



WESTERN NEW MEXICO UNIVERSITY

Western New Mexico University
Board of Regents Policy Manual

APPROVED AND ADOPTED, by the Board of Regents of Western New Mexico University this revised edition effective September 24, 2012

Last update: December 12, 2024

TABLE OF CONTENTS

INTRODUCTION.....1

GLOSSARY OF TERMS..... 2

CHAPTER I GENERAL POLICIES AND PRINCIPLES..... 6

I. History of the University6

I.2. Mission Statement.....6

I.3. Review and Approval of the Mission6

I.4 Role of the Regents7

I.5. Shared Governance7

I.6. Commitment to General Principles7

I.7. Code of Conduct8

I.8. Conduct Leading to Disciplinary Action10

I.9. Employment and Discharge of Persons Advocating Sabotage, Sedition, or Treason12

I.10. Crisis Management Plan12

I.11. Drug Free Work Place Policy13

I.12. Release of Information Pursuant to the Inspection of Public Records Act15

I.13. Affirmative Action Policy15

I.14. Equal Opportunity Policy16

I.15. INTERIM Discrimination and Harassment – Civil Rights and Title IX Policy17

I.16. Language Policy.....18

I.17. Drug and Alcohol Policy19

I.18. Use of Alcohol on University Property20

I.19. Weapons Policy21

I.21. Patent and Copyright Policy23

I.22. Solicitation Policy23

CHAPTER II BOARD OF REGENTS24

II.1. Constitutional and Legal Provisions24

II.2.	Duties and Functions	24
II.3.	Composition.....	25
II.4.	Organization	25
II.5	Committees	25
II.6.	Building, Facility, and Space Naming Committee	26
II.7.	Budget and Finance Committee	26
II.8.	Audit Committee.....	27
II.9.	Honorary Degree Policy.....	27
II.10.	Personnel Committee.....	28
II.11.	Governance/Operations Committee.....	28
II.12.	Resolution Adopting Notice Procedures Pursuant to the New Mexico Open Meetings Act,	29
II.13.	Agenda for Meetings	32
II.14.	Minutes of Meetings	32
II.15.	Regents Information Session	32
II.16.	Conflict of Interest Policy	33
II.17.	Board of Regents Scholarships.....	33
II.18.	Formulation of Policies	33
II.19.	Periodic Re-evaluation of Policies	34
II.20.	Compensation	34
II.21.	Orientation of New Regents.....	34
CHAPTER III THE PRESIDENT		35
III.1.	The Office of the President	35
III.2.	Appointment	35
III.3.	Relationship Between the President and the Board of Regents	36
III.4.	Responsibilities	36
III.5.	Terms and Conditions of Employment.....	37
III.6.	Place in the University Organization.....	38

III.7.	Absences	38
III.8.	Evaluation of the President	38
III.9.	President’s Spouse or Domestic Partner Travel.....	39
CHAPTER IV THE FACULTY.....		41
IV.1.	Role	41
IV.2.	Appointment	41
IV.3.	Duties and Responsibilities of the Faculty	41
IV.4.	Academic Load	42
IV.5.	Class Size Policy.....	42
IV.6.	Promotion in Rank	42
IV.7.	Tenure	42
IV.8.	Dates of Campus Duty	42
IV.9.	Employment and Advanced Degrees	43
IV.10.	Graduate Student Academic Staff.....	43
IV.11.	Retirement.....	43
IV.12.	Western New Mexico University Incentive Retirement Plan	43
IV.13.	Contracts	48
IV.14.	Faculty Contracts for Administrators	48
IV.15.	Salary Increments.....	49
IV.16.	Leave	50
IV.17.	Outside Professional Activities.....	50
IV.18.	Extra Compensation Paid by the University	51
IV.19.	Visiting Scholars.....	51
IV.20.	Termination of Employment.....	51
IV.21.	Emeritus Status	51
CHAPTER V STAFF EMPLOYEES		52
V.1.	Definitions.....	52

V.2.	Policies applying to Staff Only	52
V.3.	Qualifications for Hiring, Promotion, and Transfer	52
V.4.	Staff Contracts for Administrators	52
V.5.	Management Rights	53
V.6.	Progressive Discipline	53
V.7.	Termination of Employment.....	53
V.8.	Grievance Procedure	54
V.9.	Privileges and Benefits	54
V.10.	Sabbatical Leave for Staff	54
V.11.	Emeritus Status for Staff	55
CHAPTER VI THE STUDENT BODY.....		56
VI.1.	General.....	56
VI.2.	Admissions Policy	56
VI.3.	Rights and Responsibilities.....	56
VI.4.	Grievances.....	57
VI.5.	Student Identification.....	57
VI.6.	Access to Student Records	57
VI.7.	Attendance at Classes.....	57
VI.8.	Student Organizations.....	57
CHAPTER VII INSTRUCTIONAL PROGRAMS		58
VII.1.	Establishing New Programs of Study	58
VII.2.	Program Evaluation	58
VII.3.	Teacher Education.....	60
VII.4.	Statement of Regents Approval Regarding Articulation	60
CHAPTER VIII BUSINESS POLICIES.....		62
VIII.1.	Museum Copyright Policy Permission & Reproduction of Photographs of Museum Objects/Exhibits..	62
VIII.2.	Payroll Deduction Statement	62

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. Campus groups of administrators, faculty members, students, and staff will continue to contribute materially to the development of these policies.

This Manual and the policies in this Manual are not a contract, either express or implied, between 1) the Board of Regents of WNMU and students, faculty and staff; or 2) WNMU and its students, faculty and staff. This Manual and the policies in this Manual may be modified, changed, altered, revised or discontinued by a majority vote of a quorum of the Board of Regents at any of its meetings, subject to the policy on formulation of policies, and as required for the effective managements of WNMU.

CODIFICATION OF EXISTING POLICIES

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

DATE

Any policy in this MANUAL becomes effective on the date of its adoption by the WNMU Board of Regents.

SCOPE OF THE MANUAL

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

MODIFICATIONS TO MANUAL

This MANUAL and the policies in this Manual may be modified, changed, altered, revised or discontinued 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 OF TERMS

(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 for federal government contractors and subcontractors which provides for equal employment opportunity for all employees and applicants for employment without regard to race, color, religion, sex or national origin, pursuant to Executive Order 11246; disability, pursuant to the Rehabilitation Act of 1973, as amended; and veterans status, pursuant to the Vietnam Era Veterans’ Readjustment Act of 1974, as amended. Federal government contractors and subcontractors are to take affirmative action to employ, advance in employment and otherwise treat qualified applicants and employees without discrimination based on race, color, religion, sex, national origin, disability, and status as a special disabled veteran, veteran of the Vietnam era, recently separated veteran or other protected veteran.

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.

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.

HIGHER EDUCATION DEPARTMENT

The Higher Education Department, formerly known as the Commission on Higher Education, collaborates with the state’s public colleges and universities to ensure that New Mexico’s students have access to high-quality education and success once enrolled. The Higher Education department is a Cabinet level Department within the Executive Branch of the New Mexico government.

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 this term includes electioneering of any kind, as well as the usual forms of soliciting.

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, whom 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 non-bargaining unit staff. Bargaining unit staff employees are not represented by the Staff Senate.

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 hour's 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 they may be terminated from employment as a teacher at the University only for Adequate Cause or as otherwise stated in applicable University policies.

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. History of the University

Western New Mexico University was founded in 1893 as a Normal School in Silver City. The Territorial Legislature recognized the need for teachers to train the children of miners and prospectors who were moving into the area. On February 11, 1893, the lawmakers created the Normal School. In 1923, the institution became New Mexico State Teachers College. In 1949, regents voted to change its name to New Mexico Western College, a move they felt would better reflect its regional location. In 1963, the school became Western New Mexico University. WNMU serves the people of the state of New Mexico and its surrounding areas as a comprehensive, regional, rural, public coeducational university and caters to a student body diverse in age, culture, language and ethnic background. Programs offered include teacher education, nursing, criminal justice, business, occupational therapy, art, natural sciences, social work and applied technology.

I.2. Mission Statement

(Revision Approved March 1, 1996; May 13, 1999; December 12, 2008; March 25, 2014; March 26, 2019; April 28, 2023)

An open-access Hispanic-Serving Institution (HSI) and New Mexico's Applied Liberal Arts and Sciences University, Western New Mexico University combines a foundation of liberal arts education with quality professional programs and career and technical preparation in a diverse, inclusive, creative, and caring community of learners empowered with the essential skills and knowledge for lifelong success in work and life.

Al ser una Institución al Servicio de Hispanos (HSI) y de inscripción abierta, así como la Universidad de Artes Liberales y Ciencias Aplicadas de Nuevo México, Western New Mexico University combina una base de educación en artes liberales con programas profesionales de calidad y preparación técnica en una comunidad diversa, inclusiva, creativa y solidaria de estudiantes capacitados con habilidades y conocimientos esenciales para el éxito permanente en la vida y el trabajo.

Vision

Western New Mexico University is a premier and innovative Applied Liberal Arts and Sciences University in combination with internationally recognized professional programs and career and technical preparation. Its students achieve career goals, become conscientious citizens, practice social and environmental responsibility, and impact their communities and their futures as independent thinkers who know themselves within the changing context of a global, digital world. Embracing its identity as a Hispanic Serving Institution, WNMU is the central contributor in its region for public service, economic development, and cultural enrichment.

Western New Mexico University es una Universidad de Artes Liberales y Ciencias Aplicadas líder e innovadora que combina programas profesionales reconocidos internacionalmente y la preparación profesional técnica. Sus estudiantes alcanzan metas profesionales, formándolos en ciudadanos comprometidos, que practican la responsabilidad social y ambiental, que tienen impacto en sus comunidades y en su futuro como pensadores críticos independientes que se conocen a sí mismos dentro del contexto cambiante de un mundo global y digital. Adoptando su identidad como una institución al servicio a hispanos, WNMU es la contribuyente central en su región para el servicio público, el desarrollo económico y el enriquecimiento cultural.

I.3. Review and Approval of the Mission

This Manual contains a more detailed statement of the mission of the University, all of which is hereby incorporated by reference and made a part of this Manual as set out in full herein. Review and approval of the developing and changing mission contained herein is an important role of the Board of Regents in shaping the master planning for the future of the University. The University's mission shall be reviewed by the Board of Regents when the Board deems such review necessary and appropriate.

