

NEW MEXICO JUNIOR COLLEGE

BOARD POLICY MANUAL

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New Mexico Junior College Board
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**NEW MEXICO JUNIOR COLLEGEBOARD POLICY MANUAL
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Policy No. 100

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SECTION: Manual

POLICY TOPIC: General Provisions

- I. Title: This publication shall be known as the *New Mexico Junior College Board Policy Manual*.
- II. Purpose: The *Manual* represents a statement of the policies of the Board related to the philosophy and governance of New Mexico Junior College (hereinafter sometimes referred to as “New Mexico Junior College, NMJC or College”). The *Manual* together with the 1985 Community College Act (Chapter 21, Article 13, NMSA 1978 Amended) and other applicable state and federal laws constitute the fundamental guideline for the administration of the College.
- III. Definitions: The following terms when used in the *Manual* shall have the meaning herein respectively ascribed to them unless the context in which such terms are used clearly indicates another meaning:

BOARD: The New Mexico Junior College Board.

CAMPUS: Campus of New Mexico Junior College

PRESIDENT: The Chief Administrative Officer of New Mexico Junior College and Chief Executive to the Board.

MANUAL: *New Mexico Junior College Board Policy Manual*.

POLICIES: Statements of the basic philosophy, which express organizational intentions for achieving expectations, goals and objectives.

PROCEDURES: Statements identifying the course of action, series of steps, methods, or means by which policies are implemented and administered.

RULES: Administrative orders.

NMJC OR
COLLEGE: New Mexico Junior College

IV. Formulation and Revision of Board Policy

- A. The formulation and adoption of written policies constitute the basic method by which the Board shall exercise its leadership in the operation of the College. The Board delegates to the President the function of implementing the policy.
- B. Recognizing its own function as the lawful and final authority in policy matters, the Board accepts the principle that those who are affected by the policy shall be involved in the formulation of such policy. The Board encourages employees and administration to review and recommend new policies or changes of policy. A person seeking a revision or addition shall submit it in proposed form, unnumbered and undated, together with the justification to the President who shall forward the change to the Board with his/her recommendation for action. No amendments to the policy shall be made without the Board's approval.

V. Formulation of Administrative Procedure

- A. The Board delegates to the President the function of formulating administrative procedures and rules under which the College shall operate. As implemented under the president's jurisdiction, these procedures and rules shall be approved by the Board and shall also be consistent with the policies adopted by the Board.
- B. Administrative procedures and rules shall generally be located in detail in various College documents to include the *College Catalog*, *Employee Handbook*, *Student Handbook*, and the *Financial Services Policies and Procedures Manual*.

VI. Interpretation

- A. In the event that any provision of the *Manual* shall appear to be vague, indefinite, or in conflict with other provisions hereof or with state and federal laws, the President shall be the authority for the interpretation thereof.
- B. If an organization referenced herein changes its name, the President shall be authorized to have any such reference modified to reflect the organization's current designation without reconsideration of the Board.

VII. Reference Coding:

- A. The *Manual* elements shall be designated by a numbering system as follows:
1. Section Designation: Roman Numerals
 2. Policy Topic Designation: Numbering System from 100-900.

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Policy No. 200
SECTION: New Mexico Junior College Organization
POLICY TOPIC: New Mexico Junior College Mission

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I. Mission

The mission of New Mexico Junior College, as a comprehensive community college, is to promote success through learning.

II. Vision

Sharing the Vision of New Mexico Junior College's mission will be achieved by building a culture that values and promotes excellence, effectiveness, responsiveness, access, and community involvement.

I. Planning Introduction

New Mexico Junior College shall be committed to a system of planning and evaluation of outcomes as important and necessary tools for accomplishing its stated mission. Development and maintaining a planning process to include maximum participation from the College constituency has been given high priority by the Board and administration. The purpose of the planning process is to put the College in a better position with regard to the overall mission, to achieve stated goals and objectives, to attain positive outcomes, and to adjust more quickly to change.

II. Planning Activities (partial list):

A. Budget Plan

The annual budget allocates resources in alignment with the strategic and operational objectives of the College.

B. Building Replacement and Renewal Plan

The institutional BRR Plan provides for building renewal and replacement.

C. Strategic Plan

The Strategic Plan is the long-range outlook that gives needed information and direction to the College for growth over a five-year period. The plan is formally updated on a five-year cycle. Progress towards objectives of the plan are reported annually.

D. Master Facility Plan

The campus Master Facility Plan provides guidance concerning management of campus facilities and future expansion of the physical plant.

E. Information Technology Plan

The IT Plan is updated annually and provides guidance concerning management of College technology. The IT Plan identifies timetables and budgets for upgrading existing services and installation of new technologies.

F. Roofing Plan

The Roofing Plan provides a detailed analysis of all institutional roofs and the year in which they should be replaced. The plan is updated periodically.

G. Equipment Replacement and Renewal Plan

The institutional ERR Plan provides for a replacement schedule for equipment throughout the campus. The plan is updated annually.

H. Paving and Sealant Plan

The institutional Paving and Sealant Plan provides for periodic renewal of campus roadways and parking lots. The plan is updated periodically.

I. Landscaping Plan

The institutional Landscaping Plan provides for ongoing and emerging trends in landscaping and revitalization of the grounds. The plan is updated periodically.

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SECTION: New Mexico Junior College Board

POLICY TOPIC: Board Authority, Composition, Organization and Duties

I. Introduction

- A. New Mexico Junior College is governed by a seven-member Board elected from the New Mexico Junior College District. The duties and responsibilities of the Board are as outlined and stated in the Community College Act, being Sections 21-13-1 through 21-13-25 inclusive of the New Mexico statutes 1978 compilation as amended.
- B. The Board evaluates proposals for the improvement of the College, its educational programs; studies present practices of operation, and approves policies to meet the needs of the College.
- C. Members of the Board shall have authority *only* when acting together as a board in session. The Board shall *not* be bound by any statement or action on the part of any individual member of the Board, except when such statement or action is in pursuance of specific instructions by the Board. The Board delegates to the President the responsibilities of administering and supervising the policies and procedures of the College.

II. Composition

- A. Size and Term: The New Mexico Junior College Board consists of seven (7) members elected from single-member districts. Members are required to reside in the districts from which elected. Any member removing his / her residence from the district from which he / she was elected shall be deemed to have resigned his / her position, and the vacancy created by such resignation shall be filled in the manner provided by law and in this policy for the filling of vacancies on the Board of a community college district. The Board members shall be elected for a term of six (6) years from January 1 succeeding their election. Terms of Board members are staggered.
- B. Elections: Elections of board members shall be held on the first Tuesday following the first Monday of November of each odd-numbered year according to state statutes.

- C. Vacancies: All vacancies caused in any other manner than by the expiration of the term of office shall be filled by appointment by the remaining members. An individual appointed by the remaining members of the board to fill a vacancy in office shall serve until the next community college board election, at which time candidates shall file for and be elected to fill the vacant position to serve the remainder of the unexpired term in accordance with Section 21-13-8 NMSA 1978 comp.

III. Organization

- A. Board Officers--Designation: At its first regular meeting following the election, the Board shall select from its members a chairperson and secretary who shall serve in these offices until the next regular board election. After each election, Board members shall re-organize in this manner:
1. Chairperson: The duties of the Chairperson of the Board shall be:
 - a. To preside regularly at board meetings;
 - b. To call special or emergency meetings as required or to change the time of a regular meeting; and
 - c. To perform such other duties as may be prescribed by law or by action of the Board.
 2. Secretary: The duties of the Secretary of the Board shall be:
 - a. To preside over board meetings in the absence of the Chairperson; and
 - b. To perform such other duties as the Board may prescribe.
- B. The President shall serve as Chief Executive to the Board. A Board Recorder shall be appointed for clerical assistance.
1. Chief Executive to the Board: The duties of the President shall be:
 - a. To provide adequate notice to board members and the public of all meetings;
 - b. To call all regular meetings;
 - c. To attend all board meetings except during that portion of a meeting when his salary or performance is being discussed among members;
 - d. To arrange for recording of minutes of the board meetings and transmit a copy of the previous meeting minutes to each board member before each ensuing meeting;
 - e. To arrange to have the board agenda prepared; and
 - f. To have charge of all records, proceedings and documents of the Board.

2. Board Recorder: The duties of the Board Recorder shall be:
 - a. To prepare the board agenda as directed by the Chief Executive to the Board;
 - b. To record and prepare minutes of board meetings;
 - c. To arrange for the posting of the notice for all board meetings according to statutory requirements; and
 - d. To assume such other responsibilities as shall be assigned by the President as Chief Executive to the Board.

IV. Duties and Responsibilities

- A. The Board's primary duty is to determine the financial and educational policies of the College. The Board shall provide for the management of the College and the execution of policies by selecting and retaining a President for the College.
- B. The Board shall have the power to fix tuition and fee rates for resident and non-resident students of the New Mexico Junior College District; to accept gifts to the College; to accept federal aid; to purchase, hold, sell, and rent property and equipment. The Board will embrace the general welfare of the institution and the best educational interests of the people in the College's service area.
- C. Other Board responsibilities are summarized by but not limited to the following:
 1. To adopt and periodically review a statement of philosophy and mission which clarifies basic educational beliefs and responsibilities of the College to the community.
 2. To determine and evaluate the quality of professional leadership needed to carry out the philosophy and objectives of the College.
 3. To provide that the College is operating in a fiscally responsible manner, approve the annual budget and monthly expense summary, and approve employee benefit programs and salary schedules.
 4. To award the appropriate degree or certificate upon completion of a curriculum organized for that purpose.
 5. To review and approve expenditures and bid projects in compliance with fiscal policy.

6. To review and take appropriate action on matters relating to physical plant and master plan development.
7. To formulate or cause to be formulated such additional policies as are necessary to promote the educational program of the College.
8. To adopt such minimum standards as are considered desirable by the Board to supplement those of the New Mexico Higher Education Department and the Higher Learning Commission (HLC).
9. To consider communications and requests from citizens and organizations on matters of policy, administration, and other items of public concern affecting the College.
10. To refer complaints received about the College and its operation to the President to research and determine the appropriate course of action.
11. To adopt and review the *Employee Handbook*.

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Policy No. 301

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SECTION: New Mexico Junior College Board

POLICY TOPIC: Board Travel

I. Board Travel

Board members shall routinely serve without remuneration other than the reimbursement of actual and necessary expenses incurred in the performance of their official duties. Travel shall be reimbursed at the same rate as established for College employees. Out-of-state travel for members of the Board shall be approved by Board action.

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SECTION: New Mexico Junior College Board

POLICY TOPIC: Professional Development for Board Members

I. Orientation and Training of Board Members

The College President shall provide an orientation for new Board members prior to, or soon after the member assuming his / her seat on the board. Training will focus on understanding the Board's functions, policies, and procedures. Assistance given in the orientation of the new Board member may include the following, as appropriate or available:

1. Selected materials of the responsibilities of being a contributing member on the Board.
2. Materials pertinent to meetings and an explanation of its use.
3. Invitations to meet with the College President and other administrative personnel designated by the College President to discuss services the administration performs for the Board.
4. Access to a copy of the Board's policies and administrative regulations, and other documents currently in use by other Board members.
5. Information regarding appropriate meetings and workshops.
6. A formal orientation on legal and budgetary oversight responsibilities of the Board by the College President or designee.
7. Other information and activities as the Board or the College President deems useful in fulfilling the role of a Board member.

II. Board Training

Annually, the College President shall work with the Board to develop and implement appropriate and current training for the Board, or when appropriate.

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SECTION: New Mexico Junior College Board

POLICY TOPIC: Board Meetings

I. Introduction

To comply with the Open Meetings Act, Sections 10-15-1 to 10-15-4, NMSA 1978, the following definitions and procedures are detailed so the conduct of all Board business is in compliance with the spirit of the law:

II. Meetings

A. Definition: Meetings are defined as any verbal exchange among a quorum of board members attempting to arrive at a decision on any public business or public policy relating to the College over which the Board has supervision or control.

B. Types of meetings:

1. Regular Meetings: According to state statute, meetings of the Board shall be held not less than quarterly each calendar year. Special meetings shall be held upon call of the Chairperson of the Board or a majority of the Board. In a meeting of the Board, a motion was adopted that regular meetings of the Board shall be held on a monthly basis. This exceeds what is required by law but is deemed necessary to accomplish College business in an orderly and timely manner. The regular meetings will be held on the third Thursday of every month at 1:30 p.m. in the New Mexico Junior College Board Room (Zia Room) Hobbs, New Mexico. The date or place of a regular meeting may be changed by action of the Board at any previous meeting. Every board member shall be notified either by letter or personally by distribution of the minutes carrying a record of the change or at any other time by the Chairperson of the Board after timely notice to all members and with the consent of a majority of members. If the date or place of any regular meeting is changed, the public shall be informed of the change by notice as required by law.
2. Special Meetings: Special meetings to conduct College business shall be called by the Chairperson of the Board, by a majority of the members of the Board or by the President with approval of the Board Chairperson.

3. Work Sessions: Work sessions may be called by the President with the approval of the Board Chairperson to review and discuss College-related information. No official board action shall take place in a work session.
4. Emergency Meetings: An unscheduled meeting may be called by the Board Chairperson for the purpose of considering an emergency or any other matter of urgent public necessity.
5. Closed Meetings: Closed meetings or executive sessions of the Board shall be closed to the public pursuant to state law.

III. Meeting Procedures

- A. Prerequisites to Transact Business: In order to transact business which is binding to the College, the Board shall meet in official session, keep minutes, and have a quorum of members present. All motions, duly seconded, require a majority of those voting.
- B. Agenda: The meeting agenda shall be prepared by College employees and coordinated by the President for board presentation. Board members shall also request that the President include an agenda item for board presentation.
- C. Rules of Procedure: Unless otherwise determined by the Board or herein specified, all meetings shall be conducted in accordance with Robert's Rules of Order Revised.
- D. Minutes: The minutes of each regular, special or emergency meeting or any work session shall be recorded and include at minimum the following:
 1. Date, time and place of the meeting.
 2. Names of all members of the Board in attendance and a list of those absent.
 3. Statement of what proposals were considered.
 4. Record of any decisions made by the Board and how each member voted at each vote.

A draft of all minutes shall be prepared within ten (10) working days after the meeting. At this time the minutes shall be available for public inspection in accordance with the New Mexico Public Records Act; however, these minutes shall not become official until approved at the next regular meeting. All official records with original signatures of board transactions of the regular meetings shall be kept on file by the Board Recorder as a permanent official record of the College and shall also be open to public inspection in accordance with the New Mexico Public Records Act. Minutes shall be succinct but shall include both informational and action items. All special meetings and work sessions where College business is discussed shall be appropriately recorded and available for inspection. Board members shall request inclusion of statements or data which they deem vital to an adequate understanding of the minutes.

- E. Voting: Voting on Board action items shall be by voice vote except when a roll call vote is requested by a Board member. A member voting against a motion shall state his / her reasons and shall have them recorded in the minutes, if he/she so requests at the time of voting. The minutes shall record the name of the person making the motion, the name of the person seconding it, and the vote with dissenting members being noted.

- F. Order of Business: The normal order of business on the agenda of regular board meetings shall be as follows:
 - 1. Call to Order
 - 2. Welcome
 - 3. Adoption of Agenda
 - 4. Approval of Minutes
 - 5. Correspondence
 - 6. President's Report
 - 7. Old Business
 - 8. New Business
 - 9. Public Comments
 - 10. Announcement of Next Meeting
 - 11. Closure of Open Meeting
 - 12. Adjournment

IV. Public Access

- A. Meetings Open to the Public: All meetings at which the Board plans to formulate policy, discuss College business, or take any action within the authority or delegated authority of the Board shall be open to the public at all times except as otherwise provided in the constitution of the state of New Mexico or the provisions of the Open Meetings Act.
- B. Meetings Closed to the Public: To close a meeting or to call an executive session at which the general public shall not be entitled to be present for purposes set out in the Open Meetings Act, the following conditions shall be met and procedures followed:
1. The Board shall first convene in a public open meeting and during that meeting, the Chairperson shall publicly announce that a closed or executive meeting or session shall be held. A motion to close the meeting shall be made and approved by a roll call majority vote of a quorum of the Board. The motion shall include a statement of the subject to be discussed which gives the Board authority to close the meeting. The vote on the motion shall be recorded as required by law.
 2. If a closed meeting is called when the Board is not in open meeting, public notice appropriate under the circumstance shall be given. The notice shall include a statement of the purpose of the anticipated closed meeting along with the identification of the section or sections under the statute authorizing the holding of such closed or executive session.
 3. Closed meetings according to the above requirements shall be called and voting shall take place in accordance with the Open Meetings Act.
 4. Whenever any deliberation or any portion of a meeting is closed to the public, no final action, decision or vote with regard to any matter considered in the closed meeting shall be made except in a meeting which is open to the public or as provided by law. Board action in matters of property acquisition or litigation settlement negotiations may be considered in closed session.

