

**NORTHERN NEW MEXICO COLLEGE  
BOARD OF REGENTS MEETING**

**DECEMBER 7, 2018**



**NOTICE**

The Board of Regents of Northern New Mexico College will hold a regular meeting on **Friday, December 7, 2018, at 8:30AM** at the Northern New Mexico College – Espanola Campus, Espanola, New Mexico.

**FINAL AGENDA**

- I. CALL TO ORDER**
- II. APPROVAL OF AGENDA**
- III. COMMENTS FROM THE BOARD**
  - A. Welcome New Regent - Informational
  - B. HERC Update – Informational
  - C. Board of Regents Meeting Date(s) – Informational
- IV. APPROVAL OF MINUTES**
- V. STUDENT SENATE PRESIDENT REPORT**
- VI. FACULTY SENATE PRESIDENT REPORT**
- VII. PRESIDENT’S REPORT AND ANNOUNCEMENTS**
  - A. Celebrate Northern – Informational
  - B. CUP/NMICC Report – Informational
  - C. Energy Audit - Informational
- VIII. STAFF REPORTS**
  - A. Vice President for Finance & Administration
    - 1. Audit(s) Update – Informational
    - 2. Fiscal Watch Reports - Action Required
    - 3. Monthly Budget Adjustment Requests (BARs) – Action Required
    - 4. \$150.00 Course Fees – Action Required
    - 5. Tuition Rate for shared courses with Highlands/Scholarship for Northern students in shared courses – Action required
    - 6. Policies – Action Required
      - a. Subrecipient Monitoring Policy
      - b. 2000 Series Policies
  - B. Provost & Vice President for Academic Affairs
    - 1. Faculty Handbook – Action Required
- IX. DEEP DIVE**
  - A. Equity & Diversity - Informational
- X. PUBLIC INPUT**
- XI. EXECUTIVE SESSION**
  - (1) Limited personnel matters related to the hiring, promotion, demotion, dismissal, assignment, resignation, or investigation or consideration of complaints or charges against an employer;
    - a. Board of Regents Self Review
  - (2) Bargaining strategy preliminary to collective bargaining
    - a. No items
  - (3) Threatened or pending litigation subject to the attorney-client privilege in which the College may be a participant; and
    - a. No Items
  - (4) Real estate acquisition or disposal.
    - a. No Items
- XII. ADJOURNMENT**

*In accordance with the Americans with Disabilities Act (ADA), physically challenged individuals who require special accommodations should contact the President’s Office at 505-747-2140 at least one week prior to the meeting or as soon as possible.*



**MEMORANDUM**

**To:** Board of Regents,  
Northern New Mexico College

**From:** Richard J. Bailey, Jr., Ph.D.  
President

**Date:** December 7, 2018

**Re:** Board of Regents Meeting Minutes

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**Issue**

Northern New Mexico College (NNMC) provides, on a monthly basis, Board of Regents Minutes from the previous month for approval.

**Recommendation**

Staff recommends that the Board of Regents approve the attached Board of Regents Minutes for October 19 2018 as submitted or if applicable, as amended.

**NORTHERN NEW MEXICO COLLEGE  
BOARD OF REGENTS MEETING  
OCTOBER 19, 2018**

**I. CALL TO ORDER**

A Regular Meeting of the Board of Regents of northern New Mexico College was held on Friday, October 19, 2018, in the Board Room of Northern New Mexico College, Espanola Campus. Regents Present (Roll Call taken by Amy Pena, Executive Assistant to the President/Board Secretary): Kevin F. Powers, D. Chris Ortega, Damian L. Martinez, Esq. (Via Conference Call). Board President Powers stated Regent Joshua Martinez would be joining the meeting and called the meeting to order.

Northern New Mexico College Staff Present: President Richard J. Bailey, Jr., Ph.D.; Ricky Bejarano, Vice President for Finance & Administration; Vince Lithgow, Comptroller, Ivan Lopez Hurtado, Ph.D., Provost & Vice President for Academic Affairs; Chris Trujillo, IT; Carmella Sanchez, Director, Institutional Research; and Amy Pena, Executive Assistant to the President/Board Secretary.

Faculty Present: Dr. Heather Winterer, Dr. Sandra Rodriguez

Others Present: Jake Arnold; and Rio Grande Sun Reporter

**II. APPROVAL OF AGENDA**

Board President Powers asked if there were any changes to the Agenda and entertained a Motion to approve the Agenda.

**Regent Ortega moved to approve the Agenda as Presented. Second - Regent Damian Martinez. Motion passed unanimously.**

**III. COMMENTS FROM THE BOARD**

A. HERC update

Board President Powers stated there was a HERC Board Meeting two weeks ago and the Board is obviously focused on the LFC Funding Formula Study. They are planning to make an appearance before the LFC at next week's Committee Hearing in Santa Fe and hope to be able to make some comments about the study and the direction for the Higher Education Funding Formula at that time.

**IV. APPROVAL OF THE MINUTES**

Board President Powers stated there was one change to the minutes and it is reflected in the minutes in the Board packet. The original minutes had the member who made the motion to adjourn incorrect. This now reflects the correct individual's names. Board President Powers entertained a motion to approve the minutes of the September 28<sup>th</sup> Board Meeting as contained in the packet.

**Regent Damian Martinez moved to approve the minutes that were amended as contained in the Board packet. Second – Regent Ortega. Motion passed unanimously.**

## **V. STUDENT SENATE PRESIDENT REPORT**

Student Senate President Francesca Romero stated the following:

1. Seed Money for Chartering Clubs – Student Senate initially agreed on \$1,000 for chartering clubs. The closing date was October 5th to apply and there was one last person who came in to talk about their club. Considering it was the closing day and she was the last person; Student Senate carried a motion to agree to open one more spot and transfer another \$200 into the pool and there is now a total of six clubs chartered by Student Senate.
2. Gala - Student Senate will be represented at the Gala and is looking forward to it this year. A majority of Student Senate have not been to the Gala so it will be a great experience for everyone.
3. Student Life - There are a few October Events that are being sponsored and they are reviewing events for November. Student Senate will also be doing their own events. Student Senate would also like to assist Student Life as much as they can.
4. Espanola Valley Chamber of Commerce - Ms. Romero stated before she became President this semester, she wanted to have more opportunities for students and she is working with small businesses in Espanola to begin working with students who are interested in having their own small businesses. Ms. Romero is still working with Trish Padilla on this as she has a large amount of resources in Espanola, Taos and Santa Fe to work with the students on this collaboration.

Board President Powers thanked Ms. Romero for her presentation. Board President Powers stated he would like to mention for the record that Regent Joshua Martinez joined the meeting at around 8:22AM. President Bailey stated he would like to add that there is no question that the Student Senate is more vibrant and robust than it has been in a long time. This is a testament to Ms. Romero's leadership and everyone is very grateful for her leadership. President Bailey also thanked Tamara Trujillo, Richard Sedillo, the faculty and staff members who serve as mentors for the Student Senate.

## **VI. FACULTY SENATE PRESIDENT'S REPORT**

Dr. Heather Winterer, Faculty Senate President reported the following:

1. Community College - Ms. Winterer assured Faculty Senate on President Bailey's behalf there would be minimal overhead for the Community College imbedded school and there would not be a separate administration. There was no objection and people were very supportive.
2. Special Guest Report - Dean Ellen Trabka and Dr. Ken Dvorak - Ms. Trabka is heading a committee for across the College online learning and hoping to have offerings in all the programs an adequate number of offerings which we do not yet have by 2020. Dr. Dvorak is proposing the College have a Standards Committee in terms of the online programs to make sure faculty is trained, course offerings fully online with hybrid are consistent and meet with quality matters.

3. Undergraduate Curriculum Committee - The Committee has met three times since September and are trying to bring all the initiatives for requirements for undergraduate that have changed into all the programs. Many programs are bringing forward their requests. Faculty Senate voted on their requests and also to add a couple of courses in film and biology.
4. Honors Committee - No report
5. General Ed - David presented another handout on possible offerings for Humanities General Ed requirements and those were passed as well.
6. Educational Policy Committee - The Committee met on the 20th of September and they are discussing the strategic restructuring of academics. They are presenting their recommendations on October 24th to the Executive Team.
7. Academic Standards Committee - The Committee is still discussing D as a passing grade. This has been tabled for a meeting on November 3rd for the Board subcommittee as well as the Faculty Handbook.
8. Personnel Committee - The Committee with the help of the Provost has been working on the Faculty Handbook and it is now with the College lawyer. It will be discussed in a couple of weeks.
10. Tenure Committee – Dr. Ajit Hira was voted co-chair of the Tenure Committee. The Tenure Committee had no report but has two candidates coming up for tenure - Mateo Frazier and Joaquin Gallegos.

Board President Powers stated it sounds like there is a lot of important things on Faculty Senate's plate and he looks forward to hearing what comes out of the next few meetings. There are a lot of things that really will play a big part in moving the College forward and he looks forward to getting input.

Regent Ortega asked how many members are on Faculty Senate. Dr. Winterer stated on Faculty Senate there are representatives from each department and the chairs of all the committees - about 20 people all together and whoever shows up as guests.

## **VII. PRESIDENT'S REPORT AND ANNOUNCEMENTS**

### **A. Celebrate Northern**

President Bailey stated it has been a good month for the College and we have received a lot of good news:

1. Title V - This will be discussed in Deep Dive. The Department of Education has awarded Northern a Title V Grant which is worth \$2.75M over five years. Dr. Lopez and Human Resources has got the search done and a director has been selected. Dr. Lopez stated she will start Monday. It is all about Student Success and Distance Learning.

2. Department of Education - President Bailey recognized the Interim Dean of the College of Education, Dr. Sandra Rodriguez. She has been serving on the New Mexico Advisory Committee for the U.S. Commission on Civil Rights and has done important work on preventing abuse of senior citizens.
3. Media Coverage - The College has received a lot of good media coverage. President Bailey had a community member call him who he has not spoken to in over a year who said this week there were four articles about the College and all of them were positive and this person does not remember the last time that happened. This is a testament to the Sun. The Sun is going to call the College out when it does something well and when it does something not so well. It is showing there is a lot of good news here and President Bailey is proud of everyone who is making the news happen. There was coverage on Athletics for Media Day, coverage in the Silver City Press about a forest restoration grant, a lot of press about the Title V Grant, there was a story about Antonio Serrano, NNMC's biology student, 2018 Princeton University Molecular Biology winners and continuing press for the number one ranking HEP program. President Bailey would like to recognize Sandy Krolick who is the outward voice for the institution and it is wonderful the media is picking up a lot of these stories.
4. Congressman Ben Ray Lujan - Congressman Lujan was on campus on a short notice and brought in a few community members to talk about substance abuse challenges in the region and to look at childhood and family trauma as part of the problem. President Bailey invited Dr. Katherine Courtney, Santa Fe Community Foundation and Dominic Capello who are authorities of a book which focuses on Northern New Mexico and looks at childhood and family trauma as not just a symptom but as a factor and maybe the most important factor in some of our social and economic challenges in the region. The discussion finished and announcement was made for the idea of a center for the study of and prevention of childhood trauma. They want to anchor it at the College. The Congressman asked that something be put together to fund it.
5. Outreach - The College has a good outreach with the Chamber of Commerce. President Bailey wanted to thank Victor Romero who is the new director. The College is looking at an agreement with the chamber so that businesses would give students discounts for using businesses. In turn, they would be called friends of the College and a list would be given to students, faculty and staff.

#### B. CUP/NMICC Report

President Bailey stated CUP and NMICC are looking at preparation for the upcoming 60-day legislative session. They do not yet have a formalized request. They are requesting new money for Higher Education that fills the void that was taken out over the last three years out of Higher Education. Higher Education had more of that shortfall in state funding than any other agency and they are also asking for increased compensation for faculty and staff. This will be on the CUP and NMICC side.

## VIII. STAFF REPORTS

### A. Vice President for Finance & Administration

#### 1. Audit(s) Update

Ricky Bejarano, Vice President for Finance & Administration stated in terms of audit update, the College is moving along well as least for the extended deadline which is December 3rd. The College has a consultant, Sara Specht who worked for REDW who was conducting the audit last year and is now with Carr, Riggs & Ingram and is helping the College. Her primary focus has been the Foundation and the College is hopeful there will be another cleanup of the Foundation. She is going back two years to do extensive cleanup on the accounting and she is doing an incredible job. The College started with the Foundation as far as her work because it is an easier pull and the cleanup is substantial but not as insurmountable as some other areas. The College may be looking at least at a modified opinion. This is not guaranteed but it is moving forward. With regard to the College, they have pulled a lot of samples and they are moving along quite well. Along the lines of audit, Cheryl James is now moving from the academic side as the compliance officer to the financial side which is really where it should live. The reason it was placed on the academic side because there was not enough segregation and now there is a Comptroller in place and other pieces of the chessboard have been move around.

President Bailey wanted to commend Ricky Bejarano Vincent Lithgow, Sara Specht and Evette Abeyta who are making so many strides. President Bailey wanted to make it clear to the Board of Regents, Staff, Faculty and community members that there is still a long way to go. The College is expecting the audit to come out in early December. It will show the tremendous progress that the staff has made and it will also show that the College is still digging out and it still has a good year or more ahead. Board President Powers stated we also need to keep in mind the measurement. This audit is measuring progress the College made up to June 30, 2018. The College made a lot more progress since June 30, 2018 and is continuing to make progress and hopefully when the College sees the measurement at June 30, 2019, the College will really see the big difference. It really gives Board President Powers a sense of accomplishment to see what has been done. The Audit/Finance/Facilities Committee Meetings are getting more information, better information and it shows. It has to start to show at those levels before it is going to show at the big audit level and the College sees the signs of it. Good things are happening.

#### 2. Fiscal Watch Reports

Ricky Bejarano asked Vince Lithgow, Comptroller to present the Fiscal Watch Reports. Mr. Lithgow stated on page 22, the Statement of Net Position starting out with cash at \$3.3M. There have been some minor adjustments from August to September in receivables. The majority going down is where the bonds are unrestricted fund balance of about \$1.65M and it has dropped \$200,000 since last month and it is to be expected. There was a question about the net pension liability by Regent Ortega and what was explained is that it was an outcome as state and local government have to record their share of the pension liability for the future and that is the funded part based on the actuals from the Educational Retirement Board.

Mr. Lithgow stated on the Summary of Expenditures is the original budget, adjusted modified budget and where we are at. On the top part for the operating, the College collected about 32% of revenues which is a little bit ahead of what the College should be. Expenditures are at 26% of budget and that is right on track and the College continues to be prudent about expenditures and



obtaining the best price for the College. There is a little activity in the capital funds as the Center for Fine Art is having work done. Page 24 is a comparison of where the College was at last year as opposed to this year. The major difference in revenues is salary and compensation increase. Because of the 50% rule on elections, basically what that means is agencies such as the College can only expend or have committed only 50% of their budget at mid-year. The College was awarded \$144,000 and DFA has only given the College half of that. Lastly, there is a statement of cash flows and that is basically what is coming in and going out and our biggest receipts are from fees and grants and biggest outflows are to employees and vendors.

Regent Ortega asked if the payments to suppliers includes the work that is being done. Mr. Lithgow stated it includes everything. Regent Ortega stated there is a lot of rehabilitation of infrastructure going on so that is where it is going. Board President Powers asked if there were any additional questions on the Fiscal Watch Report and entertained a motion to approve the Fiscal Watch Report for September, 2018.

**Regent Ortega moved to approve the Fiscal Watch Report for September, 2018. Second - Regent Joshua Martinez. Motion passed unanimously.**

### 3. Monthly Budget Adjustment Requests (BARs)

Mr. Lithgow stated the BARs are for September and early October there are a total of 7 BARs, both increases and small decreases. The total BARs year to date is 32.

Board President Powers stated the Audit/Finance/Facilities Committee reviewed the BARs in detail in their meeting and 32 BARs for the first quarter is good as compared to previous years. This is an indication of how much better the budgeting process has become at the College. Board President Powers entertained a motion to approve the BARs.

**Regent Joshua Martinez moved to approve the BARs as presented. Second - Regent Ortega. Motion passed unanimously.**

## B. Provost & Vice president for Academic Affairs

### 1. HLC Assurance Review

Dr. Lopez stated this item is just an update of where the College is in terms of the Assurance Report. NNMC had the last Higher Learning Commission visit where the accreditation was reconfirmed. At that point the College became an open pathway which is a very different pathway from AQIP. The accreditation is in a ten-year cycle. However, in ten years so many things can go wrong but the HLC makes sure this does not happen as there are midpoint checks. The assurance report will be due in year four which will be the summer of 2020. This is almost the same process as the comprehensive evaluation except you do not have a visit but you submit your electronic report and because of that, this step is actually harder. When you have the people here you can ask questions. With this report you have to be comprehensive and as an institution to address this, the College has been working and will be working on this report. From the institution, the HLC requires by summer 2020 (June 29, 2020), the College has to submit its assurance argument and the APEDS file. The peer review is going to happen and it is very important for the College to understand that his process like every process that the HLC has, this is not our liaison reviewing the report. They have peer reviewers from across the country and they are the ones that are going to review everything about the College and they are going to make a decision. At this

point there could be action, this could trigger interim reports, this could trigger a visit, depending on what they see. In this document, what the College needs to show is how the institution is meeting the five criteria. The accreditation is based on five criteria which they each have core components and there are 21 of these core components. In order to be an accredited institution without being on probation, the College has to meet the 21 core components. Dr. Lopez reviewed the document (attached) which was reviewed with the Academic/Student Affairs Committee and it was decided a that meeting to recommend for the January Board of Regents meeting that this be the Deep Dive Item - Accreditation. At this point, Dr. Lopez wanted to discuss some important points.

Dr. Lopez stated the area where the College needs to pay attention for the assurance report is the criteria is in the document and it starts with Mission. The highlighted documents (attached) are where the HLC cites the most and in the last report the College was not cited in any one of those it was cited in different areas. Whatever is seen in green (attached) are the core components the College met but met with concern and these are the areas the College need to pay attention to. However, because of the embezzlement, this time it is going to be different. Criterion 2, this one may have more scrutiny and it has to do with the integrity of the institution. This is something that did not trigger anything two years ago but because of the embezzlement and letters from the Department of Education, they are going to be paying close attention to this criterion. The other ones in green (attached) are the ones that the College had to report last year at this time - the institution has the faculty and staff needed for effective high-quality programs of student services. In the last report the College had to report on program to faculty ratio. It is a mandate that every program has at least one full time faculty member associated with a program. The College has been able to allocate new funding in the last budget cycle to hire more faculty and it is important that the College not offer any new programs without the faculty members associated.

Dr. Lopez stated the other one was regulated to co-curricular programs. It was not the lack of programs but the reason it had concerns was because the College did not have good documentation and assessment. The College has made tremendous progress on this area. At this point Dr. Lopez showed the Board of Regents a video regarding items for accreditation that relates to the Board of Regents.

Regent Damian Martinez asked who was speaking. Board President Powers stated it is the video. Regent Damian Martinez stated he would bring it up on his computer.

Dr. Lopez stated he would like to thank Carmella Sanchez, IR Director and Accreditation Officer and she is making sure the College is on track and ready to deliver to the HLC. Ms. Sanchez has put together the Committee who is working on the report and has designated those responsible for each item. The Committee has faculty and staff who are experts in the area. Finally, there is a timeline on how the College will be developing the report. From now to summer 2020 Dr. Lopez will provide the Board of Regents reports of where the College is on the report. This is equivalent to an audit but it is a third party and the College depends as an institution to do it right and do the best it can to pass the report. Dr. Lopez asked if there were any questions from the Board of Regents.

Regent Damian Martinez stated now that the Board of Regents is doing Deep Dives that it be done on these subjects sooner rather than later, on how the accreditation program works. Board President Powers stated President Bailey stated it is tentatively on the schedule for the January meeting as a Deep Dive.

Regent Damian Martinez stated the other thing he talked about was within that Deep Dive, one of the aspects in the report deals with how we as a Board work and as he told Dr. Lopez the Board of Regents cannot expect our people to follow the rules and do what needs to be done if the Board of Regents does not get some of the training that is required by them. Regent Damian Martinez does not know how many times he has asked for training for the entire Board of Regents and he does not recall that ever happening on hostile work environment and those basic things that everybody including the Board of Regents should know about and maybe this could be included in the Deep Dive. Board President Powers stated this is a good suggestion.

President Bailey stated he appreciates Regent Damian Martinez comment and this is something the College needs to put on the front burner and making sure we have training. One of the things Dr. Lopez brought out was training for Board Members and we did have a training with AGB recently and the College will approach them to see if we can get some guides and training materials for them specifically for the Board. The other thing the College is doing is to look at the College's policies and the College is going to form a committee that determines who the plank holder is for each policy so they have the substantive knowledge and will be responsible for initial review to expedite the policy review. The bottom line is there are policies that are ten years old or older and the College has made so many improvements in the last couple of years in terms of processes and the College needs to make sure the policies reflect those improvements and President Bailey will help the institution put us on a long-term path. Finally, President Bailey wanted to direct the Board of Regents to page 44 of the packet and there are a lot of people on the list who are volunteers who are really signing up to help and it is a big deal and President Bailey would like to commend them on the work they are doing and will be doing.

**The Board of Regents recessed at 9:40AM and returned to session at 9:50AM.**

#### **IX. DEEP DIVE**

Board President Powers stated Regent Damian Martinez is still on conference call and everyone is back so the Board Meeting will resume with the Deep Dive. Dr. Lopez reviewed his presentation (page 55 of packet attached). The big news to discuss this month is the Title V US Department of Education Grant. It is called Title V because it is a competition but from now on it will be referred to as the projects name Connecting Academics with Students Success and Achievement (CASSA). Dr. Lopez will describe what this will allow the College to do for the next five years. The grant proposal was a response to the competitive priority to an articulation agreement. Last year there were two competitive priorities, one was on teacher education programs and the other was in articulation agreements and this is the one the College chose to focus on last year. This program is going to allow the College to increase the number of transfer students from community colleges to Northern. This is the most important piece of this grant. It is also going to allow the College to do several other things. The primary goals of the grant are:

1. Expand Hispanic and low-income college outreach
2. Improve the rate of Hispanic and low-income two-year transfer enrollment. This is the key, we want to see more people complete an Associate Degree in the New Mexico colleges and come to Northern for a Bachelor Program.

3. There is an element that has to do much more with the students already at Northern. We need to improve the retention rates from the first year to the third year. Right now, as any other institution in the nation and probably in the world, the highest attrition happened in the first year. If the College sold year one and year two, graduation rates will grow tremendously because that is where the College is losing most of its students. Today, in the overall of first time any college students, the College's retention rates from fall to fall is 58%. The problem is retention has a compounding effect just as interest rates, if you take .6 and multiply it by another .6 in two years you only have only .36. This is why after six years you are only graduating 90 students. The College needs to do better, it needs to fix first year and this Grant is going to give the College funding to address that issue.
4. If you fix three you will fix four, that is to improve graduation rates.

Besides these goals the College has more specific objectives with the specific objectives with specific targets. One of them that is really important is objective number three. This is telling the College in five years, shame on us if we do not have 275 or more transfers and that is based on today's baseline. The College needs to have 275 more transfers. The other important goal is objective number five where it is seen that the College plans to move the 60% retention rate to 80% and that is a 33% increase in retention rates. Ultimately, objective six, the College wants to take the current graduation rate that is at 22%, the College wants to go to 36, 6-year graduation rate.

Dr. Lopez asked if the Board of Regents had any questions on the main objective of the Grant before continuing.

Board President Powers stated he has one question, he noticed that the College is targeting Santa Fe high schools. If the College is successful in attracting some Santa Fe students, what is the College doing or can it do to help accommodate them since the College does not have dorms so they would have to be commuters to here or does the College offer more classes in Santa Fe. Dr. Lopez stated that is exactly the idea. The College wants to increase the capacity of Northern at the Higher Education Center (HEC). The College knows the Santa Fe students are not going to come to the College if they have an option in Santa Fe with UNM or Highlands, the College really needs to increase its capacity. So far, the College has one classroom and one office but does not have personnel. On a rotating basis, the College has Sara McCormick, the College Recruiter working there. The second way to achieve that goal is through distance education. This Grant is going to allow the College to increase its capacity on online courses. When Dr. Winterer was discussing some of the committees, the College now has a committee reviewing the quality of our online delivery. The College needs to make sure the courses are high quality.

Dr. Lopez stated the next item is what the Department of Education calls the Logic Model. The first column inputs are things the Grant is going to fund. The College is going to have a Director who is joining the College in three days. This Grant is going to allow the College to hire someone for Degree Works. This is a position that the College currently does not have. Degree Works is a software that allows the College to provide a very coordinated user-friendly advisement for students. A student goes online and they can see exactly where they are in their program. It allows students to run "what if" scenarios for their degrees and program. Dr. Lopez stated in one month the College is going to be launch an app and, on their phones, students will be able to see where they are in the program. This is going to allow the College to be much more strategic with advisement. Since this is a software, it is actually going to provide information to Deans and Chairs to be much more strategic on how the courses are scheduled. The College will also have an instructional designer who will train faculty to make sure the courses are quality, online

courses. Teaching online is a completely different pedagogy to keep students engaged is harder. This Grant is also going to allow the College to hire a Mental Health Counselor. Through the President we have partnered with El Centro/La Familia who is for free going to provide the College a half time counselor and this Grant will allow the College to offer the other half time counselor.

Dr. Lopez stated there are outputs that will have to be reported to the feds each year. Examples are how many articulation agreements does the College have, were they increased. Has the College been able to articulate the Bachelor Programs with more Community Colleges in the State of New Mexico. Has the College generated the transfer plans for each one of the degrees for those students? How many courses are offered in Santa Fe? These are the type of outputs that we are going to be measured for accountability purposes.

Dr. Lopez stated the other things the Grant will allow the College to fund are:

1. Professional Development for Faculty
2. Peer Mentors
3. A Team of Peer Led Team Learners - These are students who are going to become imbedded tutors in those courses where the College has its highest attrition. Students will be paid for this.
4. Peer Advisors for tutors in areas where the College does not offer today. The College has a Writing and Math Centers but if a student's needs help in other courses we do not have it. There are office hours but students do not take advantage of it. What the College has seen is the students feel better approaching other students for help and that is why it is built.
5. Student Ambassadors
6. Building of Infrastructure for Distance Education

This is in general what the Grant is going to be funding. Dr. Lopez reviewed the Budget Narrative for the Grant:

1. Principal Investigator - Provost
2. Project Director - reports to the Provost

At the end of the budget there is \$550,000 per year and this is a \$2.7M Grant over five years. There is going to be plenty of professional development for Faculty. It is really important that instructors get state of the art professional development in terms of pedagogy with minority students and with non-traditional students. Working with students who have family who are in a circle of poverty is a very different challenge compared to institutions who have very high standards in terms of admissions. The College needs to make sure the instructors have the tools to respond. The College has to be a College that is student ready rather than expecting the students to be college ready. This is not the people we serve and the College has to be better than this. In years past because of the

limited budget, professional development has not been an item in the budget and thanks to this Grant. the College will have good money to start developing faculty again.

President Bailey stated he would like to articulate a strategy here and provide a big picture. When the College first started talking about this, the College looked at the distance education and nursing is perfect example of this, for nurses who want to explore a Bachelor's Degree and those are working nurses and working nurses have crazy schedules so having a brick and mortar Bachelor's Degree program is challenging and this is one of the areas where distance learning can make a difference in the College. The lion's share really has to do with student success, services and support and the College faces a challenge in that at the College 75% of incoming students require some kind of developmental coursework. This Grant is about the College innovating in ways that create a much more robust support network and support services for students. This is not an end all cure all. This alone will not do it and that is why we have to, when looking at student retention. we look at student graduation rates part of it has to do with the support they are getting. counseling and quality of instruction. What also matters are things like basic needs, food, housing, mental health. child care, etc. This is why the College is really looking at a 360-degree view for things that can help students succeed. It is why the College is making conscious efforts of mental health. a food pantry, a clothing closet. etc. and the more the College does this, the more the numbers are going to climb and the College will see more student success. The CASA project really is a part of a much broader holistic attempt to do everything the College can to help our students.

Board President Powers asked for comments from the Board of Regents. Board President Powers stated he has a question for Regent Joshua Martinez, as a student, what does he think of this? Regent Joshua Martinez stated from a student prospective this is a really good idea because there are a lot of students out there struggling for day to day needs and that is why a lot of them drop off the mountain for a while and then come back a couple of years later. Having a food pantry or a donation for clothes would be very beneficial for students.

President Bailey stated the other thing the College is exploring right now and the College has just become a partner in a limited liability company for a project call Upstart and what is being done is looking on how the College streamlines access for students for more Federal and State funding. Right now, students apply through the Financial Aid Office and complete the FAFSA form but especially for a lot of our low-income students a lot of students qualify for other aid but the bureaucracy tied to all of those funding sources are so complicated that many students do not have the time and energy to take advantage of those. Upstart is looking at how the College streamlines the processes so when a student goes to Financial Aid and fills out the FAFSA it automatically populates the requests for the other funding sources and the College is working with a fiscal partner. It could be revolutionary for all low income in New Mexico and the rest of the country. President Bailey will have more information in coming months on this.

Regent Damian Martinez asked if the College was a partner in an LLC. President Bailey stated the idea is that if the beta test works on this program the College is looking on how this would be marketed to other institutions where the revenues from this would go to pay for scholarships for students. Regent Damian Martinez stated his question is more, LLCs have members, is the College going to be part of that LLC? President Bailey stated the College is working on this with legal right now, it is not all articulated because the College does not know if it can actually be a member of that. What the College needs to make sure of, right now President Bailey is a founding member of it but he does not want to be personally, he does not want it to be set up in a way so he personally benefits from it, he wants the institution to benefit not the President. The College is working on how to articulate this. Regent Damian Martinez asked which one of the law firms is looking at

this. President Bailey stated is an independent right now, it has not gone through legal review yet. Regent Damian Martinez stated he is not sure the College, the way it is set up legally can become a member of an LLC under State law. President Bailey stated the College is looking at that and the Foundation as well and it may not even be possible. President Bailey will make sure the Board of Regents is involved in the legal review.

Board President Powers asked if there are any further questions.

Dr. Lopez stated in this big picture there are short term initiatives that are going to happen in the next six months. By next month, the College is going to be applying for another Upward Bound Grant. a \$1.2M Grant for five years and the focus of the Grant is student services. In March the College will be applying for two Title V Grants which are the same size as this. One is going to be a collaborative grant with UNM Taos and UNM LA, the other is an individual Grant just like this one. The College want to go back to 2008 and 2009 when the College was bringing in \$6M in Grants and to exceed that goal. The College needs the money to offer these services. These are some of the intentions happening over the next six months.

**X     PUBLIC INPUT**

None.

**X.     ADJOURNMENT**

Prior to Adjournment, Board President Powers would like to mention that this is the second Board of Regents Meeting where there has been no Executive Session and this is a recent historical record. That is probably another indicator of the progress the College is making of not having to go into Executive Session to talk about the things the Board of Regents talks about in Executive Session.

**Regent Ortega moved to adjourn. Second – Regent Joshua Martinez. Motion passed unanimously. The Board of Regents adjourned at 10:20AM.**

APPROVED:

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Kevin F. Powers, Board President

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D. Chris Ortega, Vice President

# NORTHERN New Mexico College



## MEMORANDUM

**To:** Board of Regents  
Northern New Mexico College

**From:** Ricky Bejarano, CPA, CGMA  
Vice President for Administration & Finance

**Date:** December 7, 2018

**Re:** Fiscal Watch Report

*Ricky Bejarano*  
12/7/2018

### Issue

On a monthly basis, Northern New Mexico College (NNMC) provides an institutional financial report for Board of Regent (BOR) review and approval.

### Overview

The NNMC Finance Department, on a monthly basis, prepares a Fiscal Watch Report for review and discussion at the monthly Audit, Finance and Facilities Committee (AF&F) meeting. The financial report provides an overview of the institution's financial condition for all unrestricted and restricted operational funds and grants throughout the College.

The fiscal watch reports are presented in the format prescribed by the New Mexico Higher Education Department (NMHED) and titles at the top of the page are highlighted in turquoise. An additional fiscal watch report with titles highlighted in yellow is also included to provide an undated budget status report for all Budget Adjustment Requests processed through the time of the monthly AF&F meeting.

In addition, the BOR is also provided individual reports for the following financial areas summarized in the monthly institution-wide fiscal watch report:

- Unrestricted funds (11)
- Auxiliary Programs (12)
- Institutional Grants (41)
- Student Aid (42)
- Plant Funds (91)
- Capital Projects (92)

Although the NMHED requires all higher education institutions to submit fiscal watch reports on a quarterly basis, NNMC produces fiscal watch reports on a monthly basis to insure that the BOR is regularly informed about the current financial condition of the institution.

### Recommendation

Staff recommends that the Board of Regents approve the Fiscal Watch Report for the period ending October 31, 2018.



# Northern New Mexico College

## Statement of Net Position

(Unaudited and Unadjusted)

October 31, 2018

<b>Assets</b>	
Current Assets:	
Cash and Cash Equivalents	4,011,890
Short-Term Investments	-
AR - Student	235,220
AR - Other than student	220,403
Inventories	238,418
Prepaid Expenses	6,962
Loans Receivable, net	543,210
Total Current Assets	<u>5,256,103</u>
Non-Current Assets	
Restricted Cash and Cash Equivalents	-
Restricted Short Term Investments	-
Investments Held by Others	-
Other Long-Term Investments	-
Prepaid Expenses	-
Capital Assets, net	32,640,691
Total Non-Current Assets	<u>32,640,691</u>
<b>Total Assets</b>	<b><u>37,896,794</u></b>
<b>Deferred Outflows of Resources</b>	
Pension Related (6/30/18 balances)	10,400,615
<b>Total Deferred Outflows of Resources</b>	<b><u>10,400,615</u></b>
<b>Liabilities</b>	
Current Liabilities	
Accounts Payable	3,612
Other Accrued Liabilities	497,536
Deferred Income	6,259
LT Liabilities - Current Portion	-
Total Current Liabilities	<u>507,408</u>
Non-Current Liabilities	
Accrued Interest Payable	-
Accrued Benefit Reserves	-
Other LT Liabilities	136,900
OPED Liability	7,815,776
Net Pension Liability	30,865,435
Total Non-Current Liabilities	<u>38,818,111</u>
<b>Total Liabilities</b>	<b><u>39,325,519</u></b>
<b>Deferred Inflows of Resources</b>	
Pension Related (6/30/17 balances)	2,523,457
<b>Total Deferred Inflows of Resources</b>	<b><u>2,523,457</u></b>
<b>Net Position</b>	
Invested in Capital Assets, net of Related Debt	32,640,691
Restricted for:	
Nonexpendable:	
Endowments	-
Expendable:	
General Activities	(57,123)
Federal Student Loans	-
Term Endowments	-
Capital Projects	-
Debt Service	-
Related Entity Activities	-
Unrestricted	
Unrestricted without NFP	1,429,116
Net Fiduciary Position	(21,789,852)
Total Unrestricted (includes 6/30/17 NFP)	<u>(20,360,736)</u>
<b>Total Net Position</b>	<b><u>12,222,832</u></b>

**Northern New Mexico College**  
**Summary of Operating and Plant Funds**  
**(Unadjusted and Unaudited)**  
**Fiscal Year 2019**

Operating Funds	FY 2019 Original Budget	FY 2019 Adjusted Budget	FY 2019 Actuals as of October 31, 2018	Percentage Earned/Spent
<b>REVENUES</b>				
Tuition & Misc Fees	\$ 3,732,074	\$ 3,807,748	\$ 2,083,921	54.7%
Federal Appropriations	-	-	-	-
State Appropriations	10,739,000	10,739,000	3,603,500	33.6%
Local Appropriations	-	-	-	-
Gifts, Grants & Contracts	6,906,223	8,356,043	2,868,678	34.3%
Endowment/Land & Perm Inc	163,525	163,525	131,595	80.5%
Sales & Services	706,716	728,094	240,232	33.0%
Other	160,789	160,789	112,722	70.1%
<b>Total Revenue</b>	<b>22,408,327</b>	<b>23,955,199</b>	<b>9,040,648</b>	<b>37.7%</b>
<b>BEGINNING BALANCE</b>	<b>1,706,327</b>	<b>1,706,327</b>	<b>1,791,221</b>	<b>104.98%</b>
<b>TOTAL AVAILABLE</b>	<b>24,114,654</b>	<b>25,661,526</b>	<b>10,831,869</b>	<b>42.2%</b>
<b>EXPENDITURES</b>				
Instruction & General	16,291,603	16,392,299	4,665,896	28.5%
Student Social & Cultural	87,865	91,334	23,375	25.6%
Research	-	-	-	-
Public Service	591,110	591,110	134,088	22.7%
Internal Services	169,739	169,739	56,580	33.3%
Student Aid	4,554,146	4,846,400	2,298,932	47.4%
Auxiliary Enterprises	823,869	823,869	300,173	36.4%
Intercollegiate Athletics	506,025	506,025	157,054	31.0%
Independent Operations (NMDA)	-	-	-	-
<b>Total Expenditures</b>	<b>23,024,357</b>	<b>23,420,776</b>	<b>7,636,099</b>	<b>32.6%</b>
<b>NET TRANSFERS OUT / (IN)</b>	<b>230,000</b>	<b>230,000</b>	<b>42,527</b>	<b>18.5%</b>
<b>TOTAL EXPENDITURES &amp; TRANSFERS</b>	<b>23,254,357</b>	<b>23,650,776</b>	<b>7,678,626</b>	<b>32.5%</b>
<b>ENDING FUND BALANCE</b>	<b>\$ 860,297</b>	<b>\$ 2,010,750</b>	<b>\$ 3,153,243</b>	

Plant Funds	FY 2019 Original Budget	FY 2019 Adjusted Budget	FY 2019 Actuals as of October 31, 2018	Percentage Earned/Spent
<b>REVENUES AND TRANSFERS</b>				
Required Student Fees	-	-	-	-
Bond Proceeds	-	-	-	-
Gifts, Grants and Contracts	-	-	-	-
Interest Income	-	-	-	-
State Appropriation	\$ 1,050,679	\$ 1,050,679	\$ -	0.0%
Debt Service Transfers	-	-	-	-
Other	-	-	-	-
<b>Total Revenues and Transfers</b>	<b>1,050,679</b>	<b>1,050,679</b>	<b>-</b>	<b>0.0%</b>
<b>BEGINNING BALANCE</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL AVAILABLE</b>	<b>1,050,679</b>	<b>1,050,679</b>	<b>-</b>	<b>0.0%</b>
<b>EXPENDITURES</b>				
Capital Projects	1,050,679	1,050,679	2,904	0.3%
Building Renewal	230,000	230,000	45,731	19.9%
Internal Service Renewal/Replacement	-	-	-	-
Auxiliary Renewal/Replacement	-	-	-	-
Debt Retirement	-	-	-	-
<b>Total Expenditures</b>	<b>1,280,679</b>	<b>1,280,679</b>	<b>48,636</b>	<b>3.8%</b>
<b>NET TRANSFERS OUT / (IN)</b>	<b>(230,000)</b>	<b>(230,000)</b>	<b>-</b>	<b>0.0%</b>
<b>TOTAL EXPENDITURES &amp; TRANSFERS</b>	<b>1,050,679</b>	<b>1,050,679</b>	<b>48,636</b>	<b>4.6%</b>
<b>ENDING FUND BALANCE</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (48,636)</b>	

**Northern New Mexico College**  
**Comparison of Operating and Plant Funds**  
**(Unadjusted and Unaudited)**  
**Fiscal Year's 2019 and 2018**

Operating Funds	FY 2019 Actuals as of October 31, 2018	FY 2018 Actuals as of October 31, 2017	Percentage Increase (Decrease)
<b>REVENUES</b>			
Tuition & Misc Fees	\$ 2,083,921	\$ 1,953,208	6.7%
Federal Appropriations	-	-	
State Appropriations	3,603,500	3,806,872	-5.3%
Local Appropriations	-	-	
Gifts, Grants & Contracts	2,868,678	3,252,593	-11.8%
Endowment/Land & Perm Inc	131,595	42,390	210.4%
Sales & Services	240,232	294,107	-18.3%
Other	112,722	71,281	58.1%
Total Revenue	9,040,648	9,420,451	-4.0%
BEGINNING BALANCE	1,791,221	1,566,854	14.3%
TOTAL AVAILABLE	10,831,869	10,987,305	-1.4%
<b>EXPENDITURES</b>			
Instruction & General	4,665,896	5,228,138	-10.8%
Student Social & Cultural	23,375	30,554	-23.5%
Research	-	1,290	-100.0%
Public Service	134,088	131,779	1.8%
Internal Services	56,580	1,141	4858.8%
Student Aid	2,298,932	1,962,869	17.1%
Auxiliary Enterprises	300,173	319,245	-6.0%
Intercollegiate Athletics	157,054	245,970	-36.1%
Independent Operations (NMDA)	-	-	
Total Expenditures	7,636,099	7,920,986	-3.6%
NET TRANSFERS OUT / (IN)	42,527	-	
TOTAL EXPENDITURES & TRANSFERS	7,678,626	7,920,986	-3.1%
ENDING FUND BALANCE	\$ 3,153,243	\$ 3,066,319	2.8%

Plant Funds	FY 2019 Actuals as of October 31, 2018	FY 2018 Actuals as of October 31, 2017	Percentage Increase (Decrease)
<b>REVENUES AND TRANSFERS</b>			
Required Student Fees	\$ -	\$ -	0.0%
Bond Proceeds	-	-	0.0%
Gifts, Grants and Contracts	-	-	0.0%
Interest Income	-	-	0.0%
State Appropriation	-	642,000	-100.0%
Debt Service Transfers	-	-	0.0%
Other	-	-	0.0%
Total Revenues and Transfers	-	642,000	-100.0%
BEGINNING BALANCE	-	-	
TOTAL AVAILABLE	-	642,000	-100.0%
<b>EXPENDITURES</b>			
Capital Projects	2,904	642,000	-99.5%
Building Renewal	45,731	29,687	54.0%
Internal Service Renewal/Replacement	-	-	0.0%
Auxiliary Renewal/Replacement	-	-	0.0%
Debt Retirement	-	-	0.0%
Total Expenditures	48,636	671,687	-92.8%
NET TRANSFERS OUT / (IN)	-	-	
TOTAL EXPENDITURES AND TRANSFERS	48,636	671,687	-92.8%
ENDING FUND BALANCE	\$ (48,636)	\$ (29,687)	63.8%

Some revenues are reported on a seasonal basis or by semester and therefore may affect the Increase/(Decrease) to Fund Balance

# Northern New Mexico College

## Statement of Cash Flows

(Unaudited and Unadjusted)

October 31, 2018

Cash Flows from Operating Activities	
Receipts from student tuition and fees	\$ 1,848,701
Receipts from grants and contracts	2,648,275
Other receipts	-
Payments to or on behalf of employees	(2,232,926)
Payment to suppliers for goods and services	(3,598,640)
Receipts from Sales and Services	240,232
Payments for scholarships	(532,789)
Other Operating Revenue	112,722
Net cash (used) by operating activities	<u>(1,514,426)</u>
Cash Flows from Non-Capital Financing Activities	
State Appropriations	3,603,500
Gifts for other than Capital Purposes	-
Private Gifts for Endowment	-
Other Non-operating Expense	-
Net Cash provided (used) for non-capital financing activities	<u>3,603,500</u>
Cash Flows from Capital and Related Financing Activities	
Proceeds from Capital Debt	-
Capital Gifts, Grants and contracts	-
Purchase/Construction/Renovation of Capital Assets	-
Principal Received/Paid on Capital Debt and Leases	-
Interest and Fees Paid on Capital Debt and Leases	-
Building Fees Received from Students	-
Net Cash provided (used) for capital financing activities	<u>-</u>
Cash Flows from Investing Activities	
Investment Earnings	131,595
Net Cash provided by Investing Activities	<u>131,595</u>
Increase (Decrease) in Cash and Cash Equivalents	2,220,669
Cash and Cash Equivalents- beginning of year	1,791,221
Cash and Cash Equivalents- end of reporting period	<u>\$ 4,011,890</u>

# NORTHERN New Mexico College

## MEMORANDUM



**To:** Board of Regents,  
Northern New Mexico College

**From:** Ricky Bejarano, Vice President for Finance & Administration

**Date:** December 7, 2018

**Re:** Monthly Budget Adjustment Requests

*Ricky Bejarano*  
12/7/2018

### Issue

On a monthly basis, Northern New Mexico College (NNMC) provides all Budget Adjustment Requests (BARs) for review and approval by the Board of Regents (BOR). Included in the packet are BARs for FY19 for the months of October and November, 2018.

### Overview

NNMC prepares BARs on an ongoing basis to ensure the transparent management and expenditure of all restricted and unrestricted financial resources of the college follow statutory requirements, state procurement and internal budgetary guidelines. In addition to the actual BARs and supporting line item budget information, the NNMC Finance Department, also provides a year-to-date listing of all BARs processed by the institution in the normal course of business. The various types of budget adjustments presented to the BOR for review and approval include:

- Initial Budgets (0 restricted, 0 unrestricted)
- Budget Increases (4 restricted, 2 unrestricted)
- Budget Decreases (1 restricted, 1 unrestricted)
- Budget Transfers (0 restricted, 0 unrestricted)
- Total BARS Y-T-D = 48

The Vice President of Finance and Administration is responsible for the approval of all intra-department budget transfers and regular line item budget maintenance, resulting in a net zero impact to institutional operating budgets. BOR authorization is requested for all inter-department budget transfers and budget adjustments requiring an increase or decrease in current budget authorization levels.

The Audit, Finance and Facilities Committee is responsible for reviewing all Budget Adjustment Requests prior to the monthly BOR meetings for final action.

### Recommendation

Staff recommends that the Board of Regents approve the attached Budget Adjustment Requests as prepared internally through November 28, 2018 for FY19.

**Northern New Mexico College  
FY19 (2018-2019)**

**Thursday, November 29, 2018**

BAR No.	Fund Type	BAR Type	Approved Budget	Approved	Fund	Org	Fund Title	FTE	Amount
18190000	Combined	Approved Budget		4/24/2018	11000	1005	Instruction & General	202.86	\$25,898,488
18190001	Restricted	Increase		9/28/2018	41460	2355	Northern New Mexico STEM	0.00	\$9,180
18190002	Unrestricted	Increase		9/28/2018	42110	3643	NMSIG	0.00	\$14,886
18190003	Unrestricted	Decrease		9/28/2018	42112	3642	NM College Affordability Act	0.00	\$11,189
18190004	Foundation	Increase		9/28/2018	34000	1005	Foundation-Operating	0.00	\$30,750
18190005	Restricted	Increase		9/28/2018	41193	2053	Carl Perkins - Vocational Services	0.00	\$35,898
18190006	Unrestricted	Maintenance		7/20/2018	11000	2355	Instruction & General	0.00	\$0
18190007	Unrestricted	Maintenance		7/20/2018	11000	1077	Instruction & General	0.00	\$0
18190008	Unrestricted	Increase		9/28/2018	11000	4014	Instruction & General	0.00	\$3,000
18190009	Unrestricted	Maintenance		7/20/2018	12105	3121	Athletics Administration	0.00	\$0
18190010	Unrestricted	Increase		9/28/2018	11012	1007	Department Discretionary	0.00	\$27,992
18190011	Unrestricted	Maintenance		9/7/2018	11000	1080	Instruction & General	0.00	\$0
18190012	Unrestricted	Increase		9/28/2018	83027	3281	Student Organizations	0.00	\$3,470
18190013	Unrestricted	Transfer		9/28/2018	91110	4521	Building Repair & Replacement	0.00	\$0
18190014	Unrestricted	Maintenance		9/19/2018	11000	2054	Instruction & General	0.00	\$0
18190015	Restricted	Increase		9/28/2018	40114	2268	USDA OASCR	0.00	\$252,434
18190016	Restricted	Increase		9/28/2018	41101	2725	High School Equivalent Program	0.00	\$165,687
18190017	Restricted	Increase		9/28/2018	40111	2263	NSF BEST	0.00	\$107,903
18190018	Restricted	Maintenance		9/19/2018	40112	2355	NSF INCLUDES	0.00	\$0
18190019	Restricted	Transfer		9/28/2018	40104	2355	NSF DUE PEARL	0.00	\$0
18190020	Unrestricted	Increase		10/19/2018	36000	6300	Temporarily Restricted	0.00	\$286
18190021	Unrestricted	Increase		10/19/2018	42211	3644	Nursing Loan for Service	0.00	\$18,000
18190022		Maintenance		10/8/2018	41102	3052	College Assistance Migrant Progr	0.00	\$0
18190023	Restricted	Decrease		10/19/2018	41170	2212	Alliance for Minority Participatio	0.00	(\$66,368)
18190024	Restricted	Increase		10/19/2018	40117	2571	AFRL-NM Technology Transfer	0.00	\$18,528
18190025	Unrestricted	Maintenance		10/8/2018	11303	1020	Indirect Cost Funds	0.00	\$0

BAR No.	Fund Type	BAR Type	Approved	Fund	Org	Fund Title	FTE	Amount
18190026	Restricted	Increase	10/19/2018	40119	2212	STEM Pathways: NM AMP	0.00	\$15,000
18190027	Restricted	Increase	10/19/2018	40110	2268	SWNRCT Program USDA	0.00	\$91,607
18190028	Restricted	Maintenance	10/8/2018	41101	2725	High School Equivalent Program	0.00	\$0
18190029	Unrestricted	Increase	10/19/2018	83027	3126	Student Organizations	0.00	\$2,406
18190030	Restricted	Maintenance	10/10/2018	40113	2355	NSF EDUCERE	0.00	\$0
18190031	Unrestricted	Maintenance	10/30/2018	11012	2355	Department Discretionary	0.00	\$0
18190032	Unrestricted	Maintenance	10/10/2018	11000	2355	Instruction & General	0.00	\$0
18190033	Restricted	Increase		41104	2815	Title V CASSA	0.00	\$549,101
18190034	Restricted	Increase		41103	3052	Upward Bound 2017	0.00	\$86,503
18190035	Restricted	Maintenance	10/30/2018	40106	2263	NM INBRE	0.00	\$0
18190036	Restricted	Maintenance	10/30/2018	11012	1040	Department Discretionary	0.00	\$0
18190037	Restricted	Decrease		11730	3421	Small Business Development Ctr	0.00	(\$96,402)
18190038	Foundation	Maintenance	10/30/2018	34000	4206	Foundation-Operating	0.00	\$0
18190039	Unrestricted	Maintenance	10/30/2018	11000	2053	Instruction & General	0.00	\$0
18190040	Unrestricted	Increase		11733	3422	SBDC Program Income	0.00	\$100
18190041	Restricted	Increase		41461	4522	LANS Investment 2017	0.00	\$56,435
18190042	Combined	Decrease		11012	3666	Department Discretionary	0.00	(\$2,500)
18190043	Restricted	Maintenance	11/19/2018	41103	3052	Upward Bound 2017	0.00	\$0
18190044	Unrestricted	Maintenance	11/19/2018	11012	2212	Department Discretionary	0.00	\$0
18190045	Unrestricted	Increase		83027	3281	Student Organizations	0.00	\$4,880
18190046	Unrestricted	Maintenance	11/28/2018	11302	1005	President's Discretionary	0.00	\$0
18190047	Restricted	Maintenance	11/28/2018	40114	2268	USDA OASCR	0.00	\$0
18190048	Combined	Increase		41455	2263	The Grass Foundation	0.00	\$31,578
<b>BAR Net Total</b>							<b>202.86</b>	<b>\$27,300,851</b>

**Northern New Mexico College**  
**FY19 (2018-2019)**

BAR Num 18190033  
 Friday, October 12, 2018

**Fund Type: Restricted**  
**BAR Type: Increase**

Fun Title V CASSA  
 Org Title V

Category	Account	Description	FTE	Amount
Revenue	41104-2815-54103-608	Federal Grants and Contracts Rev	0.00	\$549,101
<b>Total Revenue</b>			<b>0.00</b>	<b>\$549,101</b>
Expense	41104-2815-61103-122	Faculty Salaries Adjunct	0.00	\$30,000
Expense	41104-2815-61301-122	Professional Salaries-FT	0.00	\$85,000
Expense	41104-2815-61302-122	Professional Salaries-PT	0.00	\$44,000
Expense	41104-2815-61451-122	Student Salaries	0.00	\$129,100
Expense	41104-2815-62111-122	Medicare	0.00	\$4,177
Expense	41104-2815-62112-122	FICA	0.00	\$17,862
Expense	41104-2815-62121-122	Retirement - ERA	0.00	\$20,000
Expense	41104-2815-62141-122	Retiree Health Care - ERA	0.00	\$8,000
Expense	41104-2815-62151-122	Health Insurance	0.00	\$18,000
Expense	41104-2815-62152-122	Dental Insurance	0.00	\$500
Expense	41104-2815-62153-122	Vision Insurance	0.00	\$500
Expense	41104-2815-62161-122	Basic Life	0.00	\$100



**Fun Title V CASSA**

**Org Title V**

Expense	41104-2815-62180-122	Workers Compensation	0.00	\$20
Expense	41104-2815-62181-122	Workers Compensation Insurance Bill	0.00	\$500
Expense	41104-2815-62190-122	Unemployment Compensation	0.00	\$1,391
Expense	41104-2815-71145-122	Purchased Services	0.00	\$60,000
Expense	41104-2815-71146-122	Licenses	0.00	\$15,000
Expense	41104-2815-71148-122	Printing	0.00	\$20,000
Expense	41104-2815-72124-122	Out-of-State Travel	0.00	\$3,950
Expense	41104-2815-73104-122	Electronics-Computer up to 4999.99	0.00	\$35,000
Expense	41104-2815-73105-122	Computer-Electr. 5000.00 and Over	0.00	\$38,000
Expense	41104-2815-73114-122	Furniture-Fixtures up to 4999.99	0.00	\$18,000
<b>Total Expense</b>			<b>0.00</b>	<b>\$549,101</b>
<b>BAR Net Total Increase</b>			<b>0.00</b>	<b>\$549,101</b>

Vice President for Finance and Administration

NNMC Board of Regents Representative

**Northern New Mexico College**  
**FY19 (2018-2019)**

**BAR Num 18190034**  
 Tuesday, October 23, 2018

**Fund Type: Restricted**  
**BAR Type: Increase**

Fun Indirect Cost Funds  
 Org Student Support Services

Category	Account	Description	FTE	Amount
Revenue	11303-3052-80278-132	Transfer In Indirect	0.00	\$4,780
Revenue	41103-3052-54103-608	Federal Grants and Contracts Rev	0.00	\$81,723
<b>Total Revenue</b>				<b>\$86,503</b>
Expense	11303-1020-71951-131	Indirect Cost	0.00	\$4,780
Expense	41103-3052-61103-122	Faculty Salaries Adjunct	0.00	\$113
Expense	41103-3052-61301-122	Professional Salaries-FT	0.00	(\$36,895)
Expense	41103-3052-61401-122	Support Staff Salaries-FT	0.00	\$25,134
Expense	41103-3052-61451-122	Student Salaries	0.00	\$62,670
Expense	41103-3052-61505-122	Other Salaries - Temp	0.00	\$10,473
Expense	41103-3052-62111-122	Medicare	0.00	\$299
Expense	41103-3052-62112-122	FICA	0.00	\$2,125
Expense	41103-3052-62121-122	Retirement - ERA	0.00	(\$1,557)
Expense	41103-3052-62141-122	Retiree Health Care - ERA	0.00	\$63
Expense	41103-3052-62151-122	Health Insurance	0.00	(\$12,259)

<b>Fun Upward Bound 2017</b>				
<b>Org Student Support Services</b>				
Expense	41103-3052-62152-122	Dental Insurance	0.00	(\$417)
Expense	41103-3052-62153-122	Vision Insurance	0.00	(\$57)
Expense	41103-3052-62161-122	Basic Life	0.00	(\$15)
Expense	41103-3052-62180-122	Workers Compensation	0.00	(\$2)
Expense	41103-3052-62181-122	Workers Compensation Insurance Bill	0.00	(\$457)
Expense	41103-3052-62190-122	Unemployment Compensation	0.00	(\$2,204)
Expense	41103-3052-71106-122	Cell Phone-Pager Expense	0.00	(\$45)
Expense	41103-3052-71125-122	Resource Materials	0.00	\$11,856
Expense	41103-3052-71126-122	Science Supplies	0.00	(\$1,279)
Expense	41103-3052-71131-122	Supplies and Expense	0.00	(\$581)
Expense	41103-3052-71136-122	Test and Testing Service	0.00	(\$550)
Expense	41103-3052-71142-122	Publications	0.00	(\$20)
Expense	41103-3052-71145-122	Purchased Services	0.00	(\$700)
Expense	41103-3052-71148-122	Printing	0.00	(\$54)
Expense	41103-3052-71552-122	IS Motor Pool Services	0.00	\$1,778
Expense	41103-3052-71803-122	Grant Lunches-Meals	0.00	\$4,000
Expense	41103-3052-71805-122	Grant-Project Activities	0.00	\$21,168
Expense	41103-3052-71823-122	Stipend	0.00	(\$7,000)

<b>Fun Upward Bound 2017</b>			
<b>Org Student Support Services</b>			
Expense	41103-3052-72123-122	In-State Travel	0.00 \$583
Expense	41103-3052-72124-122	Out-of-State Travel	0.00 \$1,275
Expense	41103-3052-73104-122	Electronics-Computer up to 4999.99	0.00 (\$501)
Expense	41103-3052-80178-122	Transfer Out Indirect	0.00 \$4,780
<b>Total Expense</b>			<b>0.00 \$86,503</b>
<b>BAR Net Total Increase</b>			<b>0.00 \$86,503</b>

<b>Vice President for Finance and Administration</b>
<b>NNMC Board of Regents Representative</b>

**Northern New Mexico College**  
**FY19 (2018-2019)**

**BAR Num 18190037**  
**Monday, October 29, 2018**

**Fund Type: Restricted**  
**BAR Type: Decrease**

Fun Small Business Development Ctr  
 Org Small Business Dev Center

Category	Account	Description	FTE	Amount
Revenue	11730-3421-54255-171	SBDC Rev	0.00	(\$86,388)
Revenue	41803-3421-54103-171	Federal Grants and Contracts Rev	0.00	(\$10,014)
<b>Total Revenue</b>			<b>0.00</b>	<b>(\$96,402)</b>
Expense	11730-3421-61301-171	Professional Salaries-FT	0.00	(\$55,070)
Expense	11730-3421-62112-171	FICA	0.00	(\$2,197)
Expense	11730-3421-62121-171	Retirement - ERA	0.00	(\$5,651)
Expense	11730-3421-62151-171	Health Insurance	0.00	(\$7,000)
Expense	11730-3421-71131-171	Supplies and Expense	0.00	(\$4,893)
Expense	11730-3421-72123-171	In-State Travel	0.00	\$623
Expense	11730-3421-73104-171	Electronics-Computer up to 4999.99	0.00	(\$12,200)
Expense	41803-3421-61301-171	Professional Salaries-FT	0.00	(\$7,500)
Expense	41803-3421-62121-171	Retirement - ERA	0.00	(\$2,514)
<b>Total Expense</b>			<b>0.00</b>	<b>(\$96,402)</b>