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 Governance

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. Inevitably, the 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.

As limited by the applicable law, these policies, and other actions of the Regents, the Board recognizes and approves:

1. the authority and responsibility of the University President and Administration in all matters relating to the operation of the University;
2. 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
3. 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.

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.

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 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. Academic Freedom: The following statements on academic freedom are taken 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.
 - (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 scholars 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 these principles 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.

I.7. Code of Conduct
(Revision Approved July 15, 2024)

EMPLOYEES:

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.

VISITORS:

WNMU visitors have rights under the federal and state laws, including First Amendment and due process rights. Although these rights are recognized, conduct which adversely affects WNMU's commitment to educational success for our students, disrupts campus living, or interferes with the rights of others to pursue an education, perform the duties and responsibilities of their positions, and/or participate in WNMU activities is prohibited.

Visitors, employees, contractors, students, and/or affiliates should report inappropriate or disruptive behavior to Campus Police.

DEFINITIONS

CONTRACTOR/SUBCONTRACTOR

Contractor/Subcontractor is any person performing professional services for WNMU through a contractual agreement other than employment.

EMPLOYEE

Employee is any employed personnel classified as adjunct, faculty, or staff, regardless of the terms of employment.

STUDENT

Student is any person enrolled in a program, certificate, or educational activity independent of their full-time or part-time status. Student includes those enrolled in a dual enrollment program or individual classes.

VISITOR

Any person at any WNMU premises or WNMU activities including but not limited to parents, members of the community, invited guests, speakers, future or prospective students, and/or family members.

UNIVERSITY AFFILIATE

A university affiliate is any person who offers their services in an unpaid capacity.

WNMU PREMISES

WNMU Premises include but are not limited to its campuses, grounds, facilities, workplaces, and/or vehicles. Premises further include any activity held on WNMU campuses, grounds, and/or facilities. Premises do not include property owned by WNMU and leased to others, unless specifically indicated in the lease agreements.

WNMU ACTIVITIES

WNMU Activities include sponsored or approved activities, events, or functions on or off WNMU premises where employees, student workers, contractors/subcontractors, and affiliates are under the jurisdiction of WNMU, or during any period of time WNMU employees are supervising students on behalf of WNMU or are otherwise engaged in WNMU business.

WORKING DAYS

Working days means Monday through Friday, excluding school holidays or WNMU closure periods. If the last day of the designated time period is a school holiday or WNMU closure period, the designated time period will run until the end of the next day that is not a school holiday or WNMU closure period.

VISITOR CODE OF CONDUCT

WNMU encourages all visitors to (this list is not all inclusive):

- Respect the opinions of others and engage in constructive discussion even when those opinions may differ from your own;
- Be kind and considerate to one another at WNMU premises or WNMU activities;
- Act in a manner that will help ensure a welcoming environment to our students, employees, and other visitors;
- Be mindful not to disrupt classes, workshops, events, or WNMU activities;
- Refrain from using slurs or derogatory language of any kind, and from engaging in unacceptable behaviors such as verbal and physical harassment;
- Follow directives and guidance regarding safety and security from employees and/or Campus Police;
- Refrain from interfering with the freedom of expression, movement, or activity of others;
- Follow instructions to leave WNMU premises when requested to do so by an employee or Campus Police Officer;
- Follow posted signs for restricted areas, hours of operations and closures, and restricted behavior; and
- Follow all federal and state laws and WNMU policies while on WNMU premises or at WNMU activities.

Any person who violates the Visitor Code of Conduct may be subject to warning, denial of future WNMU employment opportunities or admission to our programs, school/colleges, or training opportunities, removal from campus, arrest, or a no-trespass order for a set time or permanently from WNMU premises or activities.

APPEALS PROCEDURE

A visitor who would like to request an appeal for a warning, denial of future WNMU employment opportunities or admission to our programs, school/colleges, or training opportunities, removal from campus, arrest, or a no-trespass order for a set time or permanently from WNMU premises or activities will need to follow the below steps. Concerns, appeals, or complaints regarding discrimination or harassment need to be submitted following the process of the Office of Civil Rights and Title IX.

1. Submit, in writing, an appeal providing the reasons for the appeal to the Office of the President within thirty (30) working days after the decision.
 - a. Appeals can be submitted no more than once every five (5) years for permanent or longer than 5 years denial of future WNMU employment, admissions to our programs, school/colleges, or training opportunities, or permanent or longer than 5 years removal from campus.
2. The WNMU President will review the appeal and any documentation provided, request additional information needed, and schedule meetings with the visitor or any other personnel relevant to the process within thirty (30) working days from the receipt of the appeal. This deadline may be extended depending on circumstances and meeting delays. The WNMU President will inform the visitor in writing of the decision. The decision of the WNMU President is final.

I.8. Conduct Leading to Disciplinary Action (Updated July 15, 2024)

The Board of Regents, the WNMU President, and the WNMU community expects that adjuncts, faculty, staff, students, and affiliates will conduct themselves in a manner that respects the communities of which they are members, creates an atmosphere conducive to learning and working, and reflects positively on the faculty, staff, and students themselves and WNMU.

Any member of the University community, adjunct, faculty, staff, student, and/or volunteer who engages in or attempts to commit or engage in any of the following conduct shall be subject to appropriate disciplinary procedures and possible sanctions.

When possible, WNMU will follow the principles of progressive discipline but sanctions will be determined based on the action and severity. This list is a not all inclusive:

1. Failure to perform the duties of their positions, fulfill performance expectations of their positions, and/or meet attendance requirements.
2. Obstruction or disruption, by any means, of teaching, research, administration, disciplinary procedures, or other WNMU activities.
3. Behavior that discriminates or harasses in violation of WNMU policies and procedures.
4. Obstruction, disruption, or refusal to participate in WNMU investigation procedures. This includes, but is not limited to, investigations by the Office of Employee and Labor Relations, Office of Civil Rights and Title IX, appeals and grievance procedures.
5. Unauthorized or prohibited entry into or onto, or unauthorized or prohibited occupation or use of, any WNMU premises or vehicles.
6. Physical abuse, the threat of physical abuse, intimidation, bullying or other conduct which threatens or endangers the health or safety of any person on campus or at any WNMU premises or activities. Criminal actions which include, but are not limited to, assault, battery, fraud, or embezzlement.
7. Theft of, damage to, or defacement of property of WNMU or the property of any person on WNMU premises or activities.
8. Denial of, or interference with any person's lawful right of access to, use of, or exit from any WNMU premises or with any other lawful right of any person on campus.
9. Violation of the Weapons Policy.
10. Forgery, alteration, or destruction of WNMU documents or property.
11. Submission of false information, whether verbally or in writing, to WNMU.
12. Knowingly making false accusations against any member of the WNMU community in an appeal, complaint or grievance filed under any WNMU policy or procedure.
13. 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 WNMU community will not be tolerated.
14. Disorderly, lewd, or indecent conduct occurring on campus or at a WNMU premises or activities.
15. Any act that demonstrates the probability that the person constitutes a physical danger to themselves or others on WNMU premises or activities.
16. Willfully refusing or failing to leave WNMU property or activities upon being requested to do so by a WNMU authorized representative 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 WNMU.
17. Violation of the Drug and Alcohol in the Workplace Policy.
18. Any other acts or omissions that adversely affect the University's public image or its educational function, or that disrupt community living on campus, interfere with the rights of others to the pursuit of their education, or adversely affect the processes of WNMU.
19. Violation of the adjunct, faculty, staff, student, or volunteer applicable Code of Conduct or WNMU policies or procedures.
20. Retaliation towards any person who assists, participates, and/or reports any conduct that leads to disciplinary actions or investigation.
21. Aids conspires with others, or incites others to commit any act set forth in this section.

POSSIBLE SANCTIONS

Possible sanctions for adjuncts, faculty, staff, students, or affiliates under the principles of progressive discipline. The level of discipline will be affected by the action and severity. In all cases, documentation of the sanction will be placed in the adjunct, faculty, staff, student, or volunteer file. In every level of sanction, continued or additional violations will result in additional disciplinary actions up to termination of

employment.

1. Warning means a formal notice, oral or written, of the disciplinary action and expectations.
2. Performance Improvement Plan means a plan of action or retraining for the employee to make the necessary improvements. Disciplinary actions may be accompanied by a performance improvement plan.
3. Disciplinary Probation means that a faculty member may be placed on probation for a period not exceeding one (1) year for engaging in any conduct set forth above.
4. Suspension means temporary removal from employment, with or without pay.
5. Termination means the end of employment, including cancellation of a contract or at will status.
6. Expulsion means the end of the academic enrollment of the student at WNMU.

APPEALS

Appeals from any sanction imposed on an employee, student or volunteer shall follow the channels and procedures established for the appropriate policy or procedure.

I.9. Employment and Discharge of Persons Advocating Sabotage, Sedition, or Treason (Updated July 15, 2024)

No person shall be knowingly employed by WNMU 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 their appointing power that any employee has committed any of the acts hereinabove described it shall be the duty of such employer to refer the data and information available to him 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 this act.

If such court determines that this act has been violated, such employee shall be immediately discharged and shall not be again employed in any capacity by any state department, office, board, commission, or bureau, county, municipality, or other political subdivision, board of education, or school board (Sec. 10-1-1-12 NMSA 1978).

I.10. Crisis Management Plan

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.

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. Under certain circumstances, the President may choose to implement certain actions under the Crisis Management Plan. 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 the 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, the President shall, after consultation with available regents, declare the State of Emergency to be at an end.

- c. During a State of Emergency, the President, in the exercise of reasonable judgment in the circumstances, is authorized to take whatever actions they find 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.

During a State of Emergency, the violation by any person of a presidential order or ruling under this Policy, or the commission during such State of Emergency of any act or acts of misconduct of the kind set forth in section I.8.(1) through I.8.(21) of the Regents' Policy on Conduct Leading to Disciplinary Action will be considered an offense of the gravest nature and sanction appropriate to the gravity of such offense or offenses shall be imposed.