V. Notice Requirements

- A. Regular Meetings, Special Meetings or Work Sessions: In accordance with the Open Meetings Act, reasonable notice (72 Hours) shall be given to the public announcing the date, time, place, and subject matter of each meeting. A record of the notice sent to all media sources shall be kept on file. The notice shall also be posted on the New Mexico Junior College Home Page. The Board shall follow the State requirements for posting of meetings under the Open Meetings Act.
- B. Emergency Meetings: Emergency meetings shall be called as permitted by law and College policy, and such notice as is reasonable within the time restrictions required by the emergency shall be given to the public. Media shall be informed in writing or orally at the earliest practical time after the decision to meet in an emergency session is made. The information provided to the media shall include the date, time and place of the emergency meeting, and the purpose of calling the meeting. A record of the media outlets contacted and the information included in the message, whether written or orally made, shall be kept on file. Written notice of any emergency meeting shall also be posted in the college's administrative office area.
- C. Informal Meetings: Functions which the board members attend as a group, such as training workshops, social gatherings, conventions, community celebrations, and similar events (but at which no Board session is officially called and no college business is acted upon), shall not be considered a Board meeting within the terms of this section of Board policy and no public notice need be given.

VI. Citizen Participation

- A. Rationale: Interested persons may communicate their concerns to the Board at a meeting if certain procedures are followed. Such procedures are intended to preserve the constitutionally guaranteed rights of free speech and petition and to avoid unfair discrimination among viewers seeking expression. The Board reserves the right to amend and / or waive any or all of these procedures by majority vote of its members.

- B. Procedure: In order that the business of the College may be conducted in an orderly and deliberative fashion, the Board sets forth the following procedures for citizens desiring to appear before it:
1. Citizens desiring to be heard by the Board shall notify the President forty-eight (48) hours prior to the meeting and indicate the agenda item or non-agenda item which they wish to address. At that time, the President shall make the decision as to whether to deal with the issue administratively or as a Board agenda item.
 2. Individuals who have notified the President of their desire to address the Board on an agenda item and have been so approved shall be recognized before the Board Chairperson calls for a vote on the item or concludes the item. Speakers shall limit remarks to the agenda item.
 3. Individuals who have notified the President of their desire to address the Board on non-agenda items and have been so approved shall be recognized at the time the agenda is adopted so the item can be included as an addition to the agenda. The same individuals shall then again be recognized at the time the item is scheduled on the revised agenda. No action shall be taken on a non-agenda item.
 4. The Board has the discretion of hearing or not hearing any individual or group and reserves the right to fix such time limits on presentations as deemed appropriate to the occasion, and may limit the number of speakers who appear before the Board on any given issue. The Board by majority vote shall extend such limits as it deems appropriate.
 5. The Board shall refrain from hearing complaints or charges against employees of the College.
 6. Only individuals officially recognized by the Chairperson of the Board shall be allowed to speak.
 7. The use of profanity, obscenity, and/or other offensive language shall be sufficient cause for the Board Chairperson to withdraw a citizen's permission to address the Board.

8. Except in emergencies, the Board shall not attempt to decide upon any question before examining and evaluating information any individual requests the Board to consider, which may be submitted by such individual or which is otherwise reasonably available. The President shall be given an opportunity to examine and evaluate all such information and to recommend action before the Board makes a decision.
9. These procedures are subject to the provisions of the Open Meetings Act.

C. Written Communication: All written communication to the Board, which bears the signature(s) and address(es) of the person(s) originating the communication, shall be transmitted to the Board as a report from the President.

VII. Legal Opinions--Board Requests

All questions or inquiries of a member(s) of the Board involving the law and procedural matters pertaining to the College shall be reduced to writing by such member(s) and transmitted to the President. Upon receipt of such questions or inquiries by the President, he / she shall submit the same to the legal counsel of the College for the appropriate answer which answer shall be made in writing and transmitted through the President to the Board.

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Policy No. 304

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SECTION: New Mexico Junior College Board

POLICY TOPIC: Board Code of Ethics

I. Board Member Code of Ethics

As a member of the New Mexico Junior College Board, it is my duty and responsibility to:

- A. Devote time, thought, and study to the duties and responsibilities of a board member so that I may render effective and creditable service.
- B. Work with my fellow board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during vigorous debates of points of issue.
- C. Base my personal decision upon all available facts in each situation, vote my honest conviction in every case un-swayed by partisan bias of any kind, and abide by and uphold the final majority decision of the Board.
- D. Remember as an individual I have no legal authority outside the meetings of the Board and conduct my relationships with the College employees, the local citizenry and all media of communication on the basis of this fact. Recognize any conflict of interest both in appearance and fact regarding decisions made by the College and announce said interest prior to board discussion. Refrain from voting in cases when a conflict of interest may occur.
- E. Resist every temptation and outside pressure to use my position as a board member to benefit either myself or any other individual or agency apart from the total interest of the College.

II. Board Member Code of Conduct

Each member of the Board of New Mexico Junior College shall endeavor to:

- A. Attend all scheduled Board Meetings insofar as possible, and become informed concerning the issues to be considered at those meetings.
- B. Conduct all College business in open public meetings unless, in the judgment of the Board and only for those purposes permitted by statute, if is deemed more appropriate to hold a closed meeting.
- C. Hold confidential all matters discussed in Executive Sessions of the Board.
- D. Recognize and understand that the basic function of the Board is policy making, not administrative.
- E. Approach all Board related discussions, decision making, and voting from an unbiased perspective and a non-discriminatory manner.
- F. Promote a healthy working relationship with the President and the administration by:
 - 1. Appointing the best qualified professional leader available when a President is to be appointed.
 - 2. Developing and maintaining open and honest communication between the Board and the College President.
 - 3. Expecting the President to present recommendations for Board action with complete information and in a timely manner that would allow members an adequate period of study and deliberation.
 - 4. Recognize the value of the importance of full open discussions on all facets of any recommendation presented by the President before Board action is taken.
 - 5. Referring complaints to the President or advising that complaints be presented in writing to the Board as a whole, through the President.
 - 6. Recognizing that the hiring, assigning, transferring, dismissal or suspension of employees will be handled according to established

employee policies through the President's Office and in accordance with the approved *Employee Handbook*.

- G. Devote appropriate time, thought, and study to the duties and responsibilities of a Board member in order to render effective and credible service.

III. Board Member Conflicts of Interest

The Board of New Mexico Junior College believes that it should exercise a leadership role with respect to governmental ethics which goes beyond statutory requirements and therefore that it is important to avoid even the appearance of a conflict of interest. A potential conflict of interest is a situation that involves a personal, familial, or business relationship between a Board Member and/or organizations that do business with the College or a family member who is an employee of the College. This relationship can cause the College or the Board to be legally or otherwise vulnerable to public criticism, embarrassment, or litigation.

A. Disclosure

All Board members are required to: (1) annually review and sign this policy; (2) disclose those substantive relationships that he or she maintains or members of his or her family maintain with the college or with organizations that do business with the college or otherwise could be construed to potentially affect their independent, unbiased judgment in light of his or her decision-making authority or responsibility. In the event that a Board member is uncertain as to the appropriateness of disclosing a particular relationship, the Chairperson of the Board, the College President, or College counsel should be consulted.

B. Restraint on Participation

It is the policy of the Board of New Mexico Junior College that members will not participate in Board discussions or votes on items or transactions where they have a conflict of interest.

C. Definitions

The following definitions are provided to help Board members decide whether a relationship should prevent a Board member from participating in consideration of a decision or proposed transaction:

(1) Potential conflict of interest or conflict of interest: substantive relationships maintained by Board members, or members of their family, with the College or with organizations that do business with the College or that otherwise could be construed to potentially affect their independent, unbiased judgment in light of his or her decision-making authority or responsibility.

(2) Business relationship: one in which a Board member, or a member of his or her family as defined below, serves as an officer, director, employee, partner, trustee or controlling stockholder of an organization that does substantial business with the College.

(3) Family member: A spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter or daughter-in-law, or any other relative if the latter resides in the same household as the Board member.

(4) Substantive relationships: When a Board member, or member of his or family, (a) are the actual or beneficial owner of more than 5% of the voting stock or controlling interest of an organization that does substantial business with the College; (b) has other direct or indirect dealings with such an organization from which the Board member, or member of his or her family benefits directly, indirectly or potentially from cash or property receipts which total \$5,000 or more annually; or (c) is employed by the College or receives fees, benefits or other compensation from the College.

(5) Substantial business: An organization that does substantial business with the College is one that received more than \$5,000 from the College in the previous fiscal year.

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SECTION: Administrative Organization

POLICY TOPIC: The President

I. Authority

- A. The New Mexico Junior College president is the Chief Executive Officer of the College. The President shall be charged in the Community College Act, in the rules and regulations of the New Mexico Higher Education Department, in the rules and guidelines of the Higher Learning Commission, and in the policies of the New Mexico Junior College Board with carrying out the policies of the Board and with administering the College efficiently and effectively. The President shall be directly responsible to the Board for the operation of the College and shall be expected to provide creative educational leadership in the achievement of the mission of the College as adopted by the Board.
- B. The President shall employ other administrative and/or other employees as shall be needed for the operation, maintenance, and administration of the College. The President shall be responsible for the establishment of an administrative organization appropriate to the size, complexity, and objectives of the College.

II. General Duties and Responsibilities

Within the framework of the policies adopted by the Board, the President shall exercise broad and discretionary authority in carrying out the responsibilities of the position. The President is the Chief Executive Officer of the Board and the administrative head of all sectors, divisions and departments of the College. The Chief Executive Officer shall delegate responsibilities for the operation of the various segments of the College, but shall be responsible to the Board for the results achieved. The duties and responsibilities of the President include but are not limited to the following:

- A. To perform satisfactorily the job as the President for New Mexico Junior College;
- B. To execute policies adopted by the Board;

- C. To manage New Mexico Junior College in conformity with the policies of the Board, the New Mexico Higher Education Department, the rules and guidelines of the Higher Learning Commission, the laws of the state of New Mexico and the laws of the United States of America;
- D. To provide leadership that allows the College's philosophy to be reflected in curriculum development; this includes developing and presenting the Board recommended policies and cooperating with the policy-making duties and responsibilities of the Board;
- E. To assign specific administrative functions to be performed by members of the administrative staff;
- F. To route all routine communications from the Board to members of the staff through the President and receive communications from the College employees to the Board through the President;
- G. To work with the various administrative heads in the continuous evaluation and improvement of the administrative, supervisory, and instructional techniques and procedures;
- H. To attend all meetings of the Board unless excused by the Board;
- I. To report to the Board from time to time, at his / her discretion or upon the request of the Board, on the educational and financial affairs of the College;
- J. To prepare the agenda for meetings of the Board;
- K. To secure cumulative factual data needed by the Board, the administration and professional and support / maintenance staff employees in planning for the short-term and long-range needs of the College;
- L. To prepare the annual HED and institutional budget with the assistance of the appropriate College officials and personnel;

- M. To serve as an ex officio member of all College committees and organizations;
- N. To be responsible for the governmental affairs and lobbying activities for the College;
- O. To support and promote the general welfare of the College and its various publics and communities;
- P. To represent New Mexico Junior College to its various constituencies, the general public and educational groups, and perform such other duties and responsibilities as shall be assigned by the Board; and
- Q. To communicate with the Board on all matters of major concern to the College and its community.

I. Evaluation of College President

The Board shall have the right and responsibility to evaluate the College President, and / or his office, at any time. The President shall be evaluated annually in the month of April. Each March, a request will be made to Board members to administer the "President Evaluation".

II. Criteria for Evaluation

The criteria for evaluating the Office of the President shall be, but not limited to, the following:

- A. Leadership of Campus, Community, and State interests.
- B. Application of Board policies, and Board communications.
- C. Administrative and management skills.
- D. Resource management.
- E. Achievement of College mission and objectives.
- F. Public and community relations.
- G. Interpersonal relationships.
- H. Communication of Campus, Community, Board, and State issues.
- I. Conflict management.
- J. Enrollment management.
- K. Institutional planning and budgeting.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 402

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SECTION: Administrative Organization

POLICY TOPIC: Presidential Travel

I. Presidential Travel

The Board gives approval to the President to travel overnight and/or out of state to attend meetings and conferences deemed needed and necessary in executing the duties of president of the College.

I. Introduction

The College is organized into five major service areas with the President providing general administrative overall leadership. The service areas of the College consist of Instruction, Finance, Student Services, Training and Outreach, and Administrative Services. The President shall hold regularly scheduled meetings with the administrative employees to give and to seek advice, provide counsel and give direction toward goals of the College within the framework of board policies.

II. Vice President for Instruction

The Vice President for Instruction, under the direction of the President, shall have primary responsibility and authority for the supervision and development of all instructional programs and activities. The Vice President for Instruction shall be responsible for providing quality and sound judgment in development of courses and programs, use of appropriate instructional methodology, deployment of instructional resources, compliance with state and Higher Learning Commission assessment requirements, and the management of instructional support services. The Vice President for Instruction shall serve as the liaison between the President of the College and the faculty and instructional support employees.

III. Vice President for Finance

The Vice President for Finance, under the direction of the President, shall have primary responsibility for budget development and implementation, and accounting of all fund revenues, expenditures and investments. The Vice President for Finance shall establish and maintain quality procedures for the procurement of services, materials and equipment purchased, as well as maintaining an inventory of all College property. The Vice President for Finance shall serve as liaison between the President of the College and employees in the areas of fiscal services and auxiliary services.

IV. Vice President for Student Services

The Vice President for Student Services, under the direction of the President, shall have primary responsibility for the development and implementation of policies and programs related to student services and student life. The Vice President for Student Services shall serve as the liaison between the President and College students and supervise student services employees serving in the areas of enrollment management, Trio grants, athletics, public relations / marketing, counseling, financial aid and student life.

V. Vice President for Training and Outreach

The Vice President for Training and Outreach, under the direction of the President, shall have primary responsibility for the development and implementation of policies and procedures related to the development of training programs and community outreach opportunities. The Vice President for Training and Outreach shall serve as the liaison between the President and business and industry.

VI. General Counsel/Executive Director for Administrative Services

The General Counsel/Executive Director for Administrative Services, under the direction of the President, shall have primary responsibility related to the legal affairs of the college, as well as, for the development and implementation of policies and programs related to employment, campus safety and security, and the College Foundation. The General Counsel/Executive Director for Administrative Services shall serve as the liaison between the President and the College staff.

I. Introduction

The President, or his / her designee, shall be authorized to establish such associations, councils, and committees deemed necessary for the organization and administration of the College.

II. Internal Communication

A. General: The President, or his/her designee, shall call general faculty and / or employee meetings or special group meetings as needed and specify the time and place of such meetings. Further, the President shall establish standing and ad hoc committees to assist in college governance or projects to include prescribing his/her function, establishing terms of service of employees and determining committee membership.

B. Faculty Senate of New Mexico Junior College: The faculty employees at New Mexico Junior College shall be members of the Faculty Senate. The organization is a vehicle to transmit a faculty consensus to the President concerning those areas of the College operations that affect the faculty. The Faculty Senate shall provide a means to develop a closer relationship among the members, provide a common meeting ground through regular business sessions and social activities, promote professional development, strive for continued improvement of the College, and promote effective communication with other campus groups. However, the primary focus of the Faculty Senate shall be to promote continued improvement of instruction and to assist with the operations of the College through appropriate committees.

C. Support/Maintenance Staff Council: The Support / Maintenance Staff Council of New Mexico Junior College was organized to develop a closer relationship among themselves, to promote professional development, to strive for continued improvement of the College, and to promote effective communication with other campus groups. This organization shall be a vehicle to transmit a consensus of the council to the President concerning those areas of the College operations that affect the support/maintenance employees.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 405

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SECTION: Administrative Organization

POLICY TOPIC: External Communication

I. Introduction

The President shall establish guidelines for college faculty and employee contacts with external organizations and agencies. The President shall also provide citizens the opportunity for input into the College's operations by serving with staff employees on various committees.

II. Public Relations

A. Institutional Public Relations Policy: New Mexico Junior College recognizes the need to implement an effective public information program. It is intended that the College carry out an effective information program to maintain the necessary goodwill of the public it serves. An effective program requires organization, order, and continuity to achieve its objectives.

B. Responsibility: The President, or his/her designee, shall be responsible for the release of all public information pertaining to the College. Generally, the President shall delegate the necessary authority to the Director of Communication to carry out that responsibility. This officer, in cooperation with appropriate employees, shall implement a program, which shall achieve the College's public information objectives within the framework of this policy.

C. Media Relations: No one shall speak for the College on unresolved issues or actions unless specifically authorized by the President to do so. Internally initiated contacts with representatives of the news media shall be channeled through the Public Relations Office. Inquiries from the media normally shall be referred to and coordinated by this office. Procedures have been established by the Public Relations Office governing the release of public information to include printed matter, news releases, and commercial advertising.

- D. Incident Reports: When an incident report has been created, it shall be treated as a pending case. When appropriate, information shall be released in total or an extract shall be provided to external organizations by the President or designee.

