



Regents' Policy Manual

**Proposed Revisions of the Regents' Policy Review
Committee Compiled for Regents' Review**

January 12, 2018

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**(except for partial track changes on RPM 2.9
and 3.8 showing recent minor edits)**

DRAFT OF 10-2-2017 – clean copy

Foreword

Origin and Structure of the University

The University of New Mexico, created by an Act of the Territorial Legislature in 1889, opened as a summer normal school on June 15, 1892, and began full-term instruction on September 21 of the same year. In creating the University, the Legislature designated it as a state university whose objective should be to "provide the inhabitants of the State of New Mexico with the means of acquiring a thorough knowledge of the various branches of literature, science, and arts." NMSA 1978, § 21-7-2 (Laws 1889, Ch. 138, § 1).

In keeping with this mandate, the Albuquerque campus offers undergraduate and/or graduate instruction through fourteen (14) colleges and schools: Anderson School of Management, School of Architecture and Planning, College of Arts and Sciences, College of Education, School of Engineering, College of Fine Arts, Honors College, School of Law, School of Medicine, College of Nursing, College of Pharmacy, College of Population Health, University College, and University Libraries and Learning Sciences.

Additionally, the University offers instruction through its branch campuses in Valencia County, Gallup, Los Alamos, and Taos, and a campus in Rio Rancho, as well as other satellite locations.

Fully accredited since 1922, the University of New Mexico is the largest of the State's publicly supported institutions of higher learning.

Mission

The University will engage students, faculty, and staff in its comprehensive educational, research, and service programs. UNM will provide students the values, habits of mind, knowledge, and skills that they need to be enlightened citizens, to contribute to the State and national economies, and to lead satisfying lives. Faculty, staff, and students create, apply, and disseminate new knowledge and creative works; they provide services that enhance New Mexicans' quality of life and promote economic development; and they advance our understanding of the world, its peoples, and cultures. Building on its educational, research, and creative resources, the University provides services directly to the City and State, including health care, social services, policy studies, commercialization of inventions, and cultural events.

Reference

- Faculty Handbook A20 ("Vision, Mission, and Value Statements")

Draft of 9-27-2017 - NEW

(This consolidated new policy combines elements of the non-policy “Preface” and “Maintenance of the Regents’ Policy Manual” in the current Regents’ Policy Manual, as well as new text.)

Regents' Policy Manual – Section 1.0: About the Regents' Policy Manual

Adopted Date: 09-12-1996

Applicability

This policy applies to policies adopted by the Board of Regents for the governance of the University of New Mexico that are issued in the Regents’ Policy Manual.

Purpose and Scope of the Manual

The Regents’ Policy Manual serves as a guide for the Board of Regents in carrying out its constitutional responsibility for the control and management of the University. For others, the Regents’ Policy Manual serves as a source of information concerning the fundamental policies of the University and the operational procedures of the Board.

Policies and procedures that implement the Board of Regents' policies are contained in several other policy manuals, including the [Faculty Handbook](#), the [University Administrative Policies and Procedures Manual](#), and the [Pathfinder](#) (the student handbook).

Online Manual

The UNM Policy Office publishes the Regents’ Policy Manual online for the Board of Regents at policy.unm.edu. The online Regents’ Policy Manual is the only official version and should be consulted for the current versions of the policies. Relying on a printed version of the Regents’ Policy Manual is strongly discouraged.

Previous Versions

This manual repeals and supersedes previous versions of the Regents’ Policy Manual, which was revised comprehensively in 1985 and 1996, and all other previous Regents' policies on subjects covered in this manual.

Effective Dates

The policies in the Regents' Policy Manual become effective on the date they are adopted by the Board of Regents. The adoption date appears at the top of each policy, along with the dates of any amendments.

Determination of Days

Certain policies in the Regents' Policy Manual describe actions that must be completed within a specified number of days. Unless the days are described as calendar days within a policy, it should be understood that the number of days refers to UNM business days. In counting the number of days, the day of the action at issue is not counted.

Policy Adoption and Revision

New Regents' policies may be adopted and existing Regents' policies may be amended by a majority vote of the Board of Regents at a full Board meeting. It is the intention of the Regents that proposed new policies and revisions of existing policies will receive adequate publicity and discussion prior to the Regents' vote.

Members of the University community may propose new or revised Regents' policies by submitting them, in the format used in this manual, to the UNM Policy Office. The UNM Policy Office will coordinate with the Board of Regents Office, the President's Office, and other offices, as appropriate, to consider the policies.

All new and revised policies adopted by the Regents shall be promptly published on the UNM Policy Office website and announced to the campus community.

The UNM Policy Office is authorized to implement minor changes to this manual that do not substantively alter the policies (such as correcting grammar and typos, restoring hyperlinks, updating titles and factual information) without obtaining the Regents' approval.

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Regents' Policy Manual - Section 1.1: Responsibilities of the Board of Regents

Adopted Date: 09-12-1996 Amended: 12-14-2004 Amended: 06-12-2012

Ultimate Responsibility for University Governance

The Board of Regents is responsible for the governance of the University. Only the Board as a unit may exercise this responsibility; individual Regents are without power to act separately in the transaction of University business, except when one of the Board's officers is specifically authorized to act on behalf of the Board.

The Board's power to govern the University includes fiduciary responsibility for the assets and programs of the University, establishment of goals and policies to guide the University, and oversight of the functioning of the University. The Board vests responsibility for the operation and management of the University in the University President.

Duties and Functions of the Board

The Board shall carry out the duties and functions authorized by law and as specified in this policy manual including, but not limited, to the following:

1. Appoint a University who serves as chief executive officer, and delegate authority to the President for effective operation of the University.
2. Adopt Board of Regents' policies for the governance of the University, and, as necessary, review and approve revisions to the Regents' Policy Manual.
3. Establish and periodically review the mission, goals, objectives of the University; master plan for the physical development of the University; and campus locations.
4. Create colleges and schools.
5. Approve the constitutions or other governing documents of faculty, staff, and student governing bodies and component or affiliated organizations, as determined to be appropriate by the University President.
6. Approve all degrees awarded by the University.
7. Enter into, and review biennially, operating agreements with the board of advisors of each branch community college and instructional center.
8. Take any other actions required by law to be decided at the level of the

Board.

The Board reserves the right to consider and determine any matter relating to the University.

References

- NM Const. Art. XII, § 13 (“Board of regents”)
- NMSA 1978, §§ 21-1-1 et seq. (“General provisions related to state educational institutions”) and 21-7-1 et seq. (“University of New Mexico”)

DRAFT OF 9-11-2017 – clean copy

Regents' Policy Manual - Section 1.2: Structure of the Board of Regents

Adopted Date: 09-12-1996 Amended: 09-09-2003 Amended: 08-10-2004 Amended: 12-14-2004 Amended: 03-14-2005 Amended: 10-10-2006 Amended: 12-14-2010 Amended: 09-12-2014 Amended: 06-12-2015 Amended: 08-14-2015 Amended: 03-14-2016

Appointment of Members

The Board of Regents is composed of seven (7) members who are appointed by the Governor of New Mexico, with the consent of the Senate, for staggered terms of six (6) years except for the student regent who is appointed for a two (2)-year term. Under state law, the Governor and the Secretary of Education are designated as ex-officio, non-voting advisory members. The non-voting Regent advisors are the Chair of the UNM Foundation Board and the Presidents of the Faculty Senate, Staff Council, Associated Students of the University of New Mexico, Graduate and Professional Student Association, Alumni Association, UNM Retiree Association, and UNM Parent Association.

Removal of Members

Members of the Board of Regents shall not be removed except for incompetence, neglect of duty, or malfeasance in office. A member may not be removed without notice of hearing and an opportunity to be heard. The New Mexico Supreme Court has original jurisdiction over proceedings to remove a member of the Board of Regents in accordance with such rules as the Court may promulgate, and its decision in such matters is final.

Officers

The Board of Regents is required by statute to meet in Albuquerque on the second Monday in March of each year to elect a president and secretary-treasurer, at which time, though not required by statute, the Board also elects a vice president. The Board President presides at all meetings of the Board and signs all instruments required to be executed by the Board. When the Board President is absent, the Board of Regents hereby appoints the Vice President to serve as president pro tem.

Compensation

Members of the Board are not remunerated for their services. They are, however, eligible for travel reimbursement, pursuant to the University's travel reimbursement policies. (See, [RPM 7.7 UAP 4030](#).)

Conflict of Interest

Members of the Board are subject to the "Regents' Code of Conduct and Conflicts of Interest Policy." (See, [RPM 1.8](#).)

Orientation of New Members

The University Counsel will provide new members with a compilation of current New Mexico statutes pertaining to the Regents. The Board President will arrange briefing sessions for newly appointed Regents to orient them to the University and apprise them of their fiduciary duties. New members shall familiarize themselves with the [Regents' Policy Manual](#), [Faculty Handbook](#), [University Administrative Policies and Procedures Manual](#), and [Pathfinder](#).

Standing Committees

In order to facilitate the work of the Board of Regents, the Board President appoints members to standing committees each year and appoints chairs and vice chairs of each committee. The Board President may become a self-appointed member of any standing committee. The Board President shall consult with the Board of Regents concerning such appointments to committees. The standing committees of the Board of Regents are Audit and Compliance; Finance and Facilities; Academic, Student Affairs and Research; and the Health Sciences Center (HSC). The Board President may name other standing committees with the consent of the Board of Regents.

Each standing committee shall consist of three (3) Regent members. One Regent must be a member of both the Finance and Facilities Committee and the HSC Committee. A quorum of a Regents' committee consists of a majority of the appointed members of that committee. The Board President may be self-designated, or may designate other Regents, to serve as alternate voting members of standing committees when the Regent members are not present.

Each standing committee shall have a designated University administrator who assists the chair of the committee. The chair of each committee shall be responsible for preparing the agenda for the committee meetings, in consultation with the designated administrator, the University President, and the Board President. Action items for the Board of Regents typically are reviewed first by a standing committee.

The duties and responsibilities of the HSC Committee are set forth in [RPM 3.5](#). The duties and responsibilities of the Audit and Compliance Committee are set forth in [RPM 7.3](#). The other standing committees' duties and functions are determined by the Board of Regents, and shall include at least gathering information; conferring with members of the administration, faculty, staff, student body, and public on the topics within the committees' duties; and making recommendations for action by the Board of Regents. The chairs of the standing committees (or vice chairs in the absence of the chairs) shall report the committee recommendations to the Board of Regents at its meetings.

Standing committees do not constitute a quorum of the Board of Regents and have no authority to act for the Board of Regents. All standing committees will abide by the New Mexico Open Meetings Act, except that in addition to the exclusions listed in the Act, the standing committees may close meetings, when less than a quorum of the Board of Regents is present, in the following instances: (1) to meet with internal or external auditors to discuss any examination or audit prior to the release of an audit report; or (2) to meet with attorneys from the Office of University Counsel or hired outside counsel to discuss any matter that is protected by the attorney-client privilege.

University Research Park and Economic Development Act Corporations

Consistent with the requirements of the University Research Park and Economic Development Act (URPEDA), the Board President nominates members to serve on the boards of directors of URPEDA corporations in which the University is a member, following the approved bylaws of each URPEDA corporation, and nominees will be appointed to each such board upon the vote of a majority of the Regents. See RPM 7.17 for a list of URPEDA corporations.

Consent Agenda Matters

Certain matters, or categories of matters, may be referred to the Board of Regents as consent agenda items by a standing committee and thereafter placed on the Board of Regents' consent agenda for approval by the Board of Regents without further discussion. Upon request, any member of the Board of Regents shall have the right to remove an item from the Board's consent agenda and place the item on the Board's regular agenda for discussion.

Operations Committee

In addition to the standing committees, there shall be an Operations Committee consisting of the Board President as chair, together with two (2) other Regent members appointed by the Board President. The Operations Committee will meet informally, including by telephone conference, to discuss the agenda for

upcoming Board of Regents' meetings and other items of business likely to come before the Board of Regents. The meetings of the Operations Committee will not be subject to the requirements of the Open Meetings Act.

Ad Hoc Committees

From time to time the Board President may appoint ad hoc committees consisting of two (2) or three (3) Regent members to gather information and make recommendations to the Board of Regents about specified matters. Public notice of such meetings will be given and public attendance and participation permitted as deemed appropriate by the committee chair.

Quorum for Meetings of the Board

Four (4) of the seven (7) members of the Board shall constitute a quorum for the transaction of business.

Agenda for Meetings

The University President is responsible for preparation of the written agenda for Board of Regents' meetings; the President consults with the Board President about each agenda. Copies of the agenda are distributed to the Regents, the University President, other administrators, representatives of the news media, other interested parties, and posted on the University's website.

Additions to the agenda may not be made less than seventy-two (72) hours prior to the meeting, except in the case of an emergency as defined in the Open Meetings Act. The Board of Regents will consider such emergency changes to the agenda at the beginning of a meeting, but once the Board of Regents formally approves the agenda, it will be followed.

Persons or groups wishing to place an item on the agenda of the Board of Regents, whether for possible Board of Regents' action or for purposes of addressing the Board of Regents about an item, must submit a letter to that effect to the Board President via the University President not less than four (4) business days prior to the scheduled meeting. Final decisions to place items on the agenda or to refer items to committee will be rendered by the Board President after consultation with the University President.

Conduct of Meetings

Parliamentary procedure shall be governed by the most current edition of Roberts' Rules of Order, except that New Mexico law or other applicable Regents' policies will govern if there is a conflict with Roberts' Rules of Order.

References

- NM Const. Art. XII, § 13 ("Board of regents")
- NMSA 1978, §§ 21-1-9 ("Expenses of members of boards of regents"), 21-1-13 ("Ex officio board memberships of governor and superintendent of public instruction"), 21-7-5 ("Annual organization meeting of board; election of officers; bond of secretary-treasurer; conditions"), 21-7-6 ("President; secretary and treasurer; duties and powers")
- NMSA 1978, § 10-15-1 et seq. ("Open Meetings Act")
- RPM 1.8 ("Regent Code of Conduct and Conflicts of Interest")
- RPM 3.5 ("UNM Health Sciences Center Committee")
- RPM 7.3 ("Audit and Compliance Committee")
- RPM 7.7 ("Travel Reimbursement and Per Diem")
- RPM 7.17 ("University-Affiliated Organizations")
- UAP 4030 ("Travel")

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Regents' Policy Manual - Section 1.3: Public Notice of Regents' Meetings

Adopted Date: 09-12-1996 Amended: 12-08-1998 Amended: 03-11-2002 Amended: 09-09-2003 Amended: 03-14-2005 Amended: 06-12-2012 Amended: 05-01-2013 Amended: 05-01-2014 Amended: 12-13-2016

Policy

This policy is adopted pursuant to the New Mexico Open Meetings Act, NMSA 1978, § 10-15-1, et seq.

Regular Meetings

Regular meetings of the Board of Regents will be held on the second Monday in March and at regular pre-announced intervals, which are generally monthly, unless otherwise announced in the notice of regular meetings pursuant to this policy.

Notice of Regular Meetings

Notice to the public of the regular meetings of the Board of Regents will specify the date, time, and place thereof and will state that a copy of the agenda will be made available on the public regents.unm.edu website, at least seventy-two (72) hours prior to the meeting. Notice will be given to those newspapers and broadcast stations that have filed a written request with the University Communication and Marketing Department for such notices of meetings. Notice will be by email at least ten (10) days prior to the meeting and the written notice will be placed on the public regents.unm.edu website.

Special Meetings

Special meetings of the Board of Regents may be called by the Board President or any four (4) members of the Board.

Notice of Special Meetings

Notice to the public of special meetings of the Board of Regents will specify the date, time, and place thereof and will state that a copy of the agenda will be made available on the public regents.unm.edu website at least seventy-two (72) hours prior to the meeting. Notice will be given to those newspapers and broadcast stations that have filed a written request with the University Communication and Marketing Department for such notices of meetings. Notice will be by email at least seventy-two (72) hours prior to the meeting and the written notice will be placed on the public regents.unm.edu website.

Emergency Meetings

Emergency meetings of the Board of Regents may be called by the Board President or any four (4) members of the Board only in the event of unforeseen circumstances that, if not addressed immediately by the Board, will likely result in injury or damage to persons or property or substantial financial loss to the University. The Board will avoid emergency meetings whenever possible.

Notice of Emergency Meetings

Notice to the public of emergency meetings of the Board of Regents will specify the date, time, place, and subject matter thereof and will be given to those newspapers and broadcast stations that have filed a written request with the University Communication and Marketing Department for such notices of meetings. Notice will be by email, at least twenty-four (24) hours prior to the meeting or by such other notice as soon as possible and as may be practicable under the circumstances.

Report to the New Mexico Attorney General

Within five (5) days of taking action on an emergency matter, the Board of Regents shall report to the New Mexico Attorney General's Office the action taken and the circumstances creating the emergency.

Compliance with the Americans with Disabilities Act

In addition to the information specified above, all notices shall include the following language:

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in a meeting of the Board of Regents, please contact the University Communication and Marketing Department with as much advance notice as possible to allow for

arranged services. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the University Communication and Marketing Department if an accessible format is needed.

Remote Participation in Meetings

A member of the Board of Regents may participate in a regular, special, or emergency meeting of the Board by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person. Each member participating remotely must be identified when speaking, all participants must be able to hear each other at the same time, and members of the public attending the meeting must be able to hear any member of the Board who speaks during the meeting. The minutes of any meeting at which there is remote participation shall identify any Regents who were not physically present but who participated remotely.

Closed Meetings (Executive Sessions)

Exceptions to Open Meetings Act

Meetings of the Board of Regents may be closed, according to the procedures set out below, only if the matter to be considered falls within one of the enumerated exceptions defined in § 10-15-1(H) of the Open Meetings Act or if closure can be implied from or required by other laws or constitutional principles which specifically or necessarily preserve the confidentiality of certain information.

Closing an Open Meeting

If notice has not been given previously that a meeting will be closed, a meeting may be closed by a majority vote of a quorum of the Board during the open meeting, with the vote of each member being recorded. The motion shall state: (1) the authority for the closure (the statutory provision); and (2) the subject to be discussed with reasonable specificity. The matter to be discussed must have been included on the agenda, except for emergency matters.

Calling a Closed Meeting Outside of an Open Meeting

Notice that a meeting will be closed, in whole or in part, will be given as specified above for a regular, special or emergency meeting, as appropriate, by so specifying either in the notice of the meeting or on the agenda. The notice shall state the specific provision of the law authorizing the closed meeting and shall state the subject to be discussed with reasonable specificity.

The minutes of the next open meeting shall contain information about the closed meeting, including the date, time, place, and subject matter of the closed meeting, the names of the Regents present at the closed meeting, the names of the absent Regents, and a statement that the matters discussed in the closed meeting were limited only to those specified in the notice of the closed meeting.

Action

Any final action taken as a result of discussions in a closed meeting shall be made by a vote of the Board of Regents at an open public meeting, with the exceptions allowed under § 10-15-1(H).

Agendas

A copy of the agenda for each regular and special meeting of the Board of Regents will be available at least seventy-two (72) hours prior to the meeting (and the notice of the meeting shall so state) and will be placed on the regents.unm.edu website. Except for emergency matters, the Board shall take action only on items appearing on the agenda.

Public Input at Meetings

An opportunity for public input regarding agenda items shall be provided at each regular meeting during Board consideration of the agenda item in question. The Board President shall determine the length of time to be allowed for public input for each agenda item, the sequence in which individuals may address the Board, and the length of time that will be allowed for each person to address the Board. The Board President may request that a group designate spokesperson.

Minutes

The Board of Regents shall approve and keep written minutes of all its meetings. The minutes shall include, at a minimum: (1) the date, time, and place of the meeting; (2) the names of Regents in attendance and those absent; (3) a statement of what proposals were considered; and (4) a record of any decisions made by the Board and how each Regent voted.

Draft minutes shall be prepared within ten (10) working days after the meeting and must be available for public inspection. The draft minutes must clearly indicate that they are not the official minutes and are subject to approval by the Board.

Draft minutes shall be approved, amended, or disapproved at the next regular meeting where a quorum is present. Minutes shall not become official until

approved by the Board of Regents. Official minutes are subject to public inspection.

No minutes need to be kept during closed sessions, but information about the closed session must be recorded as specified in the "Closed Meetings" section of this policy.

Recordings of Board of Regents' meetings shall be kept for, at minimum, three (3) years.

References

- NMSA 1978, § 10-15-1 et seq. ("Open Meetings Act")
- NMSA 1978, § 21-7-5 ("Annual organization meeting of board; election of officers; bond of secretary-treasurer; conditions")

DRAFT OF 9-11-2017 – clean copy

Regents' Policy Manual - Section 1.4: Appointment of the University President

Adopted Date: 09-12-1996 Amended: 10-13-1998

Applicability

This policy applies to the selection and appointment of the University President.

