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New Mexico Highlands University

Faculty Handbook

As Approved by

The Faculty
and

The Board of Regents
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(Dates of revisions are noted within the document)

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Section I. The University

Institution Mission Statement and History of New Mexico Highlands University

The mission of New Mexico Highlands University is: Education through teaching, research, and service

Nestled against the foothills of the Sangre de Cristo Mountains, a chain of the Southern Rockies is the historic city of Las Vegas, New Mexico, home to New Mexico Highlands University, a state supported institution offering associate, bachelor and master's degrees in a variety of disciplines.

Las Vegas, translated "the meadows", was once the Mexican port of entry on the famed Santa Fe Trail, and it was from a rooftop in the plaza of this city that General Stephen Watts Kearney proclaimed New Mexico as United States territory in 1846.

With the arrival of the Santa Fe Railroad in the 1870's, Las Vegas became the major trading center of the New Mexico Territory, civic leaders of that time decided that this booming region needed an institution of higher education, and in 1893 the Territorial Legislature authorized the creation of New Mexico Normal University.

The School opened in 1898 under the guidance of a young educator and anthropologist, Dr. Edgar Lee Hewett, who was to take a prominent place in New Mexico history as founder of both the Museum of New Mexico and the Institute of American Archaeology in Santa Fe. From a charter class of 92 students, the institution quickly progressed and, in 1903, was referred to in the New England Journal of Education as "one of the best normal schools in the country."

The growth of the institution increased with the admission of New Mexico into the Union in 1912, and in 1917 the school became a four-year teacher training college. Over the next decades accreditation was achieved, buildings were added, and graduate work was introduced in several departments. To reflect the expanding importance of the institution to the higher education mission of the state, the normal school's name was changed by the State Legislature in 1941 to New Mexico Highlands University, a name derived from its beautiful Northern New Mexico terrain.

Section II. Academic Organization

A. Administration

1. Board of Regents

The Constitution and the laws of the State of New Mexico vest the control and management of New Mexico Highlands University in the Board of Regents; giving full and complete power and control over the University to the Board. The Legislature has expressly recognized the authority of the Board to do those things that will be for the best interest of the institution in the accomplishment of its mission.

2. President

The President of the University is the chief executive officer of the institution and is recognized by the Board of Regents as the ranking officer of the University. The President administers the University in accordance with the Constitution and laws of the State of New Mexico and the policies and directives of the Regents. The University President is appointed by, and reports, directly to, the Board of Regents.

3. Vice President for Academic Affairs

The Vice President for Academic Affairs is an executive officer, chief academic officer, and representative of, as well as being responsible to the university faculty. The office provides leadership in all academic matters, administers academic policies as adopted by the Board of Regents and the Faculty, and assists the President in the preparation of budgets and in making presentations to various legislative and administrative bodies. The Vice President for Academic Affairs is recognized as the second-ranking officer of the University and serves at the pleasure of the President.

4. School and College Deans

The Dean of each academic school or college, with the advice and assistance of the Vice President for Academic Affairs, is responsible for the organization and function of the school or college. The School and College Deans, to the extent possible, facilitate consensus among assigned faculty and exercise responsibility for its academic and administrative functions; including all aspects of curricula planning and development, faculty and staff evaluation, outcomes assessment, faculty development, budgets, and facilities of the school or college. This authority is exercised in the context of shared governance with the school or college faculty. The Deans report to the Vice President for Academic Affairs and serve as full-time administrators. In some instances, Associate Deans may be appointed to assist Deans.

5. Department Chairs

The Department Chair serves the role of *primus inter pares* (first among equals). The Department Chair, with the advice and assistance of College or School Dean, is responsible for the administration of his or her respective unit's budget and curriculum and provides supervision and leadership for the faculty. The Chair is expected to provide leadership for the department by facilitating consensus among assigned faculty and assisting the College or School Dean in academic and administrative functions; including aspects of curricula planning and development, faculty and staff evaluation, outcomes assessment, faculty development, budgets, and facilities of the department. This authority is exercised in the context of shared governance with the department faculty. The Chairs report directly to the School or College Deans and are responsible directly to the faculty members of their respective departments.

B. Administrative Office Hours/Calendar

Administrative and departmental offices with full-time staffs are open from 8:00 AM until noon, and from 1:00 PM until 5:00 PM, Monday through Friday. The University switchboard is available from 8:00 AM to 5:00 PM Monday through Friday. At the beginning of each academic year, an administrative calendar is issued. It lists all official holidays, closings, and vacation periods for administrative staff. The University Catalog contains an annual calendar for academic affairs, including breaks and vacation periods. Each semester, the official class schedule lists other dates affecting the academic calendar such as student holidays, registration days, and last days to add/drop, mid-term exam days, and final examination schedules.

Section III. THE ACADEMIC UNIT

A. Preface

It is only through the dedication and commitment of the Faculty and a strong curriculum that the University can produce students with the intellectual capacity and flexibility required to become truly educated and to meet the demands of a culturally diverse, technological society.

To accomplish this, the University recognizes that its first obligation is to develop, enhance, and maintain quality academic programs of instruction. The quality of the educational experience depends not only on the quality of the academic programs offered, but also on the close human and intellectual relationships among students, Faculty, and staff.

The Schools or Colleges are the central units through which these goals can be achieved.

The following terms are used throughout this paper as defined:

- **Program -** A collection of courses leading to the completion of a degree.
- **School /College-** An academic unit consisting of a number of academic disciplines and/or academic Departments.
- **Department -** An academic unit consisting of Faculty who share resources and are committed to the programs offered within the unit.
- **Autonomy -** The degree of policy making and operational independence that renders a School, College or Department free of interference by outside authority so long as this independence is executed according to approved university policy and reasonable and clearly articulated rules governing the responsibility among institutional units.

B. Standards

1. Mission and Goals

The School, College or Department has a stated mission and corresponding goals that are consistent with the University mission and the Strategic Plan.

a. The program goals are reflected in program implementation through the objectives of the curriculum, including the objectives of the individual courses; Faculty assignments and workload participation in research and service; other program initiatives, events, or projects; and in the focus and substance of program evaluation activities.

b. The School or College mission and goals are distributed to all Faculty members, are reflected in School or College documents, and are used in systematic evaluation.

c. The program goals promote a high quality of educational preparation for entry into graduate or professional degree programs or into a professional career.

2. Curriculum

The School or College offers at least one baccalaureate degree program. The purposes, structure, curriculum, methods of instruction, and outcomes of the program(s) are consistent with the stated program and institutional goals. (See Section I. The University.) The program curriculum is developed and organized as a coherent and integrated whole. All program components, including part-time and off-campus, are expected to provide equal educational quality.

a. The program curriculum prepares students for advanced degree opportunities and for professional careers.

b. The School or College Faculty establishes and maintains close reciprocal and ongoing relationships with the profession for the continuous evaluation of curriculum.

c. The methods of instruction reflect the cognitive, affective, and behavioral components of learning appropriate to the attainment of the program goals.

d. Instructional methods are designed to stimulate students' intellectual capacities and to promote students' responsibility and active involvement in their learning.

e. Courses throughout the curriculum, including practica, have clearly articulated objectives, outlines, required readings, and methods for evaluation.

3. Outcomes and Evaluation

a. The expected School or College outcomes must be stated in School / College and Department (where applicable) planning documents and should include student achievement gains and other outcomes the School or College Faculty consider desirable, such as student and Faculty contributions to the institution, the profession, and the community.

b. The expected outcomes are stated in School / College planning documents and are consistent with the program goals and the University's mission.

c. The expected outcomes shall include educational outcomes, subsequent activities of graduates, and other outcomes reflecting student and Faculty activity.

d. The School or College shall engage in on-going, systematic self-study in the evaluation of its program(s). It shall document the extent to which each expected outcome is achieved by program graduates.

e. Evaluation documents may include, but are not limited to, information gained from current students, Faculty, graduates, and employers; these data are used in program planning and curriculum design revisions.

f. The School or College is expected to seek appropriate outside peer review, as applicable, for each of its programs.

4. Autonomy and Resources

Each School, College, and Department has sufficient autonomy subject to available resources to realize its goals. Each unit has an established structure and process to ensure its authority and responsibility for decision making with respect to goal setting, program planning, and achieving specified outcomes and accreditation.

a. Each School or College has its own budget(s) and is responsible for budget development and administration.

b. Each School or College Faculty has authority and responsibility to determine program curriculum, subject to the policies and procedures of the institution. (See section on Faculty Constitution)

c. The Faculty of each School or College has authority and responsibility to participate in recruiting, retaining, terminating tenure, promoting, and evaluating School or College Faculty, subject to the policies and procedures of the institution. (See Section on Faculty Constitution)

d. The Faculty of each School or College has the primary authority and responsibility to develop plans and procedures for acquiring resources sufficient to carry out the specified School or College goals and to implement those plans and procedures.

e. Each School or College has administrative and secretarial support staff demonstrably adequate to ensure the achievement of the program goals.

f. Each School or College program(s) has full-time Faculty adequate in number and in range of expertise, based on educational background and experience, to achieve its specified goals.

g. Faculty responsibilities include, among other duties, the design, modification, approval, implementation, and evaluation of its curriculum and educational policies; systematic and continuous evaluation of outcomes in light of the specified goals; and the maintenance of program integrity.

h. The Faculty associated with any specific School or College discipline may recommend to the respective Dean and the Vice President for Academic Affairs discipline-oriented guidelines and/or develop procedural documents that further explain policies stated herein so long as those documents do not contradict the New Mexico Faculty Handbook or the Collective Bargaining Agreement, which will always take precedence.

5. Policies and Practices

a. Institutional policies and practices, including the Faculty Handbook, will supersede any School or College policies and practices. (See chapter on Faculty Constitution)

b. Each School or College shall state and implement criteria and processes for student admissions.

c. Each School or College shall have an advisement and mentoring system for Faculty. *

d. Each School or College shall have an advisement and mentoring system for students.

e. Each School or College shall establish procedures for implementing a plan for increasing the participation and success of a diverse Faculty and staff population in higher education. School or College activities shall be conducted without discrimination on the basis of race, color, gender, age, religion, ethnicity or national origin, disability, or political or sexual orientation.

f. Each School or College shall establish procedures for implementing a plan for increasing the participation and success of a diverse Faculty and staff population in high education. School or College activities shall be conducted without discrimination on the basis of race, color, religion, national origin or ancestry, sex,

age, physical or mental disability or handicap, serious medical condition, spousal affiliation, sexual orientation, gender identity, veteran status or any other basis prohibited by applicable law.

6. The School or College Deans

The Dean of each academic School or College, with the advice and assistance of the Vice President for Academic Affairs, is responsible for the organization and function of the School or College. The School or College Dean, to the extent possible, facilitate consensus among assigned Faculty and exercise responsibility for its academic and administrative functions; including all aspects of curricula planning and development, Faculty and staff evaluation, outcomes assessment, Faculty development, budgets, and facilities of the School or College. This authority is exercised in the context of shared governance with the School or College Faculty. The Deans report to the Vice President for Academic Affairs and may serve as full-time administrators.

a. Responsibilities/Authority of Dean:

1) To promote a School or College environment of participatory governance, involving Faculty, staff, and students, where consensus is the norm and not the exception.

2) To promote and support an environment where the Dean is accepted as colleague and Faculty member in addition to serving an administrative role.

3) To promote and support an environment of integrity and responsibility, and to take corrective action, including the issuance of discipline, in cases of improper behavior on the part of Faculty, staff, or students.

4) To resolve School or College conflicts among Faculty, staff, and students, including such matters as academic grade appeals.

5) To call and direct School or College meetings, where applicable, each semester on a regular basis in order to solicit Faculty feedback on the administrative decision making process.

6) To serve as spokesperson for the School or College to the administration, the Board of Regents, and the public. Conversely, the Dean receives and disseminates to the School or College information from these entities.

7) To coordinate and facilitate academic planning and development, including both long-term and short-term goals.

8) To supervise the School or College outcomes assessment plan.

9) To coordinate and facilitate the development, revision, and implementation of School or College curricula, and the dissemination of appropriate curricular documentation, including course syllabi and catalog information.

10) To supervise and coordinate, directly or indirectly, activities of support personnel assigned to the School or College. The Dean will normally delegate supervision of staff associated with a specific facility or program to a Faculty member who works on a day-to-day basis with the staff member.

11) To supervise the allocation, maintenance and security of School or College equipment, facilities, and supplies.

12) To coordinate and facilitate financial planning and expenditures of the School or College, including a School or College process for expenditure decisions.

13) To coordinate School or College Faculty and staff evaluations for professional development and report the results to the person evaluated; and to supervise the administration of university-wide evaluations, if applicable.

14) To appoint search and screen committees for full-time Faculty and staff positions. (In appointing the search and screen committees, the Dean will take care to include those Faculty who will be working on a day-to-day basis with the person chosen for the position.) The Dean will call the initial meeting of the committee, give the official charge to the committee, initiate the selection process for a chair of the committee, and serve thereafter as an ex-officio non-voting member of the committee.

15) To maintain School files and data pertaining to staff, equipment, facilities, finances, students, curricula, and Department activities.

16) To review and recommend action (or delegate to committee) on graduate applications for admission, undergraduate and graduate programs of study and other student applications, as appropriate.

17) To assist and advise the Vice President for Academic Affairs in carrying out the duties delegated to the Vice President for Academic Affairs.

18) To carry out other duties as assigned.

b. Selection and Appointment of Dean:

1) Upon the recommendation of the School or College Faculty and with approval of the Vice President for Academic Affairs, the Dean shall be appointed up to a four-year term by the President of the University.

2) All full-time tenured Faculty shall be eligible for the position of Dean.

3) Eligible participants in the selection of a Dean are the full-time tenured School or College Faculty (These are hereinafter referred to as "eligible Faculty.") and the Vice President for Academic Affairs.

4) The eligible Faculty and the Vice President for Academic Affairs shall develop a nomination process for the identification of Dean Candidates. The process must include:

a) The identification of potential candidates.

b) Interview of candidates by the eligible Faculty and the Vice President for Academic Affairs and the President.

c) The determination of a final slate by eligible Faculty and the Vice President for Academic Affairs.

5) The process shall be administered by a member of the Executive Committee of the Faculty Senate (who is not a member of the same School or College). The Dean shall be selected from the final slate.

6) The selection process shall be completed by the end of the spring semester of the fourth year of the term. The contract of the new Dean shall normally begin on the first day of the new fiscal year.

7) At the discretion of the School or College Faculty and with the approval of the Vice President for Academic Affairs, an external search and screen process may be undertaken to select a candidate who will serve as Dean.

8) Deans may be appointed to successive terms.

c. Evaluation of the Dean

The annual evaluation shall be initiated by the Vice President for Academic Affairs and shall include participation by eligible Faculty and full-time support staff. The evaluation shall be related to the duties listed above (Responsibilities/Authority of Dean) including teaching. The eligible Faculty shall identify one or more Faculty to administer, coordinate and report the evaluation (for purposes of professional development) to the Dean and to the Vice President for Academic Affairs.

d. Removal of a Dean

1) The removal of a School or College Dean by the School or College Faculty during the term of office shall require a two-thirds vote of the eligible Faculty of the School or College. The vote shall be supervised by a member of the Executive Committee of the Faculty Senate (who is not a member of the same School or College). The vote shall take place after the following:

a) A petition of dissatisfaction with the Dean on behalf of one-half of the eligible Faculty of the School or College shall bring about a mediation process under the guidance of the Faculty Grievance and Conciliation Committee if mediation or a similar process has not been attempted previous to the petition of dissatisfaction. (This does not preclude individual Faculty members from exercising their rights to file grievance petitions for matters other than recall of a School or College Dean.)

b) If the mediation fails, the Chair of the Faculty Grievance and Conciliation Committee shall notify the Chair of the Faculty Senate that a recall vote is required in the School or College.

