRODUCTS:

Sale of products, merchandise, or services normally will not be permitted on WNMU campus when in direct competition with an existing WNMU or agency provider, such as the WNMU Bookstore, which either provides or has the jurisdiction to provide the same or similar goods or services. This section shall also apply when the requested activity is in competition with services provided by a business holding a contract with WNMU to provide goods and services such as for food or vending.

PERSONAL FINANCIAL GAIN:

Solicitations by individuals or organizations on WNMU property which result in personal financial gain are expressly prohibited except as noted in this Policy. However, reimbursement for legitimate, direct expenses incurred by organizations or their members for an event are not considered personal financial gain for the purpose of this Policy.

DOOR-TO-DOOR SOLICITATION:

No door-to-door solicitation of any kind shall be permitted by individuals or organizations in WNMU facilities which include residential units. Solicitations may however, be permitted with prior approval and in accordance with the policies governing those facilities. This section does not preclude the conduct of official WNMU business requiring contact at an individual's residence.

ELECTRONIC MEDIA SOLICITATION:

WNMU's resources are provided for official WNMU business and may not be used for personal gain by faculty, staff, or students. These resources shall include WNMU's World Wide Web site and its attached materials, the electronic e-mail system, and facsimile equipment. Use of public address systems and/or message boards in advertising/promoting an event is permitted with proper authorization.

COMMERCIAL SPONSORSHIP:

Commercial sponsorship of WNMU-organized events is permitted in certain circumstances when prior approval is secured in a manner noted above in the Request For Permission To Solicit Section. If an event advertisement references a sponsor, it shall feature minimal display of the sponsor's name and, in no case, will the sponsor's name be bigger than that of the event or the organization's name. The sponsor shall provide a sample of the identification to be used. Large banners or posters featuring the sponsor's name are not acceptable.

MANNER OF SOLICITATION:

Approved solicitations shall be carried out in a manner which does not:

1. Unreasonably obstruct vehicular or pedestrian traffic;
2. Block the entrances or exits to building and facilities;
3. Erect permanent structure, shelters, or camps; and
4. Unreasonably interfere with classes, work, and scheduled events.

SALES BY WNMU EMPLOYEES TO WNMU:

WNMU policy prohibits the sale of goods and services by employees to WNMU, or the purchase of same by WNMU from employees. Requests for an exception to this policy must be initiated through the director of purchasing. WNMU employees desiring permission to use WNMU's name, reputation, facilities, programs, etc., for the purpose of accruing personal financial gain shall obtain prior written approval from the director of purchasing. Existing academic or personnel policies governing such activities shall take precedence over this policy (e.g., consulting, personal appearances, or authorship for any pay in media areas of TV, radio, or print media, implying WNMU product or service endorsement, etc.).

POLITICAL ACTIVITIES:

The following political activities are prohibited:

1. Using official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office or for any other political purpose.
2. Directly or indirectly coercing, attempting to coerce, commanding, or advising a state or local officer of employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political employee to pay, lend, or contribute anything of value to party, committee, organization, agency or persons for a political purpose.
3. Threatening to deny promotions to any employee who does not vote for certain candidates, requiring employees to contribute a percentage of their pay to a political fund, influence subordinate employees to buy tickets to political fund-raising dinners and similar events, advising employees to take part in political activity, and matters of similar nature.
4. Engaging in a political activity while on duty.

FOOD SERVICE FOR SALES/SOLICITATIONS/ACQUISITION:

WNMU food service contractors are granted the right to operate/conduct food services on WNMU campus. The following food service policy outlines the conditions under which student, staff, or faculty activities may involve food and beverage services:

1. Student organizations and WNMU Departments must seek and receive prior approval for any food events not catered by WNMU food service providers by submitting an Activity Request Form.
2. No off-campus firm or agency may be contracted to provide or to cater food service to WNMU students, staff, administrative groups, conferences, or visitors in the student center or other locations on WNMU property where the primary WNMU food services contractor is providing food services.
3. Non-WNMU vendors providing services on campus must be pre-certified by the director of housing and dining services and rebate to the Office of Housing and Dining Services a commission of seven percent of all sales applicable to the campus event.
4. Student organizations and WNMU units or offices may secure prepared food products from off-campus sources to serve on the campus when all of the following conditions are met:
 - (a) The products are served exclusively to the members and guests of the sponsoring organization at private gatherings, such as club meetings.
 - (b) The products are served or sold in a manner or under conditions that are not construed to be in competition with WNMU food contractors. (The sale is construed to be "in competition" when the seller is soliciting the same consumer prospects as those sought or being serviced by WNMU food contractors and offering products similar to those provided by the contractors.)

- (c) If food is prepared in the homes of participants and is served "pot luck," it shall be only for the participants and their personal guests and constitute a private gathering where the general public is not invited.
- (d) Individuals on campus may secure food from those off-campus vendors who provide delivery service (e.g., pizza or other campus delivery products) when done on an individual order basis. Any other delivery policies for individual buildings or facilities shall apply (e.g., a residence halls policy).