Definition

The term "candidate" includes both applicants and nominees for the position of University President.

Policy

The Board of Regents is responsible for selecting and appointing a University President. The Board considers this to be one of its most important responsibilities.

Whenever the position of president becomes vacant, the Regents shall conduct a search for qualified candidates for the presidency. The Board shall be guided by equal employment opportunity and affirmative action principles and procedures.

The Board may appoint an advisory search committee to aid in identifying qualified candidates for the presidency. Such a committee should be representative of the various segments of the University community and may include Regents and one or more members from the community at large. The Board will carefully consider the committee's recommendations before taking final action but cannot be bound by those recommendations, because the Board has sole legal responsibility for appointing a president.

All Regents, search committee members, or employees involved in the presidential search process at the University shall keep confidential the candidates' identities and other identifying information, except as authorized in this policy. Under all circumstances, letters of reference, the deliberations of the search committee, and other similar evaluative materials shall be kept confidential with respect to all candidates. Preliminary interviews of candidates

by the search committee or any member or subcommittee of the search committee prior to the public identification of finalists shall also be confidential. At least twenty-one (21) days before the date of a meeting of the Board of Regents at which final action is taken on selection of the University President, the Board shall give public notice of names of the finalists being considered for the position. The Board shall consider in the final selection process at least five (5) finalists. The required notice may be provided through various methods, which must include publication in a newspaper of statewide circulation and in a newspaper of county-wide circulation in Bernalillo County. The required publication shall be made at least twenty-one (21) days and not more than thirty (30) days before the described meeting. Copies of the resumes or curriculum vitae of the finalists shall be made available at the same time public notice is given of their names.

The Board may appoint an interim or acting president pending completion of a search for a permanent president.

The University President serves at the discretion of the Board, subject to the terms of the President's contract.

Reference

- NMSA 1978, § 21-1-16.1 ("State institutions of higher education; presidential searches")

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Regents' Policy Manual - Section 1.5: Appeals to the Board of Regents

Adopted Date: 09-12-1996

Applicability

This policy applies to appeals to the Board of Regents.

Policy

Any person affected by final decisions of the administration, faculty, student government, or a hearing board may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered, with the following exceptions. The Board is required to hear certain appeals from decisions of the Academic Freedom and Tenure Committee. In contrast, federal regulations prohibit the Regents from accepting appeals pertaining to decisions of the University's institutional review boards (which oversee human subjects research) or Institutional Animal Care and Use Committee.

The Board upholds the rights of appeal afforded under University policies. Any person wishing to appeal a final decision to the Board may submit a written petition to the Office of the Regents, which will inform the Office of the University President of the Regents' receipt of the appeal. The Board may refer appeals to a committee of the Board for recommendation as to whether the appeal should be heard.

The petition must be filed within thirty (30) calendar days from the date of the final decision, unless otherwise provided by University policy. A final decision is the last step of appeal or review provided for in a University policy or document and may include decisions of administration, faculty, student government, or hearing boards. The petition must describe the decision being appealed and the basis for the appeal. Generally, the Board accepts appeals only in extraordinary circumstances.

The Board shall have sixty (60) calendar days to determine whether to accept a discretionary appeal. In considering whether to accept a discretionary appeal, and in considering the appeal itself, the Board (or a committee if one is

appointed) may request written briefs, oral arguments, or both. At its discretion, the Board may extend its time to consider a requested appeal.

Reference

- [RPM 1.1 \(“Responsibilities of the Board of Regents”\)](#): “The Board reserves the right to consider and determine any matter relating to the University.”

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Regents' Policy Manual - Section 1.6: Special Recognition and Awards

Adopted Date: 09-12-1996 Amended: 11-14-1996

Applicability

This policy applies to awards of honorary degrees and other types of special recognition given on behalf of the University at the discretion of the Board of Regents. This policy does not preclude other kinds of awards and recognition by other units or officials of the University.

Policy

It is the practice of the Board of Regents of the University to recognize from time to time the contributions of special people to the University, to the State of New Mexico, or to the national or international community. The Board has established the following awards for this purpose.

1. **Honorary Degrees.** The University wishes to recognize and thereby encourage individuals by awarding special honors to those persons who have contributed significantly to the cultural or scientific development of the Southwest, or to the spiritual or material welfare of its people. At the same time, due regard should be paid to eminent individuals and scholars whose contributions are of general significance and transcend geographic limitations. In no case should a passing courtesy to the University, such as the delivery of a commencement address, be the sole or principal cause for such honorary awards. The award of an honorary degree to a person seeking or holding a political office does not indicate endorsement by the University. Political involvement should not prevent selection of an individual for an honorary degree. It is not the University's policy to award honorary degrees to active members of the faculty, staff, or administration. This does not preclude, in an exceptional case, the awarding of an honorary degree to an emeritus member of the faculty or to a former employee whose stature remains or becomes eminent in the years following active service with the University. In such exceptions, sufficient time shall have elapsed to insure objectivity in the process of selection. Honorary degrees will be awarded only upon the approval of

the Regents, based on recommendations from the Honorary Degree Committee, whose membership is set out in the Faculty Handbook.

2. **Regents' Meritorious Service Award.** The Regents' Meritorious Service Award will be awarded to a member or members of the faculty and staff of the University in recognition of extraordinary and distinguished service to the University. The criteria for the faculty award will be outstanding teaching, service to students, research, scholarship, publications, performance in faculty and University governance, or other such contributions which have enhanced the institution. The criteria for the staff award will be outstanding performance of duties and meritorious service which have enhanced the University. Selection will be made by the Regents.
3. **Regents' Recognition Award.** The Regents' Recognition Award will be awarded by the Regents to a person or persons, other than faculty or staff, who have performed outstanding service to the institution. The criteria for the award will be extraordinary and unselfish assistance to the University over an extended period of time. However, a single service might be recognized if, in the judgment of the Regents, circumstances warrant. Selection will be made by the Regents.
4. **The University Medal.** The University Medal will be awarded by the Regents to a person of national or international accomplishment deserving of high honor. In keeping with the universal nature of the knowledge and public service which are embodied in the very essence of the University, the University Medal will be used to express the appreciation of the University for the accomplishments and contributions of the individual, which may be in any field of knowledge or public service of national or international character. No limits of residence or national origin are to be placed on this award. Since the desirability of honoring such persons should be both obvious and compelling, the Regents will not grant this award on a systematic basis, nor institute fixed time periods for making the award. The medal will be awarded only in the event that the attainments of a qualified individual are such that the administration and Regents are persuaded that this rare and special recognition is clearly deserved.

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Regents' Policy Manual - Section 1.7: Advisors to the Board of Regents

Adopted Date: 09-12-1996 Amended: 08-14-2007 Amended: 08-12-2008

Applicability

This policy applies to advisors to the Board of Regents.

Policy

The Board of Regents is committed to open communication with various constituencies on campus and values their advice on matters of policy and other actions affecting the University. The position of advisor to the Board of Regents is one method of assuring appropriate and adequate communication. Advisors are not intended to substitute for other forms of communication and access to the Regents, but rather to facilitate and focus the expression of points of view to the Board of Regents.

Advisors to the Board of Regents shall include the following:

- President of the Faculty Senate
- President of the Associated Students of the University of New Mexico (ASUNM)
- President of the Graduate and Professional Students Association (GPSA)
- President of Staff Council
- President of the UNM Alumni Association
- President of the UNM Retiree Association
- President of the UNM Parent Association
- Chair of the UNM Foundation Board

These bodies represent the major campus constituencies.

The advisors shall serve in an advisory, nonvoting capacity for the term of office to which each was elected.

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Regents' Policy Manual - Section 1.8: Regent Code of Conduct and Conflicts of Interest

Adopted Date: 09-12-1996

Amended: 07-15-2003

Amended: 09-09-2003

Renumbered from 6.4: June 9, 2004

Applicability

This policy applies to members of the Board of Regents.

Policy

Members of the Board of Regents shall use the powers and resources of their office only to advance the University's interests and not to obtain personal benefits or pursue private interests. Regents shall not accept favors or gratuities of significant economic value from any firm, person, or corporation that is engaged in, or attempting to engage in, business transactions with the University. They must avoid any conflict of interest that might affect their independent judgment in the impartial performance of their duties. They may not engage in official acts for the purpose of enhancing their direct or indirect financial interest or use or disclose confidential information learned as a Regent for anyone's private gain. Regents shall comply with state conflict of interest laws as well as University policies.

No Regent shall maintain a financial interest in a firm or corporation with which the University is engaged in business. In addition, a Regent shall not participate directly or indirectly in any decisions relating to any transaction between the University and a business entity of which the Regent or any member of the Regent's immediate family is a director or trustee.

For the purposes of this policy, "financial interest" includes any direct or indirect financial interest. This includes any transaction between the University and the Regent or a Regent's immediate family member. An "immediate family member" is a family member who shares a home with a Regent; or is a person who receives financial support of more than twenty-five percent (25%) of his or her annual income from a Regent; or is a person who is claimed as a dependent for

federal income tax purposes by a Regent. "Financial interest" also includes any transaction between the University and a business entity (corporation, sole proprietorship, partnership, LLC, or similar entity), including parents or subsidiaries of the business entity, in which the Regent or a Regent's immediate family member:

- has an ownership interest (other than as owner of less than one percent (1%) of the stock of a publicly traded corporation), or
- is a partner or officer of such business entity or an employee of such business entity whose compensation is related to business transacted with the University

Each Regent will annually certify compliance with this policy on a form approved by the Regents. Each annual certification shall be filed by the Regents with the University Counsel who shall furnish a copy to the Executive Vice President for Administration. If a Regent fails to file an annual certification or fails to comply with other aspects of this policy, the Board of Regents shall give written notice to the Governor of the State of New Mexico. The Regents shall make any such notice public. Violation of this policy by a Regent will be grounds for removal of that Regent pursuant to Art. XII, § 13.D of the Constitution of New Mexico.

The Financial Disclosures Act, NMSA 1978, § 10-16A-3, requires each Regent to file a yearly [Financial Disclosure Statement](#) with the New Mexico Secretary of State concerning the Regent's financial interests. A copy of the Financial Disclosure Statement shall also be filed by the Regent with the University Counsel who shall furnish a copy to the Executive Vice President for Administration and distribute a copy to each member of the Board of Regents. The report filed with the University Counsel shall be amended whenever it is necessary to reflect significant changed circumstances.

In accordance with NMSA 1978, § 10-16-11.D, this code of conduct shall be reviewed at least once every four (4) years.

References

- NM Const. Art. XII, § 13 ("Board of regents")
- NMSA 1978, § 10-16-1 et seq. ("Governmental Conduct Act")
- NMSA 1978, §§ 13-1-190, -193, -195; 21-1-17, -35 ("Procurement Code")
- NMSA 1978, § 10-16A-3 ("Financial Disclosure Act")
- NMSA 1978, § 10-16B-1 et seq. ("Gift Act")

DRAFT OF 9-12-2017 – clean copy

Regents' Policy Manual - Section 2.1: Free Expression and Advocacy

Adopted Date: 09-12-1996

Applicability

This policy applies to all members of the University community, including Regents, faculty, students, staff, and visitors.

Policy

Freedom of inquiry and freedom of expression are indispensable elements of a university. The freedom to engage in advocacy and to express dissent by lawful means, including peaceable assembly and the right of petition, is as important on a university campus as elsewhere in our society. The Regents have protected and defended, and will continue to protect and defend, the academic freedom of all members of the University community. The exercise of the freedom of expression and dissent, however, must be balanced with the rights of others to learn, work, conduct business, and engage in other legitimate University activities.

The Regents recognize the right of free speech and expression of opinion on any subject by any member of the University community, subject only to reasonable rules that apply uniformly and do not discriminate among points of view. Those who speak or act shall not do so in the name of the University or any of its organizations unless there has been specific authorization to do so. The University President, as its chief executive officer, is authorized by the Board of Regents to be the primary spokesperson for the University. The Board President is authorized to speak officially on behalf of the Board.

References

- US Const., First Amendment
- NM Const., Art. II, § 17 (“Freedom of speech and press; libel”)
- UAP 2220 (“Freedom of Expression and Dissent”)

DRAFT OF 9-12-2017 – clean copy

Regents' Policy Manual - Section 2.2: Speakers from Off Campus

Adopted Date: 09-12-1996

Applicability

This policy applies to all speakers at the University who are not affiliated with the University of New Mexico, whether or not sponsored by members of the campus community.

Policy

The University encourages free inquiry on the campus. It provides a forum for a wide variety of speakers, including those expressing unpopular or controversial ideas. The University has confidence in the ability of its students, faculty, and staff to critically evaluate all ideas that may be expressed by speakers from off campus. Neither the use of a University venue nor the sponsorship of an off-campus speaker by a University unit amounts to University endorsement of the views expressed by the speaker, the attendees, or the sponsoring organization.

As an academic institution, the University expects that presentations of speakers in University facilities will be of educational value, and that they will be conducted in an orderly manner. Academic departments, administrative offices, student governments, and chartered student organizations may invite off-campus speakers to address the University community in accordance with established procedures and protocols. No University organization should accept speakers imposed upon it by any outside agency or individual.

University facilities normally will not be made available for non-affiliated or non-sponsored speakers, except through the University's facility rental policies and procedures. This policy is not intended to restrict the use of University facilities for meetings of a professional or academic nature arranged as part of the University's regular functions.

Speakers approved in accordance with University procedures should be allowed free expression of their views. Members of the audience should permit such speakers to be heard without harassment.

Reference

- RPM 8.1 (“Special Use of University Facilities”)

DRAFT OF 9-12-2017 – NEW (9-14-2016 draft reviewed by the DOJ)

A consolidated policy that replaces RPM 2.4 (“Diversity and Campus Climate”) and RPM 2.5 (“Sexual Harassment”)

Regents' Policy Manual - Section 2.3: Equal Opportunity, Affirmative Action, Anti-Harassment, and Anti-Retaliation

Adopted Date: 09-12-1996

1. Applicability

This policy applies to all University students, employees, and applicants.

2. Policy

The University has an enduring commitment to support equality of employment and educational opportunity by promoting a diverse environment free from unlawful discrimination and harassment. The University forbids unlawful discrimination and harassment based on considerations of age, ancestry/national origin, gender identity, genetic information, serious medical condition, mental/physical disability, pregnancy, religion, sex, sexual orientation, spousal affiliation, or veteran status.

2.1. Equal Employment Opportunity

University policy, state and federal law, and regulations forbid unlawful discrimination based on the considerations mentioned in Section 2 above in recruiting, hiring, training, promoting, and all other terms and conditions of employment. Personnel policies will be administered without regard to those considerations, except when one of these is a bona fide occupational qualification. The University strives to assure equal access to all programs, facilities, and services.

2.2. Equal Educational Opportunity

The University is committed to providing equal educational opportunity and forbids unlawful discrimination on the basis of the considerations mentioned in Section 2

above. Equal educational opportunity includes admission, recruitment, academic activities, student support services, extracurricular activities, facilities, financial assistance, housing, health and insurance services, and athletics.

2.3. Affirmative Action

The University is committed to a program of affirmative action to increase access by, and participation of, traditionally underrepresented populations in the University's work force and educational programs. A diverse workforce and student body are absolutely essential to fulfill the University's education, research, and public service missions and to serve our state's diverse communities.

With respect to the workforce, in the case where a vacant position falls within a job group which is determined to have underutilization, the hiring official gives preference for selection to a finalist who is a member of the underutilized group, provided that finalist's qualifications and past performance are substantially equal to or exceed the other finalists' qualifications.

With respect to student admissions, the University defines diversity broadly to include, in addition to the traditionally underrepresented populations, such categories as socioeconomic background, culture, language fluency, first generation college students, veteran status, and living in rural New Mexico.

2.4. Reasonable Accommodation

The University makes reasonable accommodations for the religious observances and national origin practices, as well as the known physical or mental disabilities, of students, prospective students, employees, prospective employees, or program users, unless such accommodations fundamentally alter a program, service, or the essential functions of a job, excessively burden faculty, or place an undue hardship on the operation of the University. Employees or program users with disabilities should contact the Office of Equal Opportunity, and students with disabilities should contact the Accessibility Resource Center for information regarding accommodations.

2.5. Anti-Harassment

The University strives to create and maintain an atmosphere free from all forms of unlawful harassment, exploitation, or intimidation in employment and educational settings. The University prohibits harassment of employees and students on the basis of the considerations mentioned in the Section 2 above. The University makes special efforts to eliminate both overt and subtle forms of sexual harassment, sexual violence, and misconduct, as those terms are defined in UAP 2740. In fulfilling its dual roles of

educating and providing public service, the University can and must demonstrate leadership in educating all members of its community about appropriate behavior.

2.6. Anti-Retaliation

Retaliation against any individual for bringing a complaint alleging non-compliance with this or any other policy or for participating in an investigation or hearing is strictly forbidden.

3. References

- Title VI and VII of the Civil Rights Act of 1964
- Title IX of the Educational Amendments of 1972
- Americans with Disabilities Act
- Section 504 of the Rehabilitation Act of 1973
- Executive Order 11,246 of September 24, 1965 (“Equal Employment Opportunity”), as amended by Executive Order 13672 of July 21, 2014 (added sexual orientation and gender identity)
- NMSA 1978, § 28-1-1 et seq. (“New Mexico Human Rights Act”)
- NMSA 1978, § 28-22-1 et seq. (“New Mexico Religious Freedom Restoration Act”)
- UAP 2200 (“Whistleblower Protection, Reporting Suspected Misconduct, and Retaliation”)
- UAP 2215 (“Consensual Relationships and Conflicts of Interest”)
- UAP 2720 (“Prohibited Discrimination”)
- UAP 2740 (“Sexual Misconduct”)

DRAFT OF 9-13-2017 – clean copy

Regents' Policy Manual - Section 2.6: Drug-Free Environment

Adopted Date: 09-12-1996

Amended: 06-12-2012

Applicability

This policy applies to all members of the University community and all property owned, used, leased, or controlled by the University, or any site where official University business is being conducted.

Policy

The University is committed to fostering an environment for the pursuit of its mission that is free of the illegal or inappropriate use of drugs or alcohol. Drug and alcohol abuse at the University pose a serious threat to the health and welfare of faculty, staff, and students; impair performance; jeopardize the safety and wellbeing of other members of the University community and of the general public; and conflict with the responsibility of the University to foster a healthful atmosphere for the pursuit of education, research, and public service.

The unlawful manufacture, distribution, dispensing, possession, or use of controlled substances or alcohol on University property or as part of any University activities by any member of the University community is strictly prohibited.

All members of the University community shall abide by this policy as a condition of employment or enrollment. Violation of this policy may result in disciplinary action, up to and including dismissal and expulsion.

The University President will promote and maintain alcohol and drug-free awareness programs to inform all members of the University community about the issues and risks of substance abuse at the University.

References

- 41 USC 701 et seq. ("The Drug-Free Workplace Act of 1988")
- 20 USC 1145g, 3224a (Section 22 of the "Drug-Free School and Communities Act Amendments of 1989")
- UAP 2140 ("Use and Possession of Alcohol on University Property")
- Pathfinder ("Policy on Illegal Drugs and Alcohol")
- Campus Office of Substance Abuse Prevention

DRAFT OF 9-13-2017 – clean copy

Regents' Policy Manual - Section 2.7: University Seal and Other Official Symbols

Adopted Date: 09-12-1996

Amended: 06-12-2012

Applicability

This policy applies to the use of the University's name and official symbols, including the University seal.

Policy

The official seal of the University of New Mexico is the symbol of the authority and corporate signature of the Board of Regents and may be used in its impressed or embossed form only on diplomas, academic transcripts, enrollment certifications, or other official University documents for which certification is requested by the federal government or a foreign government. The seal cannot be altered or modified except by authorization of the Board of Regents. Over the course of the University's history, the Regents have authorized several variations of the official seal. Use of the University's name and other symbols must comply with [UAP 1010](#).

The Office of the University Secretary and the Office of the Registrar shall have custody of the seal for the purposes described in this policy. The University President may determine additional or different custodians for the seal.

References

- NMSA 1978, § 21-7-4 ("Corporate powers of the board") (granting the Regents "the right...of making and using a common seal and altering the same at pleasure.")
- [UAP 1010 \("University External Graphic Identification Standards"\)](#)

DRAFT OF 9-13-2017 – clean copy

Regents' Policy Manual - Section 2.8: Visitors to the University

Adopted Date: 09-12-1996

Amended: 06-12-2012

Applicability

This policy applies to all persons on University campuses who are not students, employees, or Regents of the University.

