

NEW MEXICO JUNIOR COLLEGE

BOARD MEETING

Thursday, June 15, 2017
Zia Board Room – Library
1:30 pm

AGENDA

- | | |
|--|---------------|
| A. Welcome | Pat Chappelle |
| B. Adoption of Agenda | Pat Chappelle |
| C. Approval of Minutes of May 18, 2017 & May 30, 2017 | Pat Chappelle |
| D. President's Report | |
| E. New Business | |
| 1. Monthly Expenditure Reports | Dan Hardin |
| 2. Monthly Revenue Report | Dan Hardin |
| 3. Oil and Gas Revenue Report | Dan Hardin |
| 4. Schedule of Investments | Dan Hardin |
| 5. Consideration of Annual Fixed Asset Inventory Certification | Dan Hardin |
| 6. Consideration of CMAR Recommendation | Regina Choate |
| 7. Consideration of Revisions to the NMJC Board Policy Manual | Kelvin Sharp |
| 8. Consideration of Revisions to the NMJC Employee Handbook | Dennis Kelley |
| F. Public Comments | Pat Chappelle |
| G. Announcement of Next Meeting | Pat Chappelle |
| H. Closure of Open Meeting | Pat Chappelle |
| I. Adjournment | Pat Chappelle |

**NEW MEXICO JUNIOR COLLEGE
BOARD MEETING
MAY 18, 2017
MINUTES**

The New Mexico Junior College Board met on Thursday, May 18, 2017, beginning at 1:30 p.m. in the Zia Room of Pannell Library. The following members were present: Ms. Patricia Chappelle, Madam Chair; Mr. Ron Black, Secretary; Mr. Travis Glenn; Mr. Manny Gomez; Mrs. Mary Lou Vinson; Mr. Zeak Williams; and Mr. Hector Baeza.

Ms. Chappelle called the meeting to order and welcomed visitors and guests present: Dorothy Fowler, Hobbs News-Sun.

Upon a motion by Mr. Gomez, seconded by Mrs. Vinson, the agenda was unanimously adopted.

Upon a motion by Mr. Glenn, seconded by Mrs. Vinson, the Board unanimously approved the minutes of April 20, 2017.

Under President's Report, Dr. Sharp provided updates of NMJC athletic teams. He reported updates of the NMJC Baseball Team at the NJCAA Region 5 Baseball Tournaments last week in Lubbock, Texas, the NMJC Golf Team currently at the NJCAA Division 1 Men's National Golf Championships in Garden City, Kansas, and the NMJC Women's Track Team currently at the NJCAA Outdoor Track & Field Championships in Hutchinson, Kansas. Dr. Sharp congratulated the coaches and their teams for a good season and their great representation of NMJC.

Dr. Sharp provided brief state funding updates. He reported Governor Susana Martinez has scheduled a special session to begin on Wednesday, May 24, 2017. Dr. Sharp noted with the recent slight increase in tax revenues, he is hopeful for a budget solution and a compromise for funding of Higher Education.

Dr. Sharp provided a slide presentation of the future construction of a 21,000 square foot Allied Health Services building to be located on the NMJC campus. He provided significant discussion of the site and landscape plans, floor plans, and of the various angles of the exterior perspective.

Dr. Larry Sanderson presented updates for the NMJC Strategic Plan for 2017-2022. After significant discussion, the institutional goals presented are: 1) Create a great student experience; 2) Double program and degree completion rates by 2022; and 3) Increase institutional enrollment, which include the following: 4,000 credit students by 2020, increase workforce and professional enrollments, and increase community education enrollments.

Under New Business, Mr. Dan Hardin presented the April 2017 financial reports. Upon a motion by Mr. Gomez, seconded by Mr. Glenn, the Board unanimously approved the Expenditure Report for April 2017. In addition, the Revenue Report, Oil and Gas Revenue Report, and Schedule of Investments Report were reviewed. Upon a motion by Mr. Glenn, seconded by Mr. Gomez, the Board unanimously approved the Fiscal Watch Reports.

Mr. Dan Hardin presented the proposed capital projects for the Five Year Capital Plan. Recommendation was for Infrastructure to be listed as project number one and McLean Hall Renovations to be listed as project number two. Mr. Hardin stated he anticipates legislative placement on the HED Significant Needs list and the General Obligation Bond C listing for the November 2018 election. Upon a motion by Mrs. Vinson, seconded by Mr. Black, the Board unanimously approved the plan.

Mr. Steven Blandin presented a request for application between NMJC & LCDEC for the USDA Distance Learning & Telemedicine Grant. The grant will assist with approximately half of the costs for upgrading/replacing the videoconferencing system and computers. Mr. Blandin further noted this grant can be re-applied for, as needed, for additional upgrades in the future. Upon a motion by Mr. Black, seconded by Mr. Baeza, the Board unanimously approved this request.

Ms. Chappelle called for comments from the public. There being none, the next regular board meeting was scheduled for Thursday, June 15, 2017 beginning at 1:30

pm. In addition, a Special Planning Meeting with the president was scheduled for Thursday, June 1, 2017 beginning at 8:00 am at the Hilton Garden Inn.

Mrs. Vinson moved the board go into closed session for the discussion of limited personnel matters under the provisions of section 10-15-1-H (2) of New Mexico Statutes Annotated 1978. Mr. Glenn seconded the motion. The roll call vote was as follows: Mr. Baeza – yes; Mr. Williams – yes; Mr. Black – yes; Mrs. Vinson – yes; Mr. Glenn – yes; Mr. Gomez – yes; and Ms. Chappelle – yes.

Upon re-convening in open meeting, Ms. Chappelle stated that the matters discussed in the closed meeting were limited only to those specified in the motion for closure.

Upon a motion by Mrs. Vinson, seconded by Mr. Gomez, the board meeting adjourned at 3:45 pm.

Pat Chappelle, Chair

Ron Black, Secretary

**NEW MEXICO JUNIOR COLLEGE
SPECIAL BOARD MEETING
MAY 30, 2017
MINUTES**

The New Mexico Junior College Board met on Tuesday, May 30, 2017, beginning at 9:00 a.m. in the Zia Room of Pannell Library. The following members were present: Ms. Patricia Chappelle, Madam Chair; Mr. Ron Black, Secretary; Mr. Travis Glenn; Mr. Manny Gomez; Mrs. Mary Lou Vinson, Mr. Zeak Williams; and Mr. Hector Baeza.

Ms. Chappelle called the meeting to order and welcomed visitors and guests present.

Upon a motion by Mr. Gomez, seconded by Mr. Glenn, the agenda was unanimously adopted.

Under New Business, Dr. Sharp and Mr. Dan Hardin presented the 2017-2018 budget recommendation for approval. Dr. Sharp reported on the recent special legislative session stating Governor Susana Martinez signed the budget bill to restore funding for higher education leaving approximately \$30,000,000.00 in reserves for the State of New Mexico. With the oil and gas economy beginning to improve, Dr. Sharp stated he is hopeful there will be no further cuts to higher education. With the recent budget passed by the state, Mr. Hardin recommended a flat budget in the amount of \$27,404,000.00, approximately a \$4,000/\$5,000 increase from the amount presented at the April 13, 2017 Board Budget Workshop Session. Upon a motion by Mrs. Vinson, seconded by Mr. Black, the Board unanimously approved the 2017-2018 budget recommendation.

Ms. Chappelle called for comments from the public. There was none.

Upon a motion by Mr. Gomez, seconded by Mr. Glenn, the special board meeting adjourned at 9:15 am.

Pat Chappelle, Chair

Ron Black, Secretary

NEW MEXICO JUNIOR COLLEGE

Vice President for Finance

To: **New Mexico Junior College Board Members**

From: Dan Hardin

Date: June 9, 2017

RE: Expenditure and Revenue Reports for May 2017

The total year-to-date funds expended and/or encumbered through the month of May is \$47,227,188.00.

Board members, the budget numbers on the Expenses Report have been updated to match what was sent to the HED the end of May. The increases reflect the one time comps, overload salaries, part-time faculty salaries, changes in employee salary hired during the year, budget transfers from Dean's departments to instructional departments, and the many other changes to the original budget during the fiscal year. Most of the changes are in the salary and benefit accounts. The Board approves the budgets for overloads and part-time faculty, as the faculty sign their Special Comp agreements to teach classes we move that budget to the department where the part-time or overload is expensed. In Athletics we do not budget for post season travel, so we must adjust the athletic budget to cover those expenses. Finally, adjustments are made in Student Aid to cover any shortfall for tuition and senior waivers.

The total current unrestricted fund expenditures through May are \$25,846,383.00, which is 86% of the budget. The expenditures in Instruction and General through May are \$21,172,542.00, which is 86% of the budget.

Restricted funds for the year are \$5,310,710.00. The Grants are doing a good job of staying on track with their spending and reporting. Financial Aid has been working closely with the Business Office to get all awards completed and funds drawn.

Plant funds are showing \$16,070,095.00 in total expenditures and encumbrances through the month of May. The large projects are the Entertainment Technology Project, Technology Upgrades, and Dorm Refurbishing and various other smaller projects. BR&R and ER&R are below budget at the end of May.

Total year-to-date expenditures through May 2017 are \$47,227,188.00.

Total Revenue through May 2017 is \$39,643,533.00. Unrestricted revenue is at \$29,232,318.00 year-to-date. We are expecting another large property tax distribution from the Lea County Treasurer in June. Auxiliary income is up as compared to where we were at this time last year.

Restricted funds will be drawn down as much as possible by the end of June.

Total revenue at the end of May including Plant fund revenue is \$39,643,533.

The College received \$869,151 in Oil and Gas revenue in May, which was for the month of February. There will be four more months of Oil and Gas revenue to receive that will be posted in the FY 17 fiscal year.

As of the end of May, NMJC has \$8,593,127.00 in the LGIP fund and we have \$7,950,227.93 in designated capital projects.

This concludes the Financial Report for May 2017.

NEW MEXICO JUNIOR COLLEGE
Expenditure Report
May 2017

92% of Year Completed

Fund	2015-16			2016-17			
	Final Budget	Year-to-Date Expended or Encumbered	Percentage of Budget Expended	Budget	Current Expended or Encumbered	Expended or Encumbered	Percentage of Budget Expended
CURRENT UNRESTRICTED FUND							
Instruction and General:							
Instruction	10,779,949	9,004,387	84%	10,626,545	994,849	8,886,291	84%
Academic Support	2,593,505	2,275,611	88%	2,766,521	272,183	2,495,620	90%
Student Services	2,036,525	1,826,469	90%	2,120,114	215,042	1,849,607	87%
Institutional Support	4,905,100	4,332,157	88%	5,384,221	404,534	4,310,324	80%
Operation & Maintenance of Plant	3,847,038	3,666,660	95%	3,751,144	603,602	3,630,700	97%
Subtotal - Instruction & General	24,162,117	21,105,284	87%	24,648,545	2,490,210	21,172,542	86%
Student Activities	0		0%	0	0		0%
Research	0		0%	0	0		0%
Public Service	0		0%	0	0		0%
Internal Service Departments	155,121	144,484	93%	49,232	(66,701)	134,068	272%
Student Aid	733,309	753,375	103%	864,953	9,674	672,790	78%
Auxiliary Enterprises	2,519,579	2,477,619	98%	2,792,782	185,444	2,493,841	89%
Athletics	1,582,870	1,532,485	97%	1,537,586	81,466	1,373,142	89%
Total Current Unrestricted Fund	29,152,996	26,013,247	89%	29,893,098	2,700,093	25,846,383	86%
CURRENT RESTRICTED FUND							
Grants	3,014,797	1,797,916	60%	1,977,141	123,276	1,334,667	68%
Student Aid	3,641,528	3,567,626	98%	3,989,359	(3,094)	3,976,043	100%
Total Current Restricted Fund	7,045,554	5,365,542	76%	5,966,500	120,182	5,310,710	89%
PLANT FUNDS							
Capital Outlay / Bldg. Renewal & Repl.							
Projects from Institutional Funds	3,809,702	4,018,393	105%	11,519,140	817,628	9,887,457	86%
Projects from State GOB Funds	1,389,694	317,875	0%	4,955,549		4,955,550	100%
Projects from State STB Funds		553,777	0%	785,072		783,277	0%
Projects from General Fund	0		0%	0			0%
Projects from Private Funds	0		0%	0			0%
Projects from State ER&R	332,720	99,715	30%	332,720		191,493	58%
Projects from State BR&R	835,068	846,431	101%	597,281	13,382	252,318	42%
Subtotal - Capital and BR&R	6,367,184	5,836,191	92%	18,189,762	831,010	16,070,095	88%
Debt Service							
Revenue Bonds	0	0	0%	0	0	0	0%
Total Plant Funds	6,367,184	5,836,191	92%	18,189,762	831,010	16,070,095	88%
GRAND TOTAL EXPENDITURES	42,565,734	37,214,980	87%	54,049,360	3,651,285	47,227,188	87%

NEW MEXICO JUNIOR COLLEGE
Revenue Report
May 2017

92% of Year Completed

Fund	2015-16			2016-17			
	Final Budget	Year-to-date Revenue	Percentage of Budget Received	Budget	Current Revenue	Year-to-date Revenue	Percentage of Budget Received
CURRENT UNRESTRICTED FUND							
Instruction and General:							
Tuition and Fees	3,692,200	3,932,360	107%	3,700,960	61,589	3,826,488	103%
State Appropriations	6,129,500	5,171,200	84%	5,683,280	473,657	5,285,859	93%
Advalorem Taxes - Oil and Gas	7,235,000	8,632,504	119%	10,155,000	892,452	9,209,122	91%
Advalorem Taxes - Property	6,853,725	6,185,235	90%	8,048,000	1,446,152	7,306,067	91%
Interest Income	4,000	462	12%	15,000	185	495	3%
Other Revenues	330,105	376,769	114%	347,984	71,141	476,489	137%
Subtotal - Instruction & General	24,244,530	24,298,530	100%	27,950,224	2,945,176	26,104,520	93%
Student Activities	0	0	0%	0	0	0	0%
Public Service	0	0	0%	0	0	0	0%
Internal Service Departments	27,000	10,649	39%	39,170		14,743	38%
Auxiliary Enterprises	2,288,000	2,413,310	105%	2,586,000	39,266	2,690,555	104%
Athletics	487,200	447,922	92%	477,300	38,195	422,500	89%
Total Current Unrestricted	27,046,730	27,170,411	100%	31,052,694	3,022,637	29,232,318	94%
CURRENT RESTRICTED FUND							
Grants	2,055,881	1,935,209	94%	1,977,141	131,715	1,388,173	70%
Student Aid	4,989,673	3,450,571	69%	3,989,359	144,975	3,835,490	96%
Total Current Restricted	7,045,554	5,385,780	76%	5,966,500	276,690	5,223,663	88%
PLANT FUNDS							
Capital Outlay / Bldg. Renewal & Repl.							
Projects from State GOB Funds	5,000,000	665,322	0%	4,955,549		4,954,233	0%
Projects from State STB Funds	0	52,878	0%	785,072	39,452	189,014	0%
Projects from General Fund	0		0%	0		0	0%
Projects from Private Funds	0		0%	0		0	0%
Interest Income (LGIP)	10,000	24,811	248%	10,000	5,258	44,305	0%
Total Plant Funds	5,010,000	743,011	15%	5,750,621	44,710	5,187,552	90%
GRAND TOTAL REVENUES	39,102,284	33,299,202	85%	42,769,815	3,344,037	39,643,533	93%

NEW MEXICO JUNIOR COLLEGE

Oil and Gas Revenue Report

May 2017

92% of Year Completed

		OIL		GAS		COMBINED		
Sales	Month of	Price per BBL	Lea County BBLs sold	Price per MCF	Lea County MCF sold	Monthly Revenue	2015-16 Original Budget	Variance Over (Under) Budget
	Distribution							
Actual	July	\$39.01	6,018,599	\$2.97	20,943,874	669,124	465,000	204,124
Actual	August	\$38.71	6,014,911	\$2.94	21,145,798	668,295	465,000	203,295
Actual	September	\$40.18	5,881,993	\$2.97	20,075,420	630,153	465,000	165,153
Actual	October	\$44.27	4,992,790	\$3.81	16,487,829	642,976	465,000	177,976
Actual	November	\$40.85	6,329,185	\$3.09	19,895,927	867,462	465,000	402,462
Actual	December	\$47.27	6,610,540	\$3.85	21,562,618	867,215	465,000	402,215
Actual	January	\$47.68	6,844,208	\$3.97	21,818,831	965,639	465,000	500,639
Actual	February	\$48.54	6,156,981	\$3.93	19,939,636	869,151	465,000	404,151
Accrual	March					465,000	465,000	0
Accrual	April					465,000	465,000	0
Accrual	May					465,000	465,000	0
Accrual	June						465,000	(465,000)
Y.T.D. Production Tax Revenue						7,575,015	5,580,000	1,995,015
Y.T.D. Equipment Tax Revenue						1,634,107	1,655,000	(20,893)
Total Year-to-Date Oil & Gas and Equipment Tax Revenue						<u>9,209,122</u>	<u>7,235,000</u>	<u>1,974,122</u>

Source: New Mexico Taxation and Revenue Department

NEW MEXICO JUNIOR COLLEGE

Schedule of Investments

May 2017

92% of Year Completed

Financial Institution	Amount Invested	Account Number	Interest Rate	Interest Earned
State of New Mexico Local Government Investment Pool	8,593,127	7102-1348	0.147%	5,258
Plus deposits	0			
Less withdrawals	0			
Total LGIP investments	<u>8,593,127</u>			<u>5,258</u>

Capital Projects	5/31/2017
Vehicles	8,443.50
Technology Upgrade	127,595.73
JASI	10,881.20
WHM South Gallery	266,594.43
Baseball Field	19,862.95
Rodeo Arena	37,868.68
Luminis Software	2,993.00
Landscaping	193,501.35
Campus Signage	601.67
Dorm/Apartment Refurbish	279,617.70
Campus Construction	131,304.14
Oil & Gas Training	151,116.05
Public Sector	9,227.00
Campus Security	14,000.01
Lumens Software-Distance Learnig	5,000.00
Copier Replacement	274.00
Non-Recurring Compensation	152,169.10
Athletics	3,188.90
Student Life Programming	20,432.28
Warehouse/Cont Ed Remodel	669.00
Succession Plan	52,014.15
WHM Exhibits	88,503.63
Mansur Hall Upgrades	14,509.95
Driving Range Upgrades	200,000.00
Entertainment Technology	668,803.20
Cafeteria Upgrade	73,679.77
Channel 19 Upgrade	32,719.62
FERPA & Title IX	8,564.50
Equestrian Center	3,000,000.00
Bob Moran Upgrades	60,803.91
Turf Replacement	82,781.47
WHM Titanic Exhibit	6,761.81
HVAC Software-Central Plant	200,000.00
Busing Support for Recruiting	5,872.30
HED Faculty Development	19,395.00
Omni Update	7,500.00
Allied Health	1,990,547.84
Workforce Training Contingency	2,429.45
Total	7,950,227.29

NOTE: Capital projects total does not include encumbered funds



NEW MEXICO
Junior College

Vice President for Finance

To: NMJC Board Members

From: Josh Morgan

RE: Annual Fixed Asset Inventory Certification

Date: June 15, 2017

As directed by the New Mexico Junior College Board of Directors, the Office of the Vice President of Finance has supervised this year's annual inventory of chattels and equipment valued at over \$5,000.00. In accordance with generally accepted auditing procedures, and in order to meet the annual requirements for certification as specified in State Statute 12-6-10, we hereby certify the over \$5,000.00 property listing for New Mexico Junior College.

Pat Chappelle
Board Chair
New Mexico Junior College



Josh Morgan
Accountant/Controller
New Mexico Junior College

<u>Tag #</u>	<u>Description</u>	<u>Location Code</u>	<u>Serial Number</u>	<u>Acquisition Date</u>	<u>Acquired Value</u>	<u>Department</u>
N10012	Steinway Grand Piano	WH105	No Serial #	11/1/1970	\$5,500.00	Dean of Arts, Humanities & Career Technology,
N10261	Extractor & Dryer	CA185	175083	10/1/1981	\$6,205.00	Director of Athletics,
N12514	Power Paper Cutter	AC112	24845	10/1/1981	\$7,550.00	Vice President of Finance,
N11312	Sun Modular Gas Analyzer	DW226	0890A0140	4/1/1991	\$10,378.00	Dean of Distance Learning & Professional Studies,
G30205	IBM CPU - Pentium	DW217	23WCMX1	5/1/1996	\$5,203.00	Director of CIS,
N12727	1996 Ford Econoline Van	DORMLO	1FBJS31H7THA65765	7/12/1996	\$24,986.00	Vice President of Student Services,
G30404	Powertrain Control System	DW241	CTFP628PVW67	10/1/1996	\$8,116.42	Dean of Distance Learning & Professional Studies,
N14659	1997 Chevy S-10 Truck	WMPORT	1GCCS144XV8156128	9/1/1997	\$13,100.00	Director of Physical Plant,
N14660	1997 Chevy S-10 Truck	WMPORT	1GCCS1449VK223935	9/1/1997	\$13,200.00	Director of Physical Plant,
N14661	1997 Chevy S-10 Truck	WMPORT	1GCCS1445VK231126	9/1/1997	\$13,200.00	Director of Physical Plant,
N14663	1997 Chevy S-10 Truck	WMPORT	1GCCS1445VK231126	9/1/1997	\$13,200.00	Director of Physical Plant,
N15171	Portable Rodeo Arena-Yellow	RG100	No Serial #	6/23/1998	\$15,500.00	Director of Athletics,
N15195	Kamatsu 5000 Fork Lift	WARINV	503210A	9/29/1998	\$20,000.00	Director of Physical Plant,
N15219	1999 Chevy S-10 Truck	WMPORT	1GCCS1440X8103165	11/6/1998	\$14,400.00	Director of Physical Plant,
N15220	1999 Chevy S-10 Truck	WMPORT	1GCCS1441X8104129	11/6/1998	\$14,400.00	Director of Physical Plant,
N15256	John Deere Turf Gator	BBSTOR	1001	12/9/1998	\$5,645.97	Director of Athletics,
N15267	1999 GMC Dump Truck	WMPORT	1GDJC34F7XF030594	1/11/1999	\$28,557.86	Director of Physical Plant,
N15422	Ice-O-Matic Ice Machine	BA162	91808	7/30/1999	\$5,502.55	Vice President of Student Services,
N15413	Spacesaver: Static Shelving	DW208	No Serial #	8/25/1999	\$10,976.48	Dean of Distance Learning & Professional Studies,
N15409	Rotary 4 Post Alignment Rack	DW222	KAN99C0022	8/27/1999	\$12,780.00	Dean of Distance Learning & Professional Studies,
N15395	Hunter Alignment Machine	DW129	EJ8904	8/27/1999	\$17,721.44	Dean of Distance Learning & Professional Studies,
N15565	Komatsu 1200 lb Forklift	DW229	21115	12/15/1999	\$14,800.00	Dean of Distance Learning & Professional Studies,
G31306	Air Bag System Trainer	DW235	1057	1/20/2000	\$5,334.14	Dean of Distance Learning & Professional Studies,
N15596	Shuttle Pro 40 Kiln	AC120	3503	2/4/2000	\$24,970.69	Dean of Arts, Humanities & Career Technology,
N15635	2000 Ford Econoline Van	WMPORT	1FBSS31L3YHA01643	4/3/2000	\$24,984.00	Director of Physical Plant,
N15636	2000 Ford Econoline Van	BML0T	1FBSS31L7YHA09342	4/3/2000	\$24,984.00	Dean of Public Safety & Industry,
N15645	Whirlamatic Burnishing Machine	WM101	1308913	4/24/2000	\$8,136.00	Director of Physical Plant,
N15793	Paint Spray Booth	WMPORT	No Serial #	5/12/2000	\$6,900.00	Director of Physical Plant,
N15787	World Diagnostic System	DW130	9373824605	6/16/2000	\$10,311.00	Dean of Distance Learning & Professional Studies,
N15687	Neomet Binocular Microscope	DW114	MC88209	6/22/2000	\$7,942.50	Dean of Distance Learning & Professional Studies,
N15697	Scissor Lift	CP103	15030	6/27/2000	\$10,079.75	Director of Physical Plant,
N15792	CoolTech AC Machine	DW221	9041	7/10/2000	\$5,349.50	Dean of Distance Learning & Professional Studies,
G31532	HP Color Inkjet Plotter	WM111A	SG07E33123	10/6/2000	\$11,643.51	Director of Physical Plant,
N16246	Powertrain Trainer	DW110	1087	11/13/2000	\$8,000.00	Dean of Distance Learning & Professional Studies,
N16352	2001 Ford Econoline Van	WMPORT	1FMRE11241HB00745	2/8/2001	\$19,962.00	Director of Physical Plant,
N16464	2001 Dodge Ram	WMPORT	1B7HC16YX15323698	7/16/2001	\$18,257.50	Director of Physical Plant,
N16706	John Deere Turf Gator	WMPORT	VG0TURF016456	10/15/2001	\$5,500.40	Director of Physical Plant,
N16707	John Deere Greensmower	WMPORT	M02653B070316	10/15/2001	\$16,062.45	Director of Physical Plant,
N16797	2002 Chevrolet Astro Van	WMPORT	1GNDM19XX2B117031	2/14/2002	\$20,550.00	Director of Physical Plant,
G31672	ABS/TCS System Trainer	DW212	1056	4/2/2002	\$9,059.36	Dean of Distance Learning & Professional Studies,
G31673	Nikon Microscope/Camera	DW114	610457	4/10/2002	\$13,313.98	Dean of Distance Learning & Professional Studies,
G31676	Impact Testing Machine	DW119	SIP5384	4/16/2002	\$10,855.00	Dean of Distance Learning & Professional Studies,
N16893	12 Port GBIC Switch	MC103	CHK0612W0M4	5/30/2002	\$7,291.52	Director of CIS,

N16877	12 Port GBIC Switch	AC109	CHK0616VOAL	5/30/2002	\$8,490.06	Director of CIS,
N16860	CAT 3350 12PT	JS104	CHK0616VOA4	5/30/2002	\$8,575.92	Director of CIS,
N16867	CAT 3550 12PT	DW104	CHK0616V09W	5/30/2002	\$8,575.92	Director of CIS,
N16880	CAT 3550 12PT	MC118	CHK0616VOA7	5/30/2002	\$8,575.92	Director of CIS,
N16870	CAT 3350 12PT	BM146A	CHK0616VOA8	5/30/2002	\$8,758.08	Director of CIS,
N16883	12 Port GBIC Switch	MC118C	CHK0616V0AB	5/30/2002	\$8,758.08	Director of CIS,
N17036	Statesman Lectern	BM146	No Serial #	9/30/2002	\$5,640.00	Director of CIS,
N17049	Statesman Lectern	HH103	No Serial #	9/30/2002	\$5,640.00	Director of CIS,
N17052	Statesman Lectern	HH203	No Serial #	9/30/2002	\$5,640.00	Director of CIS,
N17059	Statesman Lectern	MH130	No Serial #	9/30/2002	\$5,640.00	Director of CIS,
N17065	Statesman Lectern	MC105A	No Serial #	9/30/2002	\$5,640.00	Director of CIS,
G31769	Dynasty TIG Runner	DW101	LC354090	3/4/2003	\$5,149.08	Dean of Distance Learning & Professional Studies,
G31816	Pro-Cut Brake Lathe	DW226	PFM21864	9/4/2003	\$7,934.21	Dean of Distance Learning & Professional Studies,
G31817	SimMan Patient Simulator	MC137	No Serial #	9/9/2003	\$29,952.00	Dean of Distance Learning & Professional Studies,
G31818	HP Multi-Designjet Scanner	WM111	DKB2H1100V	9/19/2003	\$13,750.00	Director of Physical Plant,
G31828	Atech Suitcase Trainer	DW130	No Serial #	11/18/2003	\$5,305.84	Dean of Distance Learning & Professional Studies,
N17701	2004 Chevrolet Suburban	WMPORT	3GNEC16Z64G180330	12/19/2003	\$28,816.71	Director of Physical Plant,
G31839	Mustang Dynamometer MD-100	DW218	18452	1/16/2004	\$24,154.00	Dean of Distance Learning & Professional Studies,
N17722	2005 44 Passenger Bus	WMPORT	1T7YU2C2451148107	2/20/2004	\$126,593.80	Director of Physical Plant,
N17743	1983 Champion Road Grader	CG100	710A-75-191590	5/26/2004	\$16,500.00	Director of Physical Plant,
N17769	12X16 Metal Building	TOWER	No Serial #	6/30/2004	\$5,290.33	Director of Physical Plant,
N17900	Resilite Mat/Custom Logo	CA203	No Serial #	10/24/2004	\$5,068.50	Dean of Public Safety & Industry,
N17899	Resilite Mat/Custom Logo	CA203	145388	10/25/2004	\$5,068.50	Dean of Public Safety & Industry,
N17891	2005 Chrysler 300 Sedan	WMPORT	2C3JA53G55H591960	12/10/2004	\$23,663.00	Director of Physical Plant,
N18073	Tower Project	TOWER	No Serial #	12/15/2004	\$52,030.26	Director of Physical Plant,
N18001	Digipath PC	AC113A	PUW786032	12/16/2004	\$11,515.00	Vice President of Finance,
N18002	DigiServe PC	AC111	PUY795029	12/16/2004	\$14,915.00	Vice President of Finance,
N17964	Walkin Cooler/Freezer	BA166	No Serial #	12/20/2004	\$13,828.04	Vice President of Student Services,
N17963	2005 Chevrolet Suburban	WMPORT	1GNEC16Z95R192876	1/14/2005	\$29,600.00	Director of Physical Plant,
G31917	Pinnacle M-Serial Engra	AC105D	D52218	3/10/2005	\$10,820.12	Dean of Arts, Humanities & Career Technology,
N17992	Hitachi Projector	WH101	G4L102046	3/16/2005	\$5,999.00	Director of CIS,
N17999	Sonic Portable Flaw	DW104	1200BOOOK092243	3/23/2005	\$7,051.37	Dean of Distance Learning & Professional Studies,
G31916	Nikon Microscope	DW114	611728	3/25/2005	\$10,787.48	Dean of Distance Learning & Professional Studies,
G31927	Hunter Rd Force Measurement	DW222	EP8037	5/4/2005	\$13,219.00	Dean of Distance Learning & Professional Studies,
N18067	Canon Film Scanner	PL101	CS302296	6/14/2005	\$9,658.00	Director of Library Services,
N18426	DVR For Security System	BA131		7/6/2005	\$157,949.18	Dean of Administrative Services,
N18432	Avaya S8500, Call Xpress	MC103	051G24001758	7/30/2005	\$213,119.25	Director of CIS,
N18217	24 Port 10/100 Switch	CL209	M05246930570096D05	8/14/2005	\$6,229.00	Director of CIS,
N18131	CAT C3750 48PT	BA215	CAT0929N2RP	8/19/2005	\$5,124.00	Director of CIS,
N18132	CAT C3750 48PT	BA135	CAT0926Z1BG	8/19/2005	\$5,124.00	Director of CIS,
N18134	CAT C3750 48PT	BA135	CAT0926N2RG	8/19/2005	\$5,124.00	Director of CIS,
N18434	Interior Casework/Fixtures	BA104	No Serial #	8/30/2005	\$99,387.63	Vice President of Finance,
N18180	Waveworks 72" Desk	WF139	MB0HB2005	9/29/2005	\$5,017.25	Vice President for Training and Outreach,
N18251	Linear Wall for Displays	HC118	No Serial #	11/11/2005	\$49,619.00	Director of Museum,