GENERAL FUND-RAISING POLICY FOR STUDENT ORGANIZATIONS, WNMU DEPARTMENTS, AND OTHER AFFILIATED GROUPS:

Raising funds from private sources is an important means of supplementing the various programs in teaching, research, extra-curricular, and service activities. WNMU recognizes and encourages the efforts of campus groups in this regard, but also recognizes the necessity to establish guidelines which aid in coordination of these activities to avoid conflicts, duplication, violation of laws or regulations, or activities which reflect negatively on WNMU. This section applies to fund-raising/solicitation of individuals and business firms by student organizations, departments, and agencies of WNMU as well as other groups which are affiliates of WNMU. It does not pertain to proposals for research support addressed to government agencies supporting research that are covered by existing WNMU policies and procedures.

Proposals for fund-raising activities from WNMU Departments, agencies, academic classes, and other affiliated groups must be submitted in writing to the Office of the vice president for student affairs (or designee) no less than 2 weeks prior to the activity. Proposals shall include the purpose, budget plan, amount sought, prospective donor or donors, and a time schedule for the activity. Fund-raising activity proposals from recognized student organizations will be initiated by completing an Activity Request Form. Approved fund-raising activities are to be coordinated through the vice president for student affairs (or designee) in a manner appropriate to each activity/project and in accordance with policy guidelines stated herein. Organizations incorporated outside WNMU which raise funds for a WNMU Department, agency, or unit are requested to confer with the vice president for student services/dean of students (or designee) before commencing to fund-raise. Approved activities must comply with all university, city, state, and federal laws, ordinances, and regulations, including taxation; and it shall be the responsibility of the activity sponsor to become aware of applicable requirements. Internal operating policies related to fund-raising events in specific facilities shall have jurisdiction when an event is held in these facilities (e.g., residence halls, student center). No member of the sponsoring organization or participant in the activity shall receive personal financial gain from it. Reimbursement of planned, bona fide expenses of the activity (labor or materials), however, shall not be considered as personal gain. In no case shall an employee receive payment for personal services (labor) unless prior written approval is obtained from the vice president for student services/dean of students (or designee). All funds raised through an activity and deposited in WNMU Foundation, Inc. accounts shall be administered in accordance with policies and procedures of the WNMU Foundation, Inc.

SANCTIONS:

Failure to adhere to this Policy may result in sanctions such as withdrawal of solicitation privileges for the offending individual or organization, removal of the right to conduct future activities on campus, loss of recognition, and/or any other penalties which may apply under university policies or state or federal laws.

V.17. Disclosure of Information

- a. The name, job title, organization, dates of employment, and salary of each University employee is considered public information.
- b. All other information about staff employees is considered private and will not be disclosed except as required by Federal and State regulations. (See Release of Personnel Information, Chapter I.)

V.18. Political Activities

In order to assure its autonomy and integrity, the University will not be an instrument of partisan political action. The expression of political opinions and viewpoints will be those of the individual and not of the University institutionally.

All University employees are free to engage in political activities as long as they are able to do so, while acknowledging their employment obligations to the University.

CHAPTER VI

The Student Body

VI.1. General

The Board of Regents recognizes and approves the right and responsibility delegated to the students of the University to provide for their own self-government with authority in the affairs of students in accordance with applicable law, these policies (as amended and superseded from time to time), and other actions of the Board of Regents.

The Board of Regents ordinarily will not have actions which interfere with the rights and responsibilities delegated to the students, but the Board is required by Constitution and the laws of New Mexico to reserve, and the Board hereby does reserve, the power to prospectively modify the authority and responsibility delegated by the Board.

VI.2. Admission

The Board of Regents is, by law, responsible for setting and ensuring the enforcement of requirements for the admission of students to the University (See Sec. 21-1-1 and 21-7-10, NMSA 1978). The Regents have delegated, to the Faculty, authority and responsibility to review and make recommendations in this regard.

Admission requirements must, at all times, be in accordance with applicable law, but they are not to be regarded as an irrevocable contract between the student and the University. The University reserves the right to change any provisions or requirements at any time within the student's term of residence.

It is the policy of the University that no persons shall, on the ground of race, color, national origin, sex, marital status, physical handicap, age, sexual orientation, or religion be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in connection with any program or activity at the University.

Current requirements for admission to the University of all categories of undergraduate students, including beginning freshmen, may be found in the current Western New Mexico University Bulletin. All Freshmen, applicants, and transfer students with fewer than thirty-two (32) semester hours of transfer credit seeking a degree are required to submit The American College Testing Assessment (ACT) results to the WNMU Admissions Office.

Current requirements for admission to the University for graduate students may also be found in the current WNMU Bulletin.

Additional requirements which govern admission to specific graduate and undergraduate programs may be obtained from the academic units in which these programs are offered.

VI.3. Rights and Responsibilities

All students enrolled at the University have the same rights and responsibilities as those of any other persons. It should be made clear, however, that all students, as well as faculty members and other employees of the University are subject to the guidelines and stipulations about conduct, found in the University Bulletin.