Policy

The University acknowledges and affirms the rights of visitors under the federal and state constitutions, including First Amendment and due process rights. However, it shall be considered an offense against the University to engage in conduct that adversely affects the University's educational function, disrupts community living on campus, or interferes with the rights of others to pursue their education, to conduct their University duties and responsibilities, or to participate in University activities. Such conduct is prohibited and can lead to disciplinary action, including expulsion or barring from campus, or arrest by the University when the offense occurs on University premises, as part of a University-sponsored event, or in connection with University activities. The Regents adopted a "Visitor Code of Conduct" which is published in the Pathfinder. The Code specifies which types of conduct may lead to disciplinary action and the sanctions for such conduct.

Reference

- [Pathfinder \("Visitor Code of Conduct"\)](#)

DRAFT OF 1-12-2018 – partial track changes showing revisions to 9-15-2017 version

Regents' Policy Manual - Section 2.9: University Archives and Records

Adopted Date: 09-12-1996

Applicability

This policy applies to all records of the University.

Policy

Any record that is produced or received by the University in the transaction of University business becomes University property and potentially subject to the New Mexico's Public Records Act. The offices of University Archives and Records Management work collaboratively to retain and dispose of records, depending on their significance and type, in accordance with state and federal law.

University Archives

The University Archives documents the University's three basic functions of teaching, research, and public service, by identifying and preserving historically, fiscally, and legally significant records of enduring value.

For main campus and the branch campuses, UNM has appointed a University Archivist, who is responsible for determining which records have enduring historical, fiscal, or legal significance. The University Archivist develops standards and procedures for appraising, preserving, organizing, and accessing records of enduring value. Such records may not be permanently removed from the University or destroyed without the University Archivist's prior approval.

Records that have enduring value generally include:

- Minutes, official correspondence, policy statements, and vital records of the University's governing bodies and administrative offices
- Annual reports and other publications of departments, schools, and colleges

- Photographs, press releases, video recordings, or other items that document University events
- Theses and dissertations
- Campus maps, building and construction files, and blueprints

The Health Sciences Library and Informatics Center is responsible for administering the [archive](#) for the Health Sciences Center.

Records Management

The University's Records Management Center handles the retention and disposition of routine business records of the University. Routine business records provide evidence of business transactions and document the University's programs and activities. They are maintained for valid administrative and legal reasons for a set period, and may be destroyed in compliance with state and federal law and regulations. Any records that could have enduring value must be reviewed by the University Archivist before destruction.

~~The Health Sciences Library and Informatics Center is responsible for administering the retention and disposition of certain records of the Health Sciences Center.~~

References

- [University Archives](#)
- [Records Management Center](#)
- [Health Sciences Library and Informatics Center](#)
- NMSA 1978, § 14-3-1 et seq. ("Public Records Act")
- [NMAC 1.21.2 \("Retention and Disposition of Public Records"\)](#)

DRAFT OF 9-13-2017 – clean copy

Regents' Policy Manual - Section 2.10: Architectural Style of Campus Buildings and Campus Master Plan

Adopted Date: 09-12-1996

Amended: 06-12-2012

Applicability

This policy applies to all buildings on the central campus of the University.

History

The Pueblo Revival style of architecture on campus was introduced by University President Tigh in the early 1900s and was officially adopted by the Regents at that time after stormy controversy. Later abandoned for a few years, the Pueblo Revival style was readopted by Santa Fe architect John Gaw Meem. Retained by the University as campus architect in 1933, Meem designed thirty-six structures in the distinctive style that came to be known as Pueblo Revival.

In 1959, with the adoption of the Long-Range Campus Development Plan, the Regents agreed to preserve and enhance the established Pueblo Revival architectural style, with modifications, of buildings on the central campus. No such architectural restrictions were imposed for the north and south campuses, but hope was expressed that new buildings would have regional character.

Policy

It is the policy of the University that all buildings constructed on the central campus reflect the Pueblo Revival style, or harmonize with that style, and that buildings on the north and south campuses reflect the general character of this style to the extent possible given the special needs for facilities in these areas. The consistent use of a single architectural style has become a unique feature of the University of New Mexico campus, and contributes to an aesthetically pleasing environment for all members of the University community.

The Board of Regents shall approve the University's long-range campus master plan to guide the physical development of the campus. Revisions to the master plan must have the approval of the Regents.

Reference

- [Central Campus Consolidated Master Plans](#)

DRAFT OF 9-13-2017 – clean copy

Regents' Policy Manual - Section 2.10.1: Historic Preservation

Adopted Date: 11-09-1999

Applicability

This policy applies to all buildings, landscapes, places, and objects of historic significance that possess exceptional value or quality in representing and reflecting the University's architectural and cultural heritage.

History

The University was one of the first institutions in the Southwest to adopt and promote the Pueblo Revival style and the campus contains some of the earliest non-residential interpretations of that style. Many buildings also have historic significance because of the architects who designed them. John Gaw Meem, for example, a highly respected New Mexico architect who helped to develop the Pueblo Revival style, was responsible for designing thirty-six campus buildings.

Policy

It is the policy of the University that all buildings, landscapes, places, and objects of historic significance be preserved and protected. Removal of or major alteration to any buildings designated by the University Historic Preservation Committee to be of historic significance must be approved by the Board of Regents. These unique historic resources provide a connection to the past for students, faculty, staff, alumni, and the general public. They are essential to the public image of the University and help define a sense of place.

Reference

[UAP 5020 \("Historic Preservation"\)](#)

DRAFT OF 9-13-2017 – clean copy

Regents' Policy Manual - Section 2.11: Honorary Naming Recognition

Adopted Date: 09-12-1996

Amended: 11-13-2001

Amended: 06-14-2005

Applicability

This policy applies to the honorary naming of facilities, spaces, programs, and endowed faculty positions on the various campuses of the University. For the purpose of this policy, “programs” are intended to include major academic and non-academic entities, such as departments, schools, colleges, institutes, and centers.

Policy

The University welcomes the opportunity to honor those who have rendered extraordinary service or support to the institution. Facilities, spaces, programs, and endowed faculty positions may be named for individuals or entities whose accomplishments or generosity advance the University’s mission. A decision to construct or renovate a building, establish a chair, or create a program is to be determined on the basis of established academic and other operational criteria and approved in keeping with the University’s established practices. Naming will be independent of all appointment, admission, and curriculum decisions, which the University will continue to make in keeping with its established practices and academic mission.

The criteria listed in this policy are intended to set reasonable standards, but they should be adapted, as needed, to suit specific situations.

Criteria for Selection of Honorees

Naming a facility, space, program, or endowed faculty position for an individual, organization, or corporation is one of the highest honors that the University can bestow. This recognition is a powerful affirmation of the honoree's connection to the University's mission. As such, honorees shall have exemplary character, an unqualified

reputation for honesty, personal integrity, and the highest standards of personal and professional ethics. Individuals may be considered for naming recognition if they have given extraordinary service to the institution with such exceptional and sustained distinction that their contributions are widely recognized at the University and elsewhere. Individuals, corporations, and other organizations may be considered for naming recognition if they have made significant financial contributions to the University related to the naming opportunity. The criteria for granting naming recognition for extraordinary University service and private financial support are discussed in [UAP 1020](#).

Request for Approval

Since the honorary naming of facilities, spaces, programs, and endowed faculty positions have a long-term impact on the University, the approval process is designed to ensure such action is in the best interest of the University. All naming requests will be reviewed by the Committee on Naming in accordance with the guidelines and procedures found in [UAP 1020](#).

Final approval by the Board of Regents is required in the following cases:

- Naming of facilities and spaces that are part of the outside environment of the University
- Naming of endowed faculty positions
- Naming of academic or non-academic programs

The Board of Regents reserves the right to review for approval, on a case-by-case basis, any naming request not specifically addressed above. At the discretion of the University President, requests delegated to the President may be forwarded to the Board of Regents for approval.

Recording and Reporting

The University Secretary will be responsible for recording the official decisions on all naming requests and reporting those decisions to the appropriate UNM officials.

References

- RPM 1.1 ("Responsibilities of the Board of Regents")
- [UAP 1020 \("Honorary Naming Recognition"\)](#)

DRAFT OF 9-13-2017 – clean copy

Regents' Policy Manual - Section 2.11.1: Building Plaques

Adopted Date: 05-08-2007

Adopted: May 8, 2007

Applicability

This policy applies to the placement of plaques on new buildings and on major new additions to buildings constructed on the University's campuses.

Policy

Upon the completion of construction of a new building or a major new addition to a building on any of the University's campuses, a plaque shall be mounted in the lobby of the building or other appropriate interior location as determined by the University President. The plaque will be of such material, proportion, and detail as to harmonize with its surroundings in an appropriate manner, as approved by the University Architect. The plaque will include the following information:

- Building name
- University President on the date of approval of the construction contract for the building project (the "contract approval date")
- Members of the Board of Regents and their Board offices on the contract approval date, and members and their offices on the dedication date
- Executive Vice President for Administration on the contract approval date, if the project is under that Executive Vice President's jurisdiction
- Provost/Executive Vice President for Academic Affairs on the contract approval date, if the project involves an academic or student services building
- Chancellor for Health Sciences on the contract approval date, if the project involves a Health Sciences Center building
- Members of the Clinical Operations Board on the contract approval date, if determined appropriate by the University President for a project that involves University Hospitals
- Name of architect
- Name of general contractor

- Year building completed
- Other individuals or public officials who the University President determines made substantial efforts or contributions that made the project possible
- If elected officials who were in office at the time the building was funded are listed, acknowledged, or thanked, the plaque shall also include a statement of equal size and visibility that thanks the taxpayers of New Mexico for their contribution in funding the construction

Reference

- NMSA 1978, § 13-8-1, (“Public buildings; acknowledgment of taxpayers when elected officials acknowledged”)

DRAFT OF 9-14-2017 – clean copy

Regents' Policy Manual - Section 2.12: Advertising, Sales, and Solicitations on Campus

Adopted Date: 09-12-1996

Amended: 06-12-2012

Applicability

This policy applies to advertising and solicitation on campus, to indoor and outdoor sales on campus, and to vending.

Policy

Sales, solicitation, and advertising are a natural part of modern life, and an integral part of many university activities. Moreover, the University is an attractive location for many sales, solicitation, and advertising activities, both University-affiliated and independent.

Unregulated advertising, solicitation, and sales can create chaos, disturb the University's educational environment, detract from University activities, and create unwarranted risks for consumers. Moreover, different parts of campus have different needs and concerns in connection with advertising, solicitation, and sales.

The University President is authorized to adopt policies regulating advertising, sales, and solicitations, including machine vending.

References

- [UAP 2150](#) ("Sponsorship by Alcohol Beverage Companies")
- [UAP 2160](#) ("Outdoor Vendors")
- [UAP 3730](#) ("Solicitation")
- [Pathfinder](#) ("Main Campus Rule for Outdoor Events, Sound, and Posting")

DRAFT OF 9-18-2017 – clean copy

Regents' Policy Manual - Section 2.14: Branch Community Colleges and Off- Campus Instructional Centers

Adopted Date: 09-12-1996

Applicability

This policy applies to all branch community colleges and off-campus instructional centers of the University.

Policy

Pursuant to the Branch Community Colleges Act, NMSA 1978, § 21-14-1, et seq., and the Off-Campus Instruction Act, § 21-14A-1, et seq., the University has agreed to serve as the parent institution for branch community colleges and off-campus instructional centers in response to requests from several New Mexico communities. Branch community colleges and instructional centers allow the University to serve the citizens of New Mexico more fully and to provide high quality education throughout the State for students in different locations pursuing post-secondary education.

Pursuant to the applicable statute, an advisory board to the Board of Regents shall be formed for each branch community college or instructional center. No new branch community college or off-campus instructional center may be created after January 1, 1998 without the approval of the legislature.

The branch community colleges and instructional centers respond to the unique needs and multicultural background of the citizens in their respective communities by offering community education programs; career education, including certificate and associate degree programs; and transfer programs that prepare students for upper division entry into colleges and universities. The branch community colleges and instructional centers benefit from resources in their communities, primarily a local property tax levy, and therefore also function as an integral part of the community. The branch community colleges and instructional centers shall commit themselves to protect the quality and integrity of all academic curricula, which are subject to approval by the UNM Faculty Senate pursuant to the Faculty Constitution.

The branch community colleges are authorized to operate under a different admissions policy than the main campus. However, course and degree offerings and transferability shall be subject to criteria and requirements to be established by the University administration and faculty.

The Board of Regents shall enter into an operating agreement with the advisory board of each branch community college or instructional center. These operating agreements shall be reviewed biennially.

References

- NMSA 1978, Sec. 21-2A-1, et seq. ("College District Tax Act")
- NMSA 1978, § 21-14-1, et seq. ("Branch Community Colleges Act")
- NMSA 1978, § 21-14A-1, et seq. ("Off-Campus Instruction Act")
- Operating Agreements with each branch campus or instructional center advisory board (copies maintained in the Director's office at each location, and in the offices of the Provost and University Counsel)
- [RPM 1.1 \("Responsibilities of the Board of Regents"\)](#)

DRAFT OF 9-15-2017 – clean copy

Regents' Policy Manual - Section 2.15: STC.UNM

Adopted Date: 09-12-1996

Applicability

This policy applies to the commercialization and transfer of all technology and technological works created by faculty, staff, and students of the University.

Policy

Pursuant to the University Research Park and Economic Development Act, NMSA 1978, § 21-28-1, et seq., the Board of Regents established STC.UNM, a New Mexico non-profit corporation. STC.UNM promotes the economic well-being of the State of New Mexico and advances the mission of the University by bringing special expertise to the commercialization of University-owned intellectual property.

As required by NMSA 1978, § 6-5A-1, the Board of Regents has approved an agreement between the University and STC.UNM, setting forth the relationship between these entities and their respective responsibilities.

The only member of STC.UNM is the Board of Regents of the University of New Mexico and any net resources generated shall inure to the benefit of the University, subject to the Intellectual Property Policy in the Faculty Handbook. All intellectual property created by University faculty, staff, and students subject to disclosure under the Intellectual Property Policy shall be made available to STC.UNM for possible assignment to STC.UNM for commercialization.

References

- NMSA 1978, § 21-28-1 et seq. (“University Research Park and Economic Development Act”)
- STC.UNM Bylaws
- Revised Memorandum of Agreement between the Board of Regents and STC.UNM dated December 14, 2004
- RPM 5.8 (“Intellectual Property”)
- Faculty Handbook E70 (“Intellectual Property Policy”)

DRAFT OF 9-15-2017 – clean copy

Regents' Policy Manual - Section 2.16: University Counsel

Adopted Date: 09-12-1996

Amended: 12-14-2004

Amended: 01-06-2007

Amended: 01-09-2007

Amended: 12-14-2010

Amended: 03-14-2016

Applicability

This policy applies to the Office of University Counsel and the use of outside legal counsel by the University. This policy also applies to the initiation of, joinder, or intervention in litigation, or other forms of legal proceedings, in the name of the Regents or for or on behalf of the University.

Policy

The University President shall, consistent with [RPM 3.3](#), appoint a University Counsel who shall be a member of the New Mexico Bar and shall serve as the chief legal officer for the University. Reporting directly to the University President, the University Counsel provides advice on legal issues to the Board of Regents and, at the request of authorized University administrators, to the University community.

The function of the Office of University Counsel shall be to help the University carry out its mission of teaching, research, and service in compliance with federal and state law and University policies and procedures. The Office shall emphasize preventative strategies for avoiding legal difficulties. The Office shall also defend or arrange for the defense of the University, and in appropriate cases its officers and employees, in legal proceedings. The Office shall also defend or arrange for the defense of students against any legal proceedings commenced against them arising from their good faith participation in official University investigations or grievance or disciplinary proceedings, or in official positions, boards, or committees (other than as officers or members of chartered student organizations).

The University Counsel, with the approval of the University President, is hereby authorized to initiate, join, and intervene in legal proceedings in the name of the Regents of the University of New Mexico in routine matters, such as matters involving commercial disputes, collection of amounts due, trespass on University property, medical treatment decisions, or care of patients. Initiation of, joining, and intervening in non-routine legal proceedings must be authorized by the Board of Regents.

Legal services provided by outside counsel to the University and its components should be of the highest quality and delivered in a cost-effective manner. In order to attain these objectives, no component of the University may retain or employ outside counsel except with the prior approval of the University President and University Counsel. For the purpose of this policy, the term "component of the University" includes the University, any unit, department, or office of the University and any University-affiliated organization of which the University is the sole member or in which the University holds, directly or indirectly, a majority voting interest, and which relies on the Office of University Counsel for oversight and invoice approval. The retention, employment, and supervision of such outside counsel shall be in accordance with guidelines promulgated by University Counsel and pursuant to a contract for legal services approved by the University Counsel.

References

- [RPM 3.3 \("Appointment and Termination of Key Administrators"\)](#)
- [RPM 7.8 \("Signature Authority for Contracts"\)](#)

DRAFT OF 9-15-2017 – clean copy

Regents' Policy Manual - Section 2.17: Public Access to University Records

Adopted Date: 09-12-1996

Amended: 05-28-2008

Applicability

This policy applies to requests for University records under the Inspection of Public Records Act, NMSA 1978, § 14-2-1 et seq. (IPRA).

Policy

As a public body, the University complies with the provisions and requirements of IPRA, which provides that "every person has the right to inspect public records of this state," subject to certain exceptions. IPRA broadly defines "public records" as all documents or other materials, regardless of their physical form or characteristics, that are used, created, received, maintained, or held by any public body and relate to public business. IPRA provides certain exceptions to the right of public inspection. These exceptions include, for example, individuals' medical records, letters of reference, matters of opinion in personnel files or students' cumulative files, trade secrets, items that fall within the attorney-client privilege, and items that are considered exceptions "as otherwise provided by law."

The policy of the University is to treat as a public record, and therefore subject to public inspection under IPRA, every item that is defined by IPRA as a public record, and to except from the right of public inspection only those public records that are specifically exempted by IPRA from public inspection. No person who is employed by, does business with, or has a contractual relationship with the University has a legitimate expectation of privacy or confidentiality with regard to public records concerning that person except as specifically provided by IPRA.

Notwithstanding this broad policy that University records are subject to public inspection, the University will comply with all federal and state laws and regulations that provide for confidentiality or non-disclosure of specific records, such as educational records within the meaning of the Family Educational Rights and Privacy Act of 1974 (FERPA) and protected personal health information under the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Public records pertaining to the University will be available for public inspection to the fullest extent required by law. Pursuant to IPRA, NMSA 1978, § 14-2-7, the University has designated a custodian of public records who shall have the duties and responsibilities specified in that section of the statute. The custodian of public records shall respond to requests to inspect public records in accordance with the statute and this policy.

References

- NMSA 1978 § 14-2-1 et seq. ("Inspection of Public Records Act")
- 20 U.S.C. § 1232g ("FERPA")
- 45 CFR [Part 160](#) and Subparts A and E of [Part 164](#) ("HIPAA")
- UAP 2300 ("Inspection of Public Records")
- UNM's Public Records Webpage: <http://publicrecords.unm.edu>

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Regents' Policy Manual - Section 2.18: Guiding Principles

Adopted Date: 08-14-2015

Applicability

These guiding principles serve to direct and guide ethical conduct. They apply to all members of the University community: Regents, administration, faculty, staff, students, members of University advisory boards and committees, and other volunteers serving in an official capacity.

Policy

Integrity, respect, the pursuit and dissemination of knowledge, and public service are essential elements of the University's character and guide our decisions. These and other elements of our character are reflected in the guiding principles.

All members of the University community are expected to maintain the highest standard of ethics as articulated in the guiding principles. Our devotion to these principles at all times, under all circumstances, and in all our actions is key to our success as an institution and as individuals.

The University President shall ensure that all members of the University community are aware of the guiding principles.

Guiding Principles

1. Freedom of Inquiry

We encourage, protect, and respect the exploration of ideas and their free expression.

2. Integrity

We build trust through transparency, truthfulness, and responsibility.

3. Inclusiveness and Respect

We thrive in a diverse environment characterized by respectful regard for other persons, recognition of their dignity, and appropriate use of influence and power.

4. Responsibility to Community

We reflect upon our past, serve our present, and strive to improve our future through thoughtful stewardship of our cultures and environment.

DRAFT OF 9-15-2017 – clean copy

Regents' Policy Manual - Section 3.1: Responsibilities of the University President

Adopted Date: 09-12-1996

Amended: 12-14-2004

Amended: 03-14-2016

Applicability

This policy applies to the University President.

Policy

The University's President is its chief executive officer and reports directly to the Board of Regents. The University President is responsible for implementing the policies adopted by the Board of Regents. The Board hereby delegates authority to the University President to manage the University, as set forth generally in this policy. The University President may further delegate management authority unless prohibited from doing so by an explicit statement in a policy adopted by the Regents.