2) When a recall vote indicates the removal of a Dean, the Dean will be removed at the end of the fiscal year when the vote was undertaken, unless circumstances dictate immediate removal as determined by the Vice President for Academic Affairs.

3) The President may remove a Dean for cause (as defined in the Personnel Policy & Procedures Manual), after providing a due process hearing, if requested.

e. Compensation for School or College Deans

The Dean shall receive a twelve-month contract with compensation as follows:

1) Under no circumstances shall a School or College Dean accept a contract for overload course or other projects from New Mexico Highlands University.

2) The School or College Deans' salary shall be increased by projecting their nine-month Faculty salary to a twelve-month contract.

3) The School or College Dean shall accrue annual leave consistent with the benefits provided twelve-month employees and as outlined in the Personnel Policy and Procedures manual.

4) In recognition of the varying size of the Schools and the corresponding workload, differential compensation may be provided. Examples of factors that may be taken into consideration will include the number of Faculty supervised, the number of disciplines within the School or College, the number of buildings supervised, the number of student credit hours generated, and the number of majors.

5) If a School or College Dean returns to Faculty status after serving as a School or College Dean, the salary previously paid to the School or College Dean shall be reduced to reflect the return to Faculty status. The salary will be the result of administering annual pay raises to the nine-month base at the time the Faculty member assumed administrative responsibilities.

f. Absence of the Dean

1) For an extended leave of absence, resignation, or recall of the Dean, the selection process of a replacement Dean shall follow the same procedure as stated in the foregoing section. (Selection and Appointment of Dean).

2) For a temporary absence (of more than one day), the Dean shall appoint an acting Dean.

7. The Department Chair

The Department Chair serves the role of *primus inter pares* (first among equals). The Department Chair, with the advice and assistance of the College and/or School Dean, is responsible for the administration of his or her respective unit's budget and curriculum and provides supervision and leadership for the Faculty. The chair is expected to provide leadership for the Department by facilitating consensus among assigned Faculty and assisting the academic Dean in its academic and administrative functions; including aspects of curricula planning and development, Faculty and staff evaluation, outcomes assessment, Faculty development, budgets, and facilities of the Department. This authority is exercised in the context of shared governance with the Department Faculty. The Chairs report directly to the School or College Deans and are responsible directly to the Faculty members of their respective Departments. (Adapted from Regents' Policy Manual.)

a. Responsibilities/Authority of Chair

1) To promote a Department environment of participatory governance, involving Faculty, staff, and students, where consensus is the norm and not the exception.

2) To promote and support an environment where the chair is accepted as colleague and Faculty member in addition to serving an administrative role.

3) To promote and support an environment of integrity and responsibility, and to take corrective action, including the issuance of discipline, in cases of improper behavior on the part of Faculty or staff.

4) To promote effective processes for the mediation of Department conflicts among Faculty, staff, and students, including such matters as academic grade appeals.

5) To call and direct Department meetings each semester on a regular basis in order to solicit Faculty feedback on the administrative decision making process.

6) To delegate to Faculty the responsibility for specific facilities and activities in order to increase the efficiency of Department operations. Additionally, coordinators may be designated as appropriate to Department.

7) To appoint part-time Faculty and staff (subject to administrative authorization and review) after consulting with the Department Faculty who will be most closely associated with the part-time position.

8) To coordinate the creation of class schedules and the allocation of teaching assignments in consultation with the Faculty in the various disciplines within the Department.

9) To coordinate the acquisition and maintenance of adequate library resources to meet academic program needs.

10) To maintain Department files and data pertaining to staff, equipment, facilities, finances, students, curricula, and Department activities.

11) To review and recommend action (or delegate to committee) on graduate applications for admission, undergraduate and graduate programs of study and other student applications, as appropriate.

12) To facilitate an effective system of student advisement and to monitor student progress.

13) To assist and advise the School or College Dean in carrying out the duties delegated to the Dean by the Vice President for Academic Affairs.

14) To carry out other duties to be assigned

b. Department Chair Internal Selection Process
(Approved by the General Faculty, October 20, 2010 and by the Board of Regents, October 27, 2010)

1) Term: The term for chairs (tenured and tenure-track faculty members) shall be for three years. Interim appointments shall be for one year with the possibility of a one-year extension if supported by the Faculty through a Faculty vote.

2) Eligibility: Normally, only full-time tenured and tenure-track faculty shall be eligible for nomination as chairs. In exceptional circumstances, term and retained term faculty may be nominated for an interim appointment or an external search may be conducted. Only tenured and tenure-track faculty shall participate in the selection process. Faculty on sabbatical leave can choose to participate in the Chair Selection Process and are eligible to be nominated as Chair.

3) Selection Process:

a) ***3rd Week*** of the spring semester in the last year of the current chair's contract: The Office of Academic Affairs shall direct the department and the Faculty Senate Executive Committee to begin the selection process.

b) ***4th Week***: The Faculty Senate Executive Committee shall assign a member to oversee the chair nomination process in individual departments and notify the department, the Dean, and the Vice President for Academic Affairs. No member of the Executive Committee shall oversee the chair selection in his or her own department.

c) ***6th Week***: The Department Chair shall call a meeting of the eligible Department Faculty and the assigned Executive Committee member.

The Executive Committee member shall oversee the selection process. This process shall include; a.) the nomination of candidates for the position; b.) interviews of the candidates by eligible Department Faculty; c.) a secret ballot of the eligible Department Faculty; and d.) communication of the department recommendation for a single candidate to the Dean, who shall respond with approval or disapproval within five working days.

In the event of a tie, the eligible Faculty of the department shall meet to resolve the tie. If a resolution cannot be reached, the Dean shall appoint an interim Chair selected from the candidates involved in the tie submitted by the eligible Faculty of the department within ten working days.

If the nominee is not approved, the process shall be repeated, with the recommendation of a different faculty member within ten working days. The Dean shall respond with approval or disapproval within five working days. If the department and the Dean have not reached agreement within forty-five working calendar days from the initial recommendation to the Dean, the Dean in consultation with the Vice President for Academic Affairs shall have the right to make an interim appointment.

In the case of approval, the Dean shall notify the candidate, the department and the Executive Committee of the appointment.

c. Evaluation of the Chair

Two separate evaluations will be performed, one by the Faculty Senate and one by the Administration.

1) Senate Evaluation
The annual Senate evaluation shall be initiated by the Chair of the Faculty Senate through the distribution of evaluation forms to the eligible Faculty. The evaluation shall be related to the

duties listed above (Responsibilities/Authority of the Chair).

2) Administrative Evaluations
School/College Deans will perform an independent evaluation of the Chair, which will include consideration of the results of the evaluation conducted by the Senate.

d. Removal of a Chair

1) The removal of a Department chair by the Department Faculty during the term of office shall require a two-thirds vote of the eligible Faculty of the Department, excluding the Department Chair. The vote shall be supervised by a member of the Executive Committee of the Faculty Senate (who is not a member of the same Department). The vote shall take place after the following:

a) A petition of dissatisfaction with the chair on behalf of one-third of the eligible Faculty of the Department shall bring about a mediation process under the guidance of the Faculty Grievance and Conciliation Committee if mediation or a similar process has not been attempted previous to the petition of dissatisfaction. (This does not preclude individual Faculty members from exercising their rights to file grievance petitions for matters other than recall of a Department chair.)

b) If the mediation fails, the Chair of the Faculty Grievance and Conciliation Committee shall notify the Chair of the Faculty Senate that a recall vote is required in the Department.

2) When a recall vote indicates the removal of a chair, the chair will be removed at the end of the fiscal year when the vote was undertaken, unless circumstances dictate immediate removal as determined by the Vice President for Academic Affairs.

3) The Vice President for Academic Affairs or President may remove a chair for cause (as defined in the Personnel Policy & Procedures Manual), after providing a due process hearing, if requested.

e. **Compensation for Department Chairs**

3) The chair shall receive a ten-month contract.

4) In recognition of the varying size of the Departments and the corresponding workload, differential compensation may be provided. Examples of factors that may be taken into consideration will include the number of Faculty supervised, the number of disciplines within the Department, the number of buildings supervised, the number of student credit hours generated, and the number of majors.

5) If a Department Chair returns to Faculty status after serving as a Department Chair, the salary previously paid to the Department Chair shall be reduced to reflect the return to Faculty status. The salary will be the result of administering annual pay raises to the 9-month base at the time the Faculty member assumed administrative responsibilities.

f. **Absence of the Chair**

1) For an extended leave of absence, an interim Chair will be appointed. For resignation, or termination of the Chair, an interim Chair will be appointed by the Dean with the approval of the VPAA. The appointment will last until the selection process is completed. The selection process of a replacement Chair shall follow the same procedure as stated in the foregoing section. (Selection and Appointment of Chair).

2) For a temporary absence (more than one day), the chair shall appoint an acting chair.

8. The Academic Program Coordinator ***(Approved by the General Faculty, March 24, 2004 and the Board of Regents June 11, 2004)***

The Academic Program Coordinator is the person from a program/discipline who acts as a liaison between university leadership (program chair/director/dean) and faculty and students of a program/discipline. The program coordinator facilitates the day-to-day operations of the program/discipline.

a. Duties of the academic program/discipline coordinator

Duties of the academic program coordinator will be defined in writing by the chair/director of each academic unit and be in place by the beginning of each academic year. All coordinators should conduct their duties in accordance with the Faculty Handbook. Coordinators should work to ensure that all program faculty have input in the decision making process. The duties and responsibilities of program coordinators will vary greatly from program to program. General responsibilities include the following items.

1) Coordinate academic scheduling and assignment of faculty including adjuncts.

2) Oversee curriculum development, implementation and monitoring.

3) Facilitate communication and dialog with faculty on academic and other program matters.

4) Coordinate program representation and information for university recruitment efforts.

5) Monitor conformity to accreditation standards.

6) Make sure proper student advisement is occurring.

7) Coordinate outcomes assessment and reporting.

8) Act as the program's point of contact for community linkage/partnerships relationships.

9) Act as a conduit between faculty and administration for information regarding budgeting and resource allocation.

b. Selection and Appointment of Academic Program Coordinators

Program coordinators will be elected by the program/discipline that they serve from the tenured or tenure track faculty of that program and approved by the Department Chair or other administrative office overseeing the program for a period of two years, with the possibility of renewal. Fulfillment of the duties of program coordinator will be evaluated as part of their annual reviews. A coordinator may resign at any time and it will be up to the unit chair/director and program faculty to find a replacement.

c. Compensation for Academic Program Coordinators
Academic program coordinators may receive appropriate compensation or release time commensurate with their workload and responsibilities, as approved by the Vice President for Academic Affairs.

Section IV. Faculty Constitution

A. The University Faculty

1. Basic Principles of Governance.

a. The Board of Regents of the University is, by law, ultimately responsible and accountable for the operation of the University.

b. The Board of Regents and the President bear major responsibility for finding the means, both private and public, to finance the continued development of the University.

c. It is recognized that students, faculty members, administrators, regents, and citizens of New Mexico have legitimate concerns about all aspects of the University. It is also recognized that the primary concerns of students are with learning, discovering, and inquiring; as well as pursuing their courses of study; the primary concerns of members of the faculty are with teaching and scholarly research or creative work, community service and leadership; and the primary concerns of administrators are to provide leadership, service and support to the students and to the faculty, to protect the legal interests of the University and to assure the implementation of the policies and procedures prescribed by the Board of Regents of the University.

d. Full freedom for the expression of differing opinions and the acceptance of the spirit of criticism are essential to the atmosphere of a university.

e. Academic freedom--the freedom to teach, to learn, and to conduct inquiry--is indispensable to the University. Freedom in research is fundamental to the advancement of truth. Academic freedom in teaching is freedom to discuss the subject fully. It is fundamental for the protection of the rights of the teacher to teach and of the student to learn.

f. There shall be clearly defined or established channels of communication within the University. Faculty members, administrative officers and students should recognize their obligation to make use of the normal channels of communication.

g. There shall be clear delegation of authority from administrators and faculty, to the lowest practicable level, commensurate with the responsibilities of the office. There must be opportunity for input in the decision-making process at all levels, and especially the level closest to the situation or the issue.

h. There shall be opportunity within the organizational framework of the University for faculty participation and for discussion of problems and policies at all levels within the University. The term "policy" in this constitution shall refer to statements, decisions, or documents which by law or custom are acted upon specifically by the Board of Regents.

i. There shall be faculty and student participation in the process of screening and evaluating University personnel, including appropriate administrative personnel, instructional and non-instructional faculty, and academic support staff, is fundamental to a good faculty / student / administration relationship in the university.

2. Board of Regents' Policy on Faculty Governance.

Faculty Governance – The faculty shall have the non-exclusive right to review and recommend the following:

- Formulation of institutional aims.
- Development of plans for the study of education problems basic to legislation, and report of such studies.
- Creation of new colleges, schools, departments, and disciplines; major curricular changes.
- Requirements of admission, and graduation, and for honors and scholastic performance in general
- Approval of candidates for degrees.
- Regulations affecting student life and activities.
- Policies of appointment, dismissal and promotion in academic rank
- General faculty welfare.
- To inform the Public Information Office of current locations and accomplishments of alumni.

Other matters which, in the opinion of the President of the University, affect the institution as a whole. All action taken by the University faculty shall be subject to review

and approval by the appropriate Academic Dean, the Vice President for Academic Affairs, the President, and Board of Regents in matters involving, but not limited to, finance, programs, curricula, personnel, and general University policy.

The faculty at NMHU is an important and vital part of the operation and administration of the University. Consequently, the Regents have delegated certain authority and privileges to the faculty. These are identified in detail in the Faculty Handbook and the Faculty Constitution contained within the handbook.

3. **Membership** ***(Approved by the General Faculty, October 24, 2001) and the Board of Regents, December 7, 2001)***

The University Faculty shall consist of Full Professors, Associate Professors, Assistant Professors, Instructors, Visiting and Adjunct Professors, Special Status Faculty, the Head Librarian, and Professional Librarians. The President of the University, Vice Presidents, Deans, Associate Deans, Registrar, and Emeritus Professors shall be non-voting members of the Faculty. Non-tenure Track Faculty whether full or part-time, shall be considered non-voting members of the Faculty.

Librarians have full representation in the Faculty Senate and full voting rights in faculty matters. They may serve on university faculty committees except on those requiring only tenured faculty. Librarians may also participate with faculty in official university functions, e.g. commencement, general meetings) open to the General Faculty.

All members of the University Faculty shall be eligible to vote in faculty meetings unless otherwise specified. Determination of Faculty membership and voting eligibility for persons not specified above shall be made by the Faculty Senate.

Schools/Colleges/Departments may decide to allow non-voting members of the faculty to take part in decision making at the School/College or Department level.

The Vice President for Academic Affairs shall prepare, at the beginning of each academic year, the official list of voting members of the Faculty, as defined above.