- d. During a State of Emergency, Campus Police will have responsibility and authority to maintain order on campus.

I.11. Drug Free Work Place Policy

(Adopted May 12, 1989; Revised 1999; May 10, 2001; July 15, 2024)

The Board of Regents of Western New Mexico University adopts this policy to implement the Drug Free Workplace Act of 1988, as amended.

The purpose of the Western New Mexico University (WNMU) Drug Free Workplace Policy is to provide a safe and healthy work environment and ensure that employees, students, student workers, contractors/subcontractors, university affiliates, and members of the community or public are aware of and abide by the WNMU policy regarding drugs and alcohol, including recreational marijuana.

Students should refer to the Student Alcohol & Other Drugs Policy and the Student Code of Conduct available in the Student Handbook.

POLICY

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, workplaces, vehicles, or at any activity held on university premises. Possessing, storing or drinking alcohol in the workplace, classroom or dormitory is prohibited except as authorized by the Use of Alcohol on University Property and Housing Policies. Reporting to work or class while impaired or under the influence of drugs or alcohol is prohibited.

Local, state, and federal laws prohibit the unlawful use, manufacture, store, possession, control, sale, and dispensation of any illegal drugs or other drugs. Under federal law, we are required to follow the Controlled Substance Act, Drug Free Schools and Communities Act, and Drug Free Workplace Act.

Under the Cannabis Regulation Act fully enacted June 29, 2021, possession and growth on marijuana is now

legal in New Mexico. Under federal law, such activities, in any form, remain a federal crime under the Controlled Substances Act. For this reason, WNMU policies as they relate to marijuana remain unchanged even though the State of New Mexico has legalized it.

Academic exception may be granted for research, instruction, and/or internships with specific written approval from the WNMU President.

WNMU will impose disciplinary sanctions on employees who violate the above-stated policy. Depending on the circumstances, these sanctions may range from a minimum of satisfactory participation in a substance abuse program to a maximum of termination from employment.

Although the university does not act as a law enforcement agency, it will not protect individuals who have violated the law. WNMU will cooperate with law enforcement officials if an on-campus investigation is necessary. WNMU Police will enforce New Mexico underage drinking laws, and federal and state drug laws.

RESPONSIBILITY:

The President of the University is responsible for the administration of the Drug-Free Workplace policy and program. The Director of Employee and Labor Relations is designated by the President to administer this program for employees, student workers and university affiliates. The Director of Purchasing is designated by the President to certify this program for university grants and contracts.

PROGRAM:

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 and alcohol abuse at the university as a workplace;
 - b. the Board of Regents' policy for maintaining a drug-free university environment;
 - c. the information on available substance abuse counseling, rehabilitation, or employee assistance programs;
 - d. the appropriate disciplinary action and penalties that may be imposed for a substance 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 calendar days after conviction;
 - c. sign a certification of awareness of the University Drug-Free Workplace policy and program.
4. The program requires the Provost and Vice President for Academic Affairs 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 calendar days after receiving notice from an employee of a conviction of any criminal drug statute or of receiving actual notice of the conviction.
5. The Program requires the Director of Employee and Labor Relations 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 substance abuse assistance or treatment 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 Board of Regents Manual.

8. This policy does not prohibit WNMU employees or contractors or affiliates who are health care practitioners possessing a current federal DEA registration number and licensed/registered by the NM Regulation and Licensing Department in accordance with provisions of laws in the state of New Mexico from administering or prescribing medications as set forth under state and federal laws.

I.12. Release of Information Pursuant to the Inspection of Public Records Act
(Adopted October 21, 1988; Revised 1999; December 2024)

Western New Mexico University (WNMU) confirms compliance with the New Mexico Inspection of Public Records Act (14-2-1 – 14-2-12 NMSA 1978).

POLICY:

Under the Inspection of Public Records Act, every person has the right to inspect public records of the state, subject to certain exceptions. These exceptions include:

1. records pertaining to physical or mental examinations and medical treatment of persons confined to an institution;
2. letters of reference concerning employment, licensing or permits;
3. letters or memorandums that are matters of opinion in personnel files or students' cumulative files;
4. portions of law enforcement records as provided in Section [14-2-1.2](#) NMSA 1978;
5. as provided by the Confidential Materials Act [[14-3A-1](#), [14-3A-2](#) NMSA 1978];
6. trade secrets;
7. attorney-client privileged information;
8. Information concerning information technology systems, the publication of which would reveal specific vulnerabilities that compromise or allow unlawful access to such systems; provided that this subsection shall not be used to restrict requests for:
 - a. records stored or transmitted using information technology systems;
 - b. internal and external audits of information technology systems, except for those portions that would reveal ongoing vulnerabilities that compromise or allow unlawful access to such systems; or
 - c. information to authenticate or validate records received pursuant to a request fulfilled pursuant to the Inspection of Public Records Act
9. submissions in response to a competitive grant, land lease or scholarship and related scoring materials and evaluation reports until finalists are publicly named or the award is announced;
10. as otherwise provided by law

Every employee (adjunct, faculty, staff, or student), student, contractor, visitor, member of the community and/or volunteer should understand that WNMU follows the Inspection of Public Records Act. There is no expectation of privacy or confidentiality with regard to public records, except as specifically provided for in the Inspection of Public Records Act.

The President of WNMU shall designate a person as the custodian of public records, who shall have the duties as set forth in section 14-2-7 of the Inspection of Public Records Act.

I.13. Affirmative Action Policy
(Approved August 12, 1996; Revised 1999; Updated September 12, 2024)

Western New Mexico University (WNMU) pledges full support and commitment to the WNMU Affirmative Action Plan, which provides for equal employment opportunity for all employees and applicants, pursuant to Title VII of the Civil Rights Act, the New Mexico Human Rights Act, and applicable executive orders, federal and state law.

WNMU will not discriminate and will take affirmative action to ensure that there is no discrimination against any employee or applicant for employment because of race, color, religion, sex, pregnancy, national origin, age, ancestry, disability, spousal affiliation, sexual orientation, gender identity, genetic information, veteran status, or any other basis prohibited by applicable federal and state law, except where a bona fide occupational qualification exists, in regard to any position for which the employee or applicant is qualified. Employment practices include, but are not limited to, the following: recruitment, hiring, promotion, demotion, transfer, rates of pay or other forms of compensation, job assignments, training, leaves of absence, fringe benefits, layoffs, and/or termination of employment.

WNMU will provide reasonable accommodations to qualified individuals with disabilities, individuals observing religious practices, and individuals with medical conditions to include pregnancy or childbirth-related conditions, in accordance with applicable law.

WNMU has policies and procedures in place for reporting, investigating, and resolving complaints by employees and applicants for employment of unlawful discrimination, harassment, and retaliation. Retaliation against applicants or employees who report unlawful discriminatory conduct, file a complaint, or cooperate in an investigation or resolution of a complaint of discrimination is prohibited.

WNMU employees need to be aware that discrimination, harassment, and retaliation for reporting unlawful discriminatory conduct are prohibited. Employees who engage in such conduct will be subject to disciplinary action, up to and including termination of employment, in accordance with WNMU policies.

WNMU urges applicants for employment and employees who believe they have been discriminated against, harassed, or retaliated against for reporting unlawful discriminatory conduct or harassment to file a complaint with the Office of Civil Rights and Title IX:

- Mailing Address:
Office of Civil Rights and Title IX
P.O. Box 680
Silver City, NM 88062
Telephone Number: 575-538- 6025
Website: <https://crtix.wnmu.edu>

To request an employment-related accommodation, please contact the Office of Employee and Labor Relations:

- Mailing Address:
Employee and Labor Relations
P.O. Box 680
Silver City, NM 88062
Telephone Number: 575-538- 6201
Email: elrelations@wnmu.edu
Website: <https://el.wnmu.edu>

I.14. Equal Opportunity Policy

Western New Mexico University (WNMU) provides equal opportunity in education and employment for all qualified individuals. WNMU prohibits discrimination and harassment against any individual on the basis of race, color, religion, sex, pregnancy, national origin, age, ancestry, disability, spousal affiliation, sexual orientation, gender identity, genetic information, veteran status or any other basis prohibited by federal and state law.

EQUAL EMPLOYMENT OPPORTUNITY

WNMU is committed to providing equal employment opportunity and forbids unlawful discrimination and harassment based on the list in section A, except where a bona fide occupational qualification exists, in regard to any position for which the employee or applicant is qualified. Employment practices include, but are not limited to, the following: recruitment, hiring, promotion, demotion, transfer, rates of pay or other forms of compensation, job assignments, training, leaves of absence, fringe benefits, layoffs, and/or termination of employment.

EQUAL EDUCATIONAL OPPORTUNITY

The WNMU is committed to providing equal educational opportunity and forbids unlawful discrimination based on the list in section A. This includes recruitment, admission, academic courses and activities, student support services, extracurricular programs and activities, facilities housing; financial assistance healthcare services that WNMU provides, and participation in athletics.

REASONABLE ACCOMMODATION

WNMU will provide reasonable accommodations to qualified individuals with disabilities, religious practices, and medical conditions to include pregnancy or childbirth-related conditions in accordance with applicable law unless such accommodations have the end result of fundamentally altering a program, service, or essential functions of a job, or places an undue burden on the operations of the University

Accommodation requests may be addressed to the following offices: Disability Services Coordinator, PO Box 680, Silver City, NM 88062 (575) 538-6014.

- Students: Mailing Address:
Wellness and Accessibility Services Coordinator
PO Box 680,
Silver City, NM 88062
Telephone Number: (575) 538-6277
Email: accessibility@wnmu.edu
- Employees and Student Workers: Mailing Address:
Employee and Labor Relations
PO Box 680
Silver City, NM 88062
Telephone: (575) 538-6201
Email: elrelations@wnmu.edu

RETALIATION PROHIBITED

This policy prohibits retaliation against a person who files a complaint of discrimination or harassment. This policy also prohibits retaliation against any person who assists someone with a complaint of discrimination or harassment or who participates in any manner in an investigation or resolution of a complaint of discrimination or harassment.

Retaliation includes attempting to penalize or taking any form of adverse action against a person based on their part in a resolution of a complaint as listed above. Adverse action includes, but is not limited to, making threats, intimidation, coercion, or in any way discriminating against an individual or group because of their complaint or participation or any other adverse action relating to employment, academic, or institutional benefits.