The University President's responsibilities include:

- oversight of the quality of the academic and support programs of the University and all of its component entities
- supervision of the relationship between students and the administration
- management of the University's finances
- administration of the personnel system
- operation and maintenance of real and personal property under the jurisdiction of the University
- oversight of fundraising, intercollegiate athletics, auxiliary enterprises, and alumni activities
- consultation and cooperation with the Regents and other University groups on various matters, including planning for the future development of the University
- representation of the University in public affairs
- reporting to the Board of Regents on the state of the University and its finances

The Regents' Policy Manual specifies actions for which Regents' approval is required. However, it is virtually impossible to anticipate every situation in which it may be appropriate for the Regents to act. It is the responsibility of the University President, in consultation with the Board President, to seek Regents' approval when a proposed action is of such consequence that it could significantly affect the fiscal condition of the University or its academic mission or is of such public importance as to warrant the involvement of the Regents even though Regents' approval is not specifically required by this manual or any statute or other regulation.

Adoption of Administrative Policies and Procedures

The University President may adopt appropriate administrative policies and procedures to implement Regents' policies, without prior approval of the Regents, provided that the administrative policies and procedures do not conflict with Regents' policies. The University President has adopted a policy for developing new or revised administrative policies and procedures that ensures participation and discussion by those members of the University community affected by the proposed administrative action. Administrative policies and procedures shall become effective on the date of approval by the University President, or as otherwise specified.

Reference

- [UAP 1100 \("Development and Approval of Institutional Policy"\)](#)

DRAFT OF 9-15-2017 – clean copy

Regents' Policy Manual - Section 3.3: Appointment and Termination of Key Administrators

Adopted Date: 09-12-1996

Amended: 12-14-2004

Amended: 12-14-2010

Amended: 03-14-2016

Applicability

This policy applies to the appointment, dismissal, compensation, and contract amendment or non-renewal of all executive vice presidents and the University Counsel.

Policy

In addition to following the applicable administrative policies and procedures, the University President shall inform the Board of Regents prior to appointing, dismissing, setting compensation, and amending or not renewing the contract of all executive vice presidents and the University Counsel. The University President shall also inform the Board of Regents in connection with the appointment, termination, and compensation of other senior or key administrative positions, as appropriate, depending on the circumstances surrounding the appointment, termination, or change in compensation. In the case of the Executive Vice President and Chancellor for Health Sciences, the University President has authority to dismiss the person occupying this position only with the approval of the Board of Regents.

With regard to the recruitment and hiring of all executive vice presidents and the University Counsel, the following guidelines shall be observed, consistent with University policies and procedures:

- A national search shall be conducted unless there are exceptional circumstances and the Regents have been consulted.
- A broadly representative search committee shall be used.
- Finalists in a competitive process for the position shall participate in interviews, including an open forum on campus for the general University or Health Sciences Center, as the case may be, community, and interested members of the public.

Reference

- UAP 3210 (“Recruitment and Hiring”)

DRAFT OF 9-15-2017 – clean copy

Regents' Policy Manual - Section 3.4: Health Sciences Center

Adopted Date: 12-14-2010

Amended: 03-14-2016

Applicability

This policy applies to the University of New Mexico's Health Sciences Center (HSC), which administers academic and clinical programs, facilities, and services, and includes affiliated University Research Park and Economic Development Act (URPEDA) corporations.

Policy

HSC Components

HSC is a fully integrated academic health center and health care delivery system, with an academic arm and a clinical arm. The clinical arm is collectively administered as the "UNM Health System."

The components of HSC's academic arm include the:

- School of Medicine (including UNM Comprehensive Cancer Center)
- College of Nursing
- College of Pharmacy
- College of Population Health
- HSC Library and Informatics Center

The components of the UNM Health System, HSC's clinical arm, include the:

- Clinical elements of the school and colleges listed above (including UNM Comprehensive Cancer Center)
- UNM Hospitals
 - UNM Hospital
 - UNM Children's Hospital
 - Carrie Tingley Hospital
 - UNM Adult Psychiatric Center
 - UNM Children's Psychiatric Hospital
 - Outpatient facilities and clinics under the license(s) of the foregoing
- UNM Medical Group, Inc. (an affiliated URPEDA corporation)
 - Outpatient facilities and clinics under the license of the foregoing

- UNM Sandoval Regional Medical Center, Inc. (an affiliated URPEDA corporation)
 - Clinics under the license of the foregoing
- Other clinics, centers, and programs developed and operated by HSC

HSC Executive Vice President and Chancellor

Subject to [RPM 3.1 \(“Responsibilities of the University President”\)](#), the Executive Vice President and Chancellor for Health Sciences shall provide leadership and have administrative and fiscal responsibility for all of HSC’s clinical and academic activities, operations, and programs. The Chancellor for Health Sciences may issue administrative policies and procedures related to HSC matters, as long as the policies are not in conflict with policies in the [Regents’ Policy Manual](#), [Faculty Handbook](#), or the [University Administrative Policies and Procedures Manual](#).

The Chancellor for Health Sciences shall be designated and serve as the “institutional official” or “designated official,” as the case may be, for any program at HSC requiring the designation of such an official. The Chancellor for Health Sciences will ensure that HSC’s educational and research programs meet the standards of the State of New Mexico and all relevant and applicable accreditation bodies. The Chancellor for Health Sciences serves as the chief academic officer of the Health Sciences Center, and also serves as its chief executive officer. In general, references in Faculty Handbook policies to the Provost or the Provost’s Office should be interpreted to apply to the Chancellor for Health Sciences or to the Office of Chancellor for Health Sciences.

References

- NMSA 1978, § 21-28-1 et seq. (“University Research Park and Economic Development Act”)
- [RPM 3.1](#) (“Responsibilities of the University President”)
- [RPM 3.5](#) (“Health Sciences Center Committee”)
- [RPM 3.6](#) (“UNM Hospital Board of Trustees”)
- [RPM 3.7](#) (“Health Sciences Center Compliance Program”)
- RPM 3.8 (“Institutional HIPAA Compliance Program”)

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Regents' Policy Manual - Section 3.5: Health Sciences Center Committee

Adopted Date: 12-14-2010

Amended: 02-14-2012

Amended: 02-11-2013

Amended: 09-10-2013

Amended: 06-12-2015

Amended: 03-14-2016

Applicability

This policy defines the roles and responsibilities of the Board of Regents' Health Sciences Center standing committee (HSC Committee).

Policy

The HSC Committee oversees HSC's clinical, operational, financial, research, and educational affairs.

Composition

The HSC Committee shall consist of three (3) Regents, to be selected by the Board of Regents in accordance with [RPM 1.2](#).

Scope of Authority

The Regents hereby delegate to the HSC Committee the responsibility to oversee the affairs of the HSC and advise the Regents on the same. Subject to the foregoing, the HSC Committee shall have authority to oversee the HSC's:

- Compliance with applicable federal and state health care regulatory requirements as well as HSC-wide policies.
- Compliance with the Health Insurance Portability and Accountability Act (HIPAA), the Health Information Technology for Economic and Clinical Health Act, the HIPAA regulations, and the University's HIPAA compliance program.
- Licensure, accreditation, planning, patient care, medical staff matters, and quality assurance.

- Reports of financial matters relating to the academic and clinical components of HSC.
- The manner in which the University's policies are administered as they affect the HSC.
- Strategies in enrollment management, retention, and student diversity at each of its component schools and colleges and in their respective educational programs.
- Assuring effective input from the HSC student, faculty, and staff advisors to the HSC Committee.
- Subject to [RPM 7.8](#) (describing financial settlements), claims and/or lawsuits involving HSC's academic and clinical components and the development of a loss control program.

Matters as to which the HSC Committee, consistent with the provisions of the Faculty Constitution and Faculty Handbook as set forth in [RPM 5.1](#), shall review and make recommendations to the Regents for final approval include:

- In consultation with the University Architect, strategic planning and master facility planning for HSC clinical, educational, and research enterprise activities.
- Developments, including pending legislation, involving significant changes in health care delivery and financing.
- New degrees, courses, and curriculum changes required by state law or desired by the colleges and schools comprising the HSC to promote academic excellence at the HSC.
- Tuition and fees to be charged at the colleges and schools comprising the HSC.
- The establishment or disestablishment of colleges, schools, and graduate divisions, organized multi-campus research units and other major research activities, special training programs, and public service undertakings.
- Establishing an annual HSC educational and research enterprise strategic plan for the University.
- Processes to ensure expected outcomes are achieved in attracting and retaining outstanding faculty at the HSC.
- The appointment of individuals to serve as members of the boards of directors of the UNM Medical Group and UNM Sandoval Regional Medical Center, and such other and future affiliated corporations formed to support the HSC consistent with the provisions of the University Research Park and Economic Development Act (URPEDA).
- The formation of one or more corporations in the future under the URPEDA to support the strategic plans and mission of the HSC and its component units.

- The transfer of money, personal property, and real property to any one or more URPEDA corporations formed by the Regents to support the HSC and its component units and the proposed terms thereof.
- Budget requests and proposed legislation.

References

- NMSA 1978 § 21-28-1 et seq. (“University Research Park and Economic Development Act”)
- [RPM 3.4](#) (“Health Sciences Center”)
- [RPM 3.6](#) (“UNM Hospital Board of Trustees”)
- [RPM 3.7](#) (“Health Sciences Center Institutional Compliance Program”)
- RPM 3.8 (“Institutional HIPAA Compliance Program”)
- [RPM 5.1](#) (“The Faculty’s Role in the University’s Academic Mission”)

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Regents' Policy Manual - Section 3.7: Health Sciences Center Institutional Compliance Program

Adopted Date: 12-14-2010

Amended: 09-12-2014

Applicability

This policy applies to the academic and clinical programs, facilities, and services operating under the University of New Mexico Health Sciences Center (HSC) and its units, clinics, centers, programs, and affiliated corporations described in [RPM 3.4](#).

Institutional Compliance Program

The HSC attempts to ensure at all times that its business (internally and with outside contractors) is conducted in accordance with the highest ethical standards and in compliance with the various federal and state laws and regulations applicable to its activities. To fulfill these obligations, the HSC has adopted and implemented an Institutional Compliance Program, which will include all compliance functions related to its clinical, research, and educational efforts. These functions include, without limitation, clinical and clinical trials compliance, human research protection, animal research, biosafety, conflict of interest, human subjects protection, use of animals in education and research, export control compliance, research integrity, and fiscal compliance related to billing and federal grants, Family Educational Rights and Privacy Act, and other educational compliance activities.

The HSC Institutional Compliance Program is committed to building a culture that fosters integrity and ethical conduct, promoting compliance with regulatory requirements, and enhancing awareness through education, training, and guidance to faculty and staff. Employees are expected to acknowledge that they understand their responsibilities and perform their work in an ethical and legal manner as detailed in the [HSC Code of Ethics](#). The HSC Institutional Compliance Program promotes an environment where suspected acts or events of non-compliance should be reported to their immediate supervisor, another member of management, or the HSC Compliance Officer. Reports can also be made in confidence and anonymously without fear of retaliation through the UNM Compliance Hotline at 1-888-899-6092 or online through www.unm.ethicspoint.com.

The HSC Institutional Compliance Program is based on risk-based and proactive activities in support of compliance and aligned with the compliance program guidances published by the US Department of Health and Human Services' Office of the Inspector General for hospitals, recipients of Public Health Service research awards, and related health professions (including those related to physicians at teaching hospitals), and the US Federal Sentencing Guidelines. The HSC Institutional Compliance Program strives to reduce fraud, waste, and abuse while maintaining the reputation of the HSC as a reliable, honest, and trustworthy health care community partner.

References

- [HSC Compliance Office](#)
- US Federal Sentencing Guidelines: www.ussc.gov/guidelines/2015-guidelines-manual/archive/2010-8b21
- Office of the Inspector General Compliance Program Guidelines: <https://oig.hhs.gov/compliance/compliance-guidance/index.asp>
- Centers for Medicare and Medicaid Services Guidelines for Physicians at Teaching Hospitals: <https://www.cms.gov/outreach-and-education/medicare-learning-network-MLN/MLNProducts/downloads/guidelines-teaching-physicians-textonly.pdf>

DRAFT OF 1-12-2018 partial track changes showing revisions to 9-15-2017 version

Regents' Policy Manual - Section 3.8: Institutional HIPAA Compliance Program

(formerly part of RPM 3.7)

Applicability

This policy applies to the “health care components” of the University’s Health Sciences Center (HSC), to other health care components of the University, and to the University’s organized health care arrangement (OHCA).

The University is considered a “hybrid covered entity” because it consists of both health care components and non-health care components. The health care components of the hybrid covered entity are identified in Exhibit A to this policy.

HIPAA and HITECH

It is the policy of the health care components of the University to establish reasonable administrative, technical, and physical safeguards in an effort to protect the privacy of “protected health information” and “electronic protected health information” that the health care components create, obtain, or maintain, as required by the:

- Health Insurance Portability and Accountability Act of 1996, as amended (HIPAA),
- Health Information Technology for Economic and Clinical Health Act, contained in the American Recovery and Reinvestment Act of 2009 (HITECH), and
- regulations issued by the Department of Health and Human Services with respect to HIPAA (collectively with HIPAA and HITECH, the “HIPAA Standards”).

Self-Insured Health Plans

The University and University Hospitals may sponsor self-insured health plans for the benefit of their respective employees and their dependents, including the UNM Self-Insured Health Plan, the Self-Insured Resident Physician Health Plan, and the Self-Insured Student Health Plan (each, a “Self-Insured Benefit Plan,” and, collectively, the

“Self-Insured Benefit Plans”). The Self-Insured Benefit Plans shall each be considered a “covered entity” within the meaning of the HIPAA Standards.

HIPAA Privacy Officer

The University President has delegated to the Chancellor for Health Sciences responsibility for assuring that the University’s health care components identified in Exhibit A comply with the HIPAA Standards. As part of that responsibility, the Chancellor for Health Sciences designates an individual to serve as the HIPAA Privacy Officer for the University’s health care components.

The responsibilities of the HIPAA Privacy Officer include assuring that Exhibit A accurately reflects the University’s health care components. The HIPAA Privacy Officer must notify the UNM Policy Office when Exhibit A should be amended. The UNM Policy Office has authority to amend Exhibit A at the request of the HIPAA Privacy Officer.

Affiliated Corporations

Two affiliated University Research Park and Economic Development Act (URPEDA) corporations that are components of HSC’s clinical arm are separate legal entities and, therefore, their own covered entities within the meaning of the HIPAA Standards. These URPEDA corporations are integral members of the UNM Health System, as defined in RPM 3.4, and have adopted and implemented their own policies in respect to the HIPAA Standards, consistent with this policy.

More specifically, UNM Medical Group, Inc. (UNMMG) and any and all clinics operated and/or managed by UNMMG are a covered entity separate from the University, including, without limitation, UNMMG’s provision of third-party administration, medical management, clinical management, network management, and related services in relation to any of the Self-Insured Benefit Plans.

In addition, UNM Sandoval Regional Medical Center, Inc. (SRMC) and any and all clinics operated and/or managed by SRMC are a covered entity separate from the University. At the same time, any self-insured group health benefit plan sponsored by SRMC for the benefit of SRMC employees and their dependents (the “SRMC Self-Insured Benefit Plan”) is also considered a separate covered entity.

Organized Health Care Arrangement

The HSC, the Self-Insured Benefit Plans, UNMMG, SRMC, the SRMC Self-Insured Benefit Plan, and the health care components listed in Exhibit A shall take the steps

necessary to be considered an OHCA within the meaning of the HIPAA Standards when the parties mutually agree and benefit from joint activities. All components of the OHCA will undertake the steps necessary to comply with the HIPAA Standards.

References

- NMSA 1978, § 21-28-1 et seq. (“University Research Park and Economic Development Act”)
- 42 U.S.C. § 1320d, and as amended by the HIPAA Omnibus rule, effective March 26, 2013 (“The Administrative Simplification Provisions of the Health Insurance Portability and Accountability Act of 1996”)
- Regulations pursuant to HIPAA: 45 CFR, Parts 160, 162, and 164; American Recovery and Reinvestment Act of 2009; Title XIII; Health Information Technology for Economic and Clinical Health Act
- [RPM 3.4 \(“Health Sciences Center”\)](#)
- [UNM’s HIPAA Compliance Policy for Certain Health Plans Offered by the University](#)

EXHIBIT A

The University of New Mexico, as a hybrid covered entity under 42 CFR Part 164.504, hereby designates the following operations as health care components for purposes of complying with the HIPAA Standards:

- HSC and its academic and clinical arms (as defined in [RPM 3.4](#), except for UNMMG and SRMC)
- Telemedicine, telehealth, and teleradiology programs (including, without limitation, Project ECHO) on all UNM campuses, hospitals, and clinics
- Counseling Assistance and Referral Services
- ~~Psychology Clinic~~
- Speech and Hearing Sciences
- Employee Health Promotion
- Any and all Lobo Clinics
- Student Health and Counseling, excluding those activities thereof covered by the Family Education Rights and Privacy Act, 20 USC. § 1232g, as amended
- Office of the University Counsel when accessing or providing health care operational support services in respect to the HSC, the Self-Insured Benefit Plans, and/or to any of the other health care components identified in this Exhibit A
- Safety and Risk Services Department when accessing or providing health care operational support services in respect to the HSC, the Self-Insured Benefit

Plans, and/or to any of the other health care components identified in this Exhibit A

- Internal Audit Department when accessing or providing health care operational support services in respect to the HSC, the Self-Insured Benefit Plans, and/or to any of the other health care components identified in this Exhibit A
- Applicable Human Resources Departments as follows:
 - of the University, in carrying out and discharging its administration duties in respect to its Self-Insured Benefit Plan
 - of UNM Hospitals, in carrying out and discharging its administration duties in respect to its Self-Insured Benefit Plan
- Information Technologies Department of the University, and the HSC, respectively, when accessing or providing mission support services in respect to the HSC, the Self-Insured Benefit Plans, and/or to any of the other health care components identified in this Exhibit A

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Regents' Policy Manual - Section 3.9: Benefits of the University President

Adopted Date: 08-08-2014

Applicability

This policy applies to the University President and spouse.

Policy

The University President is eligible to receive the same employee benefits provided by policy for all other University employees, including life insurance, health and accident insurance, retirement, and tuition waivers. The Board of Regents may further authorize supplemental life insurance, deferred compensation, or other benefits or salary supplements as part of the Regents' goal to maintain peer equity in the University President's compensation.

If expressly authorized by the Regents in furtherance of the University President's responsibilities, additional benefits such as sabbatical privileges, leaves of absence, individual professional association memberships, and club memberships and dues may be provided for use in carrying out the role of University President.

The terms of the University President's compensation and benefits package are set forth in an employment agreement between the University President and the Regents. In the event of a conflict between the employment agreement and the provisions of this policy the employment agreement governs.

Term Life Insurance

The University will purchase a term life insurance policy on the life of the University President. The employment agreement between the University President and the Regents specifies that the University must be named as a partial beneficiary under the policy. The premium cost for the percentage of the policy for which the University President specifies the beneficiary is to be included in the taxable compensation of the University President. The premium cost for the percentage of the policy for which the

University is named as a beneficiary is not to be included in the taxable compensation of the University President.

Automobile Use

The University President may receive an automobile allowance, payable monthly for the reimbursement of the use of personal vehicles for University purposes. The automobile allowance shall be specified in the employment agreement.

Travel

The University President will receive reimbursement for reasonable travel, hotel, and other proper expenses for official University business, in accordance with UAP 4030. The Board of Regents will approve any requests for exceptions to the requirements of UAP 4030 on a case-by-case basis.

Professional Growth

The University will pay or reimburse the University President for reasonable expenses incurred to attend educational conferences, conventions, courses, seminars, and other similar professional growth activities.

Official Residence

The University President's official residence is located at 1901 Roma NE on the University campus. As required by the Board of Regents as a condition of employment, the residence will be used for University purposes, both administrative and social. The University will provide repair and maintenance services, utilities (electricity, gas, water, sewer, cable television or similar service, and telephone service) for the residence. Any remodeling or major repairs in excess of twenty thousand dollars (\$20,000) must be reviewed by the Board of Regents' Finance and Facilities Committee and approved by the full Board.

In the public parts of the official residence the University President shall entertain visiting dignitaries and community leaders, hold receptions, meetings, fundraisers, or otherwise host a variety of events for mixed business and social purposes benefiting the interests of the University. In such instances, cooking, catering, and housekeeping services may be provided or otherwise paid for by the University at the University President's request.