The Associated Students have the right to draft their own Constitution for Student Government which, when approved by the Board of Regents, becomes a part of this policy manual. Amendments to such Constitution will also require final approval by the Board of Regents before becoming effective.

Most matters of misconduct are handled informally by the Vice President of Student Affairs, who has been given authority by the Board of Regents to deal with disciplinary matters. The Vice President of Student Affairs may, after consultation with the student involved, impose the following disciplinary measures as defined in the Code of Conduct: censure, warning, and disciplinary probation. The Vice President of Student Affairs may suspend a student without a hearing for up to five (5) days when he or she is convinced that the student's continued presence on campus endangers persons or property or threatens disruption of the academic process. The Student Supreme Court may take additional action.

There shall not be any restriction whatsoever upon student assemblies or gatherings, impromptu or otherwise, for any legitimate purpose as long as these remain orderly.

VI.4. Grievances

Students having grievances against other students, faculty members, or other employees of the University are to be provided the opportunity to file and pursue their grievances through well-defined channels.

VI.5. Student Identification

Social Security numbers are used to identify all student records at the University. Students are required to provide their Social Security numbers upon request of any University official.

VI.6. Access to Student Records (Revised May 10, 2001)

The University's Policy on Student Education Records shall be kept under review by the University Administration to ensure that it meets applicable federal and state laws or regulations that are consistent with the University's constitutional mandate.

Topics to be covered in this policy will include:

1. limitations on access to student records;
2. student's right of access to his/her own records;
3. informing students of their rights;
4. location of student records;
5. records excluded from the definition "educational" or student records;
6. review policies and procedures; and
7. release policies and procedures for University employees and agents.

VI.7. Attendance at Classes

Students are normally expected to attend all meeting of classes in which they are enrolled for credit. No extensions of vacation periods are given to any student, regardless of the location of his or her home.

Absences should be reported by the student to the instructor. Such report does not relieve the student of responsibility for lost work. It is the duty of the student to take the initiative in arranging with his or her instructor to make up work missed and it is expected that the faculty member will cooperate with the student in reasonable arrangements in this regard.

VI.8. Student Organizations

All student organizations are required to have an advisor selected from the University faculty or staff. Advisors are assigned to organizations that derive at least partial funding from an academic unit or from the general University budget. Student organizations using entirely self-generated funds and/or student government funds select advisors of their choice from the University faculty and staff.

All organizational events must receive prior approval of the advisor before any event may be held, organizational advisors are to be present at all events scheduled by the group including, but not restricted to, meetings, work sessions, rehearsals, activities, or performances.

When any student organization in the agency account has been inactive for two consecutive fiscal years, that organization's account will be closed out and any balance will be transferred into the Grants and Aids account for student scholarships. The Fiscal Services Director will make every effort to locate existing clubs of a corresponding nature before such transfer of funds is made.

VI.9

ALCOHOL/DRUG POLICY
(Adopted August 6, 1986)

The University's alcohol/drug policy conforms to the requirements under the state law which prohibits the use and/or consumption of drugs and alcoholic beverages on state property. Students are subject to the provisions of New Mexico law and to University discipline and censure regarding the use, possession, distribution, or sale of alcoholic beverages on the University campus.

Students who violate this policy will be referred to the Director of Student Affairs unless the violation occurs in a University housing facility in which case the student will be referred to the Director of Housing for disciplinary action.

1. The director will provide the student with a written statement of charges and the disciplinary action taken.

2. Any appeal of this action must be provided in writing to the director by 4:00 p.m. of the third class day following receipt of the charges and disciplinary action.
3. The appeal will be forwarded immediately to the University Discipline Committee which will set a hearing date for the appeal within ten days. The student's right to call other individuals before the committee for defense or clarification shall conform to the committee's requirements.
4. The student may appeal the University Discipline Committee's decision. Such an appeal must be in writing and provided to the chairman of the Student Appeals Committee by 4:00 p.m. of the third class day following receipt of the University Discipline Committee's decision. The Student Appeals Committee will set a hearing date for the appeal within ten days. The Student Appeals Committee's decision is final.

Disciplinary action for violation of the alcohol/drug policy range from warning, probation, and suspension from the University to expulsion from the University. Examples of possible disciplinary action follow.

Cases involving a student who is found with a small amount of alcohol (or a drug) which in terms of ordinances, are viewed as a misdemeanor may involve:

1. a warning probation of specified period of time for a first offense;
2. strict probation for a second offense; and
3. suspension or expulsion from the University for a third offense;

In those cases where the student is found in possession of, or participating in the use or sale of large amounts of alcohol or drugs on campus, possible action may be:

1. strict probation for the first offense,
2. suspension or expulsion for a second offense.

In those situations involving dangerous drugs and narcotics, the student will be referred to appropriate law enforcement officials. The University reserves the right to pursue appropriate discipline action in such cases.

In situations that, in the judgment of University officials, require professional assistance for the student, the student will be referred to the University counseling center for advice and counsel.