III. Citizen Advisory Committees

- A. Occupational Advisory Committees: These committees shall be established for each of the College's occupational programs and shall be comprised of citizens and faculty employees whose function is to advise the College personnel regarding the adequacy of instructional programs designed for a particular trade, craft, or occupation. Membership requirements and terms are outlined in the *Advisory Committee Member's Handbook*.
- B. Other External Committees: The President shall occasionally call on other citizens of the community to serve on permanent and ad hoc College committees with staff and faculty employees to assist with College functions and to offer advice on selected projects having significant community impact.

IV. College Calendar

The President, or his / her designee, shall develop and maintain a calendar of activities including those of external as well as internal college groups. Information shall include location, time, and sponsor's contact person.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 406

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SECTION: Administrative Organization

POLICY TOPIC: New Mexico Junior College Foundation

I. New Mexico Junior College Foundation

- A. The New Mexico Junior College Foundation, Inc. is a 501(c)(3) non-profit New Mexico corporation whose mission is to foster, encourage, and promote college education (academic and career / technical) at New Mexico Junior College. The Foundation achieves this mission by giving qualified persons the opportunity to obtain advanced education by means of financial assistance and scholarships; by soliciting funds for educational, philanthropic, and benevolent purposes to be used to encourage and promote New Mexico Junior College and College-related activities; and by supporting the expansion of facilities at the College through grants and private contributions. The General Counsel/Executive Director of Administrative Services of New Mexico Junior College shall also serve as the Executive Director of the Foundation and hold a non-voting membership on its board.
- B. The bylaws of the New Mexico Junior College Foundation shall include a provision that the President of the College and the Chairperson of the Board shall hold voting memberships on the Foundation Board and the Vice President for Finance shall hold an ex officio, non-voting membership during the term of each of their respective offices with the College.
- C. The New Mexico Junior College Foundation, Inc. shall submit an audit report annually to the Board for review.

II. Thunderbird Booster Club

- A. The Thunderbird Athletic Booster Club is a 501(c)(3) non-profit New Mexico organization, organized in January 1968, whose mission is to promote athletics by assisting with the annual athletic banquet and special awards, publicity, membership drives, public relations, equipment, fund raising, and special needs for student athletes requiring enhancements for their academic or athletic performance. The Booster Club consists of two permanent officers and various committees as needed for different athletic events. The athletic director shall serve as an advisor for all activities.
- B. The Thunderbird Athletic Booster Club adheres to the policies and procedures of the NJCAA, the WJCAC, and the NIRA.

- C. Upon dissolution, any monies, which may be in the account of the Thunderbird Athletic Booster Club, shall automatically be transferred to the account of the New Mexico Junior College Foundation.

III. Western Heritage Museum and Lea County Cowboy Hall of Fame

- A. The Western Heritage Museum and Lea County Cowboy Hall of Fame is a multi-functional center dedicated to bringing people together, providing numerous education experiences, and presenting the diversity of the cultural and natural histories of Southeastern New Mexico and the surrounding regions. Specifically, the Lea County Cowboy Hall of Fame is a 501(c) 3 nonprofit corporation dedicated to the role of honoring those persons from Lea County, NM who have made outstanding contributions in the world of rodeo, ranching, and the ranching way of life. The Cowboy Hall of Fame honors individuals who have influenced the growth of the local community through their leadership, and enhances and compliments the education process at New Mexico Junior College.

The Western Heritage Museum and Lea County Cowboy Hall of Fame at New Mexico Junior College shall be non-political and non-profit. Goals of the Western Heritage Museum shall be to collect and display memorabilia of the Cowboy Hall of Fame inductees for the purpose of perpetuating the region's western heritage; to collect and display works of art that depict the spirit and culture of the American West; to engage in the dissemination of information concerning the rodeo cowboy and ranch cowboy; to engage in and encourage education of the public regarding the importance of rodeo, the ranch cowboy and our western heritage; to encourage research in the area of the history of the Lea County cowboy; to cooperate with other organizations which are involved in similar programs; and to do all things and take all steps reasonably calculated to further the aims and objectives of the museum. Additionally, the Western Heritage Museum will seek to provide visitors with appropriate traveling exhibitions on a wide variety of topics for their educational enrichment.

- B. The Lea County Cowboy Hall of Fame is empowered to receive and accept contributions and funds from the public, from governmental agencies and other sources; and to expend and use those contributions and funds to promote and advance the purposes of the Lea County Cowboy Hall of Fame.

The Lea County Cowboy Hall of Fame is also empowered to accept, receive, and acquire funds, stocks, securities, and property by donations, bequests, and devises

or otherwise, and to hold, invest, re-invest, convert, exchange, sell, transfer, mortgage, pledge, lease, give, dispose of, and otherwise deal with any and all funds, stocks, securities, and properties so received or acquired, all for the purpose of operating the Lea County Cowboy Hall of Fame.

Accreditation

- A. New Mexico Junior College shall maintain the accountability standards and adhere to institutional policies as established by the New Mexico Higher Education Department. The College shall perform in such a manner to maintain institutional accreditation in The Higher Learning Commission as well as other relevant accrediting agencies.

- B. New Mexico Junior College is accredited by or holds membership in the following national or regional associations. Note, this list may change as different groups are added or removed. This list is for informational purposes only:
 1. American Association of Collegiate Registrars and Admissions Officers
 2. American Association of Community Colleges
 3. Association of Community College Trustees
 4. Hispanic Association of Colleges and Universities
 5. National Accrediting Agency for Clinical Laboratory Sciences
 6. National Association of College Auxiliary Services
 7. National Association of College and University Business Officers
 8. National Association of Student Financial Aid Administrators
 9. National Association of Student Personnel Administrators
 10. National Automotive Technicians' Education Foundation
 11. National Junior College Athletic Association
 12. National League for Nursing Accreditation Commission
 13. New Mexico Association of Collegiate Registrars and Admission Officers
 14. New Mexico Independent Community Colleges Association
 15. The Higher Learning Commission
 16. Rocky Mountain Association of Collegiate Registrars and Admission Officers
 17. Western Association of College and University Business Officers
 18. Western Junior College Athletic Conference

I. Quality of Employees

New Mexico Junior College shall be committed to employing and retaining highly qualified individuals who are trained and skilled in the area of their appointed responsibility, who understand and support the basic characteristics of community college concepts, who understand the demographics of its service area, and who show a willingness to work in harmony and cooperation with others toward accomplishing the institutional mission (see *Employee Handbook*).

II. Qualifications for Employment, Promotions or Transfers

A. Employment, promotions, or transfers shall be based on qualifications, ability and past performances.

B. New Mexico Junior College prefers to promote employees within the organization to more responsible positions. In employment, promotional or transfer decisions, the College shall consider such factors as organizational needs, aspirations and qualifications of individuals, and availability of other job candidates. However, in all cases, NMJC will be seeking the best qualified applicant(s) for the positions (s).

III. Equal Opportunity

A. New Mexico Junior College shall comply with the existing federal and state laws and regulations in its personnel actions, including but not limited to the Civil Rights Act of 1964 and 1990; Executive Order 11246; Section 504 of the 1973 Rehabilitation Act; the Age Discrimination Act of 1967; the Americans with Disability Act of 1990; and the Vietnam Era Veteran's Readjustment Act of 1974, where applicable, as well as, the constitutions of the United States and the State of New Mexico.

B. New Mexico Junior College shall not discriminate in its educational and employment policies and procedures with regard to race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, or veteran status.

IV. Employee Categories

Fair Labor Standards Act (FLSA) terminology is applied throughout this section of policy to describe employee categories. The terminology contained herein shall not be construed to have any meaning for the purpose of determining appropriate bargaining units.

- A. Salaried (Exempt): The FLSA term used to designate employees who meet the criteria of executive, administrative or professional positions. Such an employee shall be exempt from overtime.
 - 1. Professional: A full-time or part-time supervisory, administrative or faculty employee who is not eligible for overtime or compensatory time compensation. Professional employees generally receive annual employment contracts. The professional employees are as follows:
 - a. Full-time: A position requiring 40 hours work per workweek or at least 25 hours work per workweek for faculty employees teaching in the credit program.
 - b. Part-time: A position requiring less than 40 hours work per workweek or less than 25 hours work per workweek for faculty employees teaching in the credit program.
 - 2. Supervisor: An employee who is in charge of or exercises direction or control over other employees in the performance of his/her duties.

- B. Non-Exempt: The FLSA term used to designate employees who are eligible to receive compensatory time for all work performed in excess of forty (40) hours in any designated workweek. As a general rule, New Mexico Junior College does not budget for overtime pay but agrees to grant compensatory time off in lieu of overtime wages. The non-exempt employees are as follows:
 - 1. Support/maintenance: A full-time or part-time non-supervisory employee eligible for overtime or compensatory time. Support/maintenance employees do not generally receive an annual contract, and are employees At Will. Certain professional employees under FLSA are also eligible for compensatory time for all work performed in excess of forty (40) hours in any designated workweek.
 - a. Part-time: A position requiring less than 40 hours work per workweek.
 - 2. Hourly: The status of an employee eligible for overtime pay.
 - a. Overtime: Work in excess of an hourly employee's regularly scheduled workweek. (minimum of 40 hours)
 - 3. All hourly and those professional employees that fall into this category are required to obtain permission from their supervisor, in advance, prior to working more than 40 hours in a designated workweek. Failure to do so is grounds for discipline.

C. Full-time Regular: A full-time regular employee shall be employed to fill an established budgeted position requiring at least 40 hours work per workweek. Once employed, the individual shall be eligible to participate in all rights described in the *Employee Handbook*.

1. Contingent: A person employed into a temporary position is usually limited to less than a year. Contingent employees are not eligible for benefits.
2. Seasonal: A person employed into a seasonal position is usually limited to no more than six months. Seasonal employees are not eligible for benefits.

V. Employment of Relatives

A relative is any member of an employee's immediate family (spouse, children and any other legal dependent) and parents, brothers, sisters and in-laws. Employment of relatives is subject to NMJC Presidential approval and the following conditions:

1. New Mexico Junior College Board Member's immediate members are prohibited from working for the College while the Board member is serving in that position.
2. No family member of the College President, a Vice President or Dean may be hired for employment without first obtaining approval of the NMJC Board.
3. Relatives not holding supervisory authority or not having employing authority may be employed in the same department/division upon the approval of the President of the College.

I. Introduction:

The President, or his/her designee, shall establish procedures for formulating contracts and regulating the work of the faculty and staff employees.

II. Contracts of Employment (Exempt)

A. Full-Time Professional Employees: Contracts of full-time professional employees shall be made on a one (1) fiscal year basis (12 months). Positions under this category shall include administrative and non-faculty professional employees. Neither the provisions of the *Employee Handbook* nor the terms of the employment contract shall be construed to imply or to guarantee the expectation of continued employment with the College. Professional employee job descriptions shall be maintained in the Human Resources Office files. Job descriptions, which may be changed by the President from time to time, are attached to and become a part of each professional employee's contract.

B. Full-Time Faculty Employees: Contracts of full-time faculty employees shall be made on a one (1) academic year basis (nine months). Neither the provisions of the *Employee Handbook* nor the terms of the employment contract shall be construed to imply or to guarantee the expectation of continued employment with the College. Faculty employee job descriptions shall be maintained in the Human Resources Office files. Job descriptions, which may be changed from time to time, are attached to and become a part of each faculty employee's contract.

C. Procedure for Non-Renewal of Annual Contract: Upon determination by the President, if an employee's contract is not to be renewed, the President shall give written notification no later than March 31st. This notification shall be delivered in person by the President, the Presidents Designee or sent by certified mail to the last known address of the employee. This notification procedure shall be set aside should the Board determine a reduction in force is necessary due to the economic conditions related to the College's ability to meet its fiscal obligations (see Result of Reduction in Force/Salary Reduction).

D. Contingent Part-Time Faculty Employee Contracts

1. Philosophy: In order to fulfill its commitment to quality education, the College shall have the best qualified part-time faculty employees obtainable within available resources. Additionally, if the College is to relate to the needs and draw upon the resources of the community it serves, it shall utilize part-time faculty employees in order to:
 - a. Avail itself of the expertise of qualified persons in business, industry, government and the professions.
 - b. Provide students with unique insights of practitioners.
 - c. Maintain flexibility in educational programs.
 - d. Maximize the utilization of available resources. The President shall provide for the integration of part-time faculty employees into appropriate college programs.

Employment Period: Part-time faculty employees shall be employed on a semester basis depending upon the instructional needs identified for each semester. Such service shall be compensated on a credit hour or contact hour basis at rates approved by the President.

III. Employment of Full-Time Support/Maintenance (Non-Exempt) Employees

- A. Support/Maintenance employees are employed At Will, not employed under an employment contract, but who may be dismissed at any time, with or without cause.
- B. Contingent, part-time and seasonal employees shall be employed on a short-term or limited basis. They are employees At Will, not employed under an employment contract, but who may be dismissed at any time, with or without cause.

IV. Workload

The period during which a professional salaried (exempt) employee shall be on duty is the fiscal year or the contract term; and for the support/maintenance hourly (non-exempt) employee, the normal work period is as specified in the *Employee Handbook*. Full-time faculty employees shall be on duty according to the instructional schedule and the number of days specified in the employment contract. Specific workloads shall be established by the President through the appropriate deans.

V. Community Activity Participation

Faculty and staff employees shall be encouraged to assume individual responsibility for participation in some type of community activity or service provided that such participation does not cause the individual's professional responsibilities to be impaired.

VI. Special Assignments

A. Supplemental Employment: Agreements for supplemental employment shall be made with professional salaried (exempt) personnel for the performance of duties in summer school, evening classes or other assignments not included in the regular contract. Such service shall be compensated at rates approved by the President. The President and/or Vice Presidents shall be authorized to approve such agreements and establish procedures for the delegation of such authority.

- B. Release Time: Employees on full-time contracts shall be granted release time from all or a portion of their regular tasks or teaching workload for the purpose of performing special assignments. Any such release-time activity shall be approved by the President and the terms thereof clearly indicated. Faculty employees shall also be given short-term release from other duties to teach classes during the temporary absence of the regular instructor.

- C. Extra Compensation: Compensation for extra service, in addition to the regular duties to both professional salaried (exempt) and support/maintenance hourly (non-exempt) employees, may be awarded in the form of extra compensation. Compensation for such service shall be approved by the President and the terms thereof clearly indicated.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 502

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SECTION: Personnel

POLICY TOPIC: Employment Separation

I. Termination and Suspension

Explanations of reasons for dismissal or suspension are outlined and available in the current *Employee Handbook*.

II. Summary of Dismissal or Suspension

Dismissal or suspension may result from an act or event, in the opinion of the President, which is detrimental to the general welfare of the College.

III. Reduction in Force/Salary Reduction

A. The New Mexico Junior College Board shall determine the course(s) of action necessary to ensure the College's ability to meet its fiscal obligations. Economic conditions at the College may require a reduction in salary, a reduction in work force or both. Should the Board determine that a reduction in work force is necessary, the notification deadlines for professional employees as set forth in the "Procedure for Non-Renewal of Annual Contracts" section shall be set aside.

1. A demotion may result from a reduction in budget, change in program emphasis or lack of work.
2. Following an administrative review for possible reassignment, it is determined that it is not feasible, the affected employee may be demoted or dismissed.
3. Salary considerations shall follow the same procedure as a "voluntary demotion".

IV. Philosophy

Every effort shall be made to retain qualified and productive employees in situations where a reduction in force becomes necessary. In cases other than financial exigency or non-renewal of soft money contracts where immediate termination shall be necessary, employees affected by impending reduction in force may be given assistance in the following ways:

- A. Priority in placement in like jobs when a vacancy occurs.
- B. Cross-training in other areas where openings are anticipated.
- C. Where possible, delay the reduction in force until natural attrition occurs, i.e., pending retirements or resignations.

V. Criteria for Reduction in Force of Faculty and Staff Employees

- A. Normally faculty and staff employee reductions shall be satisfied by retirements, resignations or other types of normal attrition. Where this is not possible, the determination concerning terminations shall be made considering the following factors, but not limited to, in descending order:
 - 1. Job performance and competency in service.
 - 2. Qualifications of the employee.
 - 3. Seniority.
- B. The President shall have the option of re-assigning affected faculty and staff employees into other areas of the institution for which the person is qualified.

C. When the President determines that a reduction in force or involuntary transfer is necessary, such action shall be based upon the needs of the College, performance of the individual, and the qualifications and seniority of the employee. An analysis of the acquired knowledge, demonstrated skills, and versatility of the employees shall be compared to the work to be done and the available funding.

VI. Notice of Reduction in Force

The New Mexico Junior College Board shall determine the course(s) of action necessary to ensure the college's ability to meet its fiscal obligations. Economic conditions at the College may require a reduction in salary, a reduction in workforce or both. Should the Board determine a reduction in workforce is necessary, the notification deadlines for professional employees as set forth in the "Procedure for Non-Renewal of Annual Contracts" section of the *Employee Handbook* shall be set aside.