N18201	Aerial Man Lift	WMPORT	Z-45-005993	12/16/2005	\$24,000.00	Director of Physical Plant,
G31939	Digital Ultrasonic Flaw Detector	DW114	925a	1/4/2006	\$7,470.00	Dean of Distance Learning & Professional Studies,
G31941	Nikon Microscope Monitor	DW114	51031388	4/6/2006	\$11,246.11	Dean of Distance Learning & Professional Studies,
G31938	Accuturn Brake Lathe	DW110	32482	4/25/2006	\$12,712.24	Dean of Distance Learning & Professional Studies,
N18472	IP Circuit Pack	MC103	(Not Taggable)	5/5/2006	\$42,354.49	Director of CIS,
N18439	Baum AirFeed Folder	AC110	014TF0189	6/24/2006	\$5,995.00	Vice President of Finance,
N18682	DVR For Security System	JW101	No Serial #	7/3/2006	\$70,359.79	Dean of Administrative Services,
N18854	CAT 3750 48PT	WF158	CAT11821Z1AV	7/15/2006	\$5,266.90	Director of CIS,
N18494	2007 Freightliner	ETC1	1FUJALCK57DX70027	8/4/2006	\$86,500.00	Vice President for Training and Outreach,
N18492	Light Therapy Unit	CA128	791852	8/9/2006	\$8,130.00	Director of Athletics,
N18799	Audio/Video System	HC116	Can't get to SN	9/1/2006	\$35,911.67	Director of Museum,
N18622	Toro Mower	WMPORT	86853	9/1/2006	\$43,777.49	Director of Physical Plant,
N18765	Custom Techline Podium	CA148	No Serial #	9/20/2006	\$7,993.60	Director of CIS,
N18766	Custom Techline Podium	CA145	No Serial #	9/20/2006	\$7,993.60	Director of CIS,
N18767	Custom Techline Podium	CA144	No Serial #	9/20/2006	\$7,993.60	Director of CIS,
N18803	Spacesaver: Filing System	JS116	No Serial #	10/20/2006	\$8,978.74	Dean of Administrative Services,
G31965	Custom Techline Podium	DW110	No Serial #	10/24/2006	\$5,797.00	Director of CIS,
G50016	IDS Adv. Pkg./ Panasonic Computer	DW239	CF-18NHHZXB	10/31/2006	\$9,799.00	Dean of Distance Learning & Professional Studies,
G50004	Glock Controlled Handgun	BM156A		11/1/2006	\$5,420.00	Dean of Public Safety & Industry,
N18881	Transformers (3 Units)	DW111		11/30/2006	\$16,439.85	Director of Physical Plant,
N18801	2007 Ford Crown Victoria	WMPORT	2FAFP73V67X132414	1/10/2007	\$19,648.00	Director of Physical Plant,
N18802	2007 Ford Crown Victoria	WMPORT	2FAFP73V87X13415	1/10/2007	\$19,648.00	Director of Physical Plant,
N18856	DV Deck (3 tags total)	CA146A	1110694 (Camera)	2/22/2007	\$26,851.01	Director of Institutional Effectiveness,
N18855	Wheel Alignment System	DW222	AR8846	3/14/2007	\$22,124.00	Dean of Distance Learning & Professional Studies,
N18882	2002 Freightliner	ETC1	1FUJBBGX2LF25180	7/22/2007	\$44,000.00	Vice President for Training and Outreach,
N18939	Cisco Firewall Security	MC103	SMG1124N1VC	8/4/2007	\$184,288.35	Director of CIS,
N18900	Vision 1624 Trophy Pro	AC110	No Serial #	8/7/2007	\$12,259.00	Vice President of Finance,
N18887	2007 Chevrolet Impala	WMPORT	2GIWB58K579273919	8/10/2007	\$17,300.00	Director of Physical Plant,
N18888	2007 Chevrolet Impala	WMPORT	2G1WB58K479240782	8/10/2007	\$17,300.00	Director of Physical Plant,
N18889	2007 Chevrolet Suburban	WMPORT	1GNFC16077R409043	8/10/2007	\$23,200.00	Director of Physical Plant,
N18943	Motorola Canopy Tower	TOWER	0A-00-3E-FA-A7-D7	8/24/2007	\$7,446.25	Dean of Distance Learning & Professional Studies,
N18894	Polycom 7000 Series	PL225	001C5702DF00	8/27/2007	\$10,004.94	Dean of Distance Learning & Professional Studies,
N18895	Polycom 7000 Series (Prison)	PRISON	82073408F414AK	8/30/2007	\$10,371.23	Dean of Distance Learning & Professional Studies,
N18901	Symmetra 6KA Scalable	MC103	JDP644002928	9/14/2007	\$6,449.00	Director of CIS,
G50015	Polycom 7000 Series	BM162	8207360950E7AK	9/24/2007	\$6,755.72	Dean of Distance Learning & Professional Studies,
N18972	HP StorageWorks	MC105A	USE7260042	10/1/2007	\$8,158.00	Director of CIS,
N18995	Precor Elliptical Crosstrainer	CA186	AA72I10070057	10/15/2007	\$5,601.25	Director of Athletics,
N18996	Precor Elliptical Crosstrainer	CA186	AA72I27070068	10/15/2007	\$5,601.25	Director of Athletics,
N18966	Precor Elliptical	DN123	AXGEJ25070027	11/13/2007	\$5,032.68	Dean of Administrative Services,
N18967	Precor Elliptical	DN123	AXGEJ25070018	11/13/2007	\$5,032.68	Dean of Administrative Services,
G50022	CoolTech AC Machine	DW221	1439	11/26/2007	\$5,272.76	Dean of Distance Learning & Professional Studies,
N19000	Custom Techline Podium	WF102	No Serial #	11/29/2007	\$5,992.79	Director of CIS,
N19004	Custom Techline Podium	WF119	No Serial #	11/29/2007	\$5,992.79	Director of CIS,
N19008	Custom Techline Podium	WF122A	No Serial #	11/29/2007	\$5,992.79	Director of CIS,

N19012	Custom Techline Podium	WF122B	No Serial #	11/29/2007	\$5,992.79	Director of CIS,
N19016	Custom Techline Podium	WF125A	No Serial #	11/29/2007	\$5,992.79	Director of CIS,
N19020	Custom Techline Podium	WF125B	No Serial #	11/29/2007	\$5,992.79	Director of CIS,
N18980	Custom Techline Podium	BA202	No Serial #	12/2/2007	\$6,724.57	Director of CIS,
N18981	Custom Techline Podium	BA220	No Serial #	12/2/2007	\$6,724.57	Director of CIS,
N19041	Pole Vault Pit (No Tag)	SB107	No Serial #	12/7/2007	\$15,489.00	Director of Athletics,
N19053	Down Draft Table	DW117		1/10/2008	\$10,590.00	Dean of Distance Learning & Professional Studies,
N19039	HP ProLiant ML 370 G5	MC103	USE802N33B	1/10/2008	\$14,027.00	Director of CIS,
N19040	HP ProLiant ML 370 G5	MC103	USE802N33B	1/10/2008	\$14,027.00	Director of CIS,
N18990	Spectrotrometer Quick Scan	HH129	1067	1/14/2008	\$9,177.00	Dean of Business, Math & Science,
N19026	Clarity Optical Reader	MC119	SN01379	1/28/2008	\$6,434.00	Director of CIS,
N19055	Polycom 7000 Series	PL235	AJD53CSP600480H	1/29/2008	\$11,713.37	Dean of Distance Learning & Professional Studies,
N19038	Freightliner FLD	RG100	1FUWDXYA9TP724021	2/4/2008	\$5,500.00	Director of Athletics,
G50024	Polycom 7000 Series	PL225		2/7/2008	\$11,713.37	Dean of Distance Learning & Professional Studies,
N19052	Xerox Copier	MC117	WRT613682	3/6/2008	\$8,809.00	Vice President of Finance,
N19043	2008 Ford Fusion	WMPOR	3FAHP07Z88R179943	3/11/2008	\$16,625.05	Director of Physical Plant,
N19051	Kawasaki Mule	RG100	JKLAFDE1988502026	4/4/2008	\$9,198.00	Director of Athletics,
N19069	CAT 3750 48PT	CL209	FD01213X1RW	4/30/2008	\$6,442.00	Director of CIS,
N19070	CAT 3750 48PT	CL209	FD01213X1RE	4/30/2008	\$6,442.00	Director of CIS,
N19071	CAT 3750 48PT	CL209	FD01213X1RA	4/30/2008	\$6,593.00	Director of CIS,
G50025	Plasma Cutting Machine-Upstairs	DW116		5/9/2008	\$9,847.37	Dean of Distance Learning & Professional Studies,
N19068	Precor Elliptical Crosstrainer	CA186	AA72I12070091	5/15/2008	\$5,720.00	Director of Athletics,
N19061	G650 Media Gateway RHS	MC103	JS0422033052	5/27/2008	\$17,360.38	Director of CIS,
G50026	Peripheral Kit w/Linkbox	MC142		6/27/2008	\$10,024.90	Dean of Distance Learning & Professional Studies,
N19093	Modular Smart Array	MC103	3CL827B065	7/20/2008	\$16,618.07	Director of CIS,
N19080	Mitsubishi XD490U Projector	TM100	6025280	8/25/2008	\$5,234.76	Director of CIS,
N19091	SimMan Patient Simulator	MC142		8/25/2008	\$30,075.99	Dean of Distance Learning & Professional Studies,
N19085	Custom Techline Podium	BA214	No Serial #	8/28/2008	\$6,505.25	Director of CIS,
N19077	Refrigerant System Trainer	HHS	97399	9/5/2008	\$14,156.00	Dean of Distance Learning & Professional Studies,
N19081	Mitsubishi XD490U Projector	TM200	6024120	9/12/2008	\$5,234.76	Director of CIS,
N19082	Mitsubishi XD490U Projector	WF125A	6011951	9/12/2008	\$5,234.76	Director of CIS,
N19083	Reception Area Desk	WF142	32	9/21/2008	\$5,245.65	Vice President for Training and Outreach,
N19086	Robot with Skins	PL208A		9/30/2008	\$8,575.00	Dean of Business, Math & Science,
N19100	Emergency Notification System	MC103		10/3/2008	\$117,178.08	Dean of Administrative Services,
N19090	Sony 5K Projector	HC116	103003	10/13/2008	\$75,015.70	Director of CIS,
N19101	Chimera Server (7 tags)	MC103	2.21954E+11	10/30/2008	\$44,350.00	Director of CIS,
N19079	Supercardioid Microphones	PL120	213349-001	12/14/2008	\$9,213.56	President,
N19087	2009 Chrysler 300 LX	WMPOR	2C3KA43D59H565465	1/23/2009	\$22,000.00	Director of Physical Plant,
N19088	2009 Chrysler 300 LX	WMPOR	2C3KA43D09N517372	1/23/2009	\$22,000.00	Director of Physical Plant,
N19076	John Deere 5525 Tractor	RG100	RWSG100015972	1/30/2009	\$35,934.24	Director of Athletics,
N19084	Hobart Dishwasher	BA161	85-1068008	4/13/2009	\$13,900.88	Vice President of Student Services,
N19096	Cybox Pro 3 Treadmill	DN101	DO609550T-9014NN031	6/17/2009	\$5,370.00	Dean of Administrative Services,
N19097	Cybox Arc Trainer	DN123	DO514750AT90004N38	6/17/2009	\$5,495.00	Dean of Administrative Services,
N19098	Cybox Arc Trainer	DN123	DO514750AT90004N39	6/17/2009	\$5,495.00	Dean of Administrative Services,

N19123	Robo Bull/Bronc Body	RG100	No Serial #	6/30/2009	\$14,458.00	Director of Athletics,
N19114	York Water Chiller	CP109	SGVM-330180	7/23/2009	\$178,000.00	Director of Physical Plant,
N19113	Pulling Unit	ETC2	AL1419	9/3/2009	\$713,967.94	Vice President for Training and Outreach,
N19124	Custom Techline Podium	WH121	No Serial #	9/14/2009	\$7,029.00	Director of CIS,
N19132	HP ProLiant DL 380 G6	MC107	USE940N9C0	10/13/2009	\$5,232.01	Director of CIS,
N19134	HP ProLiant DL 380 G6	MC107	USE940N9BZ	10/13/2009	\$6,068.00	Director of CIS,
N19127	HP ProLiant DL 390 G6	MC103	USE942N4DH	10/20/2009	\$5,818.05	Director of CIS,
N19122	Recording/Streaming Device	PL210A	0090FB20F830	10/22/2009	\$32,005.38	Dean of Distance Learning & Professional Studies,
N19118	ITV Dist. Ed. Equip.	HHS	hhs502	10/22/2009	\$57,284.56	Dean of Distance Learning & Professional Studies,
N19116	ITV Dist. Ed. Equip.	LHSA	R0004F2BF2F01	10/22/2009	\$57,459.53	Dean of Distance Learning & Professional Studies,
N19103	ITV Dist. Ed. Equip.	LHSB		10/22/2009	\$57,459.56	Dean of Distance Learning & Professional Studies,
N19121	ITV Dist. Ed. Equip.	PL213		10/22/2009	\$57,459.56	Dean of Distance Learning & Professional Studies,
N19120	ITV Dist. Ed. Equip.	JHS		10/22/2009	\$59,563.51	Dean of Distance Learning & Professional Studies,
N19115	ITV Dist. Ed. Equip.	THS		10/22/2009	\$59,863.51	Dean of Distance Learning & Professional Studies,
N19119	ITV Dist. Ed. Equip.	EHS		10/22/2009	\$61,673.84	Dean of Distance Learning & Professional Studies,
N19117	ITV Dist. Ed. Equip.	PL240		10/22/2009	\$61,879.29	Dean of Distance Learning & Professional Studies,
N19138	Hybrid Wind and Solar System	AP108		11/20/2009	\$8,517.00	Vice President for Training and Outreach,
N19139	Hybrid Wind and Solar System	AP108		11/20/2009	\$8,517.00	Vice President for Training and Outreach,
N19130	HP ProLiant DL 380 G6	PL240A	USE947NBGO	12/1/2009	\$5,161.00	Dean of Distance Learning & Professional Studies,
N19131	Potomac Desktop Bundle	PL110	ZOPEXC5Va4	12/2/2009	\$8,377.00	Director of Library Services,
N19129	PowerDyne PC Software	DW218	No Serial #	1/4/2010	\$6,904.95	Dean of Distance Learning & Professional Studies,
N19135	HP ProLiant DL 380 G6	MC107	USE007N177	3/8/2010	\$5,423.00	Director of CIS,
N19136	CAT 2960 48PT	WF121	FOC1345V1CW	3/8/2010	\$9,342.03	Director of CIS,
N19140	Workstation - 8134	AP107		3/26/2010	\$20,861.00	Vice President for Training and Outreach,
N19137	Utility Trailer 8 X 30	WMPOR	4P5FD302391131082	5/11/2010	\$8,400.00	Director of Physical Plant,
N19151	Troubleshooting Hyd. Circuits	AP107		6/30/2010	\$5,291.00	Vice President for Training and Outreach,
N19152	LV PNEU Fund.	AP107		6/30/2010	\$5,751.00	Vice President for Training and Outreach,
N19150	Hyd.2, Electric Control	AP107		6/30/2010	\$6,743.00	Vice President for Training and Outreach,
N19149	LV HYD Fund.	AP107		6/30/2010	\$14,804.00	Vice President for Training and Outreach,
N19145	Spacesaver: Reference	PL101	No Serial #	6/30/2010	\$33,792.69	Director of Library Services,
N19142	Spacesaver: Periodicals	PL101	No Serial #	6/30/2010	\$40,319.79	Director of Library Services,
N19141	Spacesaver: Archive Storage	PL103	No Serial #	6/30/2010	\$41,247.22	Director of Library Services,
N19144	Spacesaver: Reference	PL101	No Serial #	6/30/2010	\$42,504.94	Director of Library Services,
N19147	Spacesaver: General	PL101	No Serial #	6/30/2010	\$71,594.96	Director of Library Services,
N19143	Spacesaver: Microfilm & Maps	PL101	No Serial #	6/30/2010	\$73,301.60	Director of Library Services,
N19148	Spacesaver: Gov. & Legal	PL101	No Serial #	6/30/2010	\$80,005.34	Director of Library Services,
N19146	Spacesaver: General & Legal	PL101	No Serial #	6/30/2010	\$155,575.28	Director of Library Services,
N19164	18' Dual Tandem Gooseneck	RG100	16VDX1824A2649500	7/29/2010	\$12,225.00	Director of Athletics,
N19172	2010 Chrysler 300 S	WMPOR	2C3CAZCVGAH262247	7/29/2010	\$26,967.00	Director of Physical Plant,
N19176	Law Enforcement System	BM156A	05868/BDIE/	8/3/2010	\$43,383.00	Dean of Public Safety & Industry,
N19216	Spacesaver: Microfilm & Maps	PL101	No Serial #	8/10/2010	\$8,144.63	Director of Library Services,
N19220	Spacesaver: General	PL101	No Serial #	8/13/2010	\$7,955.00	Director of Library Services,
N19221	Spacesaver: Gov. & Legal	PL101	No Serial #	8/13/2010	\$8,889.44	Director of Library Services,
N19219	Spacesaver: General & Legal	PL103	No Serial #	8/13/2010	\$17,286.15	Director of Library Services,

N19166	2011 Dodge Ram	WMPORT	3D7TP2CLOBG509925	8/18/2010	\$33,513.00	Director of Physical Plant,
N19170	Workstation/Datacard ID	MC105A	3F3BMM1	8/24/2010	\$6,532.57	Director of CIS,
N19171	Datacard Printer	BA156A	N96779	8/24/2010	\$13,211.16	Vice President of Student Services,
N19178	40 Pad CPSpulse System	BM146A	20464c46	9/3/2010	\$6,961.88	Dean of Public Safety & Industry,
N19158	Server Storage Cabinet	PL123	L258-24P	9/8/2010	\$8,101.03	President,
N19162	Xerox Copier	DW206	XEG446190	9/10/2010	\$9,949.00	Vice President of Finance,
N19163	Xerox Copier	PL105	LBD001659	9/10/2010	\$13,585.00	Vice President of Finance,
N19175	Piano Restoration	WH105	416087	9/15/2010	\$14,945.00	Dean of Arts, Humanities & Career Technology,
N19174	Goosneck Stock Trailer	RG100	5HMXG2420B1005267	9/22/2010	\$14,907.00	Director of Athletics,
N19167	2011 Chevrolet Passenger Van	WMPORT	1GAZGZFG1B1100691	9/30/2010	\$34,051.00	Director of Physical Plant,
N19183	MD-5-Gas Bench	DW218	03-0016668	10/13/2010	\$9,474.00	Dean of Distance Learning & Professional Studies,
N19184	Mitsubishi XD280U Projector	CA144	3001294	11/5/2010	\$5,115.89	Director of CIS,
N19186	Mitsubishi XD280U Projector	CA148	3004425	11/5/2010	\$5,115.89	Director of CIS,
N19189	ITV Dist. Ed. Equip.	PL218	4684800	11/5/2010	\$34,870.11	Dean of Distance Learning & Professional Studies,
N19190	ITV Dist. Ed. Equip.	PL241	5189227	11/5/2010	\$34,870.11	Dean of Distance Learning & Professional Studies,
N19191	ITV Dist. Ed. Equip.	PL237	5189440	11/5/2010	\$34,870.11	Dean of Distance Learning & Professional Studies,
N19192	ITV Dist. Ed. Equip.	PL203	5189445	11/5/2010	\$36,321.88	Dean of Distance Learning & Professional Studies,
N19194	ITV Dist. Ed. Equip.	PL216	5189394	11/5/2010	\$36,321.88	Dean of Distance Learning & Professional Studies,
N19187	ITV Dist. Ed. Equip.	PL238	5189320	11/5/2010	\$37,196.08	Dean of Distance Learning & Professional Studies,
N19193	ITV Dist. Ed. Equip.	PL204	5189354	11/5/2010	\$44,493.12	Dean of Distance Learning & Professional Studies,
N19188	ITV Dist. Ed. Equip.	PL217	4592014	11/5/2010	\$84,501.52	Dean of Distance Learning & Professional Studies,
N19204	Rodeo Bleachers #1	ENERGY	No Serial #	11/18/2010	\$9,925.34	Director of Athletics,
N19205	Rodeo Bleachers #2	ENERGY	No Serial #	11/18/2010	\$9,925.34	Director of Athletics,
N19210	Rect & Filtering Module (5 Pieces)	AP107		12/9/2010	\$12,351.00	Vice President for Training and Outreach,
N19198	HP ProLiant DL 380 G7	MC107	USE051N310	1/13/2011	\$7,513.24	Director of CIS,
N19202	Air Compressor	CP103	BU1101130121	2/1/2011	\$10,631.00	Director of Physical Plant,
N19206	DVR For Security System	JW101		5/12/2011	\$7,004.01	Dean of Administrative Services,
N19208	DVR For Security System	TB106		5/12/2011	\$7,004.01	Dean of Administrative Services,
N19209	DVR For Security System	RH106		5/12/2011	\$7,004.01	Dean of Administrative Services,
N19197	Potomac	MC103	2.21954E+11	5/19/2011	\$5,890.00	Director of Institutional Effectiveness,
N19196	Canon Color Scanner	JS118	DW312765	5/19/2011	\$10,014.45	Dean of Administrative Services,
N19211	2011 Chevrolet Silverado	WMPORT	3GCPKSE37BG338288	6/10/2011	\$30,551.00	Dean of Administrative Services,
N19222	Pyxis Med. Admin. System	MC137A	13216292	6/15/2011	\$14,346.41	Dean of Distance Learning & Professional Studies,
N19223	Xerox Copier	JS130	XKK388802	8/4/2011	\$13,500.00	Vice President of Finance,
N19226	Coates Tire Changer	DW222	1106101275	8/17/2011	\$5,500.00	Dean of Distance Learning & Professional Studies,
N19224	Electrolux Washer/Extractor	CA185	00652/0400475	8/22/2011	\$7,400.00	Director of Athletics,
N19225	700 Interface Module	AC113A	UAP693864	8/22/2011	\$72,660.00	Vice President of Finance,
N19227	DVR For Security System	BA142	4.44533E+16	8/26/2011	\$22,116.44	Dean of Administrative Services,
N19228	Server For Security System	MC103		8/26/2011	\$30,822.51	Dean of Administrative Services,
N19230	Lift-LOLO	DN112	3998	9/13/2011	\$5,475.50	Dean of Administrative Services,
N19234	Bluefire SA-Taser	BM156A	x00-609329	9/13/2011	\$6,409.00	Dean of Public Safety & Industry,
N19236	Glock Bluefire Weapon	BM156A	REW282	9/13/2011	\$7,069.00	Dean of Public Safety & Industry,
N19229	Screen/Optoma Projector	JW101	1DOG1102111280481	9/13/2011	\$7,806.00	Vice President of Student Services,
N19232	HON Valido 72" Desk	MC105	3NV2UC	10/3/2011	\$7,355.88	Director of CIS,

N19231	600 Series Gun	CA124	13130	10/7/2011	\$6,498.00	Director of Athletics,
N19235	Voice Mail Server	MC103	VMD213REJ004765-010811	10/13/2011	\$5,389.46	Director of CIS,
N19237	Cat Skid Loader	RG100	CAT0242BCS01253	11/2/2011	\$36,777.00	Director of Athletics,
N19238	High Jump Pit (No Tag)	SB107	No Serial #	11/11/2011	\$6,550.00	Director of Athletics,
N19239	Xerox Copier	BA156	AE9198111	12/14/2011	\$5,750.00	Vice President of Finance,
N19240	Xerox Copier	MH115	AE9198142	12/21/2011	\$5,750.00	Vice President of Finance,
N19241	Lightning Station	TOWER	No Serial #	1/9/2012	\$8,327.88	Dean of Administrative Services,
N19242	Xerox Copier	BA130	FQVTQXSV	1/19/2012	\$8,954.00	Vice President of Finance,
N19243	Xerox Copier	JS101	XEF440218	1/19/2012	\$8,954.00	Vice President of Finance,
N19244	Scotsman Ice Machine	CA128	9.08132E+12	1/26/2012	\$6,589.75	Director of Athletics,
N19233	Resilite Mat/Custom Logo	CA203	42042	3/22/2012	\$6,765.00	Dean of Public Safety & Industry,
N19249	HP ProLiant DL 380p G8	MC107	USE2172KT2	5/8/2012	\$6,952.23	Director of CIS,
N19247	HP ProLiant DL 380p G8	MC107	USE2172LHX	5/8/2012	\$6,988.73	Director of CIS,
N19248	HP ProLiant DL 380P G8	MC107	USE2172LJ8	5/8/2012	\$6,988.73	Director of CIS,
N19251	Roadster 22K-J Projector	EVECTR	290385009	5/8/2012	\$91,766.23	Director of CIS,
N19255	Fortinet Fortigate 300C	MC103	FG300C3913600429	5/18/2012	\$8,920.00	Director of CIS,
N19256	Fortinet Fortimail 400C	MC107	FE400C3M12000104	5/18/2012	\$12,005.10	Director of CIS,
N19250	HP ProLiant DL 380p G8	MC107	USE2204BBL	6/6/2012	\$8,556.77	Director of CIS,
N19252	Cat Front End Loader	WARINV	CAT0242BCSR01715	6/15/2012	\$38,248.00	Director of Physical Plant,
N19253	Glock Bluefire Weapon	BM156A		6/21/2012	\$7,917.00	Dean of Public Safety & Industry,
N19254	Glock Bluefire Weapon	BM156A	1025501	6/27/2012	\$7,917.00	Dean of Public Safety & Industry,
N19257	DVR For Security System	BA106		6/29/2012	\$8,552.44	Dean of Administrative Services,
N19258	Hybrid Power System/Trailer	ETC1	1J9SU1214C1287662	7/26/2012	\$20,875.00	Vice President for Training and Outreach,
N19260	2011 Chevrolet Express Van	WMPOR	1GAZG1FG2B1136715	7/26/2012	\$21,485.59	Director of Physical Plant,
N19259	Hybrid Power System	ETC1	0878HG0697	7/30/2012	\$19,125.00	Vice President for Training and Outreach,
N19261	2012 Dodge Charger	WMPOR	2C3CDXHG1CH276722	7/30/2012	\$28,246.99	Dean of Public Safety & Industry,
N19268	SimJunior Manikin	MC122A	232M23120010	8/10/2012	\$38,236.67	Dean of Distance Learning & Professional Studies,
N19263	Sony Camcorder	CA146A	116526	8/16/2012	\$5,094.00	Director of Institutional Effectiveness,
N19262	Sony Camcorder	CA146A	311273	8/16/2012	\$6,990.00	Director of Institutional Effectiveness,
N19267	Clarke Floor Machine	CA188	8000070765	8/20/2012	\$5,999.00	Director of Physical Plant,
N19283	DVR For Security System	JW101	No Serial #	8/20/2012	\$36,608.20	Dean of Administrative Services,
N19284	DVR For Security System	ENERGY		8/20/2012	\$48,792.03	Dean of Administrative Services,
N19266	2012 Chevrolet Impala	WMPOR	2G1WF5E36C1146509	8/23/2012	\$18,699.99	Director of Physical Plant,
N19264	2012 Dodge Caravan	WMPOR	2C4JDGAG3CR343005	8/23/2012	\$23,139.54	Director of Museum,
N19265	2012 Dodge Charger	WMPOR	2C3DXHGXCH276721	8/23/2012	\$28,246.99	Dean of Public Safety & Industry,
N19274	Xerox Copier	HC107	AE9208800	8/24/2012	\$6,928.00	Vice President of Finance,
N19271	Xerox Copier	MC117	AE9208933	8/24/2012	\$7,277.00	Vice President of Finance,
N19272	Xerox Copier	MH124	AE9208393	8/24/2012	\$7,277.00	Vice President of Finance,
N19269	Xerox Copier	WM105A	AE9208881	8/24/2012	\$7,627.00	Vice President of Finance,
N19270	Xerox Copier	HH224	XKK412959	8/24/2012	\$9,275.00	Vice President of Finance,
N19273	Xerox Copier	BA118	XKK412931	8/24/2012	\$10,170.00	Vice President of Finance,
N19275	HON Announce 72" Desk	JS122	3A055W	8/28/2012	\$5,843.00	President,
N19276	2012 Chevrolet Express Van	WMPOR	1GAZG1FG4C1136460	11/8/2012	\$10,969.99	Director of Physical Plant,
N19277	8000 Series Gun	CA124	14740	11/9/2012	\$6,161.00	Director of Athletics,

N19279	Scotchman 50 Ton	DW116	2730K1012	11/14/2012	\$10,350.00	Dean of Distance Learning & Professional Studies,
N19278	Datacard ID Machine	MC105A	J3V0WV1/SP75PLUS	11/14/2012	\$11,745.50	Director of CIS,
N19280	The Arm Machine	BB100	96238	11/27/2012	\$6,500.00	Director of Athletics,
N19281	SmartGrid Technology Panel	TM300	No Serial #	11/28/2012	\$9,289.50	Vice President for Training and Outreach,
N19282	Fuel Cell Technology Panel	TM300	07183-1213-0375	11/28/2012	\$10,709.50	Vice President for Training and Outreach,
N19285	Continental Washer/Extractor	BB111	1461785K12	1/31/2013	\$5,969.50	Director of Athletics,
N19287	HP ProLiant DL 380p G8	MC103	USE302SHKR	2/13/2013	\$8,676.79	Director of CIS,
N19288	HP ProLiant DL 380p G8	MC103	USE302SHKJ	2/13/2013	\$8,676.79	Director of CIS,
N19289	HP ProLiant DL 380p G8	MC103	USE302SHK9	2/13/2013	\$8,676.79	Director of CIS,
N19297	Virtual SAN P4500	MC103	MXQ2470V2R	2/13/2013	\$45,313.99	Director of CIS,
N19290	Xerox Copier	PL115	AE9882023	3/28/2013	\$7,927.00	Vice President of Finance,
N19291	Xerox Copier	JS136A	AE9882194	3/28/2013	\$7,927.00	Vice President of Finance,
N19292	Xerox Copier	BM135	AE9882037	3/28/2013	\$7,927.00	Vice President of Finance,
N19293	Xerox Copier	BA210	AE9882017	3/28/2013	\$7,927.00	Vice President of Finance,
N19294	Xerox Copier	WF142	AE9882014	3/28/2013	\$7,927.00	Vice President of Finance,
N19295	Xerox Copier	WF132	AE9882228	3/28/2013	\$7,927.00	Vice President of Finance,
N19298	DVR For Security System	DN133	No Serial #	4/4/2013	\$5,812.94	Dean of Administrative Services,
N19300	Utility Trailer 8 X 24	WMPORT	1192326	5/23/2013	\$5,950.00	Director of Physical Plant,
N19301	Super Z HD Kawasaki Mower	WMPORT	12051372	6/24/2013	\$12,906.66	Director of Physical Plant,
N19302	Xerox Copier	CA149	AE9891805	8/8/2013	\$7,927.00	Vice President of Finance,
N19304	Vollrath Serving Counter	BA157	D246-00621442-001	9/12/2013	\$10,482.24	Vice President of Student Services,
N19305	Vollrath Serving Counter	BA157	D246-00621442-002	9/12/2013	\$10,482.25	Vice President of Student Services,
N19307	Clark C25 LP Forklift	WMPORT	P232L-0069-9862CNF	10/2/2013	\$25,660.00	Director of Physical Plant,
N19308	Sharp 80" LED TV	BA150	309825931	10/3/2013	\$5,450.76	Director of CIS,
N19309	Sharp 80" LED TV	MC118B	309825937	10/3/2013	\$5,450.76	Director of CIS,
N19310	Sharp 80" LED TV	MC118B	309825892	10/3/2013	\$5,450.76	Director of CIS,
N19311	Sharp 80" LED TV	MC118B	309825936	10/3/2013	\$5,450.76	Director of CIS,
N19313	HP ProLiant DL 380e G8	MC107	MXQ3380C6V	10/3/2013	\$5,619.28	Director of CIS,
N19312	Extron Matrix Switcher	MC105A	AOP78DW E26294	10/3/2013	\$5,635.00	Director of CIS,
N19316	3D AV Rover	WF150	2004255	10/3/2013	\$15,000.00	Vice President for Training and Outreach,
N19315	DVR For Security System	JW101	4.04557E+17	10/3/2013	\$17,167.39	Dean of Administrative Services,
N19314	DVR For Security System	HC108B	4.04645E+17	10/3/2013	\$17,167.40	Dean of Administrative Services,
N19317	Nuvera 100 Mainframe	AC113A	TB7-000961	10/3/2013	\$150,849.12	Vice President of Finance,
N19322	2013 Dodge Truck	WMPORT	3C63RRGLXDG568238	10/15/2013	\$45,731.99	Dean of Distance Learning & Professional Studies,
N19323	Massey Ferguson Tractor	WMPORT	FY788823	10/17/2013	\$19,950.00	Director of Physical Plant,
N19319	John Deere Camo	EQ108	1M0855DSJDM062013	10/31/2013	\$11,524.00	Dean of Distance Learning & Professional Studies,
N19320	Refurbished EMSCO 80 Unit	ETC2	DF-80-109-48	11/1/2013	\$19,131.22	Vice President for Training and Outreach,
N19321	D Co Centaur Server	MC103	CZYW027901	11/11/2013	\$5,587.68	Director of Institutional Effectiveness,
N19318	Market Forge Sterilizer	HH126	75037	12/3/2013	\$13,550.31	Dean of Business, Math & Science,
N19325	Vulcan Convection Steamer	BA162	46-301825	12/5/2013	\$7,841.68	Vice President of Student Services,
N19326	Shelving: CD & DVD	PL101	No Serial #	12/13/2013	\$5,009.80	Director of Library Services,
N19328	2014 Starcraft Shuttle Bus	WMPORT	EEA23802	3/31/2014	\$79,482.00	Director of Physical Plant,
N19329	2014 Starcraft Shuttle Bus	WMPORT	EEA23803	3/31/2014	\$84,460.00	Director of Physical Plant,
N19331	500 Barrel Tank	ETC2	ST500-443	4/16/2014	\$9,500.00	Vice President for Training and Outreach,