4. Faculty Responsibilities

It is essential to the character and mission of a university that the faculty have the primary responsibility to develop, maintain, and enhance the intellectual quality and reputation of the institution. In accordance with this principle, the faculty shall frame policies and standards that maintain the fundamental academic integrity of the University and that promote the academic interests and needs of the faculty. Accordingly (provided that actions taken by the University Faculty shall be subject to the authority and approval of the Regents), the University Faculty shall have the right and primary responsibility to review, and/or initiate recommendations to the Administration, Faculty Association, or Faculty Senate as appropriate in regard to the following:

a. Reevaluation and formulation of institutional aims.

b. Creation of new Colleges, Schools, and Departments or divisions.

c. Major curricular changes.

d. Maintenance of climate of academic freedom.

e. Promotion of equity, objectivity, and academic due process in the selection, review, and evaluation of factors relating to the granting or termination of faculty tenure.

f. Promotion of equity, objectivity, and academic due process in the selection, review, and evaluation of factors relating to promotion in rank, sabbatical leave, and merit raises.

g. Maintenance of standards and procedures of accountability concerning professional faculty ethics and responsibilities.

h. The identification, recognition, and honoring of qualified recipients of honorary degrees, subject to the approval of the Vice President for Academic Affairs and the President.

i. Maximization of benefits from insurance and other programs that affect the welfare of the faculty.

j. Maintenance of requirements for admission and graduation, and the promotion of an optimal learning environment throughout the University by the establishment of standards concerning grading, appeals of grades, class attendance, examinations, academic honesty, student honors and awards, and for the approval of candidates for degrees.

k. Influence into regulations affecting student life and activities.

l. Actions on plans for the study of educational concerns.

Academic tradition identifies an important consulting role for faculty in the following:

a. Development of long-range institutional planning.

b. Decisions regarding existing and prospective physical resources.

c. Development of the university prospective physical resources and establishment of academic budget priorities.

d. Evaluation of academic administrators.

e. Selection of the university president.

5. General Faculty Meetings

The University Faculty shall meet at least once, preferably twice each semester (excluding summer) in a General Faculty Meeting, at a place and time determined by the presiding officer.

The Chairperson of the Faculty Senate shall be the presiding officer of the University Faculty at General Faculty Meetings. In the Chairperson's absence or at the Chairs' request, the Vice Chair of the Senate or other designated representative shall preside. Special meetings shall be called by the presiding officer as deemed necessary, or whenever a request in writing is made by the fifteen members of the Faculty, or when requested by the President or the Vice President for Academic Affairs of the University

The University Faculty shall conduct business at General Faculty Meetings according to Robert's Rules of Order, revised except as suspended by Faculty vote. The agenda for the General Faculty meetings shall be prepared by the presiding officer and distributed to the Faculty and Vice President for Academic Affairs in advance of the scheduled meetings. The Secretary shall keep the minutes of each meeting in the form of a permanent records open to examination.

(Approved by the General Faculty, October 20, 2010 and by the Board of Regents, October 27, 2010)

One-quarter of the membership of the voting faculty on active duty during the semester shall constitute a quorum. The General Faculty meetings are expected service for all voting Faculty not in classes or engaged in other University functions.

B. The Faculty Senate

1. Faculty Senate

Hereby created is the Faculty Senate to which the responsibilities set forth in Article II, Section 4 of this chapter are delegated. All actions under this delegation are subject to the review and approval of the Faculty Senate.

2. Senate Membership

(Approved by the General Faculty, October 28, 2009 and the Board of Regents, January 27, 2010)

Membership in the Senate shall be by election or by virtue of office.

Tenured and tenure-track faculty members with faculty contracts are eligible for election to the Senate. Tenured and Tenure-Track Faculty members who have less than one full year of service to New Mexico Highlands University are not eligible for election to the Senate. The term of office for elected Senate members is three years, approximately one-third of the members to be elected annually. A Senator may be reelected. A Senator rendered ineligible for election to the Senate due to an assignment to administrative duties may continue to serve only until the next election.

The Library, the Student and Staff Senates and the Faculty Association shall have one representative each.

The University President and the Vice President for Academic Affairs shall be ex-officio members of the Senate.

The voting members shall consist of the School, Department and Library representatives.

3. Election Process

Nomination and election of Senators in each School or Department shall be supervised by a member of the Executive Committee of the Senate.

The Schools, Departments, Student and Staff Senates and the Library, and the Faculty Association shall conduct nominations and elections so that:

a. The School of Social Work, the School of Business, all Departments, the Library, and the Student and Staff Senates, and the Faculty Association shall be represented in the Faculty Senate.

b. In Schools or Departments consisting of 10 or fewer voting faculty, the number of representatives shall be one. For each additional increment of up to ten voting faculty, Schools or Departments shall be assigned one additional seat on the Senate.

c. A multi-disciplinary School or Department with more than one Senate seat shall select a member of a disparate discipline to serve on any additional Senate seats.

d. The Library the Student and Staff Senate, and the Faculty Association representatives shall be selected by their representative bodies.

4. Senate Authority, Responsibilities, and Functions

The authority, responsibilities, and functions of the Faculty Senate shall be as follows:

a. Policy and Standard-Framing Authority. The Faculty Senate has the authority to initiate and review policies which affect the faculty of NMHU. The areas of Faculty Senate authority are delineated in Article I, Section 4: Faculty Responsibilities. When the Senate formally adopts a policy statement within the areas of authority delegated to it by the Faculty, it shall, after the waiting period specified under the Faculty Right to Review Senate Action, transmit this statement in writing to the President. If formal action of the Board of Regents is required, the Vice President for Academic Affairs and President shall transmit the proposed policy to the Board, along with a recommendation.

b. Recommending and Advising Functions. The Senate shall serve as a body to make studies and offer recommendations and advisory opinions on any matters germane to the welfare of the faculty and students. These shall include, but are not restricted to, the following:

1) Request for studies may be made by a member of the administration or any full-time faculty member provided that the request for the study is written and fully justified; the Senate is empowered to make the determination as to whether the study shall be conducted.

2) Any written responses by the administration to any Senate recommendations shall be transmitted to the Chair of the Senate.

3) It is the responsibility of the Faculty Senate to review, recommend and/or amend any proposals that come from the Faculty Senate or its committees and that require the approval of the Board of Regents.

c. Faculty Handbook Responsibility. The Faculty Senate has the responsibility of creating, updating, distributing, and permitting electronic access to the New Mexico Highlands University Faculty Handbook. Any significant updates to handbook content are subject to the approval of the Faculty Senate the General Faculty and the Board of Regents. The Faculty Senate will determine if any updates to the handbook are to be classified as "significant" and require a general faculty meeting voting process.

d. Other Functions of the Senate.

1) The Senate shall elect members to certain committees specified in the appropriate section of this Constitution and By-laws.

2) The Senate shall have the authority to create ad hoc committees to study, investigate, and make recommendations on matters that concern the well being of faculty.

e. Faculty Right to Review Senate Action. No policy action of the Senate shall be effective until ten class days after it has been published and made available to the voting faculty. Any policy decision of the Senate may be called into review within ten class days of publication of the action, either by the President, Vice President for Academic Affairs, or by a petition for review signed by not less than ten percent of the voting faculty. The President's or the Vice President for Academic Affairs' notice or the faculty petition shall be filed with the Secretary of the Faculty Senate. When any policy decision of the Senate has thus been called into review, such action shall be subject to possible repeal or amendment by the eligible voting faculty. The process shall be as follows:

1) An ad hoc committee shall be established by the Senate within five class days after the notice or petition to the Secretary of the Faculty Senate. This ad hoc committee shall consist of three tenured or non-tenured faculty members.

2) Within three class days (excluding Saturdays and Sundays) after formation by the Senate, the ad hoc committee shall notify the voting faculty by mail of the review, procedure and deadlines, and shall request pertinent information. Within ten class days (excluding Saturdays and Sundays) after formation by the Senate, the ad hoc committee shall present all written arguments to the voting faculty my mail. The ad hoc committee shall be bound to present any arguments which any faculty member desires presented in

writing no later than five class days (excluding Saturdays and Sundays) after the committee was formed. The committee may call for a meeting of the voting faculty.

3) The vote on the issue shall be taken no fewer than twenty class days (excluding Saturdays and Sundays) after the ad hoc committee was formed. The vote shall take place in the Senate Office or other designated location by the signed ballot of the voting faculty, the ballots being counted by the ad hoc committee. By a majority of those voting, the voting faculty may repeal any Senate action or pass motions which the Senate has defeated, provided that the majority constitutes more than thirty-five percent of the voting faculty.

4) The Senate shall be bound by faculty review of its actions. Once a review vote by the faculty has failed to endorse an action of the Senate, no action with the same intent, spirit or effect as the defeated action shall be taken by the Senate for a period of one year following the faculty vote. However, at the request of at least two-thirds of the Senate, the issue may be resubmitted to the faculty for reconsideration during the one-year period.

C. General Provisions.

1. Adoption of the Constitution

This Constitution shall be effective when approved at a meeting of the faculty by a two-thirds vote of a quorum of faculty present and voting, and when approved by the Board of Regents. One-quarter of the membership of the voting Faculty on active duty during a semester shall constitute a quorum.

2. Amendments

This Constitution shall be amended at a meeting of the Faculty by a two-thirds vote of a quorum of faculty present and voting, subject to approval by the Board of Regents. Proposed amendments shall lie on the table for thirty days before final action by the faculty. One-quarter of the membership of the voting Faculty on active duty during a semester shall constitute a quorum.

3. By-Laws

The Constitution may be supplemented by By-laws, which will normally include:

- Interpretations and implementations of this Constitution.
- Statements of the duties and responsibilities of the standing committees of the Senate.
- Other faculty regulations.

By-laws shall be adopted by a majority vote of a quorum of the Senators present and voting at a meeting of the Faculty Senate. Any modification to the By-laws shall lie on the table for two weeks before final action by the Senate, and any substantive issues shall be subject to review and ratification by the Board of Regents.

4. Academic Freedom

The language pertaining to Academic Freedom is defined and controlled by the Collective Bargaining Agreement. Academic Freedom language contained in the Collective Bargaining Agreement applies to non-tenure track Faculty.

5. Distribution

This Constitution and By-laws of the Faculty shall be kept up-to- date as amended, and shall be distributed to the Faculty through its incorporation into the Faculty Handbook.

D. By-Laws of the Faculty Senate Constitution

1. General Provisions for Senate Meetings

a. The order of business of the Senate shall be as follows:

1) Call to order.

2) Roll call by the Secretary.

3) Approval of agenda.

4) Approval of minutes.

5) Announcements from the Chair of the Senate.

6) Communication from the University President and/or designated representative (e.g. Vice President for Academic Affairs).

7) Completion of pending business.

8) New business.

9) Adjournment.

b. Minutes and proceedings of the Senate, or summaries thereof, shall be distributed to all university faculty members once the documents are formally approved. Copies of the agenda for the following Senate meeting shall be distributed to all university faculty members prior to the Senate meeting.

c. Voting or deliberation before the Senate shall be restricted to those present. A proxy may vote for a Senator if written notice of the proxy is given to the Secretary prior to the meeting date. A Senator may not have another Senator serve as a proxy.

d. An elected Senate member on official university leave for one academic year, whose remaining term of office is concurrent with her/his leave or extends less than one academic year beyond the expiration of the leave, shall be deemed to have vacated the office.

e. An elected Senate member on official university leave not extending to one academic year, whose remaining term of office is concurrent with her/his leave or extends less than one academic year beyond the expiration of the leave, shall be deemed to have vacated the office. She/he shall not be eligible for appointment to fill any senate vacancy for a period of one academic year.

f. An elected Senate member, not on official university leave, who is absent from three regular or specially called Senate meetings in one academic year, whether with a proxy or not, shall be deemed to have vacated the office. She/he shall not be eligible for appointment to any Senate vacancy for a period of one academic year.

g. All vacancies in the elected membership of the Senate shall be filled. Elections are held within the School/College or Department losing representation by the vacancy.

h. Members of a School/College or Department may initiate a recall of a Senator. Recall of a Senator may be undertaken only after attempts have been made to mediate differences. The process of recalling a Senator will be supervised by a member of the Senate's Executive Committee during a meeting of the School/College or Department faculty. For a recall to succeed, two-thirds of the School/College or Department's voting faculty must vote against the Senator. A recalled Senator will vacate the position immediately following the recall vote.

i. Elections to replace Senators whose terms have expired and elections of Senate Officers shall take place at the end of the Spring semester. Newly elected Senators and Senate Officers shall assume the duties of the office immediately following the Spring Commencement of the academic year.

j. The academic year is hereby defined as the time period covered by the fall and spring semesters.

k. Ex-officio members, unless otherwise designated by the Senate, are non-voting members.

l. At the start of every academic year committee chairs shall be reminded by the Executive Committee of the Faculty Senate that:

1) They or the committee secretaries must record the minutes of committee meetings and then forward those minutes to the Secretary of the Faculty Senate.

2) That committee chairs or committee secretaries faithfully keep a record of attendance and make this information a part of the minutes.

m. Committees and sub-committees shall elect their officers. The Senate shall designate an acting Chair to call the meeting to elect officers.

n. Committees shall have the right to suggest changes in the committee to the Senate for possible action. No such change may be incorporated unless and until it has been approved by the Senate and not overruled by the faculty.

2. Senate Meetings, Officers, and Procedure

a. Senate Meetings

1) Meetings of the Senate shall be presided over by the Chair of the Senate, or in her/his absence, by the Vice Chair. Except for the order of business, which shall be stated in the By-laws, Senate proceedings shall be governed by Robert's Rules of

Order, Revised, except as modified by Senate vote.

2) Regular meetings of the Senate shall be held bi-monthly during the academic year. The Senate shall meet on the second and fourth Wednesday of the month at 3:00 p.m. Special meetings of the Senate shall be properly noticed and may be called as follows:
   a) By a majority vote of the Senate Executive Committee.

   b) By a written request directed to the Chair of the Senate from any ten faculty members. Such written request is to state explicitly the matter proposed for Senate consideration. Upon approval by a majority of the Senate, the matter shall become the first order of business at a special meeting of the Senate. Without such approval, the matter proposed shall become an item of new business at the next regular meeting of the Senate.

3) A Senate quorum shall consist of a simple majority of the elected membership. Business on which the Senate has been given the authority to frame standards of policy shall require a two-thirds majority of those present and voting for adoption. Other business, unless indicated otherwise, shall require a simple majority of those present and voting.

4) The Chair, or the Executive Committee, of the Senate shall be empowered to call special meetings of the Senate during the summer period when no provision is made for scheduled meetings. Such meetings shall be called only to deal with unusual and/or unanticipated problems and situations. For official transactions of business, a quorum of one- third of the membership must be present.

b. Officers of the Senate

The officers of the Senate shall be elected from the Senate membership as follows:

1) Chair. She/he shall serve for a two-year term. The Chair shall be elected from among members of the Executive Committee by at least a simple majority of the Senate membership at the last regular meeting of the academic year in which the previous Chair term ends. Should no one on the Executive Committees be willing to serve as Chair, the candidates for election may come from the full faculty senate. If the Senate term of the Chair expires during the period of her/his term of office, her/his membership in the Senate shall automatically be extended for one year. In order to provide leadership in the Senate and to carry out the duties of the office, the Chair shall be released one-half time from the normal contractual duties in order to serve the Faculty Senate. (The academic unit shall be appropriately compensated by the university). She/he shall represent the faculty at meetings of the Board of Regents. In the absence of the Chair, the Vice Chair will assume the Chair's responsibilities.

2) Vice Chair and Chair-elect. She/he shall be elected by at least a simple majority of the Senate membership at the last regular meeting of the academic year. If the Senate term of the Vice Chair expires during the period of her/his term of office, her/his membership in the Senate shall automatically be extended for one year. This one year shall not be included in the allocation of Senate representatives among the School/College or Department.

3) Secretary/Treasurer. She/he shall be elected by at least a simple majority of the Senate membership at the last regular meeting of the academic year. The Secretary/Treasurer shall also be released one-quarter time from normal contractual duties in order to serve the Faculty Senate. (The academic unit shall be appropriately compensated by the university). This officer shall be eligible for re-election to not more than one additional term. In addition to her/his duties as Secretary/Treasurer of the Senate, she/he shall be required to record all minutes at the general faculty meetings. In the absence of the Secretary, the Chair shall designate an acting Secretary.

c. Provision for Vacancies Among Senate Officers

1) If the Chair should resign or be otherwise unable to serve, the Vice Chair shall become Chair.