Fun SBDC Federal Allocation  
Org Small Business Dev Center

BAR Net Total Decrease

0.00

(\$96,402)

Vice President for Finance and Administration

NNMC Board of Regents Representative

**Northern New Mexico College  
 FY19 (2018-2019)**

**BAR Num 18190040  
 Tuesday, November 06, 2018**

**Fund Type: Unrestricted  
 BAR Type: Increase**

Fun	SBDC Program Income	Org	SBDC Program Income	Category	Account	Description	FTE	Amount	
				Revenue	11733-3422-54256-171	SBDC Program Income	0.00	\$100	
<b>Total Revenue</b>								<b>0.00</b>	<b>\$100</b>
				Expense	11733-3422-61505-171	Other Salaries - Temp	0.00	\$75	
				Expense	11733-3422-62111-171	Medicare	0.00	\$1	
				Expense	11733-3422-62112-171	FICA	0.00	\$5	
				Expense	11733-3422-62181-171	Workers Compensation Insurance Bill	0.00	\$9	
				Expense	11733-3422-62190-171	Unemployment Compensation	0.00	\$10	
<b>Total Expense</b>								<b>0.00</b>	<b>\$100</b>

Fun SBDC Program Income  
Org SBDC Program Income

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BAR Net Total Increase

0.00      \$100

Vice President for Finance and Administration
NNMC Board of Regents Representative



**Northern New Mexico College  
FY19 (2018-2019)**

BAR Num 18190041  
Thursday, November 08, 2018

**Fund Type: Restricted  
BAR Type: Increase**

Fun LANS Investment 2017  
Org Arts

Category	Account	Description	FTE	Amount
Revenue	41461-2052-55005-606	Private Gifts and Grants	0.00	\$27,864
Revenue	41461-2052-80273-606	Transfer In	0.00	\$429
Revenue	41461-4522-55005-606	Private Gifts and Grants	0.00	\$8,142
Revenue	41462-1005-55005-606	Private Gifts and Grants	0.00	\$429
Revenue	41462-2355-55005-606	Private Gifts and Grants	0.00	\$3,863
Revenue	41462-3021-55005-606	Private Gifts and Grants	0.00	\$14,324
Revenue	41462-3022-55005-606	Private Gifts and Grants	0.00	\$1,384
<b>Total Revenue</b>			<b>0.00</b>	<b>\$56,435</b>
Expense	41461-2052-71131-101	Supplies and Expense	0.00	\$429
Expense	41461-2052-71131-101	Supplies and Expense	0.00	\$27,864
Expense	41461-4522-61505-141	Other Salaries - Temp	0.00	\$2,340
Expense	41461-4522-62111-141	Medicare	0.00	\$34
Expense	41461-4522-62112-141	FICA	0.00	\$145
Expense	41461-4522-62121-141	Retirement - ERA	0.00	\$292

**Fun LANS Investment 2017**  
**Org Maintenance - El Rito**

Expense	41461-4522-62141-141	Retiree Health Care - ERA	0.00	\$42
Expense	41461-4522-62181-141	Workers Compensation Insurance Bill	0.00	\$12
Expense	41461-4522-62190-141	Unemployment Compensation	0.00	\$11
Expense	41461-4522-71131-141	Supplies and Expense	0.00	\$3,239
Expense	41461-4522-73102-141	Equipment up to 4999.99	0.00	\$2,026
Expense	41461-4522-73103-141	Equipment 5000.00 and Over	0.00	\$1
Expense	41462-1005-71131-131	Supplies and Expense	0.00	(\$429)
Expense	41462-1005-71131-131	Supplies and Expense	0.00	\$429
Expense	41462-1005-80173-131	Transfer Out	0.00	\$429
Expense	41462-2355-71119-101	Endowment Expense	0.00	\$2,611
Expense	41462-2355-73104-101	Electronics-Computer up to 4999.99	0.00	\$1,252
Expense	41462-3021-71145-125	Purchased Services	0.00	\$14,324
Expense	41462-3022-71131-125	Supplies and Expense	0.00	\$1,384
<b>Total Expense</b>			<b>0.00</b>	<b>\$56,435</b>



**Northern New Mexico College**  
**FY19 (2018-2019)**

**BAR Num 18190042**  
**Thursday, November 08, 2018**

**Fund Type: Combined**  
**BAR Type: Decrease**

Fun Org	Department Discretionary Misc Scholarships	Category	Account	Description	FTE	Amount	
Revenue		11012-36666-58001-191		Other Revenue	0.00	(\$12,500)	
Revenue		42428-36666-55005-191		Private Gifts and Grants	0.00	\$10,000	
<b>Total Revenue</b>						<b>0.00</b>	<b>(\$2,500)</b>
Expense		11012-36666-71149-191		Scholarship Expense	0.00	(\$12,500)	
Expense		42428-36666-71131-191		Supplies and Expense	0.00	\$500	
Expense		42428-36666-71149-191		Scholarship Expense	0.00	\$8,000	
Expense		42428-36666-71823-191		Stipend	0.00	\$1,500	
<b>Total Expense</b>						<b>0.00</b>	<b>(\$2,500)</b>

Fun Consulate of Mexico in Albuquerque  
Org Misc Scholarships

BAR Net Total Decrease

0.00

(\$2,500)

Vice President for Finance and Administration

NNMC Board of Regents Representative

**Northern New Mexico College  
 FY19 (2018-2019)**

**BAR Num 18190045  
 Monday, November 19, 2018**

**Fund Type: Unrestricted  
 BAR Type: Increase**

Fun Org Category	Student Library Account	Organizations Description	FTE	Amount
Revenue	83027-2826-58001-151	Other Revenue	0.00	\$1,262
Revenue	83027-3281-58001-151	Other Revenue	0.00	\$3,618
<b>Total Revenue</b>				<b>\$4,880</b>
Expense	83027-2826-73104-151	Electronics-Computer up to 4999.99	0.00	\$1,262
Expense	83027-3281-71131-151	Supplies and Expense	0.00	\$3,618
<b>Total Expense</b>				<b>\$4,880</b>
<b>BAR Net Total Increase</b>				<b>\$4,880</b>

Vice President for Finance and Administration
NNMC Board of Regents Representative

**Northern New Mexico College  
FY19 (2018-2019)**

**BAR Num 18190048**  
Wednesday, November 28, 2018

**Fund Type: Combined  
BAR Type: Increase**

Fun The Grass Foundation  
Org Biology & Chemistry

Category	Account	Description	FTE	Amount
Revenue	41455-2263-55005-101	Private Gifts and Grants	0.00	\$7,411
Revenue	41455-2263-55005-606	Private Gifts and Grants	0.00	(\$6,500)
Revenue	41457-2268-55005-606	Private Gifts and Grants	0.00	\$10,000
Revenue	41458-2268-55005-606	Private Gifts and Grants	0.00	\$3,577
Revenue	92539-2826-53250-960	GOB Drawdowns	0.00	\$17,090
<b>Total Revenue</b>			<b>0.00</b>	<b>\$31,578</b>
Expense	41455-2263-71110-101	Dues and Membership	0.00	\$10
Expense	41455-2263-71126-101	Science Supplies	0.00	(\$4,500)
Expense	41455-2263-71126-101	Science Supplies	0.00	\$4,234
Expense	41455-2263-71131-101	Supplies and Expense	0.00	(\$500)
Expense	41455-2263-71131-101	Supplies and Expense	0.00	\$578
Expense	41455-2263-72124-101	Out-of-State Travel	0.00	(\$500)
Expense	41455-2263-72124-101	Out-of-State Travel	0.00	\$1,589
Expense	41457-2268-71131-101	Supplies and Expense	0.00	\$10,000

**Fun LANL Rio Arriba Internship Program  
Org Environmental Science**

Expense	41458-2268-71123-101	Professional Development	0.00	\$210
Expense	41458-2268-71131-101	Supplies and Expense	0.00	\$1,772
Expense	41458-2268-71149-101	Scholarship Expense	0.00	\$984
Expense	41458-2268-71254-101	Stipends	0.00	\$611
Expense	92539-2826-71582-960	Library Service Lease	0.00	\$4,432
Expense	92539-2826-73104-960	Electronics-Computer up to 4999.99	0.00	\$11,290
Expense	92539-2826-73114-960	Furniture-Fixtures up to 4999.99	0.00	\$1,368
<b>Total Expense</b>			<b>0.00</b>	<b>\$31,578</b>

**BAR Net Total Increase 0.00 \$31,578**

Vice President for Finance and Administration

NNMC Board of Regents Representative





MEMORANDUM

**To:** Board of Regents,  
Northern New Mexico College

**From:** Richard J. Bailey, Jr., Ph.D.  
President

**Date:** December 7, 2018

**Re:** Tuition Proposal for 55 years plus - \$150

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**Proposal:** To allow students that are 55 years old or older to attend a class for \$150 in lieu of regular instate tuition and fees cost of \$624.91 for a 3 credit-hour course or \$832.46 for a 4 credit-hour course (all other fees, such as lab fees are also waived).

**Application:**

1. Applies only to students 55 years old or over
2. Applies only to the FIRST course in which they enroll
3. All additional courses will be billed at the regular tuition and applicable fees rates

**Implementation Date:** Spring Semester - 2019



**MEMORANDUM**

**To:** Board of Regents,  
Northern New Mexico College

**From:** Ricky A. Bejarano  
Vice President for Finance & Administration

**Date:** December 7, 2018

**Re:** NNMC/NMHU Shared Courses – Pilot Project

**NNMC/NMHU Shared Courses  
PILOT PROJECT**

**TUITION & FEES**

	CREDIT HOURS	NNMC		
		NNMC	NMHU	SCHOLARSHIP AMOUNT
In- State	1.00	227.81	250.00	22.19
	3.00	624.91	750.00	125.09
	4.00	823.46	1,000.00	176.54



**MEMORANDUM**

**To:** Board of Regents,  
Northern New Mexico College

**From:** Ricky Bejarano, Vice President for Finance & Administration

**Date:** December 7, 2018

**Re:** Policy #2430 – Subrecipient Monitoring

A handwritten signature in blue ink, likely of Ricky Bejarano, with the date "12/7/2018" written next to it.

Issue

Finding #2017-016 cited the College for a lack of policies and procedures regarding Subrecipient Monitoring in compliance with the Uniform Grant Guidance, hereinafter referred to as UGG (Federal Standards – 2 CFR 200.331). A Subrecipient situation occurs when NNMC is granted Federal Funds that NNMC then sub-awards to another college and/or entity. When NNMC makes this type of sub-award, NNMC becomes subject to certain requirements under the UGG. These requirements are enumerated within the attached policy.

Overview

The policy requires NNMC to ensure adequate financial and programmatic monitoring of its Subrecipients. NNMC currently has no Subrecipients; however, NNMC anticipates future sub-awards to partnering institutions.

Recommendation

Staff respectfully recommends that the Board of Regents approve the attached Policy #2430 – Subrecipient Monitoring.



# NORTHERN NEW MEXICO COLLEGE

## Subrecipient Monitoring Policy

**Administered by:**

NNMC Administration and Finance Office

*In coordination with*

the NNMC Grants Office

Drafted 9.27.18

Pending approval by the NNMC Board of Regents

# Table of Contents

NNMC Subrecipient Monitoring Policy .....	3
Reason for Policy .....	3
Policy Statement .....	3
Scope .....	3
Who Must Comply .....	4
Roles and Responsibilities .....	4
References & Links .....	4

# NNMC Subrecipient Monitoring Policy

## Reason for Policy

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Federal Uniform Guidance 2 CFR §200.331 requires pass-through entities to evaluate subrecipient's risk and determine appropriate monitoring levels prior to the subaward being executed. In addition, pass-through entities are required to monitor the activities of subrecipient organizations to ensure that the subrecipient complies with applicable Federal statutes and regulations and terms of the subaward, as well as verify that subrecipients are complying with the single audit rule as required by Subpart F of the Uniform Guidance.

## Policy Statement

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It is the responsibility of Northern New Mexico College (NNMC) to ensure financial and programmatic monitoring of sponsored project funds that are subcontracted to another institution, organization, or individual ("subrecipient"). Prior to awarding a subrecipient, NNMC will assess the subrecipient organization's financial and internal controls and via a risk assessment questionnaire.

NNMC subaward agreements will inform subrecipients of federal laws or regulations, terms and conditions of the prime award or agreement, and any additional NNMC requirements that may apply to the subrecipient relationship. The subrecipient agreement must include the information regarding the prime award, including the Catalog of Federal Domestic Assistance (CFDA) number (if applicable), Federal Award Identification Number (FAIN), title, award name and number, award dates, and sponsoring agency, and other information as required by 2 CFR §200.331. A signature from the subrecipient is acknowledgement of an intent to comply with all stated requirements.

## Scope

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This policy applies to all subawards issued by NNMC and addresses institutional responsibilities in ensuring that, in addition to achieving performance goals, subrecipients comply with applicable Federal laws and regulations and with the provisions of each subaward agreement. The objectives of this policy are to:

- a) Monitor subrecipient costs and activities to ensure that expenditures charged to NNMC are allowable, allocable, and reasonable, and reflected in the budget as well as in the scope of work.
- b) Ensure that the performance goals in the scope of work are being met in a timely manner.
- c) Ensure that cost-share commitments made by subrecipients are documented.
- d) Conduct a subrecipient risk assessment for each proposed subrecipient prior to initiating an agreement in order to determine the level of monitoring required.
- e) Ensure that subrecipients expending \$750,000 or more in Federal awards during the subrecipient's fiscal year have met the single audit requirements for that fiscal year.
- f) Issue management decisions on audit findings within six months after receipt of the subrecipient's single audit and ensure that the Subrecipient takes appropriate and timely corrective action.
- g) Consider whether subrecipient audits necessitate adjustment of NNMC's records, such as budget modifications, or re-allocation of cost-shared resources.

## Who Must Comply

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As a recipient of Federal sponsored projects, NNMCM must comply with the guidelines outlined in the Uniform Guidance 2 CFR §200.331. As such, all NNMCM Principal Investigators (PIs), Program Directors (PDs), and administrators who are involved with the administration and conduct of sponsored awards that issue and manage subawards must comply with this policy.

## Roles and Responsibilities

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Subrecipient monitoring responsibilities are shared among the following:

- ❖ PIs/PDs are responsible for:
  - 1) ensuring that the risk assessment questionnaire has been submitted to the proposed subrecipient prior to issuing a subaward;
  - 2) issuing subaward agreements with all required information per the Uniform Guidance and monitoring requirements determined in the risk assessment;
  - 3) monitoring each subaward throughout the period of performance for both programmatic and fiscal compliance.
- ❖ The Vice President of Administration and Finance (CFO) is responsible for:
  - 1) issuing of the risk assessment questionnaire to assess internal controls, past grant performance, and review of most recent single audits;
  - 2) rating of risk assessments, and determining eligibility and required monitoring of the proposed subrecipient.
- ❖ The Provost is responsible for approving all high-risk subawards.
- ❖ The NNMCM Grants Office is responsible for:
  - 1) educating PIs/PDs of their responsibilities regarding this policy;
  - 2) assisting PIs/PDs in drafting subawards documents prior to submission to the recipient;
  - 3) reviewing all subrecipient expenditures for allowability, allocability, reasonableness, and compliance with applicable terms and conditions;
  - 4) ensuring that cost-share commitments are met and documented correctly on invoices; and
  - 5) requesting and reviewing subrecipient single audits on an annual basis and report any concerns to the CFO and PI/PD.

## References & Links

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Federal Uniform Guidance: <https://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-sec200-331.pdf>



**MEMORANDUM**

**To:** Board of Regents,  
Northern New Mexico College

**From:** Ricky Bejarano, Vice President for Finance & Administration

**Date:** December 7, 2018

**Re:** Institutional Policy Series 2000 - REVISED

*Ricky Bejarano*  
12/7/2018

Issue

Finding #2016-017 cited the College for outdated policies and procedures. The last revision and update to this series of policies and procedures was Fiscal Year 2012. Since Fiscal Year 2012, Federal requirements changed extensively resulting in the Uniform Grant Guidance on 12/26/2014.

Overview

The revisions to the policy series only affect the sponsored program section of the series (2400, 2410, and 2420). The revisions replace all old Federal OMB Circular references with the Uniform Grant Guidance reference (2 CFR 200 – Uniform Administrative Requirements, Cost Principals, and Audit Requirements for Federal Awards (UGG)).

Recommendation

Staff respectfully recommends that the Board of Regents approve the attached revisions to Institutional Policy Series 2000.



## 2000

**RESPONSIBILITY AND ACCOUNTABILITY FOR COLLEGE INFORMATION AND  
TRANSACTIONS****1. General**

College administrative processes, systems, and forms provide electronic and manual mechanisms for business and administrative functions such as finance, student, student financial aid, and human resources. Use of College information and systems is restricted to authorized College business and administrative users. This policy defines the specific responsibilities of individuals who request, initiate, approve, and/or review business and administrative transactions and reports. These individuals are accountable for fulfilling the responsibilities defined in this policy.

**2. Deans, Directors, and Department Heads**

Deans, directors, and department heads define designated individuals in their organizations who are authorized to process business and administrative transactions. Deans, directors, and department heads are responsible for exercising good judgment, upholding ethical standards, and should have internal procedures in place to ensure periodic review of designations and related training.

**2.1. Authorizing and Processing Transactions**

Each of these two functions, authorizing transactions and processing transactions, carry distinct responsibilities listed below. If the functions are performed by the same person, that individual is accountable for both sets of responsibilities.

**2.1.1. Requesters**

The requester is the individual who identifies the need for the transaction and authorizes the request to be processed. The requester is responsible for:

- determining the validity and appropriateness of the transaction; and
- evaluating the transaction for compliance with contractual requirements.

This individual will be accountable for fulfilling the above responsibilities, exercising good judgment, and upholding ethical standards.

**2.1.2. Initiators and Originators**

Initiators/Originators are individuals who have been authorized by a dean, director, or department head to enter transactions into electronic business or administrative systems and/or prepare paper forms. If the Initiator/Originator is not the requester of the transaction, the Initiator/Originator should make sure he or she has designated authority to initiate a transaction. Departments should develop procedures for documenting requests. Initiators/Originators are also responsible for:

- ensuring the electronic transaction and/or form is complete and accurate;
- verifying all backup documentation;
- notifying approvers and requester if a transaction will cause an account to go over budget;
- ensuring compliance with administrative processes; and

- ensuring deadlines are adhered to in submission of the transactions.

Initiators/Originators are accountable for fulfilling the above responsibilities, exercising good judgment, and upholding ethical standards.

## 2.2. Departmental Approvers

Approvers are individuals designated by deans, directors, or department heads to review and approve electronic transactions and/or forms before they are released for processing. Depending on the type of transaction and the level of risk, there may be more than one individual required to approve a transaction. However, the first-level approver is responsible for:

- conformity with budget;
- verifying the appropriateness of the transaction; and
- ensuring compliance with College policies and procedures.

Subsequent approvers are primarily responsible for acceptance of the added risk associated with high dollar and/or risk transactions. Approvers will be accountable for fulfilling the above responsibilities, exercising good judgment, and upholding ethical standards.

## 3. College Information

All individuals authorized to process, approve, and/or review transactions and reports are responsible for the proper use of any information they view. Department heads or designees are responsible for a monthly review of transactions affecting their business and administrative processes to ensure appropriateness of transactions and conformity with approved processes including budget.

## 4. Sanctions

Individuals who do not demonstrate due care and good judgment in the administration of their duties may be subject to disciplinary action, up to and including, discharge.

2015

## CONTRACT MANAGEMENT AND MONITORING

### 1. General

Monitoring the performance of contractors is a key function of proper contract management and administration. The purpose of contract management and monitoring is to ensure that the contractor is performing all duties in accordance with the contract, the financial interests of the College are protected, and the College is aware of and addresses any developing problems or issues on a timely basis. When a contract is executed a Northern New Mexico College employee is appointed as the contract owner and is responsible for monitoring the contract for proper execution and performance from the start date of the contract through completion and final payment. For the purposes of this policy, a "contract" is defined as a written agreement between two (2) or more parties intended to have legal effect, including Memorandums of Understanding, Memorandums of Agreement, Nondisclosure Agreements, and Letters of Understanding.

1 Requests to exempt contracts from the requirements of this policy must be approved in writing  
 2 by the Vice President for Finance and Administration. This Policy does not apply to research,  
 3 and sponsored project contracts or agreements which are monitored in accordance with  
 4 applicable rules, regulations, and policies.

## 6 **2. Contract Owner**

### 8 **2.1. Role and Responsibilities**

9 The contract owner is responsible for monitoring that contract requirements are satisfied,  
 10 services are delivered in a timely manner, safety and risk issues are addressed, and  
 11 required payments are made. The contract owner is also responsible for striving to  
 12 resolve discrepancies and timely reporting of any unresolved discrepancies and/or  
 13 problems to the administrator who signed the contract or agreement.

### 15 **2.2. Monitoring Procedures**

16 The procedures a contract owner uses will vary depending on the size, level of risk, and  
 17 complexity of the contract.

#### 19 **2.2.1. Contracts Less Than \$20,000**

20 Contract less than \$20,000 should be monitored for performance to ensure services  
 21 conform to the contract requirements. The contract owner should report the status on  
 22 all open contracts less than \$20,000 at the close of each fiscal year and upon  
 23 completion of the contract.

#### 25 **2.2.2. Contracts \$20,000 and Above**

26 This policy requires a higher degree of monitoring for contracts \$20,000 and above.  
 27 For these contracts, the contract owner should review the contract to identify  
 28 deliverables and develop a monitoring plan/checklist for each contract taking into  
 29 account the level of risk. General factors used to assess the level of risk include, but  
 30 are not limited to:

- 31 • the dollar amount of contract;
- 32 • negative impact to the College's safety and/or reputation if the contract is not  
 33 executed properly and on time;
- 34 • the contractor's past performance; and
- 35 • how experienced the contractor is with the type of work to be performed.

36  
 37 The contract owner will provide quarterly updates to the administrator who signed the  
 38 contract or agreement. At a minimum, the contract owner should perform the  
 39 following contract monitoring procedures:

- 40 • Monitoring the contractor's progress and performance to ensure services  
 41 conform to the contract requirements. Depending on the nature of the contract  
 42 the contract owner may need to conduct one or more site visits.
- 43 • Documenting required contractor visits, tests, and significant events.
- 44 • Reviewing required reports submitted by the contractor demonstrating  
 45 compliance.
- 46 • Resolving disputes in a timely manner.

- 1 • Verifying receipt of contract deliverables in accordance with the contract
- 2 terms and maintaining detailed supporting documentation.
- 3 • Reviewing contractor's invoices and reconciling and verifying payments
- 4 consistent with the contract terms and maintaining proper documentation.
- 5 • Reviewing compliance with applicable laws, regulations, and policies and
- 6 consulting with the applicable College department if there are any concerns.

### 8 **2.3. Poor or Under Performance by Contractor**

9 If a contract owner determines that the contractor's performance is not acceptable, the  
 10 contract owner should notify the responsible Northern New Mexico College  
 11 administrator identified on the contract review form. This administrator in consultation  
 12 with the Business Office will determine the appropriate action, which may include  
 13 withholding some or all of payment.

### 15 **3. Reporting**

16 The contract owner is responsible for reporting the following information on a timely basis to the  
 17 administrator who signed the contract or agreement.

- 18 • report any unresolved discrepancies and/or problems;
- 19 • prepare quarterly status reports for contracts \$20,000 or above; and
- 20 • prepare a final report when the contract is completed.

## 22 **2030**

### 23 **SOCIAL SECURITY NUMBERS**

#### 25 **1. General**

26 Northern New Mexico College collects and maintains confidential information, including social  
 27 security numbers (SSNs) of its students, staff, faculty and individuals associated with the  
 28 College. Northern recognizes the importance of the proper handling of SSN's in order to protect  
 29 personal privacy and minimize the growing risks of fraud and identity theft. The Federal Privacy  
 30 Act of 1974 (5 U.S.C. Sec. 552a) is the federal law that regulates the collection of SSNs. This  
 31 law makes it illegal for federal, state or local government agencies to deny any rights, benefits or  
 32 privileges to individuals who refuse to disclose their SSNs unless the disclosure is required by  
 33 federal statute or the disclosure is to an agency for use in a record system which required the  
 34 SSN before 1975. This Act applies to Northern. The Federal Privacy Act also requires that any  
 35 agency that requests SSNs must inform individuals asked:

- 36 • whether the disclosure is mandatory or voluntary;
- 37 • what the authority is for requesting the SSN;
- 38 • what uses will be made of the information; and
- 39 • the consequences, if any, of failure to provide the information.

#### 41 **2. Collection of Social Security Numbers**

42 Where IRS or other federal regulations require Northern to report SSN, we require individuals to  
 43 provide us with that information.

##### 45 **2.1. Notification Statement**

1 In all instances when Northern requests an individual to supply his/her SSN, it must  
2 indicate in writing:

- 3 • whether the disclosure is mandatory or voluntary;
- 4 • by what authority the number is requested;
- 5 • the uses which will be made of it; and
- 6 • the consequences, if any, of failure to provide the SSN. All statements must be  
7 approved in advance by the Office of Human Resources

## 9 **2.2. Employees**

10 Employees are required to provide their SSNs on payroll/personnel, health insurance, and  
11 retirement forms.

## 13 **2.3. Students**

14 Students are required to provide their SSNs for admission, financial aid, and student  
15 housing contracts. Students unable to provide a SSN will be assigned an alternative  
16 number.

## 18 **2.4. Other Individuals**

19 Other forms that request disclosure of SSNs, and proposals by departments to collect  
20 SSNs for any purpose must be approved in advance by Office of Human Resources. The  
21 provision of SSNs in such cases must be strictly voluntary and individuals who decline to  
22 disclose the number may not be denied any rights, benefits or privileges.

## 24 **3. Disclosure of SSNs by Northern**

25 An individual's SSN is personal information and shall not be released by Northern to outside  
26 individuals or entities, except:

- 27 • as allowed or required by law;
- 28 • when permission is granted by the individual;
- 29 • when the outside individual or entity is acting as Northern's contractor or agent and  
30 appropriate security measures are in place to prevent unauthorized dissemination to third  
31 parties; or
- 32 • when the Office of Human Resources has approved the release.

## 34 **4. Northern Identification Numbers**

35 Northern does not use SSNs as primary identifiers for students or employees. Any exception  
36 must be approved in writing by the cognizant vice president. Students and employees are  
37 assigned a Banner identification number to allow access to records and to transact business with  
38 Northern. These numbers remain the property of, and are subject to, Northern's rules. Northern  
39 identification numbers are not accorded the same confidential status as SSNs.

## 41 **5. Use of SSNs**

42 The following guidelines must be followed by Northern employees with access to SSNs:

- 43 • SSNs will be transmitted electronically only through secure mechanisms as determined  
44 by ITS;
- 45 • paper and electronic documents containing SSNs will be disposed of in a secure fashion;  
46 and

- student grades and other pieces of personal information will not be publicly posted or displayed using either the complete or partial SSN for identification purposes.

## **6. Report Collection, Use, and/or Storage of SSNs**

Departments that collect, use and/or store SSNs must submit a report to the Director of Human Resources documenting the reason for collection, the handling processes in place to ensure protection of SSNs. Reports must be made within ninety (90) days of beginning collection, use, and/or storage of SSNs, whichever is later. In addition, departments must review SSN procedures annually and report any changes to the Director of Human Resources.

## **2040**

### **IDENTITY THEFT PREVENTION PROGRAM**

#### **1. General**

The College's Identity Theft Prevention Program is designed to detect, prevent, and/or mitigate identity theft in connection with the opening and maintenance of student and employee covered accounts. Covered accounts are accounts that involve or are designed to permit multiple payments or transactions. Examples include, but are not limited to, student financial aid accounts and Bookstore accounts. The Identity Theft Prevention Program defines processes and procedures to guide employees in departments involved with covered accounts in identifying and responding to patterns, practices, or specific activities (Red Flags) that indicate the possible existence of identity theft. Red Flags generally fall within one of the following four categories: suspicious documents, suspicious personal identifying information, suspicious or unusual use of accounts, and/or alerts from others (e.g. customer, identity theft victim, or law enforcement). Examples of Red Flags include, but are not limited to, documents that appear to be forged or altered, conflicting demographic information, mail returned as "undeliverable" although transactions continue on the account, or a notice or inquiry from a fraud investigator. This policy applies to the entire College. It outlines employee responsibilities, processes, and required training pertaining to Northern's Identity Theft Prevention Program and ensures compliance with the Fair and Accurate Credit Transactions (FACT) Act of 2003 and the accompanying requirement (section 114) to develop and implement a written Identity Theft Prevention Program (16 CFR Part 681, aka "Red Flags Regulation" or "Red Flags Rule").

#### **2. Program Responsibility**

##### **2.1. Vice President for Administration and Finance**

The Vice President for Administration and Finance is responsible for:

- implementing the Identity Theft Prevention Program,
- conducting periodic reviews of compliance with the Program,
- ensuring compliance with the Program's training requirements, and
- approving material changes to the Program as necessary to address changing identity theft risks.

##### **2.2. Departments**

Deans, directors, and departments heads of areas that work with covered accounts are responsible for implementing departmental processes for complying with this policy and

1 ensuring that employees responsible for compliance attend required training. Employees  
2 in these departments are responsible for:

- 3 • complying with the Program,
- 4 • identifying relevant Red Flags appropriate for their operations,
- 5 • implementing policies and procedures to detect the Red Flags,
- 6 • responding appropriately to prevent and mitigate identity theft,
- 7 • attending Red Flag training, and

### 9 **2.3. Information Technology Services (ITS)**

10 The Director of Information Technology shall provide technical support to departments  
11 and the Vice President for Administration and Finance.

## 13 **3. Preventing and Mitigating Identity Theft**

### 14 **3.1. Required Training**

15 Employees involved in student registration, financial aid, student billing and collections,  
16 Bookstore sales, and any other area involved with covered accounts must attend training  
17 on recognizing and responding to potential identity theft indicators (Red Flags). Every  
18 individual currently performing the aforementioned duties must complete this training  
19 within one hundred twenty (120) days of the effective date of this policy. All individuals  
20 newly performing such duties must complete this training within their first thirty (30)  
21 days of starting to perform these duties.

### 23 **3.2. Identity Verification**

24 To facilitate detection of standard Red Flags, staff will at a minimum take the following  
25 steps to obtain and verify the identity of the person.

#### 27 **3.2.1. New Students/Accounts**

- 28 • Whenever possible, require identifying information (e.g. full name, date of  
29 birth, address, and government issued ID, insurance card, etc.).
- 30 • When available, verify information with additional identifying  
31 documentation such as a credit card, utility bill, medical insurance card,  
32 etc.

#### 33 **3.2.3. Existing Accounts**

- 34 • Verify validity of request for changes of billing address.
- 35 • Verify identification of customers before giving out personal information.

## 37 **2050**

### 38 **GOVERNMENTAL RELATIONS AND LEGISLATIVE ACTIVITY**

#### 40 **1. General**

41 Federal and state support is extremely important to the teaching, research, and public service  
42 mission of the College. Through this support, the College can enhance current programs and  
43 develop resources to support future programs. To ensure effective development and management  
44 of governmental support and compliance with federal and state laws and regulations, the College  
45 coordinates contact with elected officials through the College's Office of Institutional  
46 Advancement

1 **2. Office of Institutional Advancement**

2 With a comprehensive overview of the College's legislative activity, the Office of Institutional  
3 Advancement serves as a clearing house for legislative requests to ensure a consistent message of  
4 the College's priorities and to ensure legislators are not approached by multiple Northern  
5 constituents at the same time. The Office of Institutional Advancement establishes relationships  
6 with elected officials, matches requests for information with the appropriate Northern  
7 representatives, and works closely with students, faculty, and staff to ensure the College presents  
8 a unified image to the legislature.

9 **2.1. Establishment of Northern's Legislative Priorities**

10 The Office of Institutional Advancement will coordinate an inclusive and transparent  
11 process which provides students, faculty, and staff an opportunity to participate in the  
12 development of the College's priorities. This is a year-round process that includes open  
13 forums, committee meetings, and legislative hearings during the nine (9) months leading  
14 up to the legislative session. Therefore, it is important that students, faculty, and staff  
15 become involved early in the process so their concerns and suggestions can be effectively  
16 addressed at the appropriate stage of the priority setting process. Legislative priorities are  
17 approved by the Board of Regents, at the recommendation of the President.

20  
21 **2.2. Speaking or Acting on Behalf of the College**

22 In the limited circumstances where individuals are authorized to speak or act on behalf of  
23 the College, they must notify the Office of Institutional Advancement to ensure  
24 compliance with federal and state laws and regulations regarding governmental,  
25 legislative, and political activities which include the Lobbying Disclosure Act of 1995,  
26 the New Mexico Governmental Conduct Act, and the New Mexico Gift Act. Activities  
27 covered by these laws and regulations include not only actions that attempt to influence  
28 the action of any legislative body, or federal, state or local governmental agency, but also  
29 contact with certain senior officials, ministers, and other designated public office holders.

30  
31 **2.3. Notification of Contact with Elected Officials**

32 The College encourages employees to have good professional relationships with state and  
33 federal elected officials and to be responsive to their questions and requests for  
34 information. However, many contacts with elected officials may be considered by state  
35 and federal law to be official lobbying on behalf of the College. To ensure compliance  
36 with related laws and regulations and the accuracy and completeness of responses, it is  
37 important that employees notify the Office of Institutional Advancement before  
38 contacting elected officials.

39  
40 **3. Personal Opinions Expressed to Federal, State, and Local Officials**

41 While all members of the College community are free to express their political opinions and  
42 engage in political activities to whatever extent they wish, it is very important that they do so  
43 only in their individual capacities; do not use College resources; and avoid the appearance that  
44 they are speaking or acting for the College in political matters. It can be difficult for members of  
45 the public, including reporters and legislators to differentiate between an official College  
46 position and a personal opinion; therefore, employees should take care to stipulate that the



1 personal opinions expressed are their own and not necessarily those of the College. The College  
 2 recognizes and approves the right of free speech and expression of opinion on any subject by any  
 3 member of the College community, whether the subject relates to on-campus or off-campus  
 4 issues.

## 5 2110

### 6 LONG DISTANCE TELEPHONE CALLS

#### 7 8 9 **1. General**

10 Only long distance calls for official Northern business should be charged to the College.  
 11 Charging long distance telephone calls for personal or other non-College purposes is prohibited  
 12 and constitutes misuse of College funds. Personal calls made from College telephones must be  
 13 charged to the caller's home telephone or personal credit card, to the called party, or to another  
 14 non College source. If an emergency situation requires an employee to charge a personal long  
 15 distance call to the College, the employee must reimburse the College. Since the call is charged  
 16 to the department, reimbursement is made to the department's account.

#### 17 18 **2. Authorization to Place Long Distance Calls at College Expense**

19 Each individual who is authorized by a department to place long distance calls for College  
 20 business will be issued an individual authorization code which can be used to place calls from  
 21 College phones. Calling cards are issued to individuals who place long distance calls for College  
 22 business from non-College phones. Authorization codes and calling cards are issued to  
 23 individuals by the College Information Technologies. Long distance charges are billed to the  
 24 account specified by the requesting department. Information Technologies provides departments  
 25 with invoices itemized by authorization code and calling card numbers which enable a  
 26 department to monitor long distance calls. Departments should maintain long distance telephone  
 27 logs to ensure the accuracy and appropriateness of College long distance charges and reconcile  
 28 the logs to the invoices provided by Information Technologies. Charges billed to an account in  
 29 error should be reported to Information Technologies.

##### 30 31 **2.1. Security**

32 Individuals assigned long distance authorization codes and calling cards are responsible  
 33 for ensuring the security of the codes and cards, and should not disclose or share them  
 34 with others. Individuals should report compromised authorization codes or lost calling  
 35 cards to Information Technologies immediately.

##### 36 37 **2.2. Deactivation**

38 When an individual transfers to another department, his/her authorization code and/or  
 39 calling card is deleted and a new authorization code and/or calling card is issued and  
 40 charged to the new department. Upon separation from the College, the employee must  
 41 return all calling cards to the Information Technologies Department. The department  
 42 requesting authorization codes and calling cards is responsible for notifying Information  
 43 Technologies of an employee's change of status and requesting that authorization codes  
 44 and/or calling cards be deactivated. Any charges incurred by the continued use of an  
 45 authorization code or calling card due to a department's failure to request that they be  
 46 deleted or changed will be billed to the responsible department's account.

1 **3. Reimbursement for College Business Long Distance Calls**

2 Long distance calls made for College business purposes using an employee's personal telephone  
 3 services (including a personal calling card, cell phone, or home phone line) may be reimbursed.  
 4 The employee must attach a copy of the telephone invoice with the pertinent calls highlighted  
 5 and an explanation of the expense to the applicable form.  
 6

7 **2140**

8 **USE AND POSSESSION OF ALCOHOL ON COLLEGE PROPERTY**

9  
 10 **1. General**

11 The use and possession of alcohol is prohibited on College property, except as authorized herein.  
 12 For the purposes of this policy, the use of alcohol refers to the possession, service, or  
 13 consumption of alcoholic beverages. This policy governs the use of alcohol on College property.  
 14 It applies to students, student organizations, faculty, staff, College departments and other entities,  
 15 and visitors. This policy applies to property owned, leased by, or operated by the College and to  
 16 all events sponsored by the College or its subunits. It does not apply to property owned by the  
 17 College and leased to others, unless it would otherwise apply.  
 18

19 Northern recognizes that alcoholic beverages are legal commodities that may be used responsibly  
 20 by persons of legal drinking age. The College also recognizes that alcohol use may lead to  
 21 significant individual and societal harm. This policy is intended to reduce alcohol-related harm  
 22 while allowing for the legal, safe, and responsible use of alcohol. The College also recognizes  
 23 that diversity of opinion and freedom of choice are the foundations of institutions of higher  
 24 education, and that the use of alcoholic beverages by those of legal age is a matter of personal  
 25 choice. Individuals who choose to use alcohol on College property in accordance with this policy  
 26 must comply with state law and College policies and procedures, and conduct themselves  
 27 responsibly, mindful of the rights of others.  
 28

29 **2. Use of Alcoholic Beverages**

30 Northern employees are prohibited from drinking alcoholic beverages or being under the  
 31 influence of alcoholic beverages during working hours, or while operating or riding in a College  
 32 vehicle.  
 33

34 The use of alcohol on College property is prohibited except as follows or where licensed.  
 35

36 **2.1. Receptions or Other Social Functions**

37 Alcohol may be used at receptions or other social functions sponsored by a College  
 38 department or other unit when approved by the College President or designee in advance,  
 39 in writing. Such events should normally involve special guests of the College or  
 40 otherwise be a non-routine occurrence, such as a reception for visiting dignitaries or a  
 41 reception in connection with an academic conference. The reception or function must be  
 42 by invitation only and held in a location that can reasonably be closed to the public. The  
 43 following additional restrictions apply:

- 44 • Only beer and/or wine may be served.

- 1 • Sale of alcohol is prohibited, except as allowed in Section 2.3. Cash bars and
- 2 entrance fees intended to help defray the cost of providing alcoholic beverages
- 3 are prohibited.
- 4 • Service of alcohol at office parties or similar office social events is prohibited.
- 5 • Receptions or other social functions are subject to the restrictions listed in
- 6 Section 5.2. herein.

## 7

### 8 **2.2. Research**

9 Alcoholic beverages may be used for research. Such functions must be approved in  
10 advance, in writing, by the President or designee.

### 11

### 12 **2.3. Licensed Locations**

13 Alcoholic beverages may be sold and served at any College location possessing a legal  
14 license to sell and serve alcoholic beverages. Approval by the President or designee is not  
15 required.

### 16

### 17 **2.4. Food Preparation**

18 Alcohol may be used in food preparation in College food production areas.

## 19

### 20 **3. State Law**

21 State law governs many aspects of the consumption and serving of alcohol. All individuals who  
22 use and/or serve alcohol on Northern property must comply with the applicable legal  
23 requirements.

### 24

### 25 **4. Purchase of Alcohol**

26 The purchase of alcohol with College funds is prohibited except as follows:

27

28 **4.1.** Alcohol may be purchased for research. The purchase must be approved in advance,  
29 in writing, by the College Controller after recommendation by the cognizant dean or  
30 director. See Section 2.2. herein for approval requirements of function.

31

32 **4.2.** Alcohol may be purchased by any Northern holder of a legal license to sell and/or  
33 serve alcoholic beverages pursuant to its license. Approval by the President or designee is  
34 not required.

## 35

### 36 **5. Procedures**

#### 37 **5.1. Request for Approval**

38 A department requesting a function authorized by Sections 2.1. and 2.2. herein must  
39 complete a Request to Serve Beer or Wine on College Property and send it fifteen (15)  
40 business days prior to the reception or function to the Vice President for Finance and  
41 Administration for review. All requests will then be forwarded to the President's Office  
42 for approval. If an entity outside the College co-sponsors any event, the co-sponsor must  
43 obtain liquor liability insurance in the amounts required by the College. Proof of  
44 insurance must be sent to the Vice President for Finance and Administration's office no  
45 later than ten (10) business days prior to the event. The College must be named an  
46 additional insured.

## 5.2. Restrictions

Whenever alcohol is used on College property, the following restrictions apply:

- The sponsors must take precautionary measures to ensure that alcohol is not used by persons who appear intoxicated; and/or who are under the age of twenty-one (21).
- Sponsors must follow principles of good hosting which include having non-alcoholic beverages and food available, and providing planned programs. The use of alcohol shall not be the sole purpose of any activity.
- Non-alcoholic beverages must be available at the same place and be as noticeable as the alcoholic beverages.
- A reasonable portion of the budget for the event shall be spent on food.
- Any form of a "drinking contest" in activities or promotions is prohibited.
- There shall be no kegs or use of devices that facilitate the rapid ingestion of beer or other alcoholic beverages, such as "beer bongs," and no sale of alcohol.

## 5.3. Promotional Materials

Alcohol shall not be mentioned in any promotional materials developed or distributed by the College for an event and shall not be used to encourage participation.

## 6. Chartered Student Organizations

Chartered student organizations must comply with state law, this policy, and to any provisions in the Chartered Student Organization Policy governing the use of alcohol.

## 7. Education, Support Groups, and Services for Alcohol-Related Problems

In light of social and health problems associated with alcohol abuse, the College will provide educational services to faculty, staff, and students about alcohol-related problems. Students, faculty, and staff may get assistance from the following College programs.

### 7.1. Consultation and Referral for Alcohol Related Problems

The following College programs provide consultation and/or referral for alcohol-related problems:

- Student Counselor--students only
- CARS--faculty and staff only

## 2150

### ALCOHOL-RELATED ADVERTISING, MARKETING AND SPONSORSHIP

#### 1. General

This policy governs sponsorship and advertising by businesses that provide, sell, market, or distribute alcoholic beverages on College property or at College events. Advertising is any

1 advertisement, signage, label, logo, packaging, imprint, sales promotion activity or device, public  
 2 relations material or event, merchandising, or other activity or communication that has the  
 3 obvious intent of promoting or marketing a non-College product, service, event, or organization.  
 4 Businesses that provide, sell, market, or distribute alcoholic beverages are permitted to sponsor  
 5 or co-sponsor a College event, subject to the provisions of this policy and provided that the  
 6 primary audience is of legal drinking age. Sponsorship means that a College department or unit  
 7 is actively involved in the event itself.

8  
 9 Northern recognizes that alcoholic beverages are legal commodities that may be used responsibly  
 10 by persons of legal drinking age. The College also recognizes that alcohol use may lead to  
 11 significant individual and societal harm. This policy is intended to reduce the potential for  
 12 alcohol-related harm while allowing for the legal, safe, and responsible use of alcohol. The  
 13 College has the right to refuse any advertising, marketing, or sponsorship. Any allowed  
 14 advertising, marketing, or sponsorship shall not adversely affect the College's reputation.

## 15 **2. Provisions**

16 Alcohol beverage advertising and marketing programs and materials:

- 17 • shall not contain indecent or profane material or demeaning, sexual, or discriminatory
- 18 portrayal of people;
- 19 • shall support campus alcohol education programs that encourage informed and
- 20 responsible decisions about the use or nonuse of alcohol;
- 21 • shall not encourage any form of alcohol abuse or emphasize amount and frequency of
- 22 use;
- 23 • shall not violate the principles of the College's Affirmative Action/Equal Opportunity
- 24 Policy;
- 25 • shall not portray drinking as a solution to problems or an aid to social, sexual, or
- 26 academic success;
- 27 • shall not provide alcoholic beverages as awards or prizes;
- 28 • shall not encourage alcohol use or imply that alcohol use improves tasks that require
- 29 skilled reactions such as sports, driving, or operating machines; and
- 30 • shall not imply the College's endorsement.
- 31

## 32 **3. Advertising and Promotions**

33 Informational marketing programs shall have educational value and encourage the responsible  
 34 and legal use of the products represented. At a minimum, a statement such as "This company  
 35 supports the legal and responsible use of this product" must appear in all advertisements. Refer  
 36 to **Standards for College Related Materials, 1010** for additional standards.

## 37 **4. Authorization**

38  
 39 The cognizant dean or director must approve sponsorship and promotional activities for the event  
 40 or program. The Dean of Students must approve the display or distribution of promotional  
 41 materials by chartered student organizations. Alcohol sponsorship, advertising, and marketing  
 42 related to Northern athletic events or facilities must be reviewed by the Vice President for  
 43 Finance and Administration and the Vice President for Institutional Advancement.

## 44 **5. Publications**

45  
 46

1 Student publications and publishers of non-promotional materials distributed on campus are  
2 strongly encouraged to follow the above provisions.

### 3 4 **2155**

#### 5 **Public Access and Loitering Policy**

6 Northern New Mexico College is a member of the New Mexico Public College System. The  
7 President, as the chief executive officer has the responsibility for the operation and  
8 administration of the entire campus. The President or any designated authorized personnel may  
9 issue a trespass warning for violators of the Public Access and Loitering Policy and the  
10 Solicitation and Commercial Activity Policy.

11  
12 Although Northern New Mexico College encourages social interaction and the free exchange of  
13 ideas, the College reserves the right to set the time, place and manner of public gatherings to  
14 maintain an environment on campus that is conducive to learning. The College prohibits loitering  
15 near academic buildings, adjacent spaces, classrooms and offices by members of the public who  
16 are not authorized staff, faculty, or students registered at Northern. This policy applies to campus  
17 visitors (non-College persons) who have not been authorized to use the College premises.  
18 However, when a public meeting is conducted under the rules of the Open Meetings Act, and /or  
19 when the public has been invited to activities planned by College entities; members of the public  
20 are welcome to come to the designated location where the public meetings or activities are taking  
21 place.

22  
23 Non-College persons are allowed to use the common areas of the College during normal business  
24 hours and are allowed to attend lectures, plays, games and other activities on the College campus  
25 in the designated buildings or areas when such attendance is permitted by the sponsoring  
26 organization. Non-College persons are permitted in non-common areas of the College, including  
27 offices and administrative areas only when invited or on authorized College business. Non-  
28 College persons are not allowed on College property except as authorized by this regulation.

29  
30 Once the public meeting and/or activities have ended, visitors are required to leave the premises  
31 and not wander around College buildings, halls or other offices where classes and business are  
32 being conducted.

33  
34 Students and recognized student organizations wishing to coordinate an event on campus must  
35 request permission in writing at least 24 hours in advance from the Office of Institutional  
36 Advancement (as per Northern's Freedom of Expression and Dissent Policy (2200). Campus  
37 visitors wishing to gather on campus or distribute material to students must request permission at  
38 least ten (10) days in advance from the Coordinator of Student Activities or a designee from the  
39 Office of Institutional Advancement.

40  
41 The Northern New Mexico College campus, encompassed by its buildings, labs and other  
42 outside spaces adjacent to buildings and extensions of these spaces and all areas within its  
43 "footprint," but not limited to exterior seating areas, are intended for the use of students, faculty,  
44 staff, authorized guests of the College, and participants in authorized on-campus activities.  
45 Loitering or interfering with this intended use is prohibited, and violators will be required to  
46 leave. Failure to comply with a request to leave will result in faculty or staff calling the Security

1 Office, and where necessary, contact to local authorities to request assistance and/or removal  
 2 unauthorized individuals from the premises. In addition, lounges and other non-reservable spaces  
 3 cannot be utilized for interviewing or meetings that interrupt the usage of the space as intended,  
 4 without the written permission of the Office of Vice President of Finance and Administration.  
 5 Walk-ins are welcome to visit Admissions, Advisement and other designated offices where  
 6 College business is conducted, provided that the visitor has a legitimate, College/business related  
 7 reason to visit these locations. While conducting College business, guests are required to have  
 8 personal identification in the event they are asked to produce this information.

9  
 10 Where the President or his/her designee has reasonable suspicion that a person is violating or has  
 11 violated the law, is violating or has violated any College regulation or policy, including, as  
 12 applicable, the Student Code of Conduct and employee disciplinary procedures; is prowling,  
 13 loitering, inappropriately using College facilities; is obstructing traffic or impeding entry or exit,  
 14 damaging property, creating a hazardous or unsafe condition, disrupting College operations,  
 15 making threats toward any person or College property whether implied or express, or who is  
 16 creating an atmosphere not conducive to the use of such facilities by others, may be directed to  
 17 leave the property and/or be issued a trespass warning by the President or his/her designee.

18  
 19 Nothing in the foregoing shall preclude or be interpreted to preclude or otherwise diminish the  
 20 exercise of the statutory authority of security officers to request additional intervention from the  
 21 local police department in accordance with the laws of New Mexico for violations of city, county  
 22 and/or state or other applicable ordinances when such violations occur on any property or  
 23 facilities which are under the jurisdiction of Northern New Mexico College security officers.

24  
 25 Any member of the College community that violates this policy will be subject to disciplinary  
 26 action. The College, through the President or her designee, reserves the right to limit or ban  
 27 access of any individual to College property or functions for violations of this policy.

## 28 29 **2156**

### 30 **Solicitation & Commercial Activity Policy**

31 Northern New Mexico College and all other spaces designated in the above policy are  
 32 solicitation and commercial free zones. Distribution of any type of materials (including but not  
 33 limited to leaflets, fliers, gifts, surveys, brochures, posters, coupons, etc.), or solicitation of any  
 34 type of goods or services to NNMC patrons or staff is strictly prohibited. Furthermore, the  
 35 passing of petitions, distribution of written information, carrying of placards, and picketing are  
 36 not allowed on campus property regardless of content. Commercial activity including  
 37 solicitation, interviewing, recruiting, selling and distribution of flyers, petitions or other written  
 38 information is also prohibited unless the commercial solicitor's material, in the discretion of the  
 39 President or her designee, supports the educational mission and purpose of the College and is  
 40 given specific permission by the Office of Institutional Advancement. Soliciting or interfering  
 41 with Northern's intended use is prohibited, and violators will be required to leave and  
 42 unauthorized material will be removed from tables, boards or any other places where  
 43 unauthorized information has been placed.

44  
 45 Solicitation by departments and other College-affiliated programs will be allowed when  
 46 permission has been granted prior to any distribution.

1 **Definitions**

2 (a) College students. Those persons who are currently enrolled at Northern or have been  
3 admitted, registered for upcoming classes or completed at least one credit at the College during  
4 the current academic year or high school students taking dual credit courses and/or continuing  
5 education courses during the duration of the course taken.

6  
7 (b) College persons. Those persons who are faculty, staff or other employees, volunteers or  
8 agents of the College, and persons on College property fulfilling contractual obligations or  
9 authorized members of registered College organizations.

10  
11 (c) Non-College persons. All other persons who are not classified above as Northern students  
12 or individuals including, but not limited to, visitors, invited guests, students of other institutions  
13 and employees of other entities, and persons who have applied but have not been admitted to the  
14 College.

15  
16 (d) President's designee. Any authorized security personnel and all Vice Presidents, Provost, and  
17 Deans of all levels.

18  
19 (e) No Trespass Order. A warning that a person is not authorized to be on College property, or a  
20 portion thereof, and may be subject to arrest, criminal sanctions and civil penalties without  
21 further warning if he or she refuses to leave or returns at any time in the future. Trespass  
22 warnings may be either temporary or permanent and remain in full force and effect unless  
23 otherwise notified.

24  
25 (f) Common areas. College areas generally open to non-College persons including, but not  
26 limited to, the library, cafeteria, food/vending areas, and bookstore/retail areas.

27  
28 **2160**

29 **OUTDOOR VENDORS**

30  
31 **1. General**

32 Street-side sales of specialty and hand-crafted items are an integral aspect of southwest culture  
33 and can contribute to the social and cultural environment of the campus. However, the presence  
34 of unregulated outdoor vendors on Northern campus impinges on and degrades the educational  
35 environment and the process of higher education. In addition, such unregulated vending mars the  
36 beauty and tranquillity of the campus and contributes to unnecessary congestion, noise, and  
37 trash. Commercial vendors do not have the right to use College property free of charge.

38  
39 **1.1. Purpose**

40 The purposes of this policy are to allow for outdoor vending, but in a controlled manner  
41 that:

- 42 • protects and preserves the academic environment of the College from unnecessary  
43 disturbance;
- 44 • protects and preserves the beauty and tranquility of the College environment;
- 45 • promotes health and safety of the College community;



- prevents commercial exploitation of students; and
- protects and preserves the College's proprietary interests in its property.

## 2. Application

### 2.1. Unauthorized Vending Prohibited

No person shall sell food, goods, or services or carry on a trade or business on College property without the expressed consent of the College.

**2.1.1.** Outdoor vending is governed by the provisions of this policy.

**2.1.2.** Vending within College facilities is prohibited unless authorized and approved in advance by the facility custodian such as the dean or director of the School, College, or Department.

### 2.2. Property Subject to Policy

This policy applies to Northern's Main Campus, and El Rito Campus.

### 2.3. Private and Non-Profit Vendors

This policy applies to all private commercial and non-profit vendors not associated with the College who seek to sell goods or services on College property as described in **Section 2.2.** herein. This policy does not apply to vending or distribution by mechanical device which may be regulated by the College through a bid or procurement process. Food and beverage vendors are not covered by this policy. Experienced food and beverage vendors who wish to provide services on campus must contact the College Purchasing Department.

### 2.4. College Organizations

This policy also applies to vending by College organizations (e.g., departments, chartered student organizations).

### 2.5. Commercial Advertising or Speech

This policy does not apply to commercial advertising or speech.

### 2.6. Vendors to the College

This policy does not apply to vendors or owners or operators of commercial vehicles who are selling goods or services directly to the College or any officers, employees, or agents of the College for the conduct of College business or to other vendors conducting business on the College campus as authorized through the College procurement process. Refer to campus parking and traffic regulations for vendor parking permit information.

## 3. Authorized Vending Locations

### 3.1. Main Campus

Outdoor vending is allowed by private commercial and non-profit vendors or College organizations only as provided for in this policy and only in the areas designated by the permit. Permits and procedures will be issued by the Dean of Students.

1 College organizations and all commercial and non-profit vendors not associated with the  
 2 College will be assigned a location on campus by the Dean of Students. In some  
 3 instances, specific vending site permits will be issued in accordance with the procurement  
 4 process used to select food and beverage vendors.  
 5

### 6 **3.2. Vending in Residence Halls**

7 Outdoor vending is allowed by private commercial and non-profit vendors or College  
 8 organizations only under the provisions of this policy and only in the areas determined by  
 9 the Dean of Students. Permits will be issued by the Dean of Students.  
 10

## 11 **4. Vending Permits**

### 12 **4.1. Vending Without Permit Prohibited**

13 Every private commercial and non-profit vendor must obtain a permit from the College  
 14 and must also pay a fee in advance to cover the term of the permit. College organizations  
 15 must obtain a permit for vending activities but are exempt from paying any fees for these  
 16 activities.  
 17

### 18 **4.2. Food and Beverage Vending**

19 No permits shall be issued, under the scope of this policy, to vendors other than College  
 20 organizations to sell food, beverages, or other ingestibles. Private commercial or non-  
 21 profit food, beverage, or ingestible vending may be authorized by the College through its  
 22 procurement process for specific site locations.  
 23

### 24 **4.3. Special Events**

25 The College reserves the right to close the campus or a portion thereof to regular vending  
 26 on any particular day for special occasions and/or allow special vending opportunities. If  
 27 permits have already been issued for that day, the College will refund the permit fee and  
 28 provide the vendor as much notice as possible to the address and/or phone number  
 29 indicated on the application form.  
 30

### 31 **4.4. Permit Application**

32 Permit applications for vending other than food and beverage vending on College  
 33 property will be filed with and considered by the:  
 34

- 35 • Dean of Students

36 All applications shall include:  
 37

38 **4.4.1.** The applicant's name, address, and telephone number.

39 **4.4.2.** The name, address, and telephone number of the company or organization  
 40 represented by the applicant.

41 **4.4.3.** A statement as to whether the applicant is a College organization.

42 **4.4.4.** The type of vending activity proposed.

43 **4.4.5.** The date, time, and duration as well as the location of the vending activity  
 44 proposed.  
 45

1           **4.4.6.** The applicant's New Mexico Gross Receipts Tax Number; (non-College  
2 organizations);

3           **4.4.7.** The applicant's TIN/EIN - Tax Identification Number/Employer  
4 Identification Number (non-College organizations);

5  
6           **4.4.8.** The applicant's SSN - Social Security Number.

7  
8           **4.5. Issuance of Permits**

9           The Dean of Students shall determine the method for the issuance of permits and provide  
10 that such use does not interfere with or interrupt educational uses or other uses directly  
11 related to the operation of the College and subject to the provisions of this policy.

12  
13           **4.5.1.** The College must determine that space is available at the time and location  
14 stated in the application.

15           **4.5.2.** The applicant must pay the required fee at the time of application. College  
16 organizations will not be required to pay these fees. The fees will be returned if  
17 the permit is not issued.

18           **4.5.3.** The applicant must furnish proof of a New Mexico Taxation and Revenue  
19 Department Tax Identification Number (non-College organization).

20           **4.5.4.** By signing an application for a permit, the applicant shall agree to defend,  
21 indemnify, and hold harmless the College from and against all claims, costs,  
22 liabilities, charges, damages, and the like, arising out of the vendor's use and  
23 occupancy of College property.

24  
25           **4.6. Permit Fees**

26           All fees are payable in advance. Fees will not be charged for College organizations. A fee  
27 schedule is published and subject to change with proper authorization and approval of the Dean  
28 of Students. The College may use an alternate fee schedule or make special fee arrangements for  
29 special events. Revenues returned to the College by food and beverage vendors are determined  
30 through the procurement process.

31  
32           **4.6.1.** The proceeds from the permit fees will primarily be used to support student  
33 publications. Fees from credit card marketers will fund educational programming  
34 on credit and debt issues for students.

35  
36           **4.7. Vending Location**

37           The exact vending location will be designated in the permit. The vending will be  
38 confined to the location assigned by the College in the permit.

39  
40           **4.8. Duration of Permit**

41           The maximum period for which a vending permit will be issued at one (1) time is for an  
42 academic semester period or four (4) months.