VII. Grievances/Appeal Procedures

All employees affected by a reduction in force may appeal the decision through the employee appeal procedures for termination as outlined in the *Employee Handbook*.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 503

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SECTION: Personnel

POLICY TOPIC: Appeal Process

I. Employee Disputes

Philosophy: The Board recognizes that by reason of differences of opinion, personality conflicts, and lack of communication, disputes may occur. It is in the best interest of New Mexico Junior College that disputes be resolved immediately.

II. Disciplinary Actions

Philosophy: Deficiencies in employee performance, except in the case of summary dismissal, shall be dealt with at the supervisory level in an attempt to resolve the matter informally. Deficiencies that remain unresolved shall result in termination. In the event that a continuing contract faculty employee or other employee terminated for cause wishes to have an impartial examination of issues surrounding his termination in a formal hearing, an appeal procedure has been developed for this purpose and is outlined in the *Employee Handbook*.

I. Salary and Wage System

A. Philosophy

The development of a comprehensive wage and salary planning approach is vital to New Mexico Junior College to recruit and retain well qualified staff.

B. Objectives

To meet our obligations as an equal opportunity/affirmative action employer, the following objectives have been set:

1. Promote fair employment practices within the institution.
2. Strive to ensure all positions are kept in a fair and equitable compensation status considering the work done, the value to the College and our relationship to the local labor market.
3. Provide a system by which fair compensation is made within resources available based on budget considerations and Board action.
4. Degrees and credits shall be from colleges and universities which were accredited when degrees or credits were earned for the course work to apply to the schedule. For the purposes of educational achievement, only degrees conferred from institutions regionally or nationally accredited by accreditation agencies recognized by the U.S. Department of Education shall be recognized. Degrees conferred from foreign institutions must go through an equivalency process by an equivalency accrediting agency.
5. Individuals being considered for faculty employee positions or current faculty must have at a minimum a Master's Degree in subject matter or a Master's Degree in a different field with a minimum of 18 hours of Master's level class' in the subject matter they are to provide formal instruction in. Any exceptions to this rule must be approved by the Vice President of Instruction and the President of the College. In order to avoid confusion, all graduate hours applied under this provision shall be reviewed by the appropriate Dean and Vice President of Instruction prior to the faculty member being offered a teaching position for the college.

II. Salary Plan Provisions

The objective of the salary plan is for the College to be competitive with other similar institutions in the local and regional markets and to achieve the goals stated in the previous section.

A. Faculty

1. Salary adjustments based on additional semester hours or degrees earned shall be made only at the beginning of the contract year following completion (not at mid-year).
2. The appropriate Dean shall be notified, prior to the annual budget preparation, of any course work that shall qualify a faculty employee for advancement on the salary plan for the coming year. Approval shall be transmitted to the Human Resources Office for the faculty employee's personnel file.
3. These provisions shall not imply nor guarantee the expectation of continued employment with the college.

B. Support/Maintenance

1. Increment adjustments shall be granted to individual employees upon the satisfactory completion of college course work directly related to his/her current work assignment. For a course to be considered for a salary increment:
 - A. The employee shall initiate and obtain pre-approval of the course from his/her appropriate supervisor prior to enrolling in the course by demonstrating the relationship and/or value of the course to the employee's current work assignment. (Only course work taken on an employee's own time shall be considered for a salary increment. Course work taken on a released time basis shall not be eligible).

- B. The employee's appropriate supervisor shall submit a written confirmation of the course work to the Human Resources Office prior to the first day of class.
- C. Salary increments shall go into effect at the beginning of the next fiscal year following successful completion of the course (not at mid-year). A grade of "C" or better shall be earned in the course. In these cases where salary increments are granted for classes satisfactorily completed, one shall not expect additional increments for having completed an associate or bachelor's degree using the same college hours for which he/she is already being compensated.

- 2. These provisions shall not imply nor guarantee the expectation of continued employment with New Mexico Junior College.

III. Benefits Program

The President, or his/her designee, shall develop a benefit plan for all faculty and staff employees. The Board shall annually consider a benefit package as part of the budgetary process. In as much as benefits change, please contact the Human Resources Office for current information.

IV. Employee Advancement

Qualifications for Employee Advancement, Promotion or Transfer will be considered based on the following criteria. (See *Employee Handbook*)

- A. Employment, promotions or transfers shall be based on qualifications, ability, and past performance.
- B. The College may promote employees within the organization to more responsible positions. In employment, promotional and transfer decisions, New Mexico Junior College shall consider such factors as organizational needs, aspirations and qualifications of individuals and availability of other job candidates. However, in all cases, NMJC will be seeking the best qualified applicant(s) and/or candidate(s) for the position(s).

- C. An employee wishing consideration for promotion or transfer to another position or department is encouraged to discuss the matter with his/her immediate supervisor and a representative from the Human Resources Office.
- D. In considering employees for promotion or transfer, seniority or length of service shall be given weight only if all other factors are essentially equal. The primary criteria shall be individual qualifications and organizational needs.
- E. The college may check and verify any facts or statements related to the employment of any applicant for employment at the College.

I. Philosophy of Staff Development

Professional growth and development and in-service training for faculty and staff employees are seen as tools for increasing knowledge and developing skills which shall enhance the development of each employee in an effort to improve job performance as well as improve the efficiency of the operations of the College. Faculty and staff employees shall be expected to realize professional progress through such activities as completion of additional college work, participation in professional organizations and meetings, seminars, workshops, special study groups, independent study groups, independent study or research, travel, work experience, publishing, private instruction and leadership in college and civic organizations. The Board is committed and supportive of these and other activities, and encourages the administration to provide opportunities for employee development which shall in turn promote the accomplishment of the College's mission.

II. Staff Development Plan

- A. As a vehicle for promoting the professional growth activities of the New Mexico Junior College faculty and staff employees, the College shall have a program of activities and provide development opportunities through a comprehensive staff development plan. The objectives of the plan are as follows:
1. To promote training for all employees to enhance their understanding of the nature of a comprehensive community college.
 2. To provide faculty employees with the instructional technology and methodology appropriate to community colleges.
 3. To provide professional enrichment program opportunities for all employees.
 4. To enhance instructional support programs through support employee training.
 5. Enhance the climate for staff development by obtaining maximum commitment for such activities from the administration and Board.

6. Recognize staff development program participation by providing appropriate recognition.
7. Tailor the programs of staff development to all staff groups.
8. Continue ongoing planning and evaluation of the staff development plan.
9. Develop the program so it is consistent with institutional goals and objectives.
10. Consider the total development needs of the employee and of the College.
11. Develop the program in view of fostering job satisfaction and attracting and retaining qualified, creative, committed and competent employees.

Note: New Mexico Junior College shall train without regard to race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, or veteran status in compliance with any applicable state and federal statutes and guidelines.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 506

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SECTION: Personnel

POLICY TOPIC: Annual Goal Setting

I. Philosophy

The success of New Mexico Junior College is directly related to the job performance of its employees in its service area. Therefore, the College shall be committed to a system of annual goal setting to help employees stay focused.

II. Goal Setting Sessions

A. Full-Time Professional Salaried (Exempt) Employees: Goal setting sessions will be conducted on each full time professional employee by their supervisor. The year's previous list of goals shall also be discussed with the employee to determine if the goals were met and if they should be removed from the next year's goals or refined and included in the next year's goals. The intent of the goal setting sessions is to help provide guidance on professional development and to meet the college's mission and vision. Professional employee annual goal setting documentation shall be maintained in the Human Resources Office.

B. Full-Time Faculty (Exempt) Employees: A formal evaluation procedure has been developed for full-time faculty employees, which is designed to necessitate an overall commitment for instructional improvement while at the same time providing a means to support employee decision making and contract renewal. The performance of all faculty employees shall be annually reviewed with an emphasis on new objectives for the next assessment period. Annual faculty evaluations are maintained in files in the office of the appropriate Dean.

C. Full-Time Support/Maintenance Hourly (Non-Exempt) Employees: Goal setting sessions will be conducted on each full time support/maintenance employees by their supervisor. The year's previous list of goals shall also be discussed with the employee to determine if the goals were met and if they should be removed from the next year's goals or refined and included in the next year's goals. The intent of the goal setting sessions is to help provide guidance on professional development and to meet the college's mission and vision. Full-Time Support/Maintenance employee annual goal setting session documentation shall be maintained in the Human Resources Office.

III. Recognition

- A. New Mexico Junior College has a program that recognizes excellent service and communicates to its employees *pride in a job well done*. Service awards are a part of this recognition and reflect the commitment and effort of employees to earn them. The service awards are recognition of those full-time employees who have attained five (5) years of continuous service. Service Awards are given out to employees in 5 year increments.
- B. Eligibility
 - 1. Current full-time employee
 - 2. Only actual employment (other than contingent status) shall serve as length of service for this program.
 - 3. The annual cut-off date for determining service awards shall be December 31.
 - 4. The service awards shall not apply to part-time, contingent and seasonal employees or to the persons teaching in the continuing education/community development program.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 507

Page 1 of 1

SECTION: Personnel

POLICY TOPIC: Employee Records

I. Responsibility for Employee Records

The Executive Director of Administrative Services is designated as the custodian for personnel records of the faculty and staff employees and the records of applicants seeking employment at the College.

II. Inspection Policy

Any authorized person who wishes to inspect the contents of a personnel file or applicant file shall be permitted to do so, but is limited to information that does not include legally protected material.

III. Release of Information

Except as required for use by the President in the execution of official duties, or as required by law, the custodian for records shall release personnel file contents only upon written authorization from the employee affected.

I. Declaration of Policy

Engaging in extramural work for money, although not encouraged, shall not be prohibited unless such work interferes with the employee's duties, creates a conflict of interest or adversely reflects on the College or its purpose. Conflict of interest occurs when an employee is in a position to influence a decision or utilize information that he/she shall have access to in his/her position which may result in personal gain for the employee (or for a family member, or any immediate family member). To implement this policy, the following standards of conduct and disclosure requirements shall be observed by the employees owing a responsibility to the people of the service area in the performance of their duties (see *Employee Handbook*). This policy shall serve as a guide for official conduct and as a basis for discipline of those who breach the standards of ethics.

II. Standards of Conduct

- A. All College employees shall treat his/her position as a public trust and shall use the powers and resources of his/her position to advance the interests of the College and shall not obtain personal benefits or pursue private interests that are incompatible with the public interest.
- B. All College employees shall conduct themselves in a manner that maintains the appearance and fact of integrity in the ethical discharging of their position responsibilities.
- C. Pursuant to state law, New Mexico Junior College employees shall not request or receive money, items or gifts of value, favors, gratuities or promises from any person, firm or corporation that is engaged in or attempting to do business (either directly or indirectly) with the College.
- D. An employee having (or whose family has) any sort of financial or managerial relationship (whether directly or indirectly) with a business attempting to do business with the College shall disclose such relationship in writing to the Coordinator of Purchasing before the College can purchase goods or services from the business.

- E. An employee may engage in consulting, in accordance with the NMJC Consulting Policy, so long as the practice is not in conflict (either directly or indirectly) with the employee's position or the services offered by the College.
 - F. No employee shall accept other employment or engage in any activity that might reasonably cause him/her to disclose confidential information acquired by reason of his/her employment with the College.
 - G. All NMJC employees shall make College purchases in accordance with the State Procurement Code and purchasing procedures published by the Business Office. Any unauthorized purchases made by an employee shall be considered personal in nature and shall not be binding upon the College.
 - H. Employees shall not use College purchase cards or charge/vendor accounts for personal use. Violation of this policy shall result in disciplinary action up to and including dismissal.
- III. Disclosure of Interest
- A. Certification of No Interest: Any employee in the preparation of specifications, evaluation, recommendation, execution or administration of any purchase or contract for the purchase of goods or services by the College (other than employment contracts) shall be deemed to have certified in writing that he/she does not have a substantial interest in any business entity which is a party to or receives direct financial benefit from New Mexico Junior College's purchase or contract.

- B. Non-Certification: If in any case an employee is or anticipates that he/she shall be in breach of the above certification, he/she shall immediately notify his/her immediate supervisor of such fact, identify the business entity in which he/she has a substantial interest and the nature and extent thereof. Such an employee shall immediately be removed from any involvement in the transaction and the President shall take such other action as he/she may deem necessary to avoid a conflict of interest with regard to such a transaction.
- C. Financial Disclosure: Any employee routinely involved in activities covered by this policy shall, at his/her option, make a disclosure of his/her personal interest by filing a statement of such interest with the President (or in the case of the President with the Board). Any such statement shall be updated annually. The President shall require the filing of such financial disclosure by any employee routinely or extensively involved in the type of business transactions contemplated by this policy.

IV. Non-Compliance

The failure of any employee to comply with one or more of the provisions of this policy, which applies to him/her, shall constitute cause for termination of employment subject to right of hearing.

V. Employee Theft Policy

It is a violation of the New Mexico Junior College theft policy for any employee to take or allow another employee to take college property and convert that property to his/her own use. A violation of this policy shall result in dismissal from employment (see *Employee Handbook*).

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 509

SECTION: Personnel

POLICY TOPIC: Drug -Free Workplace

Page 1 of 1

I. Drug -Free Workplace Policy and Program

The Drug -Free Workplace Policy and Program has been adopted pursuant to federal law and the commitment of the College to a drug-free environment for the pursuit of its educational mission. Drug abuse in the workplace poses a serious threat to the health and welfare of employees and student employees; impairs work performance; jeopardizes the safety and well-being of other employees, students and members of the general public and conflicts with the responsibility of New Mexico Junior College to foster a healthy atmosphere for the pursuit of education and service for the Junior College District. Details of the entire policy are printed in the current *Employee Handbook* as well as online at the NMJC Web page.

I. Sexual Harassment

The New Mexico Junior College Sexual Harassment Policy shall cover all the employees of the College and all the students. This policy also extends to former employees and former students when sexual harassment has resulted in a change of the employee's or student's status to that of a non-employee or non-student prior to resolution of any alleged sexual harassment.

Discrimination on the basis of sex is a violation of the Civil Rights Act of 1964, the Civil Rights Act of 1991 and Title IX of the Educational Amendments of 1972. New Mexico Junior College prohibits sexual harassment activity, which is a form of sexual discrimination, by any of its employees or students. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- A. Submission to such conduct is made either explicitly or implicitly as a term or condition of employment or instructional service.
- B. Submission to such conduct has the purpose or effect of interfering with an individual's work; or classroom performance; or creating an intimidating, hostile or offensive workplace, classroom or campus environment.
- C. Submission to or rejection of such conduct by an individual is used as the basis for delivery to or withholding of the institution's services.

Unwelcome conduct of a sexual nature and a hostile work, classroom or campus environment includes, but is not limited to, the following:

- A. Verbal or physical sexual advances, including subtle pressure for sexual activity; touching, pinching, patting or brushing against; flirtations or verbal abuse of a sexual nature; graphic comments regarding physical or personality characteristics of a sexual nature; displaying of sexually suggestive objects or pictures in the work place; and sexually oriented kidding, teasing, double-entendre and jokes.
- B. Verbal or physical conduct of a sexual nature shall constitute sexual harassment when the allegedly harassed employee or student has indicated, by his/her direct communication or conduct, that it is unwelcome.

Policy and Procedures for Employees:

- A. Any employee who believes that he/she is the object of sexual harassment or who has knowledge of any sexual harassment of any other employee or student shall immediately report it to a supervisor or to the Executive Director of Administrative Services. A prompt confidential investigation shall be conducted of any reported sexual harassment. Charges of sexual harassment should be made as soon as possible after the alleged occurrence. Appropriate disciplinary action, up to and including dismissal or suspension of employment, shall be taken against any employee who is found to have been responsible for sexual harassment or for knowingly permitting a sexually hostile environment to exist.
- B. Confidentiality shall be maintained within the limits of an investigation and no reprisals or retaliation shall be allowed to occur as a result of good faith reporting of charges.
- C. Complaints of sexual harassment or unwelcome conduct of a sexual nature shall be formally pursued under the EEO grievance procedure.

Policy and Procedures for Students:

- A. Any student who believes that he/she is the object of sexual harassment or who has knowledge of any sexual harassment of any other student or employee shall immediately report it to the Vice President for Student Services or his/her appointed designee. A prompt confidential investigation shall be conducted of any reported sexual harassment. Charges of sexual harassment should be as soon as possible after the alleged occurrence. Appropriate disciplinary action, up to and including suspension or dismissal of a student, shall be taken against any student who is found to have been responsible for sexual harassment or for knowingly permitting a sexually hostile environment to exist.
- B. Confidentiality shall be maintained within the limits of an investigation and no reprisals or retaliation shall be allowed to occur as a result of good faith reporting of charges.
- C. Complaints of sexual harassment by students or unwelcome conduct of sexual nature by a student shall be formally pursued under the disciplinary procedure and/or the grievance procedure within the *Student Handbook*.

I. Philosophy

The mission of New Mexico Junior College is to provide quality educational and support services to enhance the quality of life for the communities and individuals we serve and to ensure success through learning.