VI. 10.

WESTERN NEW MEXICO UNIVERSITY
COMMUNICABLE DISEASE POLICY
(Adopted April 2, 1993)

1.0 POLICY

- 1.1 The purpose of the following policy adopted by the Board of Regents, is to protect the rights and interests of students with communicable disease while considering the health and safety of all students at the University.
- 1.2 Any design affecting the educational program or attendance of a student who is a carrier of or who has a communicable disease will be based upon competent medical advice. The decision will balance the rights of the infected student against the ultimate interest of the University in protecting the health and safety of other students.

2.0 PROCEDURE

- 2.1 Qualified students shall not be denied admission, suspended, expelled, segregated, or restricted from any curricular or extracurricular activity based on the student being a carrier of or having a communicable disease unless the procedures herein have been followed.
- 2.2 The University will not require mandatory testing or screening of students for communicable diseases as a condition precedent to registration or admission to school, whether initially or annually.
However, if school authorities have reasonable cause to believe that a student has or is a carrier of a communicable disease, such student may be required to submit an appropriate medical examination at the expense of the University.
- 2.3 The number of personnel who are aware of the student's condition shall be kept at minimum needed to assure proper care of the student and to deal with situations where the potential for transmission may increase (e.g. bleeding injury).
- 2.4 Students attending the University are subject to the New Mexico Public Health laws and have an obligation to disclose to the appropriate administrator, the fact that they carry or are infected with a communicable disease. For the purposes of this policy, communicable diseases include but are not limited to the following:

Rubeola	Rubella
Hepatitis-A,B,C,D	Pneumonic Plague
Group A Beta-Hemolytic Streptococcal Infections	Tuberculosis
Varicella	Pertussis
Diphtheria	Cytomegalovirus
Herpes Simplex	Cholera
Impetigo	Conjunctivitis
Pediculosis	Scabies
Salmonellosis	Shigellosis
Campylobacter jejuni	Giardia Lambia

- 2.5 Students with HIV, ARC, or AIDS are not required to report their illness. They are encouraged to disclose their illness to the Vice President for Student Affairs so appropriate measures can be taken to protect them against communicable disease.
- 2.6 Students who are immunocompromised due to treatments, drugs, or chronic illness are encouraged to disclose their health problem in order for appropriate measures to be taken to protect them from communicable diseases.
- 3.1 The educational program and/or alternative placement setting decision concerning those students who have or are carriers of communicable diseases will be made by a committee composed of the following: (1) the student's physician; (2) parents or guardian, if applicable; (3) school personnel with whom the student will interact and who are familiar with the student's educational and physical care needs; (4) the President or his/her designee and any other person appointed by the President, whose expertise would be useful to the committee in reaching and implementing its decision.
- 3.2 In determining the educational program and placement setting for any student who has or is a carrier of a communicable disease, the following factors will be evaluated: (1) the nature of the disease; (2) the age of the student; (3) the neurologic status of the student; (4) the physical condition of the student; (5) the expected type of interaction which the student will have with other individuals; (6) the hygienic practices of the student; (7) the risk of transmission of the disease from the student to those individuals with whom he or she will interact; and (8) any other pertinent factor reasonable related to the decision.
- 3.3 Students may choose to absent themselves from school, without compliance with policies 2.2 and 2.3 during the period of communicability. Such absence must be reported to the Vice President for Student Affairs with a written statement from a physician or other competent medical professional. A determination as to whether alternative instruction will be provided in such circumstances will be made on a case-by-case basis, based upon other policies of the Board, the length of absence, the severity of the condition and other factors considered relevant by school authorities.
- 3.4 An unrestricted educational program and placement setting will be the primary goal for any student who has or is a carrier of a communicable disease. Restrictions upon a student's educational program and/or placement will be imposed only when the committee determines that the risks of an unrestricted program and placement outweigh any benefits which the student may receive from an unrestricted program.
- 3.5 The educational and/or placement setting established by the committee for any student who has or is a carrier of a communicable disease will be reevaluated, and modified if necessary, as often as the circumstances will require, but in no event will the educational program and/or the placement setting continue without reevaluation at least once per school year. Any reevaluation will be done by the committee taking into account those factors listed in Policy 3.2.
- 3.6 All school personnel and all members of the committee shall maintain the student's right of confidentiality with respect to the fact that the student has or is a carrier of a communicable disease, and with respect to any records, documents provided, however, that nothing shall prohibit or prevent the disclosure of information that may be permitted or required by state or federal law or regulations promulgated thereunder.

3.7 Any student aggrieved by a program or placement decision made pursuant to this policy may appeal that decision to the Board of Regents by requesting a hearing in writing within 10 calendar days of the program or placement decision. Such hearing will be held at a time convenient to the parties and shall be final in closed session. The decision of the Board shall be final.

4.0 ATHLETICS AND INTRAMURALS

4.1 Student athletes' ability to participate in training and competition will vary with the transmission mode of the disease and will be based on competent medical advice.