Discretionary Funds

In order to assist the University President in carrying out presidential duties, the University President will have a reasonable discretionary fund made available from private funds raised by the UNM Foundation for such miscellaneous expenses as retirement or recognition gifts, purchase of tables at receptions sponsored by community organizations, and other similar expenses judged appropriate for the benefit of the University. The University President's expenditures are provided for Regents' review on a regular basis, including through an annual audit of such expenditures.

Alcoholic Beverages

Reimbursement of the purchase of alcoholic beverages is prohibited except when incurred in the performance of University business, such as a hospitality event for guests of the University. Payment or reimbursement for such purchases of alcoholic beverages shall be made with University of New Mexico Foundation funds. The University President is expected to comply with UAP 4000.

Spousal Benefits

The Regents recognize that the University President's spouse is expected to participate in the activities and operations of the University. The spouse often makes a large and uncompensated contribution to the affairs of the University. By representing and often substituting for the University President at functions within the University and the community and through involvement in University events, fundraising, alumni, and other activities, the spouse can provide an important benefit to the University. In order for the reimbursement of a spouse's expenses to be non-taxable and excluded from the University President's gross income, the spouse must have been engaged in an activity that has a bona fide University business purpose.

Actual expenses for travel, lodging, and meals for the spouse may be paid by the University when the spouse participates in meetings, conferences, and workshops specifically related to the presidential role, and when participating in official functions such as alumni development, fundraising, and University advancement. Any such University related travel expenses incurred will be reimbursed according to UAP 4030 and other established policies and procedures and be considered non-taxable.

When the spouse accompanies the University President on trips and does not have a bona fide business purpose or has no specific and significant involvement in the business activity, the amount paid for such travel is taxable and must be included in the President's gross income.

Annual Audit Report

Internal Audit shall prepare and submit to the Board of Regents an annual audit report detailing the University President's travel and entertainment expenses.

References

- UAP 4000 ("Allowable and Unallowable Expenditures")
- UAP 4030 ("Travel")

Exhibits

[Exhibit A](#) - Taxes Related to the Expenses of the University President's Spouse

[Exhibit B](#) - Documentation Form for Spousal Expenses

DRAFT OF 9-18-2017 – clean copy

Regents' Policy Manual - Section 4.1: Student Government

Adopted Date: 09-12-1996

Amended: 12-12-1996

Amended: 06-09-1998

Applicability

This policy applies to all students at the University of New Mexico.

Policy

The Board of Regents recognizes the importance of student government and authorizes students to provide for their own self-government in aspects of student affairs in accordance with Regents' policies and student government constitutions approved by the Regents. The student government organizations authorized by the Board of Regents are the Associated Students of the University of New Mexico ([ASUNM](#)), representing undergraduate students of the Albuquerque campus; the Graduate and Professional Student Association ([GPSA](#)), representing graduate and professional students of the Albuquerque campus; the Gallup Branch Campus Student Government; the Taos Branch Campus Student Government; the Valencia Branch Campus Student Government, and the Los Alamos Branch Campus Student Government. The constitutions of each of these organizations and any proposed amendments as provided for in their constitutions are subject to approval and modification by the Board of Regents. The Board of Regents will intervene in student government only in unusual circumstances or to ensure compliance with the law.

The by-laws, law books, election rules, and other regulations of these organizations shall be subject to review and approval by the University Counsel as to form and consistency with applicable law and regulations.

DRAFT OF 9-18-2017 – clean copy

Regents' Policy Manual - Section 4.2: Student Code of Conduct

Adopted Date: 09-12-1996

Amended: 06-12-2012

Applicability

This policy applies to all enrolled students at the University.

Policy

The University acknowledges and affirms the rights of students under the federal and state constitutions, including First Amendment and due process rights.

In 1992, the Regents approved a Student Code of Conduct, which is published in the [Pathfinder](#). The purpose of the Student Code of Conduct is to prevent conduct that adversely affects the University's educational function; disrupts community living on campus; or interferes with the rights of others to pursue their education, perform their University duties and responsibilities, or participate in University activities.

The University may take disciplinary action when a violation of the Student Code of Conduct occurs on University premises or at University-sponsored events. Disciplinary action also may be taken for a violation that occurs off campus when the failure to take disciplinary action is likely to interfere with the educational process or orderly operation of the University, or endanger the health, safety, or welfare of the University community.

Reference

- Pathfinder (["Student Code of Conduct"](#))

DRAFT OF 9-18-2017 – clean copy

Regents' Policy Manual - Section 4.3: Student Grievances

Adopted Date: 09-12-1996

Amended: 06-12-2012

Applicability

This policy applies to all enrolled students at the University.

Policy

Disputes arise in every community and the University community is no exception. Disputes may arise, for example, in regard to academic matters, disciplinary matters, academic records, discrimination, academic dishonesty, or sexual harassment. The University shall provide procedures for the peaceful and fair resolution of disputes that may arise between students, and between students and members of the faculty or staff of the University. All grievance procedures shall respect the due process and other constitutional rights of the participants. These procedures shall provide for the possibility of appeal to the Board of Regents at the discretion of the Board.

References

- [Pathfinder](#) ("Student Grievance Procedure")
- [Pathfinder](#) ("Procedure for Redress of Sexual Harassment")
- [Pathfinder](#) ("Student Employee Grievance Procedure")
- [Faculty Handbook C09](#) ("Respectful Campus")
- [Faculty Handbook D176](#) ("Graduate Student Grievance Procedures")
- [UAP 2240](#) ("Respectful Campus")
- [UNM Office of Equal Opportunity](#) ("Discrimination Claims Procedure")

DRAFT OF 9-18-2017 – clean copy

Regents' Policy Manual - Section 4.4: Student Records

Adopted Date: 09-12-1996

Amended: 06-12-2012

Applicability

This policy applies to all records containing personally identifiable information about a student. It does not apply to records containing information about prospective students, applicants, or alumni.

Policy

Under the Family Educational Rights and Privacy Act of 1974 (FERPA), students have the right to inspect and review most records maintained about them by the University, to restrict access to information about them by outsiders in most cases, and to amend education records that are inaccurate, misleading, or violate students' privacy rights. FERPA also requires the University to inform students of their rights under the law.

References

- RPM 2.17 ("Public Access to Records")
- UAP 2300 ("Inspection of Public Records")
- Pathfinder ("Student Records Policy")

DRAFT OF 9-18-2017 – clean copy

Regents' Policy Manual - Section 4.5: Student Publications

Adopted Date: 09-12-1996

Amended: 06-12-2012

Applicability

This policy applies to all publications written or produced by students at the University.

Policy

The University recognizes and fully supports the First Amendment rights of its students in expression of views through the written word. The Board of Regents, faculty, and staff shall not exercise editorial control over student publications, except where specifically provided by University policies or procedures. The University shall not be deemed to endorse the content of these publications unless so stated.

References

- US Const. First Amendment
- NM Const., Art. II, § 17 (“Freedom of speech and of the press; libel”)

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Regents' Policy Manual - Section 4.6: Chartered Student Organizations

Adopted Date: 09-12-1996

Applicability

This policy applies to all chartered student organizations, including sororities and fraternities.

Policy

Chartered student organizations may be formed to further the common interest of the members of the group and the University community. Such organizations develop many opportunities for learning that supplement and reinforce the classroom activities of students. They also provide students with the opportunity to engage in a wide range of activities and expand forums for discussion and debate.

Chartering of an organization does not constitute an endorsement of the organization, or of its programs or purposes, by the University. Chartering is the approved means of gaining official recognition. An organization's failure to meet its responsibilities as a chartered student organization may result in the withdrawal of recognition by the University. Neither chartered student organizations nor their officers have the legal authority to enter into contracts on behalf of the University.

Reference

- Pathfinder ("Chartered Student Organization Policy")

DRAFT OF 9-18-2017 – clean copy

Regents' Policy Manual - Section 4.7: Tuition and Fees

Adopted Date: 09-12-1996

Amended: 11-14-1996

Amended: 03-13-2000

Amended: 12-12-2014

Amended: 01-09-2015

Applicability

This policy applies to the annual determination of tuition and mandatory fee rates for resident and nonresident undergraduate and graduate students, including the differential tuition charged for certain programs. All changes to tuition and fee rates, including differential tuition, go into effect on the first day of the fall semester following the Regents' approval. The Board of Regents has plenary authority and responsibility for the setting of tuition and mandatory fee rates for students at all levels, undergraduate, graduate, and professional, and does so in the exercise of its sound judgment and discretion.

Policy

The Board of Regents has ultimate authority for approving tuition and fee rates. The Board will consider recommendations received from the University President, as well as from the Provost, Chancellor for Health Sciences (for the Health Sciences Center), and the Branch Campus Advisory Boards (for the branch campuses).

The Board has charged the University President, in conjunction with the Provost, Chancellor, and Branch Campus Advisory Boards, with developing an equitable process for determining the annual tuition and fee rate recommendations. At all stages, starting early in the budget cycle, the process should emphasize the five elements of collaboration, inclusiveness, transparency, timeliness, and accountability and provide:

- regular communication with the Board
- meaningful opportunities for student involvement
- meaningful opportunities for involvement by faculty, staff, and academic leaders

Among factors to be considered in determining tuition and fee rates are comments from campus constituents, access issues, levels of state appropriations, reduction of expenses, availability of need-based financial aid, charges at peer and regional institutions, national trends, economic conditions, recruitment and retention of faculty on the national market, recognition of the social benefits of higher education, strategic initiatives and priorities of the University, and other parameters defined in this policy.

Financial assistance will be available to mitigate the effects of increases in tuition and fees in order to assure access to the University for qualified students who demonstrate the greatest financial need.

Objectives

In setting the annual tuition and fee rates, the Regents endeavor to:

- provide a rationale for the University's tuition and fees decisions
- stabilize the planning and operation of University functions
- provide predictability and consistency with respect to tuition and fees as a guide to students and their families
- ensure that students and the State continue to share the cost of education at UNM in reasonable proportions
- ensure that tuition and fee decisions are consistent with the goals and objectives of the University
- be sensitive to relevant national and regional tuition and policy trends
- ensure that current New Mexico economic conditions of the consumer are considered in establishing tuition policy
- provide competitive salaries for faculty and staff
- provide a meaningful opportunity for student input in the University's budget development process, particularly in regard to tuition and fees
- avoid rate increases through reduction of expenses and reallocation of funds
- move UNM toward achieving its strategic goals
- assess administration-prioritized expenditure options and proposed funding strategies for each of them

Mandatory Fees

Mandatory fees consist of a student activity fee, a facility/information technology debt service fee, and a student government fee.

The Student Fee Review Board recommends student activity fee amounts and unit allocations of student activity fee revenue to the Budget Leadership Team. The Budget Leadership Team recommends fee amounts and allocations to the University

President, who approves the allocations of student activity fee revenue and recommends a student activity fee rate to the Regents.

A debt service fee with two components, a facility fee and an enterprise resource planning project fee, is assessed to help the University repay the outstanding principal and interest on bonds sold by the University. The fee is calculated based upon the amount needed by the University to make required debt service payments. The fee is set at the time bonds are issued, and approved annually by the Regents.

Subject to authorization by the Regents, a student government fee is levied on each student, as specified in the Associated Students of the University of New Mexico Constitution, the Graduate and Professional Student Association Constitution, and, as applicable, the constitutions of branch campus student governments.

References

- [UAP 1310 \("Student Fee Review Board"\)](#)
- [UAP 8210 \("Tuition and Fees"\)](#)

DRAFT OF 9-18-2017 – clean copy

Regents' Policy Manual - Section 4.8: Academic Dishonesty

Adopted Date: 09-12-1996

Amended: 06-12-2012

Applicability

This policy applies to all students at the University with regard to academic activities and professional activities related to academic work.

Definition

Academic dishonesty includes, but is not limited to, dishonesty in quizzes, tests, or assignments; claiming credit for work not done or done by others; and nondisclosure or misrepresentation in filling out applications or other University records.

Policy

Each student is expected to maintain the highest standards of honesty and integrity in academic and professional matters. The University reserves the right to take disciplinary action, up to and including dismissal, against any student who is found guilty of academic dishonesty or who otherwise fails to meet the expected standards. Any student judged to have engaged in academic dishonesty in course work may receive a reduced or failing grade for the work in question and/or for the course.

Reference

- Faculty Handbook D100 ("Dishonesty in Academic Matters")

DRAFT OF 9-18-2017 – clean copy

Regents' Policy Manual - Section 4.9: Intercollegiate Athletics

Adopted Date: 09-12-1996

Applicability

This policy applies to all intercollegiate athletic programs offered by the University.

Policy

Through its intercollegiate athletics programs, the University of New Mexico provides the opportunity and encouragement for student athletes to pursue degrees of their choice and develop their athletic abilities in keeping with high standards of academic scholarship, sportsmanship, leadership, and institutional loyalty.

It is the University's policy that its intercollegiate athletics programs must:

- Encourage scholarship, sportsmanship, fair play, and a sense of responsibility among all athletes, members of the University community, and spectators at athletic events;
- Enable the University to be represented by men and women who are bona fide students making normal progress in degree programs with appropriate academic counseling, advisement, and support;
- Comply with the spirit and intent of the federal regulations mandating equal opportunity for men and women in intercollegiate athletics, including remedying financial discrepancies between men's and women's athletic programs; and
- Comply strictly with the rules and regulations of the National Collegiate Athletics Association (NCAA) or any other governing body to which the University might become subject.

Student athletes shall be required to comply with all applicable rules and regulations of the NCAA and shall receive appropriate training in those rules and regulations.

Coaches and other athletics personnel are required to manage their programs in compliance with all applicable laws, regulations, and University policies and shall be

subject to discipline for failure to comply. Coaches and other athletics personnel shall receive regular training in relevant laws, regulations, and University policies.

References

- Title IX of Civil Rights Act of 1964
- NCAA regulations
- Faculty Handbook A61.2 ("Athletic Council")

DRAFT OF 9-20-2017 – clean copy

Regents' Policy Manual - Section 5.1: The Faculty's Role in the University's Academic Mission

Adopted Date: 09-12-1996

Applicability

This policy applies to the Faculty of the University.

Policy

The Board of Regents fully appreciates the strategic role the Faculty has in carrying out the University's mission of teaching, research, and public service. The Board, therefore, reaffirms the right of review and action delegated to the Faculty in regard to: (1) formulation of institutional aims; (2) creation of new colleges, schools, and departments and divisions; (3) major curricular changes and other matters which in the opinion of the University President or delegate affect the institution as a whole; (4) requirements for admission, graduation, honors, and scholastic performance in general; (5) approval of candidates for degrees; (6) policies of appointment, promotion in academic rank, and dismissal; (7) research; and (8) general faculty welfare. However, actions taken by the Faculty shall be subject to the authority of the Regents in matters involving finance, personnel, and general University policy.

Following review and action by the Faculty and administration, formal approval by the Board is required for: formulation and revision of institutional aims; creation of colleges, schools, and branches; creation or elimination of degree programs; candidates for degrees; policies for appointment, promotion in rank, and dismissal of faculty members; and faculty welfare issues. Nothing in this policy in any way restricts the plenary authority of the Board of Regents under New Mexico law and the Regents' Policy Manual.

The Faculty Constitution adopted by the Faculty and approved by the Board contains the Faculty responsibilities included in this policy. In implementing this policy, the Board may from time to time approve policies and procedures adopted by the Faculty. The Faculty Constitution and policies and procedures adopted by the Faculty and

approved by the Board shall be published in the Faculty Handbook and shall indicate the dates of approval by the Board.

References

- Faculty Handbook
- Faculty Handbook A51 ("Faculty Constitution")

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Regents' Policy Manual - Section 5.2: Academic Freedom and Tenure

Adopted Date: 09-12-1996

Applicability

This section applies to the Faculty of the University.

Policy

The University's Policy on Academic Freedom and Tenure, which includes faculty titles, appointments, reviews (including post-tenure reviews), and promotions, is set forth in full in Section B of the Faculty Handbook.

Reference

Faculty Handbook Section B ("Policy on Academic Freedom and Tenure")

DRAFT OF 9-20-2017 – clean copy

Regents' Policy Manual - Section 5.4: Faculty Leave and Absence from Assigned Duties

Adopted Date: 09-12-1996

Applicability

This policy applies to the Faculty of the University.

Policy

Various types of leave authorized for faculty members are set forth in provisions of the Faculty Handbook, including sabbatical leave, annual leave, sick leave, parental leave, holidays, professional leave, military leave, leave for service abroad, leave of absence incident to political activity, absence from assigned duties, academic leave for principal lecturers, jury/court duty, religious accommodations, and leave without pay.

The full text of policies on faculty leave and absence from assigned duties, previously adopted by faculty and approved by the Board, is printed in the Faculty Handbook. Additional leave policies applicable to employees, including faculty of the University, are contained in the University Administrative Policies and Procedures Manual.

References

- [Faculty Handbook](#) C50, C90, and C200 through C280
- University Administrative Policies and Procedures Manual (Sections 2000 and 3000)

DRAFT OF 9-21-2017 - clean copy

Regents' Policy Manual - Section 5.5: Outside Employment and Conflicts of Commitment

Adopted Date: 09-12-1996

Applicability

This policy applies to full-time faculty members of the University.

Policy

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

- Since faculty's primary responsibility is to the University, all outside employment is considered secondary. The time spent in outside employment may not exceed the equivalent of one work day per seven-day week during the contract period. For faculty with nine-month contracts this is the equivalent of 39 work days and for faculty with twelve-month contracts this is the equivalent of 52 work days per contract period.
- Outside professional activities will not significantly conflict with classes, office hours, or other assigned duties and commitments.
- Except in cases specifically approved in writing by the University President authorizing official University involvement, the University is not responsible for any services provided to an outside entity. Faculty act as individuals and not as agents of the University when providing services to outside entities.
- Faculty should not provide any services to an outside entity when those services would conflict with or be in competition with services offered by the University itself.
- When exceptions to this policy are necessary in the interest of the University, they must have the advance written approval of the Provost or Chancellor, as appropriate.

References

- [Faculty Handbook C130 \(“Outside Employment and Conflicts of Commitment”\)](#)
- [HSC Faculty Outside Activities Policy](#)

DRAFT OF 9-21-2017 – clean copy

Regents' Policy Manual - Section 5.6: Extra Compensation Paid by the University

Adopted Date: 09-12-1996

Applicability

This policy applies to regular faculty members at the University.

Policy

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

1. The faculty member wishes to pursue the opportunity for extra compensation;
2. Advance approval in writing is given by the chair of the faculty member's contract department and the dean or director of the college or school of the contract department; and
3. The work done for extra compensation does not in the opinion of the approving authorities:
 - a. Conflict in time with regular University duties and assignments;
 - b. Constitute a "conflict of interest" situation for the faculty member; and
 - c. Come within the scope of the faculty member's regular responsibilities for which compensation is already being paid.

References

- Faculty Handbook C140 ("Extra Compensation Paid by the University")
- Office of Faculty Affairs and Services Guidelines on Extra Compensation
- HSC Procedures for Implementing C140

DRAFT OF 9-21-2017 – clean copy

Regents' Policy Manual - Section 5.7: Faculty Records

Adopted Date: 09-12-1996

Applicability

This policy applies to information about faculty members of the University.

Policy

Information concerning faculty members, other than confidential case files and related information kept by the Office of Equal Opportunity and the Academic Freedom and Tenure Committee, may be gathered, retained, disclosed, and used by academic or administrative units of the University subject to rules adopted by the Faculty and approved by the Board. Information concerning a faculty member shall be collected or retained by an academic or administrative unit of the University solely for the purposes of carrying out official University business, including determining the status or responsibilities of faculty members.

In accordance with UAP 2300, any person is entitled to public information maintained by the University concerning a faculty member.

References

- Faculty Handbook C70 (“Confidentiality of Faculty Records”)
- RPM 2.17 (“Public Access to University Records”)
- RPM 6.7 (“Disclosure of Information About Employees and Candidates for Employment”)
- UAP 2300 (“Inspection of Public Records Act”)
- UAP 3710 (“Personnel Information Disclosure Policy”)

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Regents' Policy Manual - Section 5.8: Intellectual Property

Adopted Date: 09-12-1996

Amended: 11-09-1999

Amended: 09-14-2010

Applicability

In the course of conducting their University-administered activities, faculty, staff, and students often create intellectual property that may be protectable by patent, copyright, or other means. This policy applies to the ownership, protection, and transfer of such intellectual property.

Policy

The University encourages the treatment of intellectual property in ways beneficial to the creators of such works, as well as to the University and to the public. In order to benefit the University and the public, the University retains ownership of certain intellectual property and pursues its commercialization. These efforts can be successful only if the University and the creators assist each other in identifying, evaluating, protecting, and exploiting such property. Such efforts help in recognizing the creation of intellectual property as a significant academic achievement.