N19332	500 Barrel Tank	ETC2	ST500-467	4/16/2014	\$9,500.00	Vice President for Training and Outreach,
N19333	Horizontal Seperator	ETC2	SP195	4/16/2014	\$11,598.00	Vice President for Training and Outreach,
N19330	500 Barrel Tank	ETC2	ST500-442	4/16/2014	\$12,376.00	Vice President for Training and Outreach,
N19335	2014 Freightliner Truck	WMPOR	1FVACWCYOEHFY2567	4/30/2014	\$89,997.00	Director of Physical Plant,
N19336	Vulcan Convection Oven	BA162	54-1069580	5/8/2014	\$6,612.00	Vice President of Student Services,
N19337	2012 Dragon Trailer	ETC1	1D9ST4221CU661939	5/21/2014	\$42,600.00	Vice President for Training and Outreach,
N19338	Vertical Light Tower	ETC2	0495PR02V14	5/28/2014	\$10,766.00	Vice President for Training and Outreach,
N19339	Polaris Ranger	SB107	4XARH45A9EE804999	5/30/2014	\$8,354.00	Director of Athletics,
N19340	High Pressure Wellhead (2 items)	ETC2	13120863-007	6/4/2014	\$18,397.69	Vice President for Training and Outreach,
N19341	Recovery 833 Backup	MC103	833-300-50220	6/18/2014	\$47,749.18	Director of CIS,
N19342	2014 Freightliner	ETC1	3ALXFBCGGFDGB5236	6/24/2014	\$119,625.00	Vice President for Training and Outreach,
N19343	Frac Tank	ETC2	14817	6/25/2014	\$19,500.00	Vice President for Training and Outreach,
N19344	Frac Tank	ETC2	130566	6/25/2014	\$29,175.00	Vice President for Training and Outreach,
N19345	Backhoe	ETC2	170310KETEE263731	6/25/2014	\$74,625.07	Vice President for Training and Outreach,
N19346	Vacuum Truck	ETC1	589678	6/30/2014	\$11,000.00	Vice President for Training and Outreach,
N19350	Enclosed Trailer 8 X 24	WMPOR	135CG3228FICA0448	10/3/2014	\$14,500.00	Director of Physical Plant,
N19351	Behringer Sound System	WARINV	Could not get to SN	10/15/2014	\$39,188.48	Dean of Distance Learning & Professional Studies,
N19353	Champion Paper Cutter	AC112	1401745	11/5/2014	\$30,995.00	Vice President of Finance,
N19354	Self Check-Out System	PL101	No Serial #	11/5/2014	\$33,070.00	Director of Library Services,
N19356	Classic Non-Folding Cage	BB100	No Serial #	11/13/2014	\$5,126.75	Director of Athletics,
N19355	ASA IPS Firewall	MC103	FTX182810GL	11/13/2014	\$37,396.52	Director of CIS,
N19357	CoolTech AC Machine	DW221	E6A1442006194	11/17/2014	\$7,323.70	Dean of Distance Learning & Professional Studies,
N19358	Rogue ISO Leg Press 35	CA100	No Serial #	11/18/2014	\$5,701.48	Director of Athletics,
N19359	2014 Dodge Ram	WMPOR	3C6JR6DGXEG303575	11/19/2014	\$23,492.99	Director of Physical Plant,
N19360	2014 Chrysler 300C	WMPOR	2C3CCAEG9EH255639	11/19/2014	\$24,983.99	Director of Physical Plant,
N19361	2014 Dodge Ram	WMPOR	3C6UR4CL6EG159989	11/19/2014	\$39,856.99	Director of Physical Plant,
N19362	Video Management System	MC103	C8250FD06M20125	12/10/2014	\$72,489.30	Dean of Administrative Services,
N19363	Tomcat 255 Burnishing Machine	WM101	79648	12/15/2014	\$13,780.50	Director of Physical Plant,
N19364	HP Designjet Z6800	AC113A	MY47J4900J	12/16/2014	\$11,901.00	Vice President of Finance,
N19366	Enclosed Trailer 8 X 30	ETC1	B10 2287432	12/16/2014	\$93,262.00	Vice President for Training and Outreach,
N19365	Truck Driving Simulator Cab	ETC1	No Serial #	12/16/2014	\$215,925.00	Vice President for Training and Outreach,
N19367	Vulcan Gas Range	BA162	481827632	1/15/2015	\$6,928.31	Vice President of Student Services,
N19369	Heater Treater	ETC2	7935	1/27/2015	\$7,543.75	Vice President for Training and Outreach,
N19368	2015 Chevrolet Suburban	WMPOR	1GN5C5EC9FR559879	1/27/2015	\$12,300.00	Director of Physical Plant,
N19370	HP ProLiant DL 380 G9	MC107	MXQ50701FW	3/5/2015	\$9,353.80	Director of CIS,
N19371	CAT 2960 48PT	MC103	FCW1846A4DZ	3/12/2015	\$5,068.50	Director of CIS,
N19372	Midas Digital Mixer	TRACPB	S1401581B31	4/9/2015	\$5,374.99	Dean of Distance Learning & Professional Studies,
N19373	Xerox Copier	PL221A	AE9551044	4/17/2015	\$6,830.00	Vice President of Finance,
N19376	Shure Wireless Mike System	TRACPB	No Serial visible	5/4/2015	\$6,323.13	Dean of Distance Learning & Professional Studies,
N19374	HP ProLiant DL 380 G9	MC107	MXQ51405KH	5/6/2015	\$16,418.94	Director of CIS,
N19375	HP ProLiant DL 380 G9	MC107	MXQ51405KG	5/6/2015	\$16,418.94	Director of CIS,
N19377	Daktronics Baseball Scoreboard	BBCON	7154	6/12/2015	\$39,998.00	Director of Athletics,
N19378	John Deere 310K Backhoe	WMPOR	1T0310LXJFF284254	6/29/2015	\$73,627.94	Director of Physical Plant,
N19386	AC/DC Trainer	AP106	No Serial #	7/23/2015	\$5,620.76	Vice President for Training and Outreach,

N19387	AC/DC Trainer	AP106	No Serial #	7/23/2015	\$5,620.76	Vice President for Training and Outreach,
N19388	AC/DC Trainer	AP106	No Serial #	7/23/2015	\$5,620.76	Vice President for Training and Outreach,
N19389	AC/DC Trainer	AP106	No Serial #	7/23/2015	\$5,620.76	Vice President for Training and Outreach,
N19390	AC/DC Trainer	AP106	No Serial #	7/23/2015	\$5,620.76	Vice President for Training and Outreach,
N19382	Distribution	AP107	G-319656	7/23/2015	\$15,560.30	Vice President for Training and Outreach,
N19383	Distribution	AP107	G-319657	7/23/2015	\$15,560.30	Vice President for Training and Outreach,
N19384	Distribution	AP107	G-319658	7/23/2015	\$15,560.30	Vice President for Training and Outreach,
N19385	Power, Energy Trans	AP107	No Serial #	7/23/2015	\$15,560.30	Vice President for Training and Outreach,
N19380	Pneumatic Training System	AP107	No Serial #	7/23/2015	\$19,173.80	Vice President for Training and Outreach,
N19393	Mechanical Training System	AP107	G-317908	7/23/2015	\$19,473.60	Vice President for Training and Outreach,
N19394	Mechanical Training System	AP107	G-318466	7/23/2015	\$19,473.60	Vice President for Training and Outreach,
N19395	Mechanical Training System	AP107	G-317424	7/23/2015	\$19,473.60	Vice President for Training and Outreach,
N19396	Mechanical Training System	AP107	G-317425	7/23/2015	\$19,473.60	Vice President for Training and Outreach,
N19397	Mechanical Training System	AP107	G-317909	7/23/2015	\$19,473.60	Vice President for Training and Outreach,
N19391	Industrial Controls of Motors	AP107	No Serial #	7/23/2015	\$22,157.80	Vice President for Training and Outreach,
N19392	Industrial Controls of Motors	AP107	No Serial #	7/23/2015	\$22,157.80	Vice President for Training and Outreach,
N19398	Industrial Wiring	AP107	G-314606	7/23/2015	\$30,766.90	Vice President for Training and Outreach,
N19399	Industrial Wiring	AP107	G-315044	7/23/2015	\$30,766.90	Vice President for Training and Outreach,
N19379	Hydraulics Training System	AP107	No Serial #	7/23/2015	\$52,414.60	Vice President for Training and Outreach,
N19381	Instr. & Process Control	AP107	G-319644	7/23/2015	\$174,146.20	Vice President for Training and Outreach,
N19401	HP ProLiant DL 380 G9	MC107	MXQ52501K8	8/5/2015	\$13,323.74	Director of CIS,
N19402	HP ProLiant DL 380 G9	MC107	MXQ52501K7	8/5/2015	\$13,323.74	Director of CIS,
N19403	Server For Security System	MC103	C8250FEO4N10039	8/11/2015	\$59,299.75	Dean of Administrative Services,
N19404	Six Horse Panel Walker	RG100	No Serial #	8/26/2015	\$32,517.00	Dean of Distance Learning & Professional Studies,
N19405	Epson G6970WU Projector	WH101	VVSF560043L	9/24/2015	\$6,379.00	Director of CIS,
N19407	HP ProLiant DL 380 G9	MC107	MXQ532067G	10/6/2015	\$7,675.11	Director of CIS,
N19408	HP ProLiant DL 380 G9	MC107	MXQ532067J	10/6/2015	\$7,675.11	Director of CIS,
N19409	HP ProLiant DL 380 G9	MC107	MXQ532067K	10/6/2015	\$7,675.11	Director of CIS,
N19406	HP ProLiant DL 380 G9	MC107	MXQ532067H	10/6/2015	\$7,675.12	Director of CIS,
N19410	Livestream HD550	CA146A	5.50623E+13	10/16/2015	\$7,498.64	Director of Institutional Effectiveness,
N19412	DVR For Security System	MC103	C8250FE30N20151	10/16/2015	\$113,315.79	Dean of Administrative Services,
N19414	Russwood Circulation Desk	PL101A	No Serial #	12/11/2015	\$11,023.88	Director of Library Services,
N19415	Console Control Board	CA146B	No Serial #	1/8/2016	\$5,295.52	Director of Institutional Effectiveness,
N19416	DVR for Security System	MC103	2M25251BVY	3/29/2016	\$52,214.94	Dean of Administrative Services,
N19417	Retail Pro POS System	HC106	B7L8JB2	5/27/2016	\$16,732.10	Director of Museum,
N19430	CAT 3650 48PT	MC109	FDO2027E0EC	8/22/2016	\$6,112.30	Director of CIS,
N19431	CAT 3650 48PT	MC109	FDO2027Q076	8/22/2016	\$6,112.30	Director of CIS,
N19419	CAT 3650 48PT	JS104	FDO2022Q17R	8/22/2016	\$9,227.80	Director of CIS,
N19420	CAT 3650 48PT	HH210	FDO2022E227	8/22/2016	\$9,227.80	Director of CIS,
N19421	CAT 3650 48PT	MH106	FDO2022E2PO	8/22/2016	\$9,227.80	Director of CIS,
N19422	CAT 3650 48PT	BA215	FDO2022E2VH	8/22/2016	\$9,227.80	Director of CIS,
N19423	CAT 3650 48PT	BA135	FDO2022E2VK	8/22/2016	\$9,227.80	Director of CIS,
N19424	CAT 3650 48PT	PL239	FDO2022Q17M	8/22/2016	\$9,227.80	Director of CIS,
N19425	CAT 3650 48PT	CA162	FDO2022E2D8	8/22/2016	\$9,227.80	Director of CIS,

N19426	CAT 3650 48PT	MC109	FDO2022E2VG	8/22/2016	\$9,227.80	Director of CIS,
N19427	CAT 3650 48PT	MC103	FDO2022E2D7	8/22/2016	\$9,227.80	Director of CIS,
N19428	CAT 3650 48PT	MC109	FDO2022E225	8/22/2016	\$9,227.80	Director of CIS,
N19429	CAT 3650 48PT	CL209	FDO2022Q1CU	8/22/2016	\$9,227.80	Director of CIS,
N19432	CAT 3650 48PT	JS139	FDO2022Q11Z	8/22/2016	\$9,227.80	Director of CIS,
N19418	CAT 6807 - XLChassis	MC107	FGE20410XD5	8/22/2016	\$96,765.80	Director of CIS,
N19434	DVR for Security System	MC103	C8250FE42N10015	9/1/2016	\$36,703.78	Dean of Administrative Services,
N19433	Avaya Phone System	MC107	USE62677TH	9/1/2016	\$59,249.22	Director of CIS,
N19435	Dell Database Server	MC107	DL1KQD2	9/29/2016	\$10,774.00	Director of CIS,
N19436	SolidWorks URL Software	WF153	No Serial #	10/19/2016	\$5,021.00	Vice President for Training and Outreach,
N19438	Utah Switcher	MC107	10162941	11/2/2016	\$7,995.00	Director of Institutional Effectiveness,
N19437	Leightronix Server	MC107	00E0FB1001D0	11/2/2016	\$9,593.00	Director of Institutional Effectiveness,
N19440	Nursing Annie Manikin	NE		12/15/2016	\$8,800.04	Dean of Distance Learning & Professional Studies,
N19441	Nursing Annie Manikin	NE		12/15/2016	\$8,800.04	Dean of Distance Learning & Professional Studies,
N19442	Nursing Anne Manikin	NE		12/15/2016	\$8,800.04	Dean of Distance Learning & Professional Studies,
N19439	SimMan 3G Manikin	NE		12/15/2016	\$102,097.21	Dean of Distance Learning & Professional Studies,
N19448	Overland Snap Server	MC107	AT51000114	12/20/2016	\$5,999.82	Director of CIS,
N19443	SimCart RX	MC137A	2562	1/10/2017	\$11,700.00	Dean of Distance Learning & Professional Studies,
N19445	Open Display Merchandiser	BA159	TOM50BY021	1/19/2017	\$6,458.00	Vice President of Student Services,
N19444	Lo Boy 90 Whirlpool	CA128	16490705	1/19/2017	\$8,515.00	Director of Athletics,
N19446	CAT 3650 48PT	BM106	FD02042E2BJ	2/8/2017	\$10,973.00	Director of CIS,
N19447	2017 Ford Expedition XL	WMPORT	1FMJU1FTXHEA49040	2/8/2017	\$36,106.50	Director of Physical Plant,
N19452	CAT 3650 48PT	BM106	FD02045Q05D	2/9/2017	\$7,625.60	Director of CIS,
N19453	CAT 3650 48PT	BM106	FD02045E0BM	2/9/2017	\$7,625.60	Director of CIS,
N19451	Tintri VMstore T850 66 TB	NE		5/11/2017	\$68,647.00	Director of CIS,
N19454	Nevco Scoreboard	NE		6/2/2017	\$7,300.00	Director of Athletics,
N19455	Nevco Scoreboard	NE		6/2/2017	\$7,300.00	Director of Athletics,
N19456	Nevco Statistics Displays	NE		6/2/2017	\$8,033.81	Director of Athletics,

NEW MEXICO JUNIOR COLLEGE

Vice President for Finance

5317 Lovington Highway
Hobbs, NM 88240
Phone: (575)492-2770
Fax: (575)492-2768

To: New Mexico Junior College Board
From: Dan Hardin
RE: CMAR
Date: June 9, 2017

Board members,

At the March 16, 2017 NMJC Board meeting Matt McKim with Dekker Perich Sabatini presented a recommendation that the College use the CMAR (Construction Manager at Risk) format for the construction of the Allied Health building project. The Board approved this recommendation. From that Board meeting an RFP was sent out and the College received several quality applications for CMAR for the Allied Health building project. The administration reviewed the RFPs that were submitted and interviewed two companies for CMAR services.

The administration is asking for approval of HB Construction as the CMAR for the Allied Health building project.

Respectfully,

Dan Hardin

NEW MEXICO JUNIOR COLLEGE

Request for Qualifications/Request for Proposal #1000

Construction Manager at Risk

For Allied Health Building

BOARD DOCUMENTS

Date: June 15, 2017
Prepared by: Regina Choate
Purchasing Coordinator

NEW MEXICO JUNIOR COLLEGE

BOARD DOCUMENTS

General Information

1. On April 16, 2017 a legal notice was published in the following newspapers requesting sealed proposals for the Construction Manager at Risk for the Allied Health Building on NMJC Campus:

Hobbs News Sun
The Albuquerque Journal
2. Bid packets were sent to sixteen potential bidders.
3. Five bidders submitted their proposals within the time frame specified by the bid package.
4. The Evaluation Committee and the Business Office have evaluated the proposals received. Their recommendation is shown on Page 3.

NEW MEXICO JUNIOR COLLEGE

BOARD DOCUMENTS

Evaluation and Recommendation

The bidders responding to the Request for Proposal were: Flintco, Albuquerque, NM; Haydon Building Corp, Phoenix, AZ; HB Construction, Albuquerque, NM; Jaynes Corp, Albuquerque, NM and Lyness Construction, Cleburne, TX. .

The Evaluation Committee and Administration recommends acceptance of the proposal as follows:

HB Construction, Albuquerque, NM

Total Award: **\$489,000**

Source of Funding: - FY 2017/2018 Construction for Allied Health Building

**REQUEST FOR QUALIFICATIONS
FOR
CONSTRUCTION MANAGER AT RISK**



PROJECT:

**NEW MEXICO JUNIOR COLLEGE
Allied Health Building**

Request for Qualifications Number:

RFQ# 1000

**NEW MEXICO JUNIOR COLLEGE
BUSINESS OFFICE**

DATE: April 13, 2017

**NEW MEXICO JUNIOR COLLEGE
BUSINESS OFFICE
Administration Building, Room 136A
5317 Lovington Hwy
Hobbs, NM 88240**

Request For Qualifications Number 1000

RFQ Due Date and Time: May 10, 2017 by 2:00 P.M. MST

TITLE: Construction Manager at Risk – Allied Health Building

New Mexico Junior College (“NMJC”) invites you to submit an offer for the material(s) and/or service(s) for the following Request for Qualifications (RFQ). Please carefully read all instructions, specifications, terms and conditions. Failure to comply with the instructions, specifications, terms and conditions of this RFQ may result in your offer being classified as unresponsive and disqualified.

SUBMITTALS

Offers must be submitted to the above address no later than the time and date specified above. All information must be entered in ink or typed and corrections must be initialed.

Offers must be in a sealed envelope and must be clearly marked with the RFQ Number and Opening Date (see Offer Due By date above) in the lower left hand corner. Failure to mark the sealed envelope may result in the Offer being opened early or the Offer being declared non-responsive.

TABLE OF CONTENTS

Section I	Instructions Offerors
Section II	Terms and Conditions
Section III	Scope and Evaluation Criteria
Section IV	Proposer Qualifications Form
Exhibit A	Conflict of Interest Certification Form

NMJC CONTACT INFORMATION

Buyer: Dan Hardin
Telephone: 575-492-2770
Fax: 575-492-2768

TECHNICAL CONTACT INFORMATION

Name: Matt McKim, Dekker/Perich/Sabatini
Telephone: 505-761-9700
Fax: 505-761-4222
E-mail: mattm@dpsdesign.org

NON MANDATORY PRE-SUBMITTAL MEETING

1:15 p.m. MST, April 26, 2017 (attendance at this meeting is NOT mandatory for all Offerors)
Location: NMJC Daniels Room in the Ben Alexander Student Learning Center, Hobbs, NM

OTHER INFORMATION

Number of submittals required: One (1) original hard copy original and Six (6) electronic copies.
FOB Destination

Terms: NET 30

TERMS AND CONDITIONS

The purchase of any material(s) and/or service(s) awarded under the RFQ are subject to the specifications and to NMJC's Standard Terms and Conditions. Offerors may submit alternate terms and conditions; however, NMJC reserves the right to reject the language if it is considered to not be in the best interest of NMJC.

THE FOLLOWING OFFEROR INFORMATION MUST BE COMPLETED AND RETURNED WITH THE OFFER:

ACKNOWLEDGMENT OF ADDENDA

The undersigned acknowledges receipt of the following addenda:

Addenda No. _____ Dated _____ Addenda No. _____ Dated _____

Addenda No. _____ Dated _____ Addenda No. _____ Dated _____

The undersigned, as an authorized representative for the Company named below, acknowledges that the offeror has examined this RFQ with its related documents and is familiar with all of the conditions surrounding the described materials, labor and/or services. Offeror hereby agrees to furnish all labor, materials and supplies necessary to comply with the specifications in accordance with the Terms and Conditions set forth in this RFQ and at the prices stated within the offer.

The undersigned further states that the company submitting this offer is not in violation of any applicable Conflict of Interest laws or regulations or any other related clauses included in this RFQ.

New Mexico criminal law prohibits bribes, gratuities and kickbacks §13-1-191 NMSA 1978.

COMPANY NAME _____

ADDRESS _____

CITY/STATE/ZIP _____

TELEPHONE: _____ FAX: _____ EMAIL: _____

NEW MEXICO GROSS RECEIPTS TAX NO _____

FEDERAL EMPLOYER ID NUMBER (FEIN) _____

SIGNATURE OF AUTHORIZED REPRESENTATIVE _____

PRINTED OR TYPED NAME _____

TITLE _____

DATE _____

SECTION I

INSTRUCTIONS TO OFFERORS

1. **ACKNOWLEDGEMENT OF ADDENDA:** Offerors shall acknowledge receipt of any addenda of this RFQ by identifying the addendums number and date in the space provided on the response form.
2. **AWARD INFORMATION:** Award information will be available by contacting NMJC's Business Office.
3. **CANCELLATION:** The College reserves the right to cancel without penalty, this RFQ, the resultant purchase order, or any portion there for convenience, unsatisfactory performance, or unavailability of funds.
4. **CASH DISCOUNTS:** The College will take advantage of cash discounts offered whenever possible; however, cash discounts will not be used as a means to determine the lowest cost.
5. **CLARIFICATIONS:** Any clarification of instructions, terms and conditions, insurance, bonds, or offer preparation shall be made only by the Contract Specialists stated on the cover sheet of this RFQ. Technical clarifications should be addressed to the individual identified on the cover sheet. Clarifications must be in writing and submitted as an addendum to be considered as part of this RFQ.
6. **COPIES OF OFFER:** Submit using hard copy, please submit the number of hard copies of your offer as stated on the cover sheet along with all supporting documents.
7. **LATE SUBMISSIONS:** Late submissions of offers will not be considered unless it is determined by the College that the late receipt was due solely to mishandling by the College or the offer is the only offer received. Late submissions will be returned unopened.
8. **MODIFICATIONS:** Only modifications received prior to the time specified for the closing will be accepted. No modifications will be accepted after the opening. Technical clarifications of the offer may be requested by the Contract Specialists following the opening.
9. **OFFEROR CLARIFICATION:** The Offeror should include a local or toll-free number and e-mail address for offer clarifications. Failure to do so may result in the offer being classified as non-responsive.
10. **PERIOD FOR OFFER ACCEPTANCE:** Offeror agrees that any offer made will be good for a period of sixty (60)-calendar days, an additional time period may be requested in the RFQ Scope of Work.
11. **PUBLIC INFORMATION:** All information, except that classified as confidential, will become public information at the time that the RFQ is awarded. Confidential information must be marked "CONFIDENTIAL" in red letters in the upper right hand corner of the pages containing the confidential information. Price and information concerning the specifications cannot be considered confidential.

12. REJECTION OF OFFERS: The College reserves the right to make an award based on the evaluation criteria contained herein, to reject any and all offers or any part thereof, and to accept the offer that is in the best interest of the College.

13. SUBMISSIONS OF DRAWINGS/LITERATURE: The submission of samples, drawings and literature to be used in the evaluation of the offer, must be submitted by the designated closing date and time in order to be considered. All submissions shall be made at no expense to the College. Returns shall only be made at the Offers request and expense.

14. TAXES: The College is exempt from Federal Excise Taxes and from New Mexico Gross Receipts Taxes on materials. Services are not exempt. Taxes on services should be included as a separate line item and not included in the base price offer. Applicable taxes are excluded from the RFQ evaluation. A non-taxable transaction certificate is available through the NMJC's Purchasing Department.

15. WITHDRAWAL OF OFFERS: Offers may be withdrawn by written notice, electronically or in person by an Offeror or an authorized representative at any time prior to the award. Offerors requiring bid security will result in forfeiture of the security if the offer is withdrawn following the opening.

SECTION II

REQUEST FOR QUALIFICATIONS (RFQ) STANDARD TERMS AND CONDITIONS

Note: This document includes the Purchase Order Terms and Conditions as indicated by a preceding double asterisk (**).

The General Terms and Conditions on the reverse side of NMJC's purchase order are an equal and integral part of this Request For Qualification(RFQ) and are noted by a preceding double asterisk (**) beside the item number. The terms, conditions and specifications contained in this RFQ along with any attachments and the Offeror's response are hereby incorporated into all purchase orders issued as a result of this RFQ, including any addenda. NMJC reserves the right to negotiate with a successful Offeror (Contractor) provisions in addition to those stipulated in this RFQ. The contents of this RFQ, as revised and/or supplemented, and the successful Offeror's proposal will be incorporated into the Contract. Should an Offeror object to any of the NMJC's Standard Terms and Conditions that Offeror must propose specific alternative language that would be acceptable to NMJC. General references to the Offeror's terms and conditions or attempts at complete substitutions are not acceptable to NMJC and will result in disqualification of the Offeror's proposal. Offerors must provide a brief statement of the purpose and impact, if any, of each proposed change followed by the specific proposed alternate wording.

Any proposed changes to the terms and conditions attached to this RFQ including the additional terms and conditions must be stated in Offeror's proposal in a Section marked "TERMS AND CONDITIONS." Offerors are cautioned that any changes to the terms and conditions that are NOT stated in the RFQ response will not be entertained by NMJC at a later date. Any provisions in any proposal, quotation, acknowledgment or other forms or contract documents applicable to the services that are inconsistent, or in conflict, with any provisions of this RFQ or the resultant contract, will be ineffective and inapplicable.

NMJC reserves the right to reject a proposal on the basis the compromising language cannot be accepted by NMJC. Any additional terms and conditions which may be the subject of negotiation will be discussed

only between NMJC and the successful Offeror and shall not be deemed an opportunity to amend the Offeror's proposal.

An Awardee of a Price Agreement established with NMJC has the opportunity to market the resultant Price Agreement to other local public bodies and state agencies under the State of New Mexico Public Purchases and Property Act, NMSA 1978, Article 1, Procurement, Section 13-1-129, "Procurement under existing contracts."

1. ****ACCEPTANCE AND REJECTION:** If prior to final acceptance, any goods or services are found to be defective or not as specified, or if the College is entitled to revoke acceptance of them the College may reject or revoke acceptance, require Seller to correct without charge within a reasonable time, or require delivery at an equitable reduction in price, at the College's option. Seller shall reimburse the College for all incidental and consequential costs related to unaccepted goods or services. Notwithstanding final acceptance and payment, Seller shall be liable for latent defects, fraud, or such gross mistakes as amount to fraud. Acceptance of goods or services shall not waive the right to claim damages for breach of contract.

2. **ADDRESSES FOR NOTICES:** Any notice required to be given or which may be given under this RFQ or a resultant contract shall be in writing and delivered in person or via first class mail.

Address if notice delivered by first class mail:

New Mexico Junior College
Business Office
Administration Building, Room 136A
5317 Lovington Hwy
Hobbs, NM 88240

Address if notice delivered to physical location:

New Mexico Junior College
Business Office
Administration Building, Room 136A
5317 Lovington Hwy
Hobbs, NM 88240

3. **BID SECURITY:** Bid security will be required at the Request for Proposal phase of this solicitation and not at the initial Request for Qualification phase. At the RFP Phase, bid security shall be required in a bond equal to five percent (5%) of the offered cost or the equivalent amount in a certified or cashier's check. The bond shall be provided by a surety company that is authorized to do business in the State of New Mexico. The bid security of the Offerors will be returned upon award of the contract. Bid security of any Offeror who withdraws an offer following the opening but prior to the award, may be retained by the College. Failure to include the bid security with your offer will result in your offer being declared non-responsive.