4.2 HIV infections in student athletes has no bearing on participation in competition. The decision about a student continuing in a program should be based solely on a competent medical assessment of the student's overall health and fitness.

4.3 In order to prevent transmission of blood borne infections including the transmission of HIV and Hepatitis B in the training room and during competition, the Center for Disease Control Universal Precautions will be followed. The following guidelines will be followed:

Barrier Precautions. Latex gloves provide an effective physical barrier that has been shown to limit the transmission of HIV contained in body fluids. Latex gloves should be worn whenever contact with blood, body fluids, mucous membranes, or broken skin is anticipated. Facial masks and protective eye wear (goggles) should be worn during procedures that may result in blood being sprayed or splashed.

Handwashing. Exposed skin that comes in contact with any body fluid should be washed immediately and thoroughly. Hands should also be washed after gloves are removed.

Needles and Sharp Instruments. Precautions should be taken to avoid accidental injury caused by needles, scalpels, and other sharp instruments or devices. To prevent needle stick injuries, needles should not be recapped, purposely bent or broken by hand, removed from disposable syringes, or otherwise manipulated by hand. After they are used, needles and other sharp items should be placed in puncture-resistant containers for disposal or sterilization.

Emergency Resuscitation. Saliva has not been implicated in transmitting HIV, but in emergency situations blood may be present in the mouth of an injured or ill person. To minimize the need for emergency direct mouth-to-mouth resuscitation, mouth pieces, resuscitation bags, or other ventilation devices should be available for use in areas in which the need to provide emergency medical attention, including mouth-to-mouth resuscitation, outweighs the potential risk of HIV transmission in situations where such equipment is not available. **No person who knows cardiopulmonary resuscitation should refuse to attempt to resuscitate any individual out of fear of transmission of HIV.**

Health Care Workers with Lesions. Health care workers who have visible, open lesions or weeping dermatitis should refrain from all direct patient care and from handling patient care equipment until the condition resolves.

Cleaning Contaminated Surfaces. Surfaces and equipment that become soiled with blood or other body fluids should be cleaned with a hospital disinfectant or a diluted solution of one part bleach to ten parts water (1:10). Any linens, such as towels and uniforms, that becomes contaminated with blood or other body fluids should be washed with hot water and detergent. Latex gloves should be worn when bagging soiled linens or cleaning contaminated surfaces.

Shared Items. Water bottles or towels that may become contaminated with blood should not be shared among athletes. Each athlete should be provided with clean water bottles and towels for his or her own use.

Injury During Play. Any athlete who suffers an open wound should be removed from play immediately and allowed to return only after bleeding has stopped and the wound has been bandaged.

HIV Antibody Testing. Testing for the presence of antibody to HIV plays no role in the prevention of HIV infection among athletes. Antibody testing should not be used as a screening tool to deciding whether students should or should not compete in any sport.

It is the joint responsibility of the athletic director and the director of student health services to make certain that risk-reduction guidelines and appropriate material are made available to all members of the athletic staff and that these procedures are consistently implemented.

5.0 HOUSING

5.1 Immunocompromised students, whether they have an AIDS-related disorder or another illness, may require special housing arrangements for their own protection from casually transmitted organisms. Single rooms are available, but in limited supply.

5.2 To protect the Immunocompromised student from a communicable disease, an alert mechanism will be used to inform students about highly contagious diseases that might be of particular danger to them and identify protective measures to reduce risks after consultation with health officials.

VI. 11.

Weapons Policy

(Adopted January 20, 1995; revised August 8, 2001)

It is the intention of Western New Mexico University to provide a safe and harmonious setting where students, faculty and staff can work without fear or threat of bodily harm. Thus, the possession of weapons, or the unreported knowledge of such items on the University's premises or during University programs, on or off campus, is considered a serious offense subject to discipline.

The sale, possession, transfer, or use of any weapon(s) on the University premises or during University programs, except in officer training programs conducted under the auspices of the United States Armed Forces, state or local government law enforcement agencies or by officers thereof, is prohibited. "Weapons," as used in this policy, include, but are not limited to, firearms, knives, other than pocket knives not exceeding 4" in

length when folded and kitchen utility knives not exceeding 7” in total length, clubs, explosives, spiked wrist bands, chains, brass knuckles, or other items that may cause or be used for the purpose of causing intimidation, injury, or death. “University Premises” means any University building and any University property, any University-owned vehicle and any other University-approved vehicle used to transport students to and from University activities. “University Programs” means any University-sponsored or approved activity, event, or function, on or off University premises where students are under the jurisdiction of the University, or during any period of time University employees are supervising students on behalf of the University or are otherwise engaged in University business. Any employee who has knowledge that a fellow employee or student has a weapon on campus has a duty to report the situation to the Campus Police. The failure to report a violation of the Weapons Policy is serious misconduct and is grounds for disciplinary action, up to and including termination. Such an offense as accessory will be disciplined and subject to the same penalty as the primary offender.

Firearms are not permitted on campus grounds except those carried by Campus Police or visiting law enforcement officers.