It is the policy of the University to encourage, support, and reward research and scholarship, and to recognize the rights and interests of creators, the University, and the public. However, the University's commitment to teaching and research is primary and this policy does not diminish the right and obligation of faculty, staff, and students to disseminate research results for scholarly purposes. The latter is considered by the University to take precedence over the commercialization of intellectual property.

References

- RPM 2.15 (“STC.UNM”)
- Faculty Handbook E70 (“Intellectual Property Policy”)
- STC.UNM

DRAFT OF 10-2-2017 - NEW

Regents' Policy Manual - Section 5.9: Research and Research Compliance

(proposed new policy to replace the current versions of RPM 5.9-5.15; RPM 5.10-5.15 to be rescinded)

Adopted Date: 09-12-1996

Applicability

This policy applies to all individuals at the University who engage in research.

Policy

It is the policy of the University to encourage faculty members and others to participate in research to promote the education of students, the extension of knowledge, and the broadening of horizons in the various disciplines.

All research must be conducted in compliance with applicable law and policy, including the ones listed below.

References

- RPM 5.17 (“Conflicts of Interest Waiver for Technology Transfer”)
- UAP Section 2000 Policies (“Administration”)
- UAP 3720 (“Conflicts of Interest”)
- Faculty Handbook C130 (“Outside Employment and Conflicts of Commitment”)
- Faculty Handbook E10 (“Classified Research”)
- Faculty Handbook E20 (“Overseas Research: Guidelines”)
- Faculty Handbook E40 (“Research Misconduct”)
- Faculty Handbook E60 (“Sponsored Research”)
- Faculty Handbook E80 (“Conflict of Interest Waiver Policy for Technology Transfer”)
- Faculty Handbook E90 (“Human Beings as Subjects in Research”)
- Faculty Handbook E100 (“Policy Concerning Use of Animals”)
- Faculty Handbook E110 (“Conflicts of Interest in Research”)
- Faculty Handbook E120 (“Effort Reporting”)

DRAFT OF 9-27-2017 – clean copy

Regents' Policy Manual - Section 5.17: Conflict of Interest Waiver for Technology Transfer

Adopted Date: 10-12-1999

Applicability

This policy applies to the officers (including Regents) and employees of the University.

Policy

In accordance with NMSA 1978, § 21-28-2, the University President or a designee may grant permission for an officer or employee of the University to establish and maintain a substantial interest in a private entity which contracts with the University for the purpose of providing goods or services to the University, or receiving goods or services from the University, in order to facilitate the transfer of technology developed by the officer or employee from the University to commercial and industrial enterprises for economic development, based upon the following criteria:

- The proposed undertaking will benefit the economy of the State of New Mexico.
- The proposed undertaking will not adversely affect research, public service, or instructional activities at the University.
- The officer's or employee's interest in the private entity, or benefit from the interest, will not adversely affect any substantial interest of the State of New Mexico.

The University President's determination shall be made in consultation with the applicable UNM Conflict of Interest Committee, as established pursuant to E110 or as otherwise determined by the President.

References

- NMSA 1978, § 21-28-25, (“University Research Park and Economic Development Act”; “Transfer of technology developed by universities; officer or employee interest in private entity”)
- RPM 1.8 (“Regent Code of Conduct and Conflicts of Interest”)
- RPM 6.4 (“Employee Conflicts of Interest”)
- Faculty Handbook E80 (“Conflict of Interest Waiver Policy for Technology Transfer”)
- Faculty Handbook E110 (“Conflicts of Interest in Research”)

DRAFT OF 9-27-2017 – clean copy

Regents' Policy Manual - Section 5.18: Endowed Positions

Adopted Date: 06-14-2005

Amended: 01-09-2015

Applicability

This policy applies to the Faculty of the University of New Mexico.

Policy

The quality of the Faculty is one of the enduring hallmarks of a great institution. The University of New Mexico will have made great strides toward being a world-class institution when a large number of eminent scholars across many different areas of study are members of our faculty.

An endowed position is a singular opportunity to recognize and sustain innovative intellectual work or leadership. An endowed faculty position, such as a chair or professorship, is an honor that can be bestowed on a scholar of distinction. An endowed administrative position is bestowed on a faculty executive to advance the quality of leadership. The income derived from such an endowment can be used to provide salary support or to fund specific laboratory or other scholarly expenses. Any named position must have an endowment.

References

- [RPM 2.11](#) ("Honorary Naming Recognition")
- [RPM 7.13](#) ("Receipt and Investment of Gifts to the University")
- [Faculty Handbook C170](#) ("Endowed Chairs and Named Professorships")
- UAP 1020 ("Honorary Naming Recognition")

DRAFT OF 9-27-2017 - NEW

Regents' Policy Manual - Section 6.1: The Staff's Role in the University's Mission (proposed new policy to replace current RPM 6.1 ("Performance Management"))

Adopted Date: 09-12-1996

Applicability

This policy applies to all staff employees of the University.

Policy

Staff employees play a crucial and critical role in helping the University fulfill its mission of teaching, research, and public service. The Board of Regents values the contributions of staff in achieving effective operations and in supporting the University's students and faculty.

Staff employees are encouraged to participate in shared governance in order for major decision-making at the University to be an inclusive process that is reflective of all major constituents' voices. Participating in shared governance takes many forms. The Staff Council represents staff interests and serves as a full partner with other University constituent groups in providing input into the governance of the University. In addition to participation through the Staff Council, there are a number of campus advisory, standing, and ad hoc committees, as well as work groups, which include University staff.

References

- [RPM 6.12 \("University of New Mexico Staff Council"\)](#)
- [UAP 1150 \("Staff Council"\)](#)

DRAFT OF 9-27-2017 – clean copy

Regents' Policy Manual - Section 6.2: Staff Recruitment and Hiring

Adopted Date: 09-12-1996

Applicability

This policy applies to all staff employees of the University.

Policy

The goal of the University's staff recruitment and hiring process is to achieve an excellent workforce with representation and participation from all of the diverse sectors of our society. The primary objectives of the process are:

- recruiting the best qualified candidates;
- expeditiously filling vacant positions with the best qualified candidate;
- having applicant pools that include qualified candidates from diverse groups in keeping the University's commitment and obligation to affirmative action principles; and
- treating all candidates fairly and equitably, in keeping with the University's commitment and obligation to equal employment opportunity principles.

University policies and procedures may grant preferences to New Mexico residents and UNM employees in making hiring decisions, when the qualifications, ability, and past performance of candidates are substantially equal.

References

- RPM 2.3 ("Equal Opportunity, Affirmative Action, Anti-Harassment, and Anti-Retaliation")
- UAP 2720 ("Prohibited Discrimination, Harassment, and Related Retaliation")
- [UAP 3210 \("Recruitment and Hiring"\)](#)
- [UAP 3240 \("Contract Employees"\)](#)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 6.3: Privileges and Benefits

Adopted Date: 09-12-1996

Applicability

This policy applies to all faculty and staff employees of the University.

Policy

The University strives to attract and support employees through competitive benefits, professional development and training, clear job requirements and policies, and a safe, healthful, and diverse environment.

In addition to salary compensation, the University provides privileges and benefits to eligible employees. These may include various kinds of leave, insurance, holidays, retirement, education, and dependent education benefits, as well as recognition and reward programs. Employees also have access to dispute resolution resources and grievance procedures.

Policies and procedures for faculty and staff may differ, depending on the subject; guidance can be found in the Faculty Handbook and University Administrative Policies and Procedures Manual.

The Regents shall approve the provision of new or expanded benefits if significant budgetary or policy implications are involved. The University President shall implement this policy, including determination of specific benefits, levels of employee contribution, and terms and conditions.

References

- UAP, in particular Section 3000 Policies (“Personnel”)
- Faculty Handbook, in particular Section C (“Faculty Rules and Benefits”)
- Faculty Handbook A53.1 (“Policies Applicable to Faculty”)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 6.4: Employee Code of Conduct and Conflicts of Interest

Adopted Date: 09-12-1996

Amended: 07-15-2003

Amended: 09-09-2003

Amended: 06-09-2004

Applicability

This policy applies to all employees of the University, to public and student members of University advisory boards and committees, and to other volunteers acting on behalf of or in service of the University in any official capacity. For the purposes of this policy, the term "employee" shall include all of these individuals.

Policy

Employees of the University shall maintain the highest standards of business ethics in transactions with the University, with state, federal, and local governments, and with the public. Employees are expected to perform their duties faithfully and efficiently and never give rise to a suspicion of improper conflict with the interests of the University. Employees shall not accept favors or gratuities from any firm, person, or corporation that is engaged in, or attempting to engage in, business transactions with the University.

Subject to specific University administrative policies, employees must avoid any conflict of interest that may affect their independent judgment in the impartial performance of their duties and may not use their positions to enhance their direct or indirect financial interest or use confidential information learned as employees for anyone's private gain.

All employees shall comply with state conflict of interest laws as well as University policies. No employee shall have any direct or indirect financial interest in any contract for building or improving or for furnishing of supplies or services to the University, except as permitted pursuant to the University Research Park and Economic Development Act or unless such contract complies with the provisions of the New Mexico Governmental Conduct Act and the Procurement Code. University employees as well as individuals and firms proposing business transactions with the University shall disclose in advance and in writing any direct or indirect financial interest employees have in a transaction with the University.

Normally, employees with a direct or indirect financial interest in a transaction may not participate in any University decisions related to such transaction, except as specified in applicable University administrative policies or otherwise permitted by law. Transactions in which the University President has any financial interest must be permitted by law and approved by the Board of Regents.

At the beginning of each fiscal year the University President, the Executive Vice Presidents, and all vice presidents and vice chancellors must file a Financial Disclosure Statement in accordance with UAP 3720. Any employee who violates this policy or related administrative policies shall be subject to disciplinary action, up to and including dismissal.

References

- NMSA 1978, § 10-16-1 et seq. (“Governmental Conduct Act”)
- NMSA 1978, §§ 13-1-190, -193, -195; § 21-1-17, § 21-1-35 (“Procurement Code”)
- NMSA 1978 § 21-28-25 (“University Research Park and Economic Development Act”)
- RPM 1.8 (“Regent Code of Conduct and Conflicts of Interest”)
- RPM 2.18 (“Guiding Principles”)
- RPM 5.5 (“Outside Employment and Conflicts of Commitment”)
- UAP 3720 (“Code of Conduct and Conflicts of Interest”)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 6.5: Political Activity by Employees

Adopted Date: 09-12-1996

Applicability

This policy applies to all employees of the University.

Policy

All University employees are free to engage in political activities so far as they are able to do so consistent with their obligations to the University and in accordance with applicable law.

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

Employees of the University may not serve as members of the New Mexico Legislature, unless they are granted a leave of absence from the University.

References

- NMSA 1978, §§ 2-1-3 (“Compensation as state officer or employee other than that received as a legislator prohibited”) and 2-1-4 (“Payment of other compensation to legislature for acting as officer or employee of state prohibited”)
- NMSA 1978, § 10-16-3.1B (“Prohibited political acts”)
- UAP 2060 (“Political Activity”)
- Faculty Handbook C150 (“Political Activities of UNM Faculty”)
- Faculty Handbook C240 (“Leave of Absence Incident to Political Activity”)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 6.6: Labor and Management Relations

Adopted Date: 09-12-1996

Amended: 06-08-1999

Amended: 09-12-2000

Applicability

This policy applies to all regular, non-probationary employees of the University.

Policy

The University's labor and management relations are governed by the terms of a Labor Management Resolution of May 2006. Under the Resolution, employees (other than management, supervisory, confidential, and probationary employees) may form, join, or assist any labor organization for the purpose of collective bargaining through a representative chosen by the employees without interference, restraint, or coercion. Employees also have the right to refuse to form, join, or assist any labor organization.

References

- [UNM Labor Management Relations Resolution](#) of May 2006
- [UNM Labor Management Relations Board Rules and Regulations](#)
- [Main Campus Collective Bargaining Agreements](#)
- [University Hospitals Collective Bargaining Agreements](#)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 6.7: Disclosure of Information About Employees and Candidates for Employment (combined 6.7 and 6.8)

Adopted Date: 09-12-1996

Amended: 10-13-1998

Amended: 05-28-2008

Applicability

This policy applies to all University employees, except student employees as defined by the Family Educational Rights and Privacy Act, and candidates for employment by the University. This policy does not apply to information relating to searches for a University President.

Policy

Certain information about employees and candidates for employment are public records and are subject to public inspection in accordance with the provisions of the New Mexico Inspection of Public Records Act (IPRA). Information that is subject to disclosure or inspection under IPRA includes, but is not limited to, the name, job title, organization, dates of employment, salary, and job application, resume, or curriculum vitae of each individual. Certain matters that may pertain to an individual are exempt under IPRA from public disclosure or public inspection. Exemptions from the right of public inspection include letters of reference concerning employment and letters or memorandums that are matters of opinion in personnel files. The University also will treat protected or confidential information, such as social security numbers and protected health information, as exempt from public disclosure.

References

- NMSA 1978, § 14-2-1 et seq. ("Inspection of Public Records Act")
- RPM 1.4 ("Appointment of the University President")
- RPM 2.17 ("Public Access to University Records")
- RPM 5.7 ("Faculty Records")
- UAP 2300 ("Inspection of Public Records")
- UAP 3210 ("Recruitment and Hiring")
- UAP 3710 ("Personnel Information Disclosure")
- Faculty Handbook C70 ("Confidentiality of Faculty Records")

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 6.12: University of New Mexico Staff Council

Adopted Date: 09-12-1996

Applicability

This policy applies to the Staff employees at the University.

Policy

The Board of Regents has approved the creation of the University of New Mexico Staff Council. The purpose of the Staff Council is to represent the interests of staff; it serves as an important source of input into the issues and decisions of the University as they relate to the general welfare of staff. The Staff Council shall represent UNM staff to the University administration, and the Staff Council President shall serve as an advisory member of the Board of Regents. The Staff Council shall make recommendations regarding conditions of employment and shall work toward improving wages, hours, and conditions of employment for the Staff.

UNM staff employees may serve as members of the Staff Council, as provided by the Staff Council Constitution, notwithstanding their employment in a position subject to a collective bargaining agreement. The Staff Council shall not supersede or replace collective bargaining units officially recognized by the University, nor shall it have any authority with respect to University collective bargaining agreements.

References

- UNM Staff Council Constitution and Bylaws
- UAP 1150 ("Staff Council")

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.1: Accounting and Reporting of Funds to the State

Adopted Date: 09-12-1996

Applicability

This policy applies to all funds received by the University, including federal funds.

Policy

The University shall keep an accurate account of all funds received. The University shall make reports on these funds to the Governor or Governor's designee in accordance with the State of New Mexico's schedule for such reports.

These reports include the University's annual audited financial statements.

References

- NM Const., Art. V, § 9 (“Accounts of and reports by executive department and public institutions”)
- NMSA 1978, § 6-17-1 et seq. (“Finances of state educational institutions”)
- NMAC 5.3.4-5.3.13 (“Post-secondary institution finances”)
- See also, State ex rel. Segó v. Kirkpatrick, 86 N.M. 359, 524 P.2d 975 (1974) (requiring reporting of federal funds).

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.2: Internal Audit

Adopted Date: 09-12-1996

Amended: 08-10-2004

Amended: 07-01-2007

Amended: 05-28-2008

Amended: 09-12-2014

Applicability

This policy applies to the controls, risk management, and organizational governance of the University, and to public access to University records.

Policy

The Internal Audit Department was established to perform a comprehensive internal audit and risk management function for the University and improve the University's operations.

To ensure independence of the internal audit functions, the Director of Internal Audit reports functionally to the Board of Regents, and administratively to the University President. Internal Audit shall be free from interference in determining the scope of internal auditing, and shall be empowered to obtain the information necessary to perform its work and communicate the results.

Authority

The Internal Audit Department is authorized to:

1. Have unrestricted access to all functions, records, property, and personnel.
2. Obtain the necessary assistance of personnel in organizations where it performs audits.
3. Communicate with University management, faculty, staff, external auditors, governmental entities, and law enforcement agencies as needed.

4. Cooperate with any legitimate inquiry or investigation from an outside audit, law enforcement, or investigative agency.

The Internal Audit Department is not authorized to:

1. Perform any operational duties for the University or its affiliates.
2. Initiate or approve accounting transactions external to Internal Audit.
3. Direct the activities of any University employee not employed by Internal Audit.
4. Render legal opinions.
5. Have direct responsibility for or authority over any of the activities that it examines.

Responsibility and Accountability

The Director of Internal Audit shall:

1. Submit an annual budget and audit plan to the Board of Regents' Audit and Compliance Committee for review and approval.
2. Provide quarterly reports to the Audit and Compliance Committee on the status and results of the audit plan, significant audit findings and recommendations, and sufficiency of department resources.
3. Provide timely information to the University President and the Audit and Compliance Committee concerning suspected fraudulent activities.
4. Maintain a professional audit staff with sufficient knowledge, skills, experience, and professional certifications to meet the requirements of the policy.

Scope of Work

The scope of work of Internal Audit is to determine whether the University's systems of control, risk management, and organizational governance, as designed and represented by management, are adequate and functioning properly to ensure:

1. Risks are identified and managed.
2. Significant financial, managerial, and operating information is accurate, reliable, and timely.

3. Employees' actions are in compliance with policies, standards, procedures, and applicable laws and regulations.
4. Resources are acquired economically, used efficiently, and adequately protected.
5. Programs, plans, and objectives are achieved.
6. Quality and continuous improvements are fostered in the University's control process.
7. Significant legislative or regulatory issues impacting the organization are recognized and addressed appropriately.
8. Procedures used by the governing body provide oversight of risk and control processes administered by management.

Audit Reports

Internal Audit will prepare a written report of the results of audit work performed. Management is required to respond to the report within ten days of receiving it. The response will include three elements: a statement as to whether management agrees with the audit finding, corrective action to be taken to meet the objectives of the audit finding, and the dates by which the actions will be implemented. If no action will be taken, the response will indicate the reasons. Internal Audit will forward its report and the management's response to the University President who shall review them and either accept the response or request further development of the response. After the University President has accepted the response, Internal Audit will forward the report and response to the Audit and Compliance Committee for approval.

Upon approval of an audit report by the Audit and Compliance Committee, the full text of the report will be made public in accordance with RPM 2.17, except for information that is specifically exempted from public inspection by the New Mexico Inspection of Public Records Act (IPRA). Any such information that is specifically exempted by IPRA will be redacted (blacked-out) when the reports are made public. Information redacted from reports will be made public if and when these considerations are no longer relevant. Public reports will be posted on Internal Audit's public Internet web site. The full text of reports may be released to non-public sources, such as external auditors, governmental entities, funding entities, and law enforcement agencies as needed. Internal Audit will perform follow-up reviews to ensure corrective actions indicated in the responses have been completed.

Investigation of Fraudulent Activity

The Internal Audit Department will coordinate the investigation of suspected fraudulent activities within the University. If an investigation reveals possible fraudulent activity

has occurred, Internal Audit will ask University Counsel to render an opinion as to whether the audit findings indicate that illegal activity appears to have occurred. If, in University Counsel's opinion, illegal activity appears to have occurred, Internal Audit will notify the University President, the cognizant vice president, Safety and Risk Services, the Compliance Office, and the appropriate law enforcement agency. If the illegal activity involves an area of high public interest or an amount greater than \$20,000, Internal Audit will notify the Audit and Compliance Committee within forty-eight hours.

Internal Audit will notify the State Auditor's Office of illegal activity in accordance with the State Audit Act, NMSA 1978, § 12-6-6, and the State Auditor's regulations, NMAC 2.2.2.10.N. Internal Audit will assist the Office of the Vice President for Research Services or the Health Sciences Center Controller's Office in notifying funding agencies when contract and grant funds are involved in the loss.

Standards and Ethics

In the conduct of its audits, Internal Audit shall abide by applicable pronouncements made by professional bodies including the Institute of Internal Auditors (IIA) and the American Institute of Certified Public Accountants (AICPA). The generally accepted auditing standards published by these groups shall serve as guides in the performance of internal audits. In addition to maintaining the highest standards of practice in the performance of its duties, Internal Audit shall adhere strictly to the Code of Ethics as established by the IIA and adopted by the Association of College and University Auditors. Due regard should also be given to pronouncements concerning ethical behavior by the AICPA.