WNMU urges those who believe they have been discriminated against or retaliated against for reporting unlawful discriminatory conduct to file a complaint with the Office of Civil Rights and Title IX:

- Mailing Address:

Office of Civil Rights and Title IX
P.O. Box 680
Silver City, NM 88062
Telephone Number: (575) 538- 6025
Website: <https://crtix.wnmu.edu>

I.15. INTERIM Discrimination and Harassment – Civil Rights and Title IX Policy (Approved in Student HB 1/26/96; Revised 1999; May 2001, April 2023; September 2024)

PURPOSE:

Western New Mexico University (WNMU) is committed to providing an educational and employment environment that is free from discrimination based on protected characteristics, harassment, and retaliation

for engaging in protected activity.

POLICY:

NOTICE OF NONDISCRIMINATION

WNMU seeks to comply with all federal, state, and local laws, regulations, and ordinances prohibiting discrimination in public post-secondary education institutions.

WNMU does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of actual or perceived:

- Age
- Ancestry
- Color
- Disability
- Gender Identity
- Any other basis prohibited by applicable Federal and State Law
- Genetic Information
- National Origin
- Pregnancy or related conditions
- Race
- Religion
- Sex
- Sexual Orientation
- Spousal Affiliation
- Veteran or Military Status

[SOP611A – Civil Rights Grievance Procedure](#)

WNMU also complies with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in educational programs or activities; Violence Against Women Act (VAWA), Clery Act, and the Campus Sexual Violence Elimination Act to include:

• Sex-based Harassment	• Dating Violence	• Stalking
• Quid Pro Quo	• Domestic Violence	• Sexual Assault
• Hostile Environment		

[SOP611B Title IX Grievance Procedure](#)

This Policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of WNMU community whose acts deny, deprive, unreasonably interfere with or limit the education or employment, residential and/or social access, benefits, and/or opportunities of any member of WNMU's community, guest, or visitor on the basis of that person's actual or perceived protected characteristic(s), is in violation of this Policy.

Students and employees are entitled to an educational and employment environment that is free of discrimination, harassment, and retaliation. This Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive, subject matters protected by academic freedom.

This policy prohibits retaliation against a person who files a complaint of discrimination or harassment. This policy also prohibits retaliation against any person who assists someone with a complaint of discrimination or harassment or who participates in any manner in an investigation or resolution of a complaint of discrimination or harassment.

WNMU will promptly and effectively address any such discrimination of which it has knowledge using the resolution process in the Discrimination and Harassment – Civil Rights and Title IX Procedures.

The complete policy can be viewed at: <https://policy.wnmu.edu/>

I.16. Language Policy

(Approved February 7, 1997) (Revised September 10, 2004; July 15, 2024)

Western New Mexico University (WNMU) strives to create an inclusive campus committed to diversity among students, faculty, staff, adjuncts, contractors, community members, visitors,

and affiliates. 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.

POLICY:

Students, faculty, staff, adjuncts, contractors, community members, visitors, and affiliates may speak any language or combination of languages. For administrative and educational simplicity, official WNMU business, which includes but not limited to enrollment, policies, contracts, systems, communications, records, and documents will be written in English. Language assistance will be available, as needed.

Interactions not directly related to the conduct of WNMU business do not fall within the business necessity exception. Exceptions to the official business will apply to documents, exams, or discussions of other languages for educational purposes, although grades and official certifications will be considered official business.

Should it be determined that any WNMU employee attempted to infringe on the rights of others to speak any language or combination of languages, disciplinary action may be taken.

For language accommodation for students please contact Wellness and Accessibility Services

Telephone: 575-538- 6277

Email: accessibility@wnmu.edu

For language accommodation for employees please contact the Department of Human Resources

Telephone: 575-538- 6328

Email: employment@wnmu.edu

I.17. Drug and Alcohol Policy

Western New Mexico University believes that reducing drug and alcohol abuse improves the safety, health and productivity of faculty, staff and students. The object of this Drug and Alcohol Policy is to provide a safe and healthy workplace for all faculty and staff and learning environment for students and comply with federal law, where applicable.

Definitions

“Illegal use of drugs” includes the use of controlled substances or drugs, the possession or distribution of which is unlawful under federal, state or local law. The term includes the use or possession of prescription drugs which have not been lawfully obtained and the misuse of prescription or over-the-counter medication. The term does not include the use of a drug taken, as prescribed, under the supervision of a licensed health care professional, or other uses authorized by the Controlled Substances Act or other provisions of federal, state or local law.

“Illegal drugs” include any drug or controlled substance the sale, consumption of possession of which is unlawful.

“University property” as used in this policy means any University campus, University building, University owned vehicle, or University approved vehicle used to transport students to and from University activities.

“University programs” as used in this policy means any University sponsored or approved activity, event, or function, on or off University property, 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.

Prohibited Conduct

This list is not exhaustive. It is meant to give faculty, staff and students a general idea of the types of conduct prohibited while on or off University property, while participating in

University programs or conducting University business:

- 1) reporting to work or class impaired by or under the influence of alcohol, illegal drugs or the illegal use of drugs;
- 2) the unlawful manufacture, distribution, dispensation, possession or use of alcohol or illegal drugs;
- 3) improper use of prescription medication;
- 4) illegal use of drugs;
- 5) possessing, storing or otherwise having drug paraphernalia in the work place or in the classroom, including in desks and lockers;
- 6) possessing, storing, drinking or otherwise having alcohol in the work place or in the classroom, including in desks and lockers, except as authorized in the policy entitled Use of Alcohol on University Property;
- 7) violation of federal, state or local laws relating to alcohol or drug possession or use;
- 8) failure to participate in an investigation related to the University's Drug and Alcohol Policy.

Alcohol may be used by faculty, staff and students who are 21 years of age or older on University property only as set forth in the policy entitled "Use of Alcohol on University Property" found in this Manual.

Violation of this policy will result in appropriate disciplinary action, up to and including termination of a faculty or staff member's employment or expulsion of a student from Western New Mexico University.

I.18. Use of Alcohol on University Property (Revised May 2013; April 2023; July 15, 2024)

The use of alcohol is prohibited on university property, except as authorized herein. For the purposes of this policy, the use of alcohol refers to the service and/or consumption of alcohol including, but not limited to, alcoholic beverages. This policy governs the use of alcohol on University property. It applies to students, student organizations, faculty, staff, University departments, and other entities and visitors. This policy applies to property owned, leased, or operated by the university, and to all events sponsored by the university or its sub-units. It does not apply to property owned by the university and leased to others, unless it would otherwise apply.

POLICY:

Western New Mexico University recognizes that alcohol abuse is a persistent social and health problem of major proportions in society. The university also recognizes that diversity of opinion and freedom of choice are the foundations of institutions of higher education, and that the use of alcoholic beverages, off of university property, by those of legal age is a matter of personal choice.

USE OF ALCOHOL

Use of alcohol on university property is prohibited, except as follows:

1. Alcohol may be served and consumed at receptions or other social functions sponsored and/or approved by the University President in advance, in writing. The following restrictions apply:
 - a. Alcohol may be served and consumed in those locations on the campus for which a governmental liquor license has been issued.
 - b. If the reception or social function is to take place at a location on campus for which a governmental liquor license has not been issued, a special dispenser's permit must first be obtained.
 - c. Private parties/events may take place on campus at a location for which a governmental liquor license has not been issued, upon approval of the University President. A private party is defined in the rules at NMAC 15.10.2.7 EE as an event open only to invited guests

and not open or advertised to the general public in which there is no financial consideration in exchange for alcoholic beverages. Private party does not include alcohol industry promotional events or other events with a commercial purpose.

2. Alcohol may be served and consumed at the University President's house by its residents and their invited guests at private parties.
3. Nothing herein prohibits the use of alcohol(s) for legitimate classroom, laboratory, teaching, research or medical purposes at WNMU.
4. Where alcohol is served and consumed as permitted herein, University officials, or designee, shall supervise the function or event to assure that alcohol is not consumed excessively by any invitee and that licensing and permit requirements are addressed.
5. Individuals who choose to use alcohol on University property, as permitted herein, must comply with state law and University policies and procedures, and conduct themselves responsibly, mindful of the rights of others.

STATE LAW

State law governs many aspects of the consumption and serving of alcohol. All individuals who use alcohol on university property must comply with the applicable legal requirements.

PURCHASE OF ALCOHOL

The purchase of alcohol with state funds must be in compliance with all applicable state laws and university policies.

PROMOTIONAL MATERIALS

Promotional materials and advertisements for an approved event at which alcohol will be served or consumed must be approved in advance by the University President, or designee, in writing. Advertisements for a function or event to be scheduled on campus shall not emphasize the quantity of alcohol to be served at such function or event in order to encourage participation (e.g., number of kegs). Nothing herein will prevent promotional materials for approved events from mentioning that alcohol will be served, or that particular beverage vendors or beverage products will be available at the event.

I.19. Weapons Policy (Revised July 15, 2024)

It is the intention of Western New Mexico University (WNMU) to provide a safe and harmonious setting where students, faculty, and staff can work and/or be on campus, without fear or threat of bodily harm.

POLICY:

WNMU prohibits the possession, manufacture, transfer, sale, or use of any weapon on WNMU property or activities without written approval from the WNMU President and the Chief of Campus Police.

EXCEPTIONS:

1. Authorized law enforcement or military personnel who are engaged in their official duties while on WNMU property may possess those weapons that are legally permitted and that are expressly for those duties.
2. Employees legally permitted to possess weapons for academic, research, or work-related duties, as explicitly approved by the WNMU President and the Chief of Campus Police.
3. Additional contractors or security contracted for WNMU activities and premises under the direction and approval of the Chief of Campus Police.
4. As part of an educational or athletic program as approved by the WNMU President, the Executive Athletics Director, and Campus Police.