43  
44           **5. Administration**

45  
46           **5.1. Processing of Permits**

1 Permit applications for vending on College property shall be filed and approved pursuant  
2 to [Section 4.](#) herein.  
3

#### 4 **5.2. Requirements and Limits of Operation**

5 In addition to the conditions stated in [Section 4.5.](#) herein, vendors and College  
6 organizations who have been issued permits shall observe the following rules:  
7

8 **5.2.1.** Vending must be confined to the location designated on the permit and  
9 staffed at all times.

10 **5.2.2.** No vendor shall, by operating on College property, restrict access to  
11 College buildings or other facilities.

12 **5.2.3.** The vendor shall display its permit at all times while operating on College  
13 property.

14 **5.2.4.** The vendor shall keep the designated area free of trash and safety hazards.

15 **5.2.5.** The vendor will be held responsible for any damage or cleaning that is  
16 incurred as a result of the vending.

17 **5.2.6.** The use of sound amplification equipment or devices is not approved under  
18 this policy.

19 **5.2.7.** No vendor shall sell, display, or offer for sale any product or services which  
20 are prohibited by law, or inconsistent with College policy.

21 **5.2.8.** Permits are not transferable.

22 **5.2.9.** No vendor shall bring motorized vehicles into its assigned location.  
23

24 **5.2.10.** No vendor shall use trees, bushes, benches, walls and other College  
25 property to display and/or hang merchandise. Vendors may not use College  
26 utilities, except for special events with the approval of the Dean of Students.  
27

#### 28 **5.3. Revocation of Permits**

29 The permit issuer shall have authority to revoke any permit if the vendor fails to comply  
30 with the terms of the permit or the provisions of this policy. In the event of revocation, no  
31 fees will be refunded to the vendor. Private commercial and non-profit vendors whose  
32 permits are revoked shall be prohibited from vending on College property for a period of  
33 not more than one (1) year.  
34

### 35 **2220**

## 36 **FREEDOM OF EXPRESSION AND DISSENT**

### 37 **1. General**

38  
39 As an institution that exists for the express purposes of education, research, and public service,  
40 Northern New Mexico College is dependent upon the unfettered flow of ideas, not only in the  
41 classroom and the laboratory, but also in all college activities. As such, protecting freedom of  
42 expression is of central importance to the College. The exchange of diverse viewpoints may  
43 expose people to ideas some find offensive, even abhorrent. The way that ideas are expressed  
44 may cause discomfort to those who disagree with them. The appropriate response to such speech  
is speech expressing opposing ideas and continued dialogue, not curtailment of speech.

1 The College also recognizes that the exercise of free expression must be balanced with the rights  
2 of others to learn, work, and conduct business. Speech activity that unduly interferes with the  
3 rights of others or the ability of the College to carry out its mission is not protected by the First  
4 Amendment and violates this policy.

## 5 6 **2. Core Principle**

7 Northern is committed to tolerate all peaceful speech activities carried out upon the campus  
8 unless those activities destroy or materially damage property, materially disrupt other legitimate  
9 College activities, or create a substantial health or safety hazard. This policy applies to all  
10 buildings, grounds, and property owned or controlled by the College.

## 11 12 **3. Activities**

### 13 **3.1. Speech Activities**

14 Speech activities protected by this policy include speechmaking, praying, the distribution of  
15 written materials, picketing, assembling in groups, demonstrating, sidewalk chalking, erecting  
16 symbolic structures, and any other actual or symbolic speech or conduct intended to  
17 communicate an idea.

### 18 19 **3.2. Legitimate College Activities**

20 Legitimate College activities include teaching, research, and public service; all of the  
21 administrative operations supporting those activities; and the performance of all College  
22 approved educational, commercial, research, professional or other activities by public or private  
23 contractors, tenants, or permittees. An activity scheduled under **Section 4.** herein is a legitimate  
24 College activity.

### 25 26 **3.3. Materially Disrupting Activities**

27 A speech activity materially disrupts other legitimate College activities when a reasonable person  
28 is unable to effectively perform a legitimate College activity because of the speech activity  
29 taking place. Examples of when a speech activity may materially disrupt other legitimate College  
30 activities include, but are not limited to:

- 31 • Conducting the speech activity at a volume that substantially disrupts the normal use of  
32 classrooms, offices, laboratories, and other College facilities or grounds;
- 33 • Physically preventing persons from entering or leaving a building or premises;
- 34 • Conducting a speech activity inside a building and not ending it at or before the close of  
35 the building's regular hours;
- 36 • Destroying or materially damaging any property; or
- 37 • Creating a substantial health or safety hazard.

## 38 39 **4. Scheduling**

40 Subject to the exceptions described in **Section 4.1.** below, scheduling to use College facilities for  
41 speech activities is not required. Users, however, should be aware that many facilities, both  
42 indoor (e.g. classrooms) and outdoor, are used for regularly scheduled activities that have  
43 priority over other uses. In order to reserve the desired space and avoid conflicts with other users,  
44 groups or individuals wanting to use a regularly scheduled College facility for a speech activity  
45 are encouraged to schedule it at least twenty-four (24) hours in advance with the Registrar's  
46 Office, or the office that schedules the desired venue, as advised by the Office of Institutional

1 Advancement. Users who fail to schedule a speech activity that occurs and unduly interferes with  
2 a prior scheduled activity are in violation of this policy.

#### 3 4 **4.1. Scheduling Required**

5 Because of size, safety, logistics, and other considerations, the following types of speech  
6 activities must be scheduled in advance:

- 7 • Assemblies or large events in Northern's Fine Arts theater or Eagle Memorial Gym.  
8 Users must schedule such events following the procedures of the appropriate College  
9 office that oversees the facility.
- 10 • Planned demonstrations on campus. A planned demonstration is a public manifestation of  
11 protest, condemnation, or approval; taking the form of a mass meeting, procession,  
12 picket, or similar activity which is organized and promoted more than a day before the  
13 event. Users must schedule such events with the Office of Institutional Advancement at  
14 least twenty-four (24) hours in advance. This does not apply to spontaneous  
15 demonstrations for which there is no prior promotion or organization or where events do  
16 not allow at least twenty-four (24) hours notice in advance. In such situations, as much  
17 prior notice as possible must be provided to the Office of Institutional Advancement.
- 18 • Building a symbolic structure on campus; which must be scheduled with the Office of  
19 Institutional Advancement at least twenty-four hours in advance.

20  
21 Scheduling does not operate as a process for prior approval of speech activities based upon  
22 content. Speech activities will be scheduled on a first-come, first-served basis for the requested  
23 location. Events will not be scheduled only if there is a scheduling conflict with an earlier  
24 planned event or if the requested event will clearly result in a violation of this policy. The  
25 viewpoint to be expressed through the speech activity is not a factor in scheduling. A decision  
26 not to schedule an event may immediately be appealed to the College President or Office of  
27 Institutional Advancement.

#### 28 29 **5. Enforcement**

30 Any person violating this policy may be subject to:

- 31 • Institutional disciplinary proceedings under the Student Code of Conduct [in Student  
32 Handbook] if a student. Violations by faculty or staff will be referred to the appropriate  
33 department or academic unit;
- 34 • An order to leave the premises or property owned or controlled by the College by the  
35 police or a person in charge of the property; and/or
- 36 • Arrest for violation of state law(s).

### 37 38 **2240** 39 **Respectful Campus**

#### 40 41 **1. General**

42 NORTHERN New Mexico College promotes a working, learning, and social environment where  
43 all members of the Northern community, including but not limited to the Board of Regents,  
44 administrators, faculty, staff, students, and volunteers work together in a mutually respectful,  
45 psychologically-healthy environment. Northern strives to foster an environment that reflects  
46 courtesy, civility, and respectful communication because such an environment promotes

1 learning, research, and productivity through relationships. Because a respectful campus  
 2 environment is a necessary condition for success in teaching and learning, in research and  
 3 scholarship, in public service, and in all other aspects of the College's mission and values,  
 4 Northern is committed to providing a respectful campus, free of bullying in all of its forms. This  
 5 Policy describes the values, cornerstones, and behaviors that delineate a respectful campus and  
 6 applies to all members of Northern's community, including, but not limited to students, faculty,  
 7 and staff.

## 9 **2. Values**

10 A respectful campus exhibits and promotes the following values:

- 11 • displaying personal integrity and professionalism;
- 12 • practicing fairness and understanding;
- 13 • exhibiting respect for individual rights and differences;
- 14 • demonstrating harmony in the working and educational environment;
- 15 • respecting diversity and difference;
- 16 • being accountable for one's actions;
- 17 • emphasizing communication and collaborative resolution of problems and conflicts;
- 18 • developing and maintaining confidentiality and trust; and
- 19 • achieving accountability at all levels.

## 21 **3. Cornerstones of a Respectful Campus**

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

- 24 • All individuals have important contributions to make toward the overall success of the  
 25 college's mission.
- 26 • Northern's mission is best carried out in an atmosphere where individuals at all levels and  
 27 in all units value each other and treat each other with respect.
- 28 • Individuals in positions of authority serve as role models in the promotion of a respectful  
 29 campus. Promoting courtesy, civility, and respectful communication is consistent with  
 30 the responsibility of leadership.
- 31 • Individuals at all levels are allowed to discuss issues of concern in an open and honest  
 32 manner, without fear of reprisal or retaliation from individuals above or below them in  
 33 the college's hierarchy. At the same time, the right to address issues of concern does not  
 34 grant individuals license to make untrue allegations, unduly inflammatory statements or  
 35 unduly personal attacks, or to harass others, to violate confidentiality requirements, or  
 36 engage in other conduct that violates the law or College policy.
- 37 • Bullying is unacceptable in all working, learning, and service interactions.

## 39 **4. Destructive Actions**

40 Actions that are destructive to a respectful campus will not be tolerated. These actions include,  
 41 but are not limited to:

- 42 • Sexual harassment – refer to [Northern's Title IX Policy Statement, 1320](#).
- 43 • Retaliation - Retaliation is any adverse action taken against an employee who has  
 44 reported suspected misconduct when business related reasons do not exist for the action  
 45 or the action is outside of regular practice. Some examples of retaliation are listed below.
- 46 • Giving unwarranted negative performance evaluations to the reporting employee.

- 1 • Moving the reporting employee frequently and/or to undesirable locations,  
2 without legitimate business justification.
- 3 • Transferring the reporting employee, without legitimate business justification.
- 4 • Reprimanding the reporting employee, without legitimate business justification.
- 5 • Taking adverse salary actions against the reporting employee, without legitimate  
6 business justification.
- 7 • Suspending, demoting, or dismissing the reporting employee, without legitimate  
8 business justification.
- 9 • Creating a hostile work environment for other employees.
- 10 • Conduct which can affect adversely the College's educational function, disrupt  
11 community living on campus, or interfere with the right of others to the pursuit of their  
12 education or to conduct their duties and responsibilities – refer to Northern's **Faculty**  
13 **Handbook** and **Staff Handbook**,
- 14 • Conduct which compromises the College's public and private resources, including  
15 partnerships
- 16 • Unethical conduct – Behavior that falls below or violates the professional standards for  
17 an educational setting. Examples of unethical conduct include
  - 18 • Disregard for policies and/or procedures
  - 19 • Unlawful conduct
  - 20 • Deliberate deception
  - 21 • Dishonesty
  - 22 • Demonstration of favoritism among colleagues and students
  - 23 • Disregard for the importance of diversity
  - 24 • Bullying behavior which is defined in Section 5. herein.

## 25 26 **5. Definition of Bullying**

27 Bullying can occur when one individual or a group of individuals exhibits bullying behavior  
28 toward one or more individuals. Bullying is defined by the College as repeated mistreatment of  
29 an individual(s) by verbal abuse, threatening, intimidating, humiliating conduct or sabotage that  
30 creates or promotes an adverse and counterproductive environment, so as to interfere with or  
31 undermine legitimate college learning, teaching, and/or operations. Bullying is not about  
32 occasional differences of opinion, conflicts and problems in workplace relationships as these  
33 may be part of working life. Bullying can adversely affect dignity, health, and productivity and  
34 may be grounds for corrective disciplinary action, up to and including dismissal. Northern's  
35 Human Resources Department and Workplace Harassment policy, page 58 in the **Staff**  
36 **Handbook** can provide guidance for determining whether behavior meets the definition of  
37 bullying. Examples of behaviors that meet the definition of bullying above include, but are not  
38 limited to:

### 39 40 **5.1. Physical Bullying**

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

### 44 45 **5.2. Verbal Bullying**

46 Verbal bullying is repeated slandering, ridiculing, or maligning of a person or persons,



1 addressing abusive and offensive remarks to a person or persons in a sustained or repeated  
2 manner; or shouting at others in public and/or in private where such conduct is so severe or  
3 pervasive as to cause or create a hostile or offensive educational or working environment or  
4 unreasonably interfere with the person's work or school performance or participation.

### 5 6 **5.3. Nonverbal Bullying**

7 Nonverbal bullying can consist of directing threatening gestures toward a person or persons or  
8 invading personal space after being asked to move or step away.

### 9 10 **5.4. Anonymous Bullying**

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

### 15 16 **5.5. Threatening Behavior Toward a Person's Job or Well-Being**

17 Making threats, either explicit or implicit to the security of a person's job, position, or personal  
18 well-being can be bullying. It is not bullying behavior for a supervisor to note an employee's  
19 poor job performance and potential consequences within the framework of College policies and  
20 procedures, or for a professor or academic program director to advise a student of unsatisfactory  
21 academic work and the potential for course failure or dismissal from the program if uncorrected.

## 22 23 **6. Reporting Destructive Actions**

24 The destructive actions described in Section 4. herein should be reported in accordance with the  
25 applicable policies and procedures listed herein; however, extreme incidents may be reported  
26 directly to Northern's Safety & Security Department. Bullying behavior should be reported as  
27 follows:

### 28 29 **6.1. Students**

30 An individual who believes a student has engaged in bullying behavior should report the  
31 behavior to the Dean of Students Office. All students who believe that a staff or faculty member  
32 has engaged in bullying behavior towards them may follow the procedures listed in  
33 Sections 6.2. and 6.3. below. Students may also report bullying behavior by contacting the Dean  
34 of Students Office.

35  
36 If the bullying of students is based on race, color, religion, national origin, physical or mental  
37 disability, age, sex, sexual preference, gender identity, ancestry, medical condition, or spousal  
38 affiliation, it should be reported to Northern's Human Resources Department.

### 39 40 **6.2. Staff**

41 An individual who believes a staff member has engaged in bullying behavior may report the  
42 behavior to Human Resources. Suspected bullying behavior will be reported and investigated in  
43 the same manner as misconduct.

### 44 45 **6.3. Faculty**

46 An individual who believes a faculty member has engaged in bullying behavior should follow

1 the procedures listed in Northern's [Grievance Policy & Procedures](#) and [Northern's Title IX](#)  
 2 [Policy Statement, 1320](#).

## 3 4 5 2290

### 6 ANIMAL CONTROL ON COLLEGE PROPERTY

#### 7 8 1. General

9 Northern New Mexico College maintains an environment designed to support the education,  
 10 research, and public service mission of the College. Since the presence of animals on College  
 11 property can adversely affect the normal functions of the College, disrupt community living on  
 12 campus, and interfere with the rights of others to participate in College activities by causing  
 13 bodily harm to individuals, unsanitary conditions, and nuisances, the College has adopted the  
 14 following policy pertaining to animals on campus. This policy does not apply to animals used by  
 15 the College for teaching, research, therapeutic, or other authorized College activities.

#### 16 17 2. Restrictions

18 All animals on College property must be on a leash and under the constant supervision and  
 19 control of their owner/guardian at all times. Except for service animals, animals are not permitted  
 20 in College buildings or facilities except as authorized by the appropriate dean, director, or  
 21 department head. Animals may not be left unattended at any time on campus. Animals may not  
 22 be tied or tethered to any College property, including, but not limited to buildings, railings, bike  
 23 racks, fire hydrants, fences, sign posts, benches, and trees. Animals are not permitted on athletic  
 24 fields or in flower gardens/beds, or fountains.. Animals may not disrupt or interfere with College  
 25 activities, including but not limited to teaching, research, service, or administrative activities.

26 Owners/guardians are responsible for:

- 27 • ensuring their animals have all vaccinations and licenses required by applicable laws and
- 28 ordinances;
- 29 • controlling their animals;
- 30 • cleaning up after their animals;
- 31 • any damage to property or injury to person caused by their animals; and
- 32 • complying with this policy and all state, county, and city laws pertaining to animal
- 33 control while on campus.

#### 34 35 3. Violations

36 Owners/guardians who violate this policy may be given a citation by Campus Security and may  
 37 be subject to charges under the "Student Code. Any person may contact Campus Security to  
 38 report a violation of this policy.

## 39 40 2295

### 41 SERVICE ANIMALS

#### 42 43 1. General

44 In keeping with federal and state law, Northern New Mexico College recognizes its  
 45 responsibilities to extend equal access to individuals with disabilities who use a Service Animal  
 46 on College property. The College will not discriminate against individuals with disabilities who

1 use Service Animals nor, subject to the terms of this Policy, deny those persons access to  
 2 programs, services and facilities of the College. This policy applies to individuals with  
 3 disabilities and Service Animals as defined in federal law.

#### 4 5 **1.1. Service Animal**

6 A service animal means any dog or other animal, except as otherwise specified, that is  
 7 individually trained to do work or perform tasks for the benefit of an individual with a  
 8 disability, including a physical, sensory, psychiatric, intellectual, or other mental  
 9 disability. The crime deterrent effects of an animal's presence and the provision of  
 10 emotional support, well-being, comfort or companionship do not constitute work or tasks  
 11 for the purposes of this definition. Therefore, comfort or companion animals are not  
 12 Service Animals. For safety and infection control purposes, Service Animals shall not  
 13 include nonhuman primates, birds, amphibians, reptiles, fish, hedgehogs, prairie dogs,  
 14 cats or rodents.

### 15 16 **2. Applicability**

17 This policy applies to all employees, students, and visitors of the College who qualify to use a  
 18 Service Animal as an accommodation. To deem that a Service Animal is a reasonable  
 19 accommodation, the following criteria must be met:

- 20 • the individual must have a disability as defined under federal law;
- 21 • the animal must meet the definition of Service Animal under federal law and serve a  
 22 function directly related to the disability; and
- 23 • the request to have the animal must be reasonable.

24  
 25 A Service Animal shall be permitted in any area of the College that is unrestricted (not off limits  
 26 to Service Animals due to codes or regulations) to employees, students or visitors provided that  
 27 the Service Animal does not pose a direct threat, and that the presence of the Service Animal  
 28 would not require a fundamental alteration of Northern policies, practices, or procedures. A  
 29 person with a disability who uses a Service Animal on College property shall **not** be required to  
 30 pay a surcharge. Any decision to exclude a Service Animal from a particular area of the College  
 31 shall be made on a case-by-case basis. The College will take appropriate action to address  
 32 violations of this policy, up to and including disciplinary action or removal from College  
 33 property.

#### 34 35 **2.1. Direct Threat**

36 A direct threat is a significant risk to the health or safety of others that cannot be  
 37 eliminated or mitigated by a modification of policies, practices, or procedures, or by the  
 38 provision of auxiliary aids or services. If the College determines that a Service Animal  
 39 poses a direct threat to the health or safety of others in a building or portion thereof,  
 40 access to the facility by the Service Animal will be denied. In determining whether a  
 41 Service Animal poses a direct threat to the health or safety of others, the College shall  
 42 make an individualized assessment, based on reasonable judgment that relies on current  
 43 medical knowledge or on the best available objective evidence, to identify:

- 44 • the nature, duration, and severity of the risk;
- 45 • the probability that the potential injury will actually occur; and

- if there are reasonable modifications of policies, practices, or procedures that will mitigate the risk.

### 3. Inquiries by College Employees

A Service Animal must be trained to provide specific support services to the individual with a disability. Generally, when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g. a dog is observed guiding an individual who is blind or has low vision or pulling a person's wheelchair), Northern employees should **not** make otherwise allowable inquiries. If it is not readily apparent, College employees shall **not** ask about the nature or extent of the individual's disability, but may ask if the animal is required because of a disability and what work or task the animal has been trained to perform. College employees **cannot** ask for documentation, such as proof that the animal has been certified, trained or licensed as a Service Animal. For College programs and/or classes held at non-Northern facilities, the owner of the property may require notification or verification of the Service Animal.

### 4. Responsibilities for the Care and Supervision of Service Animals

Individuals with Service Animals are responsible for managing and handling their Service Animals at all times while on College property, maintaining proper infection control measures, and are responsible for the behavior and activities of the animal. The individual is personally responsible for any damages to a facility caused by his/her Service Animal, including if the individual is a Northern student whose Service Animal has caused damage in a residence hall or classroom. Service Animals on College property must be:

- licensed in accordance with applicable state, county, or local laws or ordinances pertaining to the type of Service Animal;
- in good health and well groomed;
- housebroken (the individual with the disability is responsible for the proper disposition of any Service Animal accidental waste); and
- harnessed, leashed, or otherwise under the control of the individual with a disability (e.g. voice control, signals, or other effective means) such that the Service Animal does not disrupt or interfere with the ability of other users of the space or activity.

### 5. Removal of Service Animal

An individual with a disability cannot be asked to remove his or her Service Animal from the premises unless the animal poses a direct threat to the health or safety of others or the Service Animal and/or individual fail to meet one or more of the requirements of this Policy or federal laws and regulations. A history of allergies or fear of animals are generally not valid reasons for denying access or refusing service to individuals with Service Animals; however all situations will be evaluated on a case-by-case basis. If after careful evaluation removal is necessary, College employees should consider an alternative option for the individual to obtain the goods and/or services.

### 6. Students

A student who seeks to bring a Service Animal into a Northern classroom, laboratory, or other learning environment is required to register with Northern's Accessibility Resource Center and follow the procedures established by that office for obtaining academic adjustments.

1 **7. American with Disabilities Act (ADA) Coordinator**

2 Any person dissatisfied with a decision concerning a Service Animal can contact the Americans  
3 with Disabilities Act (ADA) Coordinator for Northern New Mexico College. Northern's ADA  
4 Coordinator is the Accessibility Resources Coordinator. The College's Accessibility Resources  
5 Coordinator will coordinate with the Dean of Students, as well as other appropriate College  
6 resources to address individual concerns related to this policy.

7  
8 **2300**

9 **INSPECTION OF PUBLIC RECORDS**

10 **1. Introduction**

11 Citizens in a democracy have a fundamental right to have access to public records. This right is  
12 recognized by the New Mexico Legislature through the New Mexico Inspection of Public  
13 Records Act, NMSA 1978, §§ 14-2-1 et seq. ("IPRA"), and by the New Mexico Supreme Court,  
14 which stated in 1977 that a citizen's right to know is the rule and secrecy is the exception. IPRA  
15 provides that every person has a right to inspect the public records of this state, subject to certain  
16 exceptions. "Public records" are defined by IPRA as all documents and records, regardless of  
17 physical form, that are used, created, received, maintained or held by or on behalf of any public  
18 body and relate to public business, whether or not the records are required by law to be created  
19 or maintained.

21  
22  
23  
24 **2. General**

25 The College is committed to fully complying with IPRA, and to making certain that pertinent  
26 College policies conform to existing IPRA requirements. Nevertheless, the right of public  
27 inspection under IPRA is subject to certain exceptions. The right of public inspection is limited  
28 to existing public records, and the College is not required to create a public record that does not  
29 otherwise exist. Exceptions to the right to inspect public records that are specifically listed in  
30 IPRA include, but are not limited to, medical records, letters of reference concerning  
31 employment, licensing or permits, matters of opinion in personnel or student files, confidential  
32 law enforcement records, documents covered by the Confidential Materials Act, trade secrets,  
33 attorney-client privileged information, and records that are considered non-public "as otherwise  
34 provided by law." Listing every kind of record that is exempt from IPRA disclosure requirements  
35 is not practical, and no attempt has been made in this and the related policies to interpret the  
36 application of IPRA to every kind of record that may become the subject of an IPRA request.  
37 However, some examples of records that the College considers exempt from public disclosure  
38 under IPRA include employee Social Security numbers, personnel evaluations, opinions  
39 regarding whether a person would be re-hired or regarding why an applicant was not hired,  
40 proprietary and protected information provided by a third party, and data relating to intellectual  
41 property or research that may result in patentable inventions, significant discoveries, or  
42 publications. If a document contains both exempt and non-exempt information, the College must  
43 separate the non-exempt material and make it available for inspection.

44  
45 **3. Custodian**

46 The College Custodian of Public Records (the "Custodian"), is the official custodian of public  
47 records for the College. The (President of the College) shall provide information on the  
48 College's website concerning how to contact the Custodian. The Custodian is responsible for:

- 1 • responding to all requests to inspect public records;
- 2 • determining whether requested records exist and where they are located, and working
- 3 with the College's legal counsel about any apparent legal issues related to producing
- 4 records for inspection and possible denials of requests;
- 5 • providing proper and reasonable opportunities to inspect public records, including
- 6 assembling the records as appropriate;
- 7 • providing reasonable facilities to make copies or furnish copies of the public records
- 8 during usual business hours;
- 9 • consulting with intellectual property counsel for the College or for STC. NORTHERN
- 10 regarding any requests that might involve disclosure of trade secrets or attorney-client
- 11 privileged information related to intellectual property; and
- 12 • maintaining a log of all requests that include the date and nature of the request, a copy of
- 13 the request, any correspondence relating to the request, date of the response, copies of all
- 14 documents made available in the response, and any other pertinent information.

15 Only the Custodian, or a designee of the Custodian, may respond to requests for public records.

#### 17 **4. Procedure for Requesting Public Records**

18 Public copies of certain College documents, including recent Regent agendas, the current salary  
 19 book and the Detailed Operating Budget for the current and previous years are available for  
 20 inspection through the Reserve Desk in the Ben Lujan Library. Other College publications which  
 21 are of high interest because of the subject matter are also held for brief periods of time at the  
 22 Reserve Desk. To view public records held by the College Archives, also located in Ben Lujan  
 23 Library, the requester should contact the College Custodian of Public Records.

24 Individuals who want to inspect public records of the College other than medical or student  
 25 records, or documents that are available in the Ben Lujan Library must submit a request to the  
 26 Custodian, identifying the records sought with reasonable particularity. Oral requests are  
 27 generally permissible, but the Custodian may, for good cause, ask the requester to make a formal  
 28 request in writing. A written request must include the requester's name, address and telephone  
 29 number. No person requesting records shall be required to state the reason for inspecting the  
 30 records. Any College employee who receives a request for inspection of public records shall  
 31 promptly forward the request to the Custodian and notify the requester that the request has been  
 32 forwarded.

##### 34 **4.1. Notification that Information has been Requested.**

35 If an IPRA request seeks information relating specifically to a particular individual or to a  
 36 small number of individuals, such as a current or former employee or student or an  
 37 applicant for employment, the Custodian will promptly give notice to each such  
 38 individual of the request and the name of the requester. Such notice may be given by any  
 39 means (including, for example, by telephone, e-mail or postal mail) that appears under  
 40 the circumstances to be reasonably calculated to impart prompt actual notice to each  
 41 individual who is the subject of the request. Within five (5) days after the Custodian has  
 42 given such notice, any individual so notified may provide comments to the Custodian  
 43 regarding the request or the requester. No individual who has been so notified may

1 prevent the Custodian from releasing the requested information if that information is  
2 subject to public inspection under IPRA.

#### 3 4 **4.2. Time Required for Compliance**

5 The time requirements in this section reflect the requirements of IPRA, and are based on  
6 the date when the written request is delivered to the office of the Custodian. If the records  
7 sought are subject to public inspection under IPRA, the Custodian shall permit inspection  
8 sought by a written request immediately or as soon as is practicable under the  
9 circumstances, but not later than fifteen (15) days after receiving such written request.

10 The custodian will strive to provide an opportunity to inspect the requested records  
11 within three (3) business days. In determining whether permitting the inspection within  
12 three (3) business days is reasonably practicable under the circumstances, the Custodian  
13 may consider whether notice of the request has been given to any individual as provided  
14 in Section 4.1., above, and if so, any comments that any such individual has provided to  
15 the Custodian. If the inspection is not permitted within three (3) business days, the  
16 Custodian shall explain to the requester in writing when the records will be available for  
17 inspection or when the College will respond to the request. Excessively burdensome or  
18 broad requests where compiling or copying documents may be unduly time consuming or  
19 difficult may require more than fifteen (15) calendar days. In such cases, the Custodian  
20 shall notify the requester within fifteen (15) calendar days of the need for additional time,  
21 the reason for the delay, and the date the records will be available for inspection. If the  
22 College does not respond to the requester within fifteen (15) calendar days, the request  
23 will be deemed to have been denied and the requester may seek judicial remedies under  
24 IPRA. For this reason, it is critical that written requests for public records be forwarded  
25 to the Custodian immediately.

#### 26 27 **4.3. Cost of Providing Hard Copy Records**

28 As permitted by IPRA, the College will normally charge for copying records in  
29 accordance with the fee schedule published by the Custodian. If the estimated cost  
30 exceeds ten dollars (\$10), the Custodian should provide an estimate of the charges and  
31 may require advance payment before making copies. If the College determines the  
32 information primarily benefits the general public, the College may waive or reduce the  
33 charges. The College may require payment of overdue balances before processing  
34 additional requests from the same requester.

#### 35 36 **5. Denial of Request**

37 If a written request is denied, in whole or in part, the Custodian must deliver or mail to the  
38 requester a written explanation no later than fifteen (15) calendar days after the Custodian  
39 received the written request. The explanation of denial must describe the records sought, the  
40 legal reason for the denial, the names and titles or positions of each person responsible for the  
41 denial, and the requester's right to pursue the remedies provided in IPRA. When a request is  
42 denied, the requested records must be retained until remedies under IPRA have been exhausted.  
43 Before a determination is made to deny a request, the Custodian shall consult with the Vice  
44 President for Finance and Administration and, if necessary, legal counsel, to determine whether  
45 denial of the request is permissible under IPRA and other College policies, including without

1 limitation. All Denial of Requests must be reported to the Board Regents at their next scheduled  
2 meeting.

3  
4 **2310**  
5 **ACADEMIC ACCOMMODATIONS FOR**  
6 **STUDENTS WITH DISABILITIES**  
7

8 **1. Policy**

9 In keeping with the Rehabilitation Act of 1973 and the Americans With Disabilities Act of 1990,  
10 the College is committed to providing equal access to educational opportunities for qualified  
11 students with disabilities. The College shall provide reasonable academic accommodations to  
12 qualified students with disabilities as necessary to ensure equality of access to the courses,  
13 programs, services, and facilities of the College. However, students with disabilities are still  
14 required to adhere to all College policies, including policies concerning conduct and  
15 performance.

16  
17 The student is responsible for demonstrating the need for an academic accommodations by  
18 providing College Accessibility Resource Center with documentation that establishes the  
19 disability, and the need for and appropriateness of the requested accommodation(s).

20 Documentation must be provided by a qualified professional who has made an individualized  
21 assessment of the applicant. Appropriate documentation may include a letter from a qualified  
22 professional or evidence of a prior diagnosis, accommodation, or classification, such as  
23 eligibility for a special education program.

24 The College is responsible for all costs of academic accommodations. The following sections  
25 provide procedures for students, faculty, and staff on academic accommodation requirements.  
26

27 **2. Student Responsibilities**

28 It is the student's responsibility to demonstrate the need for an academic accommodation by  
29 providing Accessibility Resource Center with documentation that establishes the disability, and  
30 the need for and appropriateness of the requested accommodation(s). Documentation must be  
31 provided by a qualified professional who has made an individualized assessment of the applicant.  
32 Appropriate documentation may include a letter from a qualified professional or evidence of a  
33 prior diagnosis, accommodation, or classification, such as eligibility for a special education  
34 program. Accessibility Resource Center can provide information on the kind of documentation  
35 that is required.

36  
37 Accessibility Resource Center will determine a student's eligibility and, in consultation with the  
38 student, will determine effective and appropriate academic accommodations.. Accessibility  
39 Resource Center may consult with other College departments, as necessary, in order to make a  
40 determination of eligibility and what academic accommodations are appropriate and reasonable.  
41 Accessibility Resource Center will provide the student with letters of accommodation to give to  
42 their instructors for each class requiring accommodations. Accessibility Resource Center is  
43 responsible for costs relating to academic adjustments that are part of instructional courses.  
44

45 Once the student has established his or her eligibility for academic accommodations,  
46 Accessibility Resource Center will provide appropriate accommodations as expeditiously as



1 possible. Generally, accommodations will be in place within fifteen (15) working days; however,  
2 some adjustments can require a longer period of time to arrange. Therefore, students are  
3 encouraged to pre-register with Accessibility Resource Center before classes begin so that  
4 adjustments can be in place when needed at the start of the semester. If pre-registration is not  
5 possible, students should register at the start of the semester or as soon as the need for an  
6 adjustment becomes known, and Accessibility Resource Center will make every effort to  
7 accommodate the student's needs as soon as possible. Requests received right at or after the start  
8 of a semester may result in the student being without the accommodation for part of the  
9 semester. Students should be aware that an academic accommodation does not apply  
10 retroactively, so that grades earned on exams, assignments, or other classroom activities before  
11 the adjustment takes effect will not be changed.

### 12 13 **2.1. Faculty Responsibilities**

14 Faculty members must provide students with the academic accommodations identified in  
15 the letter from Accessibility Resource Center. If the faculty member has questions or  
16 concerns, or needs help with making the modifications called for, he or she should  
17 contact Accessibility Resource Center. If a student discloses a disability to a faculty  
18 member and requests an academic accommodation but the student does not have a letter  
19 from Accessibility Resource Center, the faculty member should direct the student to  
20 Accessibility Resource Center. It is not the faculty member's responsibility to decide  
21 whether the student has a disability and what accommodations are appropriate. Faculty  
22 can help the College meet its obligations to provide students with academic  
23 accommodations in a timely manner by stating on their class syllabus that students should  
24 inform them of any special needs as soon as possible. Students who do so should be  
25 referred to Accessibility Resource Center.

### 26 27 **2.2. Appeal**

28 In most instances the academic adjustment determination made by Accessibility Resource  
29 Center will be acceptable to the student and faculty. However, if that is not the case, the  
30 determination is subject to appeal. In addition, the student can appeal a determination by  
31 an academic unit that an accommodation would result in a fundamental alteration of a  
32 course or program. The Provost, or designee, will convene an ad hoc committee to  
33 consider the appeal. Members of the ad hoc committee will include representatives from  
34 relevant College departments as determined on a case-by-case basis. The ad hoc  
35 committee will make a recommendation to the Provost, or designee, whose decision on  
36 the appeal is final for the College. Every effort should be made to arrive at a  
37 determination of the appeal as expeditiously as possible.

### 38 39 **3. Criteria for Determining Academic Accommodations**

40 The College shall make academic accommodations for the known physical or mental limitations  
41 of a qualified student with a disability, unless the College can show that providing an adjustment  
42 would result in:

- 43 • a fundamental alteration of the service, course, program, or activity;
- 44 • an undue financial, administrative, or academic burden, and/or;
- 45 • a direct threat to the health or safety of the student or others.

46

### 3.1. Individual with a Disability

Disability is defined as a physical or mental impairment that substantially limits one or more major life activities.

A physical impairment is a physiological condition, cosmetic disfigurement, or anatomical loss that affects one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, speech organs, cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin, and endocrine. A mental impairment is a mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities

### 3.2. Qualified Student with a Disability

A qualified student with a disability is a student with a disability who meets the academic and technical standards required for admission and participation in the programs and activities of Northern New Mexico College.

### 3.3. Academic Adjustment

An academic accommodation is a modification or adjustment to instructional methods and/or to a course, program, service, or facility of the College that enables a qualified student with a disability to have equal access and opportunity to attain the same level of performance and to enjoy equal benefits and privileges as are available to similarly-situated students without a disability. Determining reasonable academic accommodations must be done on a case-by-case basis and in consultation with the student. The College is not required to provide the specific adjustment requested, but the accommodation must be effective to enable a qualified student with a disability to enjoy equal opportunity and access. All offers of accommodations are subject to applicable College policies.

#### 3.3.1. Course or Program Modifications

The College shall provide such modifications to courses, programs, or educational requirements as are necessary and appropriate to enable a qualified student with a disability to enjoy equal opportunity and access. However, the College is not required to fundamentally alter the essential nature of a course or academic program. Reasonable academic accommodations may include, but are not limited to, extended time on an examination or paper, and oral instead of written examinations, where appropriate.

#### 3.3.2. Auxiliary Aids and Services

Reasonable academic accommodation in the form of auxiliary aids and services may include, but are not limited to: note-takers, readers, Braille or large print materials, and sign language interpreters. However, the College is not required to provide devices or services of a personal nature such as personal attendants or personal devices utilized in activities of daily living.

## 4. Americans With Disabilities Act (ADA) Coordinator

The Americans With Disabilities Act (ADA) Coordinator for Northern New Mexico College is the Accessibility Resource Coordinator. Students who believe that they have been discriminated

1 against on the basis of a disability may contact the Office of Equal Opportunity to file a  
2 complaint with the College's Dean of Students

## 3 4 5 2400

### 6 Sponsored Programs Administration and Management

#### 7 8 **1. Definition of Sponsored Projects**

9 Sponsored projects are externally supported activities with funds provided typically in response  
10 to a request or proposal. A formal written agreement (i.e., a grant, contract, or cooperative  
11 agreement) is entered by Northern and by the sponsor and generally contains the following  
12 financial accountability elements:

- 13 • an agreement that binds the College to a detailed statement of work and commitment to a  
14 specified project plan with "start" and "stop" dates;
- 15 • a project schedule and a line-item budget, both of which are essential to financial  
16 accountability;
- 17 • a requirement to return any unexpended funds at the end of the project funding period or  
18 as described in the binding agreement;
- 19 • regular financial reporting and audit, including, for federal and state awards under the terms  
20 of [the OMB's 2 CFR 200 – Uniform Administrative Requirements, Cost Principles, and](#)  
21 [Audit Requirements for Federal Awards \(hence referred to as the 'Uniform Guidance'\)](#);
- 21 • the College's full negotiated Facilities and Administrative (F & A) indirect cost rate,  
22 unless a waiver of those costs have been approved; and
- 23 • terms and conditions for the disposition of tangible properties (e.g., equipment, records,  
24 specified technical reports, theses or dissertations or intangible properties (e.g., rights in  
25 data, copyrights, inventions).

26 While not all the above conditions are necessary to define a sponsored activity, they are  
27 indicative of the increased level of financial accountability associated with such projects.

28  
29 **2. Faculty and Staff Eligibility.** Persons eligible to submit proposals and act as Principal  
30 Investigators (PIs) or PDs include tenured and non-tenured associate and assistant professors.  
31 Other College staff and faculty (e.g., professors emeritus, visiting professors or visiting scholars)  
32 are encouraged to submit proposals, but due to liability purposes must seek approval by the  
33 appropriate dean and Provost/Vice President for Academic Affairs. Persons ineligible for PI  
34 status may be identified as an associate investigator, but not as a Co-PI.

35  
36 **2.1. Student-Initiated Research.** Registered Northern students are eligible to submit  
37 proposals and act as a PI to external sponsors only under the following conditions:

- 38 • An eligible faculty member agrees to serve as an advisor to the project and the  
39 sponsor is informed through a formal College letter of transmittal that  
40 identifies the faculty member and her or his role as the advisor;
- 41 • A school, center or institute is willing to accept responsibility for  
42 administrative and logistical coordination of the project;
- 43 • The sponsor agrees to ensure compliance with all College policies and  
44 regulations pertaining to the grant;
- 45 • The adviser must approve all commitments for project expenditures; and
- 46 • Joint periodic reviews must occur between the adviser and the student at least

once per semester during the project period.

### 3. Procedures for grant proposal drafting and submission

#### 3.1. Proposal Drafting

- Individuals and/or departments interested in preparing a grant proposal must notify the VP of Institutional Advancement of the intent to draft a grant proposal. Notification may be done via email and should include the formal Call for Proposals (CFP) announcement.
- The Office of Institutional Advancement will coordinate a meeting to discuss the CFP, potential financial and programmatic implications on the college, overlap with other existing programs, and a timeline for proposal completion and submission.
- Depending on the nature of the grant, and other existing priorities, the Office of Institutional Advancement will provide support, as necessary, to ensure that proposals are submitted in a timely and highly competitive fashion, and in compliance with the Call for Proposals announcement.
- The Office of Advancement will assist in the development of a proposal submission timeline that includes a minimum of four business days for the Proposal Routing Process.
- The Project Director (PD) must consider the availability and use of space and personnel while constructing a proposal. If the proposal involves human subjects, animal subjects or hazardous substances, approval from the College's Institutional Review Board Committee must also be obtained prior to submission to the dean or designee.
- There are a number of standard facts about Northern that are required in a proposal. To ensure that proposals are complete, accurate and consistent, a list of required information (e.g., Federal ID #, DUNS #, and Assurance #'s) is compiled for completing application forms in (Northern's Fact Sheet for Completing Proposals).
- When possible, the college's Grant Writer must be included as the institutional contact for all proposals.
- A copy of the proposal (including accompanying documentation) and the complete Proposal Routing Sheet shall be housed in the Advancement Office.

#### 4. Budget Guidelines for a Proposal

Most granting agencies have their own format and forms for writing the budget for a proposal. Included in this section are relevant policies cited from the [Uniform Guidance](#) on facilities and administration for writing the budget portion of a proposal and additional policies such as fringe benefits, salaries, and tuition, release time, and travel. Note: The College develops F & A or indirect costs under the requirements of the [Uniform Guidance](#).

**4.1. Definition of Facilities and Administration (F&A) or Indirect Cost.** F & A refers to costs that are incurred for common or joint objectives and, therefore, cannot be identified readily and specifically with: (1) a particular sponsored project; (2) an

1 instructional activity; or (3) any other institutional activity. Consequently, F&A costs are  
2 synonymous with the term "indirect" costs.

3  
4 In federally sponsored projects, indirect costs encompass broad categories of costs. For  
5 example, the term "facilities" is defined as depreciation and use allowances, interest on  
6 debt associated with certain buildings, equipment and capital improvements, operation  
7 and maintenance expenses, and library expenses. "Administration" is defined as general  
8 administration and general expenses, departmental administration, sponsored projects  
9 administration, student administration and services, and all other types of expenditures  
10 not listed specifically under one of the subcategories of facilities.

11  
12 **4.2. Departmental Administration Expenses and Limitations.** In accordance with the  
13 [Uniform Guidance](#), expenses under this heading are those incurred for  
14 administrative and supporting services that benefit common or joint departmental  
15 activities or objectives in academic deans' offices, academic departments and divisions,  
16 and organized research units. Organized research units include such units as institutes,  
17 study centers, and research centers. Departmental administration expenses are subject to  
18 the following limitations:

19  
20 **4.2.1. Academic Dean Offices.** Salaries and operating expenses are limited to  
21 those attributable to administrative functions.

22 **4.2.2. Academic Departments.** Salaries and fringe benefits attributable to the  
23 administrative work (including bid and proposal preparation) of faculty (including  
24 department heads), and other professional personnel conducting research and/or  
25 instruction, shall be allowed at a rate of 3.6 percent of modified total direct costs.  
26 This category does not include professional business or professional administrative  
27 officers. This allowance shall be added to the computation of the F&A cost rate for  
28 major functions, the expenses covered by the allowance shall be excluded from the  
29 departmental administration cost pool. No documentation is required to support  
30 this allowance.

31  
32 Other administrative and supporting expenses incurred within academic departments are  
33 allowable provided they are treated consistently in like circumstances. This would  
34 include expenses such as the salaries of secretarial and clerical staffs, the salaries of  
35 administrative officers and assistants, travel, office supplies, stockrooms, and the like.  
36 Federal agencies may authorize reimbursement of additional costs for department heads  
37 and faculty only in exceptional cases where an institution can demonstrate undue  
38 hardship or detriment to project performance.

39  
40 **4.3. Determination of Departmental Administrative Costs as Direct or F&A costs.** In  
41 developing the departmental administration cost pool, special care should be exercised to  
42 ensure that costs incurred for the same purpose in like circumstances are treated  
43 consistently as either direct or F&A costs. For example, salaries of technical staff,  
44 laboratory supplies (e.g., chemicals), telephone toll charges, animals, animal care costs,  
45 computer costs, travel costs, and specialized shop costs shall be treated as direct cost

1 wherever identifiable to a particular cost objective. Direct charging of these costs may be  
 2 accomplished through specific identification of individual costs to benefiting cost  
 3 objectives, or through recharge centers or specialized service facilities, as appropriate  
 4 under the circumstances.

5  
 6 The salaries of administrative and clerical staff should normally be treated as F&A costs.  
 7 Direct charging of these costs may be appropriate where a major project or activity  
 8 explicitly budgets for administrative or clerical services and individuals involved can be  
 9 specifically identified with the project or activity. "Major project" is defined as a project  
 10 that requires an extensive amount of administrative or clerical support, which is  
 11 significantly greater than the routine level of such services provided by academic  
 12 departments. Some examples of major projects include:

- 13 ○ Large complex programs such as research centers and other grants and contracts  
 14 that entail assembling and managing teams of investigators from a number of  
 15 institutions.
- 16 ○ Projects involving extensive data accumulation, analysis and entry, surveying,  
 17 cataloging, searching literature, reporting (e.g., clinical trials or studies).
- 18 ○ Projects that require making travel and meeting arrangements for large numbers  
 19 of participants, such as conferences and seminars.
- 20 ○ Projects whose principal focus is preparing and producing manuals and large  
 21 reports, books, and monographs (excluding routine progress and technical  
 22 reports).
- 23 ○ Projects that are geographically, inaccessible to normal departmental  
 24 administrative services and remote from campus and:
  - 25 ○ items such as office supplies, postage, local telephone costs, and  
 26 memberships shall normally be treated as F&A costs.
  - 27 ○ technical expenses shall be charged directly to sponsored projects if the  
 28 expense can be specifically identified and provide technical benefit to the  
 29 project's scope of work. Examples of qualifying expenses include:
    - 30 ○ Salaries of PI/PD and technical staff, and related fringe benefits (vacation,  
 31 holidays, sick leave);
    - 32 ○ Laboratory supplies (e.g., chemicals);
    - 33 ○ Telephone toll charges related to the scope of work;
    - 34 ○ Animals and animal care costs
    - 35 ○ Non-administrative computer costs;
    - 36 ○ Travel costs related to the scope of work;
    - 37 ○ Specialized shop costs
    - 38 ○ Specialized health and safety supplies, training, and services.

39  
 40 **4.3. Fringe Benefits.** In accordance with [Uniform Guidance](#), Section G.5 on negotiated  
 41 fixed rates and carry forward provisions, Northern's fringe benefits rates are the direct  
 42 cost charged in a contract, grant, subcontract and subaward. Fixed rates for fringe benefits  
 43 shall be negotiated in advance for a fiscal year. Any over- or under-recovery for that year  
 44 is included as an adjustment to the appropriate fringe benefits rate for a subsequent year.  
 45

46 The following provides the fringe benefit rates for three categories of employees.

- 1           ○ Regular Full-Time, Part-Time and Interim Eligible Employees including faculty  
2           and staff who hold an appointment of at least six months (four months for  
3           bargaining unit employees) for at least 50 percent time are eligible for Northern’s  
4           benefits programs such as: FICA, retirement; worker’s compensation,  
5           unemployment insurance, health insurance, tuition remission, and dental  
6           insurance. Fringe benefits for all positions shall be calculated at 32 percent of the  
7           gross salary.
- 8           ○ Temporary employees whose appointments are too brief (i.e., less than six  
9           months, or four months for bargaining unit employees) or too few hours (i.e., less  
10          than 50 percent time) are not eligible for regular benefits.
- 11          ○ Students who are employed by the College during a quarter in which they are not  
12          registered (including summer quarter) must be classified as contingent employees  
13          until they are registered again.

14  
15           **4.4. Treatment of Vacation, Holiday, & Sick Leave.** Fringe benefit calculations do not  
16           include vacation, holiday, sick leave pay and other paid absences. These benefits must be  
17           claimed as part of the normal cost of salaries and wages on grants, contracts and other  
18           agreements. In addition, externally funded employees paid through externally funded  
19           grants/contracts with the College who are terminating their employment must either:

- 20           • take their accrued annual leave during the contract period in which they are  
21           terminating their employment; or
- 22           • terminate in sufficient time prior to the end of the contract period so that  
23           payment of unused annual leave accruals will not exceed the total monies  
24           provided in the contract (See Human Resources for more detail).

25  
26           **4.5. Student Salaries and Tuition.** A 1986 IRS ruling states that any payments made to  
27           a student, for services rendered, are taxable. To remain in compliance with this ruling, the  
28           following policies for research assistants (RA), and graduate project assistants (GPA) as  
29           well as other (primarily undergraduate) students are in effect.

- 30           • **IRS Reporting.** Salaries issued to RAs, GPA, and other project or  
31           undergraduate students for services rendered will be reported to the IRS and  
32           reported as a direct line item.
- 33           • **Tuition & Scholarships.** Tuition expenses or scholarships shall be calculated  
34           as a F&A or indirect item. Since most contracts or grants can not be charged  
35           “tuition” or “scholarships”, the compensation in the RA salary line must be  
36           sufficient to cover tuition remission and some additional salary (where  
37           appropriate), to cover the corresponding taxes that may have to be paid by the  
38           student to the IRS. Students may be compensated for possible taxes up to 16  
39           percent by increasing the budgeted salary amount, depending upon availability  
40           of funds within contract or grant. During each semester, forward to the payroll  
41           office the tuition amounts paid by the College for each individual. Payroll will  
42           include the semester’s tuition amount as part of the student’s taxable wages  
43           during one month each semester. **Note: Once a scholarship is awarded, it  
44           cannot be retracted, even if the student’s contract is terminated before  
45           the end of the term for which it is written.**

Note: According to the IRS, Scholarships may be all or partially taxable, even if a Form W-2 is not issued. Generally the entire amount is taxable if a student is not a candidate for a degree. If a student is a candidate for a degree, they generally can exclude from income that part of the grant used for: Tuition and fees required for enrollment or attendance, or Fees, books, supplies, and equipment required for courses. Students cannot exclude from income any part of the grant for other purposes, such as room and board.

#### 4.6. Pell Grants, Supplemental Educational Opportunity Grants, and Grants to States for State Student Incentives.

These grants are nontaxable scholarships to the extent used for tuition and course-related expenses during the grant period.

#### 4.7. Graduate Student Exception

Tax-free treatment of reduced tuition can also apply to a graduate student who performs teaching or research activities at an educational institution. The qualified tuition reduction must be for education furnished by that institution and not represent pay.

- **Enrollment Qualifications.** Student(s) must be enrolled at least halftime at the College to be eligible to participate in a sponsored project. For budget purposes, these students are considered College employees.
- **Student Salaries.** For graduate research assistants, salaries are normally shown as a percent of time, and graduate project assistants and undergraduate students are normally shown as number of hours (i.e., a maximum of 700 hours in an academic year, a maximum of 520 hours in summer, and in rare cases a maximum of 160 hours between fall and spring semester). Allowable salaries for students are based on approved rates by the funding agency: Examples of how to report salaries in a proposal are as follows.

Research Assistants: \$1,600/mo (.50 FTE)

Project Assistants or Undergraduate Students, 500 hours @ \$12/hr or \$6,000

**4.8. Academic Faculty Release Time and Salaries.** Some granting agencies will pay for faculty release time during the academic year. The typical amount is 25 to 50 percent, but larger amounts are sometimes granted for projects. It will be the responsibility of the PI to determine the guidelines from the granting agency and to coordinate through the appropriate department/unit administrator. Note: Faculty Handbook updates related to faculty release time and salaries will take precedence over this policy. The release time may be listed in the proposal budget as in the following example.

**John Doe, 25% FTE, \$42,000/9 mo., \$10,500**

In addition, the Board of Regents approved the following relevant policies.

In cases where release time from teaching duties is not necessary or possible, or in addition to release time from teaching duties, the faculty member may be provided an administrative “overload” supplemental contract for additional duties incurred with the grant with the following provisos:





1 **5. PI/Director Responsibilities for Preparing, Submitting and Managing the Budget**

2 The technical and fiscal management of a sponsorship project includes the preparation of the  
3 proposal, management of the project, adherence to reporting requirements, and assurance that the  
4 sponsor will be notified when significant conditions related to the project change. The major  
5 development and management policies and procedures related to the fiscal responsibility of the  
6 PI/director are described in the following two subsections.

7  
8 **5.1. Preparation and Submission of Proposed Budgets.** In proposing budgets for  
9 sponsored projects, the PI ensures Northern and the potential sponsor that project  
10 finances are represented as accurately as possible. In addition, all federal requirements  
11 related to cost principles in the [Uniform Guidance](#) and the [Accounting Standards Board](#)  
12 must be adhered to at the proposal stage. Key policies to address are as follows.

13  
14 **6. Commitment of College Resources.** Sponsored awards are made to the College. To accept  
15 awards, the College must legally commit itself to the conditions of the award document and  
16 the provision of resources necessary to fulfill the award, as committed in the sponsored  
17 project proposal. The Office of Institutional Advancement is the official authorized to  
18 approve grants documents, contracts and intergovernmental agreements.

19  
20 **6.1. Allowability.** Proposals should not include expenses which the federal government  
21 (in the [Uniform Guidance](#) or other regulations) or the sponsor has identified as  
22 unallowable.

23 Similarly, expenses which are to be considered as indirect expenses (e.g., certain types of  
24 office supplies and clerical salaries) may not be proposed and budgeted as direct  
25 expenses, unless they meet the criteria defined in Section 3.2.1.(3).

26  
27 **6.2. Commitment to Effort.** Proposals should accurately represent the amount of time  
28 that key personnel are committing to the project. In preparing proposals, PI/director must  
29 be cautious to not over commit themselves or others. Effort to the project must take into  
30 account the time required for teaching and campus citizenship.

31  
32 PIs may submit proposals on the assumption that not all will be awarded, but, at the time  
33 of award, an accurate representation of time to be devoted to the project, whether that  
34 effort will be paid for by the sponsor or by Northern, is necessary. Subsequent changes in  
35 levels of effort may also require advance notification to and approval by sponsors.

36  
37 **6.2.1. Estimating Methods.** When estimating funding to be budgeted for project  
38 expenses, estimating methods must be consistent with Northern's accounting  
39 practices and must allow expenditures to be accumulated and reported to at least  
40 the same level of detail as the estimate.

41  
42 **7. Cost Sharing.** Cost sharing is the contribution made by the College to the total sponsored  
43 project cost. Two types of cost sharing may occur in a grant:

- 44 1. Mandatory cost sharing required by the sponsor as a condition to obtaining an  
45 award; and
- 46 2. Committed cost sharing, which is an agreement by the College to use some of its  
47 own resources for related research, but not required by the sponsoring agency.

1 In either case, when the award is received, cost sharing becomes a legally binding commitment  
 2 of the College. As a result, a Cost Sharing and Identification Worksheet must be completed and  
 3 submitted to the Office of Institutional Advancement for approval before the College commits to  
 4 sharing the costs of externally funded projects. The type of cost sharing and amount expected to  
 5 be contributed to a sponsor needs to be estimated based on associated dollars and recorded in the  
 6 proposal budget as cost sharing.

7  
 8 Administrative requirements for including cost sharing on federal grants and cooperative  
 9 agreements are defined in [Uniform Guidance](#). Both in-kind and cash contributions  
 10 by a recipient are acceptable as cost sharing or matching when all six criteria are met:

- 11 1. Verifiable from recipient records;
- 12 2. Not included as contribution for any other federally assisted program;
- 13 3. Necessary and reasonable for proper and efficient accomplishment of project or program  
 14 objectives;
- 15 4. Allowable charges under applicable cost principles;
- 16 5. Not paid by another federal award (except as authorized by statute); and
- 17 6. Conform to other provisions in [Uniform Guidance](#) as applicable.

18  
 19  
 20 **The key policies related to these criteria are as follows.**

21 **7.1. Direct Costs (Faculty, Student or Staff Support).** It may be appropriate to  
 22 contribute faculty, student, or staff effort to the performance of a sponsored agreement.  
 23 The commitment to provide such support, binds the College to contribute the effort and  
 24 record the associated expenditures including fringe benefits in separate cost sharing  
 25 accounts.

26  
 27 **7.2. Cost Sharing.** Cost sharing may consist of allowable direct or facilities and  
 28 administration (F& A) resources; but may not exceed 100 percent of a faculty, student, or  
 29 staff's effort in the performance of the sponsored project. Note: A significant decrease in  
 30 the effort of key personnel in a project may require coordination with and/or advance  
 31 approval by the federal sponsor. Non-federal sponsors may have similar requirements. If  
 32 facilities and administration costs are to be waived, approval must be obtained from the  
 33 Office of Institutional Advancement.

34  
 35 **7.3. Equipment.** Equipment cannot be offered as cost sharing unless the receipt of the  
 36 award is contingent upon such cost sharing. Northern or government-owned equipment  
 37 cannot be committed as cost sharing, but can be characterized as "available for the  
 38 performance of the sponsored agreement at no direct cost to the project." Where the  
 39 purpose of the grant is to buy equipment and the College is required to share the cost with  
 40 the sponsor, the acquisition of special purpose equipment as a direct cost may include an  
 41 offer of College funds to pay for all or part of the equipment cost.

42  
 43 **7.4. Other Direct Costs.** Allowable direct costs other than salaries, fringe benefits, or  
 44 equipment may be committed by the PI/director as cost sharing on the proposal budget.  
 45 The following examples of other direct costs that may be cost shared include travel  
 46 expenses, items that do not meet the capitalization threshold, and supplies.

1           **7.5. Facilities and Administration Costs (Indirect Costs).** Facilities and  
 2 administration costs are those expenses that the College and, through the College, the  
 3 state of New Mexico incur every time the College accepts an award from an outside  
 4 sponsor. These costs are not set arbitrarily by the College administration; they are not  
 5 profit for the College or the state of New Mexico. They represent reimbursement for  
 6 real expenses, which cannot be allocated uniquely to individual projects, for example,  
 7 utilities, building use, libraries, and administrative services. Federal and other  
 8 sponsors expect to pay facilities and administration costs and budget their allocations  
 9 accordingly. The federal auditors scrutinize facilities and administration costs in  
 10 detail. As a result, the College must maintain its own staff to keep the appropriate  
 11 books. The College is legally obligated to recover these costs.

12  
 13           **7.6. Sources of Funds for Cost Sharing.** Funds from another federal award or grant  
 14 may not be used as the source of cost sharing, unless authorized by statute. In this  
 15 case, the cost sharing arrangement must be approved by all sponsors.

16  
 17           **7.7. Use of Nonfederal Funds.** Identifying and providing resources for cost sharing  
 18 of direct costs (including equipment) is always the responsibility of the PI. The PI  
 19 may not use funds from another federal award as the source of cost sharing, except as  
 20 authorized by statute. The PI/director. The PI may not use funds from nonfederal  
 21 sources to provide cost sharing. However, this arrangement may only occur if the cost  
 22 sharing is authorized by the nonfederal sponsor.