4. **CANCELLATION:** The College reserves the right to cancel, without penalty, this RFQ, the resultant contract or any portion thereof for unsatisfactory performance, convenience, cancellation of the project or unavailability of funds.
5. **CHANGES/ALTERATIONS AFTER AWARD:** Changes or alterations after an award can only be made if agreed to in writing by the College.
6. **CLEAN UP:** It is the Seller's responsibility that the job site be kept clean and free of rubble while work is performed under this contract. Upon completion of work, all areas shall be cleared of all contractors' equipment excess materials and rubble.
7. ****CONFLICT OF INTEREST:** Offerors who are invited to respond to the RFQ Phase of this procurement shall be required to disclose to the College Business Office the name(s) of any College employee or member of the Board members who has a direct or indirect financial interest in the Seller or in the proposed transaction. A College employee (or Board member) has a direct or indirect financial interest in the Seller or in the proposed transaction if presently or in the preceding twelve (12) months the employee/Board member or a close relative has an ownership interest in the Seller (other than as owner of less than 1% of the stock of a publicly traded corporation); works for the Seller, is a partner, officer, director, trustee or consultant to the Seller, has received grant, travel, honoraria or other similar support from the Seller, or has a right to receive royalties from the Seller. Seller shall file a Conflict of interest Disclosure form with the College Business Office.
8. **CONFLICT OF INTEREST FORM:** At the RFQ Phase of this procurement, Offerors invited to participate will be required to sign the attached SUPPLIER CONFLICT OF INTEREST AND DEBARMENT AND SUSPENSION CERTIFICATION FORM (Exhibit A). Failure to provide the College with a completed Conflict of Interest Form may result in the offer being considered non-responsive.
9. **DAMAGE AND SECURITY OF NMJC PROPERTY:** The Offeror shall be responsible for all damage to persons or property that occurs as a result of Offeror's fault or negligence, or that of any of his employees, agents and/or subcontractors. The Offeror shall save and keep harmless the College against any and all loss, cost, damage, claims, expense or liability in connection with the performance of this contract. Any equipment or facilities damaged by the Offeror's operations shall be repaired and/or restored to their original condition at the Offeror's expense, including but not limited to cleaning and painting.
10. **DISCLOSURE OF PROPOSAL CONTENTS:** The proposals will be kept confidential until the College awards a price agreement. At that time, all proposals and documents pertaining to the proposals will be open to the public, except for the material that is proprietary or confidential. The Procurement Managers will not disclose or make public any pages of a proposal on which the Seller has stamped or imprinted "proprietary" or "confidential" subject to the following requirements. Proprietary or confidential data shall be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal. Confidential data is normally restricted to confidential financial information concerning the Seller's organization and data that qualifies as a trade secret in accordance with the Uniform Trade Secrets Act, 57-3A-1 to 57-3A-7 NMSA 1978. The price of

products offered or the cost of services proposed shall not be designated a proprietary or confidential information.

If a request is received for disclosure of data for which a Seller has made a written request for confidentiality, the College shall examine the Seller's request and make a written determination that specifies which portions of the proposal should be disclosed. Unless the Seller takes legal action to prevent the disclosure, the proposal will be disclosed. The proposal shall be open to public inspection subject to any continuing prohibition on the disclosure of confidential data.

11. ****DISCOUNTS:** If prompt payment discounts apply to this Purchase Order any discount time will not begin until the materials, supplies, or services have been received and accepted and a correct invoice received by the College's Business Office. In the event testing is required prior to acceptance, the discount time shall begin upon completion of the tests and acceptance.

12. **DISRUPTION OF NORMAL ACTIVITY:** All work shall be performed so as not to interfere with normal College activities. When it is necessary to disrupt normal activities, the schedule of work, and the areas to be affected must be approved by the College's authorized representative prior to commencement of the work.

13. ****ELIGIBILITY FOR PARTICIPATION IN GOVERNMENT PROGRAMS:** Each party represents that neither it nor any of its management or any other employees or independent contractors who will have any involvement in the services or products supplied under this Agreement, have been excluded from participation in any government healthcare program, debarred from or under any other federal program (including but not limited to debarment under the Generic Drug Enforcement Act), or convicted of any offense defined in 42 U.S.C. Section 1320a-7, and that each party, its employees and independent contractors are not otherwise ineligible for participation in federal healthcare programs. Further, each party represents that it is not aware of any such pending action(s) (including criminal actions) against each party or its employees or independent contractors. Each party shall notify the other immediately upon becoming aware of any pending or final action in any of these areas.

14. **EMPLOYEE CERTIFICATION:** The Seller and all Seller's employees utilized on the work to be performed under this RFQ must have the proper certification(s) and license(s) to comply with State and Local requirements in regard to the work to be performed under this RFQ. The Seller shall use only fully qualified and approved service technicians to perform inspections, service and/or repairs covered under this RFQ.

15. ****EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION:** In performing the services required under this Purchase Order, each party shall be an equal opportunity employer and shall conform to all affirmative action and other applicable requirements; accordingly, each party shall neither discriminate nor permit discrimination in its operations or employment practices against any person or group of persons on the basis of race, age, religion, color, national origin, ancestry, sex, physical or mental handicap or medical condition, sexual preference, prior military involvement or any other manner prohibited by law.

16. **EQUIPMENT REQUIRED:** The Offeror shall be responsible for supplying and maintaining all equipment and materials necessary to complete the work to be performed under this RFQ except as otherwise noted in the Specifications.

17. ****F.O.B.:** Unless stated otherwise, the price for goods is F.O.B. the place of destination, and the place of destination is the College's designated campus address.

18. **** GOVERNING LAW:** This Agreement shall be construed in accordance with the laws of the State of New Mexico as they pertain to agreements executed and fully to be performed within New Mexico, or federal law where applicable, but in either case excluding that body of law relating to choice of law.

19. ****HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA):** The parties agree to enter into a mutually acceptable amendment to this Agreement as necessary to comply with applicable federal laws and regulations governing the use and/or disclosure of individually identifiable health information. Such amendment shall be entered into on or before the date by which hospitals are required to be in compliance with the privacy regulations promulgated under the Health Insurance Portability and Accountability Act of 1996.

20. ****INDEMNIFICATION AND INSURANCE:** Indemnification and Insurance requirements will be contained in the general conditions for the contract for Construction Manager at Risk that will be provided in RFP document that will be sent to qualified Offerors in step two (RFP Phase) of this procurement.

Seller agrees that it and its subcontractors will maintain general liability, product liability and property damage insurance in reasonable amounts (at least equal to the New Mexico Tort Claims Act limits) covering the above obligation and will maintain workers' compensation coverage covering all employees performing under this Purchase Order on premises occupied by or under the control of the College. The liability of the College will be subject in all cases to the immunities and limitations of the New Mexico Tort Claims Act, Sections 41-4-1 Et Seq. NMSA 1978, as amended.

21. ****INDEPENDENT BUSINESS:** Neither Seller nor any of its agents shall be treated as an employee of the College for any purpose whatsoever. Seller declares that Seller is engaged in an independent business and has complied with all Federal, State and Local laws regarding business permits and licenses of any kind that may be required to carry out the said business and the tasks to be performed under this Purchase Order. Seller further declares that it is engaged in the same or similar activities for other clients and that the College is not Seller's sole or only client or customer.

22. ****INSPECTION:** The College may inspect, at any reasonable time, any part of Seller's plant or place of business, which is related to performance of this Purchase Order. Final Inspection will be made at the destination upon completion of delivery of goods and services. Acceptance of delivery shall not be considered acceptance of the goods and/or services furnished. Final inspection shall include any testing or Inspection procedures required by the Specifications.

23. ****INSTRUMENTALITIES:** Seller shall supply all equipment, tools, materials and supplies to accomplish the designated tasks except as set forth in this purchase order or its attachments.

24. **INSURANCE REQUIREMENTS:** Insurance requirements will be contained in the general conditions for the contract for Construction Manager at Risk that will be provided in RFP document that will be sent to qualified Offerors in step two (RFP Phase) of this procurement.

25. **LICENSES/PERMITS/EASEMENTS:** The seller shall be responsible for obtaining, at his Seller's expense, all easements, right-of-ways, accesses, licenses, permits, and utility locations required to perform the work under this RFQ.

26. **NEW MATERIALS REQUIRED:** All materials and equipment delivered and/or installed under this RFQ shall be new and be the standard products of a manufacturer regularly engaged in the production of the materials and equipment. Where two or more units of the same class of materials and/or equipment are required, the units shall be the products of the same manufacturer. Any manufacturer's data supplied with the item(s) shall be submitted to the College's authorized representative.

27. **SUBCONTRACTORS:** Any work, the cost of which meets or exceeds the threshold, sub-contracted by the Seller shall require the prior written approval of the subcontractor by the College. Use of subcontractors must be clearly explained in the proposal and major subcontractors must be identified by name. The prime contractor shall be wholly responsible for the entire performance, whether or not subcontractors are used.

28. **OSHA REGULATIONS:** The Seller shall abide by Federal Occupational Safety and Health Administration (OSHA) regulations, the State of New Mexico Environmental Improvement Board's Occupational Health and Safety Regulations that apply to the work performed under this RFQ. The Seller shall defend, indemnify, and hold the College free and harmless against any and all claims, loss, liability and expense resulting from any alleged violation(s) of said regulation(s) including but not limited to, fines or penalties, judgments, court costs and attorney's fees.

29. ****OTHER APPLICABLE LAWS:** Any provision required to be included in a purchase order of this type by any applicable and valid executive order, federal, state or local law, ordinance, rule or regulation shall be deemed to be incorporated herein.

30. ****PATENT AND COPYRIGHT INDEMNITY:** Seller shall indemnify, defend and hold harmless the College against all losses, liabilities, lawsuits, claims, expenses (including attorneys' fees), costs, and judgments incurred through third party claims of infringement of any copyright, patent, trademark or other intellectual property rights.

31. ****PAYMENT TERMS:** Intentionally left blank.

32. ****PAYROLL OR EMPLOYMENT TAXES:** No federal, state, or local income, payroll or employment taxes of any kind shall be withheld or paid by the College with respect to payments to Seller or on behalf of Seller its agents or employees. Seller shall withhold and pay any such taxes on behalf of its employees as required by law. The payroll or employment taxes that are the subject to this paragraph include but are not limited to FICA, FUTA, federal personal income tax, state personal income tax, state disability insurance tax, and state unemployment insurance tax. If Seller is not a corporation, Seller further understands that Seller may be liable for self-employment (Social Security) tax, to be paid by Seller according to law.

33. ****PENALTIES:** The Procurement Code. Section 13-1-28 at seq. NMSA 1978, as amended imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose criminal penalties for bribes, gratuities and kickbacks.

34. **PERFORMANCE AND PAYMENT BONDS:** The requirements and timing of the performance and payment bonds will be contained in the contract for Construction Manager at Risk and general conditions for the contract for Construction Manager at Risk that will be presented to qualified Offerors in Phase two of this procurement.

35. **PROPOSAL NEGOTIATION:** Offerors submitting proposals may be afforded an opportunity for discussion and revision of proposals. Revisions may be permitted after opening and prior to award for the purpose of obtaining a best and final offer. Negotiations may be conducted with responsible Offerors who submit offers found to be reasonably like to be selected for award. The College is under no obligation to conduct discussions with any or all Offerors.

36. **PUBLIC WORKS BOND:** performance bonds must meet the requirements of 13-4-18 NMSA, 1978, as amended.

37. **RIGHT TO PROTEST:** The solicitation or the award of an RFQ may be protested as per the NMJC's Purchasing Department's Protest Procedures.

38. **RIGHT TO WAIVE MINOR IRREGULARITIES:** The Evaluation Committee reserves the right to waive minor irregularities. The Evaluation Committee also reserves the right to waive mandatory requirements provided that all of the otherwise responsive proposals failed to meet the same mandatory requirements and the failure to do so does not otherwise materially affect the procurement. This right is at the sole discretion of the Evaluation Committee.

39. ****SELLER'S EMPLOYEES AND AGENTS:** Seller shall have complete charge and responsibility for persons employed by Seller and engaged in the performance of the specified work. The Seller, its agents and employees state that they are independent contractors and not employees of the College. Seller, its agents and employees shall not accrue leave, retirement, insurance, bonding or any other benefit afforded to employees of the College as a result of this Purchase Order.

40. **SITE INSPECTION:** The site(s) referenced in this RFQ are available for inspection. Arrangements may be made by contacting the individual listed on the cover sheet.

41. **SITE FAMILIARITY:** The Seller shall be responsible for thoroughly inspecting the site and work to be done prior to submission of an offer. The Seller warrants by this submission that the site has been thoroughly inspected and the work to be done and that the offer includes all costs required to complete the work. The failure of the Seller to be fully informed regarding the requirements of this Request will not constitute grounds or any claim, demand for adjustment or the withdrawal of an offer after the opening.

42. **STATE AND LOCAL ORDINANCES:** The Seller shall perform work under the resultant contract in strict accordance with the latest adopted version of all State and local codes, ordinances, and regulations governing the work involved. All materials and labor necessary to comply with the rules, regulations and ordinances shall be provided by the Seller. Where the drawings and/or specifications indicate materials or construction in excess of the code requirements, the drawings and/or specifications shall govern. The Seller shall be responsible for the final execution of the work to meet these requirements. In the event of a conflict between various codes and standards, the more stringent shall apply.

43. ****TERMINATION AND DELAYS:** The College may by written notice stating the extent and effective date, terminate this Purchase Order for convenience in whole or in part, at any time. The College shall pay Seller as full compensation for performance until such termination: (1) the unit or pro rata order price for the delivered and accepted portion: and (2) incidental damages, not otherwise recoverable from other sources by Seller, as approved by the College, with respect to the undelivered or unaccepted portion of this Purchase Order provided compensation hereunder shall in no event exceed the total Purchase Order price. Such amount will be limited to Seller's actual cost, and may not include anticipated profits. The College shall not be liable for consequential damages. The College may by written notice terminate this Purchase Order in whole or in part for Seller's default if Seller refuses or fails to comply with the provisions of this Purchase Order or fails to make progress so as to endanger performance and does not cure such failure within a reasonable period of time. In such event, the College may otherwise secure the materials, supplies or services ordered, and Seller shall be liable for damages suffered by the College thereby, including incidental and consequential damages. If after notice of termination, the College determines Seller was not in default, or if Seller's default is due to failure of the College, termination shall be deemed for the convenience of the College. The rights and remedies of the College provided in this paragraph shall not be exclusive and are in addition to any other rights and remedies provided by law or under this Purchase Order as used in this paragraph, the word "Seller" includes Seller and Seller's sub-suppliers at any tier.

44. ****TITLE AND DELIVERY:** Intentionally left blank.

45. **WAGE RATES:** A Wage Determination will be obtained in accordance with the requirements of the Contract for Construction Manager at Risk.

46. ****WARRANTIES:** The requirements for warranties and guarantees will be contained in the contract for Construction Manager at Risk, the NMJC General Conditions, and Division One documents that will be provided to qualified Offerors at Phase two of this procurement.

47. ****WORKERS COMPENSATION:** No workers compensation insurance has been or will be obtained by NMJC on account of Seller or its employees or agents. Seller shall comply with the workers compensation laws with respect to Seller and Seller's employees and agents.

48. **WORKMANSHIP/COOPERATION:** All work shall be done in a neat, workman-like manner using acceptable equipment and methods. The Seller will cooperate with the College and other contractors and coordinate their work involving other contractors through the College's authorized representative.

GRAMM-LEACH-BLILEY ACT

Pursuant to the Gramm-Leach-Bliley Act and the regulations set forth at 16 CFR Part 314, the New Mexico Junior College ("College") requires its Service Providers to implement and maintain appropriate safeguards for the protection of Customer Information. Accordingly, the Service Provider shall implement and maintain a comprehensive information security program that contains administrative, technical and physical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of confidential Customer Information that it creates, receives, maintains, or transmits on behalf of the College. In addition, the Service Provider will require and ensure that any of its agents, sub-contractors,

or sub-consultants, to which it provides confidential Customer Information of the College, implements appropriate security measures to protect confidential Customer Information of the College.

Service Provider shall not use or disclose covered data and information received from or created on behalf of the College except as permitted or required by this Agreement, as required by law, or as otherwise authorized in writing by the College. Upon becoming aware of a security breach in which College Customer Information is used or disclosed in a manner not authorized or covered by this Agreement, including any reasonable belief that an unauthorized individual has accessed a database containing covered data and information, or in violation of any applicable state or federal laws, Service Provider will report to the College any security incident immediately upon being aware of such a breach and take such corrective steps/action to remedy the breach as requested by the College and required by law.

Upon termination, cancellation, expiration or other conclusion of this Agreement, Service Provider shall return to the College covered Customer Information and data unless the College requests in writing that such Customer Information and data be destroyed. Service Provider shall complete such return or destruction not less than 30 days after the conclusion of this Agreement. Within such 30day period, Service Provider shall certify in writing to the College that such return or destruction has been completed. To the extent return or destruction is not feasible; this Agreement shall remain in full force and effect.

Service Provider means any person or entity that receives, maintains, processes, or otherwise is permitted access to Customer Information through its direct provision of services to a financial institution. The Gramm-Leach-Bliley Act broadly defines “financial institution” as any institution engaging in the financial activities enumerated under the Bank Holding Company Act of 1956, including “making, acquiring, brokering, or servicing loans” and “collection agency services”. Because higher education institutions participate in financial activities, such as processing student financial aid and student loans, FTC regulations consider them financial institutions for purposes of the Gramm-Leach-Bliley Act.

Customer Information means any record containing nonpublic information as defined in 16 CFR 313.3(n), about a customer of a Financial Institution, whether in paper, electronic or other form that the College has obtained from a customer in the process of offering a financial product or service including offering student aid and loans to students as defined in 12 CFR 225.28. Any and all Customer Information provided by the College to the Service Provider or which the Service Provider acquires through its own efforts in rendering or providing any goods or services under this Agreement, shall be considered confidential and held in strict confidence and shall only be released to the Service Provider’s own personnel, agents, sub-contractors and sub-consultants only to the extent necessary to provide or perform the goods and/or services required by this Agreement. Such information shall not be released by the Service Provider to any other person or organization without the prior written consent and approval of the College.

SECTION III SCOPE AND EVALUATION CRITERIA

1.0 INTRODUCTION

New Mexico Junior College (NMJC or the College) will be accepting Construction Manager at Risk (CM at Risk, CMAR, CMR) qualification statements from licensed and experienced construction firms interested in providing CM at Risk services for the construction of **the ALLIED HEALTH BUILDING**.

NMJC intends to award this component of the project (CM at Risk) pursuant to the Educational Facility Construction Manager at Risk Act (Section 13-1-124.1 through 13 -1-124.5 NMSA 1978).

The **first step** in the CM at Risk solicitation and award process is issuing this Request for Qualifications (RFQ). **Please note that this is an RFQ only. No additional information beyond a firm's qualification to perform as CM at Risk is required at this time.** Submittals shall be in accordance with Section 6.1 of these instructions. A Selection Committee will review each Respondents Statement of Qualifications received in response to this RFQ to determine compliance with the minimum qualifications as set forth in the Educational Facility Construction Manager at Risk Act.

The **second step**, utilizing the criteria set forth in Section 6.1, the Selection Committee will evaluate the Statements of Qualifications from the Respondents and identify the most qualified Respondents who will then be sent a Request for Proposal (RFP) for Fee, General Conditions and Pre-construction Services.

At that time, the Selection Committee will evaluate the RFP submittals and conduct interviews with the three highest ranked Respondents.

After conducting interviews and after considering the factors listed in Section 6, the Selection Committee shall rank the Respondents and recommend one firm for selection that it feels would be most beneficial to NMJC.

1.1 Minimum Qualifications

The minimum qualifications for the Construction Manager at Risk are:

- a. A contractor's license for the type of work to be performed, issued pursuant to the Construction Industries Licensing Act;
 - b. Registration pursuant to Section 13-4-13.1 NMSA 1978 "Public Works Contract(s); Registration of Contractors and Sub-Contractors"; and
 - c. A minimum bonding capacity in the amount of: \$10,000,000.00
- Additional qualifications are described in Section 6.0 below.

2.0 SCOPE OF WORK

The Scope of Work under this solicitation is separated into three steps. The known specifics of each steps of the work follow.

General funding information for the project.

The total anticipated project budget is \$8M, funded in part by institutional funds and the 2016 General Obligation (GO) Bond C. The MACC is currently estimated at \$6.9M, but will require CMAR input as the project moves forward.

General Description: This project involves the construction of an approximately 23,000 sf one-story building on the campus of the NMJC in Hobbs, New Mexico to house their Allied Health nursing programs. Currently these programs are housed in McLean Hall, and will be relocated to the new modern and technologically-rich building composed of:

- Three active learning classrooms with each accommodating 50 students each
- A CNA (Certified Nursing Assistant) program that will serve Lea County high school students
- Nursing lab space with twenty hospital beds and integrated classroom space to teach and practice nursing procedures with mannequins of varying levels of resolution
- A simulation center to provide a real-world hospital experience with high resolution mannequins
- Faculty offices and student support and study areas

The College's vision for this project:

- Bolster an already very strong program – top 10 in the nation
- Strengthen relationship with Lea Regional Medical Center and Nor-Lea Hospital District
- 'Be deep instead of wide'
- Teach curriculum needed in Lea County
- Keep graduates in Lea County

And their performance goals have been identified as:

- Bridge Campus and Hospital physically, programmatically, and symbolically
Complete the circle
- Create a facility with a "Wow" Factor through its transparency (education on display), state-of-the-art technology, and promotion of education, professionalism, health, and wellness
- Provide an intuitive and inviting atmosphere to promote interaction and foster collaboration – student-student, faculty-faculty, and student-faculty
- Utilize sustainable approaches that payback and minimize ongoing maintenance and operations costs
- Promote recruitment and retention of both students at the school and nurses in the county
- Promote wellness for faculty, NMJC students, and future nurses

Per the 2006 Governor's mandate, this project will need to achieve LEED Silver Certification as a minimum. Currently, the project is completing the Schematic Design phase and will temporarily hold until a CMAR can be brought on board to work closely with the design team.

3.0 PROPOSED SCHEDULE FOR SELECTION AND THE WORK

The following is a general schedule, subject to revision, for the selection of this Construction Manager at Risk:

3.1 Schedule for Selection.

Request for Qualifications (RFQ) advertised **Sunday April 16, 2017**
Non Mandatory Pre-Submittal Meeting, **April 26, 2017** at 1:15 P.M. MST –
NMJC Daniels Room in the Ben Alexander Student Learning Center, Hobbs, NM
RFQ Due at 2:00 P.M. MST, **May 10, 2017**
Selection Committee Meets to evaluate RFQ **TBD**
Release Request for Proposals (RFP) for Fee and Specified General Conditions
sent to qualified firms, **May 17, 2017**
RFP due at 2:00 P.M, MST **May 24, 2017**
Interviews with shortlisted firms, **May 31, 2017**
NMJC Board meets, **TBD**

3.2 Schedule for Design

Program, **completed.**
Schematic design, **completed**
Design Development, **scheduled completion August 6, 2017**
Construction Documents, **scheduled completion October 1, 2017**

3.3 Schedule for MACC Negotiation, GMP Amendment.

Construction Documents provided to CM for pricing, **scheduled for October 2, 2017**, the team will determine if an early work package is advantageous to the project and will adjust this date accordingly.
MACC Negotiations concluded, **TBD.**
GMP Amendment executed, **TBD.**
NTP and Construction begins, **TBD** depending on early work
Substantial Completion, **TBD**
Final completion, **TBD**

4.0 SPECIFIC PROJECT REQUIREMENTS AND DELIVERABLES

The CM at Risk shall actively participate as a member of the project team with the College and the Architect of Record beginning with design concept and constructability reviews and construction cost estimating at the end of the Schematic Design phase and continuing through construction and commissioning of the project. The purpose of these pre-construction and construction responsibilities is to provide the expertise necessary to ensure that the program objectives are realized and the project budget and schedule are met, resulting in an integrated project delivery value engineered for the best value to NMJC.

NMJC requires a dynamic, ongoing estimating and constructability effort, in addition to that provided at project design milestones, to coincide with the development of the design and documents. Estimating and constructability reviews will be an ongoing effort. The design phase will be fast-paced and NMJC will need ‘real-time’ feed-back. The CMR is an integral part of the team and carries a **leadership role** in estimating and constructability review efforts, requiring

early and active participation. The highest degree of professional effort is expected to optimize the process.

The CM at Risk shall provide pre-construction services, including, but not limited to attending and participating in design meetings with the College and Architect of Record; identifying safe work practices and requirements for construction; assessing and recommending site logistics requirements; recommending phasing and sequencing of the work; construction scheduling; cost estimating; assessing alternative construction methods and products for Value Engineering and life cycle cost considerations; and, participating in the College's phased design and construction document reviews.

The CM at Risk shall propose a Guaranteed Maximum Price (GMP), which shall be the sum of the estimated cost of the Work (MACC), its Preconstruction Fee and its proposal for General Conditions and Construction Manager's fee. The CM at Risk shall indicate the percentage of the GMP that it will perform with its own work forces.

The CM at Risk, in cooperation with the College, shall seek to develop subcontractor interest in the project, conduct pre-bid or pre-proposal meetings, advise the College about bidding or proposals, evaluate submissions by responsible bidders and Respondents, and enter into subcontracts for the execution of the Work.

The CM at Risk shall manage and superintend the Work.

5.0 COMPOSITION OF THE SELECTION COMMITTEE

The Selection Committee will be composed of College staff and a non-voting representative from Dekker/Perich/Sabatini.

6.0 EVALUATION OF QUALIFICATIONS AND PROPOSAL

The requirements for the Statement of Qualifications, Proposals and Interview are set forth below. The weight the Selection Committee will give each factor in their review of the qualifications and proposals are provided. The Selection Committee may, at its option, request additional information to determine a Respondent's responsibility if the need arises during the Selection Committee's evaluation of qualifications and proposals.

6.1 Requirements for providing responses to Request for Qualifications.

Each Respondent must reply to the questions listed below in the order asked. Brevity is preferred. Pay attention to specific requests for information. All statements of qualifications shall be bound in 8 ½ x 11 format; one (1) hard original copy and six (6) electronic (PDF) copies are required. The submittals shall be organized in a manner that will enable the CM at Risk Selection Committee to quickly access pertinent information. Submit copies of the Statement of Qualifications by mail or messenger, no later than 2:00 PM MST, May 10, 2017

Dan Hardin
NMJC Business Office
Administration Building, Room 136A
5317 Lovington Hwy
Hobbs, NM 88240

Letter of Interest: Respondents shall submit a letter of interest signed by a Principal of the firm. The letter of interest shall be no more than two (2) pages long. The letter of interest shall forward the information requested in Section IV.

The following are the components Respondents need to address to the best of their ability for review by the Selection Committee.

Qualifications:

Maximum of 50 points

- a. **Past Performance of the Respondent in completing CM at Risk projects or projects with a Guaranteed Maximum Price (5 Points).** What has been the experience of your firm in completing CM at Risk projects or projects with a Guaranteed Maximum Price? Provide a list of three equivalent completed projects. For each project provide the duration of construction, the final cost, a reference who is familiar with your firm's performance on the listed project and note if any of the individuals named in your project team for the ALLIED HEALTH BUILDING Project participated as members of the project team on the listed project.
- b. **Past Performance in completing similar projects (10 Points).** What has been the experience of your firm in completing new building projects of a similar size and type to this project? Provide a list of three completed projects. For each project listed, provide the duration of construction, the budgeted project cost, the final project cost, a description of the pre-construction services performed by your firm, a reference who is familiar with your firm's performance in completing the project, and note if any of the personnel presented in your project team for this ALLIED HEALTH BUILDING project participated as members of the project team for the listed project.
- c. **Presentation of the Project Team (10 Points).** Describe the organization that you feel is appropriate for the project during the preconstruction, procurement, construction and closeout phases. Identify the personnel or consultants that will serve in those roles and provide their qualifications, experience and hourly rate (for preconstruction services) for each.
- d. **Concept of the Proposal (12 Points).** Discuss the major challenges you envision the Project Team will encounter in completing the work for this project. How would your firm address those challenges? In addition, provide your firm's plan to address the following contractual responsibilities of the CM at Risk:
 - 1.) Preconstruction Services, including estimating, scheduling, constructability reviews, logistics and phasing planning and value engineering;
 - 2.) Procurement Management including developing subcontractor interest, conducting pre-bid or pre-proposal meetings, pre-qualifying subcontractors and

suppliers, receiving and evaluating bids and proposals, and entering into contracts;

3.) Construction Management Services including services to ensure a quality product is delivered on time and within budget;

4.) Safety and Site Management including the services to be rendered and plans to be developed in connection with worker safety, hazardous material control, fire protection, emergency medical response and site security;

5.) Commissioning and start-up services to ensure that all building systems are in full operation at substantial completion; and,

6.) Project Closeout Services to ensure that as-built documentation is accurate, maintenance and operation manuals are complete, warranty and guarantees are provided and College personnel are trained in the maintenance and operation of the facility.

e. Ability of the Respondent to meet time and budget requirements (3 Points).

Provide the following additional information for each of the three projects listed in your firm's response to 6.1 b. above:

1.) Owner's original construction estimate or budget;

2.) Original guaranteed maximum price;

3.) Final Contract Cost;

4.) Original completion date; and,

5.) Actual date of Substantial Completion.

f. Respondent's experience and utilization of subcontractors and material suppliers in New Mexico (5 Points).

Demonstrate your firm's experience in successfully completing construction projects in areas considered remote from major market areas. Indicate your firm's familiarity with the local labor market and capability in developing viable pricing alternatives working with subcontractors and suppliers owned and operated by New Mexico residents.

g. Recent, current and projected workloads (2 Points).

What has been your firm's annual volume (in dollars) of construction for the past five years? What is your firm's anticipated volume for the current year and what is your plan for the next two years? How would your firm's participation in this project affect that plan?

h. Sustainability Capabilities (3 Points).

1) Has your firm completed any projects that are Certified by Completion Date the U.S Green Building Council (USGBC) for their LEED program? List all LEED Certified or Registered projects; by Project Title, Location, Project LEED Certification Level and Completion Date

2) Does your firm employ any Accredited Professionals in the USGC Program (LEED AP). List all Accredited Professionals by Name, Project Title and Location, Project LEED Team Role/Duties and Year Accredited.

6.2 Request for Proposals (RFP):

Maximum 25 Points

The Selection Committee will select Offerors based upon its review of the Statements of Qualifications submitted in response to this RFQ and ask those selected to respond to a Request for Proposals (RFP) for Contractor Fee, Pre-construction Services and General Conditions.

Respondents asked to submit proposals shall submit three proposal numbers on a proposal form to be provided. The first number shall be for the “Contractor’s Fee”, the second shall be for “Pre-construction Services and the third for “General Conditions Work.” The terms “Contractor’s Fee”, “Pre-construction Services” and “General Conditions Work” will be specifically defined in the Request for Proposals (RFP) to be provided to those Respondents who are deemed qualified.

Respondents will state the Contractors Fee as a percentage and multiply it by the estimated “MACC” (Estimated Maximum Allowable Construction Cost) indicated in the RFP to determine a single lump sum number for the dollar amount for Contractor’s Fee. The dollar amount of the Contractor’s Fee will be added to the proposed amounts for General Conditions Work and Pre-construction Services to determine the Respondent’s Total Proposal.

6.3 Interview

Maximum of 25 points

After evaluating the Statements of Qualifications received in response to this Request, and after receiving and scoring the Proposals described in paragraph 6.2 above, the Selection Committee will invite up to three of the highest ranking Respondents for interviews.

Should your firm be invited to an interview, questions will be directed to your proposed Project Team. At a minimum, the corporate executive dedicated to the project, the project manager, the project superintendent, estimator, and other key individuals responsible for pre-construction services and safety during construction must be in attendance. In addition to presenting their qualifications, experience and approach to the project, the Project Team will be expected to respond to questions from the Selection Committee as well as to additional questions that may be posed in the letter inviting your firm to the interview.