2) If a member of the Executive Committee should become Chair under the provisions of Section 1 immediately above, she/he shall be Chair for the remaining portion of the previous Chair's term. If accession to the Office of Chair takes place before January 1st of the first year of the previous Chair's term, she/he shall serve the remainder of the previous Chair's term; if such accession occurs on or after January 1st of the second year of the previous Chair's term, she/he may be re-elected to serve as Chair for one additional full two-year term.

3) If the office of the Vice Chair or the Secretary / Treasurer becomes vacant for any reason, the Senate shall immediately elect a Vice Chair or Secretary/Treasurer. Each shall complete her/his term as if she/he had been serving for the full year.

4) In the event that both the Chair and the Vice Chair shall be unable to serve, the Secretary/Treasurer shall preside for the purpose of electing a Chair and Vice Chair.

d. Attendance at Senate Meetings

Attendance at all Senate meetings (regularly scheduled and specially called) shall be the responsibility of every Senate member. When absence is unavoidable, the Senate member may designate an alternative (proxy) with full rights of discussion and vote provided that the alternative has faculty voting status. (The Secretary shall be notified, in writing, in advance of this proxy). This privilege shall be asserted by an elected Senate member no more than two times in one academic year.

A Senator with excessive absences may lose rights for Faculty Senate membership. An appeal against such ruling may be made within fifteen days by the Senate member whose membership has been terminated due to absences.

Though all Senate meetings are "open", non-members of the Senate may take part in meetings only by a majority vote of the Senate. Non-members who are on the Senate floor for purposes of presentation and discussion of committee reports shall not be permitted to vote.

e. Senate Budget

A total of one and one quarter full-time equivalent (FTE) will be provided each year for a budget for the Senate. The budget will accommodate the one-half release time for the Chair, and the one-quarter release time for the Secretary/Treasurer, a half-time staff secretary, along with what might be anticipated for operating and travel expenditures. The faculty release time will transfer to the appropriate Department(s) on a monthly basis as compensation for the temporary lost of resource. The Secretary/Treasurer will prepare a draft budget subject to approval by the Executive Committee.

f. Removal of Chair

Members of the Faculty Senate may initiate a recall of the Faculty Senate Chair. Recall of the Chair may be undertaken only after attempts have been made to mediate differences. The process of recalling the Chair will be supervised by a member of the Senate's executive committee during a meeting of the Faculty Senate. For a recall to succeed, two-thirds of the Faculty Senate membership must vote against the Chair. A recalled Chair will vacate the position immediately following the recall vote and the Vice Chair will assume the Chair position. The Chair may, after due consideration, elect to file a grievance regarding her/his removal as Chair of the Faculty Senate with the Grievance Committee, at which time the standing procedures for hearing of the grievance will be followed.

3. Amendment to the By-laws

These By-laws may be amended at a meeting of the faculty by two-thirds vote of the faculty present and voting. One-quarter of the membership of the voting Faculty on active duty during a semester shall constitute a quorum.

Section V. Committees of NMHU

A. Committee Selection Criteria and Procedures

1. Criteria

Faculty are not expected to serve on Faculty Senate committees until the beginning of the second year of service at the university. No faculty member shall serve on more than two Faculty Senate Committees. Service on the Faculty Senate shall count as one committee assignment.

Service on some Faculty Senate committees, notably Faculty Grievance and ConciliationAffairs Committee Committee and Faculty Affairs Committee, is limited to tenured Ffaculty.

The term of service on a committee, unless otherwise specified, shall be for a period of three years.

2. Procedures.

At the beginning of February, the Executive Committee shall send a written communication to all faculty currently serving on Faculty Senate committees. The purpose of this communication is to determine which faculty are planning to resign from committees on which they are serving. Based upon written responses from faculty, the Executive Committee shall compile a list of faculty resignations from committees.

In the case of committee membership elected by School/College or Department Faculty (i.e., Academic Affairs, Faculty Affairs, and Library Committees), the School/College Dean or Department Chair will call a meeting during the first week of classes during the fall semester in order to hold an election to fill any vacancies. A confirmation of the selections will be forwarded to the Secretary of the Faculty Senate by the School/College Dean or Department Chair by the beginning of September.

At the beginning of March, the Executive Committee shall provide to all eligible faculty a listing of vacancies on Faculty Senate committees resulting from expiration of terms of service and resignations. The Executive Committee will request faculty to designate in writing which vacancies they wish to fill.

At the beginning of April, the Executive Committee shall present to the Faculty Senate a list of nominations to fill vacant committee seats. The slate of nominees is to be in accordance with requirements for membership specified for each Faculty Senate committee. Additional nomination to committees may also be made by Faculty Senators at the time the slate is presented.

Faculty Senate action is required for election of committee members not selected by schools. In cases where the number of nominations exceeds the number of vacancies on a committee, the Faculty Senate shall elect committee membership by simple, majority vote.

In the case of unfilled committee seats, e.g., where no faculty member volunteers to fill a committee vacancy or a faculty member resigns from a committee during an academic year; the Executive Committee has the authority to draft a slate of nominees for approval by the Faculty Senate.

All Faculty Senate committee meetings are open. An exception to this rule will be when the committee considers circumstances of a confidential personnel matter.

Committee members who miss three meetings per year without any suitable excuse or explanation being proffered to the committee chair shall be dropped from that committee. The committee chair shall then notify the Executive Committee of Faculty Senate of the new opening so that a new member of that committee can be chosen.

The Faculty Senate affirms the principles of parity, inclusion, and representation with respect to gender, ethnicity, and cultural identity. In consideration of nominees or appointments to committees, the Faculty Senate shall attempt to achieve member diversity.

B. Executive Committee

1. Membership

Five Faculty Senators shall compose the Executive Committee as follows: Chair of the Faculty Senate, elected to a two-year term, Vice-Chair of the Faculty Senate , Secretary, and two at-large members from the voting members of the Faculty Senate elected to a term of one year.

2. Meetings

The Faculty Senate Chair will convene the first meeting of an academic year to establish a schedule for bi-monthly meetings of the committee.

3. Minutes

Minutes are maintained by the Secretary of the Faculty Senate for all meetings.

4. Reports to

Faculty Senate

5. Duties and Responsibilities

a. Prepare and distribute the agenda for senate meetings.

b. Represent the Faculty Senate in matters requiring attention under circumstances where a meeting of the full faculty senate is not feasible.

c. Prepare the slate of nominees for senate offices and standing committees of the senate and appoint members to ad-hoc committees established by the senate.

d. Formulate powers, functions, and duties for new or existing committees when deemed appropriate or when assigned such responsibility by the Senate. Such formulations shall be reviewed and approved/disapproved by the Senate.

e. Provide guidance and establish mechanisms for reviews and recommendations regarding the functioning of senate committees. In the event a chair of a Senate committee cannot perform his/her duties, the Executive Committee will intervene.

f. In concert with the Vice President for Academic Affairs, be responsible for revision of faculty handbook and maintenance of this book as accurate and current with faculty governance and administrative policy and procedures. Faculty are to receive timely updating and revisions of the faculty handbook.

C. Academic Affairs Committee

1. Membership ***(Approved by the General Faculty, October 28, 2009 and by the Board of Regents, January 27, 2010)***

The Chair and Secretary of the Committee shall be faculty members of the committee elected by the committee membership. The Vice President for Academic Affairs and the Director of Admissions are non-voting, ex-officio members of the committee. At the beginning of each academic year, the Faculty Senate will elect one member to serve as an at-large member of the committee for a period of one year. The remaining committee membership consists of one elected faculty member from School of Social Work, one from School of Business and one from each Departmental Unit consisting of 10 or fewer voting faculty with each additional increment of up to ten voting faculty meriting one additional seat. Membership shall also include one librarian selected by the voting members of the Library, and one non-voting student member each from the Student Senates to be selected by their representative bodies. Election of a member to the committee is to be held within the School or Department among the voting members of that faculty and the name of the elected member reported by the appropriate School Dean or Department Chair to the Secretary of the Faculty Senate. Members are elected to one term of two years and may serve two consecutive terms; subsequent membership can occur only after a minimum of one academic year has elapsed. All faculty members shall function as members of the university rather than of the school or department faculties from which they were elected.

2. Meetings

Meetings are held the first and third Wednesday of each month at 3:00 p.m. during the fall and spring semesters. Special meetings are called as the need arises.

3. Minutes

Minutes are maintained for all meetings by the Faculty Secretary of the committee and are forwarded to the Secretary of the Faculty Senate.

4. Reports to

Faculty Senate. A brief synopsis of actions taken by the committee shall be read or submitted in written form at the following Faculty Senate meeting.

5. Duties and Responsibilities

a. Review and recommend approval or disapproval in formulation of new or revised majors, minors, core curriculum, and other offerings of courses reflected in the university catalogue.

b. Review and recommend approval, disapproval, modification or elimination in the formulation of new, revised or existing policies, procedures, and structure for delivery of academic services, including all schools and academic units reporting to the office of the Vice President for Academic Affairs.

c. Review requests for new or revised academic units or schools and recommend approval or disapproval.

d. Review strategic plans for statements of academic objectives and priorities of the university for purposes of planning and development and refer the findings to the

Financial Planning Committee in appropriate circumstances.

e. Formulate and develop mechanisms for periodic reviews, of on and off-campus accreditation reports required of all academic programs within the University.

f. Conduct periodic reviews of program productivity with respect to cost, the number of majors and degrees awarded. The committee may recommend continuation, enhancement or discontinuation of "flagged" programs.

g. Subcommittees, undergraduate and graduate, will be established from among the members of the Committee, excluding the student member. The subcommittees will review and take action regarding academic appeals; including petitions, grade appeals, matters relating to academic dishonesty and admissions at the appropriate level.

6. **Subcommittee on Distance Education**
(*Note: Subcommittee on Distance Education duties and responsibilities moved to the instructional Technology committee.)

D. Library Committee

1. *Membership (Approved by the General Faculty, October 28, 2009 and by the Board of Regents, January 27, 2010)*

Library Committee membership consists of one elected faculty member from each School or College and five members from the College with no two from the same discipline and with at least one from the disciplines of Arts and Humanities and one from the disciplines of Sciences and Mathematics. Professional Librarians shall have one voting member on the committee. All other professional librarians shall serve as non-voting members of the committee. . Election of a member to the committee is to be held within the School or College among the voting members of that faculty and the name of the elected member reported by the School or College or by the Professional Librarians as appropriate, and the name of the elected member shall be reported by the School or College Dean or by the Professional Librarians to the Secretary of the Faculty Senate.Dean to the Secretary of the Faculty Senate. Professional librarians shall serve as non-voting members of the committee. The Director of Library Services shall also serve as an “ex-officio” non-voting member of the committee. The terms of no more than four faculty members shall expire during any given year. A chair shall be elected from the School or College members by a simple, majority vote of committee members.

2. Meetings

The chair of the previous year will convene the first meeting of an academic year for the election of a chair and establishment of meeting times.

3. Minutes

Minutes are maintained for all meetings and are forwarded to the Secretary of the Faculty Senate.

4. Reports to

Faculty Senate. A brief synopsis of actions taken by the committee shall be read or submitted in written form at the following Faculty Senate meeting.

5. Duties and Responsibilities

"With respect to library governance, it is to be presumed that the governing board, the administrative officers, the library faculty, and representatives of the general faculty will share in the determination of library policies that affect the general interests of the institution and its educational program." (AAUP, "Joint Statement on Faculty Status of College and University Librarians," 1973).

It is recognized that the principles of Academic Freedom extend to the selection process of library holdings at an institution of higher learning. In a democratic society, the freedom to inquire, research and evaluate in a university library is a fundamental right. In this spirit, the Faculty Senate Library Committee will:

a. Monitor and identify concerns of the university community as related to library services, resources, and facilities.

b. Review and formulate recommendations, in consultation with the Director of the Library, to meet the library needs of faculty, students, and staff.

c. Advise and report on:

1) the status of the library (policies, resources, services, and facilities); and

2) the university commitment necessary to assure that the library adequately serves the teaching, research, and public service missions of the institution.

E. Athletic Committee

1. Membership

Five faculty members shall be elected by the Faculty Senate to three-year terms. A member may be re-elected to a second term. No School or Department may have more than two members. One gender may have no more than three members. Consideration shall be given to ethnic diversity.

No faculty member currently coaching or otherwise employed by the Athletic Department may serve on this committee. No member of the committee shall have a close family member who is currently a student/athlete in the program. The terms of no more than two faculty members shall expire during any given year.

The Athletic Director is an ex-officio member of the Faculty Athletic Committee. A Faculty Athletic Representative who is appointed by the NMHU President shall also be a committee member. If this person is also an elected faculty member to the committee, he/she will be a voting member. A FAR who has not been elected to the committee by the Faculty Senate shall be ex-officio. The FAR will represent NMHU at conference meetings and conduct other activities as requested. The FAR's signature on eligibility forms is required by conference regulations.

A chair of the Faculty Athletic Committee shall be elected by a simple majority vote of committee members. The FAR may serve as chair if elected by a majority of the faculty on the committee.

2. Meetings

The chair of the previous year shall convene the first meeting of the academic year for the purpose of electing a chair and establishment of meeting times. If the previous chair is not available to call the meeting, the Faculty Senate Chair shall appoint a member of the committee to call the meeting and chair the committee until replaced through election. The committee is required to meet a minimum of once per semester but may meet more often as needed.

3. Minutes

Minutes are to be maintained for all meetings and forwarded to the Secretary of the Faculty Senate.

4. Reports to

Faculty Senate.

5. Duties and Responsibilities

a. Review and monitor all athletic programs of the university to ensure that such programs are of benefit primarily to the student/athletes and that policies reflect local needs and interests of the university community.

b. Review and monitor programs for compliance (in letter and in spirit) with applicable athletic associations and conference rules and regulations.

c. Review and monitor athletic programs to ensure conformity to the regulations of Title IX.

d. Recommend additions or deletions to the athletic program.

e. Review and approve/disapprove schedules prior to each athletic season, or before teams' schedules are finalized. Demonstrate concern for the student/athlete in regard to such factors as length of season, number of contests, frequency and length of trips, departure times, number of class days missed, and level of competition. Games should not be scheduled during final exam week or the two days prior to finals.

f. Review and/or make recommendations on eligibility lists each semester and prior to each athletic season as required by conference regulations. Before the FAR's signature goes on the Eligibility Form, the Faculty Athletic Committee has reviewed and voted on each participant.

g. Establish standards for granting athletic awards and approve/disapprove list of awardees.

h. Act as a hearing board for appeals from student/athletes in regard to matters of participation or termination in an athletic program and other issues as appropriate. Due process guidelines shall be followed, and a requested hearing should be scheduled in a timely manner. A hearing board shall be composed of at least three (or more) members of the Faculty Athletic Committee. Mediation may be attempted before an actual meeting if both parties agree.

F. Student Affairs Committee

1. Membership

Twelve faculty members are elected by the Faculty Senate; no School or Department shall have more than two members and one of the twelve shall be a Faculty Senator. The terms of no more than four faculty members shall expire during any given year. A chair shall be elected by a simple, majority vote of committee members. The Vice-President and Dean of Students, Director of Financial Assistance, Director of Admissions, and Director of Registration will be ex-officio members.

2. Meetings

The chair of the previous year will convene the first meeting of an academic year for election of a chair and establishment of meeting times. Meetings shall be held on a quarterly (two per Semester) basis during the fall and spring semesters. Special meetings may be held as the need arises.

3. Minutes

Minutes are maintained for all meetings and forwarded to the Secretary of the Faculty Senate.

4. Reports to

Faculty Senate. A brief synopsis of actions taken by the committee shall be read or submitted in written form at the following Faculty Senate meeting.