23  
 24           **8. Expenditures NOT Eligible for Cost Sharing.** The following expenses cannot be offered as  
 25 cost sharing commitments in sponsored project proposals:

- 26           • F&A cost in excess of the 26 percent administrative cap, except DoD contracts;
- 27           • unallowable costs as defined in the [Uniform Guidance, Subpart E – Cost Principles](#);
- 28           • salary dollars above a regulatory cap (see [NIH’s 2018 Notice on Salary Limitations](#));
- 29           • College facilities such as laboratory space. PIs should take care in preparing proposals for  
 30 sponsored agreements not to commit use of facilities as cost sharing, but rather to  
 31 characterize the facilities as “available for the performance of the sponsored agreement at  
 32 no direct cost to the project”; and
- 33           • depreciation on government-funded equipment.

34  
 35           **9. Reporting Cost Sharing.** Cost-shared expenses should be regularly documented. The College  
 36 is responsible for providing information on cost sharing to sponsoring agencies, which  
 37 demonstrates the College has fulfilled the cost sharing commitments that is made as a condition  
 38 of receiving external sponsorship and as required by the [Uniform Guidance](#). The Office of  
 39 Institutional Advancement is responsible for providing cost sharing reports to sponsors when  
 40 required by the sponsor. In order to do so, departments must provide the necessary information  
 41 on the Cost Sharing and Identification Worksheet at the time of the award.. During the financial  
 42 close-out of a sponsored project, cost sharing commitments will be reviewed by the office of  
 43 Institutional Advancement.

1 **10. Reduction in Cost Sharing.** The actual effort and other costs required to accomplish the  
 2 goals of a sponsored project might differ from what was proposed and awarded. The total costs  
 3 could decrease due to changes in programmatic needs. When there is cost sharing on such  
 4 projects, the sponsor may need to be consulted to determine if the reduction can be applied to  
 5 either the College's committed cost sharing or to both sponsor and College resource contributions  
 6 on a pro rata basis. Otherwise, the sponsor's share is reduced and the College's entire cost  
 7 sharing commitment must be met. The PI/director or the departmental or research administrator  
 8 must consult with the Office of Institutional Advancement before the sponsor is contacted.

9  
 10 **10. Outside Professional Services.** Services rendered at the request of and for the benefit of the  
 11 College by corporations, partnerships, or consultants (not College employees) may be contracted.

12  
 13 **11. Stipend Award Procedures.** Student costs are normally seen only in training projects or  
 14 fellowships and rarely in research or public service projects. Costs such as student stipends,  
 15 tuition, housing, travel, books, and supplies must be listed separately in the proposal budget and  
 16 are excluded from the F&A cost calculations (There are some exceptions with the U.S.  
 17 Department of Health). For student costs such as salaries, fringe benefits and scholarship, see  
 18 Section, Student Salaries. Note: Participant costs such as in workshops, surveys, and studies are  
 19 typically in small fixed amounts to compensate participants for their effort and are included in  
 20 the F&A calculation.

21  
 22 **12. Proposal routing process:**

23 Grant proposals, including pre-proposals, letters of support/commitment that obligate the college  
 24 and/or the college's foundation office as a fiscal agent, sub-recipient, or beneficiary, must not be  
 25 submitted to a funding agency for consideration unless approved by the following offices:

- 26 • Overseeing academic department (if applicable)
- 27 • Office of Institutional Advancement
- 28 • Office of the Provost
- 29 • Office of budget and finance

30  
 31 **2410**

32 **Sponsored Projects – Post Award**

33  
 34 **1. Procedures for post award activity:**

- 35 • A copy of the following documents must be submitted to Grants Manager:
  - 36 a. award notification or sub-award notification
  - 37 b. administrative guidelines
  - 38 c. copy of the approved budget, including any necessary revisions
- 39 • Coordinate a meeting with the college's Grants Accountant and Grants Manager to  
 40 complete the budget entry process. Complete expenditure approval form.
- 41 • Coordinate a meeting with the VP for Advancement to prepare any formal agreements  
 42 (i.e. MOUs, sub awards, Professional Services Contract) associated with the grant.

43  
 44 **2. Subawards**

45 A subaward is a formal agreement between Northern and a "subrecipient". A "subrecipient" is a  
 46 non-Northern entity that expends awards received from the College to carry out a portion of a

1 sponsored project, but does not include an individual that is a beneficiary of such a program. For  
2 both federal and non-federal sponsored projects, Northern adheres to the federal governments'  
3 definition of a subrecipient as defined in [Uniform Guidance](#).

4 Note: A subcontract refers to a vendor who will receive payment for goods or services,  
5 whose services are ancillary to the operation of the sponsored project, is not subject to  
6 compliance with requirements of a sponsored project, and is not responsible for programmatic  
7 decision making.

8  
9 The subrecipient may not involve an individual who is also a direct beneficiary of such a  
10 program at Northern, the sponsor, or higher-tier subrecipient. The subrecipient may be another  
11 educational institution, an independent laboratory, a foundation, a for-profit corporation, a non-  
12 profit corporation, or other organization, and may be a domestic or foreign entity. A subrecipient  
13 may also be a recipient of other federal awards directly from a federal awarding agency.

14  
15 The PI/PD must select a subrecipient based upon his or her assessment of the potential  
16 subrecipient's ability to perform the research work successfully. This includes an analysis of the  
17 subrecipient's past performance, technical resources and financial viability, and an assessment of  
18 the reasonableness of the subrecipient's proposed costs in light of the work to be performed. This  
19 information must be documented in Northern's Subrecipient Commitment Form and submitted  
20 to the Office of Institutional Advancement for final approval. To meet audit requirements,  
21 Northern is required to retain documentation of this latter assessment for subawards proposed  
22 under a contract.

23  
24 In rare cases, a PI/PD may recognize the need for outside involvement on a project, but is either  
25 unable to identify the best subrecipient by the time of proposal submission, or is unable to  
26 acquire all of the required paperwork from that subrecipient. In such an instance, proposals may  
27 be submitted with a subrecipient as "To Be Named", if allowed by the contractor or sponsoring  
28 agency. PI's may need to be prepared to provide documentation on the basis for their subaward  
29 cost estimates of the work to be performed. Note: PIs and their school/college will be responsible  
30 for managing any budgetary shortfalls that may result from their inability to accurately predict a  
31 subrecipient's costs. In addition, subrecipients should not be asked to reduce their F&A recovery  
32 or to otherwise cost-share because of Northern's failure to include cost in our proposal.

33  
34 If the College is the prime contractor, then, as the lead institution, the College will be responsible  
35 to the granting agency for successful completion of the project. To ensure clarity in the  
36 agreement, a **Subrecipient Commitment Form** must be completed with other institution(s).  
37 Once the grant is awarded, two copies of the signed form and work statement from the other  
38 institution(s) should be submitted to the office of research and sponsored projects.

39  
40 If the College is not the lead institution, the other organization should provide an agreement  
41 form. Coordination in planning the agreement should take place with the dean, the Office of  
42 Institutional Advancement, and other administrative personnel, as appropriate. A **Proposal**  
43 **Routing Form (PRF)** should also be prepared and submitted to the Office of Institutional  
44 Advancement

1 **2.1. Applying F & A (Indirect Cost) Rates to Subawards.** There are two types of F &  
 2 A costs on subawards – those earned by the subrecipient and by Northern. A subrecipient  
 3 is expected to apply its own federally negotiated F & A rates and bases when preparing  
 4 its subaward budget, unless a lower rate or base has been agreed to by the subrecipient  
 5 institutional official (e.g., to meet cost-sharing requirements, or to meet a sponsor's F &  
 6 A rate limitation). If a subrecipient does not have an approved F & A rate, it must either  
 7 have its proposed indirect cost rate approved by Northern or elect not to recover indirect  
 8 costs. Northern applies the [Uniform Guidance, 2 CFR 200, App. III, Section C.7](#) "fixed  
 9 rates for the life of the sponsored agreement" policy to subawards and will use the  
 10 approved F&A rates authorized at the time of the issuance of the subaward.

## 11 2420

### 12 Sponsored Program Fiscal Management and Administration

#### 13 1. Overall PI/PD Budget Responsibilities

14  
 15 While the day-to-day management of project finances may be delegated to administrative or  
 16 other staff, the PI has overall responsibility for fiscal management of the sponsored. Provided  
 17 below is a summary of these responsibilities.  
 18

- 19 • Manage the project in accordance with the approved Statement Of Work (SOW).  
 20 Significant changes to the SOW need prior written approval of the funding agency.  
 21 Request for changes in the SOW must be routed to the office of research and sponsored  
 22 projects;
- 23 • Initiate and supervise grant expenditures as stipulated in accordance with the terms,  
 24 condition and limitations of the funding agency;
- 25 • Adhere to federal, state, College, and sponsored allowances and policies or charging  
 26 expenditures, including: the [Uniform Guidance](#); and the [Accounting Standards Board](#).
- 27 • Follow conflict of interest in research policies;
- 28 • Initiate, monitor, and approve any subawards according to Northern's policies;
- 29 • Ensure cost sharing requirements are properly documented by the award and seek  
 30 appropriate approvals for cost sharing and other actions before committing the College's  
 31 finances or resources;
- 32 • Ensure the College and potential sponsors that project finances are represented as  
 33 accurately and reasonably as possible;
- 34 • Submit salary and non-salary transfers on a timely basis;
- 35 • Complete effort certifications and timesheets as required for the project on a timely basis;
- 36 • Certify the appropriateness of direct charges, salary, annual and sick leave each month  
 37 during the project period;
- 38 • Seek no-cost extension, rebudgeting requests, and modification in the scope of the project  
 39 of the award if necessary;
- 40 • Follow intellectual research property policies;
- 41 • Inform sponsors of significant changes affecting the project per the award guidelines;
- 42 • Oversee the clearing of overdrafts or overruns if necessary and the proper and timely  
 43 closeout of sponsored projects;
- 44 • Complete all reports (financial and technical) and all PAR forms as required by the  
 45 award; and

- Be accountable for deficits or disallowances that occur under the grant or contract.

**2. PI/Director Budget Management Responsibilities.** Beginning with the receipt of funds at the onset of the award, the PI/Director is responsible for the day to day management of the sponsored project budget, including.

**2.1. Receipt of Funds.** All funds from sponsors must be deposited with Northern's Business Office. Checks for sponsored awards are usually received by the business office. Occasionally, checks are sent directly to the PI/director. In such a case, the check must be forwarded to the business office for deposit.

**2.2. Business Related Expenses.** Ordinary and necessary expenditures incurred in conjunction with sponsored research projects may be reimbursed. These expenses are usually not associated with capital equipment, personal services, or travel.

**2.3. Financial Reporting To Sponsor.** Every project is assigned an account number. The account manager in the Business Office handles all official financial transactions and financial reports of a project from its inception to its termination. Financial reports required by the sponsor are prepared by the Business Office based on information generated by the College's accounting system. These reports must be approved by the PI and the Office of Research and Sponsored Projects before they are forwarded to the sponsor. Questions about financial reports should be directed to the account manager at the Business Office.

**2.4. Purchasing Procedures.** All purchases made with sponsored funds must follow procedures outlined in the Northern's Purchasing Policies.

**2.5. Rebudgeting of Project Funds.** The PI/director is responsible for the ongoing fiscal management of awarded projects, including regular monitoring against project period budgets. Federal grants policy ([Uniform Guidance](#)) establishes the approved project budget as the financial expression of the project, and sponsors may evaluate the project against the budget at any time. Although sponsors allow certain flexibilities with respect to rebudgeting, unobligated balances, and preaward costs, Northern and sponsors expect expenditures to be reasonably consistent with the approved project and budget. Sponsors may question or restrict expenditures appearing inconsistent with the project plan and budget. PIs are obligated to request prior approval when budget and program plan revisions indicate a significant change in scope. Example indicators of a change in scope may include significant expenditures beyond the amount authorized on the award or requests for additional funding. Principal investigators should verify the terms of their awards with the business office account manager before they request rebudgeting.

**2.6. Cost Overruns.** Costs in excess of project budgets are the responsibility of the PI and school/college and are considered unallowable costs. Nonetheless, the College is obligated to account properly for this action. If a cost overrun is discovered and additional funds are required, the PI's school/college may be required to settle the overdraft.



1  
2 **2.7. Underestimating Project Budgets when Funds are Initially Requested from the**  
3 **Sponsoring Agency.** The PI/director should carefully consider all potential costs of  
4 projects when the budgets are first developed. Monthly College financial reports should  
5 be reviewed by the PI/director or her or his representative in a manner similar to  
6 reconciliation of a personal checking account. Any exceptions should be promptly called  
7 to the attention of the account manager, with special urgency during the final 90 days of  
8 the project. A visit to the account manager should be made at this time to maximize use  
9 of awarded funds while avoiding overruns.

10  
11 **2.8. Control of Property.** The College is responsible for the control of property funded  
12 under the terms of sponsored project contracts and grants. The PI/director is responsible  
13 for the control and maintenance of the sponsored property. The PI/director may delegate  
14 property control functions to the persons related to the project such as the project staff,  
15 research coordinator, department property administrator, or administrative staff.

- 16 ○ For information related to procedures and policies for acquiring, controlling,  
17 shipping, moving, and disposing of sponsor-funded property, contact Northern's  
18 Finance Office.

19  
20 **2.9. Travel Policies.** All travel on sponsored funds must comply with the College's travel  
21 policy. Contact the Office of Institutional Advancement or the Business Office for policy  
22 guidelines on travel procedures.

23  
24 **2.10. Charging of Holiday, Sick Leave or Vacation to Projects.** Holiday, sick or  
25 vacation charges to sponsored projects are appropriate only when such vacation is earned  
26 within the respective project and as specified by College policy. Employees on fixed-  
27 term and fixed-funding appointments and continuing employees paid from fixed-funding  
28 sources may be required to use all accrued vacation before the end of the fixed-term  
29 appointment period or the expiration of the funding source.

30  
31 **2.11. Overdrafts.** At the end of the project performance period, if unanticipated project  
32 expenses result in more charges to a sponsored account than were funded, the amount of  
33 the overdraft is accounted for in the same manner as cost sharing. These costs represent  
34 project costs being borne by Northern, and therefore, must be accounted for in the same  
35 manner as cost sharing. However, these costs cannot be considered cost sharing for  
36 purposes of fulfilling a cost commitment because overdrafts are considered unallowable  
37 under A-21.

38  
39 **2.12. No-Cost Time Extensions.** If additional time is needed to complete a project and  
40 there is an unexpended balance in the award, PIs may request that the period of  
41 performance of an award be extended. In most cases, agency prior approval is required.  
42 Requests for extensions should be initiated by a PI/director and processed in accordance  
43 with the terms of the sponsored award. The PI/director is responsible for determining  
44 whether a countersignature from the Office of Institutional Advancement is required.  
45 Requests for a no-cost extension should be submitted no later than the end date of the

1 award (unless an earlier date is required by the agency.) Award closeouts cannot be  
2 delayed to accommodate pending requests submitted after the award end date.

3  
4 If final technical reports are to be completed after the project end date, and funds from  
5 the project are available to pay these expenses, a no-cost extension should be obtained  
6 from the sponsor to cover the expense of producing and distributing those reports. If  
7 funds are not available from the project, then the PI, department or school must identify  
8 unrestricted funds to pay final report costs.

9  
10 **2.13. Records Retention** For some projects, the retention period may be longer based on  
11 the following conditions:

- 12 ○ to protect any intellectual property resulting from the work;
- 13 ○ to ensure that charges of misconduct or conflict of interest regarding the research  
14 are fully resolved; and
- 15 ○ to ascertain that a student involved in the research graduates has graduated, or  
16 until it is clear that the student has abandoned the work.

17 Failure to retain required documentation will result in certain disallowance in the event of  
18 an audit. If litigation, a claim, or an audit occurs, documentation must be retained until all  
19 issues have been resolved regardless of the time period.

20  
21 In accordance with record retention procedures, schools/college and/or principal  
22 investigators are responsible for retaining pertinent documentation on sponsored projects.  
23 Such documentation would include not only financial transactions and time and effort  
24 certification, but also statistical data, such as lab books, data tapes, graphs, case studies,  
25 field notes, original samples in unanalyzed form, and reports as well. Certain agreements  
26 require the transfer of certain records to a sponsor's custody; in that situation, the three-  
27 year retention period does not apply.

28  
29 For all projects, the Office of Institutional Advancement is responsible for retaining the  
30 official contract files, including copies of the original award and any amendments,  
31 required sponsor approvals, consulting agreements, and subcontracts. The business office  
32 is responsible for retaining the official accounting records, including financial transaction  
33 reports and invoices.

34  
35 It is important to note that federal record retention provisions allow the federal  
36 government access to records even after the required retention period has passed if such  
37 records are still maintained. It is, therefore, advisable to have a schedule for purging the  
38 financial records once the required retention period has passed. Careful consideration  
39 should be given to maintaining the scientific records. After the identified period of  
40 retention, the PI or department, if the PI is no longer at the College is responsible for  
41 destruction of the research material.

42  
43 If PI/director is involved in the research project leaves the College, they are entitled to  
44 copies of the research data. However, original data must be retained at the College.  
45 Approval must be sought from the Office of Institutional Advancement if a request has  
46 been made by the PI for copies of research data. In addition, written agreement from the

1 PI's new institution must be provided guaranteeing custodial responsibilities for the data  
2 and allowing the College access to the data if necessary.  
3

4 **2.14. Project Closeout.** The PI/director is responsible for overseeing the proper closeout  
5 of sponsored projects including the timely submission of all required reports. While the  
6 Office of Institutional Advancement prepare and submit final administrative reports,  
7 including financial and property reports, they do so on the basis of documentation created  
8 in the department. The PI/director must ensure that such documentation is adequate and  
9 readily available. In addition, PIs are responsible for ensuring that any necessary final  
10 financial adjustments and documentation (e.g., final invoices from vendors or  
11 subrecipients) are received promptly after the end of the award.  
12

13 If an approval to close an award has not already been provided by the PI/director, the  
14 Office of Institutional Advancement will prepare and submit financial reports based on  
15 the information reflected in the financial system as of two weeks prior to the due date for  
16 the final report. In addition, some financial reports may require the PI's signature.  
17

18 **2.15. Audit of Sponsored Projects.** Auditors are ensured full cooperation in arranging  
19 contacts with College employees. Auditors are expected to inform the College in advance  
20 of proposed audits and to arrange all contacts through the Office of Institutional  
21 Advancement. If any College employee is contacted by an auditor without prior  
22 notification from the Office of Institutional Advancement, the employee should notify the  
23 Office of Institutional Advancement.  
24

## 25 2500

### 26 ACCEPTABLE COMPUTER USE

#### 27 28 1. General

29 As an institution of higher learning, Northern New Mexico College encourages, supports, and  
30 protects freedom of expression as well as an open environment to pursue scholarly inquiry and to  
31 share information. Access to information technology, in general, and to the Internet, in particular,  
32 supports the academic community by providing a link to electronic information in a variety of  
33 formats and covering all academic disciplines. The computing and network resources, services,  
34 and facilities of the College are limited and should be used wisely and carefully with  
35 consideration for the needs of others. As with any resource, there is a possibility of misuse. In an  
36 attempt to prevent or mitigate such misuse, this policy outlines proper and improper behaviors,  
37 defines misuse and incidental use, explains rights and responsibilities, and briefly reviews the  
38 repercussions of violating these codes of conduct.  
39

40 Northern New Mexico College provides computing services to College faculty, staff, and  
41 students. These services are intended primarily for furthering the education, research, and public  
42 service mission of the College and may not be used for commercial purposes or profit-making.  
43 This Policy is applicable to all individuals using College-owned or -controlled computer  
44 equipment, communications equipment, data -network (wired and wireless), storage devices, and  
45 computer-related facilities, whether such persons are students, staff, or faculty. All College  
46 policies including, but not limited to, intellectual property protection, privacy, misuse of College

1 equipment, sexual harassment, hostile work environment, data security, and confidentiality shall  
2 apply to the use of computing services.

### 3 4 **1.1. Departmental Computer Use Policies and Procedures**

5  
6 Individual departments within the College may define “conditions of use” for information  
7 resources under their control. These statements must be consistent with this overall policy  
8 but may provide additional detail, guidelines, and/or restrictions. Such policies may not  
9 relax, or subtract from, this policy. Where such “conditions of use” exist, the enforcement  
10 mechanisms defined within these departmental statements shall apply. Individual  
11 departments are responsible for publicizing both the regulations they establish and their  
12 policies concerning the authorized and appropriate use of the equipment for which they  
13 are responsible. In such cases, the department administrator shall provide the cognizant  
14 vice president and the College Director of IT with a copy of such supplementary policies  
15 prior to their implementation. Where the use of external networks is involved, policies  
16 governing such use also are applicable and must be adhered to.

### 17 18 **1.2. Computing Services**

19 For the purposes of this policy computing services include the following:

- 20 • All College data, information, and information systems (including computer  
21 applications used by the College that are hosted elsewhere),
- 22 • All College computer hardware, software, multi-media, and communication services  
23 including all computer resources, communications equipment, and data networks—  
24 wired and wireless,
- 25 • All College telephones, mobile phones, smart phones, storage devices, and personal  
26 digital assistants, and
- 27 • All digital assets owned, managed or leased by the College and any that may be  
28 entrusted to the College by other organizations (e.g. cloud computing services as well  
29 as any other future computing device, service, system, or application.)

## 30 31 **2. Rights and Responsibilities**

32 The use of College computing services is a privilege. Users who have been granted this privilege  
33 must use the services in an appropriate, ethical, and lawful manner. Unauthorized access is  
34 prohibited and may be monitored and reported to the proper authorities. The College does not  
35 provide a warranty, either expressly or implied, for the computing services provided. The  
36 College reserves the right to limit a computer user's session if there are insufficient resources,  
37 and to cancel, restart, log, record, review or hold a job, process, network connection or program  
38 to protect or improve system or network performance if necessary.

39 The College network is large and complex and supports mission critical functions such as patient  
40 care, payroll, academic classes, Internet access, and electronic mail.

### 41 42 **2.1. User Responsibilities**

43 Users are responsible for all their activities using computing services and shall respect the  
44 intended use of such services. Whenever a computing facility has specific rules and  
45 regulations that govern the use of equipment at that site and users shall comply with those  
46 rules and regulations governing the use of such computing facilities and equipment in

1 addition to any over-arching College policies such as this one. Users must understand and  
2 keep up-to-date with this policy and other applicable College computer policies and  
3 procedures.  
4

5 Users shall respect all copyrights including software copyrights. Users shall not  
6 reproduce copyrighted work without the owner's permission. In accordance with  
7 copyright laws, including the Digital Millennium Copyright Act, college's legal counsel,  
8 upon receipt of official notice from a copyright owner, may authorize blocking access to  
9 information alleged to be in violation of another's copyright. If after an investigation  
10 information is determined by college's legal counsel to be in violation of another's  
11 copyright, such information will be deleted from College computing systems.  
12

### 13 **2.1.1. Copyrights and Software Licenses**

14 Users of College computing resources must comply with copyright law and the terms of  
15 licensing agreements, including software licenses, before accessing or using copyrighted  
16 material on the Internet. Users are responsible for determining what licenses or  
17 permissions are necessary and for obtaining such permissions or licenses before using  
18 College computing resources. Purchased music, movies, software, and other multi-media  
19 files usually include a license that gives you permission to make copies, change formats  
20 or to share the file with others.  
21

22 Generally, software which the College is not permitted or not licensed to use shall not be  
23 installed on College computing services; however, software which has been personally-  
24 acquired is permitted to be installed on College computing services so long as the user  
25 who has installed the software is able to prove s/he is legally permitted to do so (this is  
26 usually done by retaining and providing the license upon request.)  
27

28 File-sharing applications often involve the unlawful copying or distribution of  
29 copyrighted material without permission or license from the copyright owner. Anyone  
30 who sends or receives files using file-sharing software may be engaging in an unlawful  
31 act unless (a) the user is the copyright owner or has permission from the copyright owner,  
32 (b) the material is in the public domain, or (c) fair use or another exception to copyright  
33 law applies.  
34

35 Upon receipt of information alleging that a user may be engaged in unauthorized file  
36 sharing of copyrighted material or is in violation of licensing obligations or other  
37 copyright law, the College may, without notice, immediately suspend, block or restrict  
38 access to an account. The College may take such action when it appears necessary in  
39 order to protect the security or integrity of computing resources, or to protect the College  
40 from liability.  
41

42 Users who violate copyright law or license terms may be denied access to College  
43 computing resources, and may be subject to other sanctions and disciplinary actions,  
44 including but not limited to expulsion or discharge from the College.  
45 In accordance with its legal obligations, the College will continue to develop plans to  
46 combat the unauthorized use and distribution of copyrighted materials, including the

1 possible use of technological deterrents. The College will also continue to provide  
2 information on alternatives to illegal file-sharing.  
3  
4  
5

### 6 **2.1.3. Software Developed Internally**

7 College personnel may develop computer programs using College computing resources.  
8 Such software may be subject to the College's Intellectual Property Policy.  
9

### 10 **2.1.4. Computer Security**

11 Individuals using computing services are responsible for keeping accounts and passwords  
12 confidential and for safeguarding all College data and information, especially those  
13 covered by state and federal regulations such as FERPA, regardless if it is being stored on  
14 College computing resources, stored on non-college resources, or being transmitted over  
15 communication networks.  
16

### 17 **2.1.5. Computer Accounts and Passwords**

18 The College, through IT and departments, provides computer accounts to authorized  
19 users for access to various College systems. These accounts are a means of operator  
20 identification and passwords are used as a security measure. An individual's computer  
21 account shall not be shared. Account use is a privilege, not a right.  
22

#### 23 **2.1.5.1. Account Authentication**

24 Passwords, PINs, and other identifiers authenticate the user's identity and match  
25 the user to the privileges granted on College computers, computer networks,  
26 systems and computing resources. A password is a security measure designed to  
27 prevent unauthorized persons from logging on with another person's computer  
28 account and reading or changing data accessible to that user. Users should create  
29 passwords carefully and handle them with care and attention. For this security  
30 feature to be effective, the user must protect the secrecy of his/her password. Each  
31 user should:

- 32 • choose a password that is a minimum of eight characters to include a  
33 number, capital letter, and special character
- 34 • change his/her password at a minimum of every ninety (90  
35 0) days and at any time the user believes the password may have been  
36 compromised,
- 37 • avoid writing the password down, and
- 38 • not disclose or share the password with anyone.

39 Similar measures apply to all authentication methods such as PINs.  
40

#### 41 **2.1.5.2 Account Termination and Locking**

42 When an individual leaves the College, his or her account(s) must be locked as  
43 soon as reasonably possible and, subsequently, deleted within a reasonable time.  
44 If misuse or theft is detected or suspected, account(s) will be locked according to  
45 the College's procedures.

## 2.1.6. Computer and Data Security

Everyone at the College shares responsibility for the security of computer equipment, data, information and computing resources.

### 2.1.6.1. Physical Security

Everyone is responsible for the proper use and protection of College computer resources. Examples of protection measures include:

- locking areas after business hours or at other times when not in use;
- taking special precautions for high-value, portable equipment;
- locking up documents and computing resources when not in use; and

### 2.1.6.2. Information Security

Security of data and information is an essential responsibility of computer system managers and users alike. For example, users are responsible for:

- ensuring the routine backup of their files;
- using data only for approved College purposes; and
- ensuring the security and validity of information transferred from College systems.

## 2.1.7. Computer Viruses and Anti-virus Software

All College departments, though department heads or designees, shall ensure anti-virus software is installed on College computing resources when technically possible and that the software is active and kept up to date. This requirement applies to all computer servers as well as all desktop and laptop computers. This will help ensure that College computing services and digital assets are not compromised, misused, deleted or destroyed.

## 3. Unacceptable Computer Use

The College reserves the right to block access to any external electronic resources that are deemed in violation of this Policy. If it is determined, after an investigation by the appropriate office, that the user violated federal or state law, rules or regulations or College policy by misusing College computing services. The College will disclose illegal or unauthorized activities to appropriate College personnel and/or law enforcement agencies.

### 3.1. Security Violations

Users shall not

- attempt to defeat or circumvent any security measures, controls, accounts, or record-keeping systems;
- use computing services to gain unauthorized access to Northern's or anyone else's computing services;
- intentionally alter, misappropriate, dismantle, disfigure, disable or destroy any computing information and/or services;
- knowingly distribute malware (i.e. computer viruses, worms, Trojans, or other rogue programs).

### 3.2. Legal Violations

Users shall not use computing services:

- for unlawful purposes, including fraudulent, threatening, defamatory, harassing, or obscene communications;
- to invade the privacy rights of anyone;
- to disclose student records in violation of FERPA;
- to access other computing services (i.e. other Northern computers or computer systems for unauthorized purposes);
- to access or disclose financial information in violation of the Gramm-Leach-Bliley Act or the College's Information Security Program;
- to access or disclose any non-public or personally identifiable information about a patient, employee, or student without having a legitimate College purpose
- to violate College policy, state law, or federal law, including but not limited to copyright laws.

### 3.3. Other Misuse

Users shall not use computing services:

- in violation of any College contractual obligation, including limitations defined in software and other licensing agreements;
- in a way that suggests College endorsement of any commercial product (unless a legal agreement exists and any communication or computing activity has been pre-approved by an appropriate vice president);
- to conceal one's identity when using computing services, except when the option of anonymous access is explicitly authorized,
- to possess or distribute obscene or pornographic material unrelated to College instruction, research, or business needs (students are excluded from this provision);
- to masquerade or impersonate another,
- by physically or electrically attaching any device to a College computer, communications devices, or network connection that negatively impacts the performance of any other College computing service;
- to send chain letters, pyramid schemes or unauthorized mass mailings;
- to send non-work or non-class related information to an individual who requests the information not be sent, or
- to send commercial or personal advertisements, solicitations, or promotions.

Users should understand that, due to their nature, electronic communications can be intentionally or unintentionally viewed by others or forwarded to others, and are therefore inherently not private. In addition, addressing errors, system malfunctions, and system management may result in communications being viewed and/or read by other individuals and/or system administrators.



1 In electronic communications, users must state whether they are speaking for themselves  
 2 or in an official capacity for the College. Electronic communications that represent the  
 3 College sent to non-Northern addresses must be done in a professional manner.  
 4

#### 5 **4. Incidental Personal Use**

6 The College allows incidental personal use of computing services. Such use must not interfere  
 7 with an employee fulfilling his or her job responsibilities, consume significant time or resources,  
 8 interfere with other users' access to resources, be excessive as determined by management, or  
 9 otherwise violated any federal or state laws, any individual college or departmental policies or  
 10 codes of conduct, or College policies. Each department should document and communicate what  
 11 use is acceptable.  
 12

#### 13 **5. Privacy Limitations**

14 Users of College computing services, including managers, supervisors, and systems  
 15 administrators shall respect and protect the privacy of others, in accordance with all applicable  
 16 state and federal laws, regulations and College policies. Although the College is committed to  
 17 protect individual and information privacy, the College cannot guarantee the security or privacy  
 18 of correspondence and information stored and transmitted through College computer networks  
 19 and systems. Since confidential information is often stored on desktop machines, displayed on  
 20 screens, or printed on paper that could be in public view, users need to control access by:

- 21 • using passwords;
- 22 • turning screens away from public view;
- 23 • logging out of systems when leaving the work area;
- 24 • shredding reports containing private information prior to disposal; and
- 25 • clearing confidential information off desks in public areas.

26  
 27 While the College does not routinely monitor individual usage of its computing services, the  
 28 normal operation and maintenance of the College's computing services require the backup and  
 29 storage of data and communications, the logging of activity, the monitoring of general usage  
 30 patterns, and other such activities that are necessary for the rendering of services. Similarly, the  
 31 College does not, in the regular course of business, monitor the content of computing services on  
 32 its various networks. However, suspicious aggregate behavior, official requests from authorities,  
 33 forensic evaluation or discovery for purposes of civil litigation, or indications of a security  
 34 incident, for example, can cause network activities or computing services to be reviewed. It is the  
 35 right of the College to monitor and review any activities on its resources. It is best, therefore, to  
 36 assume that any and all actions taken or activities performed using College computing services  
 37 are not private.  
 38

39 The College may also access and examine the account (e.g. any and all computer accounts on  
 40 any College computing resource, e-mail boxes, file shares, local or networked storage) of an  
 41 individual user under the following circumstances and conditions:

- 42 • if necessary to comply with federal or state law, or
- 43 • if there is reasonable suspicion that a law or College policy has been violated and the  
 44 examination of the account is needed to investigate the apparent violation, or
- 45 • as part of an investigation involving an administrative claim or charge, arbitration or  
 46 litigation, or if required to preserve public health and safety.

1 Requests for access based on reasonable suspicion must be approved in writing, in advance,  
 2 by the cognizant vice president. If access to a faculty member's account is being requested, the  
 3 President of the Faculty Senate must be notified in conjunction with the request for approval.  
 4 Each request must specify the purpose of access and such access will be limited to  
 5 information related to the purpose for which access was granted. If such access is being  
 6 requested by a vice president, access must be approved by the President. If such access is  
 7 being requested by the President, access must be approved by the Northern Board of Regents.  
 8 The Regents' Internal Auditing Policy authorizes the College Audit Department full and  
 9 unrestricted access to all College records, including but not limited to those contained in  
 10 computer files, discs, and hard drives.

11  
 12  
 13 Accessing an employee's computer files for work-related, non-investigatory purposes (i.e., to  
 14 retrieve a file or document needed while the employee who maintains the file or document is  
 15 away from the office) is permitted and does not require authorization by a vice president as long  
 16 as access is limited to the work-related need. When an employee separates from the College,  
 17 work-related files, including but not limited to research data, as well as all records made or kept  
 18 in any College electronic medium, remain the property of the College.

19  
 20 Communications and other documents made or kept by means of College computing services are  
 21 generally subject to New Mexico's Inspection of Public Records Act to the same extent as they  
 22 would be if made on paper. Therefore, all employees are urged to use the same discretion and  
 23 good judgment in creating electronic documents as they would use in creating written paper  
 24 documents.

#### 25 26 **6. Reporting Procedures.**

27 Suspected violations of this policy (e.g. any incidents involving the unauthorized access to,  
 28 destruction of, or misuse of computing services by employees, faculty or students) must be  
 29 brought to the attention of the dean, director, or department head, and the College IT Security  
 30 Office. In the case of a criminal violation, the IT Office will notify Campus Security. Violations  
 31 by non-employees will be referred to the appropriate authorities.

#### 32 33 **7. Sanctions**

34 The misuse, unauthorized access to, or destruction of College computing services in violation of  
 35 applicable laws or College policy may result in sanctions, including but not limited to  
 36 withdrawal of use privilege; disciplinary action up to and including, expulsion from the College  
 37 or discharge from a position; and legal prosecution.

## 38 39 40 **2520**

### 41 **COMPUTER SECURITY CONTROLS AND ACCESS TO SENSITIVE AND** 42 **PROTECTED INFORMATION**

#### 43 44 **1. General**

45 Management of College computing services must ensure the rights and responsibilities provided  
 46 for in Policy 2500 while also ensuring system and data availability, reliability, and integrity.

1 Therefore, all departments operating College owned computers, including those operated by  
2 faculty, staff, and students, must develop departmental security practices which comply with the  
3 security practices listed herein. In addition, departments must have environment-specific  
4 management practices for business functions such as maintenance, change control procedures  
5 capacity planning, software licensing and copyright protection, training, documentation, power,  
6 and records management for computing systems under their control. This may be done by hiring  
7 a qualified employee, sharing resources with other departments, or contracting with College  
8 Information Technologies (IT). IT is available to assist and advise departments in planning how  
9 they can carry out compliance with this and other computer technology-related policies.  
10 Departments must document and periodically review established practices.

11  
12 Department heads or designees are responsible for computer security awareness and for ensuring  
13 reasonable protection of all departmental computing systems within their purview against  
14 breaches of security, through methods such as virus protection, firewalls, encryption, patch  
15 management, change control, and password usage. Department heads or designees should ensure  
16 users of their systems have the necessary training for appropriate use of the system.

## 17 18 **2. Access to Departmental Systems**

19 Access to departmental computing systems must be authorized by the department head or  
20 designee. Access to College computing systems containing or transmitting sensitive and  
21 protected information must be authorized by the department head and approved by the College  
22 designated data custodian. To ensure confidentiality, special attention should be taken when  
23 authorizing system access to vendors and/or contractors, including those repairing and/or  
24 maintaining computers and computing devices. When possible, it is advisable to have vendors  
25 and/or contractors sign a confidentiality agreement. Computer access control also includes  
26 physical security to Northern equipment and information, such as: locks on doors/windows for  
27 equipment and storage, locking paper files, and paper shredders. The department head or  
28 designee ensures proper management of computer accounts and user identification by:

- 29 • handling system user authentication securely (e.g. passwords, PIN numbers, access  
30 codes);
- 31 • terminating an account in a timely manner when an individual's affiliation with the  
32 College is terminated or completed;
- 33 • following established policies and procedures and legal due process when violations are  
34 detected or suspected.

## 35 36 **3. Access to Computer Systems Containing Sensitive and Protected Information**

37 An individual who requires access to sensitive and protected information must be authorized by  
38 the data custodian responsible for the specific application. All contractors and vendors who have  
39 access to sensitive or protected information are required to sign confidentiality agreements prior  
40 to gaining such access. The data custodian is an individual officially appointed to authorize  
41 access to the system and ensure application-specific security. Authorization will only be granted  
42 to those individuals with a demonstrated need to use such information and/or electronic  
43 processes and who has taken the required training applicable to the system being requested. The  
44 data custodian will advise the individual on the system specific process used to authorize and  
45 gain access to the requested system. The data custodian or designee must review and approve  
46 each request for access to a specific system, ensure that all required training has been taken prior

1 to granting access, and authorizes access based on the user's business need and role in  
2 accordance with application-specific access procedures. Contact IT for list of Data custodians.

### 3 4 **3.1. Remote Access**

5 For the purposes of this Policy, "remote access" is defined as any means by which any  
6 faculty, staff, student employee, consultant, vendor or affiliate connects to the Northern  
7 Network using a non-Northern network device or service to access sensitive or protected  
8 information. This provision applies regardless of the type of device being used or if the  
9 device is College owned or personally owned. IT, department heads, designees and users  
10 share the responsibility for ensuring appropriate security mechanisms are in place to  
11 preserve the integrity of the network, to preserve the data transmitted over that network,  
12 and to maintain the level of confidentiality of the data at all times. Because of the  
13 increased level of risk inherent with remote access, strong security measures are required.  
14 When a user accesses sensitive or protected information remotely, identification and  
15 authentication of the user shall be performed in such a manner as to not disclose the  
16 password or other authentication information that could be intercepted and used by a  
17 third party.

#### 18 19 **3.1.1. Approval for Remote Access**

20 Users will be allowed to access to sensitive or protected information from a remote  
21 location only upon approval by the data custodian. Once approved, the user is responsible  
22 for ensuring adequate security measures are in place at the remote location for secure  
23 transmission of agency data and protection of College computing resources. IT can assist  
24 the user in identifying the appropriate protection mechanisms necessary to protect against  
25 theft of College resources, unauthorized disclosure of information, and unauthorized  
26 access to the College network. The user is responsible for ensuring devices used for  
27 remote access are protected by a firewall and virus scans, and contain all up-to-date  
28 security patches.

29  
30 Northern recommends that users leave data on Northern servers as much as possible and  
31 not copy sensitive data onto any mobile computing device. Storage of sensitive data and  
32 protected information on a non-Northern computer is prohibited unless a formal written  
33 exemption is granted by the data custodian. When stored remotely on a Northern  
34 computing device the data must be encrypted.

#### 35 36 **3.1.2. Sensitive Data**

37 Users should be especially careful with the following types of data:

- 38 • confidential financial information
- 39 • account names and passwords
- 40 • social security and/or credit card numbers
- 41 • personal contact names and phone numbers
- 42 • decryption keys or pass-phrases

### 43 44 **4. System Protection**

45 Department heads are responsible for protecting the systems under their control from system  
46 intrusion, compromise, or data loss.

#### 1 **4.1. Virus Protection**

2 Virus detection and elimination software is essential to protect College data and systems.  
3 Department heads, or designees are responsible for maintaining the latest version of an  
4 antiviral software and current updates on their computers. Systems must have active  
5 virus protection turned on with each system scanned regularly. Assistance with virus  
6 protection and software are available from IT.  
7

#### 8 **4.2. Privacy and Confidentiality**

9 Department heads, or designees must take appropriate measures to ensure privacy and  
10 confidentiality of system data in accordance with applicable laws and policies such as:  
11

12 **“Social Security Numbers” Policy 2030**

13 **“Identify Theft Protection Program” Policy 2040**

14 **“Information Security” Policy 2550**

15 **Family Educational Rights and Privacy Act of 1974**

16 **New Mexico Inspection of Public Records Act**  
17  
18

#### 19 **4.3. System Integrity**

20 Department heads, or designees may monitor and investigate systems or jobs under their  
21 control for appropriate use of resources, to protect or improve system performance, or in  
22 compliance with audit or legal requests. Jobs, procedures, and/or functions may be  
23 restricted or limited to ensure system integrity. Departments must maintain current  
24 versions of system software and security patches, especially when there are known  
25 security issues.  
26

#### 27 **4.4. Data Loss Protection**

28 For all computing systems that store or process sensitive or protected information  
29 department heads or designees are responsible for developing, maintaining and executing  
30 backup, off-site storage and disaster recovery procedures for computerized College  
31 information.  
32

#### 33 **4.5. Records Management**

34 Department heads, or designees are responsible for computerized data retention and  
35 backup procedures that comply with College Records Management requirements for  
36 classification and retention of College information.  
37

#### 38 **5. Security Violation Handling**

39 Department heads, or designees should detect and correct any non-compliance with this  
40 and other College computer policies. In addition to following any College or department-  
41 mandated security incident reporting process, any and all employees, faculty, or staff who  
42 reasonably believe:

- 43 • there has been a breach to any College computer application or system, there has  
44 been a breach to Northern’s computer security controls (i.e. a computer has been  
45 hacked or somehow has been compromised by an unauthorized person), or

- there has been a violation of this Policy are required to report the incident, within twenty-four (24) hours of becoming aware of the violation or breach, to the Northern IT Director or the Northern Security Office.

All investigations should follow proper investigative procedures to ensure confidentiality and due process. Any employee who detects or suspects non-compliance should report such conduct to the department head.

## 6. User Responsibility and Accountability

Users are responsible for proper use and protection of College information and are prohibited from sharing information with unauthorized individuals. The web-based information systems allow an authorized user the ability to complete transactions directly on-line and forward the forms to the appropriate administrators for approval. By completing a form on-line, the user accepts responsibility to follow all applicable policies and procedures.

## 7. Sanctions

Employees who do not demonstrate due care in the administration of their duties as required by this Policy may be subject to sanctions, including withdrawal of privilege to enter information directly into the system; and/or disciplinary action, up to and including, discharge.

# 2530

## Text Messaging Notification Policy

### 1. General

The increasing and almost universal use of mobile phones has opened up a new avenue of opportunity for communication between NNMC and its staff and students.

This policy sets out the way in which NNMC will use Short Message Service (SMS) text messaging appropriately to pass on important information to staff and students. The use of SMS messaging is intended to sit alongside other existing forms of communication such as letters, email, social networking sites (Facebook and Twitter) and the College's website. The immediate delivery of SMS messages gives it an advantage over other forms of communication: most students have their mobile phones with them all the time and the message is likely to be received much sooner.

Text messaging has wide accessibility. People who are blind or visually impaired can use mobile phones, and some mobile phones have text-to-speech capability, meaning that individuals can listen to text messages.

Data Protection and privacy issues have been taken into account in preparing this policy. In some cases, people will be asked if they wish to 'opt-in' to receive particular types of messages. In others, for example where messages are sent for administrative purposes, people will be asked if they wish to 'opt-out'. However, there may be emergency circumstances in which NNMC will need to contact as many staff and students as possible, ignoring personal preferences (which is permissible if it is in the 'vital interests of the data subject' – Data Protection Act Schedule 2(4)).

1 Phone numbers may be stored by third parties for the purpose of sending messages, but names  
 2 will not be stored. There may, very rarely, be the need to send a message for test purposes.  
 3 There are a number of scenarios in which an SMS message could be very useful, e.g.

- 4 • Emergencies:
  - 5 ○ An outbreak amongst the student population
  - 6 ○ A fire, flood, or similar incident in a College building
  - 7 ○ Any serious crime or terrorism incidents
- 8
- 9 • Work-related incidents:
  - 10 ○ Messages to support staff about equipment/environment failures
- 11 • Other usage:
  - 12 ○ Lecture room changes.

13 However, the usefulness of text messaging depends on having reliable data. The mobile numbers  
 14 will be taken from data collected from staff and student databases so it is important that these  
 15 phone numbers are kept up to date. This will be achieved by means of email reminders or Portal  
 16 announcements to staff and students to keep their details up to date and directions for how to do  
 17 so.

## 18

### 19 2. Emergencies

#### 20 2.1 Scope

21 Messages whose content is deemed to be essential or urgent.

#### 22

#### 23 2.2 When is it appropriate?

24 Incident and crisis management is handled by a team of senior managers. The team may  
 25 decide a text message is appropriate whenever it is considered important to contact a  
 26 group of people urgently for reasons of health or safety.

27

28 It should be noted that there is no guarantee that text messages will be delivered promptly  
 29 or at all by the mobile phone companies. In some types of emergency, e.g. a terrorist  
 30 incident, the emergency services may commandeer the mobile phone network, so no  
 31 messages will get through.

32

33 Simultaneous, multiple approaches are essential. Text messages must be supplemented by  
 34 other means of communication, such as emails, messages issued via Facebook or Twitter  
 35 or information posted on the College website, to ensure that as many of the target  
 36 audience as possible receive the message.

#### 37

#### 38 2.3 Approvers

39 A request to send a message to one of the College-wide lists must be approved by the  
 40 President of the College, or her designated authority to approve requests.

41 Authorization will be given for a message only if:

- 42 ○ it is considered that it is important to get the message to a significant number of  
 43 the recipients as soon as possible;
- 44 ○ the content is both appropriate and factually correct;
- 45 ○ the message format meets the guidelines.

## 2.4 Target Groups

It is possible to send messages to the following groups:

- All staff, faculty and students
- All staff and faculty
- All students

Further groupings may be added in the future.

## 2.5 Format of message

Messages should be no longer than 160 characters and should address the student or staff member directly, i.e. as 'you'. They should include essential points, and should avoid 'text speak', e.g. write 'you', not 'u'; and 'for', not '4'. Non-Latin alphabet characters should be avoided, as they may decrease the maximum message size to 140 or even 70 characters.

### 2.5.1 Sender

All messages must start with the words 'Eagle Alert:' so that the recipients of the text can see that it is an official message from the College requiring their attention.

### 2.5.2 Subject

The message must clearly indicate what it concerns.

### 2.5.3 Where to get more information

The message should indicate where more information can be sought, e.g. 'see [www.nnmc.edu](http://www.nnmc.edu)' if the College's website is operational, or 'check email for details'.

## 3. Work-related Incidents

### 3.1 Scope

Messages that are sent to one or more staff members relating to incidents at work. These could include, for example, alerts or work instructions relating to maintenance or equipment failures.

### 3.2 When is it appropriate?

A text message may be appropriate to communicate with a member of staff about matters relating to his or her job, where that person is likely to be moving around the campus, or 'on call'. It is impossible to give a definitive list of possible applications; the deciding factor has to be whether it is an effective means of communication.

### 3.3 Approvers

See 2.3 above

Authorization should be given for a particular message only if:

- the distribution list is appropriate, and
- the content is both appropriate and factually correct.

### 3.4 Recipients



1 Information Technology Department should ensure that the list of numbers is kept up to  
 2 date and reviewed at least every semester. People issued with mobile phones by the  
 3 College for work purposes may **not opt-out** of receiving text messages.  
 4

### 6 **3.5 Format of message**

- 7 • Messages should be no longer than 160 characters.
- 8 • The message must clearly indicate what it concerns.
- 9 • It should be clear who has sent the message.

## 11 **4. Further Advice**

12 Message senders need to be aware of:

- 13 • The principles of the Data Protection Act 1998 and the College's guidance relating to  
 14 security measures for safeguarding personal data.  
 15 See [security.nnmc.edu](http://security.nnmc.edu)

## 17 **2540**

### 18 **STUDENT EMAIL**

#### 20 **1. General**

21 There is an increasing need for fast and efficient communication with currently enrolled students  
 22 in order to conduct official business at the College. Each student has free access to a College  
 23 network ID (NetID) and email account for use throughout the time the student is registered for  
 24 classes. Accordingly, email is an available mechanism for formal communication by the College  
 25 with students but is not the only official method of communication. Upon admission, students are  
 26 required to obtain a Northern NetID and corresponding email account. The Northern email shall  
 27 be considered an appropriate delivery method for official communication by Northern New  
 28 Mexico College with students unless otherwise prohibited by law. Official communication  
 29 includes, but is not limited to, academic deadline notifications, billing statements, and campus  
 30 alerts. The College reserves the right to send official communications to students by email with  
 31 the full expectation that students will receive email and read these emails in a timely fashion.  
 32 Faculty will determine how to use electronic communication for instructional purposes, and  
 33 specify their requirements in the course syllabus, which students must comply with.  
 34

#### 35 **2. Student Responsibilities**

36 Students are responsible for:

- 37 • checking their email frequently (at a minimum of once per week) in order to stay current  
 38 with College-related communications;
- 39 • ensuring there is sufficient space in their accounts for email to be delivered; and
- 40 • recognizing that certain communications may be time-imperative.

41 Students will not be held responsible for a substantial interruption in their ability to access a  
 42 message if system malfunctions or other system-related problems prevent timely delivery of, or  
 43 access to, that message (e.g. power outages or email system viruses). Students should check their  
 44 email frequently to prevent problems caused by a brief system failure.

1 Students who choose to have their email forwarded to a private (unofficial) email address outside  
 2 the official College net ID/email address (@nnmc.edu) do so at their own risk. The College is  
 3 not responsible for any difficulties that may occur with privacy or security, in the proper or  
 4 timely transmission, or in accessing email forwarded to any unofficial email address. Such  
 5 problems will not absolve students of their responsibility to know and comply with the content of  
 6 official communications sent to students' official Northern email addresses. Failure to check  
 7 email frequently or email returned to the College with "mailbox full" or "user unknown" are not  
 8 considered acceptable excuses for failing to know about and comply with official email  
 9 communication.

10  
 11 Students should report problems with College email or access to the Help Desk@ 505.747.2259

## 12 2550

### 13 INFORMATION SECURITY

#### 14 1. General

15  
 16 The College is committed to protecting and safeguarding all data and information that it creates,  
 17 collects, generates, stores, and/or shares during the generation and transmission of knowledge as  
 18 well as during the general operation and administration of the College. The College is also  
 19 committed to complying with all federal and state laws pertaining to securing this data and  
 20 information and preventing its disclosure to unauthorized individuals. These laws include, but  
 21 are not limited to, the Financial Services Modernization Act of 1999, also known as the Gramm-  
 22 Leach-Bliley Act or GLBA. In 2003, the Federal Trade Commission (FTC) confirmed that  
 23 higher education institutions are considered financial institutions under this federal law and  
 24 promulgated the GLBA Safeguards Rule, 16 CFR Part 314, which requires higher education  
 25 institutions to have an information security program to protect the confidentiality and integrity of  
 26 personal information. This policy describes the basic components of the Northern Information  
 27 Security Program which applies to employees (student, staff, and faculty), contractors, vendors,  
 28 volunteers, and all other individuals who work with Northern data and information.  
 29  
 30

#### 31 2. Northern Information Security Program

32 The Northern Information Security Program is designed to protect the confidentiality, integrity,  
 33 and availability of protected information; protect against anticipated threats or hazards to the  
 34 security or integrity of such information; and protect against unauthorized access to or use of  
 35 protected information that could result in substantial harm to any student, parent, employee, or  
 36 customer of the College. This program includes the process for identification of risks and defines  
 37 responsibilities for safeguarding information, monitoring the effectiveness of the safeguards,  
 38 evaluating service providers, and updating the program itself.  
 39  
 40  
 41

##### 42 2.1. Protected Information

43 The GLBA Safeguards Rule mandates that the Northern Information Security Program be  
 44 designed to safeguard non-public, personally identifiable financial information

- 45 • that is provided to the College,

- 1 • results from any transaction with the consumer or any service performed for the
- 2 consumer (i.e. students, faculty, staff, employees, associates, donors, patients), or
- 3 • is otherwise obtained by the College.

4  
5 The Northern Information Security Program defines what specific data elements and  
6 information (and in what context) constitute to-be-protected non-public, personally  
7 identifiable financial information, which includes but is not limited to:

- 8 • social security numbers,
- 9 • credit card number, and
- 10 • bank routing and account numbers when used in conjunction with the account  
11 owner's name.

## 12 13 **2.2. Information Security Plan Coordinator**

14 The College Director of Information Technology is designated as the Information  
15 Security Program Coordinator, a specific role required by the GLBA. This position is  
16 responsible for:

- 17 • developing and implementing the Northern Information Security Program;
- 18 • identification of risks to confidentiality, integrity, and availability of protected  
19 information;
- 20 • designing and implementing appropriate safeguards;
- 21 • evaluating the security program; and
- 22 • making adjustments to reflect relevant developments or circumstances that may  
23 materially affect these safeguards, including changes in operations or the results  
24 of security testing and monitoring.

## 25 26 **2.3. Risk Assessment**

27 The Northern Information Security Program will include processes and procedures to  
28 assess the risk to the College's information systems. Information systems include the  
29 hardware and software components of the computing infrastructure as well as individual  
30 personal computers, personal digital assistants, phones, servers, networks, and peripheral  
31 technologies used for the processing, storage, transmission, retrieval, and disposal of  
32 information. Risks to the College's information systems extend beyond computer-related  
33 hardware and software to include, for example, hiring procedures; data handling  
34 procedures; individuals who have access to information systems and the data therein; and  
35 the buildings and equipment that contain any aspect of an information system including  
36 the transmission of protected information.

## 37 38 **2.4. Employee Management and Training**

39 The success of the Information Security Program depends largely on the employees who  
40 implement it. The Director of Information Technology will coordinate with deans,  
41 directors, and heads of departments that have access to protected information to evaluate  
42 the effectiveness of departmental procedures and practices relating to access to and use of  
43 protected information. The Northern Information Security Program details recommended  
44 administrative safeguards designed to train personnel, increase awareness, and reduce  
45 risks to the confidentiality, integrity, and availability of protected information such as:

- 46 • mandatory information assurance training;

- 1 • periodic audits to ensure individuals have only the appropriate level of
- 2 information system access rights and permissions required to perform their jobs;
- 3 • periodic reviews of job descriptions and position requirements to ensure the
- 4 appropriate levels of reference and background checks are conducted before
- 5 hiring decisions are made;
- 6 • non-disclosure and confidentiality statements required when appropriate; and
- 7 • periodic evaluations of each individual's understanding of college and/or
- 8 departmental data handling procedures.

## 9 **2.6. Departmental Responsibilities**

11 Deans, directors, and heads of departments that have access to protected information are  
12 responsible for informing employees of ongoing updates to security measures, ensuring  
13 employees have attended required information security training, and notifying  
14 departmental computer system administrators and Information Technology Services  
15 (ITS) when employees no longer require access due to reassignment or termination.

## 17 **2.7. College-Wide Responsibilities**

18 All breaches of information security must be reported immediately to campus safety and  
19 security office or the IT department accordance with the procedures listed in the  
20 NORTHERN Information Security Program.

## 22 **3. Compliance by Service Providers**

23 Service providers and/or contractors who provide services that may allow them to access  
24 protected information must comply with the GLBA safeguard requirements, the College's  
25 Information Security Program, and applicable College policies listed herein. The College  
26 Purchasing Department is responsible for reviewing prospective service providers and/or  
27 contractors to ensure they have and will maintain appropriate safeguards for protected  
28 information.

## 30 **4. Monitoring and Testing**

31 The Director of Information Technology will regularly monitor the Northern Information  
32 Security Program and periodically test the required and recommended safeguards. Based on  
33 these assessments, the Director of Information Technology will work with all appropriate  
34 individuals to implement, correct, design, or improve safeguards.

## 36 **5. Evaluation and Adjustment**

37 The Director of Information Technology is responsible for adjusting the Northern Information  
38 Security Program to ensure that the required and recommended administrative, physical, and  
39 technical safeguards are appropriate to the College's size and complexity, the nature and scope of  
40 its activities, and the sensitivity of the data and information the College handles.

42 **2560**

## 43 **INFORMATION TECHNOLOGY (IT) GOVERNANCE**

### 45 **1. General**

1 It is critical that the College's information technology (IT) resources, applications, and  
 2 manpower be managed in a manner that enables the College to apply new technologies and adopt  
 3 new processes effectively while enhancing and encouraging the innovation required for the  
 4 College to excel in all aspects of its mission. To accomplish this goal, the following IT  
 5 governance framework has been developed based on a collaborative model that includes formal  
 6 input, review, and approval processes for decision making. This policy describes this framework  
 7 and defines the roles and responsibilities of individuals and groups involved with IT governance  
 8 to ensure effective input and decision-making pertaining to IT policies, standards, guidelines,  
 9 processes, and procedures.

### 10 **1.1. Information Technology Governed by this Policy**

11 The term IT is applicable to a wide array of technology systems used at Northern, and for  
 12 the purposes of this policy includes but is not limited to:

- 13 • Telecommunications and facilities infrastructure (e.g. voice and data networks  
 14 and supporting cable plant).
- 15 • Computing (e.g. servers and development environments for productivity and high  
 16 performance computing).
- 17 • Enterprise-wide applications and user services (e.g. Banner).
- 18 • Instructional technology (e.g. classroom media systems and services, distance  
 19 learning).
- 20 • Video (e.g. CATV, video applications on the network, security video).
- 21 • Peripheral technologies (e.g. printing and scanning).

## 22 **2. Roles and Responsibilities**

23 Roles and responsibilities for the individuals and groups involved with IT Governance at  
 24 NORTHERN are described in the following sections.

### 25 **2.1. Northern IT Director**

26 The IT Director provides leadership and direction for the College's shared information  
 27 systems to include institution-wide strategic planning and budgeting for information  
 28 technologies. The IT Director also oversees coordination of all IT-related functions  
 29 across the College.

## 30 **3. Overview of IT Policies, Standards, Guidelines, Processes, and Procedures**

31 Policies, standards, guidelines, processes and procedures take a tiered approach to defining IT  
 32 principles and providing IT-related direction to the College. The table below defines the differing  
 33 levels of scope, authority, and compliance requirements for each category.