II. Transfer Education

The College offers courses which are designed to enable students, including those who enter with scholastic deficiencies, to complete the first two (2) years of four (4) years of college work and to enter a four-year institution. Several programs of study exist to this end leading to Associate in Arts, Associate in Science, and Associate in Applied Science degrees.

III. Career/Technical Education

The College actively monitors the technical/vocational training needs of its service area and the state, and assumes a position of developing and offering courses designed to equip students with the skills and technical knowledge required for successful employment in semi-professional or other occupational fields. One- and two-year certificate programs and an Associate in Applied Science degree are the result of the completion of various technical/vocational program offerings at the College.

IV. Community and Continuing Education

In recognition of the principle that true education is a lifelong experience, New Mexico Junior College offers non-credit courses designed to prepare individuals for responsible citizenship, increased competence in communication, improved understanding of their cultural heritage and physical and biological environment, achievement of a balanced lifestyle, social adjustment and an opportunity for life enrichment.

V. Articulated High School Program

New Mexico Junior College is committed to a close working relationship with the public secondary schools in its area. A cooperative program has been established whereby high school students are trained in various occupational programs in the

same facilities and share equipment with their post-secondary counterparts. This cooperative program allows high school students to amass college credits while still completing their high school education.

VI. Dual Credit Classes

New Mexico Junior College is committed to working closely with the public secondary schools in its area. To this end, NMJC has established a broad spectrum of dual credit classes that are offered to qualified high school students. These courses are offered via ITV, online, and/or face to face methodologies and the participating high school students must meet the same standards and placement scores as native students.

VII. Early College

New Mexico Junior College is committed to working closely with the public, secondary schools in the area it serves. To enhance this endeavor NMJC, along with the five school districts, has developed an Early College Program which allows high school juniors and seniors the opportunity to fully immerse in the college setting on the NMJC campus and work towards an Associate's Degree at the same time they complete requirements for high school graduation.

VIII. Basic Skill Development

To support the open door policy and to provide opportunities for those citizens not able to complete high school, the College offers an Adult Basic Education (ABE) program culminating in the award of a General Education Development (GED) diploma. Classes in English as a Second Language are conducted at sites throughout the county.

IX. Continuing Education and Educational Access Programs and Services

In keeping with its mission of educational access, New Mexico Junior College offers the following programs and services. The Board acknowledges these programs and services as important to the educational program and supports their continued development.

- A. Instructional Outreach: Instruction in both credit and non-credit programs are offered at various public schools and other facilities throughout the service area. The College also enters into cooperative agreements with community agencies and organizations to offer skill-training opportunities on site.
 - B. Flexible Scheduling: New Mexico Junior College offers a variety of courses during the evening hours and on weekends. Self-paced instruction is also available in many programs. The implementation of the open-entry open-exit concept is also supported.
 - C. Telecommunications: Instructional television (ITV) and other means of electronic delivery are effective means of extending educational opportunity to citizens who otherwise might not avail themselves of it or who prefer an individual approach to learning. The College shall continue to develop means to implement these programs.
 - D. Brokering of Educational Services: NMJC is committed to distance education through brokering and coordination of educational programs, activities and services in its region.
- X. Instructional Support Services
- New Mexico Junior College offers extensive support services for its instructional courses and programs to include learning resources, tutoring, counseling and guidance, career advisement, assessment and placement.
- XI. Small Business Development Center (SBDC)
- The Small Business Development Center (SBDC) provides a vast array of technical assistance to small businesses and aspiring entrepreneurs. By supporting business growth, sustainability and enhancing the creation of new business entities, the SBDC foster local and regional economic development through job creation and retention. As a result of the no cost, extensive, one-on-one, long-term professional business advising, low-cost training and other specialized services SBDC clients receive, the program remains one of the nation's largest small business assistance programs. The SBDC is made up of a unique collaboration of SBA federal funds, state and local governments, and private sector resources.
- The SBDC provides services through professional business advisors including the development of business plans, financial proposals and lending assistance, procurement and contracting aid, market research, trainings, tax planning and other business related services. The New Mexico Junior College SBDC is part of the New

Mexico Small Business Development Center Network (NMSBDC), which is comprised of 19 service centers and 7 satellite offices strategically located throughout New Mexico. Service area for the New Mexico Junior College SBDC is Lea County, New Mexico.

XII. Grading and Scholastic Standing

- A. Philosophy: The task of evaluating academic performance is extremely important. Although letter grades are not precise yardsticks for indicating levels of academic performance, the assignment of grades shall be taken seriously by all faculty employees, in view of the extremely important consequences that grades have in the lives and goals of students. Despite this emphasis on grades, it is even more important that faculty employees not lose sight of the more important goals of evaluation i.e., emphasizing an attitude toward lifelong learning and determining whether students actually reach predetermined objectives of the curricula. Since the goals of the College are the maximizing of learning and skills among students, rather than a sorting out of individuals by grade discrimination, New Mexico Junior College encourages its faculty employees to discuss and evaluate different philosophies of grading and to recommend policies or procedures which are likely to improve the motivation of students toward the intrinsic rewards of learning and to stimulate a better atmosphere for learning in the College.
- B. System of Grading: The grading system that is currently being used by the College is the "A" through "F" system. Grades assigned shall reflect the quality of work done in courses for credit. Grades indicating the standing of students for each course taken are issued at the end of each semester. Complete descriptions of grades offered as well as an explanation of various withdrawal formats and course options are listed in the *Student Handbook* and the *College Catalog*.
- C. Grade Appeals: An appeals process as outlined in the *Student Handbook* and *College Catalog* shall be available for students wishing to appeal an assigned grade.
- D. Scholastic Standing: A system of recognizing scholastic standing has been instituted at the College to include recognition of honor for academic achievement as well as an identification of those having academic difficulty through a system of probation and suspension. More specific procedures for the classification of probation and suspension as well as the removal provisions from such probation and suspension are listed in the *Student Handbook* and the *College Catalog*.

XIII. Student Academic Load

The normal load for a full-time college student, who plans to graduate in two (2) years, (without attending summer school) is 15-16 hours per semester. However, in order for a student to maintain full-time status, he/she shall enroll in, and complete a minimum of twelve (12) semester hours. (See *College Catalog*)

XIV. Attendance

Attendance shall be required at every session of each course for which the student is enrolled. When unavoidable circumstances make attendance impossible, students shall provide a satisfactory explanation of their absences to their instructors. College sponsored activities are considered excused absences and instructors shall be notified of the students who will be absent from class. Students having absences due to college sponsored activities shall be permitted to make up work. It shall be the responsibility of the student to make arrangements with the affected classes/instructors to take care of the required work; however, arrangements for make-ups shall be made within a reasonable time frame, usually within one week of the absence.

XV. Graduation Requirements

- A. Graduation requirements represent the firm commitment to general education principles that are designed to develop the potential of each student, broaden the outlook and contribute to the realization of the well-balanced whole person. Upon completion of graduation requirements, New Mexico Junior College awards the following degrees: Associate in Arts, Associate in Science, and Associate in Applied Science to students who complete a prescribed program. One and two-year certificates are also awarded by the College.
- B. Transitional studies courses shall not be used to satisfy graduation requirements; however, transitional studies courses required for some students shall become a part of their degree plan.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 601

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SECTION: Curriculum and Instruction

POLICY TOPIC: Academic Freedom

I. Introduction

New Mexico Junior College is committed to the principle of academic freedom in both teaching and learning.

II. Academic Freedom

- A. The role of New Mexico Junior College shall not embrace that of research as commonly found in senior colleges and universities. New Mexico Junior College is a teaching institution; therefore, any consideration of academic freedom does of necessity concern freedom in the instructional process.
- B. As a purveyor of ideas, the faculty employees, at times, shall come in conflict with the prevailing belief of large segments of society, and even with that of his/her own colleagues. Academic freedom is not easily defined because it involves a special set of guarantees. That right to support unorthodox positions, arrived at through scholarly investigation, free from reprisals or coercion, is fundamental to the continued progress of society. The right to pursue unpopular lines of inquiry and express new and unaccepted ideas shall fall within the framework of a very special set of guarantees called academic freedom. In granting these guarantees, society expresses a willingness to risk the consequences, because history confirms that the risk is outweighed by the benefits derived from such a society.
- C. The exercise of this freedom carries with it the burden of corollary responsibilities. Professional employees shall not knowingly misrepresent facts. They shall be careful in their teaching not to introduce controversial matter bearing no relationship to their subject. They shall not force their own ideas and ready-made decisions on the student, but shall get the student to make his/her own decisions in the light of all available information. They shall exercise appropriate restraint and guard against distortion and inaccuracies. Outside his/her academic role, as a private citizen, the professional employee shall have no other special privileges. When he/she speaks or writes as a private citizen, he/she shall be free from institutional censorship or discipline; but his/her special position in the community imposes special obligations. As a person of learning and as an instructional employee, he/she shall remember that the public shall judge his/her institution by his/her utterances.

He/she shall at all times be accurate, shall exercise appropriate restraint, shall show respect for the opinions of others, and shall make every effort to indicate that he/she is not a spokesperson for the College. Should the extramural utterances of an instructor be such as to raise grave doubts concerning his/her fitness for his/her position, institutional discipline shall be imposed which may include board action.

- D. The Board recognizes that it is not possible to define with precision the limits of academic freedom in the complex world of ideas; however, the Board insists that its policies be followed.
- E. The employee's own colleagues and the College shall bear the brunt of public criticism, shall have the most to lose from withdrawal of public trust, and are, therefore, in the best position to balance the issues of academic freedom and responsibility.

I. Curriculum Development and Revision

All programs at New Mexico Junior College shall be continuously appraised to assure that the offered courses meet the needs of the community and of the students. The College and Board shall encourage faculty involvement in the planning of course offerings and in the development of new techniques for meeting course objectives. The President shall be authorized to establish detailed procedures for curriculum development.

II. Criteria for Course Creation

New Mexico Junior College shall create adult education, evening college, or community service courses, whether credit or non-credit, when there is an apparent need for it in the community, when the course is primarily educational, when qualified instructors and funds are available, and when adequate enrollment is likely. Under unusual circumstances (e.g., acute community needs, initiation of new programs) some latitude in class size shall be allowed.

III. Course and Program Evaluation

The College shall have a system in place to evaluate its courses and programs according to relevant enrollment, student achievement, placement statistics, and the criteria as listed above. A course or program shall be discontinued when it ceases to meet all applicable criteria.

IV. Course and Program Excellence

The College shall strive to achieve and maintain excellence in all of its courses and programs. Further, the College shall encourage faculty employees to keep relevant and current in their disciplines as well as promote the research and development of creative and imaginative educational programs. Real life experiences, field trips and similar activities as part of a course or program are perceived as adding to the relevance and excellence of the program, and shall therefore be encouraged.

V. Instructional Methodology

Creating alternative means of delivering instruction shall also be encouraged, particularly in view of the diversity of New Mexico Junior College students. Electronic techniques, self-paced instruction and other innovative methodologies shall be seen as key opportunities in the expansion of instructional delivery for the college's service area.

VI. Course Syllabi

Course syllabi shall be prepared for all courses listed in the *College Catalog*. The syllabi shall be updated continually and copies shall be kept on file in the offices of the Academic Division Deans.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 700

Page 1 of 2

SECTION: Student Services

POLICY TOPIC: Student Programs and Services

I. General Policy

Students shall be responsible for acquainting themselves with the services maintained for them and with procedures outlined for their assistance in such sources as the *College Catalog*, *Student Handbook*, student bulletins and other official publications. The student services staff shall make every effort to assist the student in this endeavor.

II. Programs and Services

A. Counseling: The College shall provide counseling services to assist students in their educational planning.

B. Financial Aid: Financial aid programs including various loan funds, scholarships, grants, and campus employment shall be provided and promoted as they are available.

C. Student Accessibility Services: A support service program for individuals with disabilities shall be available to assist students with their documented special needs while obtaining an education.

D. Student Records: The Registrar shall maintain permanent academic records for each student, which shall include all courses taken by a student and the grade received in each course. All changes of enrollment (dropping a course, adding a course or withdrawing from the College) shall be processed through this office.

E. In addition, the Registrar's Office shall make official changes of a name and/or address, shall send out transcripts, and process the appeal of academic probation or suspension. Other services the office shall provide include agency certification and graduation checks through the National Student Clearinghouse.

1. Philosophy: The College shall maintain such information in its files for each student as is considered essential and appropriate to the college operation and student welfare. The College shall adhere to all federal and state laws and rules pertaining to the privacy rights of parents and students.

2. Release of Student Information: New Mexico Junior College does not publish a student directory for general distribution. Release of student information, schedules, and related data shall be governed by the Family Educational Rights and Privacy Act (FERPA) of 1974 as amended. Each student shall have the right to review personal records, to seek correction of information contained in those records, and to have access to records as outlined in FERPA regulations. Student records shall be kept in the Registrar's Office and shall be confidential to the student, advisor, and those faculty and staff employees to have authorized access to the files to perform their jobs.

F. Assessment: The student services staff shall be qualified and equipped to provide testing services for a variety of the students' needs from assistance with career planning to course placement. These services shall be encouraged for the student and shall assist the faculty employee or counselor in the academic advisement of the student. This shall ultimately result in the student experiencing a more positive and successful educational program.

III. Student Activities:

A. Philosophy: The College shall be committed to the concept of providing vital co-curricular activities for students. Qualified staff employees shall be employed to develop and to coordinate programs and activities which shall enhance individual leadership development, promote desired social interaction, and provide social and recreational activities.

B. Student Organizations: Impetus for the formation of new clubs at the College is expected to come from students. As a pre-requisite to operation on campus, all clubs shall be recognized by the College and shall agree to abide by regulations of the Board and club rules issued by the administration. No club shall be established or allowed to operate which discriminates against employees or students in violation of state or federal law. Student clubs and organizations are required to designate a full-time staff employee, generally a faculty member, as a sponsor. Student organizations shall be approved annually by the Vice President for Student Services. (See Student Handbook for a list of Student Clubs and Organizations)

I. Admissions

New Mexico Junior College is an independent two-year comprehensive community college having as a major part of its fundamental mission the provision of serving the needs and making accessible post-secondary education to the members of the community. In order to fulfill this mission, the College has an open-door policy for admission of students in credit courses and programs, who have graduated from an accredited high school, completed a General Education Development (GED) or High School Equivalency (HSE) certificate, or who through age and experience qualify for admission. The College also has opportunities for high school juniors and seniors to take college classes. New Mexico Junior College's non-credit course admission shall be in accordance with program procedures and admission policies as described herein.

II. Admission Requirements

General admission requirements and specific course and program admission requirements shall be outlined in the *College Catalog*. All admission procedures shall be under the direct supervision of the Registrar and subject to review and action by the Vice President for Student Services.

III. Equal Access

New Mexico Junior College does not discriminate in its educational and employment policies and procedures with regard to race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, or veteran status.

IV. Admissions Appeal

If an applicant feels that he/she has been unjustly denied admission to the College, he/she shall follow an appeals process as outlined in the *College Catalog*.

I. Registration Policy

- A. The President shall ensure that registration activities and procedures are developed in accordance with College policies.
- B. Early registration procedures shall be developed to maximize student planning, advisement, and placement into appropriate classes.
- C. It shall be the policy of the College to offer equal access to courses and programs being offered for all students who have pre-requisites subject to enrollment limits and deadlines.

II. Tuition Charges

A. General Policy

The Board has the statutory authority to set tuition rates in order to ensure adequate financing of the college. Upon recommendation of the President, the Board will annually review and consider changes in tuition rates as part of the budgetary process. Careful attention and planning of tuition increases will include seeking appropriate input from student representatives, the community, staff, and the Board. Tuition is the student's share of the cost of instruction and general expenditures that represent the cost of providing an education. In determining tuition rates, New Mexico Junior College will seek to uphold the following principles:

- 1. Citizens who desire a postsecondary education should have access to these educational opportunities at an affordable price.
- 2. Students and their families are entitled to maximum predictability related to the cost of attending college. Increases in tuition should be gradual and moderate.
- 3. A reasonable and consistent share of the cost of public education should be shared by the state, local taxpayers, and the student. The Board will take into consideration the following criteria in determining tuition rates:
 - The mission and strategic plan of the College;
 - The availability of state funding;
 - The formula tuition credit rate and other state initiatives adopted by the legislature;

- The district's contribution through local mill levy revenues;
- The tuition rates at other two-year institutions;
- The financial needs of the College, considering other revenue sources and unrestricted reserve balances;
- The sources of need-based financial aid available to students for offsetting tuition increases.

B. Refunds of Tuition

See the Academic Calendar maintained on the NMJC website and the procedures are outlined in the College Catalog.

Students who receive federal Title IV financial aid and who withdraw, drop or otherwise fail to complete the semester for which they are enrolled are subject to the federal return of funds policy and may owe a refund to the U.S. Department of Education for unearned amounts received. The return of funds calculation is based on the time a student spent in academic attendance, and a pro rata schedule is used to determine the amount of Title IV aid earned, and the amount to be returned by the institution and the student. Students who do not begin attendance in any or all of their classes will be subject to recalculation of their awards, and will be responsible for any charges owed to NMJC. Questions regarding the federal return of funds policy may contact the Financial Aid Office for further information.