5. Duties and Responsibilities

a. Review and make recommendations, in consultation with appropriate administrative offices, relating to policies and procedures for student advisement, scholarships, financial aid, disciplinary procedures and process, and other areas of student needs and welfare.

b. Review and make recommendations in response to student appeals. The committee shall serve as a hearing board for non-academic student appeals of the following three types: counseling, discipline, financial aid and scholarships. Hearing procedures are specified below. Academic petitions will not be considered by the committee.

6. Hearing Procedures

For purposes of hearing student appeals, the chair (at the first committee meeting) shall appoint each faculty member to one of three teams. Each team consists of four faculty members, and a team chair is identified for each team. It shall be the responsibility of the team chair to insure that all team members are present at a scheduled hearing of an appeal and to direct the proceedings of that hearing. Each team hears student appeals on a rotation basis, thereby eliminating the possibility of bias of faculty members toward any given student, or any one faculty member hearing all cases brought to the committee.

The chair shall (at the beginning of each semester) request in writing from the President of the Student Senate a list of ten students to serve as peers on the teams. Two of these Student Senate designates will be appointed to each of the three teams to hear student appeals on a rotation basis.

7. Student Appeals Hearing

Upon receipt of a written student appeal or a request from the Dean of Students, the chair shall designate a hearing team and notify the respective team chair of the forthcoming appeal hearing. The committee chair shall implement the procedure outlined in the Student Code of Conduct. Following the hearing, a written recommendation shall be forwarded to the appropriate parties and/or administrative offices.

G. Research Committee

1. Membership ***(Approved by the General Faculty, October 28, 2009 and by the Board of Regents, January 27, 2010)***

The faculty membership consists of one elected faculty member from each College Department, up to two members each for the Schools of Education, Social Work, and Business, and one professional librarian. Those selected to serve will be reported by the appropriate School or College Dean to the Secretary of the Faculty Senate. The term of no more than four members shall expire during any given year. Members may serve up to two consecutive terms; subsequent membership can occur only after a minimum of one academic year has elapsed. A Chair shall be elected by a simple majority vote of committee faculty members. The committee Chair must have served on the committee for one year prior to being elected chair. The Chair is encouraged, but not required, to serve a minimum of two years as chair to maintain continuity. After serving as Chair, a minimum of one term plus one year must pass before the faculty member may serve as chair again. The Vice President of Academic Affairs or his/her designee and the Director of Research and Sponsored Projects (Office of) are ex-officio non-voting members.

2. Meetings

The Chair of the previous year will convene the first meeting of an academic year for election of a chair and establishment of meeting times.

3. Minutes

Minutes are maintained for all meetings and forwarded to the Secretary of the Faculty Senate.

4. Reports to

Faculty Senate.

5. Duties and Responsibilities

a. Review and formulate recommendations for policies and procedures regarding research activities conducted under the auspices of the university.

b. Formulate policies and procedures pertaining to allocation of university funds for support of scholarly, creative or research activities.

c. Review and approve/disapprove requests for funding of scholarly, creative or research projects through university monies.

d. Two subcommittees shall carry out specific functions pertaining to the use of human participants and animal subjects in research. Faculty members of the committee are to serve on no more than one subcommittee. The subcommittees are as follows:

All research involving human participants is overseen by the Institutional Review Board. All research involving animal subjects is overseen by the Institutional Animal Care and Use Committee. For information concerning these committees or research requirements and guidelines please consult the NMHU Research Handbook.
http://its.nmhu.edu/IntranetUploads/000723-ResearchHan-3182008103031.02-14.pdf
(Approved by the General Faculty, April 30, 2008 and by Board of Regents, May 9, 2008.)

H. Faculty Grievance and Conciliation Committee

1. Membership
Nine faculty members are elected by the Faculty Senate; no school or Department shall have more than two members. Every effort shall be made to achieve equity as to gender and ethnicity; equity on the committee defined as proportionate representation reflective of the composition of the university faculty. The terms of no more than three faculty members shall expire during any given year. A chair shall be elected by a simple, majority vote of committee members. All members of the Faculty committee will receive formal training in mediation and grievance at the beginning of each academic year provided by or funded by the University.

2. Meetings

The chair of the previous year will convene the first meeting of an academic year for election of a chair and establishment of meeting times.

3. Minutes

Minutes are maintained for all meetings and forwarded to the Secretary of the Faculty Senate.

4. Reports to

Faculty Senate.

5. Duties and Responsibilities

a. Formulate and review policies and procedures for management and disposition of any dispute between faculty members and/or between faculty and administration. Such policies and procedures will recognize and incorporate processes for conciliation prior to a formal grievance hearing.

b. Review and monitor policies and procedures to ensure compliance with all aspects of procedural due process in the execution of its duties.

c. Ensure compliance with the grievance procedures as specified below.

6. Grievance Procedures

a. The following definitions and limitations shall apply to this committee:
   1) A "grievant: means a member of the University Faculty who is personally and directly affected by an alleged grievable action, as defined below, and files a grievance, as also defined below.

   2) A "grievable action" means the procedural aspects of a final administrative decision which affects a grievant's employment status or procedural aspects of actions of one faculty member against another, except for termination of tenured faculty for cause which has a separate procedure.

3) A "Final administrative decision" means an identifiable action taken with respect to a grievant at some level of University administration which has become final after the grievant has exhausted any direct appeals or other established review procedures for the action in question.

4) A "grievance" is a formal written allegation by a grievant that a grievable action regarding her/him resulted from consideration of impermissible factors as set forth below or from a violation, a misinterpretation or an inequitable application of an established departmental, school or University policy, rule or procedure.

b. Examples of grounds for grievances to be considered by this committee include the following:

1) Inequitable treatment regarding salary, departmental responsibilities, or other professional assignments,

2) Inequitable, unethical, and/or unprofessional treatment between faculty members,

3) Failure to observe due process in decisions at the school or higher administrative level (including failure to meet provisions for evaluation of probationary faculty or other failure to meet formal professional commitments),

2) Denial of academic freedom,

3) Inadequate or inequitable consideration of professional competence, and

4) Unlawful discrimination on the basis of disability, race, color, religion, national origin, age, sex or sexual orientation.

c. A grievance shall be filed with the Chair of the committee and shall contain the following:

1) A specific written statement of the nature of the grievance and grounds for the grievance, including all available supporting evidence deemed relevant by the grievant; and specification of the desired resolution of the dispute. (The Chair may require that the charges be revised to sharpen specificity.)

2) Identification of respondent. (The Chair reserves the right to determine the appropriate respondent on the basis of the charges and the evidence.)

a) If the grievance results from a reversal or alteration of a departmental decision or recommendation by the school, the respondent shall be the school/college dean or department chair.

b) If the grievance results from a reversal or alteration of a school decision or recommendation, the respondent shall be the Vice President for Academic Affairs, and/or the President.

c) If the grievance results from the actions of another faculty member, the respondent will be the supervisor of the faculty member against whom a grievance has been made.

d) If the grievance concerns a matter which does not conform to the aforementioned descriptions, the faculty member may petition the committee for consideration.

3) Evidence that all established review and appeal procedures within the school or University administration, if any, have been exhausted or that, through no fault of the grievant, they have not been concluded within a reasonable time.

d. Procedures for filing a petition and for attempted conciliation of the grievance are as follows:

1) The grievant shall send the petition, in writing, to the Chair of the Committee within thirty (30) days after being informed in writing of the decision of the appropriate administrator, or action by another faculty member.

2) The Chair of the Committee, within one week of receiving the petition, shall:

a) appoint a committee member to work with the parties to identify a mediator that is agreeable to both parties in order to attempt conciliation or negotiation to resolve the grievance.

b) inform the grievant and respondent of the appointment of the mediator and forward a copy of the petition to the respondent;

c) request grievant's School/College Dean Or Department Chair to send to the mediator copies of materials outlining procedural actions with respect to the grievance and a report of how such criteria and procedures were applied to the case in question. If reviews and/or appeals of the decision were previously conducted by the School, the Chair of Faculty Grievance and Conciliation Committee will make a similar request of the Vice President for Academic Affairs.

3) Within thirty (30) days of its appointment, the mediator will report to the Chair of the Faculty Grievance and Conciliation Committee that conciliation has been achieved or that the grievant requested a formal hearing as a result of unsuccessful mediation efforts.

Note: The time element stated in 1, 2, and 3 above may be extended, with permission from the grievant, in order to meet particular needs/demands of the individual cases. The central intention is that appeal petitions shall be processed as promptly, efficiently, and systematically as circumstances permit. The Committee is not in session from May 1st to September 10th. The 30 day filing limit will not apply during that time period.

e. Procedures for a formal hearing shall be as follows:

1) Within one week after being informed by the mediator that a formal hearing has been requested, the Chair of Faculty Grievance Committee will:

a) Appoint a hearing board of five persons, one of whom shall serve as Chair. Those eligible for appointment shall include the committee members of the Faculty Grievance Committee (excluding any mediator who served for conciliation) and those persons who served on the Committee within the past five years. In the event the committee membership is not sufficient because of challenges or disqualification, or the number of grievances filed, members who had served on the committee during the preceding five years shall serve on a panel from which one or more selections may be drawn to complete the formation of a hearing board. Refusal to serve is expected where any personal or professional conflict of interest may occur. Upon agreeing to serve an appointee shall remain a member of the hearing board for the duration of the grievance.

b) Inform grievant, respondent, the Vice President for Academic Affairs and/or the President, as appropriate, and the Chair of the Faculty Senate of the composition of the hearing board.

2) Within one week after being informed by the Chair of the Faculty Grievance Committee of the composition of the hearing board, grievant or respondent may challenge any member of the hearing board for good cause. The Chair of the Faculty Grievance Committee will decide each challenge on its merits and may replace any member of the hearing board. The grievant and respondent shall be so informed.

3) Hearings shall be held at a date within four to six weeks after the appointment of the hearing board. This time frame may be extended or shortened depending on the circumstances of each grievance. The date will be set by the Chair of Faculty Grievance Committee, after consultation with grievant, respondent, and members of the board. She/he will notify the grievant, respondent, hearing board members, Vice President for Academic Affairs, and Chair of the Faculty Senate of the date of the hearing.

4 Should the grievant be offered and sign an annual contract during the time

that the petition is under consideration, such signature shall not be considered as evidence that the grievant is satisfied and that the grievance has been redressed.

f. General procedures for a formal hearing shall include:

1) the hearing board expects that all written evidence pertinent to the case will be presented by the grievant and respondent no later than five working days prior to the scheduling of the formal hearing. It reserves the right to limit the time of the hearing;

2) the Chair of the Hearing Committee shall make certain that both grievant and respondent have received all the written evidence submitted to the hearing board before a case comes to a hearing;

3) both grievant and respondent may request the aid of the Faculty Grievance Committee in securing documents or the attendance of persons who possess information relative to the case;

4) the grievant and respondent each may have and be represented by an advisor of her/his own choosing. Any faculty member may serve as an advisor;

5) the grievant and respondent each may have legal counsel of her/his own choosing to attend the hearings and advise her/him; but such counsel shall not conduct the case or otherwise participate in the proceedings;

6) the hearing board may establish such procedures as it deems necessary in order to ensure fairness. The fundamental objective of all procedures followed by the hearing board is that of due process and fairness, and it is not the intention of the hearing board that its procedures follow those used in a courtroom;

7) the hearing shall be in closed session. . However, there may be an open hearing if the grievant, respondent and hearing board all agree Any party may request such open hearing in writing at least one week prior to the scheduled time of the hearing. The hearing board reserves the right to require a hearing be held in closed session if such is deemed necessary for the orderly conduct of the hearing;

8) the grievant and respondent shall have the right to testify in their own behalf and to present witnesses relevant to their cases. The names of witnesses must be given in writing to the Chair of Faculty Grievance Committee five working days in advance of the hearing. The hearing board may choose to accept, and read aloud at the hearing, written statements from witnesses who cannot be present at the hearing;

9) the witnesses shall be present only to testify. However, the advisors to the grievant and respondent, even though they also may be witnesses, shall be permitted to be present throughout the hearings;

10) the grievant, respondent, their advisors and members of the hearing board shall have the right to question all persons who make statements before the hearing board;

11) after all evidence has been presented; the hearing board shall recess for closed deliberations. All decisions of the hearing board shall be by majority vote, the Chair voting only in case of a tie. The board shall make explicit findings and write an opinion or opinions with respect to each grievance charged in the grievant's petition on the grounds cited therein.

g. Findings and disposition of the results of the hearing shall be handled as follows:

1) The findings, opinions, and recommendation, if any, of the hearing board shall be transmitted in writing to the Vice President for Academic Affairs or President, with copies to the grievant and respondent, within one week after the close of the formal hearings.

2) A finding of deficiencies in procedure or of violation of Faculty Constitution provisions may be separately reported to the Senate. Such a report shall not include identification of the grievant nor fix blame upon respondent(s). The Senate, however, may determine whether there is cause to initiate faculty or committee action to improve the procedures and processes employed by the department, school or administrator involved.

3) When the Vice President for Academic Affairs is the recipient of the findings, he or she will make a recommendation and will inform the President in writing with copies to grievant, respondent, and the Chair of the hearing board within one week of receiving the findings, opinions, and recommendations of the hearing board.

4) If the Vice President for Academic Affairs is a party to the case, the President shall receive the documents and perform the functions described above in place of the Vice President.

5) If the President is a party to the case, the Chair of the Board of Regents or his/her designee shall receive the documents and perform the functions described in item 4 above in place of the Vice President for Academic Affairs.

I. Faculty Affairs Committee

1. Membership (*Approved by the General FacultFaculty, October 20, 2010 and by the Board of Regents, October 27, 2010)*

Membership consists of ten tenured faculty members: two from the School of Social Work, two from the School of Business, two from the School of Education, and four from the College (two members from Mathematics and Sciences and two members from Humanities and Fine Arts). Election of a member to the committee is to be held within the School or College and the name of the elected member reported by the School or College Dean to the Secretary of the Faculty Senate. All faculty members shall function as members of the university rather than of the school or department faculties from which they were elected.

2. Meetings

The chair of the previous year will convene the first meeting of an academic year for election of a chair and establishment of meeting times.

3. Minutes

Minutes are maintained for all meetings and are forwarded to the Secretary of the Faculty Senate.

4. Reports to

Faculty Senate and the Vice President for Academic Affairs.

5. Duties and Responsibilities

"The responsible evaluation of teaching does not serve advancement procedures alone. It should be wisely employed for the development of the teacher and the enhancement of instruction. Both of these aims can be served by the presence of a faculty committee charged with the overall responsibility of remaining conversant with the research in evaluating teaching and of providing sound policies and procedures in reviewing faculty performance." (AAUP, "Statement on Teaching Evaluation," 1990.)

In matters of faculty hiring and retention, it is recognized that many of the policies and procedures regarding one area of employment may relate directly to another. For this reason, the Faculty Affairs committee will meet to address a variety of faculty employment issues including, but not limited to, teaching evaluation, tenure, promotion and search and screen procedures. In addition, the committee will do the following:

a. Monitor, formulate, review, and recommend policies and procedures for evaluation of faculty.

b. Formulate, review, and recommend policies and procedures for evaluation of academic administrators.

c. Formulate, review, and recommend policies and procedures for the awarding of tenure and/or promotion.

d. Formulate and review policies and procedures on faculty appointments and search and screen. The Equal Opportunity officer of the university will meet with the committee as needed to establish and modify procedures related to faculty hiring.

J. Financial Planning Committee

1. Membership

Six faculty members are elected by the Faculty Senate. No school or department may have more than one member serving on the committee. Additionally, no more than two members' terms are to expire in any one academic year. Both the Vice President of Finance (or University Comptroller**)** and the Vice President for Academic Affairs (or a designee) serve as ex-officio members.