	Scope	Approval	Communication	Compliance
IT Policies	College-wide, high-level policy	Board of Regents	All faculty and staff and students where applicable	Violation could result in discharge or dismissal
IT Standards	College-wide or limited to a IT	President	All affected faculty, staff, and students	Violation could result in system damage, loss of IT

	function-technically specific			privileges, and/or disciplinary action
IT Guidelines	College-wide or limited to a IT function-technically specific	President	All affected faculty, staff, and students	Violation could negatively impact performance
IT Processes & Procedures	Associated with an IT application or process-technically specific	Northern IT Director	Departmental faculty or staff responsible for IT application or process	Violation could result in incorrect results or outcomes

1

2

### 3 **4. Northern IT Policies**

4 Northern IT policies are designed to provide the College community with unifying statements  
5 that describe fundamental IT principles, the reasoning behind the principles, and institutional  
6 procedures necessary for implementation. They help ensure compliance with applicable laws and  
7 regulations, enhance the College's mission, promote operational efficiencies, and/or reduce  
8 institutional risk.

9

#### 10 **4.1. Development**

11 The development of effective policy statements requires both input from individuals who  
12 have extensive knowledge on the subject matter and input from individuals affected by  
13 the policy. Anyone wishing to propose an IT policy statement should send their request to  
14 the Northern IT Cabinet. If the Cabinet determines a need for a specific policy, it will  
15 assign individuals most closely involved with the subject matter to work with the  
16 Northern Policy Office to develop a preliminary draft. The preliminary draft will be  
17 reviewed by the IT Managers Council and then sent to the IT Agents Networking Group  
18 for comment. The Networking Group will forward their comments to the IT Managers  
19 Council for consideration. After the Council's review, the proposed policy is sent to the  
20 IT Cabinet and the IT Governance Council for endorsement. After endorsement, the  
21 Northern Policy Office will follow standard Northern protocol for approval of  
22 institutional policy. This protocol includes review by key areas selected based on the  
23 nature of the proposed policy, Deans Council, the President's Executive Cabinet, and the  
24 campus as a whole.

25

#### 26 **4.2. Approval and Communication**

27 All Northern IT policies must be approved by the President in writing before distribution.  
28 Upon approval by the President the campus is notified of the new policy via email.  
29 Information concerning the policy will also be posted on the IT Director website.

30

#### 31 **4.3. Compliance**

32 Northern IT policies contain governing principles that mandate or constrain actions and  
33 have College-wide application. The policy will state applicability to students, staff,  
34 faculty, and/or visitors and compliance is mandatory. If exceptions are allowed, the  
35 authority and procedure for requesting an exception will be delineated in the policy.

1 Individuals who fail to comply with College policy will be subject to disciplinary action  
2 up to and including discharge or dismissal from the College. Violations of IT policies  
3 should be reported to the Office of the IT Director.  
4

#### 5 **4.4. Review and Revision**

6 IT policies will be reviewed by the Policy & Procedure Committee periodically to ensure  
7 policies are up-to-date and meeting the needs of the College.  
8

### 9 **5. IT Standards**

10 Northern IT standards are based on industry best practices designed to ensure that IT resources  
11 are effectively managed in support of the College's mission of education, research, and public  
12 service. IT standards define procedures, processes, and practices designed to provide an efficient,  
13 effective IT system; protect confidential information; minimize security risks; ensure compliance  
14 with federal and state laws and regulations, and facilitate an open, interoperable, accessible IT  
15 infrastructure that meets the needs of students, faculty, staff, and the College community.  
16

#### 17 **5.1. Development**

18 To ensure that IT standards effectively support the mission of the College and meet the  
19 needs of the College community, development of IT standards requires a broad base of  
20 participation and involvement of subject matter experts. Draft standards will be  
21 developed by the IT Managers Council and then sent to the IT Agents Networking Group  
22 for review and comment. The Networking Group will forward their comments to the IT  
23 Managers Council for consideration. The Council will publish the proposed standard on  
24 the IT Director website and solicit comments from the campus. The IT Managers Council  
25 will update the standard based on campus comment and submit it to the IT Cabinet for  
26 review.  
27

#### 28 **5.2. Approval and Communication**

29 IT standards must be approved by the IT Director in writing prior to distribution. Upon  
30 approval, ITS will notify all individuals impacted by the standard prior to its effective  
31 date and post the standard on the IT Director website. When a new IT standard is issued,  
32 the standard will indicate the timeframe for compliance, based on but not limited to,  
33 criticality, funding limitations, and/or equipment replacement cycles.  
34

#### 35 **5.3. Compliance**

36 The type of technology addressed in the standard will determine the groups or individuals  
37 required to comply with the standard. Some standards such as password standards will  
38 apply to all users, whereas others may apply only to system administrators. Each standard  
39 will define those individuals who are required to comply with the standard. Failure to  
40 comply with a standard may damage a system, risk security, result in loss of IT  
41 privileges, and/or disciplinary action. To request an exception to an IT standard, submit a  
42 written justification to the IT Director. Violations of IT standards should be reported to  
43 the Office of the IT Director.  
44

## 6. IT Guidelines

IT guidelines are directives and specifications, similar to standards, but advisory in nature. In essence, IT guidelines constitute recommendations that are not binding; however, it should be noted that failure to comply with IT guidelines may result in damage to a system and/or inefficient processes.

### 6.1. Development

IT guidelines are developed by IT personnel in consultation with applicable users and based on industry practices.

### 6.2. Approval and Communication

IT guidelines must be approved by the IT Director in writing. Upon approval, the IT Director's Office will notify all individuals impacted by the guidelines and post the guidelines on the IT Director's website.

### 6.3. Compliance

IT guidelines are not mandatory, but failure to follow applicable IT guidelines may result in less effective system performance and may negatively impact an individual's job or academic performance.

## 7. IT Processes and Procedures

IT processes and procedures provide electronic and manual mechanisms for IT-related functions or job duties.

### 7.1. Development

IT processes and procedures are developed by IT personnel in conjunction with applicable administrative personnel and are generally developed at the departmental and unit levels.

### 7.2 Approval and Communication

IT processes and procedures are usually designed in the course of application development and are approved as part of the overall project approval. These processes and procedures are documented in accordance with industry standards and communicated in conjunction with the associated project.

### 7.3. Compliance

Compliance with IT processes and procedures is critical to the correct functioning of the selected application. Any problems or issues associated with an IT process or procedure should be reported to the IT Director.

### 7.4. Review and Revision

IT processes and procedures are reviewed periodically for applicability and accuracy and updated as required in accordance with the associated application approval protocols.

## 8. Departmental IT Policies, Standards, Guidelines, Processes, and Procedures



1 Colleges and departments may establish additional departmental IT policies, standards,  
 2 guidelines, and processes provided they comply with College IT policies, standards, guidelines,  
 3 and processes and are documented and communicated to departmental employees.

## 4 2570

### 6 SOCIAL MEDIA POLICY

7  
 8 Social media offers new ways for Northern New Mexico College (NNMC) to engage online with  
 9 local, national and global communities. Northern recognizes the importance and benefits of  
 10 communicating through social media and encourages the use of social media technology to  
 11 enhance communication, collaboration, and information exchange in support of its mission,  
 12 programs and initiatives.

13  
 14 To ensure appropriate and effective use of social media, Northern has developed a Social Media  
 15 Policy and guidelines to properly portray, promote and protect the institution, and assist College  
 16 entities in creating and managing official social media accounts. This policy also provides  
 17 guidance on how to protect professional and personal reputations while using social media.

18  
 19 All information posted on social media sites is considered public information. Northern's social  
 20 media accounts are subject to review in accordance with College policies and applicable law to  
 21 ensure that all interactions on behalf of Northern represent the College's best interests.

22  
 23 It is up to each College entity, as well as individual faculty and staff members to choose whether  
 24 to participate in social media communications. However, prior to creating a Northern social  
 25 media account, a request must be submitted to Northern's Communications and Marketing  
 26 Office (NCAM) in order to be officially recognized and included in Northern's Social Media  
 27 Directory.

28  
 29 *Northern's social media policy requires that:*

- 30  
 31 ● Officially-recognized NNMC social media accounts be reviewed and approved through  
 32 an **application** process.  
 33 ● Each official NNMC social media account have responsible administrators assigned,  
 34 including at least one member of Northern's Communication's Staff .  
 35 ● **Best practice guidelines** for social media accounts be followed.  
 36 ● Northern employees know and follow all applicable College policies and standards of  
 37 professional conduct; local, state, and national laws, and terms and conditions imposed  
 38 by each social media platform they use.  
 39

### 40 41 OFFICIAL NORTHERN SOCIAL MEDIA ACCOUNTS

42  
 43 Official Northern accounts are defined as any social media presence that represents Northern  
 44 New Mexico College in an official capacity, including Colleges/departments, programs,  
 45 faculty/staff/student organizations, and entities working on behalf of Northern. These social  
 46 media accounts are the property of the College.

47  
 48 *The following requirements apply to all official Northern social media accounts:*

- 1 ● Officially-recognized Northern social media accounts must be approved through an  
2 [application](#) process.
- 3 ● Northern accounts must indicate that they are official in their descriptions. They must  
4 include “Northern,” “Northern New Mexico College” or “NNMC” in the account name,  
5 and follow the [Northern New Mexico College Brand Standards](#).
- 6 ● Official Northern accounts must have at least one department/organization administrator  
7 and one Communications Office administrator at all times to ensure adherence to this  
8 policy.
- 9 ● Departments/organizations must provide the Communications Office with the names and  
10 contact information of account administrator(s) as well as any login information,  
11 including username, email and password. This information will be kept confidential and  
12 used for access during emergency situations. Account administrators should use an  
13 nnmc.edu email for their login when possible.
- 14 ● Should an administrator of an account leave the College for any reason or no longer  
15 wishes to be an account administrator, it is the department’s or organization’s  
16 responsibility to designate another account administrator and remove the former  
17 administrator’s permissions to the account.
- 18 ● Northern employees identified as account administrators are responsible for monitoring  
19 and managing the content of their social media accounts.
- 20 ● All official Northern social media accounts must comply with applicable College  
21 policies, including but not limited to: Respectful Campus, Freedom of Expression and  
22 Dissent, Communication/Security, Sexual Harassment, Workplace Harassment, Student  
23 Code of Conduct, FERPA, Faculty/Staff Personnel Policies.
- 24 ● Administrators are responsible for reporting and removing content that violates College  
25 policies or terms and conditions imposed by the respective social media (i.e. Facebook,  
26 Twitter, Instagram, etc.), including intellectual property, copyright and trademark laws.  
27 Learn more here: [The Campus Guide to Copyright](#).
- 28 ● If you discover inappropriate or abusive behavior on an official Northern social media  
29 account, contact Northern’s Communication and Marketing Office ([social@nnmc.edu](mailto:social@nnmc.edu)) or  
30 Human Resources Department.

### 31 32 33 **ETHICAL AND PROFESSIONAL CONDUCT ON SOCIAL MEDIA**

34 Northern employees are expected to adhere to the same standards of professional behavior online  
35 as they would in the workplace. Laws and policies respecting contracting and conflict of interest,  
36 as well as applicable policies and guidelines for interacting with students, parents, alumni,  
37 donors, media and all other College constituents apply online just as they do in personal  
38 interactions. Personal communications made via social media are not exempt from the laws and  
39 regulations that govern personal liability across traditional forms of communication.

40 Northern employees must follow all applicable College policies, local, state, and national laws,  
41 and are fully responsible for what they post to social media sites.

- 42 ● Northern employees are expected to use good judgment about content, be respectful of  
43 their colleagues, and adhere to privacy laws. Posting confidential or proprietary  
44 information about the College, its staff or its students is prohibited.

- 1 ● Misrepresentation of personal opinions as endorsed by the College or any of its  
2 organizations is strictly prohibited. Northern's name or trademarks may not be used to  
3 endorse any opinion, product, private business, cause, or political candidate.
- 4 ● By posting content to any social media site, individuals acknowledge that they own or  
5 otherwise have all rights necessary to lawfully use that content or that the use of the  
6 content is permitted by fair use.
- 7 ● Individuals agree that they will not knowingly provide false or misleading information,  
8 and will indemnify and hold the College harmless for any claims resulting from the  
9 content.
- 10 ● While Northern is committed to the protection of academic freedom and does not  
11 regularly review content posted to social media sites, it may do so as necessary, and with  
12 respect to any site maintained in the name of the College, may remove or cause the  
13 removal of any content for any lawful reason, including but not limited to content that it  
14 deems abusive, threatening, obscene, a violation of intellectual property rights or privacy  
15 laws, or otherwise tortious or illegal.
- 16 ● Targeted abuse or harassment of Northern employees or students via any social media  
17 account, official or personal, may contribute to creating a hostile work or learning  
18 environment at the College, is materially disruptive, and will not be tolerated. Such  
19 behavior will be addressed in the same manner as other forms of harassment as defined in  
20 applicable Northern policies, including but not limited to: Respectful Campus, Sexual  
21 Harassment, Workplace Harassment, Student Code of Conduct, Faculty/Staff Personnel  
22 Policies.
- 23 ● If you identify as Northern faculty or staff online, do not speak on behalf of Northern  
24 New Mexico College without the express permission of an appropriate supervisor.
- 25 ● A disciplinary or other review may be initiated if an employee's online behavior violates  
26 law or Northern's policies or if the employee's non-official or unauthorized online  
27 activity otherwise subjects the College to liability for such acts.
- 28 ● Serious and repeated violations of Northern's social media policy may lead to sanctions  
29 up to and including termination of employment as allowable by College policy.



**MEMORANDUM**

**To:** Board of Regents  
Northern New Mexico College

**From:** Ivan Lopez, Provost and VPAA

**Date:** December 7, 2018

**Re:** Faculty Handbook Approval

---

**Issue**

A new version of the Faculty Handbook has been developed in a collaborative effort between NNMC administration and the Faculty Senate. The Faculty Handbook defines the by-laws of the Faculty Senate, their committees, and describes the conditions of employment of faculty members that are not part of the Collective Bargaining Agreement (CBA).

**Overview**

The proposed changes address new challenges in Academic Affairs not well covered by the 10-year-old current Faculty Handbook and they align with the recently negotiated CBA.

Both the Faculty Senate, NNMC's attorney, and College Administration have recommended the new version. The entire NNMC community as well as the Academic and Student Affairs Committee have vetted it. The summary of the changes are attached.

**Recommendation**

I recommend the Board of Regents to approve the proposed new version of the Faculty Handbook.

## Proposed 2018 Faculty Handbook Review

### **Introduction**

Pursuant to NNMC's request, I have reviewed the draft of the new 2018 Handbook, including the suggested edits from the Faculty Senate, and have compared it to the current 2008 Handbook, as well as to the Collective Bargaining Agreement effective through June 30, 2021 [CBA].

The foremost objective in revising the Handbook is to ensure that NNMC is protected from claims by covered Faculty members. In addition, we have sought to use language similar to the language in the CBA to avoid conflict and to simplify administrators' tasks.

Thus, we accepted or enhanced all of the edits of the Personnel Committee of the Faculty Senate. We have mirrored applicable language in the CBA and we have improved the processes for discipline and grievances.

I recommend that we include a section prohibiting sexual harassment, including a reporting requirement and an investigation procedure, as well as a fraternization section. I have sample policies which I can provide and will work with NNMC to tailor them to our needs.

For convenience, the following is a guide of the important changes, with page references to the 2008 Handbook, the CBA, if applicable, and the 2018 Handbook.

#### **1. Initial Statement/Narrative (before Preface)**

This statement defines the Faculty covered by the 2018 Handbook which are: Faculty not covered by the CBA, such as Chairs, Directors, Coordinators, Visiting Faculty, Instructors, Lecturers and Research Faculty.

This statement also defines the Faculty not covered by the 2018 Handbook, referencing the Faculty Bargaining Unit (Tenure, Tenure-Track, and Adjunct Faculty) covered by the Collective Bargaining Agreement effective through June 30, 2021 (CBA).

A new statement is included referencing all other College policies and procedures found in NNMC website.

#### **2. Definition of Faculty**

2008 Handbook at p. 10 – II A.3. Half-time Faculty is omitted and is now covered in 2018 Handbook at p. 11 as Part-time Faculty.

The definitions have been modified to be more understandable. "Half-time" was limited to .5 and now "Part-time" includes all faculty who work less than full time, for example, .3 or .8.

2018 Handbook at pp. 10-14 defines Lecturers, Instructors, Visiting Faculty and Research Faculty (common types in the academic world).

2008 Handbook uses the term "Provisional Faculty." The 2018 Handbook changes the terminology to be consistent with CBA and defines "Probationary Faculty." Further, at the request of the Personnel Committee of the Faculty Senate, in the definition of "Probationary Faculty" we added the sentence: The rank determined by the Provost cannot exceed the rank held at a previous academic institution. The Provost agrees with this addition.

### **3. Section 3**

Language referencing "Career Technical Education Division" has been removed in the 2018 Handbook because Northern New Mexico College is no longer a community college.

### **4. Academic Freedom**

2008 Handbook at 46  
2018 Handbook at pp. 41-44  
CBA Article 9 pp. 11-14

Academic Freedom language now mirrors the CBA language.

### **5. Tenure Process**

2008 Handbook at pp. 22-35  
2018 Handbook at pp. 17-27  
CBA Article 20 at pp. 31-37

The tenure process has been modified in the 2018 Handbook to include departmental review in addition to tenure council review. The timeline to apply for tenure was extended to conform to the common practice in other academic institutions. The language mirrors the CBA. Further, at the request of the Personnel Committee of the Faculty Senate, in the Tenure guidelines, we added the sentence: The rank determined by the Provost cannot exceed the rank held at a previous academic institution. The Provost agrees with this addition.

### **6. Post-Tenure Process**

2008 Handbook at p. 35  
2018 Handbook at pp. 50-52  
CBA Article 21 at pp. 38-39

This process mirrors the CBA and conforms to common practices in academic institutions.

## **7. Progressive Discipline and Grievances**

2008 Handbook: Progressive Discipline at pp. 47-48; Grievances at pp. 48-52  
 2018 Handbook: Progressive Discipline at pp. 45-46; Grievances at pp.46-49  
 CBA Article 10 Progressive Discipline p. 14  
 Article 11 Grievance Proceedings at pp. 15-17

Faculty covered by the 2018 Handbook do not have union representation; however, in the interests of fairness and uniformity the 2018 Handbook sets forth a procedure for progressive discipline which mirrors the CBA. The 2018 Handbook also establishes a formal grievance procedure similar to that laid out in the CBA. In my opinion, these procedures are improved and are consistent with procedures I utilize in many other school and workplace settings.

## **8. Professional Ethics and Collegial Respect**

2008 Handbook Professional Ethics at p. 39  
 2018 Handbook at p. 37  
 CBA Article 16: Faculty Responsibilities and Duties at p. 25

The Professional Ethics section has been revised to track the language in the CBA. The Collegial Respect section introduces language in the CBA as a faculty responsibility. Both revisions were approved by the Personnel Committee of the Faculty Senate and are consistent with the academic institution norms.

## **9. Evaluation of Faculty Performance**

2008 Handbook at pp. 52-53, 55  
 2018 Handbook at pp. 49-50  
 CBA Article 19 Faculty Evaluation at pp. 29-30

The evaluation process mirrors the CBA.

## **10. General Leave and Sick Leave**

2008 Handbook at pp. 61-68; Sick leave bank at pp. 82-83  
 2018 Handbook at pp. 60-69  
 CBA Article 23 General leaves pp. 4-43  
 Article 24 Sick leave bank 44-45  
 Article 25 Sabbatical Leave pp. 46-47

The 2018 Handbook leave language now mirrors the CBA.

One of the most important changes made to the 2018 Handbook is that NNMC now has the right to non-renew a contract of a probationary faculty member. The 2008 Handbook, p.55, states that non-renewal of a probationary contract may occur only for just cause and is considered an involuntary termination. The proposed 2018 Handbook, p.40, states that such appointments are subject to renewal on an annual basis at the sole discretion of NNMC.

#### 11. **Benefits**

2008 Handbook  
2018 Handbook at pp. 58-60  
CBA Article 35 Fringe Benefits at pp. 57-59

These benefits were not covered in detail in the 2008 Handbook and are fully explained in the 2018 Handbook.

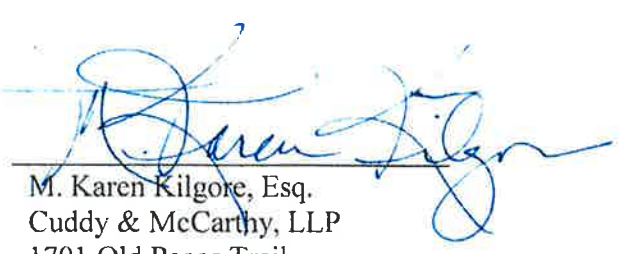
#### 12. **By Laws of Faculty Senate**

2008 Handbook  
2018 Handbook at pp. 75-78  
CBA N/A

Two committees (graduates curriculum committee and budget committee) were dissolved by the Faculty Senate to better reflect the current functions of the Faculty Senate.

#### **Conclusion**

I hope this guide/summary assists you in this review. Thank you for including me in the review process.



---

M. Karen Kilgore, Esq.  
Cuddy & McCarthy, LLP  
1701 Old Pecos Trail  
Santa Fe, New Mexico 87505  
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# FACULTY HANDBOOK

FALL 2018

NORTHERN NEW MEXICO COLLEGE

Approved by the NNMC Faculty Senate, 8 May 2008; amended 12/08, 2/09, 11/18  
Approved by the NNMC Board of Regents, 19 June 2008; amendments approved 1/09, 4/09, 12/18  
Federation Collective Bargaining Agreement contract (CBA) is found at  
<http://www.nnmc.edu/doc/NNMCFacultyAgreement.pdf>

PREFACE .....	4
<i>Institutional History</i> .....	4
<i>Vision</i> .....	4
<i>Mission</i> .....	4
<i>Values</i> .....	4
<i>Philosophy</i> .....	5
<i>Statement of Purpose</i> .....	5
<i>Faculty Philosophy</i> .....	5
<i>Handbook Revision Policy</i> .....	6
PART I. COLLEGE GOVERNANCE AND ORGANIZATION .....	7
I.    A. <i>The Board of Regents</i> .....	7
I.    B. <i>Faculty Governance</i> .....	7
I.    C. <i>Faculty Appointment to Institutional Committees</i> .....	8
PART II. THE FACULTY .....	9
II.   A. <i>Definition of Faculty</i> .....	9
II.   B. <i>Classification of Faculty and Instructional Categories</i> .....	13
II.   C. <i>Minimum Faculty Qualifications by Program</i> .....	14
II.   D. <i>Policies on Tenure, Meaning of Tenure, Promotion, and Seniority</i> .....	16
II.   E. <i>Contracts</i> .....	27
II.   F. <i>Faculty Responsibilities and Duties</i> .....	29
II.   G. <i>Academic Freedom, Faculty Member Investigations, and Progressive Discipline</i> .....	36
II.   H. <i>Grievances</i> .....	42
II.   I. <i>Evaluation of Faculty Performance</i> .....	44
II.   J. <i>Post Tenure Review</i> .....	45
II.   K. <i>Constructive feedback of Chairs/Directors by Faculty Members</i> .....	47
II.   L. <i>Constructive feedback of Academic Deans/Provost by Faculty</i> .....	48
II.   M. <i>Policies and Procedures for Termination of Employment</i> .....	48
PART III. PERSONNEL SECTION FOR FULL-TIME FACULTY .....	53
III.   A. <i>Compensation</i> .....	53
III.   B. <i>Fringe Benefits</i> .....	53
III.   C. <i>Leaves for Full-Time Faculty</i> .....	55
III.   D. <i>Personnel Files</i> .....	64
PART IV. FACULTY ASSOCIATION CONSTITUTION AND BY-LAWS .....	66
IV.   A. <i>Faculty Constitution</i> .....	66
IV.   B. <i>By-Laws</i> .....	67

# FACULTY HANDBOOK

*The supervision of all faculty members, the management of all schools, instructional programs, and school facilities is the responsibility and obligation of the Board of Regents and the College Administration. Management retains all rights not specifically limited by this Handbook.*

*All conditions of employment for faculty under the Faculty Bargaining Unit (Tenure, Tenure-Track, and Adjunct Faculty) are described in the Collective Bargaining Agreement (CBA) such as compensation, fringe benefits, tenure and promotion, post-tenure review, institutional committee participation, academic freedom, safety, workload, seniority, reduction in force, grievances, progressive discipline, evaluation, faculty member investigations, and leave.*

*Conditions of employment for faculty that are not in the Faculty Bargaining Unit (Chairs, Directors, Coordinators, Visiting Faculty, Instructors, Lecturers, and Research Faculty) are described in this handbook.*

*All other college policies and procedures are found on the College Website.*

## **PREFACE**

### **Institutional History**

Northern New Mexico College was established as a constitutional entity by the New Mexico Territorial Legislature in 1909. Its original mission was training teachers for the State's Spanish speaking population. In 1977 Northern was designated a community college. In 2004, legislative approval and accreditation allowed Northern to become the first community college in the state of New Mexico to offer a four-year degree, a BA in Elementary Education. In 2005, legislation was enacted that permitted Northern to offer four-year degrees in any program deemed necessary. The name was then changed to Northern New Mexico College.

### **Vision**

Northern New Mexico College is a Hispanic- and Native American-serving comprehensive institution that will be recognized nationally for cultural sustainability, quality student learning, and developing economically strong communities among diverse populations.

### **Mission**

The mission of Northern New Mexico College is to ensure student success by providing access to affordable, community-based learning opportunities that meet the educational, cultural, and economic needs of the region.

### **Values**

- Excellence in Teaching and Learning
- Excellence in Student Success
- Excellence in Access and Affordability

- Excellence in Diversity
- Excellence in Facilities and Resources
- Excellence in Community Building

### **Philosophy**

- Northern recognizes that students are the focus of the school and seeks to enhance their skills and self-image in order to help them set and meet realistic career and life goals.
- Northern believes that educating is holistic and that each student's needs and interests are to be complemented by the curriculum, extra-curricular activities, and administrative structure. In this way, students and staff are integrated in pursuit of education.
- Northern strives to provide a comprehensive education to all residents of its service area.
- Northern strives to provide an educational program that reflects the needs of the communities of northern New Mexico.

### **Statement of Purpose**

- To provide programs and course offerings leading to baccalaureate degrees, associate degrees and certificates, and meet the educational needs of students in northern New Mexico.
- To provide academic advisement, personal counseling referrals, placement testing, career guidance, tutorial services, and developmental studies to assist students in achieving their maximum potential.
- To provide activities and learning opportunities which meet the educational and community service needs and interests of students and the community.
- To provide opportunities for the intellectual, aesthetic, and cultural needs of students and the community by scheduling activities and services to further those needs.
- To provide adequate organizational and support services to meet student needs and to maintain integrity and quality in its educational offerings.

### **Faculty Philosophy**

The faculty performs a significant role in the governance of the College. It is the essential and continuing instrument through which the educational process occurs. Within its area of responsibility are the following functions:

1. Instruction and student advisement.
2. Consultation and advisement with the President, Provost, Deans, Chairs, and administrators via the duly constituted committees of the Faculty Senate and the committees of the institution.
3. Contribution of expertise and knowledge affecting issues, problems and goals of the institution.
4. Participation in the:
  - a. Selection of Faculty, President, Provost, Deans, and Key Administrators.
  - b. Determination of programs of instruction and related curricula.
  - c. Ongoing review of the institutional mission, philosophy and goals.

5. Establishment of admission standards.
6. Establishment of graduation requirements.

The faculty is responsible for, and committed to, the following:

1. Knowledge of subject matter and instructional skills.
2. The development and maintenance of relevant curricula, as well as methods of instruction.
3. Relative autonomy, independence and integrity for each individual faculty member in the performance of their instructional duties.
4. A high level of dedication and sense of responsibility toward faculty duties, the students, and the instructional objectives.

### **Handbook Revision Policy**

The procedure for revisions to the Faculty Handbook is as follows:

1. Changes may be initiated by Faculty or Administration. Conditions of employment for faculty members under the bargaining unit can only be modified after bargaining negotiations take place and the CBA is ratified by the Federation and Board of Regents.
2. Any proposed changes are presented to the Faculty Senate who will refer them to the Personnel Committee. The Personnel Committee will review proposed changes and will then present changes to the Faculty Senate for further discussion and approval by a majority vote.
3. The Faculty Senate President presents the Faculty Handbook revisions to the Provost. The Provost will ensure that the proposed handbook policies do not conflict with other college policies. The Provost may accept the revisions or send the proposal back to the Faculty Senate Personnel Committee with comments for modification.
4. The President of the College or a designee will approve the revisions in writing and present them to the Board for consideration and/or final approval after the 15 -day all-campus review and comment period established in the institutional policy 1100.
5. The proposed and approved changes will become effective when approved by the Board of Regents.
6. Once approved, the faculty handbook will be posted on the NNMC website, in the online Policy and Procedures Manual, and announced via Broadcast to the entire campus community.

## **Part I. College Governance and Organization**

### **I. A. The Board of Regents**

The primary responsibility of governance rests with the Board of Regents. This is a Board of five persons appointed by the Governor. Its basic duties include budget approval, policy approval, selection of the President, approval of all programs including major revisions and deletions, approval of all construction, and general oversight of the total operation of the institution. The Board works through the President who is responsible for the day-to-day administrative activities, which include making recommendations to the Board and implementing its policy decisions.

### **I. B. Faculty Governance**

The faculty shares a responsibility for the governance of the institution with the President and the administrative staff. This responsibility is defined as consultative-advisory in nature. The more the subject concerns instructional matter and/or faculty welfare, the larger the faculty role. In general, however, the Faculty shall govern itself and participate in the governance of the institution in the following manner:

1. The organizational structure and mechanism by which the Faculty carries out responsibilities and duties as an advisory and consultative body is contained in a document known as "The Constitution and By-Laws of The Faculty of Northern New Mexico College" (see appendix).
2. The "Constitution and By-Laws" creates the structure of the Faculty Senate and standing committees both of which address issues that are of significant concern to the Faculty.
3. Matters of concern to the Faculty, as the instrument through which the instructional process takes place, will be considered by the Faculty. Instructional matters, including but not limited to the establishment of curriculum and programs, the development of policies regarding the granting of degrees, certificates and credits, and all matters impinging upon the development and delivery of instruction shall be referred to the Faculty for study and consideration.
4. The "Constitution and By-Laws" spell out the authority of the Faculty, the Faculty Senate and its committees.

**I. C. Faculty Appointment to Institutional Committees**

The College President or designee shall determine which institutional (non-Faculty Senate) committees will be established and the responsibilities of those committees.



## **Part II. The Faculty**

Northern New Mexico College employs qualified and competent faculty members to accomplish the mission, vision, and goals of the institution. When determining acceptable qualifications of its faculty, the College gives primary consideration to the highest earned degree in the discipline in accordance with the guidelines listed below. The College also considers competence, effectiveness, and professional capacity, including, as appropriate, professional licensure and certifications, undergraduate and graduate degrees, related work experiences in the field, professional honors and awards, academic and/or regional community service, continuous documented excellence in teaching. Other demonstrated competencies and achievements that contribute to effective teaching, student learning outcomes, and institutional advancement are considered. In all cases, while the faculty can assist in evaluating the qualifications of faculty candidates, the Provost is ultimately responsible for justifying and documenting the qualifications of the College's faculty.

### **II. A. Definition of Faculty**

Northern New Mexico College faculty shall consist of all persons who teach in the academic and career technical division of the College. Faculty appointments and privileges vary according to the nature and rights and responsibilities, term of appointment, assignments, rank, governance and administrative roles. Because of this variance, what follows is a series of definitions that clarify the meaning and application of the terms:

#### **1. Tenured Faculty**

Tenured faculty are those individuals who are full-time faculty, have been granted tenure, and are performing instructional duties. They are hired under a faculty contract and are compensated as faculty. Tenure provides continuing employment. In contrast, non-tenured faculty do not have a continuing right of employment. Faculty with tenure have the rank of Associate Professor. Tenured faculty are still subject to all requirements for satisfactory performance and faculty member discipline.

#### **2. Probationary Faculty (Tenure Track)**

Probationary faculty are those individuals who are full-time faculty, have not been granted tenure, and are performing instructional duties. They are hired under a faculty contract and are compensated as faculty. They are on tenure track and hold the rank of Assistant Professor unless a different rank is determined by the Provost at the time of initial offer of employment. The rank determined by the

Provost cannot exceed the rank held at a previous academic institution. Probationary status, by its very nature, means that the faculty member has no continuing expectation of employment.

**3. Part-time Faculty**

Part-time faculty are persons employed on a faculty contract with a portion (normally one-half) of the workload and are compensated on a pro-rated basis including fringe benefits. They may be tenured or non-tenured and may also hold part-time status as staff.

**4. Lecturers**

Lecturers are faculty appointed on an annual basis and hired under a faculty contract. Appointments of lecturers follow the recommendation of the Dean and the approval of the Provost. A lecturer is not eligible for tenure. A lecturer holds a minimum of a master's degree and is at the beginning level in college and university teaching. Special certification or exceptional scholarly, creative and/or professional achievements may also justify appointment or promotion. Exceptions to these requirements may be made by the Provost upon presentation of evidence of a record of experience or other credentials that indicate academic degree equivalence.

**5. Instructors**

Instructors are faculty appointed on an annual basis and hired under a faculty contract. Instructors are normally hired in Career and Technical Education Programs. Appointments of instructors follow the recommendation of the Dean and the approval of the Provost. Appropriate certification, licensure, and/or professional achievements may justify appointment.

**6. Visiting Faculty**

Visiting faculty are faculty who have a full-time or part-time appointment. Such appointments may extend to an annual contract and may be renewed for a subsequent year with the recommendation of the Dean and the approval of the Provost. This position is not tenure eligible. A visiting faculty holds a minimum of a master's degree. Special certification or exceptional scholarly, creative and/or professional achievements may also justify appointment or promotion. Exceptions to these requirements may be made by the Provost upon presentation of evidence of a record of experience or other credentials that indicate academic degree equivalence.

**7. Research Faculty**

Research faculty are those individuals whose responsibilities are focused on research. These appointments are funded through internal and external sources with the majority of the support derived from research grants obtained by the faculty member. A research faculty member is not eligible for tenure. A research professor holds a terminal degree. Special certification or exceptional scholarly, creative and/or professional achievements may also justify appointment or promotion. Exceptions to these requirements may be made by the Provost upon presentation of evidence of a record of experience or other credentials that indicate academic degree equivalence.

**8. Adjunct Faculty**

An adjunct instructor is appointed on a term contract for instructional, temporary and part-time assignments. They are not assigned to other responsibilities such as professional service or college service. They have no right to reappointment. Persons appointed at this rank will vary in minimal academic qualifications but generally shall have a relevant doctoral or equivalent terminal degree to teach at the upper division and graduate level, and a master's degree for lower division courses. All degrees shall be from accredited institutions or from internationally reputable and recognized institutions. Exceptions to these requirements may be made by the Provost upon presentation of evidence of a record of experience or other credentials that indicate academic degree equivalence. Adjunct Faculty members can only serve as Faculty Senators if they teach during the current semester or have taught within the last fiscal year.

**9. Faculty Chairpersons**

Faculty chairpersons are faculty, probationary or permanent, who have a reduced teaching load with additional compensation. They are responsible for the management and supervision of an instructional department comprised of more than one degree or certificate program. Chairs report to their respective Deans. Probationary tenure-track faculty member who becomes a Chair, will keep tenure-track status, and will return to their faculty assignment if he/she no longer serves as a Chair. In addition, the term/s served as Chair will be counted toward tenure. The tenured faculty member who becomes a Chair, will keep their Tenure status and will return to their faculty assignment if he/she no longer serves as a Chair.

**10. Faculty Directors**

Faculty directors are faculty, probationary or permanent, who have a reduced teaching load with additional compensation. They are responsible for the management and supervision of a specific instructional program(s) (degree or certificate) under the supervision of the department Chairperson or Dean. Probationary tenure-track faculty member who becomes a Director, will keep tenure-track status, and will return to their faculty assignment if he/she no longer serves as a Director. In addition, the term/s served as Director will be counted toward tenure. The tenured faculty member who becomes a Director, will keep their tenure status and will return to their faculty assignment if he/she no longer serves as a Director.

**11. Deans**

Deans are the head of an Academic College. They are ex-officio faculty within their discipline's College. They are encouraged to participate in all meetings, including Faculty Senate committees, and deliberations of the faculty on instructional matters. Deans cannot vote at any Faculty Senate committee meetings or Faculty Senate meetings. Deans are not eligible to become Senators, Faculty Senate Officers or Faculty Senate Committee Chairs. The Tenured faculty member who becomes a Dean, will keep their Tenure status and will return to their faculty assignment if he/she no longer serves as a Dean.

**12. The Provost**

The Provost is the chief academic officer of the College and is responsible for all education, research, and public service efforts of the College's faculty as well as the College's libraries and other academically related units of the College. The Provost is a member of the general faculty and of the faculty within their discipline's College. The Tenured faculty member who becomes a Provost, will keep their Tenure status and will return to their faculty assignment if he/she no longer serves as a Provost.

**13. Emeritus Faculty**

Emeritus faculty is an honorary designation conferred on senior academic faculty at the time of their retirement from the College to honor extraordinary contributions to the College over the course of their careers. Tenured faculty who have retired with at least five years of service to the College may be eligible. All nominations for emeritus status are subject to the approval of the Provost, President and the Board of Regents.

## **II. B. Classification of Faculty and Instructional Categories**

The faculty at Northern New Mexico College has many diverse assignments in fields encompassing traditional academic units, career-technical education, and the creative arts. The College values the entire faculty and recognizes the unique contribution of each faculty member. This diversity requires different responsibilities and educational credentials depending on the faculty member's department and its mission.

The responsibilities of individual faculty members will vary and will be specified in position descriptions developed at the time of the initial appointment and revised periodically as necessary.

### **1. Academic Division**

#### **a. Assistant Professor**

An assistant professor holding a doctoral degree, or a terminal degree in his or her teaching discipline or related discipline, or a master's degree with no less than 18 graduate credits in the teaching or related discipline, is eligible for the rank of assistant professor. Consideration for promotion shall require evidence of excellence in teaching, years of teaching experience, and a demonstrated commitment to scholarship, professional activity, and service. All degrees shall be from accredited institutions or from internationally reputable and recognized institutions. Special certification or exceptional scholarly, creative and/or professional achievements may also justify appointment or promotion. Exceptions to these requirements may be made by the Provost upon presentation of evidence of a record of experience or other credentials that indicate academic degree equivalence.

#### **b. Associate Professor**

An associate professor (a senior rank in the college faculty) holds an earned doctorate, a master's degree with no less than 18 graduate courses in the teaching discipline, or other appropriate terminal degree from an accredited institution, shows demonstrated teaching excellence, and has evidence of scholarly or research activity, professional activity, and service. All degrees shall be from accredited institutions or from internationally reputable recognized institutions. Special certification or exceptional scholarly, creative and/or professional achievements may also justify appointment or promotion. Exceptions to these requirements may be made by the Provost upon presentation of evidence of a record of experience or other credentials that indicate academic degree equivalence.

Promotion to the rank of Associate Professor is attained with the awarding of tenure.

## II. C. Minimum Faculty Qualifications by Program

To be qualified to teach in a respective field of study, the following minimum academic credentials are required:

1. **Career Technical and Occupational Courses Not Intended for Transfer**  
 Certification, licensure, and/or professional achievements from a recognized institution or documentation of demonstrated competencies and experience in the teaching field, e.g., work experience in the field, licensure, industry certification, honors, and awards.
2. **Associate of Applied Science in Trade Degree Programs**  
*Either:* A minimum of a bachelor's degree from an accredited institution in the teaching field or related field,  
  
*Or:* An associate's degree from an accredited institution in the teaching discipline or related field or documentation of demonstrated competencies and experience in the teaching field (e.g., work experience in the field, licensure, industry certification, honors and awards, or other demonstrated competencies and achievements).
3. **Developmental Courses**  
*Either:* A minimum of a master's degree from an accredited institution in the teaching field or related field.  
  
*Or:* A bachelor's degree from an accredited institution in the teaching discipline or related field plus documentation of demonstrated competencies E.g., work experience in the field, licensure, industry certification, honors and awards.
4. **Associate of Applied Science/Associate of Engineering Degree Programs:**  
 A master's degree in the relevant discipline from an accredited institution.
5. **Associate of Science or Associate of Arts Degree Programs**  
 A master's degree in the relevant discipline from an accredited institution.

6. **Upper division Courses in Baccalaureate-degree Programs**  
A doctorate or a master's degree from an accredited institution with a minimum of 18 graduate credit hours concentrated ~~in the teaching~~ relevant discipline. All faculty, tenure-track and non-tenure-track, and part-time faculty teaching upper division courses in the baccalaureate programs must meet this criterion.
7. **Post-baccalaureate Courses**  
A doctorate or other terminal degree in the relevant discipline from an accredited institution.
8. **Program-specific Accreditation**  
Faculty teaching in programs with specific accrediting requirements must meet the minimum criteria for faculty qualifications recommended by the accrediting agency.
9. **Exceptions**  
Qualified faculty are identified in part by credentials, but there are limitations to considering only the degrees earned. Academic disciplines, degree programs, and curricula are not static. Because of changing academic, societal and workforce needs, colleges and universities are developing interdisciplinary and other nontraditional programs that require faculty to think beyond their own disciplines and traditional academic programs to determine what students should know and to design curricula accordingly. In those cases, as well as in practice-oriented disciplines, including courses in the Studio Arts or in Health, Physical Education Recreation (HPER) fields, tested and significant experience in the field may be used.

The Chairs of the Department or Deans of the Colleges, with the approval of the Provost, may identify qualified faculty who do not hold the prescribed credentials but are considered experts in their field. A tested experience form will be completed in such cases and these faculty members may be considered for appointment.

The tested experience process will demonstrate that the potential faculty member shall a) have more than five years of supervised experience in the industry or field of the course that they will be teaching, or b) have a certification and/or licensure by a recognized certifying or licensing state, industry, or national agency in the field or industry that they will be teaching, or c) have on the job training in the industry or be an expert in the field (including academia, different from teaching alone) of the course that he/she will be teaching.

Evidence could include a letter from a current or previous employer, record of research, scholarship, or achievement.

## **II. D. Policies on Tenure, Meaning of Tenure, Promotion, and Seniority**

Tenured faculty and probationary faculty that serve as Chair, Director, or Coordinator and their appointment is terminated, will resume their position as tenured or probationary tenure-track faculty member. Chair appointments are at-will. In addition, the tenure timeline will remain intact, reflecting date of initial hire, including their time as Chair, Director, or Coordinator.

### **1. Tenure**

#### General Guidelines

- a. **Tenure Track:** Appointment to the tenure track is made at the time of the initial appointment to the rank of Assistant Professor unless a different rank is determined by the Provost at the time of initial offer of employment. The rank determined by the Provost cannot exceed the rank held at a previous academic institution. All faculty positions at this level at the time of their appointment shall be considered tenure track. Faculty on the tenure track must be classified as full-time, which is denoted by service on a 100% workload basis for a fiscal or an academic year contract.
- b. **Annual Review of Faculty:** This review is intended to facilitate non-tenured faculty toward tenure and tenured faculty toward promotion.
- c. **Evaluation of Candidates for Promotion and Tenure:** For promotion and tenure, candidates will be evaluated by the committee for evidence of excellence in their performance of assigned duties that include teaching, advising, institutional and community service, and mastery of discipline and scholarship.
- d. **Purpose of Tenure:** Tenure insures the academic freedom that is essential to an atmosphere of intellectual pursuit and the attainment of excellence in the college. In addition, tenure also reflects and recognizes a candidate's potential long-term value to the institution, as evidenced by professional performance. Tenure will be granted to faculty members whose character and achievements in serving the College's mission warrant the institution's reciprocal long-term commitment.



- e. Meaning of tenure: Upon being awarded tenure, the faculty member attains the status of presumed continued employment as a member of the faculty, except for reasons of just cause or where conditions exist beyond the College's control.
- g. Date of Eligibility for Tenure: Tenure is granted for achievement in academic and professional pursuits, not for years of service. Faculty members will be considered for tenure in their fifth year, but no later than their seventh year on tenure track. If tenure is not granted, the faculty member may be offered a one-year terminal contract. Under extenuating circumstances, such as illness, a faculty member can request of the chair of the Tenure Committee that the tenure timetable be extended. The Tenure Committee will make a recommendation to the Provost, who will make the final decision on the recommendation. Time spent in the capacity as an adjunct faculty cannot be counted as time toward tenure.
- h. Faculty Previously Tenured at NNMC or Other Institutions: Faculty members hired into a tenure-track position, who have already earned tenure from NNMC or a former institution, may be appointed with tenure at NNMC upon recommendation from the department following the procedures described below, after a probationary period of at least one year.

Faculty who were hired into a tenure-track position at a previous college or university may be credited with the years of experience at that institution towards tenure.

Applications may be submitted to the Tenure Committee by the second week in January and must include the following documents:

- Letter of application for tenure at NNMC
- Official documentation confirming tenure status at previous institution
- Summary of accomplishments at NNMC in the four areas of evaluation (teaching, advising, service, and scholarship)
- Current CV
- Letter of recommendation from Chair or Dean
- Letters of recommendation from two tenured NNMC faculty (within one's department, if possible)

- Letters of recommendation from students, external references, faculty or staff (optional)

The Tenure Committee will forward its evaluation of the tenure transfer application to the Provost by the third week in February and will report the results of the evaluation to the faculty applying for tenure transfer the results of the evaluation. If the Tenure Committee does not recommend tenure transfer, the committee will include in its report an explanation for this decision.

Once the recommendation for tenure transfer has been submitted to the Provost, the tenure transfer application will follow the tenure timeline and procedures as outlined in the section “Timeline for Advancement to Tenure” in Part II.D.1.

#### Academic Division Criteria for Tenure and Promotion

All faculty seeking promotion and tenure in academic departments must hold a terminal degree in their area of expertise, or a master’s degree with no less than 18 graduate credits in the teaching, or related discipline, to be determined by the Office of the Provost in consultation with the department or college according to accreditation criteria.

Faculty seeking tenure will submit their dossier according to the section “Timeline for Advancement to Tenure” in this section. The dossier must include a candidate profile with the following documents:

- Letter of application to Tenure and Promotion Council
- Summary of Tenure Packet
- Current Curriculum Vitae
- Letters of recommendation (These letters should be from Department Chairperson/Supervisor, and/or Dean; Committee Chairs; and Colleagues. Letters from students or from external references may also be included).

In addition to the candidate profile, the dossier should address the following four criteria:

- i) Teaching effectiveness;
- ii) Advising;
- iii) College, public and community service;
- iv) Scholarship, mastery of discipline, professional development, and research;

The specific weights for each of the criteria are determined by each Academic College and specific Academic Department (when it applies).

i) Teaching effectiveness.

The teaching of students is central to the mission of NNMC. Given the mission of the College, candidates must demonstrate excellence in teaching, including assessment of student learning outcomes.

To demonstrate excellence in teaching, faculty must include the following documents in the Teaching Effectiveness Section. Each Academic College and specific Academic Department (when it applies) may have additional requirements:

- Recent course syllabi
- Student evaluations
- Teaching observation by departmental colleagues
- Letters of recommendation from colleagues
- Student learning outcomes and assessment data and analysis
- Statement of teaching philosophy
- Evidence of curriculum development

Good teaching, defined as much more than classroom activities, may be documented in a variety of ways. The following list is illustrative rather than exhaustive.

- Meeting all class sessions
- Integration of college-wide outcomes and accrediting agencies (when applicable) outcomes in course syllabi, instructional design and student assessment
- Integration of technology in instructional design and delivery. Learning Management System (e.g. Blackboard) integration into the courses for student learning enhancement.
- Developing online courses
- Continuing course alignment, exploring new adaptive technologies into course content, board discussions, hybrid classes, etc.
- New curriculum development
- Integration of industrial credentials/standards into courses
- Inviting speakers to classroom or general audience talks
- Mentoring undergraduate student research

- Developing intervention efforts for low performing students using tools such as Early Alert tickets
- Peer reviews based on clarity of course goals, organization, use of technology and knowledge of field
- Documents attesting to improvement in teaching
- Documentation of honors and awards given for teaching
- Implementation of innovative teaching techniques
- Participation in educational activities of professional associations
- Attendance or leadership of meetings related to the candidates professional expertise
- Lecturing or making presentations to student groups, colleagues, or the college community
- Letters of recommendation from other professional sources
- Participation in service learning activities

#### ii) Student Advising

Faculty must be committed to the academic well-being of students. Effective advising helps create an environment that fosters student learning and student retention. The formal and informal advising and mentoring of students is an indispensable component of the broader education at the College.

To demonstrate excellence in student advising, faculty must provide the following documents:

- Number of students advised
- Advisement logs or narratives

Faculty may include documents to demonstrate their efforts as pertaining to the following list, which is illustrative rather than exhaustive:

- Meeting with all advisees
- Performing degree audits
- Contacting unregistered advisees
- Documenting the meeting with advisees
- Advising students that are not your advisees in the absence of the primary advisor
- Mentoring or tutoring students
- Assisting students in selection of courses and career options
- Implementing special review sessions for students

- Keeping an “open door” policy toward students
- Advising all majors of candidate’s department
- Advising evening students

### iii) College, Public, and College Community Service

Faculty service is essential to the College’s success in serving the institution and the community. It is the responsibility of individual faculty member to perform a broad array of services that are vital to supporting and sustaining the quality and effectiveness of the College. Faculty members are expected to provide service to the College, its students, programs, and professional disciplines, as collegial and constructive members of the College and the broader community. Examples include service in faculty governance, college committees, professional organizations, governmental entities and community non-profit agencies. Each Academic College and specific Academic Department (when it applies) may have additional or specific requirements. The following lists are illustrative rather than exhaustive:

#### College Service

College service means committee work at the departmental and college level. Faculty must present letters from committee chairs verifying attendance and participation on committees.

- Academic program development
- Program coordination or assistance
- Assist with development of accreditation documents and new programs
- Student organization advising
- Attendance of departmental meetings
- Participation in departmental sponsored activities
- Arranging professional opportunities for students
- Working on activities related to the departmental grants
- Participation in institutional governance including Faculty Senate, and institutional committees
- College service at the state or regional level
- Representing the college at public events
- Participation in student recruitment efforts

#### Community and Public Service

- Serving on boards or advisory councils at the local, state, national and international levels
- Lectures or presentations to local groups in the community

- Work done with community leaders to develop solutions to community problems
- Work done with the local community as a volunteer
- Participation in activities that increase the desire of non-college students to attend college
- Participating in student recruitment efforts

iv) Scholarship, Mastery of Discipline, Professional Development, and Research

Faculty with assignments in research will be evaluated by the standards appropriate to the field. All faculty should be positively engaged in their disciplines and should be recognized for their expertise. Each Academic College and specific Academic Department (when it applies) may have additional or specific requirements. The following are examples of professional development and scholarship. The list is illustrative but not exhaustive:

- Presentations at conferences, professional agencies or institutions
- Edited books
- Peer-reviewed journal articles
- Reviewed articles or other publications
- Participation in symposiums
- Creative work presented
- Grants awarded
- Regional or national honors
- Professional consulting
- Research
- Patents or product development
- Publications
- Service as an officer of a state, regional or national association
- Service on editorial boards
- Service on a professional task force
- Participation in curriculum development in candidate's discipline at the state or regional level
- Writing grant proposals
- Reviewing grant proposals
- Contributions to improve teaching technology
- Demonstrated growth in subject matter
- Demonstrable command of subject matter
- Contributions to curriculum development

- Demonstrable quality improvement in teaching strategies incorporating new technologies (where applicable) and new approaches to learning

When Academic Colleges and Academic Departments have specific requirements for the four criteria (including a different weighting system for each factor), those requirements will be published on the NNMC website (faculty resources section) and the Tenure and Promotion Council will use them during the applicant's dossier evaluation.

#### Tenure and Promotion Council

During the fall of the academic year, a five-member Tenure and Promotion Council will be elected from the Tenured Faculty of the Academic Division of the College. All tenured faculty are eligible to serve on the Council with no more than one representative from a department. The Council member will serve a three-year term. With the approval of the Provost and in consultation with the appropriate Dean, the Tenure and Promotion Council may include non-voting members who are external tenured faculty members with other institutions as consultants in the area of expertise of the applicant.

If a Tenure Council member is aware of a conflict of interest, he or she has an obligation to recuse his or herself from the review of a particular applicant. The Tenure Committee can also request that a Tenure Council member recuse his or herself by a majority vote. In addition, a faculty member can only vote on the Tenure and Promotion Council if he or she has not voted on the candidate at the departmental level.

#### Timeline for Advancement to Tenure

a. Eligible faculty members in their 5<sup>th</sup> year but no later than 7<sup>th</sup> year on the tenure track must meet college-wide criteria and additional specific criteria published by their departments. See Section "General Guidelines" for the timeline applicable to faculty hired under the 2008 Faculty Handbook. Department Chairs will provide a current copy of the criteria for promotion and tenure to each tenured and tenure track faculty member in their department, to the Tenure Committee, and to the Office of the Provost. To apply for promotion and/or tenure, the eligible faculty member (hereafter candidate) will provide a dossier to the department chair by the last week in September. The candidate will prepare a dossier (no more than one three-inch-thick, three-ring binder plus any supporting materials)

showing fulfillment of the tenure requirements. If no chair is present, the dean will designate a tenured faculty member (preferably within the department) to initiate the departmental review. The dean can also serve as the convener. We henceforth denote the chair or designee as the convener.

b. The convener and tenured faculty within the department will have until the end of the third week in October to evaluate the dossier. The evaluation will include a record of all votes (for, against, abstention and absent) in the departmental review of the candidate. The convener also records the justification for the final departmental decision referencing the strengths and weaknesses of the candidate.

c. The convener sends a letter to the candidate and Tenure and Promotion Council, summarizing the departmental review by the fourth week in October. The candidate's dossier is also given to the Tenure and Promotion Council. The convener on behalf of the department will provide a completed rubric or evaluation tool which summarizes the evaluation of the candidate by the department.

d. By the first week of the spring semester, the Tenure and Promotion Council sends its recommendations to the Dean and Provost, along with the recommendation of the department. Tenure candidates must receive at least one positive recommendation from either the department or the Tenure and Promotion Council in order for the candidate's tenure application to be considered for tenure review by the Provost. Candidates who do not receive a positive recommendation from either the department or the Tenure and Promotion Council will not be recommended for tenure.

e. By the **third** week of the Spring semester, the Office of the Provost informs the faculty member of the recommendation (positive or negative) in writing.

#### Actions of the Board of Regents

Tenure is awarded only by positive action of the Board of Regents upon recommendation of tenure by the President. Such action must be taken no later than the seventh probationary year, on or before April 30<sup>th</sup>. Following the Board of Regents' action, the Provost provides official notification to the candidates and their supervisors,



Chairperson, Dean, and to the chair of the Tenure and Promotion Council. Assistant Professors who are granted tenure will be promoted to the rank of Associate Professors.

#### Denial of Tenure

If tenure is not awarded, the faculty member may be offered a one-year terminal contract.

Denial of recommendation of tenure by the Provost or following positive recommendation by Tenure and Promotions Council. If in the course of tenure application, both the department and Tenure and Promotions Council make a positive recommendation to the Provost, and the faculty member is denied a recommendation of tenure by the Provost or President, that faculty member may appeal to the Board of Regents the decision-within 10 working days from the date of notification in writing that the Provost or President has denied a recommendation of tenure.

#### Privileges of Tenured Faculty

a. The appointment of a tenured faculty member shall run until the member's separation from employment with the College, subject to the following limitations: Any dismissal or non-renewal of the contract of a tenured member of the faculty shall follow the procedure discussed in Part II.D.

b. Sabbatical leave may be granted to tenured faculty members in accordance with Part III.C.

c. Tenured faculty members appointed to administrative positions will retain tenure status as faculty. If a tenured faculty member serving in an administrative position returns to a faculty position for which they are qualified, that tenured faculty member returns to the position with tenure.

## 2. **Criteria for Appointment to Emeritus Status**

Proposals for emeritus designation must be initiated by a faculty member or other appropriate group, such as the Honors Committee of the Faculty Senate, and submitted for evaluation and recommendation by the Provost. If recommended by the Provost, the President shall review and forward the recommendation to the Board of Regents. The Board of Regents shall make the decision on the granting of emeritus status to the nominee. The decision of the Board of Regents shall be final and not subject to further review.

Nominees for Emeritus Faculty must meet the following criteria:

- Be eligible to retire and have submitted an intent to retire to the Provost
- Be tenured at NNMC and have five consecutive years of full-time, tenured faculty service at NNMC prior to retirement
- Have shown excellence in teaching or administration
- Have contributed service to the college, the community, or the professional discipline

### **Privileges of Emeritus Faculty**

The privileges and responsibilities of emeritus faculty are subject to any legal and/or New Mexico Higher Education Department and/or college restrictions. In addition, emeritus faculty receive:

- a. Assigned office space for research or scholarship, if available
- b. A listing with the faculty in the college catalogues, website, and other appropriate publications
- c. Attendance at campus events open to college employees
- d. Receipt of special campus publications, announcements, and event invitations as determined by the President
- e. Invitations to participate in public ceremonies, commencement, processions, and convocations
- f. Participation in appropriate campus seminars, colloquia, lectures, ad hoc committees, and other scholarly pursuits
- g. Use of college recreation/social facilities in accordance with college policy.
- h. Library and email privileges

### **3. Criteria for Promotions in Faculty Rank within the Academic Division**

Criteria for Promotion from Assistant Professor to Associate Professor:

Faculty seeking promotion to the rank of Associate Professor shall hold an earned doctorate or other appropriate terminal degree granted by an accredited institution of higher learning. A master's level or bachelor's degree may be considered appropriate for some departments and will be determined by individual departments or colleges. The Tenure and Promotion Council will consider evidence of the following:

- Demonstrated effectiveness in teaching, assessment, scholarly activities, advising, and other assigned duties
- Appropriate institutional, public, and professional service

- Positive engagement in individual discipline

### 3. Seniority

Seniority shall be defined as the total length of time of continuous full-time employment in a tenure-track position at the College. Seniority credit shall commence with the full-time faculty member's most recent date of full-time employment. Time spent on paid leave shall be counted for seniority purposes. Time spent on approved unpaid leave shall not constitute a break in continuous service but shall not be counted for seniority purposes. The College will maintain a seniority list of all faculty members ranked in order of seniority within each contractual academic discipline. Seniority shall be forfeited in circumstances, including, but not limited to resignation, termination, or retirement. Seniority is not lost in the situations below:

- a. A faculty member is part of a reduction in force and is subsequently rehired. In such a situation, the individual retains the seniority he or she had when terminated.
- b. A faculty member moves into an administrative position and back to a faculty position. In such a situation, the individual accrues seniority as if he or she stayed in a faculty position.

## II. E. Contracts

### 1. Academic Calendar and Work Year

The work year is normally defined by the academic calendar, which is approved by the Administration. The academic calendar for Fall shall begin with the convocation week and shall end with the date that final grades are due for the Spring semester. Faculty are required to attend the Fall and Spring convocation week events and the Fall and Spring Graduation ceremonies. The following holidays will be observed during the term of this Agreement:

- a. Labor Day
- b. Fall Break as defined in the Academic Calendar
- c. Veteran's Day
- d. Thanksgiving, the Wednesday prior, and the Friday following
- e. All days when the college is closed for Winter Break
- f. Martin Luther King's Birthday
- g. Good Friday
- h. Spring Break as defined in the Academic Calendar.