C. Tuition Refund Appeals Procedure

A withdrawing student must submit a written appeal delineating individual circumstances that would warrant an exception to the published refund policy to the Registrar. The Registrar will study the appeal and either recommend a refund or refer the appeal to the Vice President for Instruction.

D. Military Absence

Any student serving as a reservist in the armed forces who is called up for duty should contact the Registrar to explore potential options to continue or terminate their current enrollment. The Registrar along with the Academic Deans will first explore ways to assist the student in completing his/her classes. If this is not feasible or viable, the College will offer the student a tuition waiver for a subsequent semester when they return from active duty. Documentation of the waiver will be maintained with the students' permanent record. To ensure that NMJC is more than fair in its policies regarding military absences, NMJC will process refunds that go beyond our normal school refunds – on a case by case basis. A student called up for active duty should contact the Registrar in person or by writing before the end of the enrollment period. The student will need to provide a copy of their orders.

I. Transfer of Credits

- A. Credit Courses: New Mexico Junior College has a broad policy of acceptance of transfer credits from other post-secondary institutions recognized by regional accrediting agencies. Regardless of the number of credit hours accepted for transfer into New Mexico Junior College, a maximum of forty-eight (48) credit hours shall be applied toward a degree or certificate. A transfer student shall complete a minimum of fifteen (15) credit hours at New Mexico Junior College prior to the granting of a degree or certificate.

- B. Occupational/Vocational Non-Credit Experience: Only credit earned in non-technical subjects shall be initially accepted from technical institutes which are accredited by a regional collegiate accrediting association. Normally, no credit shall be accepted by the College from technical institutes, business schools, or other post high school institutes which are not members of regional collegiate accrediting associations. However, students applying to the College who have earned technical credit, which they believe would be applicable to the degree they are pursuing, may have an official transcript sent from the school directly to the New Mexico Junior College, Registrar. It shall then be the student's responsibility to request referral of this transcript by the Registrar to the division of the college having supervision of his/her particular program. The division shall determine whether any of the credit is acceptable in its program and return the transcript with its recommendations to the Registrar. An interview or demonstration of competence, or both, shall be required before the decision regarding credit is made. Acceptance of such credit shall be binding only to the specific program recommending credit. It shall be subject to re-evaluation should the student later enter another program offered by the College.

II. Alternative Methods of Earning Credit

A. Advanced Placement (AP)

Students who have completed college-level courses in secondary schools and have taken the Advanced Placement (AP) examinations of the College Board with resulting composite scores of 3, 4, or 5 may petition for college credit and advanced placement. Such credit will be treated as transfer credit without a grade, will count toward graduation, and may be used in fulfilling specific curriculum requirements. Students who have taken and passed examinations for Advanced Placement courses, other than those listed in the NMJC Catalog, should meet with a counselor about credit for those courses. Students may earn a maximum of 48 credits for successful performance on AP examinations. The NMJC courses and the credit hours which will be given for AP scores obtained in the AP subject area indicated in the NMJC College Catalog.

B. College Level Examination Program (CLEP)

NMJC recognizes and honors prior learning by accepting a wide range of subject area College-Level Examination Program (CLEP) tests, which measure a student's mastery of college-level, introductory course content in a wide range of disciplines. Transfer students can earn credit through prior CLEP exams if their scores meet these credit-granting standards. Credit for CLEP examinations will be treated as credit without a grade, will count toward graduation, and may be used in fulfilling specific curriculum requirements. NMJC grants a maximum of 48 credits for successful performance on CLEP examinations. The NMJC Catalog will provide details of scores required on each specific subject area, scores required, and credit hours given for each subject area.

C. Credit for Prior Learning Policy

Law Enforcement/Corrections (Criminal Justice)

New Mexico Junior College recognizes that New Mexico police officers and corrections officers come to us with a firm grounding in their individual disciplines. We recognize and honor their prior learning by awarding college credit for a wide variety of learning experiences, both classroom and practical experience. In an effort to assist officers who want to further their educational experiences, NMJC is willing to award college credit for successful completion of both a certified law enforcement academy and/or corrections academy. Such credit will be treated as credit without a grade, will count toward graduation, and may be used in fulfilling specific curriculum requirements. Credit will be awarded as indicated in the NMJC College Catalog.

D. Institutional Challenge

New Mexico Junior College recognizes that students learn by experience as well as in the formal class setting. Therefore, credit for courses for which there is no CLEP exam is awarded upon satisfactory performance on comprehensive examinations that are administered by the divisions responsible for the courses. The grade on each institutional challenge exam is the grade that will appear on the NMJC transcript. In order to be eligible to attempt credit by institutional challenge, the following provisions must be met:

- The student must contact the appropriate academic dean and instructor for permission and make arrangements to take the institutional exam for credit.
- The student must not have previously audited, enrolled in, or attempted credit by examination in the course(s).
- The student must enroll in the course before the institutional challenge exam can be taken.

Credit by exam will not be awarded for physical education activity classes.

III. Transcripts of Credit Courses

Upon request by a student, the Registrar shall send a student's transcript to any college, agency, business, or person named by the student. Official transcripts shall be forwarded as mandated by federal requirements. No transcripts shall be released if a student is in debt to the College or is delinquent on student financial aid payments unless required by federal guidelines.

IV. Articulation

A. Articulation

At a regular meeting of the New Mexico Junior College Board on December 18, 1990, that body adopted the following articulation policy addendum on the treatment of native NMJC and transfer students: "To further enhance articulation between all state-supported institutions in New Mexico, New Mexico Junior College adopts the principle of treating transfer students as native NMJC students in the application of credit toward certificate or degree requirements."

B. Transfer Among New Mexico Higher Education Institutions

To facilitate transfer of students and course credits among New Mexico's colleges and universities, the state's public institutions of higher education are required to accept in transfer courses taken within approved modules of lower-division course work and apply them toward degree requirements. Several transfer guides have been developed through collaboration of New Mexico's public post-secondary institutions, consistent with requirements of state law (Section 21-1B-16, et. seq. NMSA, 1978). Students enrolling for first-year or second-year study at a New Mexico institution and wishing to prepare for possible transfer into a degree program at another institution are advised to take the lower-division coursework during their freshman and sophomore years.

C. Student Responsibility

New Mexico's colleges and universities have collaborated to produce guides to assist students who plan to transfer before completing a program of study. Course modules are designed to help students select courses carefully so that they may transfer with little or no loss of credit. However, planning for effective transfer with maximum efficiency is ultimately the student's responsibility. Responsible transfer planning includes early and regular consultation with the intended degree-granting institution to assure that all pre-transfer coursework will meet the requirements of the desired degree.

D. Transferable Lower-Division General Education Common Core

Students enrolling for first-year study who have not yet selected either an academic focus or the institution where they wish to graduate are advised to take courses during their freshman year outlined in the Lower Division General Education Common Core. For students enrolled at any public institution in New Mexico, a general education course matrix has been created and courses listed on said matrix (www.hed.state.nm.us) are guaranteed to transfer to any other New Mexico public college or university, and apply toward associate and baccalaureate degree program requirements. Students should consult advisors at their current institutions regarding which specific courses fit these categories. Students preparing for careers in engineering, health sciences, or other profession-related fields are advised that some of this course work may not transfer toward general education requirements but in most cases will apply toward elective requirements.

E. Application for Degree or Certificate

Degree or certificate candidates shall be required to file an application to graduate for each degree or certificate sought. Forms shall be completed and fees paid by dates posted by the Registrar.

I. General Rule

By registering at New Mexico Junior College, a student assumes responsibility for becoming familiar with and abiding by the general rules of conduct as established in the *Student Handbook*. Students who are also employees of the College shall be covered by employee policies related to conduct and administrative appeal rather than such student policies.

II. General Provisions

Students at New Mexico Junior College neither lose the rights nor escape the responsibilities of citizenship. Students shall be expected to obey the criminal and civil statutes of the State of New Mexico, the federal government, and the College's policies, procedures, rules and regulations. Students may be penalized by the College for violating its standards of conduct even though they are also punished by the state or federal authorities for the same act.

III. Scope

New Mexico Junior College shall have jurisdiction for disciplinary purposes over a person who was a student at the time the alleged violation of a Board policy, administrative procedure, rule or College regulation occurred.

IV. Disciplinary Actions and Sanctions

A. When an alleged infraction of College policies, procedures, rules or regulations is brought to the attention of the NMJC Disciplinary Official, an appropriate investigation of the alleged violation shall occur. The student(s) involved shall be given the opportunity to present his/her/their case. Following an investigation of the matter, the Dean of Students shall make an administrative decision on the case and, if warranted, assess the appropriate disciplinary action.

The following internal guidelines are established for the handling of disciplinary matters. A NMJC Security/Public Safety Officer will generate an incident report stating a student may have violated the Student Code of Conduct. The Security / Public Safety Officer must make supervisors aware of alleged violation and communication must continue up to and including the Vice President for Student Services (VPSS).

1. Upon receipt of this information, prior to the completion of the investigation, the VPSS, VPI, or Director of Public Safety will make a determination regarding the threat to property, self, or others and may impose interim suspension sanctions.
2. Upon completion of investigation and documentation of such by a Security / Public Safety Officer, the Security / Public Safety Officer will give an incident report to the Disciplinary Official and give the student a business card, which will include the name and contact information of the NMJC Disciplinary Official.
3. The student in question will meet with the NMJC Disciplinary Official. This meeting will be recorded. The NMJC Disciplinary Official will provide the following information to the student both verbally and in writing.
 - a. the specific violations
 - b. the discipline to be imposed; and
 - c. the appeal process.

Students shall sign for and take possession of copies of pertinent information utilized in the disciplinary decision. Investigative record / copies will be maintained at the Dean of Students office. If the student chooses to challenge the disposition (ruling), he / she may appeal the decision to the Disciplinary Committee. This request must be submitted in writing to the Disciplinary Official no later than 2 (two) business days after the student receives his / her discipline letter. The student will be notified in writing of the date and time of the hearing. (See NMJC Student Handbook for Disciplinary Hearings and Appeal Process).

- B. New Mexico Junior College is a tax supported educational institution whose mission is to provide an educational opportunity to all who enroll. Attendance is not compulsory, and whether the opportunity to attend is called a "right" or "privilege," it is optional and voluntary. The enrollment of a student at the College is a voluntary entrance into the academic community. By such entrance, the student voluntarily assumes obligations of performance and behavior, which are imposed by the College relevant to its lawful missions, processes, and functions. These obligations may be much higher than those imposed on all citizens by civil and criminal law. New Mexico Junior College is a learning community consisting of students, faculty, and staff. Just as any community has a culture, along with written and unwritten "expectations" for conduct, NMJC also has a culture and associated expectations for behavior. The community's expectation is that conduct is marked by integrity. Any student who chooses to enroll at NMJC also chooses to become part of this community and make constructive contributions to its culture. This choice is attended by an obligation to conduct oneself in such a way as to facilitate the mission of the community which is to "...pursue and share knowledge..." The following principles are part of the collective expectation of the members of this community relative to personal conduct. We hope they serve to explain and illustrate our position.
- Civility- Members of a learning community interact with others in a courteous and polite manner. Members of the community have a right to respect the values, opinions, or feelings of others.
 - Ethical Behavior- The pursuit of a higher education is a privilege. Associated with that privilege is an obligation to aspire to a set of principles and values that demonstrate a commitment to fairness, honesty, empathy, and achievement.
 - Morality- Members of a learning community commit to ideals of right human conduct. This is lifestyle that seeks to harm no one and attempts to be a positive contributor in every interaction.
 - Respect- Every member of this community should seek to both gain and demonstrate respect. Members should hold one another in high regard. Each individual should conduct him or herself in a manner worthy of that regard. That regard is gained by decent and correct behavior.

The learning community at New Mexico Junior College does not intend to be prescriptive regarding the personal beliefs and value systems of its members. However, this community does believe that it has a right to expect its members to demonstrate personal responsibility and integrity in word and deed. When the conduct of any member falls outside the bounds of civil, moral, and ethical behavior, that member can expect the community of New Mexico Junior College to call such conduct into question. The College reserves the right to discipline students or student organizations for inappropriate actions to secure compliance with these higher obligations. Students failing to maintain these higher obligations may be asked to leave the academic community. Students are expected to comply with all College policies and procedures and the Code of Conduct as outlined in the student handbook. New Mexico Junior College officials have inherent authority to maintain order and discipline students. Students are expected to comply with all College policies and procedures. Students are also advised that violations of policy are cumulative in nature. Although the NMJC Student Disciplinary System may have some terminology and actions that mirror the legal system, it should not be confused with the criminal justice system.

Students attending the District are subject to reasonable rules and regulations of the Board. Foley v. Benedict, 55 S.W.2d 805 (Tex. Comm. App. 1932); Calbillo v. San Jacinto Junior College, 305 F.Supp. 857 (S.D. Tex. 1969)

New Mexico Junior College officials may define offenses for which suspension (for the rest of the semester or for a longer period of time) may be imposed and determine whether the offense has been committed. Students are entitled to a fair notice or warning of what constitutes prohibited conduct. Students shall be given a fair opportunity to demonstrate innocence in a hearing before school officials. Students are entitled to due process in disciplinary hearings, including being given adequate notice of the hearing and definite charges in advance and the right to a fair hearing before an impartial tribunal. Foley v. Benedict, 55 S.W.2d 805 (Tex. Comm. App. 1932); Cornette v. Aldridge, 408 S.W.2d 935 (Tex. Civ. App. 1966); Jenkins v. Louisiana State Board of Education, 506 F.2d 992 (5th Cir. 1975); Shamloo v. Mississippi State Board of Trustees, etc., 620 F.2d 515 (5th Cir. 1980)

New Mexico Junior College is dedicated to a procedural process which provides that all student grievances will be handled fairly and equally without regard to race, color, sex, age, religion, disability, national origin, marital status, political affiliation, sexual orientation or other non-merit factors. It is the policy of NMJC to provide fair and orderly procedures to resolve student grievances. Nothing in this policy prevents a student from discussing a complaint informally with the appropriate college employee.

INFORMAL COMPLAINT PROCESS

A student with a concern or complaint who feels they have been incorrectly or unfairly treated has recourse through the complaint procedures. In some instances, complaints can be resolved through an informal process in which the student talks to his/her supervisor if necessary. The basic step of the informal process includes:

- Begin by discussing the matter with staff, faculty, or department in which the issue originated.
- If the issue is not resolved, then the next step is to move forward with the formal process.
- If the issue is resolved, to complete the informal complaint process, the NMJC employee must fill out a complaint form with a satisfactory resolution. Finally, the complaint form needs to be sent to the office of the Vice President for Student Services for filing purposes.

FORMAL COMPLAINT PROCESS

The formal complaint process includes multiple entry points for the student. Those entry points include:

- Virtual Suggestion
- NMJC Employee
- Instructor
- Dean
- Public Safety
- Vice President for Finance
- Vice President of Instruction
- Vice President for Training and Outreach
- Vice President for Student Services
- President

I. Fiscal Services

The Business Office shall administer revenues received, investments, control the expenditure of funds, purchasing procedures, budget preparation, and other fiscal matters affecting the College's operations. Procedures established to implement these functions shall be maintained in accordance with all applicable current statutes and board policies.

II. Budget

The President shall prepare or cause to be prepared a budget of revenues and expenditures for New Mexico Junior College on a fiscal year basis. This budget shall be developed in accordance with the New Mexico Higher Education Department guidelines and based on input from the appropriate College administrators. The Board shall adopt a budget at a public meeting on or before May 1st, prior to the beginning of the fiscal year. The President or the Vice President for Finance shall be authorized through the Board to re-allocate funds between the various items within a departmental budget. The President shall not formulate a deficit budget or knowingly approve deficit spending at the College. The approved budget shall be filed with the New Mexico Higher Education Department on or before May 1st of the fiscal year for which the budget is adopted.

III. Tax Rate and Levy of Taxes

The Board shall levy five (5) mills on all the net taxable property of the District for operating and levy the appropriate tax rate for any debt service requirements. The tax rates shall not exceed the amount approved pursuant to state statute including yield control.

IV. Fiscal Year

The College financial operations shall be based on the fiscal year (twelve-month period) beginning on July 1 in each year and ending on June 30 in the succeeding calendar year.

V. Audit

The Board shall solicit and contract with a New Mexico-licensed certified public accountant for an annual financial audit. The results of this audit of revenues, expenditures, transfers, and changes in fund balances shall be in compliance with the rules and regulations of the New Mexico Higher Education Department, the State Auditor, the AICPA and generally accepted accounting practices and shall be submitted to the Board after acceptance and release by the New Mexico State Auditor.

VI. Bequests, Donations and Gifts

Solicitation and receipts of gifts, bequests and donations by College employees shall be made in accordance with established procedures and shall not be administered in such a manner as to be unlawful or discriminatory.