6.4 FINAL SELECTION

After conducting interviews with the highest-ranked Respondents and after considering the requirements for selection listed above, the Selection Committee will individually score each of the Respondents interviewed. The Selection Committee will then rank the Respondents to determine which Respondent would be the most beneficial to the College for selection. That Respondent will be sent a proposal for Preconstruction Services. If the College is successful in negotiating an agreement for preconstruction services with the highest-ranked Respondent that it believes is fair and reasonable, a contract will be awarded to that Respondent.

Should the College be unable to negotiate a contract with the Respondent initially identified as the most qualified that the College, within its sole discretion, determines to be fair and reasonable, the College will terminate its negotiation with the highest ranked Respondent. The College shall then undertake negotiations with the second most qualified Respondent as determined by the Selection Committee. If the College is unable to negotiate a contract with the second most qualified Respondent that the College, within its sole discretion, determines to be fair and reasonable, negotiations with that Respondent shall be formally terminated. The College shall then undertake negotiations with the third most qualified Respondent as determined by the Selection Committee. Should the College be unable to negotiate a contract with any of the Respondents recommended by the Selection Committee that the College, within its own discretion, determines to be fair and reasonable, additional Respondents shall be ranked by the Selection Committee and the College shall continue negotiations until a contract is signed with a qualified Respondent or the procurement process terminated.

7.0 PROPOSED CONTRACT

New Mexico Junior College Contract for Construction Manager at Risk will be the contract form. A copy of that document will be provided in the Request for Proposals.

8.0 RELATIONSHIP AND OBLIGATIONS OF THE PARTIES

The CM at Risk accepts the relationship of trust and confidence established with the College by the Agreement referenced in Section 7.0 above and covenants with the College to furnish the CM at Risk's greatest skill and judgment and to cooperate with the Architect in furthering the interests of the College. The CM at Risk shall furnish construction administration and management services and use its best efforts to complete the project(s) in an expeditious and economical manner consistent with the interests of the College. The College shall endeavor to promote harmony and cooperation among the College, Architect of Record, CM at Risk and other persons or entities employed by the College working on the GSSC project.

9.0 NEGOTIATION OF THE MAXIMUM ALLOWABLE CONSTRUCTION COST (MACC) and ESTABLISHMENT OF THE GUARANTEED MAXIMUM PRICE (GMP).

When the College and the CM at Risk mutually agree that drawings and specifications are sufficiently complete for the CM at Risk to provide a Guaranteed Maximum Price (GMP) for the Work, the CM at Risk shall provide an estimate of the Cost of Work to the College for review and negotiation. If the CM at Risk and the College mutually agree on the amount the CM at Risk has proposed, or if they agree on another amount, the estimated cost of the Work as agreed shall become the MACC for the project. The GMP shall be the sum of the Preconstruction Fee, Maximum Allowable Construction Cost and the Contractor's Fee and General Conditions as proposed. The CM at Risk shall provide a payment and performance bond in the amount of the GMP, whereupon, the College and the CM at Risk will execute an Amendment to the CM at Risk Contract revising the Contract Sum to the full amount of the GMP (the GMP Amendment).

10.0 PROPOSAL GUARANTEE

Firms that are selected to submit proposals for Contractor's Fee and Specified General Conditions as described in Section 6.2 above shall furnish a Request for Proposal bond in the amount of 5% of the Total Proposal as required by Section 13-1-146 NMSA 1978.

11.0 NOTIFICATION OF UNSUCCESSFUL RESPONDENTS

After a contract is awarded, the College will make the names of all Respondents and the names of all Respondents selected for interview available for public inspection along with the Selection Committee's final ranking and evaluation scores. Respondents who were interviewed but not selected for contract award will be notified in writing within fifteen calendar days of the award.

**SECTION IV
PROPOSER QUALIFICATIONS
ALLIED HEALTH BUILDING**

Request for Qualifications No.: RFQ# 1000

Firm Name: _____

Type of firm:

() Corporation: State of Incorporation: _____

() Sole proprietorship

Year firm was established: _____

Parent company (if applicable): _____

All former firm names during past 10 years: _____

License Information

a. Does your firm hold a contractor's license for the type of work to be performed issued pursuant to the Construction Industries Licensing Act?

Yes _____ No _____

If yes, provide the following information about the contractor's license.

1. Name of license holder exactly as on file with the State of New Mexico CID:

2. License classification:

3. License code:

4. License number:

5. Date issued:

6. Expiration date:

b. Is your firms' contractor's license **free** of ever being suspended or revoked by the CID or by the appropriate licensing agency in any other state?

Yes _____ No _____

Registration

a. Does your firm hold valid Registration pursuant to Section 13-4-13.1 NMSA 1978 "Public Works Contracts; Registration of Contractors and Sub Contractors".

Yes _____ No _____

Financial Data

a. Is Current profit ratio for the past two of three years greater than 1.0?

Yes _____ No _____

b. Is net profit positive for the past two of three years?

Yes _____ No _____

Surety

a. Provide the following information on all surety companies utilized since 2000.

Surety name: _____

Surety telephone number: _____

Period covered by surety: _____ to _____

Maximum amount of bonding capacity provided by surety to your firm: \$ _____

b. Is your firm **free** of having been taken over by surety for completion in the past **five** years?

Yes _____ No _____

c. Is the surety company to be used on this construction contract licensed to do business in the State of New Mexico?

Yes _____ No _____

If yes, provide the name and telephone number of the surety to be used on this construction contract.

Surety name: _____

Surety contact name: _____

Surety telephone number: _____

d. Is your firm able to obtain bonding in the amount required for this construction contract?

Yes _____ No _____

Safety

a. Is your workers' compensation Experience Modification Rate (EMR) less than 1.0 for each of the past **five** years?

Yes _____ No _____

If yes, provide verification from your worker's compensation carrier.

b. Does your firm have a written safety program compliant with State regulations?

Yes _____ No _____

If yes, provide **one** copy of the written program and state the names of key safety personnel, including the designated lead safety program manager, who will be assigned and individually list their specific duties.

Claims History

Has your firm during the past **five** years been **free** of a determination by a court of competent jurisdiction that it filed a false claim with any Federal, State, or local government entity?

Yes _____ No _____

Prior Debarment

Is your firm **free** of being formally debarred from performing public works projects in the State of New Mexico *or* any other jurisdiction?

Yes _____ No _____

Labor Code Violations

Has your firm during the past **five** years, been **free** of any determinations by a court or an administrative agency of repeated or willful violations of laws and/or regulations pertaining to the payment of prevailing wages or employment of apprentices of public works projects?

Yes ___ No ___

Verification of the Maximum Allowable Construction Cost (MACC)

Has your firm reviewed the MACC for this project and found it to be reasonable for the Scope of Work described in the Request for Qualifications?

Yes _____ No _____

If no, please provide an explanation in the space provided below.

CONTRACTOR'S COMMENTS

Use this area or an attached sheet to provide further explanation of the answers to any questions asked in this Qualifications Questionnaire.

EXHIBIT A SUPPLIER CONFLICT OF INTEREST AND DEBARMENT/SUSPENSION CERTIFICATE FORM

THE FOLLOWING MUST BE CERTIFIED IF THIS CONTRACT IS \$20,000 OR GREATER

CONFLICT OF INTEREST

The authorized Person, Firm and/or Corporation states that to the best of his/her belief and knowledge:

No employee or Board Member of New Mexico Junior College (or close relative), with the exception of the person(s) identified below, has a direct or indirect financial interest in the Vendor or in the proposed transaction. Vendor neither employs, nor is negotiating to employ, any New Mexico Junior College employee, Board Member or close relative, with the exception of the person(s) identified below. Vendor did not participate, directly or indirectly, in the preparation of specifications upon which the quote or offer is made. If the Vendor is a New Mexico State Legislator or if a New Mexico State Legislator holds controlling interest in Vendor, please identify the legislator:

_____ List below the names(s) of any New Mexico Junior College employee, Board Member or close relative who now or within the preceding 12 months (1) works for the Vendor; (2) has ownership interest in the Vendor (other than as an owner of less than 1% of Vendor's stock, if Vendor is a publicly traded corporation); (3) is a partner, officer, director, trustee or consultant to the Vendor; (4) has received grant, travel, honoraria or other similar support from Vendor; or (5) has a right to receive royalties from the Vendor.

DEBARMENT/SUSPENSION STATUS

The Vendor certifies that is not suspended, debarred or ineligible from entering into contracts with the Executive Branch of the Federal Government, or in receipt of a notice or proposal debarment from any Agency. The Vendor agrees to provide immediate notice to New Mexico Junior College Purchasing Department Buyer in the event of being suspended, debarred or declared ineligible by any department or federal agency, or upon receipt of a notice of proposal debarment that is received after the submission of the quote or offer but prior to the award of the purchase order or contract.

CERTIFICATION

The undersigned hereby certifies that he/she has read the above CONFLICT OF INTEREST and DEBARMENT/SUSPENSION Status requirements and that he/she understands and will comply with these requirements. The undersigned further certifies that they have the authority to certify compliance for the Vendor named _____ and that the information contained in this document is true and accurate to the best of their knowledge.

Signature: _____ Title: _____ Date: _____
 Name Typed: _____ Company Name: _____
 Address: _____ City/State/Zip: _____

THE FOLLOWING MUST BE CERTIFIED IF THIS CONTRACT IS \$100,000 OR GREATER

CERTIFICATION AND DISCLOSURE REGARDING PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (September, 2005)

- (a) In accordance with FAR 52.203-11, the definitions and prohibitions contained in the clause at FAR 52.203-12, Limitation on Payments to influence Certain Federal Transactions, including in this solicitation, are hereby incorporated by reference in paragraph (b) of this certification.
- (b) The offeror, by signing its offer, hereby certifies to the best of his/her knowledge and belief that on or after; December 23, 1989
 - 1. No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on his/her behalf in connection with the awarding of any Federal contract.
 - 2. If any funds other than Federal appropriated funds (including profit or fee received under a covered Federal Transaction) have been paid, or will be paid, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress on his/her behalf in connection with this solicitation, the offeror shall complete and submit, with its offer, OMB standard form LLL, Disclosure of Lobbying Activities, to the Contracting Officer; and
 - 3. He/she will include the language of this certification in all subcontract awards at any tier and require that all recipients of subcontract awards in excess of \$100,000 shall certify and disclose accordingly.
- (c) Submission of this certification and disclosure is a prerequisite for making or entering into this contract imposed by section 1352, title 31, United States Cod. Any person who makes expenditure prohibited under this provision or who fails to file or amend the disclosure form to be filed or amended by this provision shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT

The undersigned company agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251 et seq.)

CERTIFICATION

The undersigned hereby certifies that he/she has read the above CERTIFICATION AND DISCLOSURE REGARDING PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTION (APPR 1991) and CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT requirements and that he/she understands and will comply with these requirements. The undersigned further certifies that they have the authority to certify compliance for the vendor named below.

Signature: _____

Title: _____ Date: _____

Name Typed: _____

Company Name: _____

Address: _____

City/State/Zip: _____

NEW MEXICO JUNIOR COLLEGE BOARD POLICY MANUAL

Adopted
January 16, 2003

Revised
June ~~20, 2016~~ 15, 2017

New Mexico Junior College Board
5317 Lovington Highway
Hobbs, New Mexico 88240 (575) 392-4510

ACKNOWLEDGEMENT

New Mexico Junior College would like to acknowledge the following institutions, individuals, and agencies for their assistance with the compilation of the New Mexico Junior College Board Policy Manual (Manual):

- Cochise College
- CNM/Albuquerque
- Odessa College
- New Mexico Higher Education Department
- New Mexico Independent Association of Community Colleges
- Johnson County Community College
- Kirkwood Community College
- Seminole Community College
- Texas Association of Community Colleges

Special thanks go to Mr. John Shepherd, and the many NMJC administrators and department directors. Without the assistance of these institutions, organizations, and individuals this project would not have been possible.

In 2003, the initial manual was revised, edited, and expanded by Richard Lloyd as an internship project for the CCLDP through New Mexico State University.

The primary purpose of this *Manual* is to organize, codify, and correlate the policies and procedures of the New Mexico Junior College Board into a single document, which will continue to be an ongoing project. This project will require an annual review to maintain an updated version. The *Manual* will also correlate with the *College Catalog*, *Employee Handbook*, *Student Handbook*, and the *Business Office Procedures Manual*.

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NEW MEXICO JUNIOR COLLEGEBOARD POLICY MANUAL
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NEW MEXICO JUNIOR COLLEGE BOARD POLICY

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- 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. 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.

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.

NEW MEXICO
JUNIOR
COLLEGE OR
COLLEGE: New Mexico Junior College District.

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 *Business Office 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: first of three digits--100.
2. Policy Topic Designation: last two digits--100.

I. Mission

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

II. Vision

Sharing our Vision 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.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 300

Page 1 of 4

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 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 April 1 succeeding their election. Terms of board members are staggered.
- B. Elections: Elections of board members shall be held on the first Tuesday of March 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 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 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*.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY
Policy No. 301
SECTION: New Mexico Junior College Board
POLICY TOPIC: Board Travel

Page 1 of 1

I. Board Travel

New Mexico Junior College 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.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 302

Page 1 of 1

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.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 303

Page 1 of 7

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 College 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 New Mexico Junior College 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 Chairman 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.

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 and appointing the best qualified professional and support staff available upon recommendation of the President.
 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.
- H. Work with other Board members in a spirit of harmony and cooperation in spite of differences of opinions that arise during vigorous debates on issues.

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 chairman 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.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 400

SECTION: Administrative Organization

POLICY TOPIC: The President

Page 1 of 3

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 Board, upon the President's recommendation, 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 community college. The Chief Executive Officer shall delegate responsibilities for the operation of the various segments of the community 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 recommend to the Board the employment of all exempt employees and the termination of all employees;
- G. 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;
- H. To work with the various administrative heads in the continuous evaluation and improvement of the administrative, supervisory, and instructional techniques and procedures;
- I. To attend all meetings of the Board unless excused by the Board;
- J. 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;
- K. To prepare the agenda for meetings of the Board;
- L. 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;
- M. To prepare the annual HED and institutional budget with the assistance of the appropriate community college officials and personnel;

- N. To serve as an ex officio member of all community college committees and organizations;
- O. To be responsible for the governmental affairs and lobbying activities for the College;
- P. To support and promote the general welfare of the College and its various publics and communities;
- Q. 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
- R. To communicate with the Board on all matters of major concern to the College and its community.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 401

Page 1 of 1

SECTION: Administrative Organization

POLICY TOPIC: Evaluation of College President

I. Evaluation of College President

The New Mexico Junior College 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 the Association of Community College Trustees (ACCT)~~ to NMJC Board members to administer an electronic "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
SECTION: Administrative Organization
POLICY TOPIC: Presidential Travel

Page 1 of 1

I. Presidential Travel

The College 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.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 403

Page 1 of 2

SECTION: Administrative Organization

POLICY TOPIC: Executive Organization

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 Development, Accreditation and Institutional Effectiveness. 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, auxiliary services and personnel 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, campus security / safety, 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. Vice President for Development, Institutional Effectiveness, and Accreditation

The Vice President for Development, Institutional Effectiveness, and Accreditation under the direction of the President, shall have primary responsibility for the development and implementation of policies and procedures related to College development and advancement activities, College Accreditation expectations, and Institutional data and information that assist the Board and the College staff in making effective decisions.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 404

SECTION: Administrative Organization

POLICY TOPIC: Internal Communication

Page 1 of 1

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

Page 1 of 2

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 College Communications 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

Page 1 of 2

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 Vice President for Development 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 New Mexico Junior College 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 College Board for review.

Thunderbird Booster Club

- A. The Thunderbird Athletic Booster Club is a 501(c)(3) non-profit New Mexico organization 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 Thunderbird Athletic Booster Club was organized in January 1968. 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. ~~A.~~ The Western Heritage Museum and Lea County Cowboy Hall of Fame is a multi-functional center dedicated to bringing people together, providing numerous educational 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 educational process at New Mexico Junior College.

~~The~~ The mission of the Western Heritage Museum and Lea County Cowboy Hall of Fame at New Mexico Junior College ~~is~~ shall be non-political and non-profit. This corporation is devoted to honoring those persons from Lea County who have been outstanding in rodeo or who have made outstanding contributions as a ranch cowboy. Other purposes Goals of the Western Heritage Museum corporation shall be to collect and display memorabilia of the Cowboy Hall of Fame inductees for the purpose of perpetuating the region's ~~our~~ 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 serve as a multi-functional center dedicated to bringing people together, providing numerous educational experiences, and presenting the diversity of the cultural and natural histories of Southeastern New Mexico and the surrounding regions; 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 stated herein;~~ 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 corporation as referred herein. ~~museum.~~ Additionally, the Western Heritage

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Museum will seek to provide visitors with appropriate traveling exhibitions on a wide variety of topics for their educational enrichment.

B. ——— 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 corporation.

~~The corporation~~ 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 corporation.

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NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 407

Page 1 of 1

SECTION: Administrative Organization

POLICY TOPIC: Accreditation

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

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 500

Page 1 of 3

SECTION: Personnel

POLICY TOPIC: Requirements and Employment

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. ~~Relatives is any are defined as~~ members of an employee's person'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 Board approval and the following conditions:

IA. 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. No Vice President, Dean or Director may recommend for employment a member of his/her immediate family. Nor may any line supervisor recommend for employment a member of his/her immediate family.

II—B. No family member of the College President, Vice President or Dean may be hired for employment without first obtaining approval of the NMJC Board. Relatives not holding supervisory rank or having employing authority may be employed in the same department/division.

III. 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, ~~and Board approval that a faculty if an~~ employee's contract is not to be renewed, the President shall give written notification no later than March 31st. ~~February 15~~. 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.

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

SECTION: Personnel

POLICY TOPIC: Appeal Process

Page 1 of 1

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 not 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 New Mexico Junior 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 the state and federal statutes and guidelines.

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

SECTION: Personnel

POLICY TOPIC: Employee Records

Page 1 of 1

I. Responsibility for Employee Records

The 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, the custodian for records shall release personnel file contents only upon written authorization from the employee affected.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 508

SECTION: Personnel

POLICY TOPIC: Employee Standards of Ethics

Page 1 of 3

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. An NMJC employee 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 to 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 Statements: 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 statement 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.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 510

SECTION: Personnel

POLICY TOPIC: Sexual Harassment Policy

Page 1 of 2

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 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*.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 600

Page 1 of 5

SECTION: Curriculum and Instruction

POLICY TOPIC: Educational Programs and Services

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 being 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 provides access to a wide range of business services for the would be entrepreneur. The primary service is in the area of counseling. One on one counseling services are provided to each client. These sessions are held in strict confidence and are used to define problems, set goals and objectives, to identify options and to plan for the future. In addition, the SBDC offers training activities designed to meet the needs of the local community. Such training may include short workshops on timely topics or semester long, credit courses. Finally, the third basic service is resources and referrals. The Center has staff and equipment accessible to the client and is part of a state wide network of centers. Any person living in Lea County or considering establishing a business in Lea County can use the services of the NMJC Small Business Development Center.~~

The Small Business Development Center (SBDC) provides a vast array of technical assistance to small businesses and aspiring entrepreneurs. By supporting business

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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.

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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 sixteen 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. An overload is more than eighteen (18) credit hours per semester. Students may take up to 7 credit hours each summer session. (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 Board.
- 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

SECTION: Curriculum and Instruction

POLICY TOPIC: Academic Freedom

Page 1 of 2

I. Introduction

Academic freedom is a right protected by the First Amendment of the United States Constitution.

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 College 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

SECTION: Student Services

POLICY TOPIC: Student Programs and Services

Page 1 of 2

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. Special Needs 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 Enrollment Management Office 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 Enrollment Management 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 Office of Enrollment Management 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)

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 701

SECTION: Student Services

POLICY TOPIC: Admissions

Page 1 of 1

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) 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 Dean of Enrollment Management 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*.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 702

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SECTION: Student Services

POLICY TOPIC: Registration, Tuition Charges

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 New Mexico Junior College 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 New Mexico Junior College 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 Dean of Enrollment Management. The Dean of Enrollment Management 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 Dean of Enrollment Management to explore potential options to continue or terminate their current enrollment. The Dean of Enrollment Management 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 our policies regarding military absences, we 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 Dean of Enrollment Management in person or by writing before the end of the enrollment period. The student will need to provide a copy of their orders.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 703

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SECTION: Student Services

POLICY TOPIC: College Credits, Articulation with Other Institutions and Graduation Requirements

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 New Mexico Junior College, Office of Enrollment Management. It shall then be the student's responsibility to request referral of this transcript by the Enrollment Management Office 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 Office of Enrollment Management. 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. We grant 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 Dean of Enrollment Management 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 (21 1B 1 6 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 Dean of Enrollment Management.

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 Vice President for Student Services 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 of the NMJC Disciplinary Official, as well as daily times for discipline appointments (these times will be set from 9:00 - 10:00 a.m. and 1:00 to 2:00 p.m. Should these times not work for the student, he / she will be able to call the Disciplinary Official to schedule an appointment).
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 Student Life 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, we too have 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.
- 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

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 800

Page 1 of 3

SECTION: Fiscal and Support Services

POLICY TOPIC: Fiscal Programs and Operations

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 New Mexico Junior College 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 College 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 New Mexico Junior College 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 and 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 New Mexico Junior College 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.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 803

Page 1 of 3

SECTION: Fiscal and Support Services

POLICY TOPIC: Purchasing and Procurement

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, 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 New Mexico Junior College 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.

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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 ~~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 to the College.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 804

Page 1 of 1

SECTION: Fiscal and Support Services

POLICY TOPIC: Commercial Activities at the College (including Sales/Fundraisers)

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 warrants holding 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.
- C. 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 mediate 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.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 806

Page 1 of 2

SECTION: Fiscal and Support Services

POLICY TOPIC: Cash Management

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

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 New Mexico Junior College 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 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 College 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.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 900

Page 1 of 2

SECTION: Campus Activities and Security

POLICY TOPIC: Speakers or Guests, Facility Usage and Public Events

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 the New Mexico Junior College District). 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.

A. 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.

I. Public Safety and Security Force

As part of its accountability to constituents, the College 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 approved by the appropriate View 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.

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 903

Page 1 of 1

SECTION: Campus Activities and Security

POLICY TOPIC: Inclement Weather

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 Director of Administrative Services or Director of Public Safety will also make notification via the RAVE 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

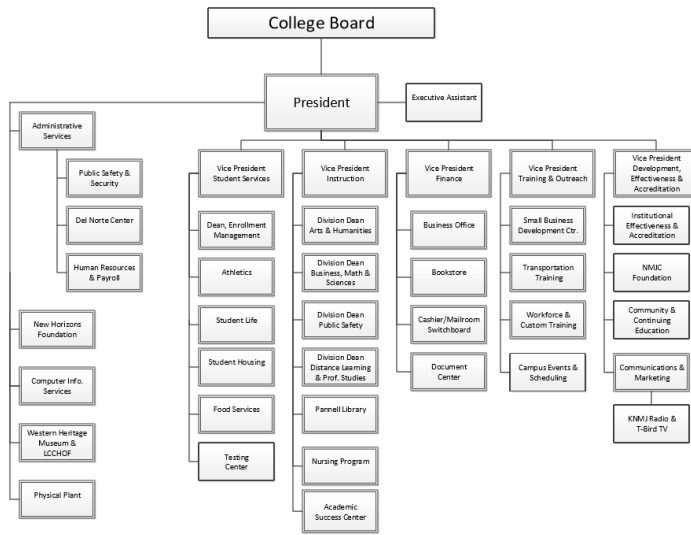
Community College Act

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/>

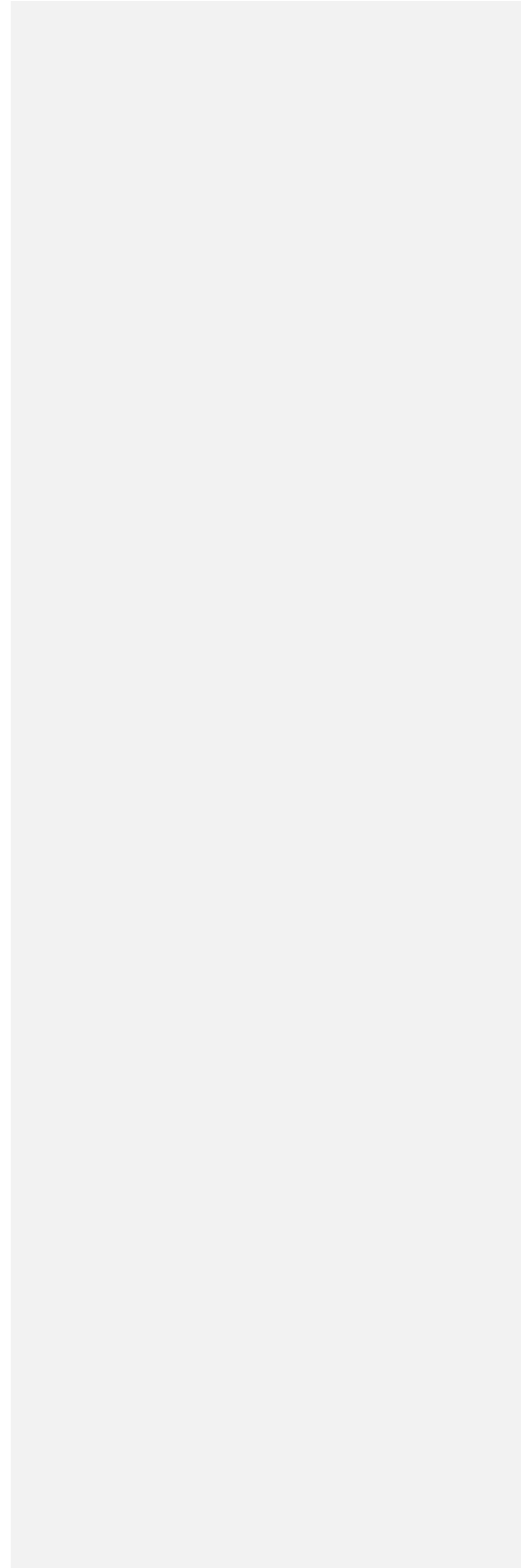
APPENDIX B
NEW MEXICO JUNIOR COLLEGE
ORGANIZATIONAL CHART



May 2016

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.

**EMPLOYEE
HANDBOOK**

**NEW MEXICO JUNIOR COLLEGE
One Thunderbird Circle
Hobbs, New Mexico 88240
(575) 392-4510**

Updated and Adopted

by

New Mexico Junior College Board

~~July 21, 2016~~
June 15, 2017

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GLOSSARY

Classification System--an ordering of different positions based on salary range.

College--New Mexico Junior College.

Contingent Employee--a person employed for a position for less than one (1) year who receives no benefits.

Conversion--a change in an individual's status from one type of appointment to another (e.g., move from contingent to full-time).

Demotion--a move to a lower salary range under the same salary schedule usually resulting in a reduction in pay.

Dismissal--the possible consequence of failure to respond to corrective discipline or the result of a violation of such a serious nature to warrant immediate termination of employment.

Employee at Will--an individual who is not employed under an employment contract but who may be dismissed or quit at any time with or without cause.

Faculty--a nine (9) month employee who is not eligible for overtime or compensatory time compensation. Faculty employees generally receive annual employment contracts.

Family Members--Parents, brother, sister, grandparents, grandchildren, spouse's parents, or spouse's brother or sister.

Full-time--a position that requires at least forty (40) hours work per workweek or at least twenty-five (25) hours work per workweek for faculty teaching in the credit program.

Grievance--a formal request for hearing by an employee to appeal a decision which resulted in loss of pay due to suspension, dismissal or non-renewal of a contract.

Hourly--the status of an employee eligible for overtime pay.

Immediate Family--a spouse, children and any other legal dependent.

Over-time--work in excess of an hourly employee's regularly scheduled workweek (a minimum of 40 hours).

Part-time--a position requiring less than forty (40) hours work per workweek or less than twenty-five (25) hours work per workweek for faculty teaching in the credit program.

Position--an aggregate of duties and responsibilities.

Posting--advertising vacant positions to employees.

Professional Employee--a full or part-time supervisory or administrative employee who is not eligible for overtime or compensatory time compensation. Professional employees generally receive annual employment contracts.

Promotion--a change of an employee to a higher salary range which usually results in change in pay.

Protected Class--includes individuals determined to be eligible for protection by any anti-discrimination regulation or statute.

Reassignment--a change from one employment position to another without promotion or demotion.

Reclassification--a change in duties, responsibilities, qualifications, title and/or salary range of a position as a result of a job evaluation.

Reduction in Force--a personnel action that may be required due to lack of work, funds, or reorganization, resulting in termination or downward reclassification of a position.

Regionally-Accredited Institution--a post-secondary institution accredited by one of the following regional agencies: Middle States Association of Colleges and Schools; New England Association of Schools and Colleges; North Central Association of Colleges and Schools; Northwest Association of Schools and Colleges; Southern Association of Colleges and Schools and Western Association of Schools and Colleges.

Registered Elector--persons eligible to vote in a specific election or referendum.

Reinstatement--re-employment of a full-time employee to the same, lower or higher classified position.

Resignation--the voluntary separation from employment prior to retirement by an employee.

Retired Employee--any New Mexico Junior College employee who terminates employment and who, at the time of termination, is eligible to participate in group benefits and who qualifies for any retirement benefits under the New Mexico Educational Retirement Board.

Safety Sensitive Position--any employee who performs a task who could put himself/herself or any other person in bodily danger.

Salaried--the status of an employee not eligible for overtime pay.

Salary Plan--an ordering of salary ranges for job classifications.

Seasonal Employee--an employee usually employed for no more than six (6) months who receives no benefits.

Sick Leave--a leave with pay granted after accrual to eligible employees when personal illness, illness in the immediate family or legal quarantine keeps them from performing their duties.

Spouse--a husband or wife, as defined or recognized under state/federal law for purpose of marriage, including common law marriage in states where recognized.

Supervisor--an employee who is in charge of or exercises direction and control over other employees in the performance of his/her duties.

Support/Maintenance Employee--a full or part-time employee who is eligible for overtime or compensatory time. Support/maintenance employees do not usually receive an annual contract and are employees at will.

Suspension--a disciplinary action placing an employee on leave-without-pay status for a specified period of time.

Termination--the resignation, retirement, dismissal or death of an employee.

Test--a formal method by which an applicant's or employee's qualifications are assessed for employment or promotion.

Transfer--a lateral move from one job to another within the same salary range.

Vacancy--an authorized position not occupied by an incumbent which has been approved to be filled by the appropriate designated authority.

Verbal Warning--verbal communication between an employee and supervisor identifying corrective action to be taken by an employee.

Written Warning--written communication between an employee and supervisor identifying corrective action to be taken by an employee.

**NEW MEXICO JUNIOR COLLEGE
EMPLOYEE HANDBOOK**

The policies and practices printed in the *Employee Handbook (Handbook)* are applicable to all employees as indicated except the President. Conditions of employment of the President are contained in a separate contract between the President and the Board.

The purpose of written policies and practices is normally to provide a broad and uniform understanding of the manner in which individual employees of New Mexico Junior College are to function in a team effort to attain desirable objectives. The *Handbook* is a collection of policies and procedures that serves as a guideline for the College. These policies and practices also provide the employee with guidance and Board expectations. The College Board reserves the right to modify, amend, delete, clarify, apply and interpret its policies at its sole discretion.

College policies and procedures, as well as benefits and services, are constantly under review. Changes may occur and become effective prior to actual reprint in the *Handbook*. To facilitate changes and updating on a timely basis and to avoid frequent and costly editions of the entire *Handbook*, it is distributed in loose leaf form and electronically on our website. As new pages are printed, they shall be distributed to the employees. Each employee shall be responsible for making the necessary additions or substitutions to his/her *Handbook*.