## 2. **Outside Employment**

The primary responsibility of faculty members is to render to the College, their most effective commitment to teaching, scholarship, and service. At the same time, consulting and other outside activities of a professional nature are encouraged by the college where such activities give the faculty member experience and knowledge valuable to professional growth and development. These activities may help the faculty member make worthy contributions to knowledge, or contribute to instructional programs, or otherwise make a positive contribution to the College, community, or profession (discipline).

No outside service or enterprise, professional, or other, should be undertaken that interferes with the faculty member's primary responsibility to the College. While a faculty member is allowed to engage in outside professional activities, this must be clearly subordinate to their teaching, advising, scholarly activities, and College service responsibilities.

The following considerations should be made regarding outside activities. Such planning is in the best interest of the faculty member, the Academic Unit, and the College. A full-time faculty member's position with the College shall be his primary source of employment. The categories for the various degrees of involvement in outside activities are listed below.

a. The faculty member does not have to inform their supervisor or Dean nor obtain approval. This category would consist of activities such as attending professional meetings, writing books, giving occasional speeches and lectures, refereeing manuscripts, and outside activities that are personal.

b. The faculty member would be required to inform their supervisor or Dean in writing, but would not be required to obtain approval. This category would consist of activities such as occasional outside consulting activities, holding office in scholarly or professional organizations, assuming editorial duties for a journal.

c. The faculty member would be required to inform their Dean in writing and shall obtain prior approval from the Provost if the activities would have potential to conflict with job assignments. This category would consist of activities such as consulting more than one day per month, teaching for another institution, pursuing a degree or licensure, working a second job, or operating a personal business.

This approval will be documented with the Human Resources department.

Faculty members involved in outside employment activity must complete an outside employment disclosure form at the time of outside employment. If an activity presents a potential conflict of interest, it will be handled according to the Code of Conduct policy.

### **3. Summer Employment**

Tenured and tenure-track faculty members shall be given the first opportunity to sign up for a section during the summer session.

Full-time faculty members selected for summer employment will be paid in accordance with Part III.A.

### **4. Facilities, Equipment and Support**

Subject to available funding, the College will provide classroom space, office space, library access, internet connection, access to the learning management system (LMS) when appropriate, equipment, and materials to aid in the faculty member's performance.

### **5. Health and Safety**

The College will comply with all applicable State and Federal laws relating to safe working conditions. Whenever a faculty member becomes aware of a condition which the faculty member feels is a violation of an institutional safety or health rule or regulation, or Board policy regarding work environment and discrimination; the faculty member will report such condition to an appropriate administrator who will promptly investigate such conditions and, if appropriate, remediate in a timely manner.

Protective devices and first aid equipment will be provided to faculty members who practice in a hazardous institutional environment. The faculty members will be responsible for the proper use of such devices.

## **II. F. Faculty Responsibilities and Duties**

### **1. Faculty Workloads**

Faculty workloads shall be distributed among all faculty members. The preparation of teaching schedules shall be the responsibility of the Dean and the Department Chairperson. The Dean and the Chairpersons will consider recommendations from faculty members. The College shall continue to notify the faculty member of their tentative teaching schedule. Changes in faculty member's teaching

schedule may be made as the need arises and faculty shall be notified of said changes. The final determination of teaching schedules shall be made exclusively by the College. Monitoring of workloads is the responsibility of the supervisor and is intended to ensure that responsibilities are equally distributed. With approval of the Provost, the Dean may grant release time for special assignments or responsibilities.

Normal working hours are between 8:00 am and 5:00 pm, Monday through Friday, unless the faculty member teaches evening or weekend classes, in which case the hours must be kept as appropriate for that faculty member's normal teaching schedule. Any proposed deviation from these requirements must be justified in writing and approved by both the Chair and the Dean.

The College does not attempt to enforce an eight-hour working day for faculty. However, faculty members are employed on a full-time basis and are required to be available when they are under contract during normal working hours including periods when classes are not in session and the college is open.

Chairs, Directors, and Coordinators are required to attend the Fall and Spring convocation week events and the Fall and Spring Graduation ceremonies.

The workload distribution will be determined in coordination with the supervisor based on the following four criteria:

- Teaching effectiveness. The teaching of students is central to the mission of NNMC. Given the mission of the College, candidates must demonstrate excellence in teaching, including assessment of student learning. Classes are to be met as scheduled including final exam week.
- Advising. Faculty must be committed to the academic well-being of students. Effective advising helps create an environment that fosters student learning and student retention.
- Service to the College community. Faculty members are expected to provide service to the College, its students, programs, and professional disciplines, as collegial and constructive members of the College and the broader community.
- Scholarship, mastery of discipline, professional development, and research. All faculty should be positively engaged in their disciplines and should be recognized for their expertise.

In particular, the teaching load is determined with the following parameters:

#### Academic Year Teaching Load

The normal teaching load for tenured and tenure-track full-time faculty is twelve (12) credit hours per semester. The normal teaching load for lecturers and instructors is fifteen (15) credit hours per semester. When appropriate or mandated by an outside governing body, the supervisor may approve 12 contact-hours for tenured and tenure-track faculty members as an exchange of physical presence on Campus for student advisement, accreditation, recruitment or other activities.

Release time may be granted by the Dean with approval of the Provost for program/departmental initiatives that include program development, grants writing and/or grants management.

When a faculty member is teaching two or more scheduled classes at the same time (e.g., cross-listed courses), only one of the classes will be counted in the workload computation. In special situations, such as co-op courses, lab courses, and practicums, the workload credit hours shall be computed by the Chairperson or Dean with the Provost's approval.

Full-time faculty members shall be present on campus for all professional duties and obligations, including but not limited to classes, departmental meetings, accreditation work, and faculty meetings called by the Dean/Provost or President. Full-time faculty shall schedule a minimum of five (5) hours per week, in person on campus, for office hours. Office hours shall be posted on their office door and on the Department Website.

Chairs teaching load is 3-4 credit hours per semester and directors teaching load is 6 credit hours. The New Mexico Board of Nursing mandates that at least 80% of the Associate Degree in Nursing Program administrator assignment shall be spent in the administration of the nursing program. Additional administrative time should be given when preparing for accreditation, curriculum revision and other administrative activities. The teaching load shall not exceed 20% of total workload.

#### Teaching Overload

When a faculty member teaches in excess of assigned teaching load during a semester, the department Chair or Dean may approve the

overload. The compensation for an overload is addressed in Part III.A. When appropriate or mandated by an outside governing body, supervisor may approve contact-hours instead of credit hours for Chairs, Directors, and Coordinators as an exchange of physical presence on Campus for student advisement, accreditation, recruitment or other activities.

#### Student Advising

Each faculty member shall serve as an advisor to students. Advisors shall assist students in course selection, scheduling, and in meeting requirements for certificate or degree programs. When necessary, students shall be referred to the appropriate support services for assistance. Full-time faculty shall schedule advisement hours every semester. Advisement hours shall be posted on their office door and on Self Service Banner (SSB).

#### Class cancellations

In order to meet accreditation standards, faculty members shall not cancel scheduled classes in any circumstances without prior written supervisor approval. Attendance that is approved in advance by the program or department chair, instructors should find an acceptable substitute for their classes or obtain the chair's approval for an alternate means of making up the student contact hours. For unanticipated absences such as illness or family emergency, faculty members must notify the program or department chair or academic dean as soon as possible so that arrangements can be made regarding classes and other scheduled activities. Faculty members should find an acceptable substitute for their classes or obtain the chair's approval for an alternate means of making up the student contact hours. Failure to notify the program or department chair of a missed class meeting or excessive absences from class obligations can result in disciplinary action.

#### Course delivery/schedule changes

Faculty members shall not change the delivery method of instruction or the approved schedule of classes and assigned classroom under any circumstances without prior written supervisor approval and without advance notification to the office of the registrar.

#### Academic year contract

Faculty members are engaged and paid on the basis of an academic year contract, including days when the College is open and classes are not in session. Supervisors may require attendance any day during the term of the contract.



#### Contract length

Chairs, directors and coordinators will be issued a contract for one academic year (9-months). For additional months of service, the College will issue a supplemental contract.

## 2. Faculty Responsibilities and Duties

#### Professional Ethics

Faculty members shall demonstrate respect for the students, college faculty members, staff members, college administrators, and other members of the college community in their role as intellectual guides, foster honest academic conduct, and promote an atmosphere that is conducive to learning and the acquisition of scholarly standards. They shall strive to help each student realize his or her potential as a worthy and effective member of society.

#### Collegial Respect

Faculty member will demonstrate respect for their colleagues, uphold academic ethics, collaborate, and model the culture of the academy. In fostering an environment of collegial respect, faculty will observe basic etiquette, honor each other's intellectual domain and individual strengths while collectively working towards meeting the needs of students in fulfillment of NNMC's mission.

#### Faculty Duties

Each faculty member shall be responsible for the following:

- a. Become familiar with College policies and procedures
- b. Be able to explain to students the course content and requirements and distribute a course syllabus during the first day of scheduled class
- c. Meet every assigned class at its designated time except for illness, emergency situations, and approved absences
- d. Assume responsibility for the security of College facilities and equipment
- e. Maintain a classroom that is conducive to learning and indicate a sincere interest in students' education
- f. Arrange for equipment, supplies, and materials necessary for instruction
- g. Advise students concerning academic achievement, absences, and tardiness that might jeopardize satisfactory progress
- h. Emphasize to all classes the importance of prompt, regular and continuous class attendance

- i. Maintain accurate scholastic records of students enrolled in each class, and submit course enrollment correction forms to the registrar by due date, and grade reports to the Registrar's Office by due date
- j. Refer students who need special consideration to the appropriate student services
- k. Report all irregularities, questions, or problems concerning instruction to the department supervisor
- l. Keep credentials and certifications (as required) current and on file in the Human Resource Office
- m. Conduct assigned classes in accordance with the stated philosophy and objectives of the College and in accordance with the approved master course syllabus
- n. Participate in all activities directed by the supervisor related to student learning outcomes assessment and accreditation processes when they are required by the program of study
- o. Participate in all activities directed by the supervisor related to student advisement, student recruitment, and student retention
- p. Initiate purchase requisitions as appropriate
- q. Recommend course textbook and submit it to the appropriate textbook adoption website
- r. Recommend the selection of library books, reference materials, and periodicals for the Library
- s. Perform registration duties
- t. Attend and support activities of the College such as scheduled and special faculty and department meetings and assigned committee meetings

### 3. **Directors' Duties**

Directors shall be responsible to the Department Chairperson. Each director shall:

- a. Supervise, coordinate, and assess the planning and implementation for the ongoing development and improvement of the degree program(s)
- b. Coordinate the development of creative and progressive teaching methods
- c. Recruit and supervise adjunct and regular faculty for the degree program(s).
- d. Maintain confidential employee information and make recommendations regarding employment of faculty and staff for the programs.
- e. Coordinate the scheduling and delivery of the program(s) curriculum.

- f. Coordinate the development of marketing and recruitment activities for the program(s).
- g. Supervise student advisement and practicum experiences.
- h. Participate in institutional governance and departmental committees as assigned.
- i. Oversee administration of state and external funds supporting the program(s).

#### 4. **Chairperson Duties**

Each Chairperson shall be responsible to the Dean/Provost (or designee) and shall:

- a. Supervise assigned personnel and coordinate all departmental activities
- b. Coordinate efforts with faculty and make proper recommendations related to the development of new courses and programs, the revision or deletion of existing courses and programs, and the maintenance of instructional standards within the department
- c. Provide leadership in formulating, developing, revising program objectives and curriculum, and maintaining current course outlines and syllabi which accurately reflect the instructional program
- d. Supervise instructional activities within the department, including evaluation of curriculum, teaching methods, effective use of the library and support programs, testing techniques, and audio-visual aids
- e. Schedule and preside at regular departmental meetings to review areas of concern and maintain communication. Maintain and distribute minutes of all meetings to department personnel
- f. Ensure that faculty maintain scheduled office hours and equitable workloads
- g. In coordination with the Office of Human Resources, orient new department personnel and ensure that all assigned personnel are familiar with academic policies, regulations and procedures
- h. Evaluate formally or informally department personnel and the overall effectiveness of instruction within the department
- i. Recommend to appropriate Dean/Provost renewal or non-renewal of contract, promotion, or dismissal of personnel within the department
- j. Ensure functional advisory committees as required by degree programs

- k. Verify that safety guidelines are in place as required by appropriate program oversight standards
- l. Monitor the attendance of personnel within department and approve faculty leave requests
- m. Assist in the registration process, coordinate advisement, and registration duties to personnel within department
- n. Assist the Dean on articulation agreements with post-secondary and secondary institutions
- o. Validate faculty selection of textbooks for bookstore adoption
- p. Verify that adequate supplies and equipment are available for the department
- q. Review materials for the College catalog and other college publications ensuring an accurate representation of the department
- r. Participate in the screening and interviewing process for department personnel and make recommendations for employment within procedural guidelines
- s. Coordinate the development of the annual recommended budget for assigned department and submit the budget to the appropriate Dean
- t. Maintain records and controls to assure that the department operates within established budget limits
- u. Coordinate all purchase requests within the department
- v. Serve as liaison between department and institutional personnel and/or public
- w. Assist in the initiation and/or development of institutional research or proposals related to the department
- x. Inform the appropriate Dean/Provost of departmental needs, concerns, changes, or irregularities that warrant attention
- y. Instruct as assigned by the appropriate Dean/Provost within limits as described under II.G.2.a (Faculty Workloads) of this handbook
- z. Assume responsibilities and duties required of faculty and additional assignments outlined for Chairpersons
- aa. Assume additional duties assigned by the Dean/Provost or designee

## **II. G. Academic Freedom, Faculty Member Investigations, and Progressive Discipline**

### **1. Academic Freedom**

The personal life of a faculty member is not a proper concern of the College, provided that it does not adversely affect or interfere with the

faculty member's effectiveness in fulfilling his or her professional obligations.

The College is committed to the promotion of responsible academic freedom for its faculty and students. The major premise of academic freedom is that open inquiry and expression by faculty and students is essential to the College's mission. Academic freedom shall be understood to include but not be limited to the following:

- Academic freedom means that both faculty members and students can engage in intellectual debate without fear of censorship or retaliation.
- Academic freedom establishes a faculty member's right to remain true to his or her pedagogical philosophy and intellectual commitments. It preserves the intellectual integrity of our educational system and thus serves the public good.
- Academic freedom in teaching means that both faculty members and students can make comparisons and contrasts between subjects taught in a course and any field of human knowledge or period of history.
- Academic freedom gives both students and faculty the right to express their views — in speech, writing, and through electronic communication, both on and off campus — without fear of sanction, unless the manner of expression substantially impairs the rights of others or, in the case of faculty members, those views demonstrate that they are professionally ignorant, incompetent, or dishonest with regard to their discipline or fields of expertise.
- Academic freedom gives both students and faculty the right to study and do research on the topics they choose and to draw what conclusions they find consistent with their research, though it does not prevent others from judging whether their work is valuable and their conclusions sound. To protect academic freedom, universities should oppose efforts by corporate or government sponsors to block dissemination of any research findings.
- Academic freedom means that the political, religious, or philosophical beliefs of politicians, administrators, and members of the public cannot be imposed on students or

faculty.

- Academic freedom gives faculty members and students the right to seek redress or request a hearing if they believe their rights have been violated.
- Academic freedom protects faculty members and students from reprisals for disagreeing with administrative policies or proposals.
- Academic freedom gives faculty members and students the right to challenge one another's views, but not to penalize them for holding them.
- Academic freedom protects a faculty member's authority to assign grades to students, so long as the grades are not capricious or unjustly punitive. More broadly, academic freedom encompasses both the individual and institutional right to maintain academic standards.
- Academic freedom gives faculty members substantial latitude in deciding how to teach the courses for which they are responsible.
- Academic freedom guarantees that serious charges against a faculty member will be heard before a committee of his or her peers. It provides faculty members the right to due process, including the assumption that the burden of proof lies with those who brought the charges, that faculty have the right to present counter-evidence and confront their accusers, and be assisted by an attorney in serious cases if they choose.
- Academic freedom includes the assessment of student academic performance, including the assignment of particular grades and the following principles in assigning grades: (1) the individual faculty member has the responsibility for the assignment of grades; (2) students should be free from prejudicial or capricious grading; and (3) if the faculty member does not initiate a change of grade, no grade may be assigned or changed without following the Grade Appeal Process of NNMC. The review of a student complaint over a grade should follow the current procedure established by the Academic Standards Committee.

- Academic freedom does not mean a faculty member can harass, threaten, intimidate, ridicule, or impose his or her views on students, college faculty members, staff members, college administrators, and other members of the college community.
- Student academic freedom does not deny faculty members the right to require students to master course material and the fundamentals of the disciplines that faculty teach.
- Neither academic freedom nor tenure protects an incompetent faculty member from losing his or her job. Academic freedom thus does not grant an unqualified guarantee of lifetime employment.
- Academic freedom does not protect faculty members from colleague or student challenges to or disagreement with their educational philosophy and practices.
- Academic freedom does not protect faculty members from non-college penalties if they break the law.
- Academic freedom does not give students or faculty the right to ignore college regulations, though it does give faculty and students the right to criticize regulations they believe are unfair.
- Academic freedom does not protect students or faculty from disciplinary action, but it does require that they receive fair treatment and due process.
- Academic freedom does not protect faculty members from sanctions for professional misconduct, though sanctions require clear proof established through due process.
- Neither academic freedom nor tenure protects a faculty member who repeatedly skips class or refuses to teach the classes or subject matter assigned.
- Academic freedom does not allow a faculty member to prevent a talk or a performance.

- Academic freedom does not protect a faculty member from investigations into allegations of scientific misconduct or violations of sound college policies, nor from appropriate penalties should such charges be sustained in a hearing of record before an elected faculty body.
- Control of presentation includes selection of subject matter including online resources (e.g., publisher's website content) to be covered and of textbooks and other materials to be used. Because these choices are reflected in various administrative concerns, decisions as to topic coverage and selection of texts and materials are subject to the approval of the faculty member's immediate supervisor. Mindful of the importance of academic freedom, the immediate supervisor shall not disapprove a faculty member's decision in these areas arbitrarily or without justifiable cause. In the event faculty members believe disapproval of their texts or materials by their supervisor is unjust, they may appeal to the next higher administrative level as explained in the grievance procedure.

## 2. **Faculty Member Investigations**

The College has the right to investigate all allegations of faculty misconduct. A faculty member may be placed on administrative leave with pay during an investigation involving the faculty member. When necessary, during an investigation, the college may enter a faculty member's office. The affected faculty member shall be given reasonable notice prior to entering the faculty member's office. The faculty member may observe, but not interfere with, the college's entry of the office to conduct an investigation. For purposes of this paragraph, reasonable notice shall be at least 24 hours' notice in writing, prior to entry of the office.

Under exigent circumstances such as, but not limited to, an emergency affecting safety and security or allegations of criminal activity, the college may enter a faculty members office to conduct an initial investigation and/or to secure property, data, documentation or other items stored within the office. Within one work day of an entry, the college shall notify the affected faculty member.

During investigation, no documentation or information related to the matter under investigation will be placed in the faculty member's personnel file or released publicly unless required by law. If the investigation does not result in disciplinary action, no documentation will be placed in the faculty member's personnel file. Any actions,



other than dismissal, taken by the Administration as a result of such an investigation may be grieved according to Part II.H.

### 3. **Progressive Discipline**

The general purpose of discipline is to correct unsatisfactory performance and/or misconduct. Any discipline requires good and just cause. Progressive discipline may be utilized when management determines that the merits of a particular case warrant such an approach. Progressive discipline will not be utilized when management determines that a faculty member's action(s) are so egregious that such an approach is inappropriate.

Progressive discipline starts with the least severe discipline and progresses to more severe discipline depending on the circumstances. Examples of the least severe discipline consist of verbal and written warnings. More severe disciplines consist of written reprimands, suspensions and terminations.

Faculty member may be discharged in accordance with Part II.M.

Discipline is designed to give a faculty member an opportunity to correct employment behavior and performance. Every reasonable effort will be made to ensure acceptable work performance by the faculty member. When problems with the faculty member behavior that affects the workplace or performance arise, a supervisor will seek to correct the problem with the least amount of disruption to the work environment. Serious infractions may result in immediate suspension from work with or without pay.

#### a. Verbal warning

A faculty member is issued a verbal warning for minor infractions or to correct minor faults in a faculty member's job performance. Verbal warnings are issued during a private conference between the supervisor and the faculty member where the supervisor explains the problem and recommends a process the faculty member must accomplish to return to satisfactory status. The faculty member is informed that the conference is being conducted for the purpose of issuing a verbal warning.

#### b. Letter of reprimand

Should contain the following information: a description of the specific problem or offense, the most recent incident and when it occurred, previous unsatisfactory behavior or performance related to the reprimand, and a statement that further unsatisfactory

behavior or performance may result in further disciplinary action. The written reprimand is issued and discussed with the faculty member in private conference with the supervisor and must have been discussed with the faculty member previously. A copy of the written reprimand will be given to the faculty member and a copy placed in the faculty member's official personnel file. The written reprimand will also specify a review period, if appropriate, in which the faculty member's behavior or performance will be reviewed. The length of the review period will be no longer than one year.

c. Discipline resulting in dismissal must follow Part II.M.

Unapproved absences may result in disciplinary action. Grievances of disciplinary actions are governed by Part II.H.

## **II. H. Grievances**

### **General Policy**

While the College endeavors to maintain pleasant working conditions which lead to cooperative, effective working relationships for all faculty members, it recognizes that misunderstandings and disagreements may arise regarding terms and conditions of employment. However, for questions and complaints not resolved through informal discussions, the College has established a formal Grievance Procedure. The Grievance Procedure is applied only to those matters for which the College has the ability to provide a remedy.

### **Definitions and Limitations**

a. "Grievant" shall mean a faculty member who is personally and directly affected by a condition for which he or she seeks a resolution.

b. A "grievance" shall be an allegation by a faculty member that the treatment he or she has received from a supervisor or other college employee is a violation, a misinterpretation, or an inequitable application of College policy, administrative rules, or procedures that directly and adversely affect the grievant. A single grievance may be submitted jointly by more than one grievant.

c. "Resolution(s)" shall be the proposed written decision by the appropriate administrator(s) in response to the grievance.

d. "Parties in Interest" shall be the grievant and the supervisor or other College faculty member(s) whose conduct or actions are the subject of the grievance.

e. The following situations are not covered by this grievance procedure and are therefore not grievable under this policy:

e.1 The discretionary act(s) of professional judgment relating to the evaluation of the work performance of any faculty member by his or her immediate supervisor;

e.2 Any personnel decision made by the President, including, but not limited to, a discharge, transfer or any other action directly and adversely affecting the employment of the faculty member;

e.3 Situations in which the President or Administrator(s) are without authority to act;

e.4 Situations where the remedy for the alleged violation exclusively resides in some person, agency, or authority other than the President of the College;

e.5 Situations as to which a different procedure or remedy has been provided and;

e.6 Situations as to which the procedure within the College is prescribed by state or federal authority.

f. A grievance cannot be filed by a former faculty member any more than five (5) days after the effective date of termination or discharge of employment.

### **General Provisions**

a. A faculty member who has a grievance and is unable to resolve it informally must inform their supervisor of the desire to invoke the formal Grievance Procedure.

b. A grievance must be in writing and contain a statement of grievance, the circumstances upon which it is based, the College's policy allegedly violated, and remedy being sought.

- c. Grievances must be filed within five (5) working days following the act being grieved or discovery of circumstances which gave rise to the grievance.
- d. All steps of the grievance procedure are considered confidential and should not be open to the public.
- e. Faculty member filing the grievance and faculty members required as witnesses to give testimony in a grievance meeting shall be given time off with pay if such meetings are scheduled during work hours.
- f. Non-College persons, former faculty members, or faculty members on suspension, layoff, or other unpaid status shall not receive pay to attend grievance hearings.

#### **Steps in Grievance Procedure**

- a. A faculty member grievance is to be submitted in writing to the aggrieved faculty member's Department Chair/Dean with a copy to the Human Resources Director within five (5) working days following discovery of the condition which gave rise to the grievance.
- b. A meeting with the aggrieved faculty member and Director/Department Chair/Dean to resolve issue(s) in the grievance shall be held within five (5) working days of the receipt of the written grievance. A resolution shall be submitted to the faculty member by the Director/Department Chair/Dean with a copy to the Human Resources Director.
- c. If the faculty member is not satisfied that the grievance is resolved by the written resolution or if the grievance is not resolved within five (5) working days, the faculty member may request the grievance to be submitted to the Provost.
- d. The decision of Provost is final unless the grievant reports directly to the Provost. In that case, the grievance may be submitted to the President and their decision will be final.

## **II. I. Evaluation of Faculty Performance**

Evaluation of faculty members will be consistent with NNMC's Mission, Vision, Strategic Goals, and Core Values.

- a. Annual Evaluation

1. Tenured and tenure-track faculty: All tenured and tenure-track members will participate in an annual evaluation. This evaluation will be formative, with plans implemented to develop and intensify the skills of the faculty member. The annual evaluation of faculty members forms a part of all other forms of evaluation like Post-Tenure review.

2. Instructors, lecturers, visiting professors, and research professors will participate in an annual evaluation. This evaluation will be formative, with plans implemented to develop and intensify the skills of the faculty member.

b. Reappointment Review. All tenure-track and non-tenure-track faculty members out of the Bargaining Unit are considered probationary appointments until granted tenure. Such appointments are subject to renewal on an annual basis at the sole discretion of the College. The decision regarding renewal must be made by May 15<sup>th</sup>.

#### Timeline for Evaluation and Reappointment Review

The evaluation for faculty includes two stages: pre-evaluation and evaluation by supervisor. During the tenure and post-tenure review processes, evaluation by the Academic Department (or College when applicable) and by a Tenure Council is added as additional evaluation stages as explained in Part II.D and Part II.J.

a. Faculty members, by the end of the second week of March, will submit a Report of Activities to their supervisor. The supervisor will schedule an evaluation meeting which must be completed before April 30<sup>th</sup>. Concurrently with the evaluation process, the supervisor will perform the pre-evaluation process which consists only of setting up the goals for the following academic year. For new faculty members, the Pre-evaluation will be done no later than August 30<sup>th</sup> of their first year.

b. If there is any area in the Evaluation that was rated “unsatisfactory” or “needs improvement”, a corrective action plan will be submitted to the Office of the Provost and the Office of Human Resources no later than May 15<sup>th</sup>.

## **II. J. Post Tenure Review**

### **Purpose of Post-tenure Review**

The intent and purpose of post-tenure review is to promote continued professional development, to provide the necessary means for enhancing future achievement, and to recognize excellent performance among tenured faculty. A post-tenure review

policy is required for the institution to comply with policy as set forth by New Mexico state statute.

#### Policy

Post-tenure review is a cooperative effort in planning, goal setting, reporting, enhancing, and championing the role of faculty at the institution. It is undertaken with recognition and preservation of principles of academic freedom. It is conducted at the Academic College level for the purposes of 1) recognizing faculty performance; 2) enhancing each individual's future achievement; 3) communicating to the faculty member specific areas in need of improvement (if any) related to performance in scholarship, teaching, advising, and service.

#### Process:

Post-Tenure Review. Post-tenure review constitutes the evaluation of the faculty member's fulfillment of goals and progress toward both short and long-range goals in teaching, advising, scholarly activity, and service. These shall be formally reviewed according to departmental standards and procedures, and, when necessary, modified during subsequent post-tenure reviews. In addition, the review should identify resources available for faculty to continue to fulfill departmental standards. The supervisor's report of the results of the post-tenure review shall be forwarded to the faculty member, the Dean, and the Provost.

#### Performance Ratings

At the conclusion of each annual evaluation, the supervisor shall assess the faculty member's performance using the College's faculty evaluation form with the following ratings.

- Outstanding
- Exceeds Expectations
- Meets Expectations
- Below Expectations
- Unsatisfactory

In the event that the tenured faculty member is being reviewed by a non-tenured supervisor, the faculty member may request that a tenured supervisor be present at or participate in his or her review.

- Outstanding, Exceeds or Meets Expectations Ratings. Supervisors and Deans may determine appropriate means to recognize Exceeds or Meets Expectations performances, and to reward Outstanding performances.
- Below Expectations and Unsatisfactory Ratings in Any Area of the Faculty Annual Evaluation. A Below Expectations or Unsatisfactory rating at any point in the annual evaluation shall be used by the supervisor to indicate a deficiency or deficiencies in the faculty member's performance. The supervisor shall report any unsatisfactory rating to both the faculty member and the dean. This report should include:

- a. The deficiency or deficiencies
- b. The necessary actions for the faculty member to undertake
- c. A list of available resources to assist in the remediation
- d. A reasonable timeframe for completing the actions

According to Chapter 21, Article 1, Section 21- 7.1-Post Tenure Review Process of the New Mexico Code E: “In the event a faculty member receives an unfavorable evaluation in the area of the faculty member’s teaching, the post-tenure review process shall include: A two-year probation and reevaluation period; and loss of tenure if, during the subsequent probation and reevaluation period, the faculty member fails to demonstrate improvement in the area of teaching.”

To be in alignment with this statute, the following remediation and probation process will be followed for post-tenure review. If a faculty member receives an unsatisfactory rating in any of the categories of the annual faculty evaluation, a two-year probation and reevaluation period will be enforced. If the faculty member fails to demonstrate improvement, a loss of tenure may occur.

#### Report

The supervisor shall forward the initial report indicating unsatisfactory performance to the faculty member, the Dean, and the Provost. A subsequent report shall be sent to the same parties at the end of the designated timeframe confirming whether or not the deficiency has been corrected.

#### Responsibilities

Supervisors shall use all available departmental, college, and institutional resources to assist the tenured faculty member in remedying the deficiency or deficiencies. Supervisors should be flexible in assessing progress if the tenured faculty member demonstrates good faith efforts. The faculty member is responsible for remedying the deficiency or deficiencies. Failure to remediate within the two-year probationary period will result in institutional action. This action may include loss of tenure and termination from the institution.

#### Appeals

The tenured faculty member and the supervisor shall informally attempt to resolve any disagreements regarding performance ratings. If a mutual resolution is not reached with the supervisor, the faculty member may appeal within 10 working days, in writing, to the Dean, or alternatively to the Provost when the Dean is the immediate supervisor.

## **II. K. Constructive feedback of Chairs/Directors by Faculty Members**

Faculty members will have the opportunity to provide anonymous constructive feedback to Chairperson and Directors once per year.

## II. L. **Constructive feedback of Academic Deans/Provost by Faculty**

Faculty members will have the opportunity to provide anonymous constructive feedback to Deans and Provost once per year.

## II. M. **Policies and Procedures for Termination of Employment**

### **1. Reappointment Review**

All tenure-track and non-tenure-track faculty members out of the Bargaining Unit are considered probationary appointments until granted tenure. Such appointments are subject to renewal on an annual basis at the sole discretion of the College. The decision regarding renewal must be made by May 15<sup>th</sup>.

The reappointment recommendation made by the supervisor will be first evaluated by the Dean and the Dean will make a recommendation to the Provost. The decision of the Provost is final and will be communicated to the faculty member in writing no later than May 15th. The only grounds for appeal available to the faculty member are for an alleged violation of this Handbook. Such appeals are sent through the procedures outlined in the grievance process.

### **2. Termination: Dismissal for cause**

Dismissal for cause is a permanent involuntary separation of employment from the College for disciplinary reasons. A faculty member may be discharged without prior progressive discipline when warranted by the seriousness of the offense.

#### Process

#### a. Required approvals by the Department of Human Resources

Supervisors contemplating the dismissal of a faculty member, must consult with the Department of Human Resources before taking such actions. Dismissal requires the approval of the Dean, Chair or Director, appropriate Vice-President and the Director of Human Resources.

#### b. Pay Status

Faculty members will normally remain at work pending the issuance of a Notice of Final Action. However, a Vice-President/Dean/Chair/Director may, with the approval of Human Resources, place a faculty member on administrative leave with pay pending completion of the investigative or disciplinary process.

#### c. Notice Requirements



Notices shall be in writing and will normally be served in person by the immediate supervisor, if possible. At the time of service, the faculty member shall be asked to sign an acknowledgement of receipt. If the faculty member declines, the supervisor shall so note on the letter itself for record purposes. If the notice cannot be presented personally, the letter may be sent certified mail with a return receipt requested. The notice must be properly stamped and addressed to the last address provided by the faculty member. Service of the notice is complete when the notice is deposited with the United States Postal Service.

d. Notice of Contemplated Action (NCA)

To initiate a discharge of a non-probationary regular or term faculty member, the Dean/Chair Director will contact the Director of Human Resources and the appropriate Vice-President. Human Resources will assist in the drafting of the NCA, gathering required documentation and will coordinate a time to meet with the supervisor and faculty member to present the NCA. The NCA must include the following:

- Specify the contemplated action
- Specify the basis for a determination that just cause exists to discharge the faculty member
- Indicate which policies the faculty member has violated.
- Specify that the faculty member has the right to respond to the notice of contemplated action within ten (10) work days of receipt of the NCA if submitting a written response.
- Specify that the faculty member must request to present an oral response within five (5) work days.

e. Response to a Notice of Contemplated Action

The faculty member may respond orally or in writing to the notice of contemplated action within ten (10) working days of receipt of the NCA. The written response will be submitted to the Director of Human Resources. If the faculty member wishes to present an oral response, he/she must submit a written request for the meeting within five (5) working days from receipt of the notice of contemplated action. Any extension of time must be in writing and agreed upon by both the faculty and the Department of Human Resources. Oral response meetings will include a member of the Human Resources Department, and at the faculty member's request, a faculty member shall be entitled to Federation representation.

- When the NCA is served by mail, the faculty member shall have three (3) additional calendar days in which to submit a written response or submit a request to present an oral response.

- The purpose of the written or oral response is not to provide an evidentiary hearing but is an opportunity for the faculty member to respond to the charges against him or her.

f. Final Notice of Disciplinary Action

If a faculty member submits a written response or presents an oral response, the Dean/Chair/Director will take the response into consideration. The Dean/Chair/Director, after consultation with the Human Resources Department, will decide on the final action to be taken, whether or not the faculty member has responded to the NCA. The final disciplinary action, signed by the Dean/Director shall be issued no later than ten (10) working days from the date of receipt of the written response, the oral response or within ten (10) working days following the expiration of the response period. The Notice of Final action should include the following:

- Statement of the final discipline to be taken, which may be upholding the contemplated action, a lesser form of discipline than contemplated, or no disciplinary action.
- Notice should contain the basis for a determination of just cause for the suspension, demotion or dismissal.
- Statement indicating if the faculty member responded to the Notice of Contemplated Action.
- Specify when the disciplinary action will be effective.
- If the faculty member had previously submitted a timely written response or a timely oral response, inform faculty member that the disciplinary action may be appealed in writing to the Human Resource Department within five (5) working days from receipt of the Final Notice.

Appeal Process

- a. This Appeal Process applies only if faculty member submitted a timely written or oral response in accordance with Section Process Part (e) above.
- b. The faculty member must submit a written appeal to the Human Resources Department within five (5) working days of receipt of the Notice of Final Action. If the faculty member does not appeal the disciplinary action within the five (5) working days, no appeal is available.

c. The Department of Human Resources, within five (5) working days after receiving the written appeal, will forward the written appeal, along with all pertinent information, to the President.

d. The President at his or her discretion, may limit his or her review to the records submitted, or the president may elect to receive new materials or evidence to be considered. The president may consult, as appropriate, with additional parties before reaching a decision. The president will render that decision within thirty (30) working days of the appeal.

e. While an appeal is pending the faculty member shall maintain the same leave status as maintained upon faculty member's receipt of the Notice of Contemplated Action, or if not already on leave with pay status, may be placed on leave with pay.

### **3. Reduction in Force for Tenured Faculty**

The College shall determine whether or not to continue, discontinue, or re-institute programs. The Provost may identify programs for review. Program Review should include information on costs, enrollment, student-faculty ratios, societal need, program quality and other criteria appropriate to the particular situation. The College shall have the right to reduce its employment and, if necessary, discharge or terminate faculty members as a result of a reduction in force (RIF). The Faculty Senate will be notified of this recommendation as well. Every faculty member shall be associated with one academic program at NNMCC and this will be documented with Human Resources. The College will consider ways of avoiding the need for a RIF through the use of both voluntary and involuntary departmental transfers.

The determination as to which faculty member is to be laid off shall be based on factors including, but not limited to, the following: education (advanced education and training related to the field); relevant employment experience; full certification or licensure; evaluations; additional certification, outside activities related to the field or program being affected; and, program needs or requirements.

The College will attempt to place the affected faculty member in a vacant full time position for which they qualify. If an affected faculty member does not accept an offered position, they shall have no recall rights under this section. A faculty member who refuses an offered position shall have no further rights to employment. Failure to respond within the time frame shall be considered a refusal of employment. Upon lay-off, a faculty member may continue to participate in health insurance benefits by contributing the full premium in accordance with the provisions of COBRA. Upon request, a laid-off faculty

member may be placed on the College's approved substitute and adjunct faculty lists.

### **Part III. Personnel Section for Full-Time Faculty**

#### **III. A. Compensation**

Refer to the published salary matrix in the website.

#### **III. B. Fringe Benefits**

Part-time faculty and Research Faculty must consult with the Human Resources Department to verify benefits eligibility.

##### **Shared Cost Benefits:**

The College will provide faculty members coverage under the group plan from the New Mexico Public Schools Insurance Authority (NMPSIA). The College reserves the right to select benefits vendors through an appropriate procurement process, applying appropriate fiscal and quality of service analysis.

Eligible faculty members and eligible family members are defined by NMPSIA and may participate in the following plans offered by NMPSIA. Each fiscal year, NMPSIA may offer an open/switch enrollment period. Payment for these benefits shall be based on rates established by NMPSIA for participating members. The Employer shall contribute the amount required for such payments. Eligibility, effective dates, and change of status rules are defined by NMPSIA. The following benefits are subject to change by NMPSIA.

##### **a. Group Insurance (Medical, Prescription Drugs and Vision)**

The costs are shared between College and eligible faculty members distributed as follows for faculty members earning more than \$30,000 per annum:

NNMC 60% of premium                      Faculty member: 40% of premium

##### **b. Educational Retirement/Alternative Retirement**

The Educational Retirement Board (ERB) is the statutory entity responsible for administering the New Mexico Educational Retirement Act (ERA). NM Educational retirement is a shared rate set by New Mexico Statute. The rate for FY2018, based on gross pay, is 10.7% (faculty member) and 13.90% (NNMC). An Alternative Retirement Plan (ARP) is available to new faculty who meet eligibility requirements. Membership is a condition of employment, commencing with the first day of employment.

##### **c. New Mexico Retiree Health Care**

NM Retiree Health Care is a shared rate set by NM Statute. The rate for FY2018, based on gross pay, is 1% (faculty member) and 2% (NNMC).

Other benefits paid by NNMC

- a. Basic Term Life Insurance (faculty member coverage) \$50,000
- b. Employee Assistance Program
- c. State Unemployment Insurance
- d. Worker's Compensation
- e. Educational opportunities

Employee Tuition Waivers up to 9 credit hours per semester (Fall/Spring semesters) and up to 4 credit hours per summer term (NNMC/fees are paid by the faculty member).

- f. Dependent Tuition

Waivers up to 18 credit hours per semester (tuition paid by NNMC/fees paid by faculty members' dependent). This program applies to NNMC offered courses only. Eligible dependents including a legal spouse, domestic partner (affidavit of Domestic Partnership must be filed with Human Resources), and any naturally, legally adopted, or step-children who, as of the original application deadline, are unmarried and have not reached the age of twenty-five (25). When an faculty member is no longer married or a domestic partnership is terminated, the ex-spouse or domestic partner is not eligible for tuition benefits under this program, effective with the academic semester following the date of the divorce or termination of the domestic partnership.

The amount of the tuition benefit will be reduced by the amount of tuition waived by any other tuition waiver or tuition scholarship. The amount of an individual's dependent education tuition benefit, plus the amount of any need-based financial aid grants, will not exceed the cost of attendance, as defined by the Financial Aid Office.

Under IRS regulation, the value of tuition benefits may be considered taxable income to the faculty member. The value of benefit, if applicable, will be included as compensation on the faculty member's W-2 form filed with the IRS and subject to withholding.

Faculty members may be granted up to four hours of time off with pay per week to attend one (1) course each semester at the discretion of the faculty member's supervisor. The faculty member participating shall forfeit breaks on class days. Supervisors are encouraged to grant permission for such time off, if possible based on workload or other legitimate business reason. If time off is not feasible, supervisors are encouraged to arrange for an Alternative Work Schedule in order for a faculty member to attend a class during the day, if possible based on workload or other legitimate business reasons. Faculty members working less than 40 hours per week are not eligible for time off.

Course fees assessed for participation in instructional academic credit courses are not covered. The mandatory student fee portion of tuition and fees is not covered for eligible dependents. Non-resident tuition

in excess of New Mexico resident tuition is not covered. Tuition or fees for Continuing Education courses are not covered.

#### Faculty Member Paid Benefits

Flexible Spending Accounts – allow the faculty member to pay for eligible medical and/or dependent care expenses on a pre-tax basis.

a. Life Insurance – Additional Employee Term Life (Supplemental) Life, and Dependent Life (spouse, domestic partner, and children) coverage are provided. Contact the Human Resources Department for details.

b. Supplemental Retirement Plans

Faculty members shall be eligible to participate in a supplemental retirement plan (403(b) and 457(b) accounts). Contribution limits are established each calendar year by the Internal Revenue Service.

c. Other Supplemental Plans

Voluntary Supplemental Accident, Cancer, and other similar plans are offered by various carriers. For a complete list of other supplemental insurances and carriers, please contact the Human Resources Department.

### III. C. Leaves for Full-Time Faculty

Part-time faculty and Research Faculty must consult with the Human Resources Department to verify benefits eligibility.

#### 1. General Leaves

Paid Leave. Faculty members will be entitled to the following paid leave:

a. Sick Leave/Personal Leave

1. Faculty members shall be credited with sixteen (16) days of sick leave (computed at 7 hours per day) at the beginning of the academic year, of which three (3) days shall be considered personal leave days. Faculty commencing employment after the beginning of the academic year will be granted pro-rated sick leave.

2. Sick leave may be taken for either personal illness or illness of dependents.

3. Sick leave shall be accumulated up to a maximum of 200 days (1400 hours).

4. Faculty members shall be responsible for immediately reporting an absence to the appropriate Chair, and if unavailable, the appropriate Dean.

5. A faculty member shall be responsible for promptly completing and signing the faculty leave request and returning the request form to the appropriate Chair and if unavailable then to the appropriate Dean. A faculty member will be required to provide a physician's statement for absences of three consecutive days charged to sick leave. If a faculty member demonstrates a pattern of abuse of sick leave, the supervisor in consultation with the Human Resources Office, may require a physician's statement of absence from the faculty member for each absence.

Sick leave may be used only for the following:

- Partial days not worked when a faculty member, who has been on sick leave, returns to work on a part-time basis while recovering from the illness or injury
- Transporting an immediate family member for medical services
- Caring for an immediate family member, defined as spouse, parent, child, brother, sister or any other person residing in the same household of a faculty member who becomes ill or injured and requires personal assistance from the faculty member.
- Doctor's appointments and other pre-scheduled health-related absences. An faculty member requesting sick leave for a pre-scheduled appointment must request the leave at least twenty-four (24) hours in advance unless an emergency situation exists.

Each faculty member shall be credited with three (3) paid personal leave days at the beginning of each academic year. Personal leave is subtracted from the faculty member's sick leave. Personal leave cannot be accumulated but remains in the sick leave balance if not utilized by the end of the fiscal year. The use of personal leave must be pre-approved by the supervisor. If classes must be cancelled for the use of personal leave, the faculty member will make alternative arrangements for the students. A faculty member shall not be required to state the reason for the personal leave.

#### b. Family and Medical Leave Act (FMLA)

The FMLA's purpose is to ensure that workers can meet their family obligations without fear of losing their jobs or being otherwise adversely affected by taking time off. FMLA affords workers the right to take up to 12 weeks off from work to care for themselves or family members during a covered medical event or for certain other family reasons. The faculty member can opt to use their sick leave to continue to receive pay during the leave. The faculty member must contact the Human Resources Department for eligibility requirements.

#### c. Bereavement Leave

Upon notification to the Chair, a faculty member may be granted up to three (3) days of leave with pay for a death in the faculty member's family. "Family" is defined as spouse, domestic partner, parent, step-parent, child, step-child, brother, sister, father-or-mother-in-law, brother- or sister-in-law, aunt, uncle, niece, nephew, grandparents, or any other person residing in the same household of the faculty member. Upon approval of the Chair or Dean, additional circumstances may be considered for bereavement leave, and additional days of leave may be granted and charged to sick leave.

#### d. Military Leave



Emergency military leave, temporary military leave, and indefinite military leave shall be granted to faculty members in accordance with state and federal law.

e. Voting Leave.

Faculty members who are New Mexico registered voters, are granted, at their request, time off that does not require the cancellation of classes (2 hours maximum) from College duties to vote in government elections.

f. Jury Duty and Required Court Attendance

A faculty member summoned for jury duty or for duty as a witness (other than as plaintiff or defendant) is granted time off with pay. A copy of the summons must be sent to the Human Resources Department. A faculty member is required to return to his or her work location while temporarily excused from attendance in court, unless it is not practical because of the short time between court sessions or between the time court is recessed and the end of the scheduled work day.

g. Domestic Abuse Leave

The College provides domestic abuse leave to any faculty member who is a victim of domestic abuse in accordance with the New Mexico Promoting Financial Independence for Victims of Domestic Abuse Act, NMSA 1978, § 50-4A-1 thru 4A-8. Domestic abuse leave means intermittent paid or unpaid leave time for up to fourteen (14) days in any calendar year, taken for up to eight hours in one day. Leave time may be used to obtain an order of protection or other judicial relief from domestic abuse or to meet with law enforcement officials, to consult with attorneys or district attorney's victim advocates or to attend court proceedings related to the domestic abuse of the faculty member, a minor child of the faculty member, or a person for whom the faculty member is a legal guardian. When domestic abuse leave is taken in an emergency, the faculty member or the faculty member's designee must give notice to the faculty member's supervisor or the College's Human Resources Department within twenty-four hours of commencing the domestic abuse leave. A faculty member may use paid leave time or unpaid leave time, consistent with College policies.

Certification or Verification

The College may require verification of the need for domestic abuse leave. If verification is required, a faculty member must provide one of the following forms of verification in a timely fashion: A police or security report indicating that the faculty member or a family member as defined above was a victim of domestic abuse; or 1) copy of an order of protection or other court evidence produced in connection with an incident of domestic abuse. The document does not constitute a waiver of confidentiality or privilege between the faculty member and the faculty member's advocate or attorney; or

2) The written statement of an attorney representing the faculty member, a district attorney's victim advocate, a law enforcement official or prosecuting attorney

stating that the faculty member or a family member appeared or is scheduled to appear in court in connection with an incident of domestic abuse. The faculty member must contact the Human Resources Department for eligibility requirements.

#### Confidentiality

The College shall not disclose verification information and shall maintain confidentiality of the fact that the faculty member or faculty member's family member was involved in a domestic abuse incident, that the faculty member requested or obtained domestic abuse leave and that the faculty member made any written or oral statement about the need for domestic abuse leave. The College may disclose faculty member's information related to domestic abuse leave only when the faculty member consents, when a court or administrative agency orders the disclosure or when otherwise required by federal or state law.

#### h. Governmental Entity

A full-time faculty member who has been duly appointed or elected as a member of a legally constituted State or Federal Board or County, Municipal or Public Utility Commission, shall be entitled to leave with pay when requested to be absent from his employment in order to attend meetings or transact business of said Board or Commission. Such leave does not apply to publicly balloted and elected offices (e.g., City Council, County Commission, School District Board of Education, etc.). Any payment provided to the faculty member, other than food and travel expenses, shall either be refused or turned in to the College as reimbursement for the leave with pay. A faculty member shall not participate in a Board or Commission if such participation will create a conflict of interest for the faculty member or the College or otherwise violates applicable conflict of interest laws. Absence from duty must be approved by the College President or their designee and it must not hamper the performance of their duties with the College. Such leave shall normally not exceed (2) days per month unless previously approved by the Board.

#### Leaves Without Pay

Faculty members may be entitled to the following unpaid leaves:

1. Academic Leave- An extended leave of absence without pay may be granted an faculty member for a period not to exceed one (1) year for the purpose of teaching at another educational institution. Upon request, this leave may be extended for a period of not to exceed one (1) additional year.
2. Extended Personal Leave/Leave Without Pay- A faculty member may be granted an extended leave without pay for extended periods for illness or injury, personal reasons, school attendance, sickness in a family, or other purposes of a personal nature at the discretion of the Provost. A faculty member shall submit a written request for the leave without pay at least two (2) weeks in advance, if possible.

Otherwise notice must be given as soon as reasonably practical. Approval may be granted for a limited duration and based on operational needs. While a leave without pay is not recommended, or granted without expectation of reinstatement, reinstatement is not guaranteed. While on an approved leave without pay, the faculty member shall be responsible for the faculty member and employer cost of medical benefits. A leave without pay shall not exceed one (1) academic year. Time spent on leave without pay in excess of one semester shall not count toward eligibility for tenure or promotion.

## 2. Sick leave bank

The sick leave bank is available to tenured, tenure-track faculty, and instructors.

### Purpose

To provide a process whereby participating full-time faculty members of Northern New Mexico College may request additional sick leave due to a catastrophic situation involving their own medical condition, as defined in this Section.

### Eligibility

Only faculty who donate to the Sick Leave Bank are eligible to become members of the Sick Leave Bank, and only members may request leave from the Sick Leave Bank. Full-time faculty: must have a minimum of eighty (80) hours of accumulated sick leave and have been employed for one academic year.

### Administrative Procedure

Northern New Mexico College has a standing committee to review applications for the use of sick leave from the Sick Leave Bank and to make a determination to either approve or disapprove a request. This standing committee is comprised of the Human Resources Office, the Provost, the College Dean where the faculty member who is requesting leave is employed, and a member of the Personnel Committee (if available). If the request for additional sick leave is approved, the Sick Leave Bank Committee shall notify the faculty member of the decision in writing. If the request for additional sick leave is disapproved, the Committee shall notify the faculty member in writing of the reason(s) for the disapproval. The decision of the Committee is final.

### Procedure

- a. Participation in the Sick Leave Bank is strictly voluntary.
- b. By default, all eligible full-time faculty members will donate hours to contribute to the Sick Leave Bank. If a faculty member does not want to participate and/or donate to the Sick Bank, they must sign a waiver at the same time that their annual contract is signed. A faculty member who decides not to join the Sick Leave Bank must wait until the next academic year cycle to join the Bank if they decide to participate.
- c. In order to become members of the Sick Leave Bank, during the first year of membership faculty members must donate four days (twenty-eight (28) hours) of their accumulated sick leave, based on a seven-hour day. In subsequent years, faculty will donate fourteen (14) hours based on a seven-hour day.
- d. The Sick Leave Bank Committee may request additional voluntary donations if the Sick Leave Bank is low or out of contributions.
- e. Donated sick leave will not be returned to the faculty member. If not utilized, the donated sick leave shall be retained in the Sick Leave Bank.

#### Application for Sick Leave Bank from the Sick Leave Bank

- a. Application for sick leave from the Sick Leave Bank shall not be approved until the Faculty member has exhausted all their accumulated sick leave.
- b. Faculty members who apply for sick leave from the Sick Leave Bank must complete the Request for Use of Faculty Sick Leave Bank Form. It must accompany the Medical Certification Form properly completed by the healthcare provider. The maximum sick leave that an faculty member may request from the Sick Leave Bank at any one time is forty (40) days (280 hours) based on a seven-hour day.
- c. Appropriate documentation and required forms will be forwarded to the Sick Leave Bank Committee for consideration.
- d. If approved, the Dean shall notify the faculty member in writing and indicate the total amount of sick leave hours which were approved.
- e. The Dean shall then notify the Payroll Manager in order that the faculty member's payroll records can be adjusted with the additional sick leave.
- f. If the application is not approved, the Dean will notify the faculty member in writing specifying the reason(s) for the non-approval. The decision of the committee is final.
- g. The Sick Leave Bank will operate on a first-come, first-serve basis. If the Bank exhausts the donated hours, future request on the academic year will be denied if there are no further donations.

#### Definition of Catastrophic Situation

A severe illness or injury requiring prolonged hospitalization or recovery and incapacitating the person from working, creating a financial hardship. Such injury or illness often makes exceptional demands on patients, caregivers, families, and healthcare resources. In general, an illness or injury that results in a medical condition that a health care provider has certified is likely to result in a loss of 30 or more work days.

### **3. Sabbatical Leave**

Sabbatical leave is a privilege which may be granted to encourage professional growth and increase competence among faculty members by promoting significant research, creative work, or some other educational program or training that is judged to be of significant value to NNMC. Sabbatical leave may be granted to tenured faculty members after six years of full-time continuous employment. The recipient is obliged to return to the College for one academic year of service.

#### **1. Request for Sabbatical Leave**

Written application for sabbatical leave shall be made by the faculty member to the appropriate Dean or Chair and the Personnel Committee Chair by October 1<sup>st</sup> of the academic year prior to the academic year when the Sabbatical will take place (this includes sabbaticals occurring in the Fall or Spring terms). The Dean or Chair will forward his or her recommendation to the Faculty Senate Personnel Committee no later than the October 31<sup>st</sup> following the date of application.

The faculty member shall present, as part of the application, evidence to support the program of activities which is planned for the sabbatical period. The program of activities should give reasonable promise of accomplishing the major purpose of the leave as stated above. Sabbatical leave may be granted for further education.

#### **2. Processing of Application**

The Faculty Personnel Committee shall forward its recommendation to the Provost along with the Department Chairperson's or Dean's statement by December 1<sup>st</sup> as to how the teaching obligations for the department will be met in the event the proposal is approved. The Provost shall then evaluate the proposal both on its merits and on its effect on the operation of the College and shall send all recommendations and their own recommendation to the President no later than December 15<sup>th</sup> of the academic year prior to the academic year when the sabbatical will occur.

The President, upon review of documents submitted, shall approve or deny no later than February 28<sup>th</sup> of the academic year prior to the academic year when the sabbatical will occur.

The faculty member shall be notified of the approval or disapproval no later than March 10<sup>th</sup> of the academic year prior to the academic year when the sabbatical will occur.

#### **3. Conditions**

Sabbatical leave shall be approved by the President only with the clear understanding that the faculty member will, at the completion of the sabbatical, return to NNMC for not less than one full academic year following the expiration of such leave. If the faculty member does not return following a sabbatical, total restitution (salary, fringe benefits, and all other college incurred expenses) shall be required.

#### 4. Compensation

A full-time faculty member who complies with all provisions of the policy and is granted sabbatical leave for two semesters consecutively shall receive one-half of their regular salary. The salary for one semester of sabbatical leave shall be at the full regular salary.

#### 5. Benefits

A full-time faculty member who is granted sabbatical leave shall not accrue sick leave, personal leave, or other leave available to full-time faculty while he/she is on such leave. Sabbatical leave is counted toward retirement and longevity pay increases. While a faculty member is on sabbatical leave, NNMC shall continue to pay its share towards retirement, all group insurances, and social security benefits.

#### 6. Guidelines for Awarding Sabbatical Leaves

To avoid adverse effects on the educational objectives of the individual departments and NNMC, sabbatical leave shall be governed by:

- The relative merits for desiring leave
- The direct benefit to the department and to NNMC
- The reasonable distribution of potential recipients
- The number of sabbatical requests that will be approved shall be determined by the Provost based on budget availability. The Provost will announce budget availability no later than August 31 of the academic year when the request will occur.
- The number of previous leaves granted to the applicant
- Availability of funds to support sabbatical leave

#### 7. Sabbatical Contract

Any faculty member taking a sabbatical leave shall be issued a contract stating the compensation to be received by him/her while on sabbatical leave. In addition, this contract shall specify the faculty member's obligations to the College in regard to the sabbatical.

#### 8. Report on Activities

Within thirty (30) days upon returning from sabbatical leave, the faculty member shall submit to the appropriate Dean or Chairperson, a comprehensive report on the results of the period of leave, an appraisal of the professional value of the experience gained while on leave, and the manner in which the experience or knowledge gained may be used for the benefit of students and NNMC.

#### 9. Status

A faculty member on sabbatical leave shall be returned to the assignment held at the time the sabbatical leave was granted. Recruitment and hiring procedures will be in accord with the NNMC Hiring Policy.

#### 10. Accident or Illness

If a sabbatical program is interrupted because of serious illness or accident, the faculty member shall be allowed to take sick leave based in accordance with the Sick Leave section. The faculty member on sabbatical leave shall notify the Provost as soon as practical if the need for sick leave arises.

### **III. D. Personnel Files**

The College shall maintain one (and only one) official personnel file for each member of the faculty. The file will be located in the Office of Human Resources.

A faculty member will be permitted to review the material contained in his or her file. At the time the file is reviewed, the faculty member shall sign and date a form maintained in the personnel file.

The College will provide a faculty member with a copy of any document placed in his or her file, unless an original or copy was sent directly to the faculty member. The faculty member may submit a written response to any document placed in the faculty member's personnel file. This response shall also be placed in the faculty member's file.

The Human Resources Director or his or her designee must be present during any review of personnel files.

A faculty member may request a copy of his or her personnel file at any time. The copy will be made available to the faculty member within three (3) working days at the current cost per copy.

Faculty members may also place in their file materials relevant to their academic qualifications, teaching, research, scholarship, and service.

If a faculty member considers material more recent than 10 years old in his or her file to be obsolete, because of its age or a significant change in circumstances, he or she may request to the Provost in writing that the material be removed. The Provost shall consider whether the material is still relevant. Material more than ten (10) years old shall be presumed to be obsolete unless the Provost explains to the faculty member why it is still relevant. However, "core documents" such as contracts, legal settlements, and notices of disciplinary action, shall remain in a faculty member's personnel file irrespective of age.





## **Part IV. Faculty Association Constitution and By-Laws**

### **IV. A. Faculty Constitution**

#### **Preamble**

The Faculty shares a responsibility for the governance of the institution with the President of Northern New Mexico College and the administration staff. This responsibility is broadly defined as consultative-advisory in nature. The Faculty recognizes that the students are the center of the school and thus seeks to promote comprehensive education and the continued improvement of the College. This document is a statement of the organization, purpose, and responsibilities of the Faculty.

#### **Article I: Name**

Section 1. The name of this organization shall be the Faculty Association.

#### **Article II: Purpose**

- Section 1. The purpose of this organization shall be:
- A. To serve as an advisory and consultative body in the governance process in matters affecting instructional programs and the Faculty, including the creation of new colleges, schools, departments, and divisions.
  - B. To make recommendations to the administration, the Board of Regents, and the Union on matters affecting instructional programs and the Faculty, including major curricular changes.
  - C. To participate in the formulation of policies on instructional and professional matters, including work assignments and workload of Faculty, and policies of appointment, dismissal, and promotion in academic rank.
  - D. To elect Faculty Senators to serve as a governing body for the Faculty.
  - E. To promote communication and mutual understanding among Faculty and other groups relating to the welfare and growth of the College.