VII. Payroll

A. Salary checks for Fulltime Employees are disbursed by the Business Office after 8:00 a.m. on the 15th and the last working day of the month. Salary checks for Part-time or Student Employees are disbursed by the Business Office after 8:00 a.m. on the 10th and 25th of each month. When the 10th, 15th, or 25th day or the last working day of the month falls on Saturday or Sunday, salary checks shall be disbursed by the Business Office on Friday prior to that particular pay period.

Note: *Direct deposit privileges are available to all full-time, part-time, and student employees.*

- B. Fulltime Employees signed up for direct deposit shall have their direct deposit voucher available on the NMJC website on the 15th and last day of the month. When the 15th or the last day of the month falls on Saturday or Sunday, direct deposit vouchers will be available online on Friday prior to that particular pay period. Part-time and Student Employees signed up for direct deposit shall have their direct deposit voucher available on the NMJC website using self-service Banner on the 10th and 25th of the month. When the 10th or 25th day falls on Saturday or Sunday, direct deposit vouchers will be available on Friday prior to that particular pay period.

VIII. Disbursement Authorizations

The President and the Vice President for Finance shall be authorized and empowered by the College Board to sign checks on New Mexico Junior College funds for lawful expenses of the College.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 801

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SECTION: Fiscal and Support Services

POLICY TOPIC: General Management

I. Signature Authority

Unless the authorizing action of the Board specifically provides otherwise, any grant application or any grant or contract approved shall be executed on behalf of the Board by either the President or the Vice President for Finance.

II. College Business Activities

A. As an extension of its educational and community service missions, New Mexico Junior College shall offer a variety of programs and services for general public access that are derivatives of its instructional activities.

B. It shall be desirable for the College to organize some of these activities as separate and distinct business cost centers and charge fees for providing these goods and services. To ensure that New Mexico Junior College does not become involved in activities outside the College's mission, all business activities shall be related to or support the College's mission. An exception to this policy shall be authorized by the President when it is determined that an exception is clearly in the best interest of the College and the public.

III. Insurance

With some specific exclusions (dishonest acts, mysterious disappearance of property), College property shall be insured against loss due to theft, vandalism and other perils such as accidents, weather occurrences, explosions, and vehicle damage, and failure on the part of a college employee to faithfully perform duties or to properly account for money or property received.

I. Central Accounting System

A. The College shall have a central accounting system which integrates financial accounting, budgeting and management reporting. The central accounting system shall be based on generally accepted fund accounting principles.

B. Central accounting system records shall be maintained on administrative software that provides financial information to account administrators, fiscal monitors and deans to assist them in performing their fiscal duties. The Information Technology Department shall be responsible for overseeing and maintaining the integrity of the central accounting system and the business office staff shall be responsible for the daily operation of the system.

II. Access to Financial Information

Account administrators, fiscal monitors, and deans, including all individuals responsible for the management of an operating budget or cost center, shall have access to needed financial information on the central accounting system database. This access shall consist of on-line computer monitor access.

III. Security of Financial Data

Account administrators, fiscal monitors and deans shall be charged with maintaining the confidentiality and integrity of the data contained in the central accounting system reports and to limit access to those individuals with a need to know.

I. General Policy

The matter of New Mexico Junior College spending, including procurement of supplies, materials, contracted services, equipment, and reimbursement of employees for business-related expenses, shall be one to which the Board gives critical attention. The Board seeks to purchase at the lowest cost and optimum quality for each function to be served. The New Mexico Procurement Code, Section 13-1-1 et. seq. NMSA 1978 comp, shall serve as the guide for purchasing supplies, materials, equipment and contracted services.

II. Scope of Procurement Policy

It is the general policy of New Mexico Junior College that all financial resources received by the College, irrespective of their sources, shall be expended through college accounting systems in accordance with the Board policies. This policy shall include funds obtained through the appropriation of tax revenues, gifts from individual donors, income earned for services/activities or events performed or completed, or through transfers from the New Mexico Junior College Foundation. College employees shall not directly control or expend funds on deposit in affiliated organization accounts for college business unless the funds are transferred to an appropriate college account. All funds shall be deposited in a College account. No other bank accounts shall be set up without the approval of the Board.

III. Procurement Flexibility

These purchasing policies shall provide flexibility to managers enabling them to perform their duties and to achieve the maximum benefit from the resources for which each manager is responsible. These policies shall be in place to ensure compliance with all state procurement laws and federal laws where applicable. As the College is a public supported entity, certain procurement guidelines shall be established and followed to ensure adequate accountability. The Vice President for Finance, with the approval of the President, shall supplement this policy with specific purchasing procedures.

IV. Allowable and Unallowable Expenditures

Allowable and unallowable expenditures shall be determined by Board action, the Accountant/Controller or the Vice President for Finance.

- A. Payments for membership in community/business organizations shall be allowed only when the College employee serves as an official representative of the College.
- B. Purchase of personal gifts to individuals or organizations including college employees shall be prohibited unless approved by other college published policy (e.g., employee service awards).
- C. College purchase of office refreshments (including coffee makers/food/beverages) shall be prohibited, except when the refreshments are to be consumed primarily by guests of the College or at business meetings with community participants. College purchase of office decorations (pictures, plants, decorative items) shall be prohibited.
- D. College funds shall not be used to reimburse individuals for personal items stolen from college buildings; however, insurance payments for loaned items officially received and used or displayed by the College shall be permitted.
- E. Entertainment of College employees (e.g., meal expenses) other than pursuant to the College's travel policy shall be prohibited. Exceptions are allowed when the function is a hospitality event that includes both the College and invited guests of the College.

V. Employee Participation

It shall be unlawful and against Board policy for any College employee to participate directly or indirectly in procurement when he/she knows the employee or any member of the employee's immediate family has a financial interest in the business seeking or obtaining a contract or purchase order award. All employees shall make College purchases in accordance with the purchasing procedures published by the Business Office. Any unauthorized purchases made by an employee shall be considered personal in nature and shall not be binding upon the College.

I. Sales of Commodities on Campus

No commodities shall be normally sold on campus by any individual or organization not officially part of the College except through regularly approved distribution channels such as the bookstore, concessions for contracted events, food service or campus special events on approval. Other sales of commodities shall be approved with the permission of the President or his/her designee.

II. Distribution and/or Sale of Publications on Campus

A publication may be sold or otherwise distributed on campus if all of the following conditions are met:

- A. It is not disruptive of the educational process, does not have a negative impact on the image of the College, or does not cause serious campus conflict.
- B. The distributor agrees to hold the College harmless in any dispute, claim or legal action resulting from the distribution or sale of the publication.
- C. It does not include interaction with employees during the period they are on paid status.
- D. It is approved by the President, or his/her designee, as being appropriate for distribution.

I. General Statement of Purpose

The purpose of the New Mexico Junior College Copyright, Patent and Intellectual Property Policy is to establish ownership, rights, and responsibilities with respect to copyright, patent and intellectual property created and developed by faculty or other college employees during their employment at the college.

New Mexico Junior College has a responsibility for and an interest in the advancement of knowledge and creative work that will enhance its educational mission and benefit the public it serves. The goal of this policy is fourfold:

- to encourage the development of copyright, patent and intellectual property for the best interest of the public, the creator of the copyright and intellectual, and the college;
- to provide timely disclosure and protection of copyright, patent and intellectual property whether by development, commercialization, or publication, or any combination thereof;
- to balance the rights of the creator of copyright, patent and intellectual property and the rights of the college. Creators may be faculty or other employees of the college; and
- to develop a policy that is easy to understand and implement and that is not burdensome to the creator of the copyright and intellectual property.

II. Scope

This policy applies to all full- and part-time faculty, staff, and administrators working on any project under the direction and control of New Mexico Junior College and to anyone using college facilities or conducting activities under the supervision of New Mexico Junior College personnel. Contracts between employees and the College and subcontracts between New Mexico Junior College and persons who are not College employees will include language that determines the ownership of intellectual property and copyright / patent material that is developed under the purpose of that particular contract. College employees should not enter into intellectual property agreements, without affirmative notice to the prospective employer, that the intellectual property and copyright / patent material rights of the College cannot be subordinated to a third party consulting or employment agreement.

III. Definitions

Creator(s): The author(s) or originator(s) of the copyright or intellectual property.

College Assignment: A college assignment exists when employee(s) are directed by the College to prepare the work within the scope of their employment. Work made for hire is a legal term defined in the Copyright Act as a work prepared by an employee within the scope of his or her employment or a work specially ordered or commissioned in certain specified circumstances.

Intellectual Property: Creative or scholarly work protected by patent, copyright, trademark, and trade secret laws. Such property includes but is not limited to

- creative work in traditional or technology-based media;
- inventions;
- software programs;
- distance courses, both content and presentation (ITV and Online);
- documents and databases;
- lab manuals.

Copyrightable Material: Under the federal copyright law, copyright subsists in original works of authorship which have been fixed in any tangible medium of expression from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of machine or device. These works include:

- Literary works such as books, journal articles, poems, manuals, memoranda, tests, computer programs, instructional material, databases, bibliographies;
- Musical works including any accompanying words;
- Dramatic works including any accompanying music;
- Pantomimes and choreographic works (if fixed, as in notation or videotape);
- Pictorial, graphic and sculptural works, including photographs, diagrams, sketches and integrated circuit masks;
- Motion pictures and other audiovisual works such as videotapes;
- Sound recordings.

Patent: A patent is the right of ownership granted by the government to a person. It gives the person the positive right to sell his or her invention in whole or in part and the negative right to exclude others from making, using or selling the "claimed" invention throughout the jurisdiction.

College Resources: Specific use of college funds, personnel, facilities, services, equipment, and the like in the creation and / or development of intellectual property or copyright / patent material. Such resources include but are not limited to:

- College funds such as grants, stipends, additional compensation, and/or release time;
- College equipment such as audiovisual, all computer resources, computer-related tools, equipment, and software;
- developed as part of regular work load;
- College name, reputation, goodwill, and/or logo;
- College personnel, such as librarians, graphic artists, videographers, instructional and media designers, photographers, administrative staff, and/or information technology professionals. College personnel shall be interpreted as not including the inventor of the intellectual property unless such invention included use of time normally devoted to college activities.

IV. Ownership of Copyright or Intellectual Property

The Creator of copyright or intellectual property is its owner unless:

- The work is a College assignment or qualifies as a work made for hire, then the employer or the commissioning party is considered to be the author;
- College resources were used in the creation and / or development of the intellectual property. In this event the College shall own the property; or
- A written agreement exists between the creator and the College whereby the College is established as the owner or co-owner of the intellectual property.
- Intellectual property created and / or developed prior to this policy shall be owned in accordance with applicable law.

In the case of works created under developmental grants from governmental or foundation sources prescribing ownership rights, the conditions of such grants, rather than this policy, shall govern. An exception to the policy shall exist where shared College and external grant funding exists, in which case a contract reflecting this shared funding support shall be executed.

V. Recovery of Resources

Independent Works – The College employee shall be entitled to all profits earned from copyright or intellectual property developed exclusively on the employee's time and without the use of the College facilities.

Supported Work – Profits earned from copyright or intellectual property developed totally or partially on college time with the use of college facilities, equipment or with college funding shall be shared equitably with the College as provided by an agreement between the employee and the College. In the event that college resources as defined above are used by the employee in development of the intellectual property, the college shall enter into an agreement with the employee allowing the College to recover a fair and equitable amount equal to actual cost of such college resources actually used by the employee in development of the intellectual property.

VI. Use of Copyright, Patent and Intellectual Property

If the creator of copyright, patent and intellectual property who owns the property pursuant to this policy is allowed by written agreement with the College to use the College's name and / or logo, the creator shall be required to secure written authorization to use any third party copyrighted works within the creator's work. The creator / owner shall also save and hold harmless the College from any copyright infringement claim.

To assure educational continuity, the creator of electronic or other type of course material who owns the material pursuant to this policy, upon leaving the employ of the College, may grant the college a license to use and modify the property for teaching purposes.

If the College pursuant to this policy owns electronic or other type of course material created by a faculty member or other College employee, it, upon request of the faculty member or other employee leaving the College, may grant the creator a license to use and modify the property for teaching purposes.

VII. Revisions to Intellectual Property and Copyrighted / Patented Material

Revisions to copyright, patent and intellectual property, created by a faculty member or other college employee and owned by the College pursuant to this policy may be requested by the creator or the College. If revisions are requested by the creator, the College shall have the sole authority to determine whether the requested revisions justify expenditure of college funds. If the revisions are requested by the College, the creator shall complete the revisions. If the creator fails to do so, the college shall be entitled to have the revisions completed by others with notification that the revisions were not completed by the creator.

VIII. Disclosure and Agreement of Ownership

Each New Mexico Junior College employee, who during the period of employment, solely or jointly creates, authors, conceives, or invents any intellectual property, whether or not such property or material is patentable or copyrightable, should disclose it in writing to the Vice President for Instruction, so that a determination of ownership and written agreement can be prepared.

The Vice-President for Instruction shall establish procedures to ensure that any college employee creating copyright or intellectual property with college support shall enter into an agreement with the College providing either:

- Employee assigns ownership rights to the College; or
- Payment by the employee to the college of a fair and equitable amount based on the actual cost of college facilities, equipment or other physical materials actually used in producing such works. This shall also include, in any case where a copyright or intellectual property is created with college support, the agreement will provide that the College has a perpetual license to use the work without further compensation.

Questions of ownership or other matters pertaining to materials covered by this policy shall be resolved by the Vice President for Instruction in consultation with appropriate institutional representatives and legal counsel if necessary. In the event that the Vice President for Instruction and the creator(s) are unable to reach agreement regarding ownership, the Vice President for Instruction may, at his/her discretion, undertake a voluntary mediation process whereby a mutually agreeable independent third party familiar with intellectual property and guided by the principles contained in this policy shall be selected by the parties to meditate the matter(s) under dispute. The parties shall deal in good faith in seeking the prompt resolution of any disputed issues. If the parties are unable to reach an agreement, the agreement shall be tabled, leaving the parties in the status quo.

All Agreements must be approved by the President in writing to be binding on the parties. The President shall, in a fair and reasonable time, either approve the agreement, or return the agreement to the Vice-President for Instruction to make suggested changes to the agreement, or inform the Vice-President for Instruction that he/she will not approve the agreement. In the event the President fails to approve a proposed agreement, the proposed agreement, although signed by the creator, and/or the Vice President for Instruction, shall have no legal force or effect and shall not be used or considered by any party as proof of ownership or for any other purposes beyond the purpose of facilitating timely initial negotiations between the creator, and the College.

I. Safekeeping

Members of the faculty, staff or student body who receive College monies (i.e., cash, checks, credit card payments, money orders and other negotiable instruments) shall be responsible for its collection, safekeeping, deposit and for the safety of employees who handle the monies.

II. Investment Statement

A. Cash and investment efforts shall be directed in a manner which provides optimal return on deposits given appropriate consideration to safety and liquidity. Primary significance shall be given to the preservation of capital and secondary importance to the generation of income and capital gains.

B. The Vice President for Finance shall have the authority and responsibility to administer the cash and investment management function in accordance with Chapter 6, Article 10, New Mexico Regulation 6.10.10 and this policy. The Vice President for Finance and the President shall be signatories on all accounts.

III. Funds Needed for Operations and Debt Service

All funds needed for operation and debt service will be kept in FDIC insured checking accounts. There is an account for accounts payable, one for payroll, one for student refunds, and one for funds held for student clubs and activities.

IV. Funds Not Required for Immediate Operations

These funds may be used to purchase certificates of deposit at FDIC insured banks in Lea County.

Individual certificates of deposit of \$250,000.00 should be limited to one per bank in order to be covered by FDIC insurance.

Certificates of deposit of more than \$250,000.00 should be placed as CDARS with one Lea County institution to get the benefit of full FDIC insurance coverage. The deposit is placed with one CDARS member bank, then the member bank places amounts of less than \$250,000.00 with other member banks so that the entire deposit plus interest is covered under FDIC insurance.

V. Accountability

Status of cash deposits shall be reported at each regular meeting of the College Board. The report shall include the name of the financial institution, the type of investment, the interest rate, the maturity date and the amount of the investment.

I. General Policy

The President, or his/her designee, shall establish travel and per diem reimbursement rates for College employees and the Board members using the regulations established by the State of New Mexico for public employees/officials as guidelines.

II. Reimbursement Rates

New Mexico Junior College shall pay properly approved and authorized employee and Board member business and travel expenses incurred for the benefit of and in the course of employment or official service of the College. All approved travel expenditures, regardless of funding source, shall be reimbursed in accordance with the current rates set forth in Section 6 of the New Mexico Junior College Policies and Procedures Manual.

A. Per Diem allowances shall be computed on the basis of a twenty-four (24) hour day divided into three (3) eight-hour increments. No per diem allowance is available for periods of less than eight (8) hours. Reimbursement for periods greater than eight (8) hours shall be made according to the current per diem rate, regardless of amount of expenditure. Athletic team travel shall be reimbursed based on actual receipts.

Per Diem reimbursement for day trips (not requiring overnight stay) is made through payroll, per IRS regulations.