I. Introduction: Where to Find Information about Employment with New Mexico Junior College

A. The purpose of the *Handbook* is twofold:

1. To assist a new employee in adjusting to his/her job on campus and;
2. To serve as an informational guide for employees on matters of employment and operational policies and employee benefits.

B. The administration and the College Board believe our campus is a good place to work and it is hoped that each employee will be successful and happy in his/her job. Supervisors and other administrative personnel are always willing to help with any problem related to employment on campus.

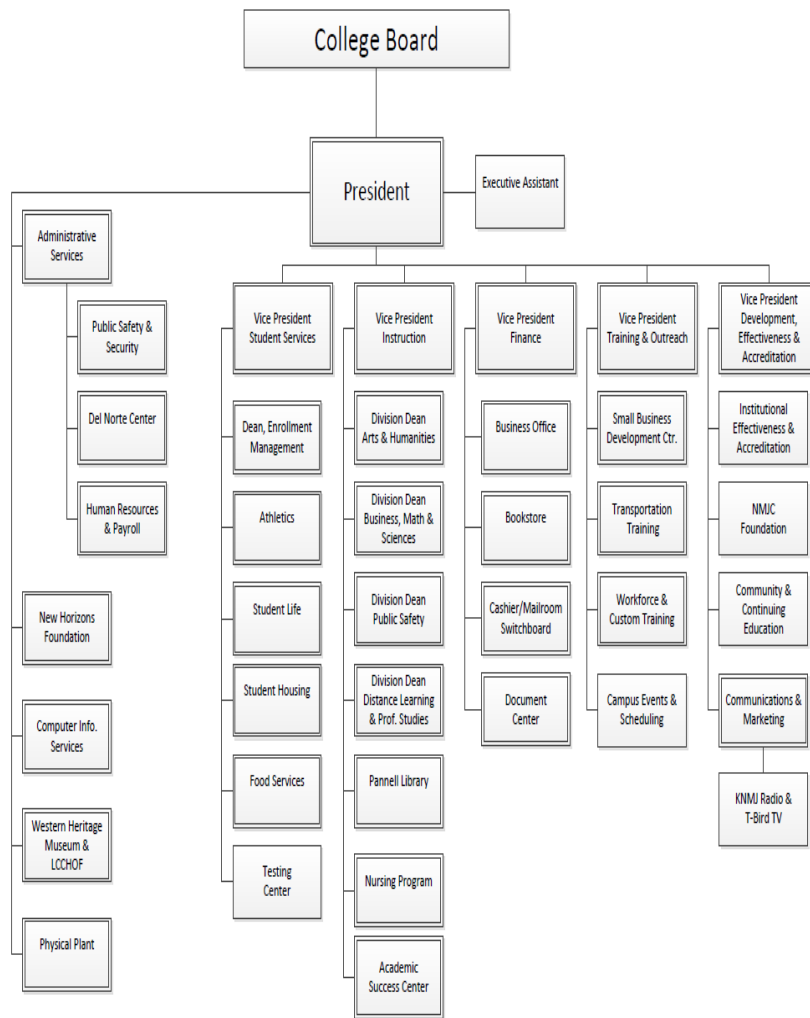
II. Responsibility to the Public

New Mexico Junior College is supported by local and state tax revenues and exists to serve the people of the community College's service area through education. Our success depends upon the kind of relations the College, as represented by its employees, has with

the public. The public is made up of different groups including students, parents, alumni, visitors to our campus and many others. We all share in building and maintaining good relations with our constituency. The College shall be judged not only by our graduates but also by the public's personal contact with you through correspondence, telephone conversations and visits on our campus. Your politeness and courtesies to the public on and off campus will help the College perform its service in a positive way.

III. Employees

- A. New Mexico Junior College is 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.
- B. New Mexico Junior College is committed to providing a variety of support services. When feasible through its employees, the College shall cooperate with individuals, groups, organizations, businesses and agencies for the development and enhancement of support services that are available to the community College's service area.
- C. Any questions on policies or practices contained in the *Handbook* shall be directed to the Human Resources Office.



May 2016

Mission

New Mexico Junior College, as a comprehensive community college, promotes success through learning.

Services Provided by New Mexico Junior College

In support of its mission, New Mexico Junior College (NMJC) offers a variety of educational opportunities and services to meet needs in the lifelong process of personal and professional development. NMJC offers

- programs for students to develop basic academic skills for successful post-secondary study;
- courses and programs that prepare individuals for employment, career updating, and job advancement;
- the first two years of study for those seeking transfer to a four-year college or university;
- public service activities, including workshops, seminars, forums, and cultural arts programs;
- comprehensive student development services which provide student support and assistance; and
- courses for personal growth and cultural enrichment.

Vision

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

Values

New Mexico Junior College is committed to the following values in support of its mission as we provide services to a diverse college community. **New Mexico Junior College defines college community as its students, employees, partners, and citizens of the area we serve.**

Access

In keeping with this value, the college

- helps members of the college community overcome their barriers to success;
- provides convenient, affordable educational opportunities and services;
- provides support for students transitioning to college and on to other postsecondary educational opportunities and to the workplace;
- offers education, training, and activities that meet the diverse interests and needs of the college community; and
- supports educational opportunities through technology.

Responsiveness

In keeping with this value, the college

- continually scans the environment locally, regionally, and nationally to identify opportunities that will meet the ever-changing needs and interests of a diverse and dynamic college community;
- enriches and increases partnerships to identify and meet the educational needs of the college community;
- remains flexible to respond creatively and appropriately to the changing world and to the educational, social, and cultural needs of the diverse college community;
- provides employees with opportunities for professional growth and development;
- ensures fiscal responsibility and public accountability;
- offers relevant programs and support services that meet the needs of a diverse college community; and
- contributes to the social, cultural, and economic development of the college community.

Effectiveness

In keeping with this value, the college will build its understanding and commitment of effectiveness by

- establishing and tracking student outcomes to evaluate and improve learning;
- promoting employees' roles and responsibilities in fostering a climate of learning;
- promoting high academic standards through excellent instruction;
- engaging in sound planning, management, and systematic evaluation for the improvement of programs and services;
- ensuring adequate, fair, and equitable benefits, policies, and procedures;
- acquiring and allocating resources to support the mission and goals of the college;
- keeping the college community aware of college activities, needs, and performance;
- providing a supportive, caring, student-centered environment;
- fostering a work environment that encourages open communication, innovation, productivity, accountability, and personal commitment; and
- providing and using current technologies that support educational and training objectives.

Excellence

In keeping with this value, the college will build its understanding and commitment of high standards and quality by

- committing to an environment of self evaluation and continuous improvement;
- setting benchmarks to develop an understanding of excellence;
- nurturing the development and practice of leadership;
- encouraging and rewarding initiative, innovation, outstanding performance, ethical decision making, and accountability;
- offering support services that are designed to foster success; and
- striving for an environment that does not accept mediocrity.

Strategies and Objectives of the 2010-2016 NMJC Strategic Plan:

1. **Student Success** – NMJC will improve the quality of student success and engagement across all segments of the student population regardless of credit-bearing status.

Objectives

- 1.1 Increase NMJC graduation rates (including degrees, certificates and licensure).
 - 1.2 Increase NMJC student transfer rates to four-year institutions.
 - 1.3 Increase NMJC fall-to-fall and fall-to-spring student retention rates.
 - 1.4 Improve community and employer feedback on the quality of students emerging from NMJC programs.
 - 1.5 Improve student engagement and satisfaction as reflected in CCSSE and Noel Levitz measures.
 - 1.6 Support students with relevant and effective career services.
2. **Communications** – NMJC will increase awareness of college programs, activities, opportunities, and accomplishments within the public, among internal members of the campus community, and within all K-12 communities within our region.

Objectives

- 2.1 Increase public awareness of NMJC programs, activities, accomplishments and opportunities.
- 2.2 Improve internal communications.
- 2.3 Support internal sense of community among all employees and students.
- 2.4 Increase awareness of, and respect for NMJC programs within all segments of the K-12 communities.
- 2.5 Develop and implement an institutional plan for marketing the college and engaging the community.

3. **Resource Management** – Particularly during this extended period of state financial instability, NMJC will focus on efficient management of resources including special efforts to develop new sources of funding. With a goal of maintaining essential services and programs, the college will prepare a plan to withdraw from low priority programs that have become ineffective in terms of resource allocation or that no longer meet the priorities of our student populations and the community.

Objectives

- 3.1 Develop new resources and sources of funding.
- 3.2 Identify and phase out low priority/legacy programs that no longer meet the changing needs of our student population.
- 3.3 Evaluate all programs and operations to improve cost efficiencies.

4. **NMJC as a Learning Organization** – the college will engage in programs and activities designed to support development of NMJC as a Learning Organization [*a learning organization is an organization skilled at creating, acquiring, and transferring knowledge, and at modifying its behavior to reflect new knowledge and insights: Garvin, et al, 2008*] with the goal of creating an operating culture focused on continuous improvement of all programs and activities.

Objectives

- 4.1 Benchmark key programs and processes against best practice models from other organizations.
- 4.2 Address and resolve all remaining issues from the 2005 HLC Visit Report.
- 4.3 Achieve a positive HLC review in 2015 and reaffirmation of college accreditation.
- 4.4 Develop departmental level methods of evaluating and reporting program and activity quality.

5. **Leadership and Faculty** – In recognition of the impending turnover in executive leadership and the ever-present need for maintaining a high quality faculty, NMJC will engage in specific programs and activities designed to attract, develop, and retain experienced professional leadership and highly competent professional faculty.

Objectives

- 5.1 Increase faculty engagement in internal as well as community activities.
- 5.2 Engage in active professional development programs for faculty and campus managers.
- 5.3 Reduce faculty and employee turnover rates.
- 5.4 Develop a plan and associated practices to actively identify and employ quality faculty and staff.

6. **Educational Quality** – NMJC academic leaders, working closely with faculty, will develop and implement a focused effort to evaluate course content and instructional effectiveness with the goal of continuing to improve course quality across all delivery mediums and on an ongoing basis.

Objectives

- 6.1 Improve student learning outcomes across all modes of instructional delivery.
- 6.2 Meet, or exceed, institutional learning objectives.
- 6.3 Engage all faculty (full-time and part-time) in student learning and assessment activities.
- 6.4 Develop methods of assessing and reporting student learning outcomes in noncredit programs and courses.
- 6.5 Promote continued growth of online courses and courses delivered through alternative modes (iTV, etc.).

Every effort has been made to make the Employee Handbook (Handbook) clear and understandable. However, in case of misunderstanding, ambiguity or lack of clarity, the determination is left to the President and the Board to interpret the meaning of the Handbook.

The College Board recognizes that the Handbook cannot answer all problems or questions that arise in the day-to-day operation of the College. In the interest of fairness and/or clarity, all suggestions or amendments to improve the Handbook shall be submitted to the Employee Benefits and Welfare Committee and the President, who shall review the recommendation. Once the recommendation has been reviewed, it shall be forwarded to the Board for consideration and final action.

NEW MEXICO JUNIOR COLLEGE 2014-2015 EMPLOYEE HANDBOOK

Policy No. 101

Page 1 of 1

SECTION: Administrative Duties of Employees

POLICY TOPIC: Amendment to the Employee Handbook

The Employee Handbook shall be amended, modified, deleted and any new policies shall be added from time to time, as the Board deems necessary. Such changes may be made during the contract year and shall take effect immediately upon approval of the Board.

The Employee Benefits and Welfare Committee conducts an ongoing review of the Handbook and may make recommendations for changes to the President.

New Mexico Junior College is governed by a seven-member board elected from the Junior College District. The duties and responsibilities of the College 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.

The Board evaluates proposals for the improvement of the College and the educational program, studies present practices of operation, and in turn, approves policies to fit the needs of the College and its organization.

Members of the Board shall have authority only when acting 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.

The New Mexico Junior College Board subscribes to the belief that employees and students shall contribute and assist in formulating policies and procedures for the College, subject to adoption by the Board of such recommendation. To implement this belief, the College standing committees have been formulated, the number of which shall depend upon the needs of the institution. Additionally, ad hoc committees shall be formulated as needed. Appointments to College standing committees shall be made by the College President as follows: faculty, professional, support/maintenance employees and students, as appropriate. These appointments shall be made based upon individual preferences when possible. Participation in committees and advisory groups shall be mandatory. When the membership has been selected, the College President shall appoint a person to call the first committee meeting, at which time the committee shall elect a chairperson, a vice chairperson and a recorder. (Student appointments shall be made after the committees have been organized.) Each committee shall make reports, including recommendations, and after approval, committee minutes must be kept and submitted to the College President on a regular basis. A list of committees is available through the President's office.

It is the aim of New Mexico Junior College to provide all pertinent information that shall aid the student in formulating objectives and career plans and to encourage him/her to make the most of his/her opportunities and potential. To further this goal a faculty-centered advising program exists at New Mexico Junior College.

The duties and responsibilities of the faculty advisor shall include, but are not limited to, the following:

- I. Serving as an advisor to students assigned as advisees.
- II. Keeping informed about these advisees with the assistance of College counselors, financial assistance officer, registrar and appropriate dean or administrator.
- III. Maintaining up-to-date knowledge of the various career possibilities in their teaching fields.

All professional employees shall be obligated to attend functions assigned by the College officials. Professional employees shall accept such appointments as a part of their professional responsibility. Responsibilities of professional employees sponsoring activities shall include:

- I. Giving guidance to the organizations of which they are a sponsor and planning with the officers any activity to be scheduled by the organization.
- II. Making certain that plans for the event in question conforms to general College policy.
- III. Taking into consideration that projects shall not be undertaken that will consume an undue amount of time. Scholarships, standards, workload and the health and safety of students shall be taken into consideration before assigning students to an activity that shall make unusually heavy demands upon their time.
- IV. Delegating as much responsibility as possible to the students and making certain that students have completed responsibilities assigned to them.
- V. Ensuring, that in conjunction with public performances of any group, the sponsor is thoroughly aware of the content of the program and the manner of presentation.
- VI. Sponsors shall be present at all events scheduled by the organization for which they are the advisor. Sponsors shall always make certain that chaperones have been secured for scheduled dances or other similar occasions and other professional employees have been invited.
- VII. Organizational funds shall be administered through the College Business Office. It shall be the sponsor's responsibility to requisition funds according to business office policies and purchasing procedures.

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 or any other basis protected by federal, state or local law. Furthermore, New Mexico Junior College will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship, health or safety concern.

For information concerning employment, please contact the Human Resources Office at (575) 492-2790. For information concerning Section 504 accessibility, contact the Special Needs Coordinator in the Counseling Department at (575) 492-2576.

NEW MEXICO JUNIOR COLLEGE 2014-2015 EMPLOYEE HANDBOOK

Policy No. 201

Page 1 of 1

SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Appointment

A new employee shall complete all necessary forms in the Human Resources Office no later than his/her first day of employment.

Neither the provisions of the *Employee Handbook* nor the terms of the employment contract shall be construed to imply or guarantee the expectation of continued employment with the College. ~~Each year the President shall be responsible to recommend to the Board the persons to be offered contracts of employment.~~ Contracts for professional and faculty employees shall not exceed one (1) year.

Support/maintenance employees are employees at will. An employee at will is an individual who is not employed under an employment contract but who may be dismissed or quit at any time with or without cause.

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

- I. New Mexico Junior College Board member's immediate family members are prohibited from working for the College while the Board member is serving in that position.
- II. No family member of the College President, Vice President or Dean may be hired for employment without first obtaining approval of the NMJC Board.~~Nor may any line supervisor recommend for employment a member of his/her immediate family.~~
- III. Relatives not holding supervisory ~~rank~~authority-or not having employing authority may be employed in the same department/division upon approval of the President of the College.

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I. Qualifications for Employment, Promotions or Transfers

- 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) 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 New Mexico Junior College.

II. Requisition for Employment

- A. The department or division with a new position or vacancy shall submit an approved personnel requisition form for employment to the Human Resources Office.
- B. Personnel requisition forms for employment shall be approved by the appropriate Vice President and the President.

III. Posting

A. New positions and vacancies for full-time positions shall be posted (except as provided in the following Subsection D).

- B. Upon receipt of an approved request for employment, the Human Resources Office shall post the new position or vacancy on the Human Resource bulletin board and on the New Mexico Junior College Web page for a minimum of five (5) working days.
- C. Current employees who desire to be considered for promotion or transfer to another position are encouraged to discuss the matter with their immediate supervisor and then make application through the Human Resources Office within the posting period.
- D. Reclassification or upgrading of an existing position shall not be considered a new position or vacancy.

IV. Applicant Selection/Employment Interviews

- A. Existing employees who apply, as well as new applicants, whose qualifications appear to meet the requirements of the new position or vacancy, shall be referred to the employing department/division for interviews and selection.
- B. The supervisor with the vacancy shall review such things as, but not limited to, the applicant's work history, attendance record, behavior and general appraisal of previous work performance. Other factors of consideration shall be the applicant's ability to assume greater and expanded responsibilities of the position.
- C. Current employees shall be granted time to attend job interviews on campus that have been scheduled during their regular work hours. Employees shall notify their supervisors in advance of the interview so appropriate arrangements can be made.
- D. Adhere to the selection committee training manual.

V. Testing

Tests for applicants shall be conducted by the Human Resources Office or its authorized designee, if required. Test scores shall be furnished to the interviewer or employing supervisor. Individuals shall obtain test schedules and scores from the Human Resources Office. Employees interested in promotional opportunities requiring a test shall schedule the test prior to the interview in order for the information to be considered.

VI. Offers of Employment

- A. No offers of employment shall be made before the close of business on the last day of the posting period.
- B. Offers of employment shall be made only to applicants who have processed through the Human Resources Office.
- C. Placement on the salary schedule shall be determined by the Human Resources Office after consultation with appropriate supervisor(s) and administration.
- D. Unsuccessful applicants shall be notified in writing by the Human Resources Office.
- E. Effective date of a promotion/transfer shall be determined by the losing and gaining supervisors. A normal notice is two (2) weeks.
- F. Promotions shall normally be accompanied by an increase in salary. An increase in salary shall not normally accompany a lateral transfer.
- G. Employees promoted and/or transferred to another position shall be eligible for a promotional increase in salary upon transfer.
- H. All full-time new hires must have cleared the background check before the first day of employment.
- I. All Employees who work in safety sensitive positions on NMJC property must submit and pass a Urine Drug Screen Test and/or Blood Test or Breath Test prior to employment.

- I. 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 a reduction in force is necessary, the notification deadlines for professional employees as set forth in the "Procedure for Non-Renewal of Annual Contracts" section (see Section III, Policy 400) shall be set aside.
 - A. Demotion or dismissal may result from a reduction in budget, change in program emphasis or lack of work.
 - B. If reassignment is not feasible, employees may be demoted or dismissed after an administrative review.
 - C. Salary considerations shall follow the same procedure described in the section titled "Voluntary Demotion" (see Section II, Policy No. 236).

- I. The development of a comprehensive wage and salary planning approach is vital to New Mexico Junior College to recruit and retain well qualified employees, meet our obligations as an equal opportunity/affirmative action employer and achieve the following objectives:

- 1.A. Promote fair employment practices within the institution.
- 2.B. 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.C. Provide a system by which fair compensation is made within resources available based on budget considerations and Board action.
- 4.D. 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 and approved 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.

~~E. 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. 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.~~

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

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President of Instruction prior to the faculty member being offered a teaching position for the college.

~~F. Faculty employees employed without the appropriate graduate hours or appropriate master's degree shall have a maximum of three (3) years to remove the deficiency. A faculty employee with an associate degree shall have five (5) years to remove the deficiency. Furthermore, a faculty employee employed with academic deficiencies shall make an annual report on progress toward removing these deficiencies. These reports, to be~~

NEW MEXICO JUNIOR COLLEGE 2014-2015 EMPLOYEE HANDBOOK

Policy No. 206

Page 2 of 3

SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Wage and Salary System Philosophy and Overview

~~submitted to the Vice President for Instruction, shall be due each year prior to receiving a new contract. Any deviation from this policy shall be recommended by the President and approved by the Board.~~

II. Salary Plan Provisions

A. The objective of the salary plan is for the College to be competitive with other similar institutions in local and regional markets and to achieve the goals stated in paragraph I of this section (Policy 206, I.).

B. **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 midyear).
2. Appropriate Dean shall be notified, prior to 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. (Note: 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.)
3. These provisions shall not imply nor guarantee the expectation of continued employment with the College.

C. **Professional**

1. Salary adjustments based on degrees earned shall be made only at the beginning of the contract year following completion (not at midyear).
2. Appropriate Supervisor shall be notified, prior to annual budget

preparation, of any course work that shall qualify a professional employee for advancement on the salary plan for the coming year. Approval shall be transmitted to the Human Resources Office for the Professional employee's personnel file. (Note: 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.)

3. These provisions shall not imply nor guarantee the expectation of continued employment with the College.

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SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Wage and Salary System Philosophy and Overview

D.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. 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. (Note: 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. Employee's appropriate supervisor shall obtain and submit the appropriate paperwork 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.

d. A maximum of ten (10) salary increments may be earned.

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

Occasionally emergencies occur in which an employee shall need to take the initiative in securing immediate first-aid treatment for a student, a visitor, or a coworker. Employees should notify the switchboard, security on duty Public Safety Officer and their supervisor of the emergency. In all cases, a report of all accidents shall be made in writing to the Office of the Vice President for Student Services as soon as possible by the Public Safety Officer working. If the emergency involves a College employee, see the section dealing with workers' compensation for guidance and direction (Section III, Policy No. 343312).

The New Mexico Junior College President, Vice President of Instruction, Vice President for Student Services, Director of Administrative Services, and Director of Public Safety will:

- Work together to determine the best course of action in regard to inclement weather,
- Work with the Hobbs Municipal School District Superintendent or other appropriate HMS personnel to determine the Hobbs Municipal School District's inclement weather action,
- Prior to NMJC class cancellations or campus closure, an inspection of the NMJC campus will be made by any of those individuals listed above,
- If the NMJC campus is closed or delayed, the NMJC Public Safety/Security Department and NMJC Physical Plant are responsible for insuring the on-campus students can get to-and-from the cafeteria, as well as put down the ice melt to speed the thawing process.

Additionally, Physical Plant Employees will need to check boilers to insure the operating pressures are within safe range to prevent pipes from freezing and insure appropriate Campus Housing temperatures are maintained. The Director of physical Plant, Director of Administrative Services, and Director of Public Safety will determine which NMJC Physical Plant and Public Safety Officers/Security Personnel are mobilized for inclement weather delay or campus closure.

- Once the President, Vice President for Instruction, Vice President for Student Services, Director of Administrative Services, and Director of Public Safety determines a NMJC class cancellation or campus closure is necessary, then the following will occur,
 - The President, or Vice President of Instruction, or Vice President of Student Services, or Director of Administrative Services, or the Director of Public Safety will make a class cancellation or campus closure notifications via RAVE, email and through local television and radio stations. The Director of Computer Information Systems will also be notified and the closure information placed on the college web page. The Director of Communications will also be responsible for notifying local television and radio stations of the closure or delay of the campus activities. Local school districts that bus students to the campus will also be notified of the closure or delay in classes.
 - The Director of Physical Plant will also determine the best time and plan for the NMJC campus ice or snow removal.
 - The President, or Vice President for Instruction, or Vice President for Student Services, or the Director of Administrative Services or the Director of Public Safety will review the campus event schedules and determine the action needed for scheduled campus events.

The workweek is a regular recurring period of one hundred and sixty-eight (168) hours in the form of seven (7) consecutive twenty-four (24) hour periods. The College workweek begins at 12:01 a.m. on Monday and ends at midnight the following Sunday. When practical each employee is scheduled for a workweek consisting of five (5) consecutive days and the designated supervisor shall schedule working hours to meet operational needs. The normal schedule is eight (8) hours per day beginning at 8:00 am and extending to 5:00 pm--Monday through Friday--with a one (1) hour lunch. Mealtime is not computed as hours worked and employees shall check out for lunch each day. Particular work hours may be extended due to the needs of your office and your position. Hourly employees are not permitted to work more than 8 hours in one day or 40 hours in one week without permission in advance from their supervisor.

Employees are expected to be at their place of work at the time set by their supervisor, if not earlier. You are expected to keep absences, planned or otherwise to a minimum, so as to not adversely affect the work of their department. Excessive absences may result in termination of employment.

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SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Flexible Assignment

Because of possible shifts in enrollment in various courses or programs, contracts for the current academic/fiscal year shall be made and subsequently accepted with the understanding that employees may be assigned to any of the various College activities for which they would be qualified in order to meet the needs of the New Mexico Junior College District.

Such an assignment shall be subject to the provisions under the heading “Contract of Employment” (Policy No. ~~229~~234) and “Continued Employment” (Policy No. 202).

Engaging in outside employment 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.

Faculty or Professional employee must receive permission from the President of the college before engaging in outside employment.

The full-time employee salary checks are disbursed by the Business Office after 8:00 a.m. on the 15th and the last working day of the month. When the 15th day or last working day of the month falls on Saturday or Sunday or Bank Holiday, salary checks shall be disbursed by the Business Office on the prior Friday for that particular pay period.

The full-time security personnel, part-time employees and student worker salary checks are disbursed by the Business Office after 8:00 a.m. on the 10th and the 25th day of the month. When the 10th and/or 25th working day falls on Saturday or Sunday or Bank Holiday, salary checks shall be disbursed by the Business Office on the prior Friday for that particular pay period.

Pay information is on NMJC Web Portal Self-Service Banner: Complete the following steps: NMJC website; MyNMJC; T-Bird portal; log in/self-service banner; user ID; password; employee; pay information; pay stub. Employees should log out correctly.

Full-Time Employees signed up for direct deposit shall have their direct deposit voucher available on the NMJC web portal by 8:00 a.m. on the 15th and the last working day of the month. When the 15th day or the last working day of the month falls on Saturday or Sunday or Bank Holiday, direct deposit vouchers shall be available the on the NMJC web portal the-prior Friday for that particular pay period.

Full-time Security Personnel, part-time and student employees direct deposit vouchers shall be available on the NMJC web portal on the 10th or 25th day of the month. When the 10th and/or 25th working day falls on Saturday or Sunday or Bank Holiday, direct deposit vouchers shall be available on the NMJC web portal the prior Friday for that particular pay period.

Note: *Direct deposit privileges are available to all full-time, part-time and student employees. Please see payroll to complete the necessary paperwork.*

Pay information is on NMJC Web Portal Self-Service Banner: Complete the following steps: NMJC website; MyNMJC; T-Bird portal; log in/self-service banner; user ID; password; employee; pay information; pay stub. Employees should log out correctly.

General. 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.

Issuance; Use; Duplication. Office and/or building keys shall be issued to an employee only through the assigned department secretary upon receipt of completed key request forms 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. Key(s) issued to an employee shall not be duplicated under any circumstances.**

Upon issuance of office and/or building keys, the employee shall acknowledge in writing the receipt of this policy and shall agree to the responsibilities associated with key possession. If an employee experiences a change in position or assignment, he/she shall immediately turn in his/her key(s) to his/her supervisor or the assigned department secretary. The employee shall then be approved for the issuance of new key(s) authorized for his/her new assignment by the appropriate Vice President and/or President.

An employee's job position may require the employee to access controlled areas by way of secured key privileges in order to perform his/her job responsibilities. In such a case, the employee may be required to meet additional security requirements prior to being issued keys to a controlled area. Prior to the issuance of a building master or a grand master key, a completed background check must be on file. A grand master key shall be issued only to an employee with no felony conviction and shall be approved by the appropriate Vice President ~~and~~ the President.

Return of Keys. Upon termination of employment or transfer of position, an employee shall promptly return all keys issued to him/her to his/her supervisor or the assigned department secretary.

Reporting Loss; Replacement Fees. An employee who loses an NMJC key shall immediately report such loss to (i) his/her supervisor, (ii) his/her assigned department secretary and (iii) the ~~Security Supervisor~~ on duty Public Safety Officer. An employee may incur monetary fines or be required to pay key replacement fees for lost or stolen keys.

Disciplinary Actions upon Violation. Any violation of this policy or misuse of key privileges shall subject the employee to personal liability for any and all resulting damages, missing property and any other losses sustained by the College and shall result in disciplinary action up to and including dismissal.

KEY REPLACEMENT COST

Keso	\$75.00	Restricted areas
GMK	\$50.00	Non-restricted areas
Grand Master	\$100.0	Classrooms, offices, storage
Building Interior Master	\$50.00	Inside building master
Building Exterior Master	\$75.00	Outside building master
Pass Key	\$50.00	Specific Office, classroom
Electronic Access Key	\$50.00	Exterior building master 1 door
Electronic Master Key	\$100.00	Exterior building master more than one door

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SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Absence from Assignment

Absence from any assignment by the employee shall be arranged in advance with the appropriate supervisor. When a faculty employee plans to be absent, he/she shall make arrangements with the appropriate Dean. In the case of an emergency, the appropriate Dean shall make arrangements for the class.

Employees shall clear with the appropriate supervisor at least one (1) week in advance of an anticipated absence on College or personal business. In case of sudden illness, the appropriate supervisor shall be notified at least one (1) hour prior to the beginning of the academic day, if possible.

Employees should comply with the required office call-in procedures in the event of an unplanned absence. Unless it is physically impossible, if employees do not report for work or notify their supervisor for three (3) consecutive work-days, they will be considered as having resigned their position.

When an employee terminates employment from the College, a check-out form shall be obtained from the Human Resources Office. The form shall be used to clear the account of an employee with such departments as the New Mexico Junior College Library, Bookstore, Computer Center, Department where employee worked, Mail Room, Division Secretary (for college issued keys), Business Office, Coordinator of Purchasing and the Human Resource Office. Appropriate signatures shall be obtained and the completed form shall be presented to the Human Resources Office or his/her designee.

Terminating employees who desire a refund and/or roll-over of their educational retirement contributions shall complete a refund and/or roll-over request form in the Human Resources Office and have their signature on the request form notarized.

- I. Long distance telephone call and long distance faxing access is restricted to authorized users via the assignment of a unique employee identification code. The code shall be confidential and not be released to any other employee or student.
- II. Copier machine access is restricted to authorized users via the assignment of a unique employee identification code. The code shall be confidential and not be released to any other employee or student.

~~Note: An employee shall not utilize his/her long distance identification code and/or copier identification code for personal use.~~

- III. An employee shall not utilize his/her long distance identification code and/or copier identification code for personal use. Doing so will result in discipline up to and including termination of employment.

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New Mexico Junior College is aware of the health hazards associated with the use of tobacco products--for the tobacco user as well as the non-tobacco user. In an effort to provide a healthy environment for students, employees and others that may frequent the campus, the College prohibits the use of tobacco products inside any College building or College vehicle.

Smoking and the use of tobacco products shall not be permitted at any time within any NMJC facility, whether owned or leased, or in any motor vehicle, whether owned or leased, by NMJC. Tobacco use shall mean all uses of tobacco including but not limited to cigar, cigarette, pipe, snuff and chewing tobacco. This policy also prohibits the use of E-cigarettes and vapor pens inside any NMJC College building or College vehicle.