#### **Article III: Amendment**

- Section 1. A proposed amendment to the constitution must be presented in writing at two consecutive meetings of the Faculty Senate.
- Section 2. A vote on the proposed amendment will be taken at the second meeting of the Faculty Senate.

- Section 3. An amendment to the constitution shall be adopted upon a favorable vote by two-thirds of the members present.

#### IV. B. By-Laws

##### By-law I: Membership

- Section 1. Only full-time faculty whose appointments involve teaching at the level of 0.5 FTE or greater can serve on the Faculty Senate and its standing committees. Adjunct faculty can also be elected as officers and serve on committees if their duties are limited to teaching.

##### By-law II: Governance

- Section 1. The governing body which represents the Faculty should be known as the Faculty Senate.
- Section 2. The Faculty Senate shall consist of Senators elected from and by the members of the constituent units of the College. Three members should be elected from the College of Arts and Sciences, one member elected from each of the remaining four colleges, and two to represent the adjunct faculty. Each member from the College of Arts and Sciences should come from a different department. The units to be represented are all the academic and career educational programs within the five recognized colleges (Business Administration, Education, Nursing and Health Sciences, Arts and Sciences, Engineering and Technology). Elections shall take place during the meeting of the Faculty Association that is held during August when Faculty reconvenes. Elected members of the Faculty Senate serve for a period of three consecutive years except in the event of resignations or termination of employment by Northern New Mexico College. Election of Senators representing the adjunct faculty shall take place by electronic ballot during the first week of the fall semester.
- Section 3. Terms of elected Senators shall be for three years, except for adjunct faculty Senators, who shall serve one-year terms. Senators may be re-elected for one consecutive term. An exception to the term limitation shall be made for units that consist of a single faculty member.
- Section 4. Chairs of standing committees of the Faculty Senate shall serve as Senators, *ex-officio*, with partial voting rights (that is they cannot vote for the election of the Faculty Senate President and/or Vice President).
- Section 5. Any *ex-officio* or elected Senator who is unable to attend a meeting of the Senate may appoint a proxy to attend that meeting, providing that the name of the substitute is communicated to the Secretary of the Senate or President before the beginning of that meeting. The Senator should specify whether the proxy is a general or a specific proxy. A specific proxy can only vote on certain items. A general proxy can vote on all items.

- Section 6. Any unexpired term of a Senator shall be filled by a special election to be held prior to the next meeting of the Faculty Senate following the date of vacancy. Senators filling an unexpired term shall be eligible for election to two regular terms.
- Section 7. The following persons shall have a standing invitation to attend all meetings of the Senate, with the privilege of the floor but not of voting: the President of the College, the Provost, and the Academic Deans, the Registrar, and Dean of Students Services. Chairs of academic departments shall also have a standing invitation to attend all meetings but can vote if they are serving as: a chair of a standing committee of the Faculty Association, Faculty Senator for their academic unit or as a Faculty Senate officer (President, Vice-President, or Secretary-Treasurer).  
The President of the senate may invite other persons to a meeting of the Faculty Senate if the presence of such a person is deemed important for the discussion of an agenda item. These persons shall have the privilege of the floor but not of voting.  
Chairs of academic departments who serve as Chairs of Faculty Senate Standing Committees, who hold an office within the Faculty Senate, or who serve as departmental senator shall retain the voting rights associated with those positions.

### **By-law III: Officers**

- Section 1. The officers of the Faculty Senate shall be as follows:  
A. President  
B. Vice President  
C. Secretary-Treasurer
- Section 2. Officers shall assume their responsibilities immediately upon election.
- Section 3. The terms of the office shall be for two academic years with the possibility of re-election for one additional term.
- Section 4. Elections for vacancies among officers of the Faculty Senate shall be accepted at its next regular meeting. In case of a vacancy in the office of President, the Vice President shall become President and another Vice President shall be elected by elected Senators (these exclude standing committee chairs) by role-call vote only. In the event that the vacancy occurs during non-term duties, a special meeting may be called by any member of the Senate.

### **By-law IV: Duties of Elected Officers**

- Section 1. The President of the Faculty Senate shall:  
A. Preside at all meetings of the Faculty Senate .  
B. Prepare an agenda for each meeting, in consultation with other officers of the Faculty Senate.

- C. Appoint members to ad hoc committees, upon approval of a majority of the Senate members at any meeting.
  - D. Be the official representative of the Faculty at the NNMC Board of Regents meetings or meetings of concern to faculty members.
  - E. Be an advisor to the President of the College and the NNMC Board of Regents in matters pertaining to the Faculty.
- Section 2. The Vice President of the Faculty Senate shall:
- A. Perform any and all duties of the Faculty Senate President during his or her absence or disability.
  - B. Conduct all elections.
  - C. Perform other duties as authorized by the President of the Faculty Senate.
- Section 3. The Secretary-Treasurer of the Faculty Senate shall:
- A. Keep a record of the proceedings of all meetings. Minutes shall be distributed to the Faculty by email.
  - B. Supervise the maintenance of all records.
  - C. Distribute the agenda and the minutes to all members of the Faculty at least five working days prior to the scheduled meeting of the Senate.
  - D. Be responsible for all correspondence.
  - E. Determine if a quorum is present at all meetings of the Faculty Senate and retain all sign-in sheets.
  - F. Collect and disburse monies as approved by the membership and maintain the records thereof.
  - G. Perform other duties as authorized by the President of the Faculty Senate.

#### **By-Law V: Meetings of the Faculty Association**

- Section 1. Meetings of the Faculty Association shall be held twice per year, during the beginning of the Spring and Fall semesters.
- Section 2. Meetings of the Faculty Association shall be for the purpose of dissemination of and discussion of issues pertaining to the Faculty. However, no business will be transacted, except for the election of Senators by the constituent groups of the Faculty Association at the meeting held at the beginning of the academic year in August as determined by the official college calendar.

#### **By-Law VI: Meetings of the Faculty Senate**

- Section 1. Meetings of the Faculty Senate shall be held on the first Friday of each month, during the academic year, at a time and place designated at the first meeting of the academic year.
- Section 2. A quorum of the Senate shall consist of not less than 50% of the voting members.

- Section 3. Special meetings of the Faculty Senate shall be subject to the call of the Faculty Senate President or may be called on the written request of two-thirds of the membership.
- Section 4. All members of the Faculty Senate shall be notified by email of all regular meetings at least five business days prior to the meeting. Special meetings may be called with twenty-four hour notice to the members.
- Section 5. All meetings of the Faculty Senate shall be open to all members of the Faculty who shall have the privilege of the floor but no rights of voting.

### **By-Law VII: Conduct of Meetings**

- Section 1. Any member of the Faculty may place an item on the agenda prior to the approval of the agenda by the quorum present.
- Section 2. The agenda shall include:
- A. Approval of the Agenda
  - B. Reading and Approval of the Minutes
  - C. Report of the Committees
  - D. Unfinished Business
  - E. New Business
  - F. Announcements
  - G. Adjournment
- Section 3. All Senate meetings will be conducted according to the rules and procedures outlined in *Robert's Rules of Order, revised*.

### **By-Law VIII: Committees**

- Section 1. The following shall be the standing committees of the Faculty Senate:
- A. Committee on Academic Freedom, Promotion and Tenure
  - B. Committee on Undergraduate Curriculum
  - C. Honors Committee (ad hoc)
  - D. Personnel Committee
  - E. Academic Standards Committee
  - F. President's Faculty Advisory Committee
  - G. Committee on Educational Policy
  - H. Committee on General Education
- Section 2. A standing committee's structure can be modified by a majority vote of the Senate.
- Section 3. *Ad hoc* committees may be established by the President of the Senate or by a majority vote of the Senate.

### **By-Law IX: Committee Structure**

- Section 1. Faculty committees shall be the primary tool through which the Faculty achieves its purpose. Faculty members shall be allowed to self-select the committees which they want to join during an open sign-up session at biannual Faculty Association meetings. The Faculty Senate will review and approve these appointments at the first regular meeting of the academic year. Because membership on a committee is required of all full-time faculty, each member of the Faculty shall be assured of a place on at least one committee.
- A. The chairperson of each standing committee shall be designated by the Faculty Senate President with the approval of a majority of members of the Faculty Senate.
  - B. Meetings of all committees shall be conducted according to *Robert's Rules of Order, Revised*.
  - C. The chairpersons of all committees shall submit all recommendations, conclusions, reports, actions or other decisions to the Faculty Senate for approval or rejection, with the exception of decisions on promotion and tenure. Committee actions not approved must be returned to the originating committee.
  - D. Faculty-approved committee actions are received by the President of the Faculty Senate and forwarded to the appropriate administrative level for necessary action.

Section 2. Duties of Committees.

- A. Academic Freedom, Promotion and Tenure: responsibilities include all issues related to academic freedom and tenure. Specifically, it shall evaluate the credentials of and make recommendations to the President of Northern New Mexico College on Faculty members who are eligible for tenure or promotion in academic rank.
- B. Undergraduate Curriculum: responsibilities include all issues related to the instructional curriculum at the undergraduate level. Specifically, it shall analyze certificates, degrees, courses, and programs and recommend any changes deemed necessary. In addition, it shall certify that the membership includes representatives from all vocational and academic areas. This committee shall specify both normal and emergency procedures for approval of new courses and new programs.
- C. Honors: responsibilities shall include the nomination of candidates for honorary degrees. It is expected that the committee gives careful study to the selection of candidates for honorary degrees and attempts to select the most appropriate candidates, keeping in mind the present interests and functions of the College and the anticipated development of the College. Suggestions of candidates for honorary degrees may originate in the committee, may be made to the committee by any individuals, or may originate in a Faculty Senate action that is referred to the committee.
- D. Personnel: responsibilities include all issues related to Faculty

positions. Specifically it shall review proposed changes in the Faculty Handbook, improve the professional development and sabbatical programs, consult on changes in the number of Faculty positions, review changes in the Faculty Constitution and by-laws, provide input to the administration in the development of the Faculty salary matrix, and make recommendations for salary changes. Further, it should insure that all Faculty Constitution and Faculty Handbook procedures are followed fairly and correctly.

- E. Academic Standards: responsibilities include all issues related to academic standards. Specifically, it shall review policies governing the transference and validation of credits, admissions, academic advising, and shall review requirements for honors and degrees, hear cases of plagiarism, cheating, or improper conduct and appeals of readmission or change of grade.
- F. The President's Faculty Advisory Committee: the purpose of this committee shall be to advise to the Provost and the President of the College upon matters of college policy, particularly when subjects of great urgency or delicacy require immediate consultation. It shall consist of three members chosen from the Faculty Senate. No more than one member from any one academic constituency of the College can be represented on the Committee. Potential members are nominated by the Faculty Senate at the first meeting of the academic year; nominees shall be elected by the Senate to serve for three-year terms on this committee. Terms will be staggered such that one new member is elected each year. The Committee shall elect its chairman annually. The President of the Senate shall be an *ex officio* member.
- G. Educational Policy: the duties of this committee shall include examining the academic structure of the institution and any changes in this structure. It shall also provide advice on these matters to the President of the College and the Board of Regents. For the purposes of the committee, "academic structure" includes the establishment or discontinuation of new schools and colleges within the institution, the distribution of departments and programs among these schools and colleges, and the administrative oversight of the schools and colleges.
- H. General Education: responsibilities include all issues related to general education for undergraduate students. The committee shall make recommendations to the Faculty Senate regarding General Education. It shall work in collaboration, when appropriate, with the undergraduate curriculum committee. The General Education Committee shall ensure that the general education requirements satisfy the General Education Common Core Competencies established by the State of New Mexico.



## **By-Law X: Adoption of Constitution**

Section 1. This constitution with the by-laws shall go into effect immediately upon approval by a majority of the members present at a regular or special meeting of the Faculty Senate.

Policy approved by Board of Regents  
*on June 21, 2000*

Draft 1.1: 7-DEC-2007

Approved by the Faculty Senate, 1 February 2008

Amended by the Faculty Senate, 4 April 2008

Approved by the Board of Regents, April, 2008

Amended by the Faculty Senate, October, November, December 2008; February, 2009

Amendments approved by the Board of Regents, December, 2008; April, 2009

Amended and Approved by the Faculty Senate, November, 2018

Amendments approved by the Board of Regents, December, 2018

FACULTY HANDBOOK

REVISED SPRING 2008

NORTHERN NEW MEXICO COLLEGE

Approved by the NNMC Faculty Senate, 8 May 2008; amended 12/08, 2/09.

Approved by the NNMC Board of Regents, 19 June 2008; amendments approved 1/09, 4/09

*Text appearing in italics is taken directly from 2006 Federation contract and may not reflect the most recent contract language. For this reason, readers should consult the current contract as posted on the NNMC website (<http://www.nnmc.edu/doc/NNMCFacultyAgreement.pdf>) to determine the current language.*

## NORTHERN NEW MEXICO COLLEGE

## FACULTY HANDBOOK

## TABLE OF CONTENTS

PREFACE		PAGE
	Institutional History	1
	Mission and Vision Statement	1
	Faculty Philosophy	1
	Handbook Revision Policy	2
PART I	College Governance & Organization	
	A. The Board of Regents	4
	B. Organizational Structure	4
	C. Faculty Governance	4
	D. Faculty Appointments to Institutional Committees	5
PART II	The Faculty	
	A. Definition of Faculty	6
	1. Permanent Faculty	6
	2. Provisional Faculty	6
	3. Half-time Faculty	6
	4. Part-time Faculty	6
	5. Emeritus Faculty	6
	6. Faculty Chairpersons	6
	7. Faculty Directors	7
	8. Ex Officio Faculty	7
	B. Classification of Faculty and Instructional Categories	7
	1. Academic Division	8
	2. Career-Technical Education Division	10
	C. Minimum Qualifications of Faculty	11
	1. Career-Technical and Occupational	12

2.	Associate of Applied Science in Technical or Trade	12
3.	Developmental Studies	12
4.	Associate of Applied Science	13
5.	Associate of Arts or Science	13
6.	Upper Division Baccalaureate	13
7.	Graduate Level	13
8.	Nationally Accredited Programs	13
9.	Exceptions	13
D.	Policies on Recruitment and Appointment of Faculty	14
1.	Recruitment of Faculty	14
2.	Appointment of Faculty	15
3.	Joint Appointment	15
4.	Internal Hiring/Promotion Procedures	16
5.	Nepotism Policy	16
6.	Documents	17
7.	Personnel Files	17
E.	Policies on Tenure, Meaning of Tenure, Promotion and Seniority	
1.	General Guidelines	18
2.	Academic Division Criteria for Tenure and Promotion	20
3.	Career-Technical Education Division Criteria for Tenure and Promotion	23
4.	Criteria for Emeritus Faculty	26
5.	Criteria for Promotions in Faculty Rank in the Academic Division, Including Developmental Studies	27
6.	Criteria for Promotions in Faculty Rank in the Career-Technical Education Division	28
7.	Tenure and Promotion Council	28
8.	Timeline for Advancement to Tenure	29
9.	Actions of the Board of Regents	29
10.	Denial of Tenure	30
11.	Appeals Process for Denial of Tenure	30
12.	Privileges of Tenured Faculty	31
13.	Post-tenure Review	31
14.	Seniority	31
15.	Privileges of Emeritus Faculty	32
F.	Contracts for Provisional Faculty	

1.	Notices of Renewal/Non-Renewal	33
2.	Notice of Re-employment or Employment	33
3.	Issuance of Contracts	33
4.	Academic Calendar and Work Year	34
5.	Outside Employment	34
6.	Summer Employment	34
7.	Facilities, Equipment and Support	34
8.	Health and Safety	34
9.	Student Discipline	34
		35
G.	Faculty Responsibilities and Duties	
1.	Professional Ethics	35
2.	Faculty Workloads	35
3.	Faculty Duties	37
4.	Directors Duties	39
5.	Chairperson's Duties	39
H.	Academic Freedom, Employee Investigations and Progressive Discipline	
1.	Personal and Academic Freedom	42
2.	Employee Investigations	42
3.	Progressive Discipline	43
I.	Procedure for the Resolution of Grievances	
1.	Purpose	44
2.	Definitions	44
3.	Procedures	44
4.	Level One	46
5.	Level Two	47
6.	Level Three	47
7.	Arbitration	47
J.	Evaluation of Faculty Performance	
1.	Basic Premises and Objectives	48
2.	Evaluation of Permanent and Provisional Faculty	48
3.	Evaluation of Chairs/Directors by Faculty	49
4.	Evaluation of Deans/Provost by Faculty	49
5.	Evaluation of Adjunct Faculty	50
6.	Strengthening Areas of Concern	50
K.	Policies & Procedures for Termination of Employment	

	1.	Voluntary Termination	50
	2.	Involuntary Termination for Cause	51
	3.	Procedures for Involuntary Termination for Cause	51
	4.	Involuntary Termination for Causes Not Personal to Faculty (RIF)	52
	5.	Suspended Programs	53
PART III		Policies for Compensation, Fringe Benefits, and Leave	
	A.	Compensation and Fringe Benefits	
		1. Salary Schedule	54
		2. Insurance Benefits	55
		3. Tuition Waiver	56
		4. Travel Expense	56
		5. Credit Unions	56
	B.	Leave Policy	
		1. General Leave	57
		2. Sick Leave	58
		3. Personal Leave	58
		4. Bereavement Leave	58
		5. Maternity Leave	58
		6. Paternity Leave	59
		7. Military Leave	59
		8. Court and Jury Leave	59
		9. Leave Without Pay	60
		10. Board or Commission Leave	60
		11. Sabbatical Leave	61
PART IV		Appendix	
	A.	Organizational Chart	1
	B.	Faculty Association Constitution and By-Laws	2
	C.	Sick Leave Bank Policy	11

## FACULTY HANDBOOK

### PREFACE

#### Institutional History

Northern New Mexico College was established as a constitutional entity by the New Mexico Territorial Legislature in 1909. Its original mission was to teach English to Spanish speaking teachers. In 1977 Northern was designated a community college and is now one of New Mexico's most comprehensive colleges. Northern now offers baccalaureate degrees.

#### Mission Statement

Northern New Mexico College provides accessible, affordable, community-based quality learning opportunities that meet the educational, employment and enrichment needs of our culturally diverse region

#### Vision Statement

By the year 2010 Northern New Mexico College will have six distinct colleges that each offer at least one baccalaureate degree and will be a regionally recognized university that will excel and expand in quality education while maintaining the community college mission.

#### Faculty Philosophy

The faculty performs a significant role in the governance of the College. It is the essential and continuing instrument through which the educational process occurs. Within its area of responsibility are the following functions:

1. Instruction and student advisement.
2. Consultation and advisement with provost, deans, and administrators via the duly constituted committees of the Faculty Association and the committees of the institution.
3. Contribution of expertise and knowledge affecting issues, problems and goals of the institution.
4. Participation in the:
  - a. Selection of faculty, deans, and key administrators.
  - b. Determination of programs of instruction and related curricula.

- c. Ongoing review of the institutional mission, philosophy and goals.
- 5. Establishment of admission standards.
- 6. Establishment of graduation requirements.

The faculty is responsible for and committed to the following:

- 1. Knowledge of subject matter and instructional skills.
- 2. The development and maintenance of relevant curricula, as well as methods of instruction.
- 3. Relative autonomy, independence and integrity for each individual faculty member in the performance of his/her instructional duties.
- 4. A high level of dedication and sense of responsibility towards their duties, the students and instructional objectives.

#### Handbook Revision Policy

The procedure for revisions to the Faculty Handbook is as follows:

- 1. Changes may be initiated by Faculty or Administration.
- 2. Any proposed changes are presented to the Faculty Association Personnel Committee for review. The committee then presents proposed changes to the Faculty for further discussion and final approval by a majority vote.
- 3. The Faculty Association Personnel Committee presents the Faculty approved changes to the College President for approval.
- 4. The College President may either present the proposed changes to the Board of Regents for final approval or send the proposal back to the committee with comments for modification.
- 5. The proposed and approved changes will become effective when approved by the Board of Regents and signed and dated by both the President of the College and the President of the Faculty Senate.

If any policy is proposed within the institution that contradicts policy contained in the Faculty Handbook, the Handbook policy takes precedence. If the Faculty wishes to adopt the proposed policy, the above procedure will be used to revise the Faculty Handbook.

*If any policy stated in this handbook conflicts with any provision of the "Agreement Between the Northern New Mexico College and the Northern Federation of Educational Employees" the Agreement provision will control.*



## **Part I: College Governance and Organization**

*The supervision of all instructors, the management of all schools, instructional programs, and school facilities is the responsibility and obligation of the Board of Regents and the College Administration. Management retains all rights not specifically limited by this Agreement.*

### I. A. The Board of Regents

The primary responsibility of governance rests with the Board of Regents. This is a Board of five persons appointed by the Governor. Its basic duties include budget approval, approval of all hirings and terminations, selection of the President, approval of all programs including major revisions and deletions, approval of all construction, and generally overseeing the total operation of the institution. The Board works through the President who is responsible for the day to day administrative activities, which include making recommendations to the Board and implementing its policy decisions.

### I. B. Organizational Structure

The organization of the College generally follows a standard college organizational structure. Since the structure will change periodically as needs and resources dictate, the organizational structure is found as part of the Appendix of this handbook and will be updated as needed.

### I. C. Faculty Governance

The faculty shares a responsibility for the governance of the institution with the President and the administrative staff. This responsibility is defined as consultative-advisory in nature. The more the subject concerns instructional matter and/or faculty welfare, the larger the faculty role. In general, however, the Faculty shall govern itself and participate in the governance of the institution in the following manner.

1. The organizational structure and mechanism by which the Faculty carries out responsibilities and duties as an advisory and consultative body is contained in a document known as "The Constitution and By-Laws of The Faculty of Northern New Mexico Community College" (see appendix).
2. The "Constitution and By-Laws" creates the structure of a Faculty Senate and standing committees which address issues that are of significant concern to the Faculty.

3. Matters of concern to the Faculty as the instrument through which the instructional process takes place will be considered by the Faculty. Instructional matters including but not limited to the establishment of curriculum and programs, the development of policies regarding the granting of degrees, certificates and credits, and all matters impinging upon the development and delivery of instruction shall be referred to the Faculty for its study and consideration followed by its recommendation.
4. The "Constitution and By-Laws" spell out the authority of the Faculty, the Faculty Senate and its committees.

I. D. Faculty Appointment to Institutional Committees

The selection of faculty representation to institutional committees shall occur as follows:

1. The President of the College requests the faculty president to nominate faculty representation to institutional committees.
2. The President of the Faculty Senate requests faculty participation on the institutional committee. The faculty Senate president submits twice the number of members originally requested to the President of the College.
3. The President of the College selects the faculty representation to the institutional committee from the list of faculty recommendations.

The faculty members who are selected shall report committee progress to the Faculty and request guidance from the Faculty on a regular basis.

## Part II: The Faculty

Northern New Mexico College employs qualified and competent faculty members to accomplish the mission, vision, and goals of the institution. When determining acceptable qualifications of its faculty, the College gives primary consideration to the highest earned degree in the discipline in accordance with the guidelines listed below. The College also considers competence, effectiveness, and professional capacity, including, as appropriate, professional licensure and certifications, undergraduate and graduate degrees, related work experiences in the field, professional honors and awards, academic and/or regional community service, continuous documented excellence in teaching, or other demonstrated competencies and achievements that contribute to effective teaching, student learning outcomes, and institutional advancement. In all cases, while the faculty can assist in evaluating the qualifications of faculty candidates, the College is ultimately responsible for justifying and documenting the qualifications of its faculty.

### II. A. Definition of Faculty

The term Faculty refers to those persons who teach credit-bearing courses. All faculty are in one of the following categories:

1. Tenured Faculty are those individuals who are fulltime faculty, have been granted tenure, and are performing instructional duties. They are hired under a faculty contract and are compensated as faculty.
2. Provisional Faculty are those individuals who are fulltime faculty, have not been granted tenure, and are performing instructional duties. They are hired under a faculty contract and are compensated as faculty.
3. Half-time Faculty are persons employed on a faculty contract with a portion (normally one-half) of the workload and are compensated on a pro-rated basis including fringe benefits. They may be tenured or non-tenured and may hold half time status as staff, also.
1. Adjunct Faculty are those individuals hired for a semester. The workload may not exceed 14 credit/contact hours except in special cases approved by the departmental Chairperson and Provost. They do not earn tenure and are paid a part-time faculty rate.
5. Visiting Faculty are those individuals who have a temporary appointment (1-2 years) as a full-time faculty member. These appointments do not carry any expectation of rehiring. Visiting Faculty do not earn tenure and are not eligible for promotion.

6. Research Faculty are those individuals whose responsibilities are focused on research. These appointments are funded through internal and external sources with the majority of the support derived from research grants obtained by the faculty member. Research Faculty are not eligible for tenure.
7. Emeritus Faculty is an honorary designation confirmed by the Board of Regents upon exemplary permanent faculty members who have retired.
8. Faculty Chairpersons are faculty, provisional or permanent, who have a reduced teaching load and extra compensation. They supervise a portion of the curriculum and faculty under the Provost's supervision. An individual who is not permanent or provisional faculty cannot be designated Chairperson.
9. Faculty Directors are faculty, provisional or permanent, who have a reduced teaching load and extra compensation. They are responsible for the management and supervision of a specific instructional program(s) (degree or certificate) under the supervision of the department Chairperson.
10. Ex-officio Faculty are the President of the College, Chief Instructional Officer (Provost), Academic Deans, Dean of Student Services and Director of the Library. They are not employed as faculty, compensated as faculty nor legally considered as faculty. They are encouraged to participate in all meetings and deliberations of the faculty on instructional matters.

II. B. Classification of Faculty and Instructional Categories

Faculty at Northern New Mexico College have diverse assignments in different fields encompassing traditional academic assignments, career technology, and the creative arts. The college values the entire faculty and recognizes the unique contribution of each faculty member. This diversity requires a unique alternative to the traditional model for classification of faculty. Each faculty position will require different responsibilities and education depending on the department and its mission. Positions in traditional academic departments include Instructor, Assistant Professors, Associate Professors, Professors, Academic Deans, the Provost and the President of the College. Career-Technical Education departments and some creative arts positions will include Instructor, Assistant Technical Professor, Associate Technical Professor and Technical Professor.

The responsibilities of individual faculty will vary and will be specified in position descriptions developed at the time of the initial appointment and revised periodically as necessary.

All instruction of credit-bearing courses taught by faculty are within the Academic Division or the Career-Technical Education Division.

## 1. ACADEMIC DIVISION

### a. Adjunct Instructor

This rank is reserved for those faculty appointed on a term contract for instructional, temporary and part-time assignments. They are not assigned to other responsibilities such as professional service or college service. They have no right to reappointment. Persons appointed at this rank will vary in minimal academic qualifications but generally shall have a relevant doctorate or equivalent terminal degree to teach at the upper division and graduate level, a master's degree for upper division and a baccalaureate degree for lower division courses. All degrees shall be from an accredited institution. Exceptions to these requirements may be made by the Provost upon presentation of evidence of a record of experience or other credentials that indicate academic degree equivalence.

### b. Instructor

An instructor holds a minimum of a master's degree and is at the beginning level in college and university teaching. In developmental courses a person must hold a minimum of a baccalaureate degree and evidence of teaching and professional competence. Special certification or exceptional scholarly, creative and or professional achievements may also justify appointment or promotion. Exceptions to these requirements may be made by the Provost upon presentation of evidence of a record of experience or other credentials that indicate academic degree equivalence.

### c. Assistant Professor

A faculty member holding a doctoral degree or a terminal degree in the teaching discipline or related discipline or a master's degree with no less than 18 graduate credits in the teaching or related discipline is eligible for the rank of assistant professor. In developmental courses, a faculty member must hold a minimum of a baccalaureate degree. Consideration for promotion shall also require evidence of excellence in teaching and a demonstrated commitment to scholarship, professional activity and service. Special certification or exceptional scholarly, creative and or professional achievements may also justify appointment or promotion. Exceptions to these requirements may be made by the Provost upon presentation of evidence of a record of experience or other credentials that indicate academic degree equivalence.

d. Associate Professor

Persons appointed to or promoted to this rank, a senior rank in the college faculty shall hold an earned doctorate or other appropriate terminal degree from an accredited institution and show demonstrated teaching excellence, and have evidence of scholarly or research activity, professional activity and service. In developmental courses, a faculty member must hold a minimum of a baccalaureate degree. Special certification or exceptional scholarly, creative and or professional achievements may also justify appointment or promotion. Exceptions to these requirements may be made by the Provost upon presentation of evidence of a record of experience or other credentials that indicate academic degree equivalence. Promotion to the rank of Associate Professor is achieved with the awarding of tenure.

e. Professor

Persons appointed at or promoted to this rank, the highest rank that the college confers, shall hold an earned doctorate or other appropriate terminal degree in the field. In developmental courses, a faculty member must hold a minimum of a master's degree. This person shall have demonstrated continued excellence in teaching, scholarly productivity, academic and community service and professional growth and development. Special certification or exceptional scholarly, creative and or professional

achievements may also justify appointment or promotion. Exceptions to these requirements may be made by the Provost upon presentation of evidence of a record of experience or other credentials that indicate academic degree equivalence. Promotion to the rank of Professor may occur after tenure has been awarded.

f. Professor Emeritus

Professor Emeritus is an honorary designation recommended by the Faculty Senate, The Provost and the President and conferred by the Board of Regents upon tenured faculty who have retired after at least five years of continuous service and who have made exceptional contribution in teaching, scholarly works and institutional advancement to the College.

## 2. CAREER-TECHNICAL EDUCATION DIVISION

Faculty whose primary instructional assignment is in career-technical education will be ranked Instructor, Technical Assistant Professor, Technical Associate Professor and Technical Professor based upon their credentials. Where they also carry an academic instructional assignment, they may be granted academic rank as they are appropriately qualified for it under the academic division faculty rank.

a. Adjunct Instructor

This rank is reserved for those faculty appointed on a term contract for instructional, temporary and part-time assignments. They are not assigned to other responsibilities such as professional service or college service. They have no right to reappointment. Persons appointed at this rank will vary in minimal qualifications but generally shall have appropriate credentials to teach in their field.

b. Instructor

Persons appointed at this rank shall provide documentation of demonstrated competencies and experience in the teaching field. (For example: work experience in the field, licensure, industry certification, honors and awards, or other demonstrated competencies and achievements).

c. Technical Assistant Professor

Persons appointed at or promoted to this rank shall have an associate's degree from an accredited institution in the field (or acceptable equivalent such as licensure in their discipline or other demonstrated competencies and achievements). Consideration for promotion shall also require evidence of excellence in teaching and a demonstrated commitment to scholarship or creativity, professional activity and service. Special certification or scholarly or creative and or professional achievements might also justify appointment or promotion.

d. Technical Associate Professor

Persons appointed at this rank shall have a bachelor's degree in the teaching discipline from an accredited institution and provide documentation of demonstrated competencies in their field (for example: licensure, industry certification, honors and awards, or other demonstrated competencies and achievements). Consideration for promotion shall also require evidence of excellence in teaching and a demonstrated commitment to scholarship or creativity, professional activity and service. Special certification or scholarly or creative and or professional achievements might also justify appointment or promotion. Promotion to the rank of Technical Associate Professor is achieved with the awarding of tenure.

e. Technical Professor

Persons appointed at this rank shall have a master's degree in the teaching discipline from an accredited institution. Consideration for promotion shall also require evidence of excellence in teaching and a demonstrated commitment to scholarship or creativity, professional activity and service. Special certification or scholarly or creative and or professional achievements might also justify appointment or promotion. Promotion to the rank of Technical Professor may occur after tenure has been awarded.

f. Technical Professor Emeritus

Technical Professor Emeritus is an honorary designation recommended by the Faculty Senate, The Provost and the



President and conferred by the Board of Regents upon tenured faculty who have retired after at least five years of continuous service and who have made exceptional contribution in teaching, scholarly works and institutional advancement to the College.

II. C. Minimum Qualifications of Faculty

In general, qualified faculty consist of people who by formal education and tested experience know what students must learn. Faculty teaching in higher education preferably have completed a significant program of study in the discipline in which they teach and for which they develop curricula, with substantial coursework at least one-degree level above that of the courses being taught or developed.

Qualified faculty are identified in part by credentials, but there are limitations to considering only the degrees earned. Academic disciplines, degree programs, and curricula are not static. Because of changing academic, societal and workforce needs, colleges and universities are developing interdisciplinary and other nontraditional programs that require faculty to think beyond their own disciplines and traditional academic programs to determine what students should know and to design curricula accordingly. In some cases, such as in practice-oriented disciplines or programs, tested experience in the field may be needed as much or more than formal educational preparation at a prescribed level in determining what students should know to practice.

To be qualified to teach in each respective field of study, the following minimum academic credentials are required:

1. Faculty teaching Career Technical and Occupational courses not intended for transfer must have:

A minimum of an associate's degree from an accredited institution or documentation of demonstrated competencies and experience in the teaching field (For example: work experience in the field, licensure, industry certification, honors and awards, or other demonstrated competencies and achievements)

2. Faculty in Associate of Applied Science in Technical or Trade Degree Programs must have:

*Either:* A minimum of a bachelor degree from an accredited institution in the teaching field or related field,

*Or:* An associate degree from an accredited institution in the teaching discipline or related field or documentation of demonstrated competencies and experience in the teaching field. (For example: work experience in the field, licensure, industry certification, honors and awards, or other demonstrated competencies and achievements)

3. Faculty teaching in the Developmental Studies Program must have

A minimum of a bachelor's degree from an accredited institution in the teaching field or related field.

4. Faculty in Associate of Applied Science Degree Programs must have:

*Either:* A master's degree from an accredited institution in the teaching discipline,

*Or:* A bachelor's degree from an accredited institution in the teaching discipline or related field plus documentation of demonstrated competencies (For example: work experience in the field, licensure, industry certification, honors and awards, or other demonstrated competencies and achievements).

5. Faculty in Associate of Science or Associate of Arts Degree Programs must have:

*Either:* A master's degree from an accredited institution in the teaching discipline,

*Or:* A baccalaureate degree from an accredited institution in the teaching discipline or a related field with a minimum of 18 graduate hours of study in the teaching discipline.

6. Faculty teaching in the upper division courses in Baccalaureate-Degree Programs must have:

A doctorate or a master's degree from an accredited institution with a minimum of 18 graduate credit hours concentrated in the teaching discipline. All faculty, tenure-track and non-tenure-track, and part-time faculty teaching upper division courses in the baccalaureate programs must meet this criterion.

1. Faculty in Graduate Degree Programs must have:

A doctorate or other terminal degree from an accredited institution in the teaching discipline or a related discipline.

8. Nationally accredited programs

Faculty teaching in nationally accredited programs must meet the minimum criteria for faculty qualifications recommended by the accrediting agency.

9. Exceptions

Qualified faculty are identified in part by credentials, but there are limitations to considering only the degrees earned. Academic disciplines, degree programs, and curricula are not static. Because of changing academic, societal and workforce needs, colleges and universities are developing interdisciplinary and other nontraditional programs that require faculty to think beyond their own disciplines and traditional academic programs to determine what students should know and to design curricula accordingly. In some cases, such as in practice-oriented disciplines, tested and significant experience in the field may be needed as much or more than formal educational preparation at a prescribed level in determining what students should know to practice.

The Chairperson of the department or Deans of the Colleges, with the approval of the Provost, may identify qualified faculty who do not hold the prescribed credentials but are considered experts in their field. These faculty may be considered for appointment to the faculty.

II. D. Policies on Recruitment and Appointment of Fulltime Faculty

Northern New Mexico College is an equal opportunity/affirmative action employer and complies with the Equal Employment Opportunity federal law guidelines. The College does not discriminate in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment terms on the basis of race, color, religion, sex, national origin, physical or mental handicap, age, ancestry, serious medical condition, sexual orientation, gender identity, spousal affiliation, or veteran status, except when one of these criteria is a bona fide occupational qualification. Preference will be given to qualified applicants from within the institution. Recruitment and hiring procedures will be in accord with the NNMC Hiring Policy, #3.26.

1. Recruitment of Faculty

The need to create a new faculty position or to fill vacant faculty positions is initially determined by the appropriate Chairperson in consultation with appropriate faculty within the department. At this time, the position is declared continuing or temporary. The requests and justifications for filling the position along with a job description are submitted through the appropriate Dean/Provost and the Director of Human Resources to the President or his/her designee. A budget clearance from the Vice President of Finance will also be submitted. Applications may only be solicited after final approval from the President (or designee) is obtained.

Notices of the vacancy are first advertised internally for five days and then externally (if not filled) in a manner determined by the Department Chair and the Director of Human Resources. The job announcement and purchase requisition for advertising is prepared by the Director of Human Resources who is responsible for internal and external advertising.

2. Appointment of Faculty

The appropriate Chair will set up a screening committee which will act as a recommending body to the President. The committee will consist of at least five members, including the department Chairperson, department faculty, and other faculty. A student representative is encouraged, but optional. The Director of Human Resources is an ex-officio member without voting rights for legal advisement and guidance. The screening committee will select its chairperson. General procedures for screening and interviewing will be provided to the screening committee by the Director of Human Resources. The screening committee will review the requirements of the position and the job description. Acting at all times in strict confidence, the committee will evaluate all applicant files that are provided to the committee. Qualified applicants deemed most suitable for the position by the committee on a rank-order basis will be selected for interview.

Based on the interviews, the committee will select the best-suited candidates and submit the top three recommendations to the President. The President will accept or reject the committee's recommendation. If accepted, the President recommends the candidate for hire to the Board of Regents. If the President rejects the recommendation, the committee reconvenes to either submit another interviewed candidate or re-advertise the position and repeat the selection process. Once the President approves the recommendation, the Director of Human Resources notifies all applicants of the personnel decision. The Director of Human

Resources will send an offer packet to the selected candidate, including an offer letter, a contract and a list of benefits. If the candidate accepts the position, the President will then take the recommendation to the Board of Regents for ratification.

3. Joint Appointment

Joint appointments of faculty are on occasion necessary and beneficial to the College. In the event that a faculty position exists which would include responsibilities in more than one department or division of instruction, the selection process will include department chairpersons, directors, faculty, students, and deans responsible for all the areas of instruction.

4. Internal Hiring/Promotion Procedure

In the interest of promoting greater employee incentive by recognizing and rewarding outstanding job performance, the administration will make every effort to hire qualified adjunct, half-time and full-time faculty to available faculty positions. The hiring procedure described in paragraph II.D.1. will be followed.

5. Nepotism Policy

The following restrictions shall apply with respect to faculty whose employment would represent a conflict of interest and/or which could be considered nepotism.

- a. No faculty candidate shall be employed by the College if such potential employment would be under a direct supervisory or evaluative relationship with a member of his/her immediate family, who at the time of such potential employment, is employed by the College. For purposes of this paragraph (II.D.5.a.), immediate family shall be defined as: husband, wife, domestic partner father, mother, sister, brother, son, daughter, (father-in-law, mother-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, aunts and uncles, nephews and nieces, grandparents, grandchildren).
- b. No faculty candidate shall be considered for employment while a member of his/her immediate family serves on the Board of Regents, on a committee, or other policy-making body which by rule, screens and recommends applicants for employment. For purposes of this paragraph (II.D.5.b.), immediate family member shall be defined as: husband,

wife, son, daughter, father, mother, sister, brother, (father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law).

- c. These provisions shall not apply to any faculty who is employed by the College prior to the employment or appointment of any supervisory employee or Board Member appointee, respectively. However, such supervisor or Board Member shall abstain from participating in any disciplinary action of such employee, unless it is done by class, similar to all employees.
- d. The Board of Regents may approve exceptions to this policy in case of an emergency or other special circumstances.

6. Documents

The following document/materials must be prepared and submitted for signature to the appropriate personnel before assuming duties.

- a. Personnel Action Form
- b. Official college transcripts, resume, and any letters of recommendation.
- c. All appropriate documentation on qualifications.
- d. The I-9 document verifying proof of citizenship or legal work status.
- e. Signed document verifying awareness of the substance abuse policy.
- f. The W-4 withholding tax form.
- g. The ERB selection/beneficiary form.
- h. Completed and signed orientation forms from both HR and the employee's new department.

Official transcripts must be provided by the faculty member, the college attended or a transcript service directly to the Director of Human Resources.

7. Personnel Files

The official personnel file shall be maintained by the Director of Human Resources, shall contain all materials relevant to the member's employment, and shall be protected from access by unauthorized persons.

A faculty member has the following rights with regard to his/her own personnel file:

- a. To review the file's content upon request.
- b. To receive a copy of any document contained therein as well as a copy of any item(s) added to the file.
- c. To request that inappropriate documents are removed from the file (see below).
- d. To include in the file a written response to any file entries.

Negative reports other than formal faculty evaluations in a faculty member's personnel file may be removed through the contractual grievance procedure. The responsibility to monitor one's personnel file rests with the faculty member.

The materials required to be included in the employee's personnel file in the Human Resources Office are:

- a. Documents relevant to employment such as resume, transcripts and other evidence of qualification. The original materials submitted at the time of application for employment must be retained as per state records and disposition schedule.
- b. All performance evaluations.
- c. Letters of recommendation, commendation, or other congratulatory material.
- d. Letters of reprimand or other letters of negative content provided the employee has been furnished a copy of the correspondence. Any rebuttal or other written comment by the employee must also be included.
- e. Any requests for special leave such as maternity leave, sabbatical leave, leave without pay, etc., and the official action relevant to the request.
- f. A record showing signature and date of every person who examines any material in the faculty member's files.
- g. The employee is responsible for keeping relevant documents current.

## II. E. Policies on Tenure, Meaning of Tenure, Promotion and Seniority

Regulations concerning tenure serve to insure faculty stability, secure justice for its individual members, insure the welfare of students, and promote the interests of the public. Tenure is achieved at the College by faculty members who consistently fulfill faculty duties and actively participate in the development of the College.

The College subscribes to the 1940 Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors. (<http://www.aaup.org/aaup>)

1. General Guidelines

a. Tenure Track

Appointment to the tenure track is made at the time of the initial appointment to the rank of Assistant Professor. All faculty positions at this level at the time of their appointment shall be considered tenure track. On the rare occasion when a faculty member does not choose the tenure track, they may be hired as an instructor with no tenure or promotion opportunities. Faculty on the tenure track must be classified as full-time, which is denoted by service on a 100% workload basis for a fiscal or an academic year contract. The tenure process shall follow the policies established by the College's official faculty association and the collective bargaining agreement.

b. Annual Review of Faculty

All tenured and non-tenured faculty will have an annual review by the chairperson of their department conducted in the spring of the academic year. This review will include teaching effectiveness, student advising, scholarly activity and service to the college and community. This review is intended to facilitate non-tenured faculty toward tenure and tenured faculty to gain promotion.

c. Classification of Rank

Academic rank refers to tenure or non-tenure-track faculty whereas administrative titles carry no rights of tenure. However, an administrator that is drawn from a tenured faculty rank shall retain his tenure.

d. Evaluation of Candidates for Promotion and Tenure Shall be Objective.

Candidates for promotion and tenure will be evaluated by the committee objectively for evidence of excellence in their performance of assigned duties that include teaching, institutional and community service and may include research, scholarship, and/or creative activity.



e. Purpose of Tenure

Tenure ensures the academic freedom that is essential to an atmosphere of intellectual pursuit and the attainment of excellence in the college. In addition, tenure also reflects and recognizes a candidate's potential long-term value to the institution, as evidenced by professional performance. Tenure sets the college apart from other institutions as tenured faculty are not mere employees but are the community of educators who create institutional stability and an ongoing commitment to excellence. Tenure, therefore, will be granted to faculty members whose character and achievements in serving the College's mission, warrant the institution's reciprocal long-term commitment.

f. Meaning of tenure

Upon being awarded tenure, the faculty member shall attain the status of presumed continued employment as a member of the faculty, except for reasons of just cause or where conditions exist beyond the College's control.

g. Date of Eligibility for Tenure

Tenure is granted for achievement in academic and professional pursuits, not for years of service. Faculty will be considered for tenure after a probationary period of three years but no later than the end of the fifth year on tenure track, by which time the faculty must apply for tenure. If tenure is not granted the faculty member would have one-year probationary period to reapply. If tenure is not granted at that time, the appointment at Northern New Mexico College will not be continued. Under extenuating circumstances, such as illness, a faculty member can request of the Provost that the tenure timetable be extended.

Any adjunct faculty positions or time spent in that capacity can never be counted as time on the tenure clock.

h. Faculty Previously Tenured at Other Institutions.

Faculty hired from other universities or colleges, who have already earned tenure from their former institution, may be appointed with tenure at NNMC, or tenure may follow a probationary period as defined in the criteria under Criteria for Promotion and Tenure. Faculty who have taught on a tenure-track at a previous university may be credited the years of teaching at another institution.

## 2. Academic Division Criteria for Tenure and Promotion

All faculty seeking promotion and tenure in academic departments must hold a terminal degree in their area of expertise. A master's level or baccalaureate degree may be considered appropriate for some departments, to be determined by individual departments or colleges.

For faculty members seeking promotion and tenure in these Departments, credentials will be based on the department's criteria.

### a. Teaching

The teaching of students is central to the mission of NNMC. Given the mission of the College, candidates must demonstrate excellence in teaching, including assessment of student learning. Good teaching, defined as meaning much more than classroom activities, may be documented in a variety of ways. The following list is illustrative rather than exhaustive.

- Recent course syllabi
- Student evaluation
- Peer reviews based on clarity of course goals, organization, use of technology and knowledge of field
- Teaching observation by departmental colleagues
- Student learning outcomes and assessment
- Teaching philosophy and importance of teaching
- Curriculum development
- Shows improvement in teaching
- Honors and awards for teaching
- Implementation of innovative teaching techniques
- Participation in educational activities of professional associations
- Attending or leading meetings related to your professional expertise
- Giving lectures or presentations to student groups, colleagues, or the college community.
- Letters of recommendation from colleagues
- Letters of recommendation from other professional sources
- Participation in service learning activities.

### b. Student Advising

Faculty must also be committed to the well being of students. Effective advising helps create an environment

that fosters student learning and student retention. The formal and informal advising and mentoring of students is an indispensable component of the broader education at the College.

Faculty advising may take many forms and the following list is illustrative rather than exhaustive

- Mentoring or tutoring students
- Assisting students in selection of courses and career options
- Special review sessions for students
- Keeping an “open door” policy towards students
- Advising all majors of your department
- Advising evening students

c. College, Public and Community Service

Faculty service is essential to the College’s success in serving the institution and the community. It is the responsibility of individual faculty to perform a broad array of services that are vital to supporting and sustaining the quality and effectiveness of the College. Faculty members are expected to provide service to the College, its students, programs and professional disciplines, as collegial and constructive members of the College and the broader community. Examples include service in faculty governance, union governance, college committees, professional organizations, and community non-profit agencies. The following list is illustrative rather than exhaustive.

College Service

- Committee work at the department and college level
- Participating in institutional governance including Faculty Senate, PITs, etc
- College service at the state or regional level
- Advisor to student organizations
- Representing the college at public events
- Student recruitment

Community and Public Service

- Serving on boards or advisory councils at the local, state, national and international level

- Giving lectures or presentation to local groups in the community
- Working with community leaders to develop solutions to community problems
- Working with the local community as a volunteer
- Involvement in activities that increase the desire of non-college students to attend college
- Student recruitment

d. Scholarship, Mastery of Discipline, Professional Development

Faculty with assignments in research will be evaluated by the standards appropriate to the field. All faculty should be positively engaged in their disciplines and should be recognized for their expertise. The following are examples of professional development and scholarship.

- Presentation at conferences, professional agencies or institutions
- Edited books
- Peer-reviewed journal articles
- Reviewed articles or other publications
- Participation in symposiums
- Creative work presented
- Grants awarded
- Regional or national honors
- Professional consulting
- Research
- Publications
- Serving as an officer of a state, regional or national association
- Serving on editorial boards
- Serving on professional task force
- Participating in curriculum development in your discipline at the state or regional level
- Reviewing grant proposals
- Efforts to improve teaching technology
- Ongoing growth in subject matter
- Demonstrating command of their subject matter
- Effective teaching
- Contributions in curricular development
- Demonstrated quality improvement in teaching strategies incorporating new technologies (where applicable) and new approaches to learning.

3. Career-Technical Education Division Criteria for Tenure and Promotion

For faculty members seeking promotion and tenure in these departments, credentials will be based on the department's criteria.

a. Teaching

The teaching of students is central to the mission of NNMC. Given the mission of the College candidates must demonstrate excellence in teaching, including assessment of student learning. Good teaching, defined as meaning much more than classroom activities, may be documented in a variety of ways. The following list is illustrative rather than exhaustive.

- Recent course syllabi
- Student evaluation
- Peer reviews based on clarity of course goals, organization, use of technology and knowledge of field
- Teaching observation by departmental colleagues
- Student learning outcomes and assessment
- Teaching philosophy and importance of teaching
- Curriculum development
- Shows improvement in teaching
- Honors and awards for teaching
- Implementation of innovative teaching techniques
- Participation in educational activities of professional associations
- Attending or leading meetings related to your professional expertise
- Giving lectures or presentations to student groups, colleagues, or the college community.
- Letters of recommendation from colleagues
- Participation in service learning activities.

b. Student Advising

Faculty must also be committed to the well being of students. Effective advising helps create an environment, which fosters student learning and student retention. The formal and informal advising and mentoring of students is an indispensable component of the broader education at the College.

Faculty advising may take many forms and the following list is illustrative rather than inclusive.

- Mentoring students
- Assisting students in selection of courses and career options
- Special review sessions for students
- Keeping an “open door” policy towards students
- Advising all majors of your department
- Advising evening students

c. College, Public and Community Service

Faculty service is essential to the College’s success in serving the institution and the community. It is the responsibility of individual faculty to perform a broad array of services that are vital to supporting and sustaining the quality and effectiveness of the College. Faculty members are expected to provide service to the college, its students, programs and professional disciplines, as collegial and constructive members of the College and the broader community. The following examples are illustrative but not exhaustive.

College Service

- Committee work at the department and college level
- Participating in institutional governance including faculty association, PITs, etc
- College service at the state or regional level
- Advisor to student organizations
- Representing the college at public events
- Student recruitment

Community and Public Service

- Serving on boards or advisory councils at the local, state and national level
- Giving lectures or presentation to local groups in the community
- Working with community leaders to develop solutions to community problems
- Working with the local community as a volunteer
- Involvement in activities that increase the desire of non-college students to attend college
- Student recruitment

d. Mastery of Discipline, Professional Development and Creative Activity

All faculty should be positively engaged in their disciplines and should be recognized for their expertise. The following examples are illustrative, but not exhaustive.

- Presentation at conferences, professional agencies or institutions
- Participation in symposiums
- Creative work presentations, including juried shows
- Grants awarded
- Regional or national honors
- Professional consulting
- Publications
- Serving as an officer of a state, regional or national association
- Serving on professional task force
- Participating in curriculum development in your discipline at the state or regional level
- Efforts to improve teaching technology
- Demonstrating command of their subject matter
- Ongoing growth in subject matter
- Contributions in curricular development
- Demonstrated quality improvement in teaching strategies incorporating new technologies (where applicable) and new approaches to learning

1. Criteria for Appointment to Emeritus Status

Proposals for emeritus designation must be initiated by a faculty member or other appropriate group, such as the Faculty Senate, and submitted for evaluation and recommendation by the Provost. If recommended by the Provost, the President shall review and forward the recommendation to the Board of Regents. The Board of Regents shall make the decision on the granting of emeritus status to the nominee. The decision of the Board of Regents shall be final and not subject to further review.

Nominees for Emeritus Faculty must meet the following criteria:

- a. Eligible to retire under the NM Educational Retirement Act and submitted an intent to retire to the ERB.
- b. Awarded tenure at NNMC and have **five** consecutive years of full-time, tenured faculty service at NNMC prior to retirement.
- c. Shown excellence in teaching or administration.
- d. Contributed service to the college, the community, or the professional discipline.

5. Criteria for Promotions in Faculty Rank in the Academic Division, including Developmental Studies

- a. Criteria for Promotion from Assistant Professor to Associate Professor

Faculty seeking promotion to the rank of Associate Professor shall hold an earned doctorate or other appropriate terminal degree, granted by an accredited institution of higher learning. A master's level or baccalaureate degree may be considered appropriate for some departments, to be determined by individual departments or colleges. The Tenure and Promotion Council will consider evidence of the following:

- Demonstrated effectiveness in teaching, advising and other assigned duties
- Appropriate institutional, public and professional service
- Positive engagement in their individual discipline

- a. Criteria for Promotion to Professor

Faculty seeking promotion to the rank of Professor shall hold an earned doctorate or other appropriate terminal degree, granted by an accredited institution of higher learning. A master's degree may be considered appropriate for some departments, to be determined by individual departments or colleges. The Tenure and Promotion Council will consider evidence of the following:

- Distinction in teaching, advising, or other assigned duties, as evidenced in continuing development and sustained effectiveness in these areas
- Exemplary institutional, public and/or professional service



- Distinction in their individual discipline as evidenced in significant contributions to the field or profession

6. Criteria for Promotions in Faculty Rank in the Career-Technical, Education Division

a. Criteria for Promotion from Assistant Technical Professor to Associate Technical Professor

Faculty seeking promotion to Associate Technical Professor shall hold a bachelor's degree in their teaching discipline. An associate degree may be considered appropriate for some departments, to be determined by individual departments or colleges. The Tenure and Promotion Council of the Career-Technical Education Division will consider evidence of the following:

- Demonstrated effectiveness in teaching, advising and other assigned duties
- Appropriate institutional, public and professional service
- Positive engagement in their individual disciplines

a. Criteria for Promotion from Associate Technical Professor to Technical Professor

Faculty seeking promotion to Technical Professor shall hold a master's degree in their teaching discipline. A baccalaureate degree may be considered appropriate for some departments, to be determined by individual departments or colleges. The Tenure and Promotion Council of the Career-Technical Education Division will consider evidence of the following:

- Distinction in teaching, advising, or other assigned duties, as evidenced in continuing development and sustained effectiveness in these areas
- Exemplary institutional, public and/or professional service
- Distinction in their individual discipline as evident in significant contributions to the field or profession

7. Tenure and Promotion Council

a. Academic Division

During the spring of the academic year a five member Tenure and Promotion council will be elected from the

Academic Division of the College. All tenured faculty are eligible for the committee with no more than one representative from a department. The committee member will serve a three year term. Faculty eligible for election are tenured faculty only, but both tenured and non-tenured faculty will be eligible to vote.

b. Career-Technical Education Division

During the spring of the academic year a five member Tenure and Promotion council will be elected from the Career-Technical Education Division of the College. All tenured faculty are eligible for the committee with no more than one representative from a program. The committee members will serve a three year term. Faculty eligible for election are tenured faculty only, but both tenured and non-tenured faculty will be eligible to vote.

8. Timeline for Advancement to Tenure

- a. By the second week in September, the Tenure and Promotion Council sends letters to deans and chairpersons regarding who is applying for tenure from their department for the current academic year.
- b. By the fourth week in September, the Council sends letters and forms to faculty applying for tenure detailing the requirements
- c. By the last week in October, applications for tenure are due to Tenure and Promotions Council.
- d. By the first week of the spring semester, the Council sends its recommendations to the Provost.
- e. By the first week of the spring semester, the Council informs the faculty of their recommendation.
- f. By the first week of the spring semester, the Council informs in writing the faculty whose applications have not been recommended for tenure of the reasons for this decision.
- g. By the last week in February, the Provost sends his recommendations to the President.
- h. The President presents the recommendations to the Board of Regents in April.
- i. Board of Regents notifies faculty of their decision by April 30.

9. Actions of the Board of Regents

Tenure is awarded only by positive action of the Board of Regents upon recommendation of the President. Such action shall be taken no later than the fifth provisional year, on or before April 30th.

10. Denial of Tenure

If tenure is not awarded, the faculty member will be offered a one-year provisional contract, during which time he may re-apply for tenure using the standard procedure and guidelines. If tenure is not granted after the second application, the faculty appointment will be terminated.

11. Appeals Process for Denial of Tenure

a. Denial by the Tenure and Promotions Council

A faculty member denied tenure by the Tenure and Promotions Council may appeal to the Senate Committee on Academic Freedom, Promotion and Tenure.

- The applicant appeals to the Senate Committee on Academic Freedom, Promotion and Tenure by the second week in February.
- The Senate Committee on Academic Freedom, Promotion and Tenure reviews the application and makes their recommendation to the Provost.
- If the Senate Committee on Academic Freedom, Promotion and Tenure recommends the applicant for tenure the recommendation is sent to the Provost.
- If the Senate Committee on Academic Freedom and Tenure does not recommend the faculty member for tenure, the applicant is informed in writing the reason(s) for the denial.
- The applicant has one year to address the denial and reapply for tenure.
- If tenure is denied again by the Tenure and Promotions Council and Senate Committee on Academic Freedom, Promotion and Tenure, the applicant will not be rehired.

b. Denial by the President or Board of Regents following positive recommendation by Tenure and Promotions Council

If in the course of tenure application the Tenure and Promotions Council makes a positive recommendation to the Provost and the faculty member is denied tenure by the President or the Board of

Regents, the applicant may grieve this decision as per the contracted Procedure for Resolution of Grievances (II. I).

12. Privileges of Tenured Faculty

- a. The appointment of a tenured faculty member shall run until the member's retirement or death, subject to the following limitations: Any dismissal or non-renewal of the contract of a tenured member of the Faculty shall follow the procedure outline in the Northern Federation of Educational Employees contract.
- b. If the program or department in which a tenured faculty member teaches is curtailed he/she may be appointed to another full-time position for which he/she qualifies if such a position is vacant.
- c. Sabbatical leave may be granted to tenured faculty members after six years of full-time continuous employment at NNMC. The procedures are described in section III.B.10.
- d. Tenured faculty members appointed to administrative positions will retain tenure status as faculty. They may return to a faculty position for which they qualify if such a position is vacant.

13. Post-tenure Review

The Tenure Review Committee, comprised of tenured faculty and the Provost, will conduct a periodic review of tenured faculty. The main objective of the post-tenure review process is to assess the faculty member's performance in (a) teaching, (b) student advising, (c) service to the institution and the community, and (d) contributions to research, scholarship, and career/creative activities.

Tenured faculty shall be subject to a review every five years. In the event a faculty member receives an unfavorable review, the post-tenure review process shall include (a) a two-year probation and re-evaluation period and (b) loss of tenure if during the

probation period the faculty member fails to demonstrate improvement in the identified area(s) of concern.