B. Reimbursement for actual lodging expense is made based on lodging receipts.

C. All travel shall be approved by a supervisor and a Vice President or the President, as appropriate for the traveler.

I. Approval to Request Grant Funds

A. Funding: Only the President and Vice President for Finance shall be permitted to approve grant applications if new college resources shall be committed at any time to complete the grant's scope of work/service. If no new college resources are required, the President shall delegate to a designated representative. The President, or his/her designee, shall be authorized to make application on behalf of the College to private or governmental agencies for funding, and shall report to the Board all applications submitted. Prior approval of the Board shall be required for any grant application:

1. In support of new facilities construction.
2. Where the terms of the application require specific Board approval.

II. Contracts

A. Authority Delegation: Delegation of contracting authority normally vested in the Board shall be appropriate within specified guidelines for the timely, efficient administration of the College. Certain College officials shall be hereby expressly authorized and empowered to contract in the name of New Mexico Junior College as follows:

1. The President shall contract for any lawful purpose of the College provided the obligation of the College thereby incurred does not exceed \$60,000. Additionally, the President may contract for any lawful purpose where external grant or contract funds are involved without Board approval and without a dollar limit.
2. The President or the Vice President for Finance may approve a capital improvement change order involving an expenditure of \$25,000 or less.

B. Signatory Authority

Unless the authorizing action of the Board specifically provides otherwise, any contract approved shall be executed on behalf of the College by either the President or the Vice President for Finance.

I. Speakers or Guests

New Mexico Junior College shall invite visits from outside speakers to enrich any of the programs and services offered by the College with the approval of the President. Opportunities shall be provided to question or challenge the views of speakers as long as order is maintained. If in the opinion of the President, the speaker may cause serious campus conflict and may have a negative impact on the image of the College, the President shall have the authority and responsibility to prevent the appearance. The use of outside speakers for class presentations shall also be encouraged and permitted under the guidelines of this policy.

II. Public Events

The President shall be authorized to develop or cause to be developed a program of public events to enrich and supplement the College curriculum for the benefit of the students and staff and the community at large. The program shall include lectures and forums, fine arts programs, film series, exhibits, and other cultural activities.

III. Facility Use

- A. Security, safekeeping and proper care of public equipment and facilities shall be a responsibility of all College employees. Supplies, employees, equipment and facilities shall not be used for personal purposes or projects.
- B. New Mexico Junior College employees shall not utilize any college property or facilities for personal or private business, non-College related projects or activities on or off campus including, but not limited to, use of the copy machines and telephone systems, unless approved by the President. Violation of this policy shall result in disciplinary action against the employee up to and including dismissal.
- C. College facilities and projects may be used on the same basis of scheduling and fees required of non-employees when appropriate procedures for such use have been followed.

- D. Institutional and subject matter related projects should be conducted by College employees. All such projects shall be in the public domain (the realm embracing property rights that belong to the community at large are unprotected by copyright or patent and are subject to appropriation by anyone and/or for which no personal funds or monies shall be paid to New Mexico Junior College). Projects which do not fall in the above category shall be considered when presented according to the following procedures:
1. Writing a detailed description of the proposed project.
 2. Securing approval of the President:
 - a. If such projects are conducted by College employees other than the faculty employees, approval shall be secured from the President. Prior approval shall be required before starting a project that does not fall in the above two categories and for which special approval is required.
 - b. In the event a project is conducted and the expense thereof is borne by the individual employee, the fruits of the project shall belong to the particular employee, as it is the policy of the Board that projects accomplished by the employee on his/her own time and at his/her own expense shall be his/her own property. In the event the employee desires to share the results of his/her project with the College, a separate contract shall be agreed upon between the Board and the individual as to such project.

IV. Other Conditions

Although the facilities are available for public use, individuals and groups using the facilities shall abide by College policies as well as local, state, and federal laws and regulations. Those not abiding by applicable laws and regulations and those disruptive of the educational process or those whose general conduct is determined by the College to be inappropriate shall be requested to leave, and in the event of refusal, appropriate legal action shall be taken.

I. Information Technology Acceptable Use Policy

- A. New Mexico Junior College provides numerous information technology resources for use by the College's students, faculty, and staff. Information technology includes, but is not limited to, all College computing equipment, software, systems, and networks. These resources are provided to support the College's mission and institutional goals. The use of these systems is a privilege and all users are expected to act responsibly and to follow the College's policies governing the use of these resources. Violations of this policy could result in disciplinary review. In such a review, the full range of disciplinary sanctions is available including the loss of computer use privileges, dismissal from the College, and legal action. Violations of some portions of the policy may constitute a criminal offense.
- B. The College's Information Technology Acceptable Use Policy requires that each campus user abide by and agree to the following guidelines:
- Respect security requirements for computer accounts.
 - A computer or electronic mail (e-mail) account assigned to an individual, including student accounts, must not be used by others.
 - Faculty, students, and staff are individually responsible for the proper use of their accounts, including password protection and appropriate use of Internet resources.
 - Making your password or another person's password or access code available to others or otherwise attempting to evade, disable or "crack" password or other security provisions, or assisting others in doing so, threatens the work, privacy and well-being of many others and is a serious violation of College policies.
 - Faculty, students and staff are responsible for choosing an appropriate password that is difficult for others to guess.
 - If an individual suspects their password has been compromised, they should change the password immediately.

C. Respect Copyright Laws

Computer software use must conform to copyright laws and licensing agreements. Copyright law protects software licensing agreements whether a copyright notice is explicitly stated in the software or its documentation. Software licensed by the College must only be used in accordance with the applicable license. It is illegal to make duplicate copies of software products unless authorized to do so by its author or publisher. Computer users have no right to give or receive duplicates of software without authorization or to install duplicated software onto College computing equipment.

D. Respect the Rights of Others on the System

Computer users shall not use the College's information technology resources to participate in activities that are harassing in nature or prohibited by law. Sending messages, information, or images that are threatening, harassing, or discriminatory in nature is in violation of College policies and may be in violation of the law. Displaying potentially offensive material in a computer laboratory or other campus location is not allowed. Users are absolutely prohibited from utilizing systems to create, access, store or disseminate materials that may be sexually or racially offensive, or otherwise insulting or derogatory to persons of a certain race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, or veteran status.

E. Respect electronic mail guidelines

In support of the College's mission, the College encourages the use of its electronic mail services to share information, to improve communication, and to exchange ideas. Any electronic mail address or account associated with the College is the property of the College. Those who use the College's electronic mail services are expected to adhere to state and federal laws, the policies and procedures of the College, and should follow normal standards of professional and personal courtesy and conduct. Electronic communication under a false name or designation is prohibited. Sending anonymous communications does not disassociate senders from assuming responsibility for their actions.

Electronic mail services should not be used in ways that strain the College's computing resources or interfere with others' use of the electronic mail system. Prohibitive uses include, but are not limited to, sending or forwarding chain letters, exploiting list-servers by amplifying widespread distribution of electronic mail, and sending the same electronic mail message repeatedly.

Employees are prohibited from using the "All Employee" mass distribution list to distribute non-work related messages. Information in regards to work, employees, and NMJC sponsored events are acceptable.

Confidentiality of electronic mail cannot be assured. The system administrator, technical managers, or other persons may need to view the contents of computer accounts and electronic mail to perform maintenance or to diagnose and correct problems. When performing maintenance, the College will make reasonable attempts to ensure the privacy of computer accounts and electronic mail, but cannot guarantee total privacy of the accounts. The user, however acknowledges and consents that the College may monitor e-mail communications and internet usage in order to insure compliance with this policy. If policy violations are discovered, they will be reported immediately and appropriate action will be taken.

F. Respect the Operational Guidelines Governing the use of the Information Technology Facilities.

Administrators responsible for computer systems may establish more detailed guidelines governing the use of the College's computing equipment and facilities. These guidelines cover such issues as allowable connect time, disk space allocations, handling of un-retrievable mail, responsibility for account approval and other items related to administering the systems. Downloading of software onto any computing equipment owned or operated by New Mexico Junior College (unless downloaded material is considered a faculty resource) without prior written approval is not permitted. During peak system utilization times, computer users engaged in activities which are not directly related to the business of the College may be asked to relinquish their access to the system. Settings on computers are not to be changed. Computer users, whether on campus or accessing NMJC resources remotely, are expected to abide by these rules and use the College's computing resources in a responsible and professional manner.

The College prohibits the use of programs that degrade the available bandwidth, including but not limited to music/radio programs, videos, and game playing from Internet sites, unless these programs are incorporated into instruction.

The College provides information technology resources for users to engage in activities that support the work of the institution. Use of the College's resources for commercial reasons, fund-raising, political campaigns, or illegal purposes is not acceptable. Non-authorized solicitations on behalf of individuals, groups, or organizations are prohibited.

G. Agreement

All users of New Mexico Junior College computing systems must read, understand, and comply with the policies outlined in this document. By using any of the College's information technology resources, users agree to comply with these policies.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 902

Page 1 of 1

SECTION: Campus Activities and Security

POLICY TOPIC: Campus Public Safety and Security

I. Public Safety and Security Force

As part of its accountability to constituents, the Board and administration shall support an appropriate public safety and security force adequate for the safety of students, staff and security of College properties.

II. Campus Keys

The protection and safekeeping of College property shall be the responsibility of all NMJC employees. Employees who are issued office and/or building keys shall assume the responsibility by closely guarding their keys to prevent unauthorized usage.

Office and/or building keys shall be issued to an employee only through the assigned department secretary upon receipt of completed key request forms. The forms are to be approved by the Director of Public Safety to determine that the appropriate level of access is granted based upon the employees work assignment. The forms will then be forwarded to and approved by the appropriate Vice President and/or President. Under no circumstances shall an employee be authorized to swap, trade, loan or pass along keys issued under his/her name to another employee or any other person. Keys(s) issued to an employee shall not be duplicated under any circumstances.

An employee who loses an NMJC key shall immediately report such loss to his/her supervisor, his/her assigned department secretary and the Public Safety/Security Supervisor. An employee may incur monetary fines or be required to pay key replacement fees for lost or stolen keys.

I. Inclement Weather

From time to time inclement weather can pose problems for students and others using the College central campus and outreach centers. Traveling conditions may vary considerably, depending on the individual's home location in relation to the central campus or outreach center. No student or staff member is encouraged to travel when conditions are considered dangerous.

- II. In the event of inclement weather, the following procedure will be followed:
- a. If conditions appear to warrant closing, postponing, or restricting College activities, the President or his/her designee will make the decision as to what to do.
 - b. When a decision is made to cancel, postpone, or otherwise modify a campus or outreach schedule, the President or his/her designee will notify the Director of Public Relations/Marketing and the Director of Information Technology. The Director of Public Relations/Marketing will notify local and regional television and radio stations. The Director of Information Technology will post the notice on the NMJC web page. The Executive Director of Administrative Services or Director of Public Safety will also make notification via the Regroup Emergency Notification system information about the delay or closing of College due to the weather.
 - c. Normally the decision to postpone, cancel, or otherwise restrict College classes/activities will be made by 6:00 am for the day activities and by 1:00 pm for evening activities. Changes in weather conditions during the day may necessitate campus updates for cancellations.
 - d. Should classes be postponed or cancelled employees are asked not to report to the campus. Certain maintenance/grounds employees will be called to report to the campus to help make walking and driving surfaces safer for when the campus re-opens.
 - e. Each supervisor is responsible for notifying his/her staff of any change in schedule.

APPENDIX A

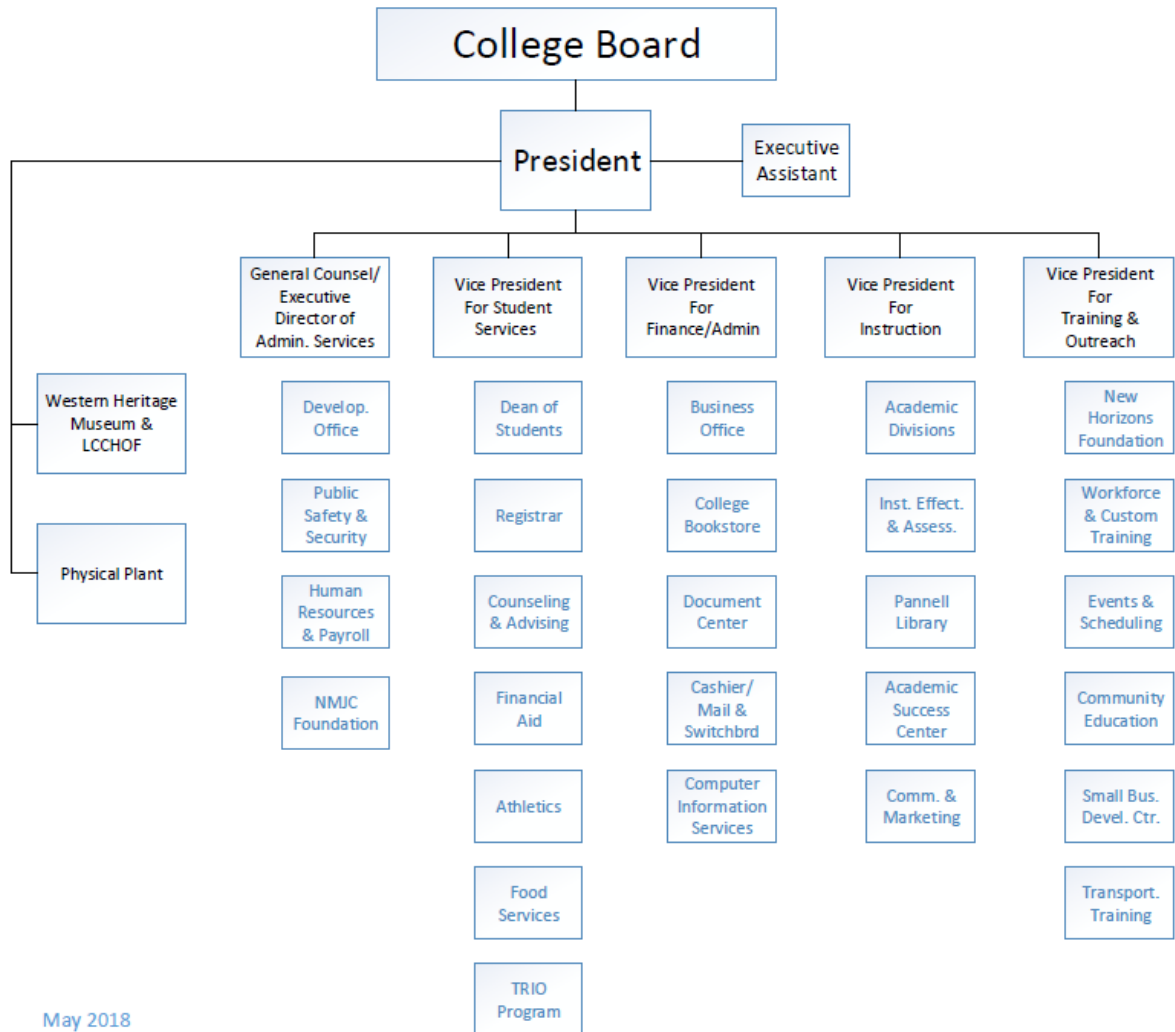
Community College Act

NMJC adheres to the current Community College Act, *Chapter 21-13-1 NMSA 1978*.

History: 1953 Comp., § 73-33-1, enacted by Laws 1963, ch. 17, § 1; 1985, ch. 238, § 1.

<http://164.64.110.239/nmac/>

APPENDIX B
NEW MEXICO JUNIOR COLLEGE
ORGANIZATIONAL CHART



May 2018

APPENDIX C

**FORMAT AND GUIDELINES
FOR PROPOSING NEW AND REVISED
BOARD POLICY**

**NEW MEXICO JUNIOR COLLEGE
FORMAT FOR PROPOSED BOARD POLICY**

I. Introduction: Formation and Revision of Board Policy

- A. The formulation and adoption of written policies shall constitute the basic method by which the Board exercises its leadership in the operation of the College. The Board delegates to the President the function of implementing policy.
- B. Recognizing its own function as the lawful and final authority in policy matters, the Board accepts the principle that those who are affected by the policy shall be involved in the formulation of such policy. The Board, therefore, encourages staff and administration to review and recommend new policies or changes of policy when appropriate.

II. Proposed Policy Statement

A person seeking a revision and/or addition to board policy shall submit a proposed policy statement unnumbered and undated to the President, or his/her designee, for review. Please submit below a statement of proposed policy.

III. Rationale for the Proposed Policy

Please provide some justification below as to why the policy is needed (refer to attached guideline).

IV. Suggestion for Written Procedures to Accompany Proposed Policy (if applicable and if known).

Please outline supporting procedures below, new and old that would be applicable to proposed policy.

V. Disposition

After consideration and discussion, the person submitting the policy may be asked to present further rationale. When a decision has been finalized concerning the proposed policy, the President shall forward the change to the Board with his recommendation for action. No amendments to a policy shall be made without Board approval. The final action taken shall be communicated to the originator of the proposed policy change.

VI. Utilization

This procedure shall not be utilized by employees in a designated or certified bargaining unit or their representatives.