2. Meetings

The Financial Planning Committee is to meet a minimum of three times each semester. The previous chair of the committee is responsible for scheduling and conducting the first meeting of each new academic year. At that meeting, members are to elect a chair and to staff the sub-committees.

3. Minutes

Minutes are maintained for all meetings and forwarded to the Secretary of the Faculty Senate.

4. Reports to

Faculty Senate

5. Duties and Responsibilities

According to the American Association of University Professors, "the faculty is expected to establish faculty salary policies and, in its primary responsibility for the educational function of the institution, to participate also in broader budgetary matters primarily as these impinge on that function."

The Committee shall review and make recommendations relating to:

a. the overall allocation of institutional resources and the proportion to be devoted to the academic program.

b. the resolution of impasses which result when demands are made on limited university resources.

c. representation of faculty budgetary interests and concerns, and interpretation of those, to the Vice President for Academic Affairs, the President, and/or the Board of Regents.

d. budgetary decisions relative to curriculum, subject matter and methods of instruction, research, and facility status.

e. policy and procedures governing salary increases.

f. selection and periodic review of fringe benefits.

g. issues related to reduction in force.

There shall be two sub-committees to review and recommend solutions for special problems: The Sub-committee on Faculty Salaries and Benefits and the Sub-committee on University Planning. This committee shall be given access to all information that it requires to perform its task effectively in collaboration with the Vice President of Finance (or University Comptroller) and the Vice President for Academic Affairs.

In addition, two members of the Financial Planning Committee will be selected to attend meetings of the Board of Regents Budget subcommittee.

K. Outcomes Assessment Committee

1. Membership

Membership consists of one elected faculty member from each school, and three from the College with at least one from the disciplines of Arts and Humanities and one from the disciplines of Sciences and Mathematicsan additional member elected from the School of Arts and Sciences who shall specifically have as his/her responsibility on the committee all concerns related to the Core Curriculum, and a student member. Election of a Ffaculty member to the committeefrom each school is to be held within the Sschool or College among the voting members of the school and the name of the elected faculty member shall be reported by the Sschool or College Ddean, to the secretary of the Faculty Senate. Each faculty member member shall serve for two years. The Student Senate shall elect annually its student representative; the secretary of the Student Senate shall report that name to the secretary of the Faculty Senate. The Associate Vice President for Academic Affairs Director of the Office of Institutional Effectiveness and Research (OIER) shall serve as an ex-officio member of the committee. The committee shall elect its own chair and secretary from among its members at its first meeting in a new academic year.

2. **Meetings**

The committee shall meet at least once monthly. The chair of the previous year will convene the first meeting of an academic year for election of a chair and establishment of meeting times.

3. **Minutes**

Minutes are maintained for all meetings and forwarded to the secretary of the Faculty Senate.

4. **Reports to**

Faculty Senate

5. Duties and Responsibilities

a. Initiates and monitors implementation of assessment processes in academic programs throughout the university.

b. Initiates policy recommendations and reviews proposed policy changes that arise as a result of assessment.

c. Reviews outcomes information (include outcomes assessment from academic units, relevant reports from OIER, and other outcomes assessment data) in light of the institutional mission and goals and encourages the use of assessment results in program planning and review.\

c.d. Delivers to the Faculty Senate an annual report on academic assessment for any given academic year by the beginning of the next academic year. This report should be a review of the process and procedures from outcomes assessment and how well they are serving the needs of the university.

6. Institutional Portfolio Review Committee

a. Membership. Membership consists of the Outcomes Assessment Committee plus nine additional faculty to serve two-year terms. The additional faculty will consist of one member from each department and each school. The College of Arts and Science Dean and the Professional Schools Dean, or their selected representative, will serve as ex officio members to the subcommittee.

b. Meetings. The committee shall meet three times a year: (1) the first Friday following Spring break, the (2) Friday of final week of Spring semester, and (3) early in the Fall semester of the following year.

c. Minutes. Minutes will be kept by each individual Institutional Portfolio team of two members and submitted to the Outcomes Assessment Committee in a written document.

d. Reports to Outcomes Assessment Committee

e. Duties and Responsibilities

1) Participate in a training session in Spring semester sponsored by the Outcomes Assessment Committee for learning about the institutional portfolio and procedures to evaluate the assessments.

2) Implement the appropriate procedures to conduct the evaluations of the institutional portfolios in paired teams in the given Spring semester.

3) Report to the Outcomes Assessment Committee at an early Outcomes Assessment Committee meeting in the beginning of Fall semester following the Spring meetings.

4) Submit written feedback about the portfolio process with recommendations for improvement.

L. International Education Committee

1. Membership

The membership of ten shall consist of one faculty member from each School and College plus two at-large faculty members (6), one member representing students of U.S. citizenship (1), one member representing International Students (1), one member representing the Office of Student Services (1); and, one member representing the Las Vegas community (1). The Director of the International Education Center shall serve as a non-voting, ex-officio member. A chair shall be elected from among the faculty members of the committee by a simple, majority vote of the committee members each academic year. The Committee may establish sub-committees from among its membership and other interested persons as appropriate.

2. Meetings

Meetings are held biweekly at a time convenient to the membership.

3. Minutes

Minutes shall be maintained by the Committee for all meetings and forwarded to the Secretary of the Faculty Senate.

4. Reports to

The Committee reports to the Faculty Senate.

5. Duties and Responsibilities are to

a. Support academic programs in their continuing development of international experiences for students, faculty and staff of NMHU.

b. Serve as an advisory body to the International Education Center for the continued successful operation and development of the Center and its programs.

c. Provide guidance for action or operation to the Director by making both informal and formal recommendations. Formal recommendations will be written and considered the stronger action. The Director shall consider all recommendations, but is not committed to act upon them.

d. With the Director, submit an annual report on the state of international education at NMHU to the Faculty Senate.

e. Serve as advocates, in collaboration with the IEC, for international education on the NMHU campus and in the community.

f. Ensure quality educational and cross-cultural experiences at NMHU for international faculty, students, and visitors in coordination with the IEC.

g. Ensure the integrity and continuation of the IEC and its programs.

M. Instructional Technology Committee

*New Committee

1. Membership

"Members include one Faculty member from each School and two from the College (one from the disciplines of Arts and Humanities and one from the disciplines of Sciences and Mathematics). One Professional Librarian, a representative from the Educational Outreach Services (ex-officio), and a representative from the Informational Technology Services (ex-officio). The committee Chair shall be a member of the Faculty elected by a simple majority of the committee members. Election of the Faculty members to the committee shall be held within the School or College or by the Professional Librarians as appropriate, and the names of the elected members shall be reported by the School or College Dean or by the Professional Librarians to the Secretary of the Faculty Senate. Members may serve two consecutive terms; subsequent membership can occur only after a minimum of one academic year has elapsed. All faculty members shall function as members of the University rather than from the individual units from which they were elected.

2. **Meetings**

Meetings are held at least once per month or more often if needed.

3. Minutes

Minutes are maintain for all meetings and are forwarded to the Secretary of the Faculty Senate

3. Reports to

The Committee reports to Faculty Senate

4. Duties and Responsibilities

a) Review and report on the effectiveness of distance education activities to the Faculty Senate

b) Review and recommend revisions of the distance Education Policy Manual as needed.

c) Survey Faculty and report results on satisfaction of NMHU instructional technology.

d) Review and make recommendations to the Faculty Senate for the use of instructional technologies at NMHU.

e) Work with Educational Outreach Services on establishing annual faculty training in instructional technologies

Section VI. Faculty Personnel Policies

A. Preface

This chapter represents the official statement of policies, obligations, responsibilities, rights and privileges pertaining to faculty with respect to personnel policies. It contains both original content, as well as offering an interpretation of content from other source referenced material. Where content is "referenced", the material provided in this chapter is not intended to replace the personnel topics documented in that referenced material, but rather to offer a summary or an interpretation of those personnel policies as they might relate specifically to faculty. Faculty are contractually required to be familiar with, and abide by, the terms and provision of this chapter, as well as relevant content of referenced documents. It is recognized that Faculty personnel policies may be amended and new policies may be adopted which will supersede those referenced herein.

B. Definition of Faculty

"Faculty" shall be defined to encompass those persons employed at the University who carry rank, titles or positions defined under "Ranked Faculty", "Titled Faculty", "Special Status Faculty", or "Administrative Faculty". Each classification of faculty (e.g. Ranked, Titled, Special Status, Administrative) has its unique titles or rank (e.g. Lecturer, Instructor, Assistant Professor, Associate Professor, Professor), and may be administered under various types of contracts (e.g. Term, Retained Term, Tenure Track, Tenure) that will be defined later in this section.

1. Qualifications for Appointment to Rank

At the time of initial appointment, the President shall approve academic rank for academic and administrative faculty based upon a recommendation from the Vice President for Academic Affairs, the School/College Dean and associated Search and Screen committee, as appropriate, will recommend to the Vice President for Academic Affairs appointments to academic rank. Equivalencies or exceptions to qualifications shall be determined by the Vice President for Academic Affairs.

Designation of rank shall include identification of the faculty member's discipline area. Earned degrees of appointees shall be in the discipline or field of primary contract responsibility, or in one of the appropriate cognate areas. The Vice President for Academic Affairs, in consultation with the School/College Dean and respective departmental faculty, as appropriate, shall have the responsibility for determining appropriateness of degree field to discipline area assignment.

Unless otherwise specified below, the earned doctorate, for the purpose of this section, is the appropriate terminal degree for initial appointment of academic faculty except those for which disciplinary or regional accrediting agencies make different provision or those for which doctoral programs are rarely or not available. "Years", with respect to teaching experience, shall mean full-time teaching for a full academic year. Equivalencies or exception to "years" and any other desired qualification outlined below shall be determined by the Vice President for Academic Affairs in consultation with the associated School/College Dean or Department Chair, if any.

2. Ranked Faculty

The academic ranks recognized by the University include: Assistant Professor, Associate Professor, and Professor. Ranked academic faculty shall be employed on "term", "retained term", "tenure track", "tenure" or "administrative" contracts (defined later in this section).

Faculty designated as Graduate Faculty are expected to be assigned from "ranked faculty", but may be assigned from "titled faculty" (e.g. Lecturer, Adjunct Professor, Visiting Professor) with concurrence from the Vice President for Academic Affairs.

3. Initial Appointment

The following are the qualifications for initial appointment to each respective type of rank. Determinations of equivalencies, or exception to the qualifications, shall be determined by the Vice President for Academic Affairs subject to approval by the President.

4. Assistant Professor

a. Teaching experience at the collegiate level desired.

b. Doctorate or other equivalent academic terminal or professional degree appropriate for the discipline (e.g. an "All But Dissertation" scenario would be required in most cases).

c. Competence and creativity in the delivery of instruction in the field of concentration.

d. Demonstrated ability to do independent research or creative work, or equivalent professional attainments.

e. Evidence of service on faculty committees, community service, or in other "socially responsible" extracurricular activities.

5. Associate Professor

a. Evidence of competence in teaching at the collegiate level, normally five years at the rank of Assistant Professor.

b. Doctorate or other approved academic terminal or professional degree appropriate for the discipline or the equivalent in other professional attainment.

c. Continued growth in maturity in teaching ability and continued interest in teaching skills and in enrichment of classroom presentations.

d. Evidence of sustained achievement in academic productivity, or equivalent professional attainments.

e. The extent and influence of service on faculty committees, as an advisor, in extracurricular activities, in community projects, and as a professional and faculty leadership role model.

f. The faculty member in addition to fulfilling all of the qualifications described above for appointment to Associate Professor must also have obtained tenure at the University.

6. Professor

a. Tenure in rank.

b. Evidence of significant competence in teaching at the collegiate level, normally five years at the rank of Associate Professor.

c. Doctorate or the equivalent academic terminal or professional degree appropriate for the discipline followed by travel, postgraduate studies, fellowship, and/or other experiences contributing to professional growth.

d. Confirmed ability not only as a teacher but also as a researcher.

e. Contributions in scholarship or creative work that approach or attain recognition in the field.

f. Leadership on faculty committees, positive contributions as a role model and professional; plus evidence in leadership with respect to formulating discipline policies or in other University or community projects.

g. In cases of eminence in a particular discipline the above qualifications may be waived by the President upon the recommendation by the Search and Screen Committee and the Vice President for Academic Affairs.

7. **Research Faculty** (approved by the General Faculty September 24, 2003 and the Board of Regents November 21, 2008)

A research faculty member is a person hired for a specific time period with money obtained from a grant or other funding source outside the university. They are to be hired on a Retained term Contract (Section C.3) with all of the conditions, duties and responsibilities specified for this type of employment. The position is not tenurable and carries no special privileges in applying for open tenure track positions. A Research Faculty member is eligible for pay increases as included in the grant or other funding but is not a ranked member of the NMHU faculty and therefore is not eligible for promotion. Faculty employed on Retained Term contracts are not “voting” members of the faculty***. (Approved by the Board of Regents, December 3, 2003.)***

8. Titled Faculty

The term "Titled Faculty" includes the following positions: Lecturer, Instructor, Adjunct Professor, Visiting Professor, and Faculty-in-Residence. Titled Faculty are employed on term contracts but in special cases may be employed on Retained Term contracts (defined later in this section) as determined by the Vice President for Academic Affairs. Titled Faculty are subject to the following conditions unless otherwise specifically provided in their individual appointment contract or elsewhere in this section:

a. They shall have only those faculty responsibilities as assigned by the Vice President for Academic Affairs,

b. The designation of Adjunct and Visiting Professorships shall be determined on the basis of the individual's qualifications,

c. Appointments of Titled Faculty may be exempted from the faculty search and screen process by the Vice President for Academic Affairs.

The Titled Faculty positions are defined as follows:

a. Lecturer. A Lecturer is a person who teaches a limited number of courses in a specific area of

expertise, typically on a per course contract basis as defined elsewhere in this chapter.

b. Instructor. An Instructor is a person with a Master's degree, or the equivalent in other professional attainment and with sufficient graduate studies, along with recommendations by faculty in the discipline, or with other relevant work experiences, to teach in an assigned or chosen discipline related to their field of study or work experiences.

c. Adjunct Professor. An Adjunct Professor is a person who possesses the credential and/or experience to hold rank but whose primary employment relationship is outside the University, OR is an administrative faculty member whose primary responsibility is in an area other than teaching.

d. Visiting Professor. A Visiting Professor is a person who holds a temporary or permanent association at another institution of higher education and is associated with the University while on leave from such other institution, an individual from the private (business) or public (government) sector hired to teach on a part-time basis, OR someone who is otherwise hired to fill a faculty position on a temporary basis. If a Faculty Search process has taken place for a Visiting Professor position, and if (and only if) the position is advertised as one that is promotable to a tenure track position, then the individual hired may be promoted to a tenure track position with the recommendation of the School Director and discipline faculty members along with the approval of the Vice President for Academic Affairs without the re-opening the Faculty Search process. The position advertised must be the same as for the position to be ultimately filled.

As with the tenurable tracks, visiting or temporary faculty be designated as Visiting Instructor, Visiting Assistant Professor, Visiting Associate Professor, or Visiting Professor depending on their experience and other qualifications.

9. Special Status Faculty

Special Status Faculty includes Emeritus and Graduate Faculty. Appointments of Special Status academic faculty are exempted from the faculty Search and Screen process.

a. Emeritus Faculty**.** Emeritus Faculty is a title conferred by New Mexico Highlands University Board of Regents for the purpose of recognizing the meritorious service of a faculty member upon retirement. Emeritus status is awarded at the highest rank attained by the faculty member.