14. Seniority

*Seniority shall be defined as total length of continuous full-time employment with the College. Seniority credit shall commence with the instructor's most recent date of full-time employment. Time spent on paid leave shall be counted for seniority purposes. Time spent on unpaid leave shall not constitute a break in continuous service. In the event instructors have the same original date of hire, the date of the instructor's letter of appointment shall govern. The College will maintain a seniority list of all instructors in the bargaining unit ranked in order of seniority and date of hire of each instructor within each contractual academic discipline. Upon request, the College will provide the Faculty Association President with a copy of the instructor seniority list.*

15. Privileges of Emeritus Faculty

The privileges and responsibilities of emeritus faculty are subject to the collective bargaining agreement, and any legal and/or New Mexico Higher Education Department and/or college restrictions. In addition, emeritus faculty receive:

- a. Assigned office space for research or scholarship, if available.
- b. Listing with the faculty in the college catalogues, website, and other appropriate publications.
- c. Attendance at campus events open to college employees.
- d. Receipt of special campus publications, announcements, and event invitations as determined by the President.
- e. Invitations to participate in public ceremonies, commencement, processions and convocations.
- f. Participation in appropriate campus seminars, colloquia, lectures, ad hoc committees, and other scholarly pursuits.
- g. Use of college recreation/social facilities in accordance with college policy.
- h. Library and email privileges.

II. F. Contracts for Permanent, Provisional, and Adjunct Faculty

The following section governs the re-employment notification thereof, and contracting of faculty personnel.

1. Notices of Renewal/Non-Renewal - (Permanent & Provisional)

The Board of Regents shall consider reemployment of all permanent and provisional faculty on or before April 15, of each year. Written notice of Board action to renew or not renew shall be provided to the faculty member no later than May 15<sup>th</sup> of each year. Failure to provide notice within the specified time shall have the effect of re-employing the faculty member for the succeeding year.

2. Notice of Re-employment or Employment - (Adjunct faculty)

Adjunct faculty are employed on an as-needed basis subject to the requirements of the College and are not guaranteed continued employment past the period specified on the Personnel Action Notice form. The Chair with approval from the respective Dean will determine the needs and initiate the required forms prior to the part-time faculty member commencing employment.

3. Issuance of Contracts

Contracts for all tenured and provisional faculty members who are re-employed for the next academic year shall be prepared by the college and delivered to such members during the month of May. The contract, if accepted by the faculty member, must be signed and received by the Human Resources July 1<sup>st</sup>. If the contract is not received by July 1, the contract may be null and void.

a. Faculty Contract - Permanent and Provisional

A faculty contract will be issued to all permanent and provisional faculty members. A Personnel Action Notice (PAN) form will be utilized to activate compensation as per contract. The contractual obligation is for no more than nine months, generally following the academic calendar. For payroll purposes the contract runs for 12 months. Ten month or longer contracts may be issued upon approval of the Federation of Educational Employees and Board of

Regents. Fulltime faculty salaries are determined by the Board-approved salary matrix.

b. Personnel Action Notice Form – Adjunct

A Letter of Appointment form will be utilized for all adjunct faculty members. Adjunct salaries are determined by the Board approved adjunct salary matrix.

4. Academic Calendar and Work Year

*The academic calendar and work year is determined annually by the terms described in the Agreement between NNMC Board of Regents and the Faculty Bargaining Unit.*

5. Outside Employment

*The College and the Faculty agree that a full-time instructor's position with the College shall be the primary source of employment. Full-time instructors may engage in outside employment. However, both parties agree that as a professional courtesy, the instructor shall inform the Director of Human Resources of such outside employment. Such outside employment shall not effect performance, cause absenteeism, or create a conflict of interest for the College.*

6. Summer Employment

*Qualified full-time instructors shall be given the first opportunity to teach during the summer session. Those instructors selected for summer employment will be paid in accordance with the salary schedules applicable to part-time instructors.*

7. Facilities, Equipment and Support

*Subject to available funding, the College will continue to provide classroom space, office space, equipment and materials to aid instructor performance. This shall include continuing to connect full-time faculty to the local area network for student advisement.*

8. Health and Safety

*The College will continue to provide healthful and safe working conditions for all instructors. The College will continue to comply with all applicable state and federal health and safety laws. The Federation President may appoint one full-time Faculty to the Loss*

*Control Committee. Provision and/or reimbursement shall be made to employees who require protective equipment in the performance of their job. This determination will be made by the College. The College shall make provisions for required inoculations to protect employees in the course of their employment (Health Occupations). All hazardous or potentially hazardous conditions shall be reported to the Chair of the Loss Control Committee for review and appropriate action if needed.*

9. Student Discipline

*The Faculty and the College agree that Student Discipline shall be administered according to the Standard of Conduct as contained within the Northern New Mexico College Student Handbook.*

II. G. Faculty Responsibilities and Duties

1. Professional Ethics

Faculty members will demonstrate respect for the students in their role as intellectual guides, foster honest academic conduct and promote an atmosphere which is conducive to learning and the acquisition of scholarly standards. They will strive to help each student realize his or her potential as a worthy and effective member of society.

2. Faculty Workloads - (Tenured and Provisional)

Faculty workloads shall be distributed among all faculty and chairpersons. *The preparation of teaching schedules shall be the responsibility of the Provost/Dean and the Department Chairperson. The Provost/Dean and the Chairpersons will consider recommendations from instructors. The College shall continue to notify the faculty member of his/her tentative teaching schedule. Changes in faculty member's teaching schedule may be made as the need arises and faculty shall be notified of said changes. The final determination of teaching schedules shall be made exclusively by the College.* Monitoring of workloads is the responsibility of the Chairperson and is intended to ensure that responsibilities are equally distributed. At the discretion of the Dean/Provost, release time may be granted for special assignments or responsibilities.

a. Academic Year Teaching Load



The normal teaching load for full-time faculty is fifteen (15) credit hours per semester or thirty (30) credit hours per academic year.

The normal teaching load for faculty directors is twelve (12) credit hours per semester. The normal teaching load for baccalaureate degree program directors is six to seven credit hours (to include no more than 12 contact hours) each semester unless oversight regulations require fewer. The normal teaching load for faculty chairs is six to seven (6-7) credit hours per semester. The normal teaching load for Deans is 3-4 credit hours per semester. A waiver of these requirements will be considered through the Provost's Office for program/departmental initiatives that include program development, grants writing and/or grants management.

When faculty are teaching two or more scheduled classes at the same time, only one of the classes will be counted in the workload computation. In special situations such as co-op courses, lab courses, practicums, etc.; the workload credit hours will be computed by the Chairperson with the Provost's approval.

*Instructors shall be present on campus for all professional duties and obligations, including but not limited to, classes, departmental meetings, faculty meetings called by the Dean/Provost or President, and student conference hours. Each instructor shall schedule a minimum of five (5) hours per week for student conferences and advisement.*

a. Adjunct Faculty Teaching Load

Adjunct faculty will teach no more than fourteen (14) credit hours per semester. Adjunct faculty will attend orientation sessions and be available to students prior to and immediately after class or by appointment.

c. Summer Session Teaching Load

Summer session teaching assignments for nine-month faculty are subject to the recommendation of the Chairperson and approval of the Provost. Fulltime faculty will be given priority for summer session assignments. All summer session fulltime faculty on nine-month contracts are compensated at the adjunct salary matrix rate.

d. Teaching Overload

When a faculty member teaches in excess of fifteen (15) credit hours during a semester the department Chairperson will approve an overload. The compensation for an overload is as per the adjunct faculty salary schedule.

e. Student Advising

Each faculty member will serve as an advisor to students. Advisors will assist students in course selection, scheduling, and meeting requirements for certificate or degree programs. When necessary, students will be referred to the appropriate support services for assistance. This advising will take place during the approved office hours.

3. Faculty Duties

Each faculty member (full-time and part-time) will be responsible for the following duties (a thru n):

- a. Become familiar with College policies and procedures.
- b. Explain to students the course content and requirements and distribute a course syllabus during the first week of scheduled class.
- c. Meet every assigned class at its designated time except for illness, emergency situations, and approved absences.
- d. Assume responsibility for the security of College facilities and equipment.
- e. Maintain a classroom that is conducive to learning and develop a sincere interest in students' education.
- f. Arrange for equipment, supplies and materials necessary for instruction.
- g. Advise students concerning academic achievement, absences, and tardiness which might jeopardize satisfactory progress.

- h. Emphasize to all classes the importance of prompt, regular and continuous class attendance.
- i. Maintain accurate scholastic records of students enrolled in each class and submit rosters and grade reports to the Registrar's Office.
- j. Refer students who need special consideration to the appropriate student services.
- k. Report all irregularities, questions, or problems concerning instruction to department Chairperson.
- l. Keep credentials and certifications (as required) current and on file in the Human Resource Office.
- m. Conduct assigned classes in accordance with the stated philosophy and objectives of the College and in accordance with the approved master course syllabi.
- n. Part-time faculty will be available to students prior to and immediately after class or by appointment.

\* The following duties are not required of part-time faculty; however, should part-time faculty wish to participate they may do so:

- \*o. Assist Chairperson in preparing and maintaining the budget, initiating purchase requisitions, and selecting textbook changes.
- \*p. Recommend the selection of library books, reference materials and periodicals for the Library.
- \*q. Participate in commencement day exercises.
- \*r. Post and adhere to a schedule of approved office hours to include at least five hours per week. The Chairperson approves the office hour schedule.
- \*s. Perform registration duties.
- \*t. Attend and support activities of the College such as scheduled and special faculty and department meetings and assigned committee meetings.

- \*u. In cooperation with the chairperson prepare a professional development plan and accomplish the goals and objectives of this plan as funding and resources allow.

#### 4. Directors' Duties

Directors shall be responsible to the department chairperson. Each director will:

- a. Supervise, coordinate and assess the planning and implementation for the ongoing development and improvement of the degree program(s).
- b. Coordinate the development of creative and progressive teaching methods.
- c. Recruit and supervise adjunct and regular faculty for the degree program(s).
- d. Maintain confidential employee information and make recommendations regarding employment of faculty and staff in the program(s) curriculum.
- e. Coordinate the scheduling and delivery of the program(s) curriculum.
- f. Coordinate the development of marketing and recruitment activities for the program(s).
- g. Supervise student advisement and practicum experiences.
- h. Participate in institutional governance and departmental committees as assigned.
- i. Oversee administration of state and external funds supporting the program(s).

#### 5. Chairpersons' Duties

Chairpersons shall be responsible to the Dean/Provost (or designee). Each chairperson will:

- a. Supervise assigned personnel and coordinate all departmental activities.
- b. Coordinate efforts with faculty and make proper recommendations related to the development of new courses and programs, the revision or deletion of existing courses and programs, and the maintenance of instructional standards within the department.

- c. Provide leadership in formulating, developing and revising program objectives and curriculum and ascertain the maintenance of current course outlines and syllabi which accurately reflect the instructional program.
- d. Supervise instructional activities within the department, including evaluation of curriculum, teaching methods, effective use of the library and support programs, testing techniques and audio-visual aids.
- e. Schedule and preside at regular departmental meetings to review areas of concern and to maintain communication. Maintain and distribute minutes of all meetings to department personnel.
- f. Ensure that faculty maintain scheduled office hours and equitable workloads.
- g. In coordination with the Office of Human Resources, orient new department personnel and ensure that all assigned personnel are familiar with academic policies, regulations and procedures.
- h. May evaluate formally or informally department personnel and the overall effectiveness of instruction within assigned department.
- i. Recommend to appropriate Dean/Provost renewal or non-renewal of contract, promotion or dismissal of personnel within assigned department.
- j. Ensure functional advisory committees as required by degree programs.
- k. Verify that safety guidelines are in place as required by appropriate program oversight standards.
- l. Monitor the attendance of personnel within department and approve faculty leave requests.
- m. Assist in the registration process and assign advisement and coordinate advisement and registration duties to personnel within department.
- a. Foster articulation agreements with post-secondary and secondary institutions.

- o. Validate faculty selection of textbooks for bookstore adoption.
- p. Verify that adequate supplies and equipment are available for the department.
- q. Review materials for the College catalog and other college publications ensuring an accurate representation of the department.
- r. Participate in the screening and interviewing process for department personnel and make recommendations for employment within procedural guidelines.
- s. Coordinate the development of the annual recommended budget for assigned department and submit same to the appropriate Dean.
- t. Maintain records and controls to assure that assigned department operates within established budget limits.
- u. Coordinate all purchase requests within the assigned department.
- v. Serve as liaison between department and institutional personnel and/or public.
- w. Assist in the initiation and/or development of institutional research or proposal related to the department.
- x. Inform the appropriate Dean/Provost of departmental needs, concerns, changes or irregularities which warrant attention.
- y. Instruct as assigned by the appropriate Dean/Provost within limits as described under II.G.2.a (Faculty Workloads) of this handbook.
- z. Assume responsibilities and duties required of faculty and additional assignments outlined for chairpersons.
- aa. Assume additional duties assigned by the Dean/Provost of Instruction or designee.

II. H. Academic Freedom, Employee Investigations, and Progressive Discipline

1. Personal and Academic Freedom

The personal life of a faculty member is not a proper concern of the College, provided that it does not adversely affect or interfere with the faculty member's effectiveness in fulfilling his or her professional obligations.

The College is committed to the promotion of responsible academic freedom for its faculty and students, including the right of the individual faculty member to control classroom presentation and discussion of the subject matter, as well as grading or other evaluation of his or her students within the expressed and recognized goals, objectives and standards of the College.

Academic freedom expressly *contemplates* and encourages the presentation of controversial, hypothetical or idiosyncratic approaches to subject matter. The responsible exercise of academic freedom, however, requires that controversial, hypothetical or idiosyncratic approaches be clearly identified as such, that recognized or reasonable alternative approaches or points of view also be presented in a fair and scholarly manner, and that the overall coverage of the subject matter adequately serves *students'* legitimate educational objectives.

Control of presentation includes selection of subject matter to be covered and of textbooks and other materials to be used. Because these choices are reflected in various Administrative *concerns*, decisions as to topic coverage and selection of texts and materials *are subject to the approval of the faculty member's immediate supervisor.*

Mindful of the importance of academic freedom, the immediate supervisor will not disapprove an instructor's decision in these areas arbitrarily or without *justifiable* cause. In the event faculty members *believe* disapproval of their texts or materials by their supervisor is unjust, they may appeal to the next *higher administrative* level as explained in the following grievance procedure.

2. Employee Investigations

- a. *The College has the right to investigate all allegations of instructor misconduct.*

- b. *An instructor may be placed on leave of absence during an investigation involving the instructor. Such instructors will be placed on leave with pay status.*
  - c. *While an investigation is pending, no documentation related to the matter under investigation will be placed in the instructor's personnel file. If the investigation does not result in discipline, no documentation will be placed in the instructor's personnel file. Upon request, the employee will receive a written statement from the College stating that the investigation did not result in charges against the instructor.*
  - d. *If charges are filed against an instructor as a result of an investigation, the instructor will be allowed a reasonable opportunity to respond to the charges. The instructor will be allowed to have a Federation representative present when responding to charges.*
  - e. *Instructors will cooperate in all College investigations.*
  - f. *An anonymous complaint may be used to initiate an investigation, but will not be used as the sole basis for disciplinary action.*
  - g. *The parties acknowledge the need for expeditious employee investigations and agree to cooperate in achieving that goal. Where the parties mutually agree, documents may be exchanged in an effort to obtain a mutually acceptable outcome.*
  - h. *After the instructor is informed that he/she is under official investigation, said instructor will be allowed to be represented by a Federation representative in meetings with the College regarding the investigation.*
  - i. *Upon return to work following an investigation, a meeting between the instructor, the appropriate administrator, and the Human Resources Director will be scheduled in an attempt to create a positive transition.*
3. *Progressive Discipline*
- a. *The Federation and the College agree that the general purpose of discipline is to correct unsatisfactory performance and/or misconduct. Progressive discipline*



may be utilized when management determines that the merits of a particular case warrant such an approach. Progressive discipline will not be utilized when management determines that an employee's action(s) are so egregious that such an approach is inappropriate.

- b. Progressive discipline starts with the least severe discipline and progresses to more severe discipline depending on the circumstances. Examples of the least severe discipline consist of verbal warnings and written reprimands. More severe disciplines consist of suspensions and terminations.
- c. Upon request, an instructor shall be entitled to Federation representation at any meeting called to administer a letter of reprimand or more severe disciplinary action.

## II. I Procedure for the Resolution of Grievances

The following grievance procedure is part of the "Agreement Between the Northern New Mexico College Board of Regents and the Northern Federation of Educational Employees, AFT-NM, AFL-CIO Faculty Bargaining Unit". This agreement is effective through June 30, 2008.

### 1. Purpose

The purpose of this grievance procedure shall be to secure at the lowest possible administrative level, equitable resolutions to problems that may arise and are subject to review under this procedure. The Federation and the College agree that this is the only grievance procedure available to members of the bargaining unit.

### 2. Definitions

- a. A "grievance" shall be defined as a dispute pertaining to a claim that alleges a violation of this Agreement.
- b. A "grievant" shall be any instructor, group of instructors, or the Federation.
- c. "Days" shall mean workdays and shall not include holidays or recesses observed by the College.

### 3. Procedures

- a. *Grievance proceedings shall be kept informal and confidential at all levels of this procedure.*
- b. *The number of days indicated at each level of this procedure shall be considered a maximum, and every effort shall be made to expedite the process.*
- c. *If the College fails to comply with the time limit requirements as set forth under any of the procedure levels, the grievance shall be considered automatically appealed to the next level of the procedure.*
- d. *If the grievant fails to comply with the grievant's time limit requirements as set forth under any of the procedure levels, the grievance shall be considered null and void.*
- e. *The time limits set forth herein may be extended provided the extension has been mutually agreed upon in writing by the parties.*
- f. *A grievance shall not be considered unless the grievant files the grievance no later than ten (10) days after the grievant knew or reasonably should have known of the action that precipitated the grievance.*
- g. *No reprisal or retaliation by any party to the grievance shall be taken against any party as a result of participation in the proceeding of a grievance.*
- h. *A grievant and the party charged may be accompanied and represented at any hearing or meeting conducted under this procedure.*
- i. *An instructor, acting individually, may present a grievance without the intervention of the Federation provided the grievance has been processed in accordance with this procedure. At any hearing of a grievance brought individually by an instructor, the Federation as a party to this Agreement, will be afforded the opportunity to be present and present its views. Any adjustment made shall be consistent with the provisions of this Agreement.*
- j. *If a grievance affects a group of two or more employees or involves a decision or action by the College that has a system-wide impact, the Federation may submit the grievance on behalf of the affected employees at Level Two*

*of this procedure. The parties may submit this grievance at Level One if all of the employees affected by the grievance have the same supervisor.*

- k. The parties shall cooperate in any investigation that may be necessary in order to expedite the process.*
- l. All documents related to a grievance shall be maintained in a separate grievance file and shall not be kept in the personnel file of any of the grievance participants.*
- m. All grievances and grievance responses shall be filed and processed on grievance forms mutually agreed upon by the parties and contained in an Appendix of this Agreement.*
- n. Unless otherwise agreed to by the parties, the processing of grievances shall be conducted during non-duty time or before or after the work day. If the parties agree to process the grievance during the employee's workday, the employee shall not suffer any loss of pay or benefits.*
- o. Except for informal decisions at Level One, all decisions shall be submitted in writing at each step of the grievance procedure and the decision shall be submitted to both the grievant and the Federation.*

#### *4. Level One*

- a. A grievant shall first discuss the grievance with the grievant's immediate supervisor (Chairperson), either directly or through the grievant's Federation representative, with the objective of resolving the issue informally.*
- b. If the grievance is not resolved with the immediate supervisor, or the immediate supervisor has not responded within ten (10) workdays of the grievance filing, a grievance may be filed at Level Two.*
- c. If the immediate supervisor has no authority to resolve the grievance, the grievance may be submitted by the grievant directly to Level Two. Management may defer the grievance back to Level One if the supervisor at that Level has the authority to address the grievance, so long as such deferral takes place within ten (10) days of receipt of the grievance.*

- d. *If the grievant is not satisfied with the immediate supervisor's disposition, the grievant may appeal the grievance to Level Two (the Dean) no later than ten (10) days following the receipt of the immediate supervisor's decision.*

5. Level Two

- a. *No later than ten (10) days following receipt of the written grievance, the Dean shall schedule a meeting in an attempt to resolve the grievance. Each party shall be entitled to bring documents and/or witnesses to the meeting in order to present evidence on their behalf. Each party shall have the right to question witnesses brought by the other party.*
- b. *No later than ten (10) days following the conclusion of the meeting, the Dean shall submit the written response to the grievant and the Federation.*

6. Level Three

- a. *If the grievance is not settled at Level Two and the grievant(s) or the Federation (with concurrence of the grievant) wish to appeal the grievance to Level Three (President or designee), it shall be appealed, in writing, to the President within ten (10) workdays after receipt of the decision at Level Two.*
- b. *Within ten (10) workdays the President, or the designated representative, provided said person has not been previously involved in Levels One or Two, shall discuss the grievance with the grievant(s) and Federation representatives, if so desired, at a time mutually agreeable to the parties. If no settlement is reached, the President, or the designated representative, shall give a written answer within ten (10) workdays following such meeting.*

7. Arbitration

- a. *If both the grievant and the Federation are not satisfied with the President's written disposition, the Federation may appeal the grievance to arbitration by submitting a written request for arbitration to the President no later than ten (10) days following the receipt of the President's or designee's written decision.*

- b. *The arbitrator will be selected from a list of five (5) arbitrators requested from the Federal Mediation and Conciliation Service (FMCS) or American Arbitration Association (AAA). The arbitrator shall be chosen through the process of alternatively striking arbitrators until one (1) remains. The order for striking shall be determined by the parties by the flip of a coin. This process shall be conducted no later than ten (10) days following receipt by the parties of the list of arbitrators from FMCS or AAA.*
- c. *The arbitrator shall conduct a hearing as soon as possible. The arbitrator may establish the rules of procedure and, at the arbitrator's discretion, may require the parties or witnesses to testify under oath.*
- d. *The arbitrator's decision shall be submitted in writing within thirty (30) days after the closing of the hearing and shall include the decision, rationale, and, if appropriate, relief. The arbitrator shall have no authority to add to or subtract from or extend or detract from the rights of employees covered by this Agreement.*
- e. *The arbitrator's decision shall be final and binding on the parties.*
- f. *The arbitrator's fees and costs shall be shared equally by the parties. All other expenses shall be assumed by the party incurring the cost.*

## II. J. Evaluation of Faculty Performance

### 1. Premises and Objectives Basic to the Evaluation Program

*Instructor evaluation has as its primary purpose the improvement of performance. Course/Instructor evaluations are used by instructors to help improve instruction, to provide a uniform method of assessing effectiveness of the faculty member to encourage effective teaching performance, and to assess and provide the faculty member with timely and valid feedback for professional growth.*

### 2. Evaluation of Permanent and Provisional Faculty Members

- a. *Instructors will be evaluated by their immediate supervisor or higher level in the administrative line of authority.*

- b. *Tenured faculty members will be evaluated each year of service to the College. Non-tenured faculty members will be evaluated each semester of service to the College,*
- c. *Instructors will be evaluated whenever there is a concern regarding performance.*
- d. *At least one observation of the work performance of an instructor will be conducted openly and with knowledge of the instructor. The overall evaluation is not limited to a specific observation.*
- e. *Within a reasonable time period after the observation referenced above, there will be a conference or communication between the faculty member and the observer.*
- f. *Scheduled observations should be documented, reviewed and signed by the evaluator and the instructor. If additional observations have occurred and been documented, the instructor shall receive copies of such documentation.*
- g. *During the evaluation conference, the chair and instructor shall review, complete and sign the Instructor's Evaluation Form. The instructor shall have the opportunity to submit a written response to the evaluation, which shall be attached to the evaluation form. The complete evaluation form and any attachments shall be submitted to the Human Resources Department for inclusion in the instructor's personnel file. The instructor's signature shall constitute acknowledgement that the instructor has read and understood the evaluation.*

3. Evaluation of Chairs/Directors by Faculty Members

Chairs and Directors will be evaluated anonymously by faculty once per year.

4. Evaluation of Academic Deans/Provost by Faculty

Academic Deans/Provost will be evaluated anonymously by faculty once per year.

5. Evaluation of Adjunct Faculty Members

Adjunct faculty members may be evaluated by the department chairperson (or designee with written authority) as needed each semester.

6. Strengthening Areas of Concern

A faculty member, whose evaluations show areas of concern which require improvement, is obligated to remedy any deficiencies noted. The faculty member and Chairperson or Dean/Provost shall confer and provide the necessary guidance on as many occasions as are deemed necessary to remove the concern.

The appropriate supervisor (Dean/Provost) as part of the annual performance evaluation will review evaluations of Chairs and Directors. The Provost as part of the annual performance evaluation will review evaluations of the Deans. The College President as part of the annual performance evaluation will review provost evaluations.

II. K. Policies and Procedures for Termination of Employment

The following procedures are part of the negotiated agreement between the Northern New Mexico College Board of Regents and the Northern Federation of Educational Employees.

1. Voluntary Termination

a. Resignation

A full-time faculty member who resigns during a period of appointment must notify the President through the Chairperson and Dean/Provost of his intent to resign at least 30 days prior to the effective date of resignation or expiration of contract. All resignations shall be in writing.

Any faculty member who proposes to withdraw prior to the start of the term of appointment must provide notice as soon as reasonably possible, but no less than 30 days before the beginning of the new school year.

Failure on the part of the faculty member to notify as specified is contrary to the principles stated in this handbook.

b. Retirement

A faculty member who is eligible to retire may retire by providing notice as prescribed in the previous paragraphs concerning resignation. The President through the Chairperson and Dean may accept retirement by a faculty member during a contractual period at their discretion.

The faculty member who is retiring shall also notify the Director of Human Resources and the Business Office of his /her intention to retire. The Business Office assists the faculty member in submitting application for benefits involved in the Educational Retirement Act.

2. Involuntary Termination for Cause

Involuntary termination means the discharge of any faculty member during the term of an existing contract or not renewing a faculty contract after the expiration date without demanding a reduction in force (II.J.4). Involuntary termination may only occur for "just cause".

"Just cause" shall include (a) failure or inability of a faculty member to fulfill his or her duties; (b) any cause which is rationally related to a faculty member's competence and the proper performance of his/her duties and which is not in violation of the faculty member's legal rights.

"Just cause" for dismissal will be related, directly and substantially, to the fitness of faculty members in their professional capacities as teachers and/or researchers. Dismissal will not be used to restrain faculty members in their exercise of academic freedom or legal rights.

3. Procedures for Involuntary Termination for Cause

Immediate termination of a faculty member during the following proceedings is justified only if immediate harm to the faculty member or others is threatened by the faculty member's continuance. Unless legal considerations forbid, any such suspension should occur with pay.

The administrative supervisors shall initiate termination for cause and the decision to terminate is grievable by the faculty member. The grievance follows the contractual procedure described in the



Federation contract (also in section II.I.1 thru 7 in this handbook). Final action regarding the contract is recommended by the College President and approved by the Board of Regents

4. Involuntary Termination for Causes Not Personal to Faculty Member (Reduction in Force)

- a. *The College shall have the right to reduce its employment and, if necessary, discharge or terminate employees as a result of a reduction in force (RIF).*
- b. *When the College anticipates a RIF that will result in the discharge or termination of instructors in the bargaining unit, the College will notify the Federation in writing of the anticipated RIF at least twenty (20) workdays prior to the implementation of the RIF. The notice shall include the affected program(s), employee(s), the expected date of the RIF, and a brief description of the circumstances necessitating the RIF.*
- c. *The Federation may request in writing to meet with the College President and/or designee to discuss possible alternatives to the RIF, provided such request is made no later than five (5) workdays after the receipt by the Federation of the College's notice of intent to RIF.*
- d. *The College will consider ways of avoiding the need for a RIF through the use of both voluntary and involuntary transfers.*
- e. *The determination as to which instructor is to be laid off (RIFed) shall be based on factors including, but not limited to, the following: education (advanced education and training related to the field); relevant employment experience; full certification or licenses; evaluations; additional certification, outside activities related to the field or program being affected; and, program needs or requirements. All else being equal, seniority as defined in Article 15 will be the determining factor.*
- f. *Prior to the time a RIF actually displaces an instructor, the College will attempt to place the affected instructor in a vacant full time position for which they qualify. If an affected instructor does not accept an offered position that is of equal or greater pay, they shall have no recall rights under this Article.*

- g. *Whether the Federation exercises its option to meet with the College in accordance with C. above or not, the Federation may submit recommendations or alternatives to the RIF.*
- h. *An instructor laid off as a result of a RIF shall have recall rights for a period of no longer than one calendar year from the effective date of the RIF. The factors used for determining the order of recall shall include, but not be limited to, those enumerated in E. above. An instructor notified of recall shall have fifteen (15) calendar days to accept the position. An instructor who refuses an offered position shall have no further rights to employment. Failure to respond within the time frame shall be considered a refusal of employment.*
- i. *The laid off instructor may continue to participate in health insurance benefits by contributing the full premium in accordance with the provisions of the New Mexico Public Schools Insurance Authority.*
- j. *Upon request, a laid off instructor shall be placed on the College's approved substitute and adjunct faculty lists.*

5. *Suspended Programs*

- a. *The College shall determine whether or not to continue, discontinue, or re-institute programs.*
- b. *The Federation may make recommendations to the College on the continuance, discontinuance, or reinstatement of programs. The College will consider the Federation recommendations.*

**PART III: Policies for Compensation, Fringe Benefits, and Leave**III. A. Compensation and Fringe Benefits1. Salary Schedule

- a. *All faculty members shall be paid according to the appropriate salary schedule each respective year as approved by the Board of Regents.*
- b. *Full-time faculty members shall be placed on the approved salary matrix as determined by the appropriate Dean upon consultation with the Director of Human Resources and the President of the College. Faculty members offered a new contract will be placed in the appropriate cell on the matrix as determined by years of experience, completed course-work or degrees attained.*
- c. *Full-time members working less than the regular contract year will be paid on a prorated basis.*
- d. *Each instructor shall be compensated for additional approved credit hours in accordance with the approved salary schedule. Such payment shall begin only after receipt of an official transcript.*
- e. *Part-time faculty are paid on a per-credit basis as determined by the Board of Regents approved salary schedule.*
- f. *Employees shall be paid their annual salaries in twenty-four (24) installments occurring twice monthly on the 5<sup>th</sup> and 20<sup>th</sup>. If a payday falls on a weekend or holiday the employee shall be paid on the last workday immediately preceding the weekend or holiday.*
- g. *Instructors on extended summer break shall be offered the option of either being paid in a lump sum at the end of the contract year (May) or receiving a check twice per month during the summer break. Those requesting a lump sum must notify the payroll office in writing at least thirty*

*(30) days prior to the expiration of the academic year.*

- h. Instructors required to use their private vehicles for approved College or for approved travel from their work base to the other campus will be paid mileage in accordance with the provisions of the Mileage and Per Diem Act.*

2. *Insurance Benefits*

- a. Each employee shall be eligible for the benefits set forth in this section unless otherwise indicated. Upon employment with the College an employee shall be provided with an explanation of the benefits to which the employee is entitled. Each employee shall be provided a brochure describing plan benefits for each plan chosen by the employee.*
- b. An employee's premium co-pay for insurance set forth below shall be deducted from the employee's paycheck each pay period.*
- c. The College will continue to provide employees coverage under group major medical, vision, dental, and life insurance from the New Mexico Public Schools Insurance Authority in accordance with the law.*
- d. The College will continue to provide to all faculty members coverage under Risk Management Worker's Compensation policy as established by law.*
- e. The College will continue to provide employees unemployment compensation through the New Mexico Unemployment Insurance program in accordance with the law.*
- f. The College shall authorize payroll deduction service for the participation of faculty in College approved tax sheltered annuity programs.*
- g. Faculty shall continue to participate in the New Mexico Educational Retirement Act in accordance with the law.*

- h. *Employees shall receive notice by the College of open enrollment periods and other information related to the plans set forth above. Employees may be provided the opportunity to meet with representatives of these plans for instruction and enrollment.*
- i. *Faculty on approved extended unpaid leave of absence shall be permitted to maintain their group insurance programs in accordance with the law. In such cases, the employee must assume 100% of the premium cost.*

### 3. Tuition Waiver

- a. Tuition will be waived for any full-time faculty member, spouse or dependent children as verified by the Financial-aid Office. Part-time faculty members also qualify for tuition waiver.
- b. Upon mutual agreement between the faculty and his/her supervisor, release time for one course per semester may be granted during working hours if the class enhances the employee's job skills.
- c. All fees other than tuition must be paid by the faculty member at the time of registration.
- d. Credits earned may count toward upgrading the individual on the salary schedule.

### 4. Travel Expense

A faculty member traveling on approved College business shall be reimbursed for expenses, as stated in current travel reimbursement policies.

### 5. Credit Unions

Payroll deduction for credit unions are an authorized service of the business office.

III. B. Leave Policy

Members of the faculty are expected to be at work as assigned except when prevented by personal illness, un-for-seen emergency, or when a leave has been granted.

Faculty members shall notify their respective supervisor as early as possible of any expected absence from work. Whenever possible, faculty members should make arrangements for a qualified person to meet the classes during his/her absence. Such arrangements with colleagues or other substitutes will be approved by the immediate supervisor, as per established guidelines.

1. General Leave

- a. For the purpose of bereavement leave immediate family shall be defined as: husband, wife, father, mother, sister, brother, son, daughter, father-in-law, mother-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, aunts and uncles, nephews and nieces, grandparents and grandchildren.
- b. Sick leave may be taken for either personal illness or illness of dependents.
- c. Accumulated leave balances shall only be reduced when such leave is utilized or the employee is terminated.
- d. The College may allow employees on extended leave of absence to work as an adjunct instructor.
- e. College employees on Legal Leave and Board and Commission Leave cannot keep additional or double salary received from the second institutional agency or entity as well as from the College. When an instructor is remunerated for service (not per diem) during a period in which he/she is on paid leave he/she shall reimburse the College for the exact amount of the remuneration received unless it is more than his/her daily salary in which case he/she will forego his/her salary for those days. The employee on these paid leaves of absence has the option of retaining the wages paid by one of the entities but not both. The employee receiving additional or double payment must refund either

one of the payments to the College. Travel and per diem reimbursements are not covered by this policy. This restriction on additional or double salary does not apply to employees who are on annual or personal leave.

2. Sick Leave

- a. *Full-time faculty shall be credited with sixteen (16) days of sick leave (computed at 7 hours per day) at the beginning of the academic year, of which three (3) days shall be considered personal leave days. Faculty commencing employment after the beginning of the academic year will be granted pro-rated sick leave.*
- b. Sick leave may be taken for either personal illness or illness of dependents.
- c. Employees may participate in the college Sick Leave Bank Program as described in Appendix A.

3. Personal Leave

Three (3) days of personal leave are included in the sixteen (16) days sick leave granted each contract year. Personal leave cannot be accumulated but may be credited to sick leave if not utilized.

4. Bereavement Leave

A full-time faculty member may be granted three (3) days leave without loss of salary upon the death of any member of his/her immediate family. (For purposes of defining immediate family, see section on nepotism II.D.5.) Additional bereavement leave not to exceed three (3) days shall be deducted from the employee's accumulated sick leave account. Leave must be approved by the immediate supervisor.

5. Maternity Leave

Maternity leave without loss of salary may be granted upon petition by the full-time employee. Leave is granted on the

same basis and under the same provisions as sick leave. A specific leave period will be designated for all requests and extensions of time.

6. Paternity Leave

Paternity leave without loss of salary may be granted upon petition by the full-time employee. Leave is granted on the same basis and under the same provisions as sick leave, with a maximum of five days per occurrence.

7. Military Leave With Pay

Any provisional or permanent incumbent who is a member of the National Guard, Air National Guard or any organized unit of the Armed Forces of the United States shall be entitled to paid military leave for a period not to exceed ten (10) work days in each calendar year, in addition to other authorized paid leave. A full-time employee, who is a member of an unorganized reserve component may be granted, at the discretion of the President and with the approval of the Board of Regents, military leave with pay not to exceed ten (10) work days per calendar year for the purpose of attending organized courses of instruction for training periods authorized for members of such components.

8. Court and Jury Leaves

When in obedience to a subpoena or direction by proper authority, a faculty member appears as a juror or a witness for the Federal Government, the State of New Mexico, or a subdivision thereof, he shall be entitled to court and jury leave with pay for the period required. When a faculty member is subpoenaed, not in his/her official capacity but as an individual in private litigation by some party other than the Federal Government, the State of New Mexico or political subdivision thereof, to testify, the time absent from duty shall be taken as Annual Leave or Leave Without Pay, whichever applies.

Attendance in court or at an official hearing in connection with a faculty member's official duties, and the time required in going and returning, shall not be considered as absence from duty.



9. Leave Without Pay

- a. Upon application in writing, a leave of absence without pay not to exceed one year may be granted to faculty when such a leave will be of distinct benefit to NNMCC and to the individual concerned.
- b. Leaves without pay will not normally be granted to persons wishing to accept a "regular" teaching or administrative position at another institution or agency.
- c. Before the leave without pay is approved, the Department Chairperson and/or the Dean concerned must have agreed that the assignments usually carried out by the person requesting the leave will be carried out satisfactorily.
- d. While a faculty member is on leave without pay, the individual member assumes responsibility for all fringe benefits.
- e. Requests for leave of absence without pay or any combination of a leave without pay and a sabbatical leave should be submitted through the applicant's Department Chairperson to the Dean as early as possible. The Dean forwards the request with his/her recommendation to the President through the Director of Human Resources. The President will forward the recommendation to the Regents for final determination.

10. Board or Commission Leave

A full-time faculty member who has been duly appointed or elected as a member of a legally constituted State or federal Board or County, Municipal or Public Utility Commission, shall be entitled to leave with pay when requested to be absent from his employment in order to attend meetings or transact business of said Board or Commission, provided (a) such Board or Commission service does not hamper the performance of his/her duties with the College and (b) absence from duty due to such leave has been approved by the College President or his designee, (c) normally not more than two (2) days per

month will be allowed for such leave unless previously approved by the Board. Such leave is not cumulative.

College employees on Court or Jury and Board or Commission Leave cannot keep additional or double salary received from the second institutional agency or entity and the College. The employee on these paid leaves of absence has the option of retaining the wages paid by one of the entities but not both. The employee receiving additional or double payment must refund either one of the payments to the College. Travel and per diem reimbursements are not covered by this policy. This restriction on additional or double salary does not apply to employees who are on annual or personal leave.

#### 11. Sabbatical Leave

Sabbatical leave is a privilege which may be granted to encourage professional growth and increase competence among faculty members by promoting significant research, creative work, or some other educational program or training which is judged to be of significant value to NNMCC. Sabbatical leave may be granted to tenured faculty members after six years of full-time continuous employment. The recipient will be obliged to return to the College for one academic year of service.

##### a. Request for Sabbatical Leave

Written application for sabbatical leave shall be made through the appropriate chairperson to the Faculty Association Personnel Committee at least eight months prior to the effective leave date.

The faculty member shall present, as part of the application, evidence to support the program of activities which is planned for the sabbatical period. The program of activities will give reasonable promise of accomplishing the major purpose of the leave as stated above. Sabbatical leave may be granted for further education.

##### b. Processing of Application

The Faculty Personnel Committee shall promptly forward its recommendation to the Dean of

Instruction. The department Chairperson shall provide the Dean with a statement as to how the teaching obligations for the department will be met in the event the proposal is approved. The Dean shall then evaluate the proposal both on its merits and on its effect on the operation of the College and shall send all recommendations and his/her recommendation to the President seven months prior to the effective leave date.

The President, upon review of documents submitted, shall present the recommendation to the Board of Regents for final approval.

The faculty member shall be notified of the approval or disapproval no later than six months prior to the effective leave date.

c. Conditions

Sabbatical leave will be approved by the Board of Regents only with the clear understanding that the faculty member will, at the completion of the sabbatical, return to NNMC for not less than one full academic year following the expiration of such leave. Should extenuating circumstances prevent the faculty member from returning, total restitution may be required by the Board of Regents for all monetary benefits received either directly or in the faculty members behalf, during the period of such leave.

d. Compensation

A full-time faculty member who complies with all provisions of the policy and is granted sabbatical leave for two semesters consecutively will receive as monetary benefit one-half of his/her regular salary. The monetary benefit for one semester of sabbatical leave will be at the full regular salary. In both cases salary is based upon the salary schedule in effect when the sabbatical leave commences.

e. Benefits

A full-time faculty member who is granted sabbatical leave will not accrue sick leave, personal leave, or other leave available to full-time faculty while he/she is on such leave. Sabbatical leave is counted toward retirement and longevity pay increases. While a person is on sabbatical leave, NNMC will continue to pay its share towards retirement, group insurance, and social security benefits.

f. Guidelines for Awarding Sabbatical Leaves

To avoid adverse effects on the educational objectives of the individual departments and NNMC, sabbatical leave shall be governed by:

- (1) The relative merit of reasons for desiring leave.
- (2) The direct benefit to the department and to NNMC.
- (3) The reasonable distribution of potential recipients.
- (4) The number of previous leave granted the applicant.
- (5) Availability of funds to support sabbatical leave.

g. Sabbatical Contract

Any faculty member taking a sabbatical leave shall be issued a sabbatical contract stating the amount of monies to be received by him/her while on sabbatical leave. In addition, this contract shall specify the faculty member's obligations to the College in regard to sabbatical.

h. Report on Activities

Within thirty (30) days upon returning from sabbatical leave, each employee shall submit to the appropriate Dean, with a copy to the Department Chairperson, a comprehensive report on the results of the period of leave and an appraisal of the professional value of the experience gained while on leave and the manner in which the experience or

knowledge gained may be used for the benefit of the students and NNMC.

i. Status

An employee on sabbatical leave shall be returned to that assignment held at the time the sabbatical leave was granted provided that conditions have not arisen which would have made it necessary for the Board of Regents to have changed the employee's contractual status.

j. Accident or Illness

If the sabbatical program is interrupted because of serious illness or accident, the employee will be allowed to take sick leave based on accruals prior to taking sabbatical leave, and as per policies governing such leave for full-time faculty.

The employee on sabbatical leave shall notify the Dean of Instruction within fifteen (15) days if such need for sick leave arises.

**Part IV****Appendix**

A. Organizational Chart, approved by the Board of Regents, 3/09

# Academic Organizational Chart

9 March 2009

**Provost****College of Liberal Arts & Sciences (Dean)****Math & Science (Chair)**

Biology (Director)

**Fine Arts (Chair)**

Music &amp; Performing Arts (Director)

Film &amp; Digital Media Arts

**Humanities, SS, Lang. & Letters (Chair)****Division of Academic Support**

Assessment (Director)

Continuing Education (Director)

Developmental Studies (Chair)

Distance Education, Off-Site (Director)

Graduate &amp; Research Studies (Director)

Library (Director)

**President****College of Education (Dean)****BA Program****Teacher Education****Alt. Lic. Program** (Director)**Field Based Program** (Director)**TESOL/Bilingual Education** (Director)**College of Business/Engineering (Dean)****Business (Chair)**

BA/OA

BBA (Director)

**Engineering (Chair)**

CET

SERPA (Director)

**Environmental Science (Chair)****College of Nursing & Health Sciences (Dean)****Health Occupations (Chair)**

Radiography (Director)

Integrative Health Studies (Director)

Massage

**Nursing (Chair)**

RN to BSN (Director)

**Division of Career and Technical Education**

CTE-Espanola (Chair)

CTE- El Rito (Director)

# Academic Organizational Chart

9 March 2009

## Provost

### College of Liberal Arts & Sciences (Dean)

#### Math & Science (Chair)

Biology (Director)

#### Fine Arts (Chair)

Music & Performing Arts (Director)

Film & Digital Media Arts

#### Humanities, SS, Lang. & Letters (Chair)

#### Division of Academic Support

Assessment (Director)

Continuing Education (Director)

Developmental Studies (Chair)

Distance Education, Off-Site (Director)

Graduate & Research Studies (Director)

Library (Director)

## President

### College of Education (Dean)

#### BA Program

#### Teacher Education

Alt. Lic. Program (Director)

Field Based Program (Director)

TESOL/Bilingual Education (Director)

### College of Business/Engineering (Dean)

#### Business (Chair)

BA/OA

BBA (Director)

#### Engineering (Chair)

CET

SERPA (Director)

#### Environmental Science (Chair)

### College of Nursing & Health Sciences (Dean)

#### Health Occupations (Chair)

Radiography (Director)

Integrative Health Studies (Director)

Massage

#### Nursing (Chair)

RN to BSN (Director)

### Division of Career and Technical Education

CTE-Espanola (Chair)

CTE- El Rito (Director)





## B. Faculty Association Constitution

**NORTHERN NEW MEXICO COLLEGE**  
**FACULTY CONSTITUTION**

**Preamble**

The faculty shares a responsibility for the governance of the institution with the president of the college and the administration staff. This responsibility is broadly defined a consultative-advisory in nature. The faculty recognizes that the students are the center of the school and thus seeks to promote comprehensive education and the continued improvement of the college. This document is a statement of the organization, purpose, and responsibilities of the faculty.

**Article I: Name**

Section 1. The name of this organization shall be the Faculty Association.

**Article II: Purpose**

Section 1. The purpose of this organization shall be:

- A. To serve as an advisory and consultative body in the governance process in matters affecting instructional programs and the faculty, including the creation of new colleges, schools, departments and divisions.
- B. To make recommendations to the administration, the Board of Regents and the Union on matters affecting instructional programs and the faculty, including major curricular changes.
- C. To participate in the formulation of policies on instructional and professional matters, including work assignments and workload of faculty, and policies of appointment, dismissal, and promotion in academic rank.
- D. To elect a Faculty Senate to serve as a governing body for the faculty.
- E. To promote communication and mutual understanding among faculty and other groups having to do with the welfare and growth of the college.

**Article III: Amendment**

- Section 1. A proposed amendment to the constitution must be presented in writing at two consecutive meetings of the Faculty Senate.
- Section 2. A vote on the proposed amendment will be taken at the second meeting of the Faculty Senate after the second meeting.
- Section 3. An amendment to the constitution shall be adopted upon a favorable vote by two-thirds of the members present.

Draft 1.1: 7-DEC-2007

Approved by the Faculty Senate, 1 February 2008

## BY-LAWS

### By-Law I: Membership

- Section 1. The members shall consist of the faculty with appointments at the level of 0.5 FTE or greater.

### By-Law II: Governance

- Section 1. The governing body of the Association shall be the Faculty Senate.
- Section 2. The Faculty Senate shall consist of Senators elected from and by the members of the constituent units of the College, with one member elected to represent each academic unit and two to represent the adjunct faculty. The units to be represented are Business and Office Administration; Career and Technical Education; Communication, Humanities and Social Sciences; Computers and Engineering Technology; Developmental Studies; Education; Fine Arts; Health Occupations; and Math and Science. The two adjunct faculty Senators shall not represent the same academic unit; for the purposes of this distinction, the adjunct faculty shall be considered to be a member of the academic unit in which the greatest number of hours are taught. Elections shall take place during the meeting of the Association that is held at the Fall Convocation, except that election of senators representing the adjunct faculty shall take place by electronic ballot during the first week of the fall semester.
- Section 3. Terms of elected Senators shall be for three years, except for adjunct faculty Senators, who shall serve one year terms; Senators may be re-elected for one consecutive term. An exception to the term limitation shall be made for units that consist of a single faculty member. Terms shall be staggered such that one-third of the members would stand for election each year. To establish this rotation, during the first year of the existence of the Senate, three of the Senators shall serve for a one-year term, three of the Senators shall serve for a two-year term, and three of the Senators shall serve for a three-year term. The selection of Senators to serve the various terms shall be by lottery.

- Section 4. Chairs of standing committees of the Association shall serve as Senators, ex officio, with full voting rights.
- Section 5. Any ex officio or elected Senator who is unable to attend a meeting of the Senate may appoint a substitute to attend that meeting, providing the name of the substitute is communicated to the Secretary of the Senate before the beginning of that meeting.
- Section 6. Any unexpired term of a faculty Senator shall be filled by a special election to be held prior to the next meeting of the Senate following the date of vacancy whenever possible. Senators filling an unexpired term shall be eligible for election to two regular terms.
- Section 7. The following persons shall have a standing invitation to attend all meetings of the Senate, with the privilege of the floor but not of voting: the President of the College, the Provost, the academic Deans, and the Chairs of academic departments, the Registrar, and the Dean of Student Services.

The President of the Senate may invite other persons to particular meeting of the Senate if the presence of such a person is deemed important for the discussion of a particular agenda item. These persons shall have the privilege of the floor but not of voting.

### **By-Law III: Officers**

- Section 1. The officers of the Faculty Association and Senate shall be as follows:
- A. President of the Senate
  - B. Vice-president of the Senate
  - C. Secretary-Treasurer of the Senate
- Section 2. Election shall be by secret ballot at the first scheduled Senate meeting of the academic year.
- Section 3. Officers shall assume their responsibilities immediately upon their election.

- Section 4. The terms of the office shall be for two instruction years with the possibility of re-election for one additional term.
- Section 5. Vacancies among officers of the Faculty Senate will be filled at the next regular or special meeting of the Senate. In case of a vacancy in the office of president, the vice-president will become president and another vice-president will be elected.

#### **By-Law IV. Duties of Elected Officers**

- Section 1. The president of the Faculty Senate shall:
- A. Preside at all meetings of the Faculty Senate and the Faculty Association.
  - B. Prepare an agenda for each meeting, in consultation with the other officers of the Faculty Senate.
  - C. Appoint members of the Faculty to standing committees and ad hoc committees, upon approval of a majority of the Senate members at any meeting.
  - D. Be the official representative of the Faculty at the NNMC Board of Regents meetings or meetings of concern to the faculty members.
  - E. Be an advisor to the President of the College and the NNMC Board of Regents in matters pertaining to the faculty.
- Section 2. The vice-president of the Faculty Senate shall:
- A. Perform any and all duties of the president during the absence or disability of the president.
  - B. Conduct all elections.
  - C. Perform other duties as authorized by the president of the Faculty Senate.
- Section 3. The secretary-treasurer of the Faculty Association shall:
- A. Keep a record of the proceedings of all meetings. Minutes shall be distributed to the faculty by email.
  - B. Supervise the maintenance of all records.
  - C. Distribute the agenda and the minutes to all members of the faculty at least five working days prior to the scheduled meeting of the Senate.
  - D. Be responsible for all correspondence.

- E. Determine if a quorum is present at all meetings of the Faculty Senate and retain all sign-in sheets.
- F. Collect and disburse monies as approved by the membership and maintain the records thereof.
- G. Perform other duties as authorized by the president of the Faculty Senate.

#### **By-Law V: Meetings of the Faculty Association**

- Section 1. Meetings of the Faculty Association shall be held twice per year, in association with the Spring and Fall Convocations.
- Section 2. Meetings of the Faculty Association shall be for the purpose of dissemination of and discussion of issues pertaining to the faculty but no business will be transacted, with the exception of election of Senators by the constituent groups of the faculty at the meeting held at the Fall Convocation.

#### **By-Law VI: Meetings of the Faculty Senate**

- Section 1. Meetings of the Faculty Senate shall be held on the first Friday of each month, during the academic year, at a time and place designated at the first meeting of the academic year.
- Section 2. A quorum of the Senate shall consist of not less than 50% of the voting members.
- Section 3. Special meetings of the Faculty Senate shall be subject to the call of the Faculty Senate president or may be called on the written request of two-thirds of the membership.
- Section 4. All members of the Faculty Senate shall be notified by email of all regular meetings, at least five working days prior to the meeting. Special meetings may be called with twenty-four hour notice to the members.
- Section 5. All meetings of the Faculty Senate shall be open to all members of the faculty, who shall have the privilege of the floor but not rights of voting.

#### **By-Law VII. Conduct of Meetings**

- Section 1. Any member of the faculty may place an item on the agenda prior to the approval of the agenda by the quorum present.
- Section 2. The agenda shall include:

- A. Approval of the agenda.
- B. Reading and approval of the minutes.
- C. Report of the committees.
- D. Unfinished Business.
- E. New Business.
- F. Announcements.
- G. Adjournment.

Section 3. All Senate meetings will be conducted according to the rules and procedures outlined in Robert's Rules of Order, Revised.

### **By-Law VIII: Committees**

Section 1. The following shall be the standing committees of the Faculty Association:

- A. Committee on Academic Freedom, Promotion and Tenure
- B. Committee on Budget Review
- C. Committee on Undergraduate Curriculum
- D. Honors Committee
- E. Personnel Committee
- F. Scholastic Standards Committee
- G. President's Faculty Advisory Committee
- H. Committee on Educational Policy
- I. Committee on Graduate Curriculum
- J. Committee on General Education

Section 2. The standing committee structure can be modified by a majority vote of the Senate.

Section 3. Ad hoc committees may be established by the President of the Senate or by a majority vote of the Senate.

### **By-Law IX. Committee Structure**

Section 1. Faculty committees shall be the primary tool through which the faculty achieves its purpose.

- A. The Senate president shall appoint all members to all committees with the approval of a majority of the members of the Faculty Senate present at the first regular meeting of the academic year. All standing committees shall have a minimum of seven members.

- B. The chairperson of each standing committee shall be designated by the Senate president with the approval of a majority of members of the Faculty Senate.
- C. Meetings of all committees shall be conducted according to Robert's Rules of Order, Revised.
- D. The chairpersons of all committees shall submit all recommendations, conclusions, reports, actions or other decisions to the Faculty Senate for approval or rejection, with the exception of decisions on promotion and tenure. Committee actions not approved must be returned to the originating committee.
- E. Faculty approved committee actions are received by the president of the Senate and forwarded to the appropriate administrative level for necessary action.

## Section 2. Duties of Committees.

- A. Academic Freedom, Promotion and Tenure: Responsibilities include all issues related to academic freedom and tenure. Specifically, it shall evaluate the credentials of and make recommendations to the President of the College on faculty members who are eligible for tenure or promotion in academic rank.
- B. Budget Review: Responsibilities include the review of the conformity of the annual College budget with short-range and long-range priorities of the College. The chair of the committee shall sit with the appropriate committees of the administration as they formulate budget policy guidelines for the coming year and when categories of the budget are discussed and adopted.
- C. Undergraduate Curriculum: Responsibilities include all issues related to the instructional curriculum at the undergraduate level. Specifically, it shall analyze certificates, degrees, courses, programs and recommend any changes deemed necessary. In addition, it will certify that the membership shall include representatives from all vocational and academic areas. This committee shall specify both normal and emergency procedures for approval of new courses and new programs.
- D. Honors: Responsibilities shall include the nomination of candidates for honorary degrees. It is expected that the



committee will give careful study to the selection of candidates for honorary degrees and will attempt to select the most appropriate candidates, keeping in mind the present interests and functions of the College and the anticipated development of the College. Suggestions of candidates for honorary degrees may originate in the committee, may be made to the committee by any individuals, or may originate in a faculty action that is referred to the committee.

- E. Personnel: Responsibilities include all issues related to faculty positions. Specifically it shall review proposed changes in the Faculty Handbook, improve the professional development and sabbatical programs, consult on changes in the number of faculty positions, review changes in the faculty constitution and by-laws, provide input to the Administration in the development of the faculty salary matrix, and make recommendations for salary changes. Further, it should insure that all faculty constitution and faculty handbook procedures are followed fairly and correctly.
- F. Scholastic Standards: Responsibilities include all issues related to academic standards. Specifically, it shall review policies governing the transference and validation of credits, admissions, academic advising, review requirements for honors and degrees, hear cases of plagiarism, cheating or improper conduct and appeals of readmission or change of grade.
- G. The President's Faculty Advisory Committee: The purpose of this committee shall be to advise the President of the University upon matters of University policy, particularly when subjects of great urgency or delicacy require immediate consultation. It shall consist of three members chosen from the Faculty Senate, no more than one from any one academic constituency of the college. Potential members are nominated by the Faculty Senate at the first meeting of the academic year; nominees will be elected by the Senate to serve for three-year terms on this committee. Terms will be staggered such that one new member is elected each year. The Committee shall elect its chairman annually. The President of the Senate shall be an *ex officio* member.



## B. Sick Leave Bank Policy

### I. PURPOSE:

To provide a process whereby participating employees of Northern New Mexico College may request additional sick leave due to a catastrophic situation involving their own medical condition.

A minimum of 25% eligible staff and 25% eligible faculty must participate to insure the success of the sick leave bank. Less than 25% membership, of staff and of faculty, will deem the policy null and void.

### II. ELIGIBILITY:

Employees who donate sick leave may become members of the Sick Leave Bank. Only those members may request leave from the Sick Leave Bank.

Fulltime faculty: Must have a minimum of one hundred (100) hours of accumulated sick leave and have been employed for one academic year.

Staff (with benefits): Must have a minimum of one hundred (100) hours of accumulated sick leave and have been employed for one fiscal year:

### III. ADMINISTRATIVE PROCEDURE:

Northern New Mexico College will establish a standing committee to review applications for the use of sick leave from the Sick Leave Bank, and to make a determination to either approve or disapprove the request. If the request for additional sick leave is approved, the Chair of the Sick Leave Bank Committee will notify the employee of the decision in writing. If the request for additional sick leave is disapproved, the Chair of the committee will notify the employee in writing of the reason(s) for the disapproval. The decision of the Committee is final.

The procedure may be amended as the need arises.

### IV. PROCEDURE:

- A. Any employee, as defined above, may donate from his/her accumulated sick leave to the Sick Leave Bank. Faculty must donate two days, fourteen, (14) hours based on a seven-hour day. Staff must donate two days, sixteen, (16 hours) based on an eight-hour day.
- B. Fulltime faculty will be allowed to donate sick leave every year between August 20 and September 20.

- C. Staff (with benefits) will be allowed to donate sick leave every year between July 1 and July 31.
- D. The Sick Leave Bank Committee may request additional donations if the Sick Leave Bank is low or out of contributions.
- E. Donated sick leave will not be returned to the employee. If not utilized, the donated sick leave will be retained in the Sick Leave Bank.
- F. Employees who wish to donate sick leave must fill out the *Sick Leave Bank Donation Authorization Form* and submit it to the Payroll Office. Participation in the Sick Leave Bank is strictly voluntary.

V. APPLICATION FOR SICK LEAVE FROM THE SICK LEAVE BANK:

- A. Application for sick leave from the Sick Leave Bank will not be approved until the employee has exhausted all leave. For Faculty, this includes sick leave. For Staff, this includes sick leave and annual leave.
- B. Employees who apply for sick leave from the Sick Leave Bank must complete the *Request for Use of Employees Sick Leave Form*. It must accompany the *Medical Certification Form* properly completed by the healthcare provider. The maximum sick leave that an employee may request from the Sick Leave Bank at any one time is forty (40) days.
- C. For additional sick leave the employee must submit a separate request following the procedures as defined in V. - B.
- D. Appropriate documentation must be submitted by the employee to the immediate supervisor for preliminary review. Forms will then be forwarded to the Sick Leave Bank Committee for consideration.
- E. If approved, the Chair will notify the employee in writing and indicate the total amount of sick leave hours approved.
- F. The Chair will then notify the Payroll Manager so that the employee's payroll records can be adjusted with the additional sick leave.
- G. If disapproved, the Chair will notify the employee in writing specifying the reason(s) for the disapproval and the employee will then be allowed the opportunity to appeal the decision. The decision of the committee is final.

*Policy approved by Board of Regents  
on June 21, 2000*