- I. Alcohol, the use of alcohol, or being under the influence of alcohol is prohibited on the campus of or facilities used by New Mexico Junior College or in College vehicles.
- II. Illegal drugs, the use of illegal drugs, or being under the influence of illegal/prescribed drugs is prohibited on the campus of or facilities used by New Mexico Junior College or in College vehicles.
- III. The possession of Alcohol/Illegal Drugs in a New Mexico Junior College vehicle or a private vehicle being used for College business and the use of alcohol/illegal drugs while operating a New Mexico Junior College vehicle or a private vehicle being used for College business is prohibited. Furthermore, alcohol/illegal drugs and the use of/or being under the influence of alcohol, illegal or prescribed drugs during a school sponsored activity are prohibited on all school sponsored trips and any time an employee is in the presence of students during a school sponsored activity or when an employee is responsible for or supervising students in a school-sponsored activity.
- IV. The purchase of alcohol on a college credit card is prohibited.

For additional information as it relates to alcohol or drug matters refer to Appendix B.

I. General Travel Information

Employees shall contact the Business Office for specific information regarding per diem rates, appropriate travel forms and advance procedures.

Employees will be reimbursed actual expenses for lodging not exceeding the single occupancy room charge (including tax). Employees must submit receipts for actual lodging expenses incurred. Expenses for meals are limited to a maximum of \$30.00 for a 24-hour period.

Receipts are required for reimbursement of other travel expenses such as ground transportation and parking fees. If receipts are lost or not available, an affidavit must accompany the travel form and include the signature of the appropriate department head.

New Mexico Junior College vehicles should be utilized when making travel arrangements.

Only employees on the New Mexico Junior College **Approved Driver's List** are authorized to operate a college, rental or personal vehicle while on College business. (New Mexico Junior College Safety/Emergency Manual Chapter 19, page 87, Vehicle and Heavy Equipment Safety.)

New Mexico Junior College employees must have taken the defensive driving course to be authorized to drive a College vehicle. The certificate must be kept current and renewed every two years. Non-compliance could result in non-compensation for the trip.

The purchase of alcohol or alcohol beverages is not a reimbursable expense for New Mexico Junior College employees.

Alcohol/Illegal Drugs in a New Mexico Junior College vehicle or a private vehicle being used for College business and the use of alcohol/illegal drugs while operating a New Mexico Junior College vehicle or a private vehicle being used for College business are prohibited. Furthermore, alcohol/illegal drugs and the use of alcohol/illegal drugs during a school sponsored activity are prohibited on all school sponsored trips and any time an employee is in the presence of students during a school sponsored activity or when an employee is responsible for or supervising students in a school-sponsored activity.

All NMJC Employee travel, for college related activities, must be pre-approved and the proper travel forms completed prior to the employee making the trip.

Prior to utilizing or checking out a college vehicle, the appropriate request form must be signed and delivered to the NMJC Motor Pool.

All NMJC Employees are required to sign a “Waiver release and indemnification agreement for travel in a personal vehicle being used for NMJC Business.” The form must have all required signatures before the employee uses their personal vehicle. After the form has been completed and all signatures obtained it will be kept in the Human Resources office.

This form is good for only one year from the date it was signed by the employee and supervisors.

II. Driving Guidelines

All employees who operate a motor vehicle for College business (whether a college vehicle, rental vehicle, or personal vehicle) must be on the Approved Drivers List. This list shall also include any motorized gasoline, diesel, or electrically driven machine or machinery, which is designed for the operator to ride upon, while it is in motion.

For employees to be eligible for being on the approved drivers list several factors apply. All employees must take and pass a State Certified Defensive Driving Course that is approved by New Mexico Junior College at least once every two years. This course will be paid for by the college for employees whose job requires them to be on the Approved Drivers List. For additional information about other qualifiers or disqualifiers, refer to the New Mexico Junior College Safety Manual section titled Vehicle and Heavy Equipment Safety.

In the event an employee is on college business and has a motor vehicle accident the following guidelines shall be followed.

- a. Stop Immediately
- b. Take all necessary precautions to prevent further accidents at the scene.
- c. Check for injuries. If there are injuries, immediately call EMS. You shall also render all reasonable assistance to any injured party. Reasonable assistance is defined as your own knowledge skills and training.

- d. Do not move your vehicle until Law Enforcement personnel have told you that you can move it. By moving your vehicle too early, you may change the whole scope of the investigation and destroy any physical evidence that would assist Law Enforcement in determining what happened.
- e. Try to warn oncoming traffic to prevent other accidents:
 - Turn on your hazard lights if they will work.
 - Raise your hood if possible. Be cautious in handling any part of your vehicle that was damaged. You can receive injuries.
 - Ask a bystander to assist in warning approaching traffic.
 - Ask other parties or witnesses to assist with using their hazard lights.
- f. Provide required information to the other party, their representative or any investigating police officer. The required information is listed as follows:
 - Your name, address, and phone number
 - Vehicle identification number, license number, and description.
 - Insurance information
 - Driver's license number.
- g. **DO NOT MAKE ANY STATEMENTS AT THE ACCIDENT SCENE REGARDING THE INCIDENT, EXCEPT TO POLICE OR REPRESENTATIVES OF NEW MEXICO JUNIOR COLLEGE.**
- h. Do not admit guilt to any traffic offense to the other party. Allow Law Enforcement the time to investigate the incident. The accident may not have been your fault. When you admit guilt to the other party, they could change their story to Law Enforcement to reflect what you have told them.

III. Use of Personal Vehicle for College Business.

New Mexico Junior College owns and operates a fleet of vehicles for use by employees when traveling on college business. The College prohibits the use of college-owned vehicles by employees for personal use or errands.

There are certain times when an employee may be authorized to use a personally owned vehicle for college business. When such use is authorized, the employee will be reimbursed after the travel has occurred for the allowable mileage. **The use of the employee's personal vehicle for college business is not permitted without first obtaining written permission from both the employee's supervisor and the President.**

After receiving authorization from the President, the employee also must complete a Waiver of Liability form and attest in such waiver that the employee has a valid license to operate a motor vehicle and valid liability insurance in amounts that meet or exceed the minimum requirements of the State of New Mexico. The waiver may be obtained from the Director of Administrative Services. The waiver must be signed by the employee and returned to the Director of Administrative Services prior to use of a personal vehicle for college business.

The employee will be reimbursed for only the verified map mileage to-and-from the business destination. Mileage reimbursement is based on the applicable NMJC approved mileage rate. The employee is also responsible for purchasing all fuel and any vehicle maintenance costs associated with using a personal vehicle on college business.

When multiple employees are going on the same trip, every effort should be made to travel in the same vehicle and combine expenses. Employees who opt to travel separately and take a personal vehicle will be reimbursed mileage at the discretion of their supervisor.

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.

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. Violation of this policy shall result in disciplinary action against the employee up to and including dismissal.

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.

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SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Copyright Policy

Employees shall comply with the College's current copyright policy. Violation of this policy shall result in disciplinary action against the employee up to and including dismissal.

For additional information, please refer to Appendix C.

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.

The College's Information Technology Acceptable Use Policy requires that each campus user abide by and agree to the following guidelines:

- I. Respect security requirements for computer accounts.
 - A. 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. Also, 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.
- II. Respect copyright laws.
 - A. Computer software use must conform to copyright laws and licensing agreements. Copyright law protects software 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.

III. Respect the rights of others using the system.

- A. 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.

IV. Respect electronic mail guidelines.

- A. 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.
- B. 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.

- C. 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.
 - D. 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 agreement. If policy violations are discovered, they will be reported immediately and appropriate action will be taken.
- V. Respect the operational guidelines governing the use of the information technology facilities.
- A. 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. The downloading of any software onto 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.
 - B. 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.

- C. 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.

VI. Agreement

- A. 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.

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 a personal gain for the employee (or for a family member or any immediate family member).

An NMJC employee 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. 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.

Pursuant to state law, NMJC 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. 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. In following the Procurement Code, the College shall purchase goods and services from the source most advantageous to the institution. The employee disclosure shall be made in writing annually and shall be maintained on file in the Business Office.

An employee may engage in consulting, in accordance with the NMJC Consulting Policy, (Policy 301), so long as the practice is not in conflict (either directly or indirectly) with the employee's position or the services offered by New Mexico Junior College. 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.

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 to the College.

Employees shall not use College charge/vendor accounts for personal use. Violation of this policy shall result in disciplinary action up to and including dismissal.

Procedures for placing an order:

The order may be either placed in person by presenting the Card to the vendor, by telephone, or online for internet orders. If calling an order in to a vendor and for online internet orders, provide your Purchasing Card number and expiration date, found on the front of the Card.

Advise the vendor that the order is tax exempt. Do not proceed with the purchase until you are certain that the tax will not be assessed.

All deliveries must be sent to New Mexico Junior College Warehouse with the Cardholders name on the package. The person at the warehouse will then record receipt of the order and secure original supporting documentation. Orders should never be shipped offsite unless special approval is granted by the purchasing department. Once you received the order, please get the receipt to your department secretary as soon as possible so they can enter it on the Visa Statement Form.

Purchasing Card Requirements:

Employee using the purchasing card must provide an itemized receipt (includes meal receipts). Employee must ensure sales tax is not charged when it pertains to a non-service or non-construction related purchase. Employee assigned the card is the only individual allowed to use the card. Purchase cannot be incrementally split to circumvent purchase limits. Purchases cannot be for unauthorized or prohibited items. (For questions, contact the Purchasing Office). Some restricted items are as follows:

1. Purchases greater than \$1,500
2. Inventory item (equipment greater than \$1,000)
3. Personal purchases
4. Office decorations
5. Alcohol or drugs

If the Purchasing Office identifies a purchase that is not within the purchasing guidelines, the cardholder will be informed of the correct procedures. If further problems are identified with cardholder purchases, the Purchasing Office reserves the right to contact the cardholder's supervisor and /or department Dean or Vice President. If further problems occur, cardholder privileges may be terminated and the employee could receive discipline up to and including termination of employment.

Each NMJC employee represents the College, both on and off campus. Positive public relations include a friendly smile, courteous manner, and a cordial, well-mannered disposition toward all with whom we come in contact. Employees shall project a professional image in the workplace and are expected to dress in a professional manner appropriate to their role and job duties. Within these general boundaries, there shall be specified clothing not to be worn by office employees, professional staff and faculty while on duty--t-shirts, shorts, mini-skirts, sweat pants and/or nylon wind suits, tank/halter tops, sun dresses, and jeans (blue/black/white/red/colored). However, Fridays may be designated as jean days by the President. This means clean jeans/shirts that are in good repair, without holes, can be worn. T-shirts that are NMJC sanctioned which includes all NMJC organizational and departmental t-shirts can be worn only on Fridays. As approved by the President, certain workdays may be declared "casual" or "dress-down" days. In order to maintain a professional image, all student workers shall adhere to the College dress policy.

All New Mexico Junior College employees shall have the privilege of participation in political as well as other community activities. Each employee shall indicate that comments, actions and/or statements are his/her own and in no way represent any other person officially associated with the College.

Prior to an announcement for a public office or position that is determined by vote, the employee shall consult with the President at which time a conference shall be arranged with the employee and his/her supervisor. After visiting with the employee and the supervisor, the President shall inform members of the Board of the expected announcement.

When performance (or anticipated performance) by an employee of the duties of an elected public office shall require the employee to be absent from his or her assigned duties at the College for any time in excess of the employee's accrued vacation and accrued personal leave, the employee shall submit a request pursuant to Policy No. 308 for such absences to be treated as a leave of absence without pay. The employee shall not be required to use all accrued vacation and personal leave for elected duties prior to submitting a request under Policy 308; however, a request to take time as unpaid leave pursuant to this policy shall be final and shall not later be re-characterized or compensated as paid leave.

With respect to employees on unpaid leave for the performance of the duties of elected public office, Policy 308 shall be modified and applied as follows: Because absences for purposes of performing the duties an elected official are intermittent in nature, there shall be no limit on the length of time an employee may be on such unpaid leave, so long as all absences are in the course of performing the employee's duties as an elected public official. An employee returning from such unpaid leave shall be entitled to reinstatement to his or her position to the same extent as persons on leave serving in the Military. An employee on unpaid leave due to the performance of the duties of elected public office shall not have his/her anniversary date adjusted, regardless of the number of days absent on such leave.

New Mexico Junior College encourages each and every employee to participate in our election process to include local, state and national elections. NMJC also encourages each employee to vote his/her conviction on each/every issue. However, the College cautions the

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SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Absence from Assigned Responsibilities due to Participating in Local, State or National Activities of a Political Nature

employees to refrain from actively working in any political campaign during those hours for which they are being compensated by the New Mexico Junior College District.

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SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Collective Bargaining

The 46th New Mexico legislature, 1st session, passed the “Public Employee Bargaining Act” of 2003 (effective July 1, 2003). In response to this legislation, the New Mexico Junior College Board approved the “New Mexico Junior College Resolution Creating a Policy on Labor Management Relations” on April 17, 2003. Copies of the document are available for review in the president’s office and Pannell Library.

EMPLOYEE THEFT WILL NOT BE TOLERATED

- I. 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 or to give college property to another for their personal use. Employees who violate this policy will receive discipline up to and including termination of employment.
- II. The employee theft policy of New Mexico Junior College shall apply to property that has been thrown into a dumpster. Theft of property shall include taking items from the dumpsters. Should an employee locate property of a questionable nature, he/she shall notify the immediate supervisor to determine the disposition of that property. All employees are expected to report suspected theft abuses to the appropriate supervisor.
- III. If an employee of the College is suspected of taking anything of value, the Director of Administrative Services shall conduct an investigation and report the findings to the President. At the discretion of the Director of Administrative Services, law enforcement personnel may be requested to assist in further investigation.
- IV. The findings of the internal investigation shall be presented in writing to the President. In the event the findings indicate that a violation of the policy has occurred, the employee will receive discipline up to and including termination of employment.
- V. It is the policy of New Mexico Junior College to report any allegation of theft from the College to the appropriate law enforcement agency for further handling as a criminal matter.

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SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Weapons

The safety of employees, students and visitors on campus is a priority. For this reason, and notwithstanding some laws that may allow people to carry firearms in public, New Mexico Junior College prohibits anyone from possessing or carrying weapons of any kind on any property owned or leased by the College, including in any college vehicle, whether such vehicle is on campus or off campus. Prohibited items include all firearms, all illegal knives and other types of blades, explosives and any other form of weapon.

If an employee is unsure whether an item is covered by this policy, please contact Human Resources. Employees are responsible for making sure that any item they possess is not prohibited by this policy.

Certified police officers, security guards, Law Enforcement and Correction Cadets, when used in conjunction with their educational programs, and other qualified individuals who have been given prior written consent by the President to carry a weapon on College property will be allowed to do so. Authorization to carry a weapon may be revoked at any time by the President.

While the College has a policy prohibiting weapons, nothing in this policy shall be construed as creating any duty or obligation on the part of the College to take any actions beyond those required of any employer by existing law.

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SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Bookstore Charge Accounts

Bookstore charge accounts are available to full time employees. Employees can charge up to \$200.00 unless there is a signed agreement to deduct a monthly payment from payroll. If there is a signed payroll deduction agreement, the account limit is \$400.00. Once the limit is reached, no further charges can be made until the balance is reduced. The college also recognizes that there are certain items in the bookstore that by themselves exceed the \$400.00 limit. For an employee to charge items costing more than \$400.00 they must have written permission from the Vice President of Finance before these purchases can be added to their account.

Monthly payments must be made either by payroll deduction or in person. The minimum monthly payment is \$20.00 for either the payroll deduction account (\$10.00 twice monthly) on the in-person account. If a payment is missed on an in-person account, the account will be frozen until a payment is made. If two monthly payments are missed, the account holder will be required to sign up for payroll deduction before the account is reactivated. While the minimum monthly payment is \$20.00, employees can elect to have a larger amount deducted from payroll each month.

Upon termination of employment with the college, the entire balance of the Bookstore charge account will be deducted from the final paycheck of the employee.

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SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Employees Children at Work

New Mexico Junior College wants to provide a safe and efficient work environment for all employees. To further this goal, New Mexico Junior College prohibits employees from bringing children (or other visitors/guests) with them when they are working on the campus or to off campus meetings when they are representing the College.

When specified by the College as a family event, employees will be invited to bring family members to attend such events.

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SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Professional/Faculty Employees: Contract of Employment

Contracts of full-time professional employees shall be made on the current academic year or the current fiscal year basis.

Professional/Faculty employees' job descriptions are maintained electronically in the Human Resources Office. Job descriptions, which shall be changed from time to time, and become a part of each professional/faculty employee's contract.

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SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Utilization of College Property for Projects

Institutional and subject matter related projects shall be conducted by College employees.
All such projects must comply with Board Policy 805.

For additional information, please refer to Appendix C.

Faculty employees shall post office hours for each semester as approved by the appropriate Dean. A faculty employee teaching a full load shall post the appropriate number of office hours based on a 25 hour week for the fall and spring semesters. Office hours for summer sessions shall be computed at .5 hours multiplied by credit hours taught per week. Posted office hours shall provide for student access to the faculty. Therefore, posted office times shall be scheduled for a minimum of thirty (30) minute blocks and shall not be scheduled earlier than thirty (30) minutes prior to the first class time block. If possible, faculty employees shall have office hours scheduled on each instructional day. Office hour schedules shall be approved by the appropriate Dean.

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SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Faculty Employees: Guidance

Faculty, including part-time faculty, shall be available on a regular basis to provide guidance to students. Assistance from counselors shall be sought when the instructor feels that the nature of the student's needs requires such.

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SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Faculty Employees: Class Records

Faculty, including part-time faculty, shall maintain an accurate record of student attendance and grades for each course. Grade sheets and grade books shall be provided for this purpose. The grade sheets shall be turned in as directed. Please reference the current schedule in the New Mexico Junior College Catalog, Retention of Student Records.

Commencement exercises are held at the end of each spring semester. All full-time professional employees shall march in the processional/recessional and wear formal regalia. Caps, robes, and formal regalia shall be the responsibility of the individual professional employee and may be purchased through the Bookstore. Instructions and information concerning commencement exercises shall be provided by the Registrar's Office. Any deviations from this policy must be approved by the President.

Violation of this policy may result in disciplinary action up to and including dismissal.

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SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Annual Goal Setting Session

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 goal setting planning between the supervisor and employee each year.

I. Employee Request

- A. Employee shall request a demotion when he/she believes he/she is not suited for the position to which he/she was promoted.
- B. Employee requesting a voluntary demotion for any reason shall file a written request to the Human Resources Office stating his/her reason for the request. This request shall follow a discussion with the immediate supervisor to ensure validity of the request.
- C. Office of Human Resources shall interview the employee to determine if the action requested is purely or primarily voluntary and to determine the options regarding assignment and salary.
- D. Employee reverts to the pay of the previously held position, plus whatever increase he/she would have earned if no promotion had occurred.

- I. The President shall determine the course(s) of action necessary to ensure the best utilization of College employees. Circumstances may require or make it more advantageous to reassign employees and/or reclassify positions. The reclassification of a position and/or reassignment shall normally be made at the beginning of the fiscal year.
 - A. Reassignments shall be determined by the division/department supervisor, who controls the action, makes the reassignment, and still has the employee when the action is completed.
 - B. Reassignments are always at the same range and salary.
 - C. Reassignments are made to:
 1. Meet temporary or continuing changes in workload.
 2. Move an employee to a more desirable assignment.
 3. Give the employee an opportunity to grow by having either different work assignments, different publics or different environments.
 - D. Organization efficiency and productivity are the primary considerations when making reassignments. The impact on the individual employee and all other employees in the organization shall be considered as well.
 - E. Human Resources Office shall be notified of pending reassignments, including the effective date and anticipated duration.

- II. Results of Job Evaluation
 - A. Change may result from a job evaluation survey that determines the employee is performing at a higher or lower level of duties and responsibilities than the salary would warrant.
 - B. Human Resources Office shall review the Position Description Questionnaire (PDQ) used in classifying or reclassifying positions to determine the validity and reasons for the change in duties and responsibilities.
 - C. Employee shall retain the current salary if the salary is within the range of the position to which he/she is being demoted and if the changes in duties and responsibilities are the result of a shift in program emphasis and not substandard performance. If the employee's salary is above the range of the

position to which he/she is demoted; consideration shall be given to retaining that salary for a specific or indefinite period, if necessary.

- D. Employee shall be promoted again as soon as a reclassification is possible or a promotional opportunity occurs. However, if the employee has suffered no loss in pay, the employee shall not receive a promotion increase for the promotion to the previously held position or salary range.
- E. Employee shall be permitted to retain the salary of the higher-level position, if it does not exceed the range of the position to which the employee is being reclassified.

Support, maintenance and designated professional employees under the provision of the Fair Labor Standards Act (FLSA) shall be required to report all time worked. Currently, our method of recording is by use of a time report form. Each support, maintenance and designated professional employees shall accurately record his/her time when reporting for work, when on his/her lunch period, when he/she leaves for the day, any overtime, compensation time or holidays. These time reports shall be used to make up the payroll. Time sheets must be turned in according to the published payroll schedule. NMJC is required by law to retain these records for several years. Any infraction of this rule shall result in discipline up to and including dismissal.

NOTE: *Falsification of time reports is prohibited.*

SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Support/Maintenance Employees: Rest Periods

Support/maintenance employees shall be entitled to rest periods of fifteen (15) minutes during each continuous four (4) hours worked. The rest period is intended to refresh the employee by breaking away from the work routine. Employees are discouraged from leaving campus during these rest periods. Essential work shall be adequately staffed throughout the workday by encouraging employees to stagger their rest periods. Rest periods are not cumulative and shall not provide for a prolonged time-off period nor may the rest period be added to the lunch hour or other off-duty time.

SECTION: Employment Procedures, Regulations, Policies and General Information

POLICY TOPIC: Support, Maintenance Employees and certain Professional Employees:

Overtime/Compensatory Time

New Mexico Junior College recognizes overtime in accordance with the Fair Labor Standards Act (FLSA). Overtime is defined as the number of hours during a workweek which exceeds forty (40) hours actually worked during the week by the employee. Overtime is computed on a weekly *not* daily basis. NMJC employees that fall under this category must have permission from their supervisor prior to working overtime hours. Failure to do so will result in discipline up to and including termination of employment.

As a general rule, New Mexico Junior College does not budget for overtime pay and agrees to grant compensatory time off in lieu of overtime wages. Compensatory time shall be taken at a rate of time and one-half for each overtime hour worked if it is taken outside the week that it was earned. If the compensatory time is taken during the week it was earned it shall be taken hour for hour. Any request to take compensatory time in lieu of overtime pay shall be in writing. The employee must be permitted to use comp time on the date requested unless doing so would “unduly disrupt” the operations of NMJC.

Accrued compensatory time shall not be carried forward beyond the two-week period following the overtime hours worked unless approved by supervisor. All overtime worked and compensatory time taken shall be approved in advance by the employee’s supervisor and the **appropriate Vice President**. As taken by the employee, compensatory time shall be reported on an official leave form, approved by the appropriate supervisor and forwarded to the Human Resources & Payroll Specialist for payroll documentation.

The requirements of the FLSA policy shall be strictly adhered to for proper compliance and shall not be waived by agreement between the supervisor and the employee.

Professional employees, that don’t fall under this section, shall be responsible for ensuring that the requirements of the FLSA are met with respect to all employees under their supervision.

New Mexico Junior College shall not embrace research as commonly found in senior colleges and universities. The College is a teaching institution; therefore, any consideration of academic freedom does, of necessity, concern freedom in the instructional process.

As a purveyor of ideas, the employees at times may come in conflict with the prevailing belief of large segments of society and even with those of their own colleagues. Academic freedom is not easily defined because it involves a special set of guarantees. The 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 falls 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.

The exercise of this freedom carries with it the burden of corollary responsibilities. The employee 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 encourage the student to make his/her own decision in the light of all available information. They shall exercise appropriate restraint and guard against distortion and inaccuracies. Outside the academic role, as a private citizen, the employee has 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 employee, he/she shall remember that the public may judge his/her profession and institution by his/her utterances. The employee shall be accurate, exercise appropriate restraint, show respect for the opinions of others, and make every effort to indicate that they are not a spokesperson for the College. Should the utterances of an employee be such as to raise grave doubts concerning his/her fitness for his/her position, institutional discipline may be imposed, which may include board action.

The New Mexico Junior College 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 shall be followed.

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SECTION: Employee Benefits

POLICY TOPIC: Policy on Academic Freedom

The employee's own colleagues and the College shall bear the brunt of public criticism, 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.

A full-time employee may engage in consulting subject to the following restrictions:

- I. Prior written permission of the immediate supervisor is necessary. The employee serving as a consultant to educational agencies and groups, to industry or other bodies is expected to keep the appropriate supervisor, Dean, the appropriate Vice President, the President informed of such arrangements.
- II. Time spent in consulting by a full-time employee shall be directly related to his/her primary responsibility to the College. Time away from your assigned duties shall not exceed an average of one (1) day per a four-week period during the academic or fiscal year, excluding days listed in the College bulletin when offices are officially closed.

Full-Time Faculty (Exempt) Employees

New Mexico Junior College expects full-time faculty employees to maintain continuous professional growth. To assist in this growth, full-time faculty employees are encouraged to take periodic leaves of absence for further study or scholarly work, which is for advancement and is mutually beneficial to the employee and the College.

A full-time faculty employee of New Mexico Junior College, who has been employed six (6) or more consecutive years, shall be eligible for consideration for a sabbatical leave. A full-time faculty employee may request to take one-half (1/2) year of leave at full salary or one (1) year at half (1/2) salary. If the activity being undertaken is accompanied by a salary or grant that is adequate to pay travel expenses and a normal level of living, a leave of absence without salary shall be granted rather than a sabbatical leave.

Should the College have evidence that the employee on paid leave status is employed regularly by another school system, agency or business and industry; the salary payments shall be discontinued. In any given year, a sabbatical leave shall be granted to not more than two (2) faculty employees.

Full-time faculty employees shall be required to sign an agreement to return the full amount of compensation received, including salary and benefits, while on leave (assuming they are offered a contract for the year following the sabbatical leave), if they decide not to return to the College for at least one (1) year of service.

Applications shall be made by the second Monday in November of the school year, prior to the school year during which the leave shall begin, and any exceptions shall be approved by the President. Approval of a sabbatical leave shall be subject to the provisions of applicable New Mexico state statutes. The application for a sabbatical leave shall include a detailed statement describing the program to be followed while on leave and indicating the contributions it is expected to make to the employee's professional improvement and to his/her ability to serve the College.

Applications for a sabbatical leave shall be submitted through the appropriate Dean and the Vice President for Instruction, who shall submit their recommendations by the end of

January to the President. The President shall make the final recommendation for the sabbatical leave to the Board.

Final approval shall be given in writing by the President. Likewise, no later than March 1, stated cause for disapproval shall be given in writing by the President.

Subject to and consistent with the group health, dental, vision, long-term disability, voluntary life and basic life insurance plans, coverage shall be continued during a sabbatical leave. The employee pays a prorated share of the premiums. Retirement plan contributions shall continue during a sabbatical leave. Sick leave benefits shall continue during a sabbatical leave on a prorated basis (full for one-half year, one-half for one year).

Upon successful completion of the sabbatical leave, the employee shall be eligible for percentage increase consideration on the salary plan for the time spent on the leave. Also the recipient shall submit a report of the results of the leave within ninety (90) days following return from the leave. The report shall be presented to the NMJC Board through the appropriate dean or supervisor. The report shall include:

- I. An account of activities during the leave including travel itineraries, institutions visited and persons consulted.
- II. A statement of progress made on the sabbatical leave program as proposed in the application and an explanation of any significant changes made in the program.
- III. An appraisal of the relationship between the results obtained and those anticipated in the sabbatical leave program statement.

Full-time employees on twelve-month assignments shall accrue sick leave at 13.33 hours (1.67 days) for each month of continuous service up to twenty (20) working days for the fiscal year.

Full-time employees on nine-month assignments shall accrue sick leave at eight (8) hours for each month of continuous service up to fifteen (15) working days for the academic year.

Employees on a nine-month contract are allowed to use a maximum of one day of accumulated sick leave during each summer semester taught.

Sick leave is cumulative to a maximum of 960 hours (120 days). Accrued sick leave shall be provided as a privilege to be used only when a valid medical need arises and is to be reported in a minimum of fifteen (15) minute increments for full-time employees on twelve-month assignments and for full-time employees on nine-month assignments, sick leave is to be reported in two (2) hour increments for a partial day's absence or five (5) hours for a full day's absence for the following:

- I. Accrued sick leave may be used as available for personal illness or for illness of an employee's immediate family members including spouse, children or any other legal dependents.
- II. Accrued sick leave may be utilized up to a maximum of three (3) days per contract year for each of the following extended family members: parents, brother, sister, grandparents, grandchildren, spouse's parents, or spouse's brother or sister. The President may extend leave beyond the approved three (3) days.
- III. Accrued sick leave may be utilized up to a maximum of three ~~(3)~~(5) days for the death of each of the following employee's family members and immediate family and extended family members: spouse, children, any legal dependents, parents, brother, sister, grandparents, grandchildren, spouse's parents, or spouse's brother or sister. The President may extend leave beyond the approved three ~~(3)~~(5) days.
- IV. Accrued sick leave shall run concurrent with the Family and Medical Leave Act (FMLA) for qualifying conditions.

- V. The College requires that the FMLA leave run concurrent with paid vacation and personal or sick leave with pay for any qualifying conditions. This also applies to the Transfer of Accrued Sick Leave, (policy 309).

Departmental workloads shall require employees to be present in order to properly meet schedule demands and to avoid placing an undue hardship on co-workers within the employee's department. The appropriate supervisor shall be notified at least one (1) hour prior to the beginning of the workday for which sick leave is requested. An employee's supervisor may request a health care provider statement as evidence of employee or family-related sick leave at any time. Should an employee demonstrate a history of abuse of accrued sick leave privileges or excessive absenteeism, the employee shall be subject to disciplinary action up to and including dismissal. Employees shall immediately turn in the leave form to their supervisor either prior to or immediately after the leave took place. Failure to turn in a leave form after being away from the office is grounds for discipline up to and including termination of employment.

When an employee is absent for three (3) consecutive working days under the terms of this policy, he/she shall be required to submit to his/her supervisor and the Human Resources Office a health care provider statement certifying that he/she is unable to work and to indicate the expected date of release in order to continue to receive paid sick leave benefits.

No sick leave shall be paid during an employee's final two (2) weeks of employment, except for medical reasons per the doctor's written orders and provided to the employee's supervisor and the Human Resources Office. An employee shall *not* be paid for unused sick leave upon termination of employment.

When an employee is injured on the job, he/she shall be eligible to apply for workers' compensation benefits (see Workers' Compensation – Policy 313).

Employees on leave of absence without pay, other than FMLA, and/or long-term disability, shall not accrue sick leave or vacation benefits during the leave of absence. When a scheduled holiday occurs during the time an employee is on an unpaid leave, other than FMLA, and/or long-term disability status, he/she shall not be eligible for the holiday pay. The sick leave policy does not apply to part-time, contingent and seasonal employees or to persons teaching in the public safety and community services or continuing education/workforce development programs.

- VI. Transfer of accrued sick leave. See Policy No. 309.
- VII. Custodial support employees who work the night shift for an entire month will be paid a \$200.00 incentive for each month in which the employee has no absences and \$100 per month if the employee has only one absence during the month. An absence for purposes of this policy is any time the employee misses work per NMJC sick leave policy guidelines. An employee who has two or more absences is not eligible to receive the incentive for that month. Incentives earned by eligible employees are paid the following month.

Partial day absences are considered full day absences for purposes of determining the availability of the incentive. If an employee uses any amount of sick leave on two separate days during a given month, the employee will not receive the incentive for that month. In addition, an employee who has any unexcused absences during a month is not eligible to the incentive for that month.