References

- NMSA 1978, § 12-6-6 ("Audit Act")
- NMAC 2.2.2.10.N ("Possible violations of criminal statutes in connection with financial affairs")
- [RPM 2.17](#) ("Public Access to University Records")
- [RPM 7.3](#) ("Audit and Compliance Committee")
- [UAP 2200](#) ("Reporting Suspected Misconduct and Whistleblower Protection from Retaliation")
- [UAP 7205](#) ("Dishonest or Fraudulent Activities")
- Publications from the Institute of Internal Auditors

DRAFT OF 10-3-2017 – clean copy

(NEW standalone policy; formerly part of 7.2)

Regents' Policy Manual - Section 7.2.1: Chief Compliance Officer

Adopted Date: 09-12-1996

Amended: 08-10-2004

Amended: 07-01-2007

Amended: 05-28-2008

Amended: 09-12-2014

Applicability

The role of the Chief Compliance Officer and the University's compliance program are addressed in this policy; supplemental information about Health Sciences Center compliance is addressed in [RPM 3.7](#).

Policy

The Compliance Office shall be free from interference in determining the scope of compliance reviews, and shall be empowered to obtain the information necessary to perform its work and communicate the results. To ensure independence of the compliance functions, the Chief Compliance Officer reports functionally to the Board of Regents and administratively to the University President. Functional reporting to the Board typically involves the Board approving the annual compliance plan and receiving communications from the Chief Compliance Officer on the results of compliance activities or other matters that the Chief Compliance Officer determines are necessary. Administrative reporting typically involves a reporting relationship that facilitates the day-to-day operations of the compliance activity.

Responsibility and Accountability

The Chief Compliance Officer shall:

1. Submit an annual budget and compliance plan to the University President for review and approval and to the Audit and Compliance Committee for review.

2. Provide quarterly reports to the University President and the Audit and Compliance Committee on the status and results of the compliance plan, significant compliance findings and recommendations, and sufficiency of department resources.
3. Provide timely information to the University President and the Audit and Compliance Committee concerning significant compliance concerns.
4. Obtain and maintain sufficient knowledge, skills, experience, and professional certifications to fulfill the requirements of the position.

Scope of Work

The scope of work of the Compliance Office is to identify compliance requirements, enhance compliance awareness, and support the achievement of compliance obligations. As part of this work, the Compliance Office will:

1. Identify compliance partners at the University. Compliance partners manage day-to-day compliance for a wide range of University activities and assure regulatory compliance and risk management within their speciality areas.
2. Oversee the University's compliance activities, including chairing the Institutional Compliance Committee and administering the UNM Compliance Hotline.
3. Identify key risk areas and perform risk assessments on compliance readiness.
4. Provide oversight for compliance requirements from federal and state regulatory agencies.
5. Monitor regulatory requirements affecting higher education and notify compliance partners of regulatory changes.
6. Assist in the development of compliance related policies, practices, and training.
7. As appropriate, conduct internal investigations and facilitate investigations by other neutral parties.
8. Collaborate with the Health Sciences Center's Compliance Officer on compliance matters.
9. Administer peer hearings for staff employees.

Standards and Ethics

The Compliance Office is required to maintain the highest standards of ethical practice.

References

- UAP 2200 ("Reporting Suspected Misconduct and Whistleblower Protection from Retaliation")
- UAP 3220 ("Ombuds Services and Dispute Resolution for Staff")
- UNM Compliance Hotline (1-888-899-6092 or www.unm.ethicspoint.com)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.3: Audit and Compliance Committee

Adopted Date: 09-12-1996

Amended: 08-10-2004

Amended: 09-12-2014

Applicability

This policy applies to the controls, risk management, and organizational governance of the University.

Policy

The Audit and Compliance Committee will assist and advise the Board of Regents in fulfilling its oversight responsibilities for the University's financial reporting, internal controls, risk management, performance of external and internal auditors, compliance with laws and regulations, and compliance programs. The Audit and Compliance Committee will review all contracts for audit and non-audit services provided by independent public accountants and recommend action to the Board. The internal auditors, external auditors, and Chief Compliance Officer shall have direct access to the Audit and Compliance Committee and the Board.

Composition

The Audit and Compliance Committee of the Board of Regents shall consist of one member from each of the Regents' standing committees. The Board President shall appoint members to the Audit and Compliance Committee, and appoint the chair and the vice chair. The Board President shall be an alternate member, serving in the absence of a regular committee member. One member shall be designated as the "financial expert." This Regent shall possess financial expertise, including but not limited to an understanding of generally accepted accounting principles, financial statements, internal controls, and audit functions.

Meetings

The Audit and Compliance Committee shall meet four or more times a year. At least annually, the Audit and Compliance Committee shall meet separately in executive session with the external auditors and ask for comments on management support of the audit function, quality of audit effort, quality of internal controls, and other areas of concern. As needed, the Audit and Compliance Committee and Board will meet in executive session with the Director of Internal Audit and the Chief Compliance Officer.

Financial Statements

The University shall maintain proper financial accounts and records and prepare annual financial statements in accordance with generally accepted accounting principles. The University President and the Executive Vice President for Administration must attest that the annual financial statements accurately reflect the financial position of the University.

External Audits and Reviews

The University's financial accounts and records shall be audited annually by independent public accountants approved by the Higher Education Department and the State Auditor. The Audit and Compliance Committee will recommend to the Board the independent public accountants to conduct the annual audit. The independent public accountants who perform the annual audit are prohibited from providing consulting services to the University. The audit shall be conducted in accordance with generally accepted auditing standards.

The Audit and Compliance Committee will review the audit scope and approach and oversee the audit. To the extent deemed necessary and desirable, the Audit and Compliance Committee will maintain direct and separate avenues of communications with the external auditors. As soon as feasible after the end of the fiscal year, the Board of Regents will review the annual audit report, including the management letter and response, with the external auditors and will take action to approve the report. The report must also be approved by the State Auditor.

In addition to the annual audits conducted by external auditors, other parties, such as federal and state agencies, may conduct financial audits and compliance or regulatory reviews of the University's projects and programs. In the event that a University department becomes aware of such an audit or review, the department must notify the Director of Internal Audit, and provide the Director with a copy of the final report issued to the University for the audit. The Director of Internal Audit will notify the Audit and Compliance Committee of any significant risks or deficiencies noted in the report.

Internal Audit Department and Compliance Office

Both the Director of the Internal Audit Department and the Chief Compliance Officer report functionally to the Board, and administratively to the University President. The Internal Audit Department and Compliance Office shall be free from interference in determining the scope of internal auditing, compliance reviews, performance of work, or communication of results. The Audit and Compliance Committee will review and approve the annual audit plan and budget submitted by the Director of Internal Audit and the compliance plans submitted by the Chief Compliance Officer. The Committee will receive quarterly reports from the Director of Internal Audit and the Chief Compliance Officer on the status and results of the audit and compliance plans and significant audit and compliance findings. The Audit and Compliance Committee will meet with the Director of Internal Audit and the Chief Compliance Officer to review the University's system of internal controls and the adequacy of accounting, financial, and operational policies and practices on financial and compliance reporting.

The Audit and Compliance Committee must approve the hiring and termination of the Director of Internal Audit and the Chief Compliance Officer.

References

- NMSA 1978, § 12-6-3 ("Audit Act")
- NMAC 2.2.2.8., 2.2.2.10
- [RPM 3.7](#) ("Health Sciences Center Institutional Compliance Program")
- [RPM 7.2](#) ("Internal Auditing")
- RPM 7.2.1 ("Chief Compliance Officer")

DRAFT OF 7-28-2017 – clean copy

Regents' Policy Manual - Section 7.4: Purchasing

Adopted Date: 09-12-1996

Amended: 04-08-2014

Applicability

This policy applies to the purchase of supplies, materials, equipment, and contractual services. It also applies to the reimbursement of employees for expenses incurred in the performance of University business.

Policy

The University of New Mexico is committed to operating in the most economical and efficient manner possible. The University shall follow the State Procurement Code. All funds received by the University, regardless of their source, are considered to be University funds and all purchases shall be made in accordance with University policies and procedures.

Except as otherwise provided in this manual with regard to real estate matters ([RPM 7.9](#)) and construction projects ([RPM 7.12](#)), the Regents shall authorize the execution of any contract for the purchase of goods and/or services costing one million dollars (\$1,000,000) or more. When a contract is brought before the Regents for consideration, the full scope of the total financial commitment should be disclosed and discussed with the Regents. If it is reasonably foreseeable that a contract amount will increase over time to equal or exceed one million dollars (\$1,000,000), the contract shall be authorized by the Regents. In the event that any contract authorized by the Regents exceeds the amount authorized by more than ten percent (10%), the contract shall be brought back before the Regents for information purposes as soon as possible.

Delegation of Authority

UNM's Chief Procurement Officer shall be its Central Purchasing Officer, under the general direction of the Executive Vice President for Administration. The Chief Procurement Officer is delegated sole authority by the Regents to establish the institutional procedures for obligating the University for the procurement of supplies, materials, equipment, and contractual services.

The purchase of goods and services for clinical components of the Health Sciences Center may be performed by the University of New Mexico Hospital Purchasing Department, as a separate satellite purchasing office of the University, in compliance with University procurement policies and procedures and under the direction of the Chief Procurement Officer.

References

- NMSA 1978, § 13-1-99(G) (The University of New Mexico is exempt from the requirement that all purchasing for state agencies be performed by the State Purchasing Agent.)
- UAP Section 4000 Policies: Procurement

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.5: Vendor Diversity Initiative

Adopted Date: 09-12-1996

Applicability

This policy applies to all funds expended by the University.

Policy

The University desires to provide optimal opportunity for small business concerns, including those of socially and economically disadvantaged businesses, to participate in contracts for goods or services provided to the University. Accordingly, the University's Purchasing Department shall maintain a Vendor Diversity Initiative. The initiative's goal is to foster and achieve greater participation by in-state businesses owned by minorities, women, veterans, and people with disabilities. Inclusion of these businesses in the economic mainstream improves the fiscal stability and vitality of our community and state.

Reference

- UAP 4305 ("Vendor Diversity Initiative")

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.6: University Business Enterprise Activities

Adopted Date: 09-12-1996

Amended: 12-14-2010

Applicability

This policy applies to all activities conducted by the University of New Mexico and its affiliated units where fees are charged for providing goods or services, including to the general public.

Policy

All University business enterprise activities shall be related to the University's mission. Some activities within this mission may be organized as separate and distinct business cost centers, with fees charged for providing goods and services that enhance, promote, or support the University's mission and meet the needs of students, faculty, staff, and patients. Some of these business activities also may be available to the general public. The governance of business enterprise activities of the Health Sciences Center shall be as set forth in [RPM 3.4](#).

Delegation of Authority

The Executive Vice President for Administration and the Chancellor for Health Sciences (in respect to Health Sciences Center activities) shall be responsible for oversight and review of University business activities, including periodic review of all University business enterprise activities.

Reference

- UAP 6010 (“University Business Activities”)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.7: Travel Reimbursement and Per Diem

Adopted Date: 09-12-1996

Amended: 06-12-1997

Amended: 09-11-1997

Amended: 08-12-2003

Amended: 10-11-2011

Amended: 01-01-2012

Applicability

This policy applies to members of the Board of Regents, and to faculty, staff, and students traveling on official University business.

Policy

Travel on official University business is integral to fulfilling the University's mission, whether in-state, across the nation, or internationally. The University shall reimburse the reasonable and allowable costs of this travel, as specified in UAP 4030.

References

- NMSA 1978, § 10-8-1 et seq. ("Per Diem and Mileage Act")
- [2 CFR Part 200 \("Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards"\)](#)
- UAP 2400 ("Cost Accounting Standards")
- UAP 4030 ("Travel")
- [Unrestricted Accounting, Main](#)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.8: Signature Authority for Contracts

Adopted Date: 09-12-1996

Amended: 03-10-1997

Amended: 12-06-2007

Amended: 08-12-2008

Amended: 12-14-2010

Amended: 04-08-2014

Amended: 03-14-2016

Applicability

This policy applies to all members of the Board of Regents, and to faculty, staff, and students.

Policy

The Board of Regents must approve and an officer of the Board of Regents must sign the following types of contracts and documents, after due authorization by the Regents:

- Contracts between the University President and the University;
- Contracts between the Chancellor for Health Sciences and the University;
- Bond resolutions, notifications, and certification documents, including certifications of bond sales; and
- Any contracts or other documents required by law to be signed by an officer of the Board of Regents.

The Chief Procurement Officer or designee must sign contracts for the purchase of goods and services, and the authority to do so is hereby delegated.

The University President shall have the authority to sign all other contracts and documents (other than contracts or agreements for the purchase of goods and services) for the operation of the University and may delegate this authority. The

University President's signature authority as set forth above includes the authority to execute certificates representing stocks, bonds, or other securities in order to buy, sell, assign, or endorse for transfer such securities. The University President shall also have authority to require additional signatures on contracts for the purchase of goods and services.

It is the official policy of the University to avoid financial settlements of claims and lawsuits against the University except when appropriate. The University shall not agree to pay a financial settlement without (a) an appropriate risk assessment of the case, (b) written approval by the Chancellor for Health Sciences, Provost, or Executive Vice President for Administration, and (c) final approval by the University President. A financial settlement payment by the University of \$400,000 or more must also be approved by the Board of Regents.

After fully advising the University President, the Chancellor for Health Sciences is authorized to enter into affiliation agreements with other patient care facilities to provide educational opportunities.

The signature authority delegated in this policy must be exercised in accordance with other Regents' policies, some of which may require approval of the contract or other document by the Board of Regents.

References

- [RPM 1.4](#) ("Appointment of the President of the University")
- [RPM 3.4](#) ("Health Sciences Center and Services")
- [RPM 7.10](#) ("Borrowing and Bonding Authority")
- [UAP 2010 \("Contract Signature Authority and Review"\)](#)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.9: Property Management

Adopted Date: 09-12-1996

Amended: 04-08-2014

Applicability

This policy applies to all property owned, used, loaned, or leased to the University.

Policy

The University may acquire, maintain, protect, use, and dispose of property required to perform its mission. University property shall be managed according to University policies and applicable state and federal law.

University property includes all equipment purchased by University departments, regardless of the source of funds used to purchase the equipment; U.S. Government-owned equipment used by University departments; components and materials used to make equipment, whether furnished to, acquired by, or fabricated by the University; property donated to the University; and property loaned or leased to the University by outside organizations.

The following types of property management transactions must be approved by the Board of Regents:

1. Purchase, sale, or transfer of real property.
2. Leases of real property, the annual cost of which is \$1,000,000 or more. (Note: If the lease contains an option to purchase the real property, the Regents must approve exercising the option.)
3. The Finance and Facilities Committee or the Health Sciences Committee, as appropriate, must approve the disposition of surplus property, in accordance with NMSA 1978, § 13-6-1 et seq. Such dispositions are not required to be approved by the full Board.

By statute, the purchase of real property also must be approved by the Higher Education Department and the State Board of Finance.

References

- NMSA 1978, § 13-6-1, ("Disposition of Surplus Property Act")
- NMSA 1978, § 21-1-21, ("Capital expenditures")
- [RPM 7.13](#) ("Development, Receipt, and Investment of Gifts to the University")
- [UAP 7710](#) ("Property Management and Control")

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.10: Borrowing and Bonding Authority

Adopted Date: 09-12-1996

Applicability

This policy applies to the financial affairs of the University.

Policy

The University is authorized to borrow money through the issuance and sale of University bonds for erecting, purchasing, or otherwise acquiring, altering, improving, furnishing, and equipping any necessary buildings or structures at the University; or acquiring any necessary land for use by the University; or for retiring the whole or part of any series of bonds previously issued by the University. The University also is authorized to borrow money through the issuance and sale of bonds for purchasing, erecting, altering, improving, repairing, furnishing, and equipping any income-producing facility and for acquiring any necessary and convenient lands for these purposes. The Board of Regents may impose and collect fees for the use of such facilities as it deems necessary to retire these bonds on schedule. The University may borrow funds by issuing other debt obligations under terms approved by the Board of Regents.

Bonds or other obligations issued by the University may be sold at public or private sale, at the discretion of the Board of Regents. The proceeds from the sale of these bonds shall be paid to the University, which shall place the proceeds in a separate fund. This fund shall be used only for the purposes stated in applicable law and the purposes for which the bonds were issued.

Bonds or other obligations shall be authorized and issued only when the Board of Regents determines that it is prudent to do so and that appropriate provisions can be made for orderly repayment. At the time of issuing bonds the Board of Regents shall establish a fund for the payment and interest of the bonds. The issuance and sale of these bonds constitute an irrevocable pledge by the Board of Regents of sufficient funds from each year's income from the University's funds to pay the interest and principal on the bonds.

References

- NMSA 1978, §§ 6-13-1 to -26 (“Institution bonds”); §§ 6-14-1 to -12 (“Public securities”); §§ 6-17-1 to -19 (“Finances of state educational institutions”); and §§ 21-7-13 to -25 (“Building and improvement bonds”)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.11: Selection of Architects for UNM Projects

Adopted Date: 09-12-1996

Amended: 04-08-2014

Applicability

This policy applies to the selection of architects for all University of New Mexico projects.

Policy

It is the policy of the University to select architects inclusive of all protected classes under federal and state law. The University wishes to employ the best qualified architectural firm for each project and to use a variety of different firms. Only registered architects resident in New Mexico will be designated as the project architect or architect of record, as required by law.

When an addition or remodeling is planned for an existing building, the architect who designed the original building, if still in practice, may be retained as a "sole source," if the earlier work was satisfactory and the Chief Procurement Officer approves the contract pursuant to the New Mexico Procurement Code.

References

- NMSA 1978, § 61-15-1, et seq. ("Architectural Act")

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.12: Approval of Construction Projects

Adopted Date: 09-12-1996

Amended: 04-08-2014

Applicability

This policy applies to University construction projects.

Policy

In accordance with laws and regulations of the State Higher Education Department and Board of Finance, the following construction projects shall be presented to the Board of Regents for approval:

- Any addition of square footage or construction of a new building.
- Any alterations, site improvement, or other major project costing over \$300,000 or, for branches, over \$50,000. (Note: Higher Education Department approval is required for major projects costing over \$300,000; Board of Finance approval is required for major projects costing over \$750,000.)
- Any revised, previously approved project, if the total project cost increases by 10% or \$100,000, whichever is greater; or if the size increases by more than 10% or 1,000 net square feet, whichever is greater; or if the type or purpose of the space changes by 10% or more.

Expenditures for the construction of or additions to buildings or major projects including major remodeling must be approved by the Higher Education Department and the State Board of Finance, under statute and regulations of the Higher Education Department and Board of Finance.

This policy does not apply to the purchase of equipment.

References

- NMSA 1978, § 13-1-28, et seq. (“New Mexico Procurement Code”)

- NMSA 1978, § 13-1-21, et seq. (“Resident preference”); § 13-4-1 (“Public works contracts”); § 21-1-21 (capital expenditures); § 21-1-21 (“State educational institutions; adequate parking”)
- NMAC 2.70.4 (“Policy on capital expenditures by state educational institutions”)
- NMAC 5.3.10 (“Capital projects approval by commission on higher education”)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.12.1: Selection of Contractors for UNM Construction Projects

Adopted Date: 10-12-2004

Applicability

This policy applies to the selection of contractors for all University projects involving construction of a new building or major building renovation.

Policy

The State Procurement Code provides various options for procuring the services of a contractor for construction and construction management services, including competitive sealed bids, prequalification of contractors, competitive sealed proposals, and design and build project delivery. For each construction project undertaken, the University will select the option most optimal and likely to result in a high-quality project on time and within budget.

The competitive sealed proposal process (including design and build delivery or seeking construction management services) allows the University to consider non-price factors in the final selection of a contractor, including contractor experience, past performance, and management resources. It also permits consideration of architect/contractor/subcontractor teams. The University's procedures for selecting contractors or design and construction teams through competitive sealed proposals will include a statement that all contractors and other professionals who respond to the request for proposals will be evaluated fairly based upon the factors set forth in the solicitation.

University procurement documents for construction shall also include the following provisions:

- a statement that all contractors' bonding companies shall be on the U.S. Department of Treasury's Listing of Approved Sureties (Circular 570); and
- a statement that the University retains the right to inspect the contractors' last three years of financial statements.

The University is committed to treating fairly all contractors and other professionals who participate in the University's procurement process. The University's policy is to select contractors and other professionals inclusive of all protected classes under federal and state law.

In addition to a commitment to the fair and equitable treatment of contractors in the selection process, once a contractor is selected and construction begins, the University is committed to efficient and effective management practices to resolve issues that arise during construction.

Reference

- NMSA 1978 § 13-1-28 et seq. ("Procurement Code")

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.13: Receipt and Investment of Gifts to the University

Adopted Date: 09-12-1996

Amended: 12-08-1998

Amended: 04-08-2014

Applicability

This policy applies to the receipt and investment of funds and other gifts from private sources to the University and for the benefit of the University. It does not apply to grants or contracts for research or service projects from governmental agencies or other entities.