The granting of Emeritus status is an honorary designation that entails no assigned duties, responsibilities, compensation, office space, or use of clerical staff. Faculty granted Emeritus status shall have their names listed in the university catalog, have privileges of the regular faculty and academic staff as defined by the University, be given an identification card which indicates that individual's status as Emeritus, receive appropriate university mailings, and be entitled to attend all faculty social and honorary functions.

1) Appointees for Emeritus Faculty must meet the following criteria:

a) Eligible to retire under the NM Educational Retirement Act,

b) Tenured,

c) Seven years of full-time consecutive ranked faculty service at New Mexico Highlands University prior to retirement from New Mexico Highlands University,

d) Evidence of meritorious service, special achievements and awards, and significant contributions to New Mexico Highlands University, the nominee’s academic field, and/or the community.

2) The nomination process for Emeritus Faculty is as follows:

a) Nomination for Emeritus status shall be made by any member of the Faculty. The members of the discipline and department in which the nominee served shall review the nomination and forward that nomination along with their recommendation to the Dean.

b) Nomination must be in writing and must include a resume and a

summary highlighting achievements and fulfillment of the criteria in (1) above.

c) Nomination for Emeritus shall be reviewed and approved by the School/College Dean.

d) The Vice President for Academic Affairs shall review the School/College Dean and discipline's recommendations and make a recommendation to the President.

e) The President shall review the recommendations and forward his/her recommendation to the Board of Regents.

f) The Board of Regents shall make the decision as to the granting of Emeritus status to the nominee.

g) The decision of the Board of Regents shall be final and not subject to further review.

b. Graduate Faculty. The Graduate Faculty shall consist solely of members of the Ranked, Titled or Emeritus Faculty who hold a doctorate or professional degree in their discipline from an institution that was, at the time the degree was conferred, accredited by one of the six regional accrediting associations OR who can demonstrate exceptional competency and the ability to direct graduate level work as determined by the School/College Dean or Department Chair and approved by the Vice President for Academic Affairs.

10. Administrative Faculty

Administrative Faculty shall be defined to include administrative employees who carry academic rank. Administrative faculty shall be employed by administrative contracts. Terms and conditions of employment of Administrative Faculty are provided for in the Personnel Policy and Procedures Manual. Coaches, librarians, counselors, and other administrative staff with faculty rank shall be Administrative Faculty.

Administrative Faculty with tenure shall be entitled to receive a position equivalent to the position vacated at the time the administrative faculty staff position was accepted, in the academic unit in which the employee obtained tenure and at a rate of pay commensurate with what they would be earning had they remained as full-time faculty.

C. Types of Contracts

The types of contracts which shall be utilized to employ faculty shall be of five kinds: "Per Course", "Term", "Retained Term", "Tenure Track", and "Tenure". A copy of the most current contract used for the employment of faculty at New Mexico Highlands University can be obtained from the office for Academic Affairs.

1. Per-Course

Contracts are to be administered to a part-time faculty member on a semester basis to teach no more than six semester hours. Per-Course faculty members are expected to meet the qualifications for titled faculty at the rank of Instructor. However, variance from those qualifications may be approved by the Vice President for Academic Affairs. Per-Course faculty members will typically receive a one-semester term contract. Their duties will be those directly associated with teaching and will not include committee work nor other responsibilities typically required of ranked faculty. The mechanism to hire Per-Course faculty should not be used to circumvent the hiring of full-time faculty.

2. Term

A Term contract is for a designated period and automatically terminates upon the expiration of that period. Re-employment of an employee after expiration of a term contract is solely within the discretion of the University.

3. Retained Term

A Retained Term contract is used for a designated period not to exceed one academic year and automatically terminates upon the expiration of that period, but with an employee expectation of re-employment, unless given notice. Faculty employed under a retained term contract must be given notice if the University determines NOT to re-hire the employee during the subsequent academic year in accordance with the same schedule as would apply to Tenure Track contracts (see below). Faculty employed on Retained Term contracts shall have only those faculty responsibilities and privileges as assigned by the Vice President for Academic Affairs and are not "voting" members of the faculty.

Retained term contracts should not be used as an administrative means to circumvent the hiring of tenured track faculty (e.g. Assistant Professor, Associate Professor, and Professor) nor should it be used to justify the NOT filling of a tenure-track position.

In case of eminence in a particular discipline a retained term contract may be given by the President upon

recommendation by the Search and Screen Committee and the Vice President for Academic Affairs.

4. Tenure Track

A Tenure Track contract is for a designated period not to exceed one academic year and automatically terminates upon the expiration of that period. Faculty employed under a tenure track contract must be given notice if the University determines NOT to re-hire the employee during the subsequent academic year in accordance with the following schedule:

Not later than March 1 of the first academic year of employment at Highlands under a tenure track contract, if the contract expires at the end of that academic year; or, if the contract is for less than a full academic year, at least ninety (90) calendar days in advance of its termination.

Not later than December 15 of the second or subsequent year(s) of employment at Highlands under a tenure tract contract, if the contract expires at the end of that academic year; or, if the second year contract is for less than a full academic year, at least one-hundred eighty (180) calendar days in advance of its termination.

5. Tenure

Tenure contracts are administered for an academic year and gives faculty members the contractual rights to be re-employed for succeeding academic years until the faculty member resigns, retires, is discharged for cause, or dies. Faculty members under this contract are subject to the terms and conditions of employment which might change from academic year to academic year, provided that a tenured faculty member shall NOT be reduced in rank, salary, or length of faculty appointment; except pursuant to a discharge for cause, a reduction in force subject to guidelines as outlined elsewhere in this Faculty Handbook, or financial exigency.

D. Faculty Hiring (Search and Screen) Process

1. Introduction

The faculty of New Mexico Highlands University fully recognizes the importance of faculty recruitment and of the responsibilities of the faculty in this process. The university needs a faculty that is both highly qualified and representative of the diverse population that the university serves. Understanding this, the faculty commits itself to recruit new faculty with the highest possible credentials and to create as diverse a faculty as possible.

What follows below is a general description of the process involved in recruiting faculty. For information on specific procedures one should refer to the Search and Screen Procedures manual published the Equal Employment Opportunity Office.

2. General Procedures

Policies and Procedures on faculty appointments and search and screen procedures shall be established by the Faculty Senate and the Faculty Affairs Committee in conjunction with Equal Employment Opportunity Office. A joint committee made up of members of the Faculty Affairs committee and the Equal Employment Opportunity Officer will meet as needed to establish and modify procedures related to faculty hiring. All new and modified procedures related to faculty hiring must be approved by this committee.

When an academic discipline is authorized by the Vice President for Academic Affairs to begin the search to fill a faculty vacancy, a Search and Screen Committee shall be established. This Search and Screen Committee shall be chaired by a faculty member from the discipline, approved by the School/College Dean. Typically, the Committee shall consist of tenured and tenure-track faculty in the discipline. In the case of a large discipline with disparate academic programs, the Committee may be limited to the members most closely associated with the vacancy to be filled. The School/College Dean or an individual authorized by the Dean to manage the affairs of the discipline may also excuse first year faculty, and faculty, who for sufficient cause, wish not to serve. Examples of sufficient cause include academic overload, personal issues, and outside funding commitments. Faculty who have a potential conflict of interest may not serve.

Every Search and Screen Committee shall also include one faculty member from outside the discipline. It is expected that all committees are encouraged to have at least one male and one female member and have members from more than one ethnic group. Committees are encouraged to either include a student as a representative on the committee or to otherwise involve students in some fashion (e.g. interview) in the search and screen process.

A detailed position announcement should be developed by the discipline as a whole, or by the search and screen committee with approval of the discipline faculty. The Vice President for Academic Affairs should be asked to review the announcement after discipline approval. The announcement should include at a minimum:

a. Specific areas of expertise,

b. Training required,

c. Degrees and experience required,

d. Courses to be taught and other responsibilities, and

e. Rank(s) available.

f. Equal Employment Opportunity Compliance

The position announcement must be reviewed by the Equal Employment Opportunity Officer before being advertised, and the advertisement should contain essentially the same material as the announcement.

The discipline as a whole or the search and screen committee with the approval of the discipline should also assemble a list of the publications where the position could be advertised. This list should be prepared in order of desirability: first should be the outlet from which the largest number of qualified candidates is likely to respond. Since one goal of the advertising process is to create as diverse an applicant pool as possible, strong consideration should be given to advertising in journals/newspapers/etc that have minority, female, and/or disabled readership. Another option to consider is mailing advertisements directly to institutions that graduate significant numbers of minority, female and/or disabled students in the field of interest.

Advertisement of the position is the responsibility of the Personnel Office, in adherence to the list of publications provided by the Committee and subject to budget requirements. Any deviation from the submitted list is to be communicated to the Committee Chair for approval. Although screening procedures may vary, committees must develop a rating form that directly corresponds to the details of the job description. This form must be approved by the Equal Employment Opportunity Director prior to use.

Each committee member will review the files of all applicants and fill out the rating forms described above. When this process is complete, the committee shall meet and begin the process of narrowing the list of candidates.

Prior to the initial screening of candidates, the Search and Screen Committee will agree upon the number of candidates to be invited on campus for interviews. Candidates to be invited for interviews shall be considered the finalists for the position.

When the Committee has agreed on the finalists, a list of the finalists shall be forwarded to the Vice President for Academic Affairs, the Dean, or his/her designee, and to the Equal Employment Opportunity office. Finalists may then be invited to the campus for interviews with the Committee, other faculty, students, and/or administration.

The Committee may also elect to hold alternate candidates in abeyance. Alternate candidates should be identified in rank order by the Committee and may be submitted as substitutes for any finalists who decline the invitation for interview, who have been rejected during the interview process, or decline the offer of employment.

The Search and Screen Committee will meet after all campus interviews are completed to make a final evaluation of the Finalists. The final evaluation will include evaluations from as many members of the discipline faculty as possible.

After review by all those designated to be involved in the final process, the names of the top candidates will be sent to the Dean. The list may be in priority order. The Dean will consult with the Vice President for Academic Affairs regarding salary, rank, and other criteria to be included in an employment offer. The Vice President for Academic Affairs will contact the final candidate to discuss the offer. If negotiations fail the Dean will meet with the Committee to discuss other possible action.

If at any point it is the opinion of the majority of the Search and Screen Committee that there is NOT an acceptable candidate, the Committee shall formally declare the hiring process halted. At this point the Dean shall halt all negotiations, and all material relevant to the search shall be turned over to the Office of Equal Employment Opportunity.

E. Professional Ethics

A person serving as a faculty member has certain rights and privileges which carry many responsibilities and obligations to the general society and the academic community. All members of the academic community are expected to interact with each other with suitable professional and ethical standards. The Faculty recognizes the following general rights and responsibilities:

- Every faculty member of the University has the right and the obligation to express themselves freely (and with professional courtesy and respect), to the appropriate individual, administrative authority, or faculty committee, regarding any professional and ethical matter.

- Every faculty member of the University has the right and the obligation to participate in University governance processes.

- Every faculty member of the University has the obligation to follow University Policies.

- Every faculty member of the University has the obligation of allegiance to one's discipline, unit, and university, although always mindful of the University's commitment to protecting academic freedom and freedom of expression.

- The faculty has the right to participate and make recommendations with respect to the establishment and modification processes of University Policies.

- The faculty has the right to participate and make recommendations with respect to certain evaluation processes within the University with the understanding that it is the Board of Regents who employ the university's president.

- The results of evaluations must be reported to the proper authorities and to the person or faculty member being evaluated.

- No faculty members of the University shall practice any form of harassment or participate in any form of unlawful discrimination.

- No faculty members of the University shall practice nepotism.

- No faculty members of the University shall practice plagiarism.

- All faculty members of the University shall acknowledge the sources of intellectual origins.

- Personnel, who are providing equivalent services, have the right to an equivalent compensation. Compensation includes pay, release time, rank, space, support and other items.

- All faculty members of the University shall practice equal opportunity employment principles.

- No faculty member of the University has the right to damage the professional integrity of any person or segment of the University.

- All faculty members of the University shall have access to grievance processes.

- No faculty member of the University shall restrict the access of public information to the public, to the university community, or to prospective employees.

- All reports must be presented in a fair and unbiased manner.

- No faculty member of the university community may take advantage of the position held by misrepresenting the university as a means of obtaining personal gain.

- No faculty member of the University shall exploit other faculty, students, or staff for the purpose of personal gain or to promote a personal agenda.

Statement on Professional Ethics

The faculty endorses the 1990 AAUP Statement of Ethics which follows:

AAUP STATEMENT

I. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

II. As teacher, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and students. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

III. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas, professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

IV. As members of an academic institution. professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

V. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

F. Statement on Equal Employment Opportunity

Federal law regarding employment for minorities and women require the university to implement an effective Equal Employment Opportunity plan. The complete NMHU plan is available at the Equal Employment Opportunity Office. Other important documents include NMHU effective Equal Employment Opportunity, Search and Screen Procedures and the NMHU effective Equal Employment Opportunity Training Manual. Sections of the NMHU Faculty Manual that are integral to EE issues include: the Faculty Hiring (Search & Screen) Process, the section on Faculty Grievance & Reconciliation, and the endorsement of the AAUP 1940 Principles on Academic Freedom.

The faculty endorses the University's general equal employment opportunity goals as they appear in the above documents and subscribes to the principle that the goals of equal employment opportunity must be vigorously pursued.

The official NMHU policy statement is as follows:

New Mexico Highlands University is firmly committed to a policy of preventing discrimination while actively pursuing Affirmative Action in all its Employment practices. This commitment extends to tenure, recruiting, hiring, training, promotional opportunity, compensation, benefits, transfers, layoffs, termination, working conditions, and University sponsored educational social and recreational programs. This policy also covers contractors and benefactors of the University.

The administration, faculty and staff of the University are committed to supporting the principles of equal employment opportunity and affirmative action. Each University unit is charged, therefore, to conduct its recruitment, screening and employment practices in conformity with these principles. Performance evaluations of administrators and supervisors will include an assessment of their efforts to comply with this policy. Harassment of employees or students on the basis of disability, race, color, religion, national origin, age, sex, or sexual orientation is prohibited by the University. It is the policy of the institution to prevent and eliminate all forms of harassment in employment and educational settings. The University is furthermore committed to complying with laws requiring reasonable accommodations for persons with disabilities. All employees who believe they have claims of violations of this policy are encouraged to contact the Affirmative Action Office. It is with the full support and endorsement of the President that the Affirmative Action Office has the primary responsibility for providing guidance regarding this policy and its implementation. (NMHU Affirmative Action Plan).

Addendum: Equal Employment Opportunity Policy as it Relates to Faculty and the Academic Profession:

Whereas the faculty acknowledges that the ultimate responsibility for the University's Equal Employment Opportunity Plan rests with the President of the University and the Director of Equal Employment Opportunity, it also insists that all sectors of the university recognize the special nature of Equal Employment Opportunity as it relates to the academic mission of the faculty and the principles of academic freedom and co-governance. Therefore, we affirm the following rights, responsibilities, and procedures:

- Principles of Academic Freedom and its addenda. The faculty also stands by the principle that administrations or faculty must not "promulgate rules which . . . intrude into the academic decision making process" and may in the long run prove "counterproductive to the aims of affirmative action" ("Affirmative Action Plans," AAUP Redbook, 1990 ed., 105).

- If a search committee, at the conclusion of the final interview process, comes to the determination that two candidates are "relatively equal" in terms of qualifications and suitability for the position advertised, and if one of the candidates is classified as an Equal Employment Opportunity candidate (as determined by the Equal Employment Opportunity Office), and if the discipline in question is characterized by an under-utilization of ethnic minorities and/or

women (as indicated by Equal Employment Opportunity national statistics), then, the Equal Employment Opportunity candidate should be offered the position. However, the faculty also recognizes its obligation, in the spirit of Equal Employment Opportunity, to seek and hire the best qualified person for the position regardless of race, ethnicity, or gender, and therefore the search and screen committee will have ultimate authority in ranking finalists according to qualifications, including the judgment of "relatively equal." To ensure the fairness of these practices, NMHU faculty must follow the diversity guidelines for the composition of search and screen committees as outlined in the section on the Faculty Hiring Process.