DEFINITIONS:

WEAPONS

Weapons include but are not limited to, firearms (including paintball guns, pellet guns, air guns, and/or guns that shoot projectiles including antique and military "trophy firearms), ammunitions, gunpowder, fireworks, explosives, incendiary devices, knives (other than pocket knives not exceeding 4" in length when folded and kitchen utility knives not exceeding 7" in total length), switchblades, swords, spears clubs, spiked wrist bands,

chains, brass knuckles, slingshots, bows and arrows, tasers, martial-arts devices used as weapons, or other items that may cause or be used for the purpose of causing intimidation, injury, or death.

INDIVIDUAL

An individual is an adjunct, contractor, dual enrollment student, faculty, member of the community, parent, staff, student, visitor, volunteer, or any other person on WNMU premises or activities.

WNMU PREMISES

WNMU Premises include but are not limited to its campuses, grounds, facilities, workplaces, and/or vehicles. Premises further include any activity held on WNMU campuses, grounds, and/or facilities. Premises do not include property owned by WNMU and leased to others, unless specifically indicated in the leased agreements.

WNMU ACTIVITIES

WNMU Activities include sponsored or approved activities, events, or functions, on or off WNMU premises where dual enrollment students, employees, students, student workers, contractors/subcontractors, and affiliates are under the jurisdiction of WNMU, or during any period of time WNMU employees are supervising students on behalf of WNMU or are otherwise engaged in WNMU business.

OBLIGATION TO REPORT WEAPONS

All adjuncts, contractors, dual enrollment students, faculty, staff, students, or affiliates are required to report any observed individuals who possess, manufacture, transfer, sale, or use any weapons on WNMU property or activities. Please report this to Campus Police at 575-538-6231.

REPORTING VIOLATIONS TO THIS POLICY

Any individual who has knowledge that another person has a weapon on campus in violation of this policy has a duty to report the situation to the Campus Police immediately 575-538-6231. Failure to report a violation constitutes a violation of the obligation to report. In case of emergencies, all individuals should call 911 for immediate assistance.

VIOLATIONS TO THIS POLICY

The failure to report a violation of the Weapons Policy is serious misconduct and is grounds for disciplinary action up to and including termination of employment or expulsion from WNMU. Any student (including dual enrollment students) or employee (including adjunct, faculty, staff, and student workers) who assists any person in violating this policy will be subject to the same disciplinary action as if violating the policy. Any contractor found to have violated this policy or assisted any person in violating this policy will not be allowed to work for WNMU in any capacity in the future, and their contract may be cancelled. WNMU reserves the right to proceed with criminal and civil action for violations to this policy to the full extent allowed by State and Federal law.

I.20. Holidays

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

New Year's 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 Sept.)
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 at the discretion of the University President.

I.21. Patent and Copyright Policy

The President, in consultation with the Vice-President for Academic Affairs, shall develop a patent and copyright policy for 1) inventions and other works that are created by faculty, staff, students and other members of the University community; and 2) guidelines for the use of such works by others.

I.22. Solicitation Policy

(Approved July 15, 2024)

Western New Mexico University (WNMU) intends to maintain a work environment that is free from solicitation efforts that do not relate to the educational purposes of WNMU. While WNMU encourages employees (adjunct, faculty, and staff) to participate in activities that support our community, the time spent at work should remain uninterrupted by solicitations and distribution of materials by employees.

POLICY:

Employees may not solicit or sell items on work time (when either the employee or the person being solicited is on work time). Electronic advertising using WNMU systems and email is not allowed. Employees may not distribute any literature or other non-work-related materials either on work time or in work areas, except as otherwise approved as a WNMU activity.

Employees or students cannot conduct a business, sales, or solicitation in any WNMU premises and activities. No person may enter WNMU premises and activities to distribute or collect questionnaires and surveys and/or to collect any other information in person from employees or students.

The placement of advertisements is allowed on designated bulletin boards only and approved by the Building Supervisor. Advertising placed on any building or unauthorized location will be removed.

EXCEPTIONS

1. Solicitation activities by WNMU or WNMU students for curriculum or athletics activities (e.g. pantry, clothing...)
2. United Way Campaign, Food drives, Toys for Tots, and other related drives approved in advanced by WNMU initiatives.
3. Employee-to-employee solicitation may occur on the employee's own time (for example, during meal periods, scheduled breaks, and before and after work hours).
4. WNMU-related work duties that include solicitation or selling.

DEFINITIONS

WNMU PREMISES

WNMU Premises include but are not limited to its campuses, grounds, facilities, workplaces, and/or vehicles. Premises further include any activity held on WNMU campuses, grounds, and/or facilities. Premises do not include property owned by WNMU and leased to others, unless specifically indicated in the lease agreements.

WNMU ACTIVITIES

WNMU Activities include sponsored or approved activities, events, or functions, on or off WNMU premises, where employees, student workers, contractors/subcontractors, and affiliates are under the jurisdiction of WNMU, or during any period of time WNMU employees are supervising students on behalf of WNMU or are otherwise engaged in WNMU business.

WORK TIME

Work time means the time when an employee is scheduled and expected to be properly engaged in performing work tasks and duties.

CHAPTER II
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 persons or 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 for the effective management of the University.
3. Evaluate the mission of the University when the Board deems such review necessary and appropriate.
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 sabbatical leaves in accordance with existing policies.
8. Approve constitutions, by-laws, handbooks and other governing documents of student, faculty and staff governance bodies.
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. Bear legal responsibility and authority for all aspects of the University's operations.
13. Take any other actions required by law to be decided by the Board.

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 the Chair is absent, the Vice Chair shall be deemed the Chair Pro-Tem and shall preside at the meeting. When both the Chair and Vice Chair are unavailable for a meeting, the Board shall elect a Chair Pro-Tem for that meeting.

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 effective 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 departments.

II.5 Committees

(Adopted August 30, 2016)

The committees of the Board are the Audit Committee, the Budget and Finance Committee, the Personnel Committee, the Governance/Operations 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 chair 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 Chair 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 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 the President wishes on a case-by-case basis.

A. Plaques on Buildings

The names appearing on building plaques will constitute those persons serving in office at the time that new buildings are completed or renovations on existing buildings are completed.

II.7. Budget and Finance Committee

(Adopted September 1, 1989; Revised August 30, 2016)

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.

The Finance and Budget Committee shall have, yet are not restricted to the following responsibilities:

- To review budgets initially prepared by staff, to help provide input and develop appropriate procedures for budget preparation and achieve/monitor the consistency between the budget and the University's plans (business and strategic) and objectives as may be applicable and in accordance with Board of Regents requirements.

- To monitor the development of the budget and report to the Board any financial irregularities, concerns, opportunities, etc., as well as recommending/reporting to the full Board action to be taken when appropriate.
- To recommend financial guidelines/policies to the Board (as may or may not be recommended by the staff) as it applies to the role of the Board's oversight responsibilities.
- To oversee short and long term investments, review financial reports and ensure the accuracy as well as timeliness of each as may be requested or submitted by staff or Board for reporting purposes.

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 Vice-President for Business Affairs. The following responsibilities lay with the Audit Committee:

- The Audit Committee members will help guide, mentor, monitor, and meet with the University's Vice-President for Business Affairs. 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 Vice-President for Business Affairs.
- 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 Policy

(Revised May 10, 2001; December 13, 2002; March 18, 2004; July 15, 2024)

The purpose of WNMU's honorary degree policy is to establish transparent criteria and procedures for the selection and awarding of honorary degrees to individuals who have demonstrated outstanding contributions to their field

POLICY:

Western New Mexico University (WNMU) awards honorary degrees of Doctorate of Laws, Doctorate of Humane Letters, and Doctorate of Arts to distinguished individuals who merit special recognition for 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.

When WNMU honors individuals with honorary degrees, it furthers WNMU mission, vision, and strategic plan by developing long-term relationships with our accomplished honorees as they become part of the WNMU community.

An honorary degree may be awarded through the following two procedures.

PROCEDURE A

1. Nominations may be submitted by anyone, including outside sources to WNMU with a deadline of November 1 for the fall presentation or April 1 for the spring or summer presentation.
2. The Office of the President will receive all submittals comprehensive vita will be prepared for each potential candidate.
3. Potential honorary degree recipients will be reviewed by an Honorary Degree Committee composed of:
 - a. One (1) or two (2) Regents (one of whom will serve as Chair);
 - b. One (1) faculty member elected from each of five (5) departments designated by the Vice President of Academic Affairs for an academic year so that departments are rotated annually on this committee;
 - c. One (1) student and one (1) Western alumnus, appointed by the Chairperson of the Board of Regents.
4. All deliberations of The Honorary Degree Committee will be confidential.
5. Recommendations of the Committee will be provided in writing to the WNMU President who will take the Committee's and their recommendations to the Board of Regents for the final decision.

PROCEDURE B

Board of Regents members may nominate an individual for an honorary degree during an open session of any meeting of the Board of Regents, provided appropriate notice is stated in the agenda.

Nominations made directly by a Board of Regents member during an open session of any meeting of the Board of Regents will be considered by the Board of Regents without a requirement for comprehensive vita. The preparation of a comprehensive vita prior to final action by the Board of Regents is still recommended.

A majority of a quorum of the Board of Regents may vote in open session to:

1. Approve the award of an honorary degree;
2. Send the matter to the Honorary Degree Committee for further review after Preparation of a comprehensive vita; or
3. Deny the award of an honorary degree.

GENERAL PROVISIONS

All actions by the Board of Regents will be reviewed and approved during open session of the Board of Regents. Upon final action by the Board of Regents to award an honorary degree, a biographical summary 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 WNMU.

II.10. Personnel Committee (Adopted August 30, 2016)

The Personnel Committee shall have, yet are not restricted to the following responsibilities:

- To conduct the evaluation process of the President, which includes the construct of the instrument, collect and oversee the self- evaluation from the President (consistent with the instrument requirements from the Board), create the calendar for review, doing a data compilation report, meet with and discuss the level of achievement of the goals established by the Board in consultation with the President, as well as making a recommendation/report to the full Board.
- To recommend a salary, performance requirements and incentives as may be applicable, benefits and position description adjustments as needed and agreed upon, to the full Board.
- To recommend and/or approve (staff or Board generated) policies relative to personnel within the committees purview, when appropriate for action by the full Board.