VII. 1.

CHAPTER VII

INSTRUCTIONAL PROGRAMS
 Establishing New Programs of Study
 (Adopted July 10, 1992)
 (Revised 1994, 1999)

The Board of Regents of Western New Mexico University supports and encourages the faculty, staff and administration to be constantly alert to societal changes that may result in the need for new programs of study. Such potential new programs must be researched in great detail in order that all aspects of implementing such a program are well understood and consistent with the University's Mission.

Procedure

1. A program is defined as a course of study (sequence of courses) leading to a certificate or degree.
2. Members of the faculty or staff who have suggestions for new programs of study should discuss them with the appropriate Department Chair.
3. Suggestions deemed by the departments or the School of Education to be worthy of consideration should be discussed with the Vice President for Academic Affairs.
4. If there is concurrence as to the merit of a suggested program, the Department Chair will assemble, or cause to be assembled, in capsule form, information on the points listed below and present it to the Vice President for Academic Affairs:
 - (a) Purpose: The purpose of the proposed program should be described in terms of compatibility with the institutional mission; department mission; occupational/professional competence; scholastic effectiveness; regional service or personal satisfaction.
 - (b) Need: Provide documented evidence of need for the program on a regional and state basis. Provide appropriate information on other similar programs in the state and how the proposed program differs from them or that there is clear evidence illustrating the need for another program in the state or region. Need should also be described in terms of employment opportunities; graduate school access; regional service or personal value.
 - (c) Admission: Requirements for admission should be listed with special requirements clearly explained.
 - (d) Tentative outline: this should show the arrangement of courses, including the number of credits and contact hours for each and the total requirements for completion of the proposed program.
 - (e) Evidence of concurrence on service courses: This should show that the Department Chairs concur that the specific courses listed will best meet the educational objectives of the proposed program.

- (f) New courses: A tentative, short one-paragraph description of each new course should be included.
 - (g) Breakdown of content: The number of courses and hours in each major instructional area should be outlined.
 - (h) Enrollment: An estimate should be included as to the number of students to be admitted/estimated for the first four years of the program.
 - (i) Availability of Faculty and Staff: Specific information should be provided about staffing plans including qualifications of current faculty as well as the need for new positions.
 - (j) Cost: An estimate of the cost of the proposed program, including faculty and staff needs.
 - (k) Availability of library resources should be evaluated. If existing resources are inadequate to support proposed program, the cost of purchasing additional resources should be included in the proposal.
5. Based upon the data provided above the Vice President will determine whether the proposed program is worthy of further consideration.
 6. If appropriate, an advisory committee will be appointed, composed of members of the University staff especially the originators of the program proposal and/or representatives of the region directly associated with the field of employment or of academic specialization for which the program is being designed. This committee will consider all facets of the proposed program, and in particular any new courses required by it, and will offer advice based upon its examination.
 7. A final proposal, similar to the one described above but containing more details and incorporating any changes in requirements judged advisable, will then be presented by the Division to the Curriculum and Instruction Committee for its review and assessment.
 8. The Curriculum and Instruction Committee will make its recommendation to the Vice President regarding the merits of the proposed program.
 9. The Vice President will study all materials submitted and consider the recommendation of the Curriculum and Instruction Committee. He/She will then make a recommendation to the President regarding the program.
 10. The President will review the recommendations from the Curriculum and Instruction Committee and the Vice President and will transmit a final recommendation to the Board of Regents for final action. The President will also inform the Board of Regents of the recommendation made by the Curriculum and Instruction Committee.
 11. Once a program of study has been approved by the Board of Regents, timelines for implementation will be set.
 12. To be considered by the Board of Regents for the next academic year the recommendation must be received in the President's Office on or before February 1.

13. After consideration by the Board of Regents, and if positive action is taken, proposed programs at the Masters level must be submitted to the Commission of Higher Education for consideration.

VII. 2.

Program Evaluation (Adopted July 10, 1992) (Revised 1994, 1999)

The Western New Mexico University Board of Regents supports institutional autonomy in matters of internal management. Extended to program review, this autonomy means that WNMU assumes primary responsibility for developing a procedure for the review of its programs within the framework specified in this policy.

The WNMU program review process should support comprehensive approach, in which all academic programs are evaluated on a regular basis. Campus-wide program evaluation shall be conducted to provide faculty, staff, administration and the Board of Regents with information about how well each program functions in relation to its objectives and the needs of the students, the University, region and state. An evaluation may provide justification for actions of the following kinds:

- (1) Confirmation of the validity of the program.
- (2) Reconsideration and possible redefinition of the program's goals, purposes and objectives.
- (3) Review and alteration of program content and structure.
- (4) Reconsideration of priorities and allocation of resources and personnel for the program to include dissolution of the program.

Each program of the University shall be evaluated at least once every five years or more frequently as mandated by appropriate agencies. National, regional or discipline-specific accreditation reviews may substitute for institutional program reviews at the discretion of the Vice President for Academic Affairs. In addition, the VPAA may require review of a program whenever a serious concern is identified regardless of the five-year cycle date.