- Compliance with the Equal Employment Opportunity program will be measured by good-faith actions and the rate of progress in terms of realistic, long-range Equal Employment Opportunity goals as set by each school in consultation with the Equal Employment Opportunity Office.

- In any Equal Employment Opportunity situation in which the principle of Academic Freedom (described in the section on Committees of NMHU) appears to be at issue (including unwarranted intrusion upon the academic decision making process), the matter should be referred to the Faculty Grievance and Conciliation Committee.

G. Professional Development

The University encourages the continued Professional Development of its faculty. Elements that may contribute to Professional Development are Sabbatical Leaves, Research and Development, University Workshops, Discipline-specific Development Activities and Collegiate Development Networks.

1. Sabbatical Leaves

a. Purpose of Leave. A sabbatical leave is intended to provide time and resources for qualified faculty members to revitalize themselves through writing, scholarship, travel, research, and/or further formal educational study which will contribute to the faculty member's ability to discharge his/her obligations to the University. Sabbatical leave must be for the demonstrable benefit of the University community in meeting its responsibilities of teaching, scholarship, service, and advancement of knowledge, and must contribute to the further development of an individual as a teacher-scholar. It is intended that sabbatical leave be linked to the faculty professional development plan as described in the Evaluation Procedures section elsewhere in this Faculty Handbook.

Sabbatical leaves are limited by the fiscal resources of the institution and by staffing considerations. The number of sabbatical leaves in a given year will be determined by the Vice President for Academic Affairs in consultation with the Faculty Affairs Committee. The number of awards for a given year will be announced by October 1 and will be limited to no more than 5% of the total faculty. These leaves, therefore, are competitive and will be awarded on the basis of merit and available resources. It is incumbent upon the university administration to plan and budget to ensure that an adequate level of funding is available to administer sabbatical leaves to deserving faculty within the guidelines and the universities' budgetary constraints.

b. Criteria. Sabbatical Leave proposals will be evaluated by the following criteria:

1) Teaching Effectiveness. The leave proposal should indicate how the applicant's effectiveness in future teaching responsibilities will be improved by the proposed travel, study, and/or research.

2) Program Development. The extent to which the present and future programmatic needs within the member's curricula will benefit from the faculty member's proposed travel, activity, and/or research.

3) Professional Growth. The proposed travel, activity, and/or research should contribute to the faculty member's effectiveness in his/her area of specialization. Specifically, how will the leave time be used to make the applicant more knowledgeable about his/her field.

4) Professional Status

a) A minimum of six years of service at NMHU.

b) A minimum of six years since the last Sabbatical leave.

c) Assessment of previous leaves, if any, as documented by the required final report(s).

d) The applicant has achieved the expected academic rank in terms of years of experience, service and quality of work.

5) Internal Constraints

a) Faculty member's obligations and/or commitments to previous university agreements.

b) Discipline or departmental constraints.

c) Length of the requested leave.

d) The capacity of the university to replace the faculty member.

e) Available budget.

f) Overall impact on the university / discipline.

6) External Constraints

a) The existence of any partial funding sources (e.g. grants).

b) The timeline in which the activity or research can be conducted.

c. Proposal Outline

Sabbatical Leave proposals must contain at least the following materials in narrative form:

1) Abstract

The abstract should be a 50-100 word summary of the proposal.

2) Introduction

a) The background material used to justify the proposed activity or research.

b) A report of previously conducted projects if relevant to the current, proposed activity.

3) Purpose

a) The overall purpose of the leave activities.

b) The specific objectives of the activity stated in testable hypotheses and/or measurable outcomes.

4) Rationale

a) A justification for the project.

b) A description of the how the proposed activity is of significance.

5) Methods or Plan of Action

a) Briefly outline activities or the research design

b) Provide a timeline that indicates the semester/semesters of leave time, the dates of any deadlines, and the intended distribution of effort over the specified time.

6) Resource Needs

A recommended course of action (or alternatives) by the applicant with respect to addressing the short-term departmental resource requirement created by the sabbatical vacancy.

7) Evaluation

a) Describe the expected results of the activity or research.

b) Indicate how the results will be assessed.

8) Anticipated Benefits

Describe anticipated benefits to self, discipline, and university.

9) Affirmation of Intent to Return to NMHU

a) The affirmation should include the intent to return to NMHU for a period of service at least equivalent to the length of the sabbatical leave being requested.

b) The affirmation should also contain a commitment to provide the School/College Dean and Vice

President for Academic Affairs with a written summary report within 30 days of return to service.

d. Review Time Frame

According to the schedule announced at the beginning of each fall semester by the Vice President for Academic Affairs, the faculty member will submit materials for consideration. The University President will consider the sequential recommendations of the concerned School and/or Department, the Faculty Affairs Committee, and the Vice President for Academic Affairs. A summary of the recommendations made at each of the sequential levels will be forwarded to the next higher level. Briefly, the steps are as follows:

1) Submission of application.

2) School faculty (or discipline faculty) review and recommendation.

3) School Dean review and recommendation.

4) Vice President for Academic Affairs review and recommendation.

5) President review and recommendation.

6) Approval of the Board of Regents.

7) Notification of Professor (notification should be received by the applicant no later than December 31st.

e. Conditions

Sabbatical leaves are subject to the following conditions:

1) Sabbatical leaves may be granted for a period of one semester at full pay OR for two semesters at half pay. The time spent on sabbatical leave shall count as full-time service (subject to ERB policies and guidelines).

2) Normally, sabbatical leaves for faculty cannot begin until the end of the academic year in which the application has been made and approved.

3) A faculty member on sabbatical leave is relieved from all teaching, research, administrative, and committee duties for the duration of the leave.

4) Additional income -- for example, grants-in-aid or fellowships -- may be accepted during the leave provided the activity for which the income is received contributes to the faculty member's professional development and does not detract from the accomplishment of the activities set forth in the sabbatical leave proposal as submitted to the University.

5) Sabbatical leaves cannot be granted when an ongoing program of instruction or research will be jeopardized. Administrative supervisors must attest to the ability of the academic unit to adjust the responsibilities of the person on leave. Replacement personnel are to be hired for no more than one academic year for the sabbatical replacement.

6) If, after a leave has been awarded, significant changes are made in objectives, locations, or other vital aspects of the project design, the changes must be approved by the appropriate faculty members, the Department Chair, the Dean, and the Vice President for Academic Affairs.

7) A faculty member receiving a sabbatical leave in one fiscal year can postpone it to a subsequent year only at the University's request. If the delay is requested by the faculty member, then he/she must reapply and be considered with all other new applications.

8) Within 30 days following the faculty member's return to the University, unless special provisions are made, the faculty member must submit a written report to the Faculty Affairs Committee and the Dean. This final report must state the proposed activities and goals of the leave and contain a summary of the work completed towards the goals. It must also indicate how the new knowledge will be utilized to enhance the faculty member's performance within the University community. The report will be reviewed and forwarded, with comments, to the Vice President for Academic Affairs. The Vice President for Academic Affair's comments and those of the Faculty Affairs Committee and the

Dean will be compiled and returned to the faculty member. A copy of the report will be kept in the faculty member's permanent file. The faculty member may submit a written response to the comments, which will then be added to the faculty member's permanent file. Should the faculty member subsequently file for another sabbatical leave, these evaluations will be consulted as part of the application process.

9) The recommendations from past personnel actions; e.g., evaluation of annual review, re-appointment, promotion, and tenure will also be considered as part of the application.

f. Applicant Notification

Applicants will be notified of the sabbatical decision, and/or of any related special conditions, by the appropriate School/College Dean. Applicants that are not approved for sabbatical leave will receive the Dean's assessment on reasons why the sabbatical was not approved, including applicable information resulting from the following:

1) Faculty review,

2) School/College Dean recommendation,

3) Vice President for Academic Affairs recommendation, and

4) President recommendation.

2. Research and Development

The University is committed to allocating a budget for faculty research and development. These funds will be administered by the Research Committee in the form of grant awards. Funding limits will be determined by the availability of money each academic year.

3. University Workshops

The University is to provide faculty workshops that promote the following areas:

a. research and publication

b. grant writing

c. teaching effectiveness skills

d. computer use training

e. student advisement

4. Discipline-Specific Development Activities

Each School/Discipline is to provide opportunities for professional development in the following ways:

a. faculty mentoring for new faculty members

b. student advisement in major/minor area

c. thesis advisement

5. Collegiate Development Network

Computer on-line networks are to be made available to provide:

a. access to conference proceedings

b. teaching tips

c. research information

d. grant information

H. Reduction in Force / Termination of Employees

As per the Personnel Policy & Procedures Manual, Termination of Employment, employment termination must be categorized into one of the following official termination categories:

- Resignation
- Release
- Relieved of Duties
- Layoff (constituted by a "Reduction in Force")
- Discharge (constituted by "unsatisfactory performance")
- Retired
- Deceased

The outline that follows is intended to provide some administrative guidelines and/or faculty expectation in the event that a Reduction in Force (Layoff) is under serious consideration.

1. Reduction in Force

The need for a reduction in force must be well documented. "The burden will rest on the administration to prove the existence and extent" of the financial emergency (AAUP, p. 24). Faculty Senate will be apprised of the situation in a timely manner in order to be able to have time to study the documentation purporting to demonstrate the need for the Reduction in Force. Common causes include decreasing enrollment, inadequate funding, and increased operating costs. Decisions establishing the need for faculty reductions should be documented through data on costs, enrollment, student-faculty ratios, societal need, program quality, and other criteria appropriate to the particular situation.

If the University, "because of financial exigency, terminates appointments, it will not at the same time make new appointments except in extraordinary circumstances where a serious distortion in the academic program would otherwise result. The appointment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure, except in extraordinary circumstances where a serious distortion of the academic program would otherwise result" (AAUP, p. 24). Nor will a faculty member with greater seniority be terminated in favor of a faculty member with less seniority except under the circumstances just mentioned. If a non-tenured faculty member is essential to the existence of a particular program, and a tenured faculty member's duties could be considered non-essential or possibly be covered by another person within the department institution, it will be the responsibility of the School/College Dean and/or Vice President for Academic Affairs to make a recommendation to not follow seniority. Any such recommendation will be sent to the Financial Planning Committee for review. That committee, in turn, will present its findings to the full Faculty Senate for approval. Only with such approval will any deviation from seniority be allowed.

Before terminating an appointment because of financial exigency, the institution, with faculty participation, will make every reasonable effort to place the faculty member concerned in another suitable position within the institution. Suitable and reasonable re-training for such position should be the responsibility of the institution. Additionally, the following will be considered:

"If the appointment is terminated, the faculty member will receive salary or notice in accordance with the following schedule: at least three months, if the final decision is reached by March 1 (or three months prior to the expiration) of the first year of probationary service; at least six months, if the decision is reached by December 15 of the second year (or after nine months but prior to eighteen months) of probationary service; at least one year, if the decision is reached after eighteen months of probationary service or if the faculty member has tenure. This provision for terminal notice or salary need not apply in the event that there has been a finding that the conduct which justified dismissal involved moral turpitude. On the recommendation of the faculty hearing committee, the president, and the governing board, in determining what, if any, payments will be made beyond the effective date of dismissal, may take into account the length and quality of service of the faculty member" (AAUP, p. 28).

In all cases of termination of appointment because of financial exigency, the place of the faculty member concerned will not be filled by a replacement within a period of three years unless the released faculty member has been offered re-instatement and a reasonable time in which to accept or decline it (AAUP, p. 25).

In general, a forced staff reduction should result in a variety of cost-savings programs before affecting tenured faculty. Some of these areas may include, but are not limited to, the following:

- Not filling vacancies
- Not replacing someone on sabbatical or leave of absence
- Cutbacks in the equipment/supplies budget
- Reducing staff positions consistent with personnel policies
- Delaying building repairs/remodeling
- Release of non-tenured faculty
- Reducing the number of teaching assistants

When facing a financial exigency, top priority should be given to institutional needs and instructional priorities. These should be decided with the full participation of Faculty Senate.

There should be a continuous process of program review for institutional planning, establishment of priorities, and movement of available resources from lower to higher priority programs, all with faculty involvement in the planning process. Existing as well as proposed programs should be periodically reviewed in order to curtail, phase out, or consolidate those judged to be unproductive or unnecessarily duplicative.

If a person affected by a Reduction in Force can be re-hired within a period of two years, rights and benefits (health insurance, life insurance, time-in-rank) accrued at

the time of the separation would be restored upon re-employment consistent with university and state policy.

2. Discontinuance of Program or Department Not Mandated by Financial Exigency

Termination of an appointment with continuous tenure, or of a probationary or special appointment, before the end of the specified term, may occur as a result of bona fide formal discontinuance of a program or department of instruction. The following standards and procedures will apply.

a. The decision to formally discontinue a program or department of instruction will be based upon educational considerations, as recommended by the faculty as a whole, or an appropriate committee thereof, and approved by the Board of Regents. NOTE: Educational considerations do not include cyclical or temporary variations in enrollment. They must reflect long-range judgments that the educational mission of the institution as a whole will be enhanced by the discontinuance.

b. Before the administration issues notice to a faculty member of its intention to terminate an appointment because of formal discontinuance of a program or department of instruction, the institution will make every effort to place the faculty member concerned in another suitable position. If placement in another position would be facilitated by a reasonable period of training, financial and other support for such training will be provided. If no position is available within the institution, with or without retraining, the faculty member's appointment then may be terminated. Severance pay shall be equitably adjusted to the faculty member's length of past and potential service. NOTE: When an institution proposes to discontinue a program or department of instruction, it should plan to bear the costs of relocation, training, or otherwise compensating, for faculty members adversely affected. (Reference: AAUP)

c. A faculty member may appeal a proposed relocation or termination resulting from discontinuance and has a right to a full hearing before the Faculty Grievance and Conciliation Committee, that can make a recommendation to the Vice President for Academic Affairs and the President. The hearing need not conform in all respects with a proceeding conducted pursuant to Regulation 5, but the essentials of an on-the-record adjudicative hearing will be observed. The issues in such a hearing may include the institution's failure to satisfy any of the conditions specified in Regulation 4(d). In such a hearing a faculty determination that a program or department is to be discontinued will be considered presumptively valid, but the burden of proof on the other issues will rest with the administration. (AAUP, p.25)

3. Appeal Procedure

The Faculty Grievance and Conciliation Committee will serve as an appeal body to ensure that appropriate guidelines and institutional needs are considered in a non-discriminatory manner. Notification of the possible need for a Reduction in Force or Discontinuation of a Program should be given as early as possible in order that the affected faculty member(s) might have adequate time to seek employment elsewhere or undergo training in order to qualify for another assignment within the institution. General guidelines rather than an iron-clad policy will allow for flexibility in decision-making and enhance the ability of the institution to fulfill its mission.

I. Intellectual Rights

New Mexico Highlands University recognizes that faculty and staff may create commercially valuable intellectual property as a result of their involvement in their normal duties of teaching, scholarship, research, and service. As such, faculty are entitled to certain intellectual rights of authorship. The results, questions, rights, and considerations are complex, important, and may have discipline specific implications that need additional study and attention.

For all other Personnel matters including faculty personnel records, leaves, faculty benefits, salary, evaluation procedures and faculty workload, please see the Collective Bargaining Agreement. http://its.nmhu.edu/IntranetUploads/001348-CollectiveB-130200952439.pdf

(Approved by the General Faculty, October 22, 2008 and by the Board of Regents, November 14, 2008)