II.11. Governance/Operations Committee

(Adopted August 30, 2016)

The Governance/Operations Committee shall have, yet are not restricted to the following responsibilities:

- To review and vet all items relative to the Governance and Operation of the institution (includes but is not limited to contracts, agreements, policies, etc.) which are scheduled as report, discussion or action items and to make a recommendation to the full Board when the item/issue appears on the agenda.
- To approve and make a recommendation regarding initiatives (other than policies) that address the academic and institutional well-being of the University and are consistent with the previously established goals, the strategic or university business plan and which require Board action.

II.12. Resolution Adopting Notice Procedures Pursuant to the New Mexico Open Meetings Act, Sections 10-15-1 through 10-15-4 NMSA 1978

(Approved April 29, 2024)

WHEREAS, the Board of Regents of Western New Mexico University (the “Board”) met in regular session from the Western New Mexico University (“WNMU”) campus on April 29, 2024 at 9:30 a.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, including the development of personnel policy, rules or regulations, 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:

A. Time and Place of Meetings.

1. All meetings shall be held as indicated in the meeting notice, unless the meeting is changed pursuant the provisions of the Open Meetings Act.

B. Notice to the Public Concerning Meetings

2. Regular Meetings - Unless otherwise specified, regular meetings shall be held each quarter at a WNMU campus, one in January, February or March; one in April, May, or June; one

in July, August or September; and one in October, November or December. The notice of regular meetings shall be given five (5) calendar days in advance of the meeting date by the Office of the President. The notice of regular meetings shall specify the date, time and place of the meeting and shall provide information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public, and posted on the University's website at least seventy-two (72) hours before any regular meeting.

3. 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 in the administration building (Castorena Hall), furnished to any person requesting such notice and published on the University's website. Copies of the written notice shall also be provided 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.
4. Special Meetings - Special meetings may be called by the Chair or a majority of the members of the Board upon three (3) calendar days notice. The notice shall include the date, time, and place of the special meeting and shall provide information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public, and posted on the University's website, at least seventy-two (72) hours before any special meeting.
5. For the purposes of special meetings described in paragraph 4 of this resolution, notice requirements are met if the notice of the date, time and place of the special meeting is provided by telephone to a newspaper of general circulation in Grant County, posted on the bulletin board located in the administration building (Castorena Hall), furnished to any person requesting such notice, and published on the University's website. Telephone notice shall also be given 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.
6. 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 of the Board upon twenty-four (24) hours notice, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall include the date, time, place, and agenda for the meeting or information on how the public may obtain a copy of the agenda. Within ten days of taking action on an emergency matter, the Board shall report to the state Attorney General's office the action taken and the circumstances creating the emergency; however, the requirement to report to the Attorney General is waived upon declaration of a state or national emergency.
7. For the purposes of emergency meetings described in paragraph 6 of this resolution, notice requirements are met if notice of the date, time, place and agenda of the emergency meeting is provided by telephone to a newspaper of general circulation in Grant County and posted on the bulletin board located in the administration building (Castorena Hall) and posted on the University's website. Telephone notice shall also be given 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.

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 Office of the President at 1000 W. College Avenue, Silver City, New Mexico, 575-538-6238, 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. Please contact the Office of the President at 1000 W. College Avenue, Silver City, New Mexico, 575-538-6238, if a summary or other type of accessible format is needed.

9. The Chair or a majority of a quorum of the Board may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1(H) of the Open Meetings Act.

(a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Board taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

(b) If the decision to hold a closed meeting is made when the Board is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to the general public.

(c) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure. This statement shall be approved by the public body under Section 10-15-1(G) as a part of the minutes.

(d) Where required by Section 10-15-1 (H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the Board in an open public meeting.

10. Telephonic, Virtual or Video Conference Participation in Board Meetings by Regents. One or more Regents may participate in any meeting, including regular, special or emergency meetings, by means of a conference telephone, virtual, video conference or other similar communications equipment when it is otherwise difficult or impossible for the Regent(s) to attend the meeting in person, provided each Regent participating by conference telephone, virtual, video conference or similar communications

equipment can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any Regent who speaks during the meeting.

11. The Board will review and determine, at least annually, what notice for a public meeting is reasonable.

II.13. Agenda for Meetings

The President of WNMU is responsible for preparation of a draft agenda for Board of Regents meetings. The President of WNMU, after consultation with the Board Chair and the other Regents, shall have the Office of the President produce copies of the agenda for the Regents and the President of WNMU. The Office of the President will post the agenda on the University's website and make the agenda available to those requesting it at least seventy-two (72) hours prior to a regular or special meeting of the Board.

Persons or groups that want to place an item on the agenda of a Board of Regents meeting are required to submit a letter to that effect to the Chair of the Board, through the President of WNMU, not less than ten (10) calendar days prior to a regular meeting.

In addition, the person or group shall submit the following information with the letter:

- a. the item the person or group wants to place on the agenda;
- b. a summary of the intended statement;
- c. the specific action requested from the Board of Regents;
- d. the name of the person(s) designated to speak;
- e. the approximate length of the presentation.

Final decisions to grant or deny requests by members of the public to place an item on the agenda will be rendered by the Chair of the Board, after consultation with the President of WNMU.

The Chair of the Board or any Regent may request or allow other persons present at a meeting to address the Board, both on topics already on the agenda and on topics introduced initially at the meeting or in the Regents' Information Session. However, no assurance can be given that the Board will provide any person or group such an opportunity.

The written agenda will normally be followed. Except for emergency matters, the Board shall take action only on items appearing on the agenda.

II.14. 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. Draft minutes will be prepared by the Office of the President within ten (10) working days of the meeting. Minutes will become official only after approval at the next meeting at which a quorum of the members of the Board are present.

II.15. 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 at regular meetings. 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. No assurance can be given that every person who would like to address the Board will be able to do so, given the time available. The Board will have the prerogative of responding to items presented. As to items not covered in the agenda, the Board's response will be limited to either (a) inviting the individual to submit the item for possible placement on the agenda of the next upcoming regular Board meeting, or (b) referring the person making the comment to the appropriate member of the administration who is responsible for resolution or further consideration of the issue to report back to the Regents.

II.16. Conflict of Interest Policy

(Adopted March 1, 1991; updated September 12, 2024)

No WNMU Board of Regents member shall have any direct or indirect financial interest in any contract for building or improving any of WNMU or for the furnishing of supplies or services to WNMU, except as permitted pursuant to the University Research Park Act [Chapter 21, Article 28 NMSA 1978] or unless it complies with provisions of the Governmental Conduct Act [Chapter 10, Article 16 NMSA 1978], the Procurement Code [13-1-28 to 13-1-199 NMSA 1978], and the Financial Disclosure Act [10-16A-1 to 10-16A-9].

Under the GCA and this policy, it is unlawful for a public officer to take an official act for the primary purpose of directly enhancing the employee's financial interest or financial position. Any conflict of interest or probable conflict of interest on the part of any Board of Regents member shall be disclosed to the other members of the Board of Regents and made a matter of record, either by an annual procedure or when the interest becomes a matter of Board of Regents action.

Any Board of Regents member having a conflict of interest on any matter shall not vote or use their 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 Board of Regents from briefly stating their position on the matter nor asking appropriate questions of other Board of Regents members since their knowledge may be of assistance.

All Board of Regents members must file a Financial Disclosure Statement with the New Mexico Secretary of State within 30 days of the appointment and every year in the month of January.

The complete policy can be viewed at: <https://policy.wnmu.edu/>

II.17. Board of Regents Scholarships

With funds provided by the State for this purpose, scholarships are awarded in the name of the Board of Regents in conformance with applicable law.

II.18. Formulation of Policies

(Approved December 13, 1990)

Policies may be adopted after consideration at a meeting 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 a quorum of the Board.

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

II.19. 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, when deemed appropriate by the Board, for the purpose of discussion and/or re-evaluation of University policies.

II.20. Compensation

Regents are not remunerated for their services. Each member of the Board of Regents shall be reimbursed for travel and other 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 in accordance with University policies.

Students appointed to serve as the student regent may be eligible for a student leadership scholarship or fellowship based on cost of attendance not to exceed \$5000 per semester.

II.21. Orientation of New Regents

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

CHAPTER IIIThe PresidentIII.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 and/or outside consultation services. The Board has the sole responsibility for appointing a President of the University.

Presidential Search Committee Code of Ethics

As a member of the WNMU Presidential Search Committee, I agree to protect the integrity of every prospect and candidate and of the search process. Therefore, my signature attests to my agreement to adhere to the following principles:

- I certify that I will not be a candidate for the position. Any appearance of real or potential conflict of interest between me (or any member of my family) and a prospective candidate will be disclosed promptly and completely to the Chair of the Search Committee.
- Because it is the intention of the Board of Regents to obtain broad representation and diversity in the membership of the Committee, I will place the total interests of the University as a whole ahead of all other considerations. My primary focus will be the Committee's charge to attract, review, screen and refer the best qualified candidates to meet the Board of Regents goals. I understand that the Search Committee must work together to achieve this goal and I will strive to help the group resolve differences of opinion in a constructive and professional manner.
- Only the Chair of the Search Committee, who is also the Chair of the Board of Regents, or his designee, is authorized to speak to the media or the Presidential Search Firm, Academic Search, Inc., on behalf of the Committee regarding the search.
- Specifically, I will adhere to the following code of responsibility, accuracy, confidentiality, and integrity:
 - a. I pledge to respect the absolute confidentiality of all prospective candidates. I will not reveal to anyone, the names of, or any information about, any candidate before or after the Committee completes its work. I understand that the names of finalists will be made public by the Board of Regents as required by state law.
 - b. I will avoid permitting personal interest to distort or misrepresent the facts in all written communications and/or discussions.
 - c. I will be fair and unbiased and I will guard against inaccuracies, carelessness, and distortion made through either undue emphasis or omission of information.
 - d. I will diligently review all relevant materials prior to group discussions.
 - e. I understand I serve at the pleasure of the Board of Regents.

 Name

 Date

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 their 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 Board;
9. the presentation of information to the 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 Board or the institution; and

13. re-delegating authority as deemed necessary.