Although formal review may occur only once every five years, data collection should be ongoing in order to monitor and evaluate each program's effectiveness on a continuous basis.

The program review process is divided into four stages: (1) the self-study by the department/discipline; (2) an internal university evaluation by the Graduate Council and/or the Curriculum and Instruction Committee, (3) an internal review by the Vice President for Academic Affairs; and (4) review by the Board of Regents.

The final Self-Study Report must include an overview of the department and discipline; responses to the program review criteria; and assessment of strengths, areas of concern, recommendations for action, and five-year goals for the program; basic program data for each criterion; and other pertinent financial or programmatic data.

The program review utilizes seven criteria to evaluate academic programs and shall provide descriptive as well as factual information about the program and its department. Measures and patterns of evidence to satisfy the criterion below and to guide the self study process will be

developed by the Office of Academic Affairs in conjunction with the Academic Council. The seven criteria are:

- (a) program centrality — establishes the degree to which a program is congruent with the mission of the institution.
- (b) the program curriculum and its structure — demonstrates cumulative development of knowledge within the discipline.
- (c) the resources provided to the program — includes department level financial support services and the human resources of faculty and staff; assesses resources in terms of adequacy and quality.
- (d) the productivity and efficiency of the program — such standards are closely linked to the discipline, methods and levels of instruction, elective courses offered, and service courses provided for general education. Different standards will be appropriate for different programs.
- (e) the quality and effectiveness of the program in reaching its objectives — while quality of resources allocated to the program may be addressed under this criterion, outcomes measures such as quality and placement of graduates, student performance as indicated by competitions and assessments, appropriate faculty contributions to their disciplines, and external evaluations by consultants have an essential role to play.
- (f) societal demand and need for the program — appropriate measures here will include current student demand for the program, employer demand and career opportunities, societal need for the program, and related measures.
- (g) duplication for the program within the state of New Mexico — appropriately addressed when new programs or extensions of existing programs are being proposed.

The self study or program review report should be reviewed/discussed with all department faculty before it is submitted to the Graduate Council and/or Curriculum and Instruction Committee and the VPAA.

The President will review the recommendations of all parties and will make his/her recommendation to the Board of Regents. She/he will also inform the Board of Regents of the recommendations of the Curriculum and Instruction Committee or the Graduate Council.

As necessary, the procedures for program review will be reviewed and modified by the VPAA in conjunction with the Curriculum and Instruction Committee and the Graduate Council. Notification of any such changes will be provided to the Board of Regents.

VII. 3.

Teacher Education
(Adopted July 10, 1992)
(Revised February 6, 1992)

Teacher preparation has long been a vital element of programming at Western New Mexico University. From the days as a normal school and teacher's college the institution has grown into a comprehensive regional university which continues to pay tribute to its historical roots in teacher education.

Improvement of teacher education is a continuing challenge and one that must be sustained into the future. Current innovations in the teacher education program are enhancing the performance of teachers we graduate while preparing the way for future improvements.

Western New Mexico University is committed to developing initiatives that carry out the pursuits of academic excellence in teacher education, strategies that reform and enhance the teaching profession, and reaffirming the traditional role of Western New Mexico University in the preparation of teachers for the state and region.

Through its teacher education program the University is committed to attracting large numbers of talented students, both majority and minority, into the field; emphasizing bilingual education as a strength; developing more innovative curricula; strengthening relationships with local and regional school districts; enhancing our role as the Center for Rural Teaching; developing new strategies to involve the entire university in teacher preparation as well as enhancing the institutional climate for teaching and learning; strengthening the use of the new technologies; creating new mechanisms for ensuring the quality of our graduates in teacher education; developing new ways of training teachers to work with disadvantaged youth; placing greater curricular emphasis upon teaching in multicultural settings and providing professional leadership to influence state policies affecting the field of teacher education.

VII. 4

Statement of Regents Approval Regarding Articulation
(Adopted March 10, 1990)

To promote the continuous efficient, forward progress of students through the educational system of New Mexico, the Regents of Western New Mexico University endorse practices and matrices which facilitate the intrastate transfer of credit and support the development and implementation of a statewide articulation plan. To this end, students awarded the Associate of Arts in Liberal Arts or Associate of Science Degree from an accredited New Mexico post-secondary institution will be accepted at the junior level in the Western New Mexico University Baccalaureate Degree program. The Regents encourage a level of quality in these associate degree programs throughout the State so that students holding these degrees will do well at Western New Mexico University. Although these transfer students will be allowed to register as juniors, they may be required to take lower division course work to fulfill specific baccalaureate degree requirements.

Chapter VIII

VIII. 1.

BUSINESS POLICIES
Policy for Cancellation
Inactive University Organization Accounts
 (Adopted January 15, 1982)

In line with the auditor's recommendation, we would like to propose that a policy be adopted that any university organization in the agency account that has been inactive for two consecutive fiscal years be closed out and the balance transferred into the Grants and Aids account for student scholarships.