Policy

Private support is important to the teaching, research, and service activities of the University. Through private support, the University can enhance current programs and develop resources to support programs for future generations. The University shall employ coordinated efforts to obtain and increase private support.

The Board of Regents recognizes the University of New Mexico Foundation, a non-profit corporation existing solely to promote the University, as a major supporting organization through which private citizens can assist the University with fund-raising efforts. Pursuant to state law (NMSA 1978, § 6-5A-1), the Board of Regents has approved a formal Memorandum of Agreement to govern the relationship between the University and the UNM Foundation. The University encourages all donors of significant gifts for use in various programs or projects of the University to make them to the UNM Foundation for the benefit of the University.

Gifts made to the University or to the UNM Foundation shall be received in accordance with the Memorandum of Agreement and UAP 1030. The Board of Regents' approval shall be required prior to acceptance of any gift of real property that is made directly to the University. The Regents must also approve the initial establishment of quasi-endowments with University funds, all transfers of University funds to established

quasi-endowments, and expenditures of principal that exceed ten percent (10%) in any given fiscal year.

Endowment investments shall be managed in accordance with the Consolidated Investment Fund Investment Policy, jointly approved by the Regents and the UNM Foundation Board of Trustees.

References

- NMSA 1978, § 6-5A-1 (“Definitions; requirements for governmental entities that receive funds or property from certain organizations”)
- NMSA 1978, § 21-1-38 (“Definition; requirements for adoption of investment policy for investing endowment funds”)
- [RPM 7.9](#) (“Property Management”)
- [RPM 7.19](#) (“Regents' Endowment Fund”)
- [UAP 1030](#) (“Gifts to the University”)
- Memorandum of Agreement between the Regents of UNM and the UNM Foundation, Inc., on file at the UNM Foundation and Office of University Counsel
- Consolidated Investment Fund Investment Policy

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Regents' Policy Manual - Section 7.14: Risk Management and Insurance

Adopted Date: 09-12-1996

Amended: 12-14-2010

Amended: 08-14-2015

Applicability

This policy applies to all members of the University community and to all property owned or controlled by the University.

Policy

1. Safety and Loss-Prevention Program

It is the policy of the University to take reasonable steps to avoid accidents or other incidents that could result in injury or death to students, faculty, staff, and visitors, and to protect the physical resources of the University against loss or damage. The University, therefore, will have an active safety and loss-prevention program. The program will also provide for the proper handling and disposition of hazardous materials.

The tort liability to third parties of the University and its “public employees” is subject to the immunities and limitations set forth in the New Mexico Tort Claims Act and the Eleventh Amendment to the U.S. Constitution. In cooperation with the Risk Management Division of the New Mexico General Services Department, under and pursuant to the New Mexico Tort Claims Act, the University will carry (a) fire and extended coverage insurance on its buildings, heating and cooling systems, and major equipment; (b) worker’s compensation and unemployment compensation as required by applicable law; (c) medical malpractice, professional liability, and comprehensive general liability insurance under the Public Liability Fund administered by the Risk Management Division; and (d) such other and further insurance coverage as may be necessary and appropriate under the circumstances of a particular situation.

2. Insurance Benefits

To ensure fiduciary responsibility, the Board must approve the establishment or elimination of any alternative insurance or self-insurance program. In 2009, the Board approved a self-funded employee health plan.

The University will offer to eligible employees, students, and retirees group health coverage which the University contributes to in accordance with state law. Eligible employees also may choose to elect coverage from the University's diverse suite of benefit plans.

2.1. Reserve Fund Maintained for UNM Self-Insurance Plan

The University maintains a reserve fund for its self-insured group health plan covering eligible employees and retirees. Third Party Administrators (TPA) are contracted to process claims and perform certain administrative functions. In addition to claims payments and TPA administrative fees, the three components of the reserve fund (discussed below) may be used, as appropriate, for health care and non-health care costs such as stop-loss premiums, wellness initiatives, onsite clinic costs, telemedicine services, disease management services, and outside consulting fees.

The reserve fund has three distinct components: an Incurred But Not Reported (IBNR) reserve, a Claims Fluctuation Reserve (CFR), and a general reserve.

- The IBNR reserve is maintained to fund terminal liabilities in the event that the self-funded plan, or any subset of it, were to cease. The amount of the IBNR reserve is calculated and certified annually by an independent credentialed healthcare actuary.
- The CFR provides budget certainty to any given fiscal year should actual costs exceed the expected amounts. The amount is calculated to reflect a percentage of budget certainty between fifty percent (50%) and one hundred percent (100%).
- The general reserve represents any funds that exceed the combined IBNR reserve and CFR, and may include earnings created by the reserve.

2.2. Use of the General Reserve Component of the Self-Insurance Reserve Fund

The Board in its discretion may approve the allocation of funds from the general reserve component for other University purposes. The premium amounts paid by covered employees constitute assets of the self-insurance plan, and can be used for no other purpose. Any interest paid on the employees' premiums, and other monies that exceed participant contributions and form the basis of the general reserve component, however, are considered general assets of the University and may be used for purposes unrelated to the self-insurance plan.

References

- NMSA 1978, § 41-4-1 et seq. (“Tort Claims Act”)
- NMSA 1978, § 52-1-1 et seq. (“Workers’ Compensation Act”)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.15: Official Hospitality Events

Adopted Date: 09-12-1996

Applicability

This policy applies to expenditure of University funds for official hospitality events that promote the University's mission.

Policy

The University of New Mexico serves as an educational, social, and cultural center for the State. The University, its officers, faculty, and staff are often called upon to sponsor, support, or participate in various official hospitality events. Because these functions further the mission of the University and because participation is expected and historically has been practiced, the expenditure of University funds for such purposes is necessary, appropriate, and in the best interest of those serving and being served by the University.

Recognition of the University as a public trust is a necessary guide for socially-related expenditures. The University's use of funds is subject to public scrutiny. The guiding principles should be that expenditures are for the good of the University and appropriately modest.

Reference

- UAP 4000 (“Allowable and Unallowable Expenditures”)

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Regents' Policy Manual - Section 7.16: Financial Exigency

Adopted Date: 09-12-1996

Applicability

This policy applies to University-wide fiscal operations. It does not apply to decisions concerning individual programs.

Policy

In the event the University is threatened by a serious financial crisis which jeopardizes its mission and effective operation, the Board of Regents may declare a University-wide financial exigency to be followed by reductions in University expenditures, including reductions in force, if necessary. In making a determination of financial exigency and in approving reductions in expenditures, the Board will be guided by recommendations from the University President, who shall convene a special committee to advise the University President on the nature and extent of the exigency and recommended courses of action.

References

- Faculty Handbook B5.3.3 (“Separation from the University--Financial Exigency”)
- UAP 3225 (“Separation of Employment”)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.18: Joint Powers Agreements

Adopted Date: 09-12-1996

Applicability

This policy applies to all joint powers agreements entered into by the University.

Policy

The Regents shall authorize any joint powers agreement entered into by the University. By means of a resolution specifying the general subject and the public agency involved, the Regents may authorize the University President or designee to enter into a joint powers agreement to exercise jointly any power common to the University and the public agency. In the alternative, and at the discretion of the Board, the Regents may approve the actual joint powers agreement.

Joint powers agreements should be used only where required by statute for the joint exercise of a power common to two or more public agencies.

Reference

- NMSA 1978, § 11-1-1 et seq. (“Joint Powers Agreement Act”)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.19: Regents' Endowment Funds

Adopted Date: 09-12-1996

Amended: 08-16-2005

Applicability

This policy applies to all allocations and expenditures from the Regents' Endowment Funds.

Policy

The Regents' Endowment Funds have been created as quasi-endowments of the University. They shall be managed and used as follows:

1. The Regents' Endowment Funds shall be invested as part of the University's endowment funds and portfolio and shall be managed in accordance with the [Consolidated Investment Fund Investment Policy](#).
2. The proceeds from the sale of all real property owned by the University, net of any disposal costs, shall be deposited into the Regents' Endowment Funds.
3. All reductions of the Regents' Endowment Funds' principal balances must be approved by the Board of Regents and shall generally be limited to the acquisition of real property.
4. Investment income distributed annually in accordance with the investment management guidelines approved by the Board of Regents shall be limited to programs that: (i) enhance the recruitment and retention of outstanding faculty, staff, and students; (ii) contribute to the merit-based scholarship program of the University, including the Regents' Scholars Program; (iii) support the development of real estate; and (iv) advance the University President's initiatives.

5. The UNM Foundation shall provide information to the Regents each year regarding the Regents' Endowment Funds' principal balances and the proposed distribution of income for the next fiscal year.
6. To provide an opportunity for Anderson Schools of Management (ASM) students to receive realistic investment experience and training, the Board of Regents transferred two million dollars (\$2,000,000) from the Consolidated Investment Fund to ASM's Financial Services Center Investment Management Program. The funds are invested as part of an ASM faculty-guided educational program. This transfer was effective August 31, 2005, in accordance with the Resolution adopted by the Board of Regents on April 12, 2005, and implemented in accordance with the Investment Management Guidelines for ASM's Financial Services Center Investment Management Program, as reviewed and revised by the Board of Regents. The Board of Regents retains the right to terminate the program.

References

- RPM 7.13 ("Receipt and Investment of Gifts to the University")
- Consolidated Investment Fund Investment Policy (on the UNM Foundation website)

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.20: Budgets and Reserves

Adopted Date: 12-13-2005

Applicability

This policy applies to budget management and use of reserves for Current Unrestricted funds at the University of New Mexico with special emphasis on Instruction and General funds.

Policy

The Board of Regents has a fiduciary responsibility to ensure effective, efficient management of funding provided to the University to fulfill its mission of education, research, and public service. Budgeting involves all segments of the University and is a continuous process designed to ensure the best use of available funding. Budget management requires short-term and long-range planning, and involves setting up program priorities.

Reporting and Review of Current Unrestricted Reserves

At the end of each fiscal year, departments responsible for Current Unrestricted funds categorize their reserves and submit categorization reports to their dean or director. The reserves are categorized as committed, dedicated, or discretionary. The Office of Planning, Budget, and Analysis and the HSC Budget Office will submit an annual comprehensive report on savings and reserves to the Board of Regents.

Allocation of Reserves

It is critical to the fiscal integrity of the University that adequate central reserves be available to address unexpected or critical needs of the University; therefore, the Regents may transfer a percentage of annual savings in Instruction and General reserves to a central fund.

Deficit Balances

If a department anticipates a year-end deficit, the deficit will be covered by the next higher-level responsible administrator or the department's budget will be reduced by an amount sufficient to cover the prior year's deficit. Exemption from this process requires written approval from the cognizant vice president.

Reference

- UAP 7000 ("Budgets and Reserves")

DRAFT OF 9-28-2017 – clean copy

Regents' Policy Manual - Section 7.21: Investment of Operational Funds and Bond Proceeds

Adopted Date: 12-13-2005

Amended: 05-11-2010

Applicability

This policy governs the investment of operational funds and bond proceeds of the University of New Mexico. It does not apply to endowments held by the University and the UNM Foundation, which are invested in accordance with the Foundation's Consolidated Investment Fund Investment Policy.

Policy

The University shall manage its cash flow in a manner that will maximize funds available for investments. The primary objective for investments of operational funds and bond proceeds of the University is capital preservation. In addition, available funds shall be invested with the following objectives:

- Conformance with applicable laws and regulations, bond resolutions and indentures, and other pertinent legal restrictions
- Sufficient liquidity to ensure the University can quickly respond to cash demands and meet funding and operations requirements and emergency expenditures
- Recognition of differing objectives and needs of various operating funds and bond proceeds
- Maximization of investment returns

The Board recognizes that in order to meet these investment objectives it may be advantageous to engage the services of investment consultants and managers who have appropriate training and expertise and who have access to specialized information and analysis or analytical tools and systems. Investment consultants and managers must be registered investment advisors with the Securities and Exchange Commission and must have a minimum of \$500 million of assets under management. Such contracts must be approved by the Board of Regents. All persons or entities, including investment managers and consultants, that have responsibility for investment of University funds shall be bound

by this and other University policies, including conflict of interest policies, and federal and state laws and regulations.

Investment Guidelines

The scope of authority for the types of investments that may be made with University funds is statutorily defined in NMSA 1978, Sections 6-8 and 6-10. University assets may be invested in any securities permitted by law, subject to the provisions of this investment policy. Individuals responsible for investment decisions shall exercise judgment, care, skill, and caution to invest and manage funds as a prudent investor would, by considering the objectives, terms, and distribution requirements while preserving capital. Operational funds and bond proceeds are primarily invested in high quality, relatively short-term fixed income securities not exposed to significant market risk. Investments should have an average duration of three years or less, an average credit quality of A1/A+ or better, no use of leverage, and security ratings of investment grade.

Reporting and Accountability

The University Debt and Investment Advisory Committee is responsible for ensuring University investments are managed in accordance with University policy and applicable laws and regulations. The University Hospitals Administrative Chief Financial Officer is responsible for the day-to-day investment activities concerning University Hospitals' operational funds and bond proceeds and for ensuring proper internal controls are in place. All investment transactions require prior authorization from two University administrators with signature authority on the University's depository account. All individuals delegated authority to make investment decisions must be bonded in accordance with NMSA 1978, Section 6-8-5.

References

- NMSA 1978, § 6-8-1 et seq. ("Investment of public money")
- NMSA 1978, § 6-10-1 et seq. ("Public money")
- NMSA 1978, § 45-7-601 et seq. ("Uniform Prudent Investor Act")
- 26 USCA §148 ("Arbitrage")
- RPM 1.8 ("Regent Code of Conduct and Conflicts of Interest")
- RPM 6.4 ("Employee Code of Conduct and Conflicts of Interest")
- UAP 3720 ("Code of Conduct and Conflicts of Interest")
- UAP 7610 ("Investment Management")

DRAFT OF 10-2-2017 – clean copy

Regents' Policy Manual - Section 8.1: Special Use of University Facilities

Adopted Date: 09-12-1996

Applicability

This policy applies to the special use of University facilities.

Policy

University facilities are primarily for the use of University organizations and departments. Regularly scheduled events and classes have first priority for the use of University facilities, followed by UNM-sponsored special events. Under certain conditions, University facilities may be rented to enterprises not directly connected with the University.

Any reasonable request for special use of University facilities will be considered.

References

- Pathfinder (“Speakers from Off-Campus and Freedom of Expression and Dissent”)
- Pathfinder (“Main Campus Rules for Outdoor Events, Sound, and Posting”)
- UAP 2060 (“Political Activity”)
- UAP 2220 (“Freedom of Expression and Dissent”)
- UAP 2230 (“Police and Security Services”)

DRAFT OF 10-2-2017 – clean copy

Regents' Policy Manual - Section 8.2: Law Enforcement on Campus

Adopted Date: 09-12-1996

Applicability

This policy applies to all members of the University community and the general public.

Policy

State criminal and traffic laws apply on University property. The University President may employ and assign duties of campus police officers, who are authorized to enforce all applicable laws and University regulations, and have the powers of peace officers within the exterior boundaries of lands under the control of the Board of Regents, including public streets and highways within such boundaries.

References

- Albuquerque City ordinances do not apply to land under the control of the Board of Regents. See *City of Santa Fe v. Armijo*, 96 N.M. 663, 633 P.2d 685 (1981).
- NMSA 1978, § 29-5-1 et seq. (“Educational institutions; traffic regulations and police officers”)

DRAFT OF 10-2-2017 – clean copy

Regents' Policy Manual - Section 8.3: Vehicles and Parking on Campus

Adopted Date: 09-12-1996

Amended: 04-09-2003

Applicability

This policy applies to all motorized and non-motorized vehicles on University property. These vehicles include, but are not limited to, automobiles, golf carts, bicycles, skateboards, skates, rollerblades, mopeds, scooters, and unicycles. The policy does not apply to the use of mobility devices as assistance for the mobility impaired.

Policy

For the orderly flow of parking and vehicular traffic within the limited confines of University property, the University President shall adopt parking and vehicular regulations, which shall be made available to students, employees, and visitors.

Vehicles, including skateboards, shall be used on the ground only and may not be used on walls, benches, fountains, stairs, or other structures. The University President by regulation may ban specified types of vehicles from campus.

The UNM Parking Regulations are enforced by the UNM Police Department and UNM Parking and Transportation Services, and maintained on the [UNM Parking and Transportation Services website](#).

References

- NMSA 1978, §§ 29-5-1 and 29-5-1.1 (“Educational institutions; campus traffic regulations”)
- UAP 2260 (“Non-Motorized and Small Motorized Vehicles”)
- UAP 7780 (“Use of University Vehicles”)
- UNM Parking Regulations

DRAFT OF 10-2-2017 – clean copy

Regents' Policy Manual - Section 8.4: The Student Union Building

Adopted Date: 09-12-1996

Applicability

This policy applies to the use of the Student Union Building.

Policy

The Student Union Building is a social and extracurricular center of the campus community, and a focal point for campus activities for all members of the University community. The Student Union Building serves as a unifying force in the life of the University, presenting opportunities for the exchange of ideas and opinions among faculty, students, and others in a congenial, informal atmosphere.

The University President is authorized to determine the appropriate use of the Student Union Building, and may delegate this authority.

References

- RPM 2.2 (“Speakers from Off Campus”)
- RPM 8.1 (“Special Use of University Facilities”)

DRAFT OF 10-2-2017 – clean copy

Regents' Policy Manual - Section 8.5: Museums and Collections

Adopted Date: 09-12-1996

Applicability

This policy applies to all University museums and collections.

Policy

In furtherance of its educational mission and its commitment to public outreach, the University houses significant collections of art and artifacts in its various museums and other locations. To preserve the cultural, scientific, and historical value of these collections, the University shall ensure that they are protected from unwarranted deterioration or deaccession.

Reference

- [UAP 6410 \(“Museums and Collections”\)](#)

DRAFT OF 10-2-2017 – clean copy

Regents' Policy Manual - Section 8.6: KNME-TV

Adopted Date: 09-12-1996

Applicability

This policy applies to KNME-TV.

Policy

KNME-TV is an educational television station licensed by the Federal Communications Commission jointly to the Regents of the University of New Mexico and the Albuquerque Public Schools (APS). Operation of the station is governed by a Joint Powers Agreement between UNM and APS, copies of which are maintained at KNME-TV and the Office of University Counsel.

The University President shall provide for appropriate management of KNME-TV, subject to the Joint Powers Agreement and applicable federal law.

DRAFT OF 10-2-2017 – clean copy

Regents' Policy Manual - Section 8.7: KUNM Radio

Adopted Date: 09-12-1996

Amended: 08-12-2003

Applicability

This policy applies to the radio station KUNM-FM.

Policy

KUNM-FM, a noncommercial educational radio station, is licensed to the Board of Regents. The Board has the responsibility for all aspects of the station's operations, including programming. The Board will assure that the station enjoys the full protection of the First Amendment so that the station can continue to fulfill its role as an institution of the press.

KUNM shall operate as a University radio station in accordance with the federal Communications Act of 1934 and all rules and policies of the Federal Communications Commission that pertain to noncommercial educational radio stations. The station shall fulfill the following goals: (1) serve the people in KUNM's listening area by providing a variety of high-quality programming that serves diverse interests, particularly programming that might not be available on commercial radio stations; (2) comprise an integral component of the University's academic mission; and (3) maintain a high standard of quality in content, presentation, and technical competence.

The Board of Regents does not make decisions concerning specific programs at KUNM. Day-to-day management responsibility is delegated from the Board of Regents, as licensee, through the University President and the Provost to the designated station management, subject to an advisory role for the KUNM Radio Board, as discussed below. Management, staffing, and budgeting of the station shall be carried out through normal University administrative channels under applicable University policies.

The Radio Board may make recommendations to station management on programming issues and other station policies. The Board of Regents has adopted bylaws governing the composition and duties of the Radio Board.

Due to the potential impact of major programming changes on the academic mission of the University and on the station's responsiveness to the community, station management must consult with the Radio Board before making such changes, except in emergency situations. After the Radio Board has issued its recommendations regarding programming changes, station management determines which changes will be made. The Radio Board may appeal the decision to the Provost, who shall make the final decision as to whether a proposed program change shall or shall not be adopted. In making such decisions, station management and the Provost shall be guided by and act consistently with this policy.

Volunteer participation in the operation of the radio station shall be encouraged and shall be subject to volunteer policies and procedures established by station management and the Radio Board and approved by the Provost, as well as the UNM Visitor Code of Conduct and other applicable University policies.

References

- Bylaws of the KUNM-FM Radio Board
- RPM 2.8 ("Visitors to the University")
- Pathfinder ("Visitor Code of Conduct")