III.5. Terms and Conditions of Employment

- A. 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
- B. Termination of the President for Just Cause. The following procedures shall be used in the event that a majority of the members of the Board determine that there may be reason to terminate the President for just cause. The term “just cause” shall mean a breach or violation by the President of any of the terms or provisions of this Employment Agreement, and shall also encompass its normally understood meaning in employment contracts, including as examples, dishonesty, willful misconduct, the refusal or unwillingness to perform the duties and responsibilities of the office of the President in good faith or to the best of one’s ability, insubordination, prolonged absence from duty without the consent of the Regents, any conduct that involves moral turpitude or that would tend to bring serious public disrepute upon the University or any violation of New Mexico or federal law or violation of University policy.
 1. Confidentiality. The University and the President agree that serious harm could be caused to the University by public hearings related to the termination of the President for just cause. As a result, the parties agree that any meetings or hearings regarding the President’s termination for just cause shall be held in closed sessions of the Board, and agree to maintain the confidentiality of these proceedings to the extent possible under the law. The President expressly waives any statutory right he may have to an open hearing regarding her termination for just cause.
 2. Pre-Termination Process.
 - a. If a majority of the Board believes that there may be reason to terminate the President for just cause, the Chairman of the Board shall provide written notice to the President of the bases for such termination. At his option, the Chairman may place the President on paid administrative leave immediately upon delivery of the written notice.
 - b. A closed meeting of the Board shall be held no less than seven (7) days and no more than fourteen (14) days from delivery of the written notice for the purpose of providing an opportunity for the President to respond to the bases for termination and for the Board to deliberate regarding the termination. The President may be accompanied at this meeting by a representative of the President’s choice to provide advice to the President. However, such representative may not participate in the meeting.
 - c. At the President’s option, the President may respond to the bases for termination in writing, such document to be delivered to the Chairman of the Board no later than seven (7) days from delivery of the written notice.
 - d. If, after the Board considers the President’s response to the bases for termination, the Board determines that there is no basis to terminate the President for cause, no further action need be taken by the Board, or the Board may initiate the procedure to terminate the President’s employment at the request of the Board. If the Board determines that there is a basis to terminate the President for cause, such vote of the Board must be taken

at an open, public meeting of the Board.

3. Post-Termination Process

- a. The President may appeal his termination for cause by providing written notice of appeal to the Chairman of the Board no later than ten (10) days after the vote of the Board terminating the President's employment.
- b. No more than sixty (60) days after receipt of the President's appeal, the Board shall hold a post-termination hearing in closed session. This deadline may be extended by agreement of the parties or by the Chairman of the Board if he determines that extenuating circumstances exist to require such an extension.
- c. The Chairman of the Board shall preside over the hearing. The Board shall be represented by University counsel, who shall present the bases for termination and evidence to support those bases. The President may be represented by counsel, may present and cross-examine witnesses, and may submit documents for the consideration of the Board. The Chairman shall establish procedural rules for the hearing as necessary. The Rules of Evidence shall not apply; however, the Chairman of the Board shall have the right to exclude any evidence that the Chairman determines is irrelevant or unnecessarily duplicative.
- d. At the conclusion of the hearing, the Board shall consider whether sufficient bases existed to terminate the President for cause. Such vote shall be taken at an open public meeting of the Board. If the Board determines that the termination for cause was justified, this decision shall be final and subject to no further administrative review or appeal. If the Board determines that termination of the President for cause was not justified, the University shall pay to the President the severance described in his Employment Agreement, if any.

III.6. Place in the University Organization

THE PRESIDENT REPORTS DIRECTLY TO THE REGENTS. Other individuals and groups within the University, may approach the Board of Regents officially on University business only through the President or in accordance with the procedures contained in this MANUAL. The President may reorganize the structure of the University, subject to the approval of the Board.

III.7. 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.

III.8. Evaluation of the President

(Revised May 10, 2001)

The Board of Regents may conduct an annual written evaluation of the President 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
 - c. Provide opportunities for staff professional growth
 - d. 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
 - c. 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

III.9. President's Spouse or Domestic Partner Travel

The President's Spouse or Domestic Partner plays a significant role in the life and reputation of the University. Recognizing their contribution, this policy establishes guidelines for the reimbursement of travel expenses incurred by the President's Spouse or Domestic Partner when accompanying the President on University-related trips.

POLICY:

The President's Spouse or Domestic Partner is often an important contributor to the life and reputation of the University. In that regard, it is in the interest of the University for the President's Spouse or Domestic Partner to travel with the President on some occasions.

The President's Spouse or Domestic Partner may be reimbursed for travel expenses pursuant to the University's Travel Policy for those trips authorized by the Chair of the Board or his or her designee. For the

purposes of the Travel Policy, the President's Spouse or Domestic Partner shall be considered a non-salaried public officer whose "supervisor" is the Chair of the Board, or his or her designee.

The complete policy can be viewed at: <https://policy.wnmw.edu/>.

CHAPTER IV

The Faculty

IV.1. Role

The Board of Regents fully appreciates the 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, 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 and administrators, 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 policies of the Regents.

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 applicable to the University state that the Board of Regents shall have full and complete power and control over the University, but may delegate authority or functions to others within the University, as deemed appropriate, for the efficient functioning of the University.

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. Policies regarding academic load for faculty will be developed by the Vice President of Academic Affairs, in consultation with the faculty and the President.

IV.5. Class Size Policy

(Adopted November 16, 1990; Revised 1999; July 15, 2024)

As authorized by the Board of Regents, the Academic Affairs Class Size Policy is intended to ensure that the university conducts classes of a numerical size and nature to meet the needs of the student body.

POLICY:

Consistent with this purpose, minimum class sizes will be determined by the Vice President of Academic Affairs based upon the institution’s mission, vision, strategic plan, enrollment, and budgetary resources subject to approval by the President and the Board of Regents.

IV.6. Promotion in Rank

It is the policy of the University to promote faculty members to higher academic ranks when they qualify, in accordance with policies for promotion in the Faculty Handbook.

IV.7. Tenure

Tenure is granted to faculty members in accordance with policies within the Faculty Handbook.

IV.8. 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 fulfilling their obligations to the University 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.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 they are 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.

IV.11. Retirement

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

IV.12. Western New Mexico University Incentive Retirement Plan (Adopted March 1, 1990) (Revised December 1994, 1999, 2011, 2013)

I. Policy Statement:

The Board of Regents of Western New Mexico University (“WNMU”) hereby determines that it is in the best interests of the WNMU 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 WNMU 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 WNMU.
- B. Now, therefore, the WNMU Administration is hereby authorized to publish the following as the WNMU Incentive Retirement Plan:

The voluntary WNMU Incentive Retirement Plan is a benefit program of WNMU 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. 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 WNMU.
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 WNMU Incentive Retirement Plan by submitting written request by October 15 of the academic year the faculty member intends to retire.

V. Incentive Retirement Plan:

- A. Participants will receive a financial incentive in exchange for surrender of tenure and complete 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 participant's final base pay, calculated as of the year of participant's election to participate in the WNMU Incentive Retirement Plan.

- 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 pay per year)

61	100%	4 years (25% of pay per year)
62	100%	3 years (33.33% of pay year)
63	87.5%	3 years (29.16% of pay year)
64	75%	3 years (25% of pay per year)
65	62.5%	2 years (31.25% of pay per year)
66	50%	2 years (25% of pay per year)
67	37.5%	1 payment
68	25%	1 payment
69	12.5%	2 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:

- i. Payments under the WNMU Incentive Retirement Plan for participants will either (i) be made in a lump sum within thirty days of termination, or (ii) be made in equal monthly installments for the period specified above on normal faculty paydays, beginning thirty days from the effective date of termination; however, a modified written payment schedule that conforms to Section IX.A.6 of this WNMU Incentive Retirement Plan may be negotiated between the participant and WNMU.

D. Other Benefits:

- ii. A member eligible for full ERA retirement benefits at the time they become 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.
- iii. 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 eligible for the program 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 WNMU. The amount of incentive settlement, benefits, and payment schedule can be negotiated in such cases.

VII. Delayed Participation:

- A. Circumstances may exist under which it is not possible, practical, or in the best interest of WNMU 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
i. Appointment” with a stated expiration date.
- D. In cases in which termination is delayed by WNMU, the participant will receive the percentage incentive payment which would have been applicable had there been no delay, beginning thirty days from the effective date of termination upon the terms specified in the Incentive Retirement Contract. 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 WNMU Incentive Retirement Plan shall be eligible to receive, in addition to the benefits of the program, all other applicable WNMU benefits and privileges continuing after retirement as are received by retired faculty who have not participated in the WNMU Incentive Retirement Plan.

IX. Form of Agreement:

- A. Each Incentive Retirement Plan agreement will be reduced to writing in an Incentive Retirement Contract form which shall include the following.
 - 1. Participant’s birth date.
 - 2. Number of years on “Continuous Appointment” at WNMU.
 - 3. Effective date of Incentive Retirement Contract.
 - 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 (or the terms of an objective, nondiscretionary formula for calculating the 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
 11. Contract
- B. An Incentive Retirement Contract becomes an irrevocable 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 participant. An Incentive Retirement Contract supersedes any and all rights a participant may have under the terms of his or her contract, WNMU policy or any law or regulation, including tenure rights, and each individual who enters into an Incentive Retirement Contract waives any rights not specifically retained herein and agrees to release WNMU from any and all claims or liability other than for performance of the Incentive Retirement Contract, so long as such waiver and release comply with the Older Workers Benefit Protection Act.
- C. Any amendment to an Incentive Retirement Contract shall comply with Section 409A of the Internal Revenue Code, as amended (“Section 409A”). Any agreement to accelerate or postpone payment under this WNMU Incentive Retirement Plan shall be consistent with Section 409A and the regulations promulgated thereunder.
- D. Each individual who requests incentive retirement is encouraged to seek legal counsel for consultation with regard to the Incentive Retirement Contract.
- E. Each individual who requests incentive retirement is encouraged to seek independent tax advice and shall have the opportunity to consult with his or her tax advisor. WNMU will not and does not provide any tax advice in connection with any Incentive Retirement Contract or this WNMU Incentive Retirement Plan.
- 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 Incentive Retirement Contract.
- XI. Non-coercion:
- A. No individual shall be coerced into participating in the WNMU Incentive Retirement Plan or have his or her employment terminated for the purpose of preventing him or her from becoming eligible to participate.
 - A. This Plan 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

XII. Amendment of Plan.

Nothing in this WNMU Incentive Retirement Plan shall be construed to create a property right, legitimate expectation or entitlement of any faculty member to participate in the benefits of this WNMU Incentive Retirement Plan.