VIII. 2.

Policy Statement
 Internal Audit
 (Adopted April 17, 1990)
 (Revised 1999)

1. Statement of Authority:

The Internal Auditor is directed by the Board of Regents to develop a comprehensive internal auditing program for evaluating the financial and operational systems and procedures of all institutional activities throughout all institutional locations.

Independence is essential to the internal audit function. The Internal Auditor shall have full, free and unrestricted access to all appropriate university activities, records, property, and personnel when performing position requirements. The Internal Auditor has no direct responsibility for, nor authority over, any of the activities subject to review.

2. Audit Responsibilities:

The Internal Auditor shall be responsible for:

- a. conducting timely audit follow-up reviews on audit reports issued by legislative auditors, external auditors, or other audit agencies.
- b. conducting special audit reviews at the request of the Board of Regents Audit Committee or University President.
- c. conducting financial and operating reviews of university activities on a continuing basis.

3. Audit Priorities:

Follow-up reviews will be scheduled based on the priority assigned by the Audit Committee, Internal Auditor and University President.

Requested audit reviews will be scheduled, based on the need and approval from the Audit Committee.

Ongoing internal audits will be scheduled on a regular basis at the direction of the Internal Auditor.

4. Administrative Responsibilities:

- a. Maintain a schedule for the timely execution of all audit assignments and activities.
- b. Develop and execute a comprehensive audit program for each audit assignment.
- c. Provide sufficient notice to departments of impending review, unless an unannounced review is critical to the achievement of audit objectives.
- d. Issue reports on the results of audit examinations including comments and recommendations as necessary.
- e. Assist operational units in implementing necessary adjustments in their systems and procedures.
- f. Appraise the adequacy of responses to audit reports, evaluate action taken, and continue reviews with appropriate departmental personnel on actions or responses considered inadequate until a satisfactory resolution is reached.
- g. Develop and maintain a continuing education program.

5. Support Service Responsibilities:

The Internal Auditor will provide support, when necessary, to assist the institution with special studies, reports and other matters relating to the financial systems and procedures of the University.

6. Reporting:

All Internal Auditor activities will be reported to the Board of Regents, utilizing the Audit Committee as the primary reporting point, on a regular basis. Follow-up reviews will be reported within six months after the internal audit, whenever possible.

Internal Auditor reports will be presented to the appropriate department director and vice president prior to the submission of a final report to the Audit Committee.

Department directors are to be held responsible for seeing that corrective action on reported deficiencies is either taken or planned within a specified time period. Within 10 working days after the issuance of the internal audit report or review, the department will submit a formal response. The response will address each deficiency, what action has been taken or is being planned, and if no action is being planned, the reasons and justifications for not doing so.

Senior Administration will ensure Internal Auditor is informed of potential auditing concerns throughout the University they have knowledge of.

VIII. 3. Museum Copyright Policy
Permission and Reproduction
of Photographs of Museum Objects/Exhibits
(Adopted February 12, 1993)

Permission.

Applications must be made in writing to receive permission to reproduce images of museum objects, exhibits, original art work, and photographs in a publication or other visual production. Permission for reproduction is granted for one-time use only. Subsequent use requires written permission and payment of additional fees. Permission is nontransferable.

Conditions.

- a. A credit line must appear with each image as follows: Courtesy of Western New Mexico University Museum. If the collection name or photographer name are furnished with the reproduction they must be included in the credit line.
- b. This is not an exclusive privilege to the user and WNMU Museum reserves the right to make the image(s) available to others.
- c. Authors of publications in which reproduction of museum related images appear must provide, without charge, two copies of the publication to the museum. The makers of films and videos in which images of museum objects appear must provide, without charge, two copies of these publications for the museum.
- d. Negatives of photographs produced by the museum will be retained by the WNMU Museum and will be kept in the museum's files.
- e. WNMU Museum reserves the right to limit the number of copies and to restrict the use of reproduction of rare or valuable items.
- f. It is the responsibility of the applicant to resolve any copyright questions that might arise from the use of reproduction. In the case of photographs copied from the holdings of other museums (e.g., the Silver City Museum), the applicant must obtain permission in writing from the institution holding the original. A copy of the approval form or letter

must be filed with the application before the images will be released by WNMU Museum.

- g. The applicant agrees to pay WNMU Museum upon the acceptance of this contract and prior to delivery of the reproductions, all expenses as defined.
- h. All negatives are retained by WNMU Museum.

Costs.

In the event the museum is asked to provide prints of photographs or to arrange to have prints made of objects/exhibits at the museum, the costs will be borne by the applicant. Images requiring special handling are subject to special charges. Postage and handling fees will be charged, where applicable. In all cases, a work order must be filled out by the applicant and submitted for approval to the Museum Director. All fees are payable in advance.

VIII. 4. Payroll Deduction Statement
(Approved December 18, 1998; Revised May 10, 2001)

The Board of Regents of Western New Mexico University authorizes the University to participate in the Irrevocable Payroll Deduction Agreement to withhold income contributions of stated amounts in the agreement and to remit the withholding to the Educational Retirement Board.