The Board of Regents shall review this Plan, when the Board deems appropriate, and reserves the right to amend, modify or terminate this program at any time subject to six months notification to eligible faculty members; all such amendments shall comply with section 409A. Such action shall not affect the benefits payable to faculty members who have executed Incentive Retirement Contracts as of the effective date of such change.

IV.13. 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 or his/her designee, it is binding on both parties for the period of time indicated, unless terminated in accordance with provisions in the contract and applicable policies.

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.14. Faculty Contracts for Administrators

(Approved September 2012)

Administrators who report directly to the President or to the Provost/Vice-President for Academic Affairs are issued faculty or staff contracts, as appropriate, on initial appointment and thereafter for each fiscal or academic year. Upon initial appointment these administrators may be given tenure and rank by the President with consultation with the appropriate academic department. 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. If administrators hold faculty rank and tenure, they have retreat rights to return to the faculty if the President or the Provost/Vice-President decides not to continue them in an administrative position.

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 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 tenured position at a senior rank would be offered, following the precedent of department heads or other senior academic administrators.

Staff 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 STAFF CONTRACTS

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

b) 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.

c) Faculty Contracts for Administrators are addressed in the Faculty section of the Manual, IV.14.

IV.15. Salary Increments

Salary increments shall not be given during the existing faculty contract. When faculty complete a

terminal degree during a given contract period, the subsequent year's contract may reflect an increased salary. Salary increments may be granted after evaluation of the credits or degree earned to determine if they relate to increased competence and value to the University. Such evaluation will be made and recommendations tendered to the President.

IV.16. Leave

Several different types of leave for full-time faculty members are authorized, including: sabbatical leave, military leave, sick leave, and maternity leave.

IV.17. 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 themselves the best evaluators of how they are 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
2. 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.
3. 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 fully informed in writing about the nature and extent of any current outside professional commitments.
4. 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 stationery in connection with such work nor shall the faculty member solicit such employment through use of his or her University position.
5. 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.
6. In undertaking outside employment, the faculty member shall not make use of the University facilities or personnel.
7. 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.

8. 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.18. 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.19. 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.20. Termination of Employment

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

IV.21. 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.

CHAPTER V
Staff Employees

V.1. Definitions

The term “Staff” refers to those persons employed by the University and holding positions other than teaching and who do not have a faculty rank. For definitions of the various staff classifications, please see the Staff Handbook.

V.2. Policies applying to Staff Only

Other policies relating to staff may be found in Chapter 1 of this Manual, the WNMU Staff Handbook and in the Collective Bargaining Agreement.

The Collective Bargaining Agreement applies only to those employees in the bargaining unit. As stated in Article 5 of the Collective Bargaining Agreement (Agreement), “If any University policy, regulation or directive is in specific conflict with any provision of the Agreement, the Agreement provision will control.”

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.

V.3. Qualifications for Hiring, Promotion, and Transfer

All hiring, promotion, and transfer of staff 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.4. Staff 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 STAFF CONTRACTS

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

b. 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.

- c. Faculty Contracts for Administrators are addressed in the Faculty section of the Manual, IV.14.

V.5. Management Rights

Management and control of the University are vested in the Regents. Inevitably some of the responsibilities of the Regents must be delegated, and so is much of their authority to govern the affairs of the institution subject to overall policies which they establish. As limited by the applicable law, these policies, and other actions of the Regents, the Board recognizes and approves the authority and responsibility of the University President and Administration in all matters relating to the operation of the University, including:

- a. to hire, promote, transfer, assign, and retain employees in positions within the University;
- b. to suspend, demote, discharge, or take other disciplinary action against employees for proper cause;
- c. to lay off employees from duties because of lack of work or for other legitimate reasons;
- d. to maintain the efficiency of the operations entrusted to the administration;
- e. to determine the methods, means, and personnel by which such University operations are to be conducted; and
- f. to take whatever action may be necessary to carry out the functions and mission of the University.

For those employees who are subject to the Collective Bargaining Agreement, Article 9 of the Collective Bargaining Agreement sets forth Management Rights.

V.6. Progressive Discipline

Progressive 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 progressive discipline with an employee under his or her authority, consistent with departmental policies which may require higher level approval. Depending on the particular circumstances and/or severity of an employee's misconduct or performance, any step or steps in the progressive disciplinary process may be skipped.

V.7. 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 terminated short of the period specified without the express consent of the Board of Regents.

V.8. Grievance Procedure

Staff employees not subject to the Collective Bargaining Agreement have access to grievance procedures as described in the Staff Handbook.

Staff employees subject to the Collective Bargaining Agreement have access to the grievance procedures as described in the Collective Bargaining Agreement.

V.9. Privileges and Benefits

Various kinds of privileges and benefits available to full time staff employees are described in the Staff Handbook and in the Collective Bargaining Agreement, for those employees who are subject to the Collective Bargaining Agreement.

V.10. Sabbatical Leave for Staff

(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 evaluator 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 may obligate 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.11. Emeritus Status for Staff

WNMU (Western New Mexico University) chooses to award certain staff members with Emeritus status upon retirement, in recognition of their distinguished service.

EMERITUS STATUS ELIGIBILITY:

Recommendations for Staff Emeritus status shall be made by the department or individual and forwarded to the appropriate Vice President for approval. Once approved, the President may, at their discretion, make the recommendation for Staff Emeritus status to the Board of Regents. The qualifications to be considered for recommending individuals to Emeritus status will include, but are not limited to the following:

- Eligible to retire with the ERB (Educational Retirement Board) and twenty (20) years full-time service to WNMU.
- Significant contributions to WNMU.
- An outstanding professional record.
- The attainment of professional and personal esteem of colleagues.

BENEFITS AWARDED:

All staff retirees may continue access to their WNMU e-mail addresses and remain eligible for the Tuition Reduction Program. In addition to those benefits, Retired Emeritus Staff may continue to receive WNMU library and media services privileges, as well as staff pricing or discounts for WNMU fitness center, golf, outdoor program activities, cafeteria lunches, and athletic events. The President, at their discretion, may grant additional benefits to Retired Emeritus Staff, such as access to specific buildings or equipment.

The complete policy can be viewed at: <https://policy.wnmu.edu/>.

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. Admissions Policy

The Board of Regents is, by statute, responsible for setting and ensuring the enforcement of requirements for the admission of students to Western New Mexico University (WNMU) (See, Chapter 21 NMSA 1978). The Regents have delegated to the Faculty the authority and responsibility to review and make recommendations in this regard.

Admission requirements must be in accordance with applicable law and are not to be regarded as a contract between the student and the WNMU. WNMU reserves the right to change any provisions or requirements at any time within the student's term of attendance.

WNMU has established an Equal Education Opportunity Policy to comply with federal and state law and to confirm WNMU's commitment to providing Equal Education Opportunity to all our students, on campus or remote. The WNMU Catalog provides the current requirements for admission to WNMU for all schools and colleges and their individual programs for undergraduate and graduate students. The WNMU Catalog will be maintained by Student Affairs.

Additional requirements which govern admission to specific graduate and undergraduate programs may be obtained from the school or college 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 Catalogue.

The Associated Students have the right to draft their own Constitution for Student Government, which must be approved by the Board of Regents. 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, impose the following disciplinary measures as defined in the student Code of Conduct: censure, warning, disciplinary probation, suspension, expulsion and/or restitution. The Vice President of Student Affairs may suspend a student

without a hearing for up to five (5) days when they are convinced that the student's continued presence on campus endangers persons or property or threatens disruption of the academic process.

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

Students shall be assigned identification numbers, in compliance with applicable law.

VI.6. Access to Student Records

(Revised May 10, 2001, updated July 15, 2024)

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 and is 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.

The complete policy can be viewed at: <https://policy.wnmu.edu/>.

VI.7. Attendance at Classes

Students are normally expected to attend all meeting of classes in which they are enrolled for credit.

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.

[Back to Top](#)

[Return to Top](#)

CHAPTER VII

Instructional Programs

VII.1. 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.

The President, in consultation with the Vice-President for Academic Affairs, shall develop a policy for establishing new programs of study, consistent with any requirements imposed by the Higher Education Department and the following guidelines.

1. A Curriculum and Instruction Committee shall be formed, that will be responsible for reviewing and making recommendations concerning new programs of study.
2. The Curriculum and Instruction Committee will make its recommendations concerning new programs of study to the Vice President for Academic Affairs.
3. The Vice President for Academic Affairs will study all materials submitted and consider the recommendation of the Curriculum and Instruction Committee. The Vice President will then make a recommendation to the President regarding the program.
4. 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.
5. The President will review the recommendations from the Curriculum and Instruction Committee and the Vice President for Academic Affairs 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.

VII.2. Program Evaluation (Adopted July 10, 1992) (Revised 1994, 1999, 2011)

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 with the exception of programs in the School of Applied Technology 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.

In the School of Applied Technology, successful industry certification will serve in lieu of the criteria (a), (b), and (e). The information required for these portions of a program review is contained in the application for certification. Applied Tech will address the remaining portions of the program review as specified in the program review outline.

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. WNMU will comply with any articulation requirements adopted by the NM Higher Education Department.

[Back to Top](#)

CHAPTER VIII

Business Policies

VIII.1. Museum Copyright Policy Permission & Reproduction of Photographs of Museum Objects/Exhibits (Adopted February 12, 1993)

The WNMU Museum contains a significant collection of historical artifacts from New Mexico, including a large collection of Mimbres pottery. The President, in consultation with the Director of the Museum, shall develop a policy for protecting the copyright of the Museum's objects and exhibits, subject to the following guidelines:

1. 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.
2. 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.
3. Negatives of photographs produced by the Museum will be retained by the WNMU Museum and will be kept in the Museum's files.
4. The Museum shall reserve the right to limit the number of copies and to restrict the use of reproduction of rare or valuable items.
5. The Museum shall not grant an exclusive privilege to a user and shall reserve the right to make the image(s) available to others.

VIII.2. 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.