Only custodial support employees who work the night shift for the entire month are eligible for the incentive. No other custodial employees are eligible for the incentive. In order for the night shift custodial support employees to be eligible for this incentive, they must have worked the entire month as a night custodial support employee.

If all requirements of the policy are met, Custodial Crew Leaders are eligible for the incentive.

For purposes of this policy, the night shift is the 3:00pm until 11:00pm shift. Any variation of the hours, as it relates to this policy, must be approved in writing, in advance by the President of New Mexico Junior College.

- I. Basic Regulations and Conditions of Family and Medical Leave Act (FMLA)
 - A. A summary of employee rights and responsibilities under FMLA is set forth in the notice that appears at the end of this Policy No. 304. Generally, eligible employees are allowed to take twelve (12) weeks of family and medical leave in the 12-month period measured forward from the date of your first FMLA leave usage. FMLA leave is a combination of paid accrued leave and unpaid leave totaling no more than twelve (12) weeks during the 12-month period measured forward from the date of your first FMLA leave usage. There are exceptions to the general leave rules for eligible employees whose spouse, son, daughter or parent is on covered active duty or call to cover active duty status. There are additional leave entitlements for eligible employees to take up to 26 weeks of leave to care for a covered service member.
 - B. The College shall require medical certification to support the request for FMLA leave for an employee's own serious health condition or to take care of a seriously ill child, spouse or parent (Policy No. 303, I.).
 - C. Leave shall be allowed on an intermittent or reduced leave schedule if medically necessary for an employee's illness or the employee's need to provide care for a spouse, child or parent.
 - D. Leave to care for the employee's child after birth or receipt of an adopted infant or an infant placed in an employee's home for foster care shall be taken consecutively within the first twelve (12) months following childbirth or placement. Spouses (husband/wife) who are both employed by New Mexico Junior College shall be entitled to a total of twelve (12) weeks of leave rather than twelve (12) weeks each for the birth or adoption of a child or the care of a sick parent.
 - E. NMJC requires that the FMLA leave run concurrently with paid vacation, personal and sick leave with pay for any qualifying condition.

- II. Definition: A serious health condition is an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities, all as defined in the governing regulations. A "spouse" means a husband or wife as defined or recognized under state law for purposes of marriage in the state where the employee resides, including common law marriage in states where it is recognized.

- III. Eligibility: Individuals who have been employed at New Mexico Junior College for a total of 12 months and have worked for at least 1,250 hours over the previous 12 months shall be eligible for leave under the FMLA.

- IV. Medical and other Certifications
 - A. Employees shall give the appropriate supervisor as much notice as possible of the upcoming leave in order to limit the disruption of College operations. The leave shall be denied if requirements are *not* met.
 - B. Employees shall provide medical certification from the health care provider to support a request for leave because of a health condition, and shall provide a fitness for duty report to return to work.
 - C. Employees will be required to provide a medical certification if the leave request is:
 - 1. for the employee's own serious health condition,
 - 2. to care for a family member's serious health condition, or
 - 3. military caregiver leave.

Failure to provide the requested certification in a timely manner may result in denial of the leave until it is provided. If an employee refuses to provide a certification, his/her leave request may be denied and the employee may be disciplined.

New Mexico Junior College, at its expense, may require a medical examination by a health care provider of its own choosing if it has a reasonable question regarding the medical certification provided by the employee. In lieu of a second opinion, New Mexico Junior College may contact the health care provider directly to clarify or authenticate a

medical certification, including certifications for military caregiver leave. Second opinions may not be required for military caregiver leave.

Separate certification may also be required regarding the nature of the family member's military service and/or the existence of a qualifying exigency.”

In the case of certification for intermittent leave or leave on a reduced leave schedule for planned medical treatment, the dates shall be stated as to when treatment is expected to be given and the duration of such treatment.

V. Benefits

- A. New Mexico Junior College shall continue to contribute the employer portion of the applicable health, dental, vision, long-term disability and basic life insurance premiums during the family leave. The employee shall pay the employee's portion of the applicable health, dental, vision, long-term disability premiums and one hundred (100) percent of voluntary life premiums on a timely basis in order to continue coverage.
- B. If an employee elects *not* to return to work upon completion of an approved unpaid leave of absence, the College shall recover from the employee the cost of any payments made to maintain the employee's coverage, unless failure to return to work was for reasons beyond the employee's control. Benefit entitlement based upon length of service shall be calculated as of the last paid workday prior to the start of the unpaid leave of absence.

- VI. Procedures: A request for family and medical leave shall be originated by the employee. However, if the College determines that a condition qualifies as FMLA leave, the employee shall be given proper notice of the intent to begin the FMLA leave concurrent with another leave. An employee request for FMLA leave shall be either verbal and/or in writing, acknowledged by the immediate supervisor, and approved by Human Resources, the appropriate Vice President and the President. If possible, the request shall be submitted thirty (30)

days in advance of the effective date of the leave. Medical emergencies may determine the request cannot meet the desired calendar.

The FMLA Notice of Eligibility and Rights & Responsibilities form and the Designation Notice form will be sent to the employee.

- VII. **Return from Leave.** Upon return from leave, the employee will be restored to his/her original or an equivalent position. An employee who fails to return at the end of FMLA leave will in most cases be considered to have voluntarily resigned his/her position with New Mexico Junior College. Employees who do not return to work at the end of their leave will be terminated unless they are entitled to additional leave as a reasonable accommodation under the Americans with Disabilities Act.

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

***Special hours of service eligibility requirements apply to airline flight crew employees.**

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and

a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division



WHD Publication 1420 - Revised February 2013

Full-time professional and support/maintenance employees shall be allowed up to two (2) working days (16 hours) and faculty employees shall be allowed up to four (4) working days (20 hours) in a fiscal year for personal leave without a deduction in pay. This leave shall be eligible for personal reasons or other pressing needs. Full-time (faculty) employees on nine-month assignments may take personal leave in two (2) hour increments for a partial day's absence or five (5) hours for a full day's absence. Faculty are also allowed to take up to one unused personal leave day per each summer session taught.

Ordinarily, personal leave must be approved prior to taking it; however, it is recognized that prior approval is not always possible. Each request shall be submitted via Leave Form to the immediate supervisor for approval. Employees shall immediately turn in the leave form to their supervisor either prior to or immediately after the leave took place. Failure to turn in a leave form after being away from the office is grounds for discipline up to and including termination of employment.

The approved leave shall be reported on the absence leave form for the month in which it was taken. This leave shall not be cumulative. Requests for personal leave shall not be approved in conjunction with a pending termination or dismissal.

Personal leave for qualifying FMLA reasons shall be used concurrently with FMLA leave. Exceptions to this policy shall be approved by the President.

Professional employees on nine-month contracts shall observe vacation leave as established for students in the College calendar, with the exception that the beginning of duty in the fall shall start with the date of the initial workshop meeting or registration, whichever comes first and continues through submission of final grades and attendance at commencement.

Professional employees on twelve-month contracts shall accrue five (5) days of vacation the first year (3.33 hours per month), ten (10) days the second year (6.67 hours per month) and fifteen (15) days (10.00 hours per month) thereafter. All vacation shall be coordinated with the immediate supervisor and approved in advance.

NOTE: *Vacation allowance for employees is not cumulative from year to year.*

Support/maintenance employees on twelve-month status shall accrue five (5) days of vacation the first year (3.33 hours per month), ten (10) the second year (6.67 hours per month), and fifteen (15) days (10.00 hours per month) thereafter. All vacation shall be coordinated with the immediate supervisor and in advance. Employees shall immediately turn in the leave form to their supervisor either prior to or immediately after the leave took place. ***Failure to turn in a leave form after being away from the office is grounds for discipline up to and including termination of employment.***

NOTE: *Vacation allowance for employees is not cumulative from year to year.*

Accrued vacation shall be used in a minimum of thirty (30) minute increments. All annual vacation leave accrued during the period of July 1 to June 30 of each fiscal year shall be taken by December 31 of the calendar year. (Example: If you earn one week's vacation, you can only carry over 20 hours, if you earn two weeks vacation, you can only carry over 40 hours and if you earn 3 weeks vacation, you can only carry over 60 hours.) In the event an employee retires, resigns or is not re-employed, all authorized earned vacation days/hours shall be paid to the employee by the College. Employees with less than three (3) months of employment, however, are not eligible for vacation pay at termination.

Employees on leave of absence without pay (other than FMLA) and/or long-term disability shall not accrue sick leave or vacation benefits during the leave of absence. When a scheduled holiday occurs during the time an employee is on an unpaid leave or long-term disability status, he/she shall not be eligible for holiday pay.

Days recognized as official school holiday leave for the fiscal year shall be subject to change from time to time and specific dates shall be published and distributed to employees upon approval by the Board and subject to New Mexico state laws:

Independence Day	**Employees and Students
Labor Day	**Employees and Students
Thanksgiving Break (3 days)	**Employees and Students
Christmas Break (5 days)*	**Employees and Students
New Year's Break (5 days)*	**Employees and Students
Martin Luther King, Jr. Day	**Employees and Students
Spring Break (5 days)	**Employees and Students
Good Friday	**Employees and Students
If Good Friday falls within the Spring Break Holiday, then no additional day will be given in lieu of Good Friday.	
Memorial Day	**Employees and Students

During the holidays/breaks, the campus will be closed. No additional compensation shall be provided to professional employees (exempt status) who work during the holidays.

When a scheduled holiday occurs during the time an employee is on an unpaid leave or long-term disability status, he/she shall not be eligible for holiday pay.

* Premium pay shall apply only to support/maintenance employees (non-exempt status) for Christmas Day and New Year's Day, if required to work.

** Holiday dates for maintenance and security employees shall be rescheduled in order to meet departmental needs.

- I. A request for Leave Without Pay shall be made in writing to the President in a timely manner.
- II. Employees may be granted a leave of absence without pay by the President for the following reasons:
 - A. Health (limited to one calendar year).
 - B. Maternity (limited to one calendar year).
 - C. Military service (duration of the military service).
 - D. Any other justifiable reason that is the result of an unexpected emergency.
 - E. Official duties as an elected public official (duration of official duties while serving as an elected public official). See Policy No. 226

Employees on leave of absence without pay (other than FMLA) and/or long-term disability shall not accrue sick leave or vacation benefits during the leave of absence. When a scheduled holiday occurs during the time an employee is on an unpaid leave or long-term disability status, he/she shall not be eligible for holiday pay.

Reinstatement

- I. Reinstatement other than Military service (USERRA) is not guaranteed. Operating conditions or needs may make reinstatement impractical when requested.
 - A. Where practical, the College attempts to fill the employee's position with a contingent employee during the leave of absence, but reserves the right to eliminate the position or fill it with another employee.
 - B. Reinstatement is not an employee's right. The determination of reinstatement or non-reinstatement shall be at the discretion of the appropriate Vice President and the President.
- II. An employee returning from a leave of absence shall contact the Human Resources Office prior to expiration of the leave. Failure to request reinstatement within the appropriate time frame shall be treated as a resignation.

- III. An effort shall be made to reinstate an employee to the same or equivalent job and salary held at the time of leaving, if such a position is available and with the approval of the President.
- IV. If the employee's previous position is no longer available and he/she is not placed in another similar position within three (3) months, or if the employee refuses a position offered to him/her, the College has no further reinstatement obligation. The employee shall then be terminated as a resignation.
- V. An employee on leave of absence without pay for more than thirty (30) calendar days shall have his/her anniversary date (date in current position) adjusted by the number of days spent on leave of absence. Salary increases shall be based on the adjusted anniversary date.

Other General Considerations

- I. Employees on a leave without pay (other than FMLA) shall not accrue sick leave or vacation benefits nor shall they qualify for any holiday pay during the leave.
- II. Group insurance shall be continued while the employee is on leave without pay, provided the full payment for the insurance is made with no contribution being paid by the College during the leave.
- III. The Educational Retirement Board prohibits the payment of retirement contributions, if the employee does not receive a salary. Payments for retirement credits shall be discontinued during the time of the leave without pay.
- IV. An employee reinstated from leave of absence within one (1) year shall be given credit for prior service in computing the accrual rate for vacation, sick leave and other benefits.

The purpose of this policy is to establish a means by which full-time employees (contingent and seasonal employees are not included) of New Mexico Junior College may voluntarily transfer accrued sick leave to other full-time employees (contingent and seasonal employees are not included) who meet the basic criteria outlined in this policy and who have expended their own accrued leave because of a catastrophic illness or injury.

I. TRANSFER OF ACCRUED SICK LEAVE

- A. New Mexico Junior College full-time employee (contingent and seasonal employees are not included) may, with approval of the College President, voluntarily transfer accrued sick leave to another full-time NMJC employee (contingent and seasonal employees are not included) according to the following schedule:
 - 1. When the receiving employee has completed at least one but less than five total years of NMJC employment, and has exhausted all his/her own accrued sick and annual leave, other NMJC employees may transfer a maximum of 40 hours each, up to a total of 200 hours of leave.
 - 2. When the receiving employee has completed five or more total years of NMJC employment, and has exhausted all his/her own accrued sick leave and annual leave, other NMJC employees may transfer a maximum of 80 hours each, up to a total of 400 hours of leave.
 - 3. Accrued sick leave shall be donated in whole hour increments with a 10-hour minimum.
 - 4. The receiving employee is eligible to receive additional donated leave 2 months after completion of any previous donated leave.
- B. Sick leave may be transferred only in the event of the receiving employee's own catastrophic illness or injury, or that of an immediate family member. Immediate family member for the purposes of this section only is defined as a spouse, child, parent or parent-in-law.
- C. A health care provider's statement regarding the anticipated length of illness/injury or treatment, and in the case of an immediate family member, the need for the employee to care for the family member, must be supplied prior to any transfer.
- D. If more than one employee transfers sick leave to the same employee,

and transferred days remain when the receiving employee returns to work or terminates employment, the transferred days will be returned to the transferring employees on a pro-rated basis.

- E. Transfer is prohibited in the case of work-related illnesses or injuries covered by workers' compensation.
- F. Transferred sick leave shall be transferred by the Payroll Department from the transferring employee's records to the receiving employee's records upon written instruction from the College President's office. The donation of transferred sick leave is irrevocable.

Transfer of accrued sick leave shall be completely voluntary on the part of the transferring employee. It shall not be accompanied by the exchange of money or anything of monetary value. Any such exchange or any attempt at coercion of any employee shall be subject to disciplinary action.

A full-time employee of New Mexico Junior College, his/her spouse, and eligible children are entitled to a total of *nine (9) credit hours* of tuition-free credit courses **or** one (1) community development course/offering (with costs up to \$45.00) at no cost, per semester and per summer session, providing the minimum number of paid enrollees has been attained and provided space and facilities are available.

Due to recent changes in the transferring of Physical Education Courses from Instruction to Continuing Education Department, employees or approved dependents, as stated in this policy, will still be able to use their tuition free credit hours to participate as they have in the past.

For purposes of this policy, "eligible children" shall include only children of a full-time employee or his/her spouse who, at the time they seek to enroll in a course, are: (1) eligible for coverage under the employee's medical insurance policy through NMJC; and (2) reside full time at the same residence as the full-time NMJC employee or in NMJC housing.

A full-time employee of New Mexico Junior College shall be entitled to exercise his/her tuition and fee privilege on a released-time basis from the employee's institutional assignment, provided the course takes place during assigned working hours under the following provisions:

- I. The course is directly related to the improvement of the employee's skills in his/her current position.
- II. The employee's immediate supervisor has agreed and recommends that the employee could benefit from the course for current position-related skills improvement.
- III. The supervisor has determined through performance evaluation that the employee would benefit from the course for current position-related skills improvement.

- IV. The course is only taught during regular working hours.
- V. Enrollment in the proposed course is subject to availability of space and facilities, recognizing should it be necessary to limit or reduce the size of the course. Employees receiving tuition and fee waivers shall have a lower priority than a student for whom such provisions do not apply.
- VI. The release time has been approved by the supervisor and appropriate Vice President.
- VII. Any course taken on a release-time basis shall not be eligible for budget increase provisions of the salary plan.

Employees retired under the provisions of ERA, his/her spouse, are entitled to *six (6) credit hours* of tuition-free credit course(s) per semester and per summer session provided the minimum number of paid enrollees has been attained and provided space and facilities are available.

Employees who are employed in one of the permanent part-time positions are entitled to six (6) credit hours of tuition-free credit course(s) per semester and per summer session provided the minimum number of paid enrollees has been attained and provided space and facilities are available.

The mission of the NMJC Campus Wellness Program is to promote organizational and individual wellness among members of the campus community through education and prevention.

I. Program Outline

- A. Each regular full-time employee who signs up for this program will be able to take one hour each week from work to participate in a physical activity.
- B. Each participant can use Caster Activity Center, the NMJC Del Norte Fitness Center, the NMJC Track, and the Lea County Walking and Jogging Path.
- C. Signup will be three times per year: summer, fall, and spring.
- D. Each campus department will handle signup, and the regular full-time employee and his or her supervisor will sign all forms. All records will be submitted to and maintained at the NMJC Del Norte Center.
- E. Each participant will be required to sign in and out at either Caster Activity Center or the NMJC Del Norte Fitness Center even when using the NMJC Track or the Lea County Walking and Jogging Path.
- F. Participants will be required to attend a wellness seminar before they can start the program.
- G. Suggested hours are as follows: (weekdays only)
 - 1. Custodial--(must be coordinated with supervisor)
 - 2. Maintenance--3 pm to 4 pm
 - 3. Support--4 pm to 5 pm
 - 4. Security--(must be coordinated with supervisor)
 - 5. Professional (must be coordinated with supervisor)
 - 6. Faculty (must schedule an office hour)

The minimum that each employee can take is 20 minutes, and that can be used with the lunch hour or in the afternoon. Each participant can do this three times during the week but cannot take more than one hour from work each week.

This program is designed to give each participating employee a chance to take an hour from work each week to engage in an activity.

During this hour, the employee may utilize Caster Activity Center, the NMJC Del Norte Center, the NMJC Track, and the Lea County Walking and Jogging path.

Sign up for the program will be during fall, spring and summer I registrations. This program is optional. Newly hired regular full-time personnel will have to wait 30 days before they are eligible for the program. All records will be housed at the NMJC Del Norte Center. Hard copies will be kept for one year and then destroyed. Electronic copies will be stored permanently.

Both Centers will be open and available for use from 12 pm to 5 pm Monday-Friday for all groups except security and night custodial crew. Their time of use will be determined by their schedule and the Centers' open hours.

It is recommended that a person engage in activity for a minimum of three hours each week. The College is giving the employee one hour but is asking the employee to give back two hours for this program to be successful. A participant may choose to schedule an Independent Program (on one's own) by engaging in a physical activity three hours per week or by joining a Physical Fitness class that is offered by New Mexico Junior College.

All employees of New Mexico Junior College shall be covered by the Workers' Compensation Act.

I. Reporting Accidents

- A. All accidents and injuries, no matter how minor the injury may appear, sustained by an employee in the course of his/her employment, shall be immediately reported to his/her supervisor. It shall be the immediate supervisor's responsibility to notify the Director of Administrative Services of the accident ~~within twenty four (24) hours of the accident/injury~~ as soon as they are made aware of the accident/injury. Failure to do so shall result in disciplinary action up to and including dismissal against the supervisor and/or employee. ~~The Safety Committee reviews every reported employee injury.~~ Human Resources shall assist in preparing and processing all paperwork.

II. Compensation

- A. The New Mexico Workers' Compensation Act, 1991, provides: Wage disability benefits shall *not* be paid for an injury that results in a disability that lasts for seven (7) days or less. If the injury results in a disability that lasts for more than seven (7) days, benefits shall be paid at sixty-six and two thirds (66-2/3) percent of the average weekly wage, subject to a maximum established by the New Mexico Department of Labor.
- B. College Compensation Provisions: All absences due to a job-related injury shall be reported by the employee and signed by the appropriate director/supervisor on an NMJC leave form. Wages for the first seven (7) calendar days shall be paid by the College (provided the employee has enough sick leave accrued) and workers' compensation shall begin benefits to the employee on day eight (8) resulting in no further reduction of sick leave. If the worker is covered by workers' compensation beyond four weeks, (28) days, the first seven (7) days of compensation by the College shall be reimbursed and the employee's sick leave shall be reinstated. Sick leave and vacation shall not accrue while receiving workers' compensation only if employee is not eligible for FMLA leave. If the employee is unable to return to work for a period of time not to exceed one (1) year,

the employee may elect to retain medical and any other insurance coverage in effect at the time of the accident, but shall pay the employee's share as due. Failure to do so shall result in the cancellation of any insurance coverage for which the employee's share has not been paid in a timely manner. If the employee is not released to work after one (1) year, it shall be the employee's responsibility to apply for COBRA (Policy No. 315) in order to keep his/her insurance coverage in force. Injuries requiring leave that qualifies for FMLA leave shall be charged concurrently after the employee is provided with proper notice.

- C. Return to Work: It shall be the responsibility of the supervisor to inform the Human Resources Office of the dates the employee is off from work and when he/she is scheduled to return. When an injury involves days away from work, a medical release from the attending physician shall be required before the employee may return to work. If the individual is to return to work with restricted work activities, the return shall have the approval of the director/supervisor in consultation with the supervisor. An injured employee shall see his/her treating physician on a regular basis while on workers' compensation. Once the employee's treating physician releases the employee to work, the employee shall report to work the following day according to the doctor's release. If he/she does not do so, he/she shall forfeit any expectations he/she may have for reinstatement, further insurance coverage and other benefits of NMJC employment.
- D. Annual Fee: A quarterly deduction of \$2.00 shall be charged to the employee for the Workers' Compensation Act.

All full-time employees shall be eligible to participate in the group health insurance program. As permitted by state law, the College shall pay a designated percentage of the premium cost for the full-time employee and any eligible dependents. Retired employees may participate under the provisions of the Retiree Health Care Act. Other eligibility for coverage is per the Consolidated Omnibus Budget Reconciliation Act (COBRA, Policy No. 315).

For this purpose, a retired employee is defined as any New Mexico Junior College employee who has terminated his/her employment at New Mexico Junior College and who, at the time of such termination, was eligible to participate in the College group health, dental and vision, and who qualified for any retirement benefits under the New Mexico Educational Retirement Board or under social security. Inasmuch as coverage provisions change from time to time, current employees shall contact the Human Resources Office for complete information on group insurance plans.

Employees who have been enrolled in the group health, dental and/or vision insurance plans shall have the option of retaining the insurance for a specified time following termination, under the current provisions of COBRA, a continuation of health coverage law. ERISA Administrative Services, NMJC's third party administrator, will notify you of your eligibility and options to continue the medical, dental and/or vision plans and your premium costs. Your eligibility and premium costs will depend upon your reason for termination; voluntary term, involuntary term, resignation, retirement, termination for cause, or gross misconduct. NMJC Human Resources office will communicate with the terminated employee and in writing to ERISA Administrative Services the exact reason for termination.

Life insurance and/or long-term disability insurance shall not be included in this provision.

An employee's **Spouse or Dependent Child** covered by any of NMJC's group health plans (a "qualified beneficiary"), has the right to elect continuation of coverage under those plans if the person loses group health coverage as a result of any of the following qualifying events:

- Death of the employee;
- Termination of the employee's employment (for reasons other than gross misconduct); or reduction in the employee's hours of employment.
- Divorce from/of the employee;
- Employee becomes entitled to Medicare; or
- Child ceases to be a "dependent child" under the group health plans.

The qualified beneficiary is responsible for informing NMJC of a divorce or a child losing dependent status within thirty-one (31) days of the date of the qualifying event or the date on which coverage would end under the plan because of the event. If NMJC does not receive notice within that thirty-one (31) day period, the qualified beneficiary is not entitled to elect continuation of coverage.

FOR A COMPLETE DESCRIPTION OF COBRA BENEFITS, RULES AND PROCEDURES, PLEASE CALL ERISA ADMINISTRATIVE SERVICES AT 1-800-233-3164 OR 1-505-988-4974 AND ASK TO SPEAK WITH THE COBRA ADMINISTRATOR.

Any full-time employee shall be eligible to participate in the group life and accidental death insurance program at New Mexico Junior College. The College shall pay one hundred (100) percent of the basic life premium cost for the full-time employee. As coverage provisions change from time to time, employees shall contact the Human Resources Office for complete information on group life insurance.

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SECTION: Employee Benefits

POLICY TOPIC: Disability Income Plan (Income Protection)

All full-time employees shall be eligible to participate in the group long-term disability plan. As coverage provisions change from time to time, employees shall contact the Human Resources Office for complete information on long-term disability.

New Mexico Junior College has a flexible benefit plan that allows full-time employees an individual choice of benefits under Section 125 of the IRC. An employee may allocate a certain amount of before-tax salary deductions to purchase covered benefits. No federal or state income tax is paid on funds allocated by the employee to this plan. Several options are available to employees under this plan:

- I. **Medical Benefit Plan Premiums:** The employee portion of medical, dental and vision insurance premiums shall be deducted from the salary before taxes are calculated.
- II. **Medical Reimbursement Plan:** Dollars may be deducted from the salary to pay for non-reimbursed medical expenses. This shall include such items as required insurance deductibles, co-payments for certain health costs, health care costs that exceed allowable plan maximums, expenses not considered ordinary under the insurance plan, routine physicals, vision care, cosmetic surgery, premiums for other health or disability insurance, etc.
- III. **Dependent Care Assistance Plan:** An employee shall be allowed to pay for child care or other eligible dependent care with before-tax dollars. Included are nursery schools, day care centers and private home care. Contributions to the plan may be increased or decreased only at the beginning of the plan year (January 1). Exceptions are a change in family status such as marriage, birth of a child, divorce or death of a family member. Contact the Human Resources Office for plan details and enrollment information.

All active full-time employees are required to participate as regular members in salary deduction payments as required by the New Mexico Educational Retirement Board. All earnings shall be subject to retirement withholding.

An Alternative Retirement Plan (ARP) is available to faculty and ERB approved professional positions. The election must be made within ninety days of employment. The ARP is a defined contribution plan in which the employee contributes the current ERB employee rate, and the employer matches with a contribution of employer rate minus three percent (3%). Three percent of the employer match goes to the ERB to help pay for the unfunded liability incurred by the plan.

Starting July 1, 2009, ARP employees, if they have made contributions to the alternative plan for seven years or more, have a one-time chance, for 120 days, to become members of the regular retirement plan.

PERA retirees are not eligible for ERB; therefore, they must participate in Social Security and may participate in ARP if they are employed in an ARP eligible position.

Contact the Human Resources Office for complete information.

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SECTION: Employee Benefits

POLICY TOPIC: Social Security System

New Mexico Junior College does participate in Social Security payroll deductions except for a small percentage of eligible employees who on January 9, 2007 elected not to participate in the Federal Old Age, Survivors, Disability and Health Insurance (Social Security).

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SECTION: Employee Benefits

POLICY TOPIC: Tax Deferred Retirement Plans

All full-time employees and part-time employees may participate on a salary deduction basis. As provisions change from time to time, employees shall contact the Human Resources Office for complete information.

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 and every five (5) years thereafter.

Eligibility

- I. Current full-time employees are eligible.
- II. Only actual employment (other than contingent status) shall count as length of service for purposes of this program.
- III. The annual cut-off date for determining service awards shall be December 31.
- IV. The service awards policy shall not apply to part-time, contingent and seasonal employees or to the persons teaching in the continuing education/community development program.

An employee needing temporary leave for jury duty shall request approval for same from the College President through the employee's immediate supervisor. All completed leave forms shall be forwarded to the Human Resources Office.

A College employee who is subpoenaed for jury duty shall be granted temporary leave with pay from his/her assigned duties during the period of civic service. Remuneration for jury duty (exclusive of mileage) shall be submitted to the Business Office by the next regular pay period following the jury duty service or receipt of jury duty remuneration, whichever comes first.

The employee shall remit to the Business Office only that portion of jury duty pay attributable to hours compensated by the College.

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POLICY TOPIC: Witness

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An authorized temporary paid leave shall be granted to an employee who is required as a witness to answer a subpoena regarding College-related matter.

I. Procedure for Notification, Non-Renewal of Employment Contracts

~~It shall be the responsibility of the President to recommend annually to the Board whether or not an employee shall be offered a contract for re-employment for the following year.~~ The College owes no further contractual obligation to any employee at the expiration of his/her annual contract. The ~~Board~~College has no obligation to renew the employment contract nor does any employee have the right to expect re-employment regardless of funding source. No employee, including the President, has the authority to give express or implied assurance of employment to an employee regardless of the funding source beyond any current contract period. Continued employment for the individuals employed on the basis of external/soft money shall be contingent upon receipt of adequate funding from the outside source, as well as the College's decision in allocating funds.

II. Procedure for Non-Renewal of an Annual Contract

Upon determination by the President ~~and approval of the Board~~, if an employee's contract shall not be renewed, the President shall give a written notification, no later than ~~February 15~~March 31st. This notification shall be delivered in person by the President or the President's Designee or sent by certified mail to the last known address of the employee.

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NOTE: *This notification procedure shall be set aside if the Board determines 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, Policy No. 205).*

III. Reasons for Non-Renewal

The written notice of non-renewal need not state any reason for the decision ~~nor is it required that any reason for non-renewal be stated in any open meeting of the Board~~. Non-renewal decisions shall not rely upon bases which violate the law. An employee who asserts that the non-renewal of a contract is based upon a violation of law shall fully set forth in writing such assertion, including the

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SECTION: Non-Renewal, Dismissal, Suspension, Discipline and Grievance Procedures

POLICY TOPIC: Non-Renewal, Dismissal, Suspension of Professional Employment
Contracts

basis for the assertion, and deliver it to the President within fifteen (15) days from the date of notice of non-renewal of the contract.

- I. The President, upon receipt of an employee's timely assertion that illegal grounds were relied upon in making the decision not to renew an individual contract or to terminate an at-will employee, or that a contractual employee was dismissed without just cause, shall notify the Chairperson of the Board of such assertion.
- II. The Chairperson of the Board shall notify the employee and the President within ten (10) days that a Hearing Officer shall review the action stating a specified date, time and location for the hearing.
- III. A hearing shall be held before a Hearing Officer designated by the Chairperson of the Board.
 - A. The Hearing Officer shall be appointed by the Chairperson of the Board. No person shall be appointed Hearing Officer who was directly involved or witnessed any incident allegedly involved in the determination not to renew the individual's contract, or if he/she has prejudged disputed facts, or if he/she is biased for or against any person who will actively participate in the proceedings. The College's attorney shall assist the Hearing Officer, if requested, regarding due process considerations or evidentiary decisions. The Hearing Officer, may, but need not be, an employee of the College.
 - B. The employee shall have the right to have legal counsel present at his/her expense.
 - C. The hearing shall be open to the public unless the employee requests that it be held in private.
 - D. The hearing shall be confined to a determination as to whether or *not* there exist facts, which indicate that non-renewal of the contending employee is grounded on some illegal basis. The President shall bear the burden of presenting information which supports the action on permissible grounds.
 - E. The President and employee shall be afforded the following minimum rights to assure due process:
 1. Each party or their representative shall have the opportunity to make an opening statement.

2. Each party shall have the opportunity to present his/her case or defense by oral or documentary evidence.
3. Each party shall be afforded the opportunity to confront and cross-examine adverse witnesses.
4. Each party shall be afforded the opportunity to be represented and advised by counsel or to represent himself/herself.
5. Each party shall be afforded the opportunity to attain the assistance of the Hearing Officer in obtaining the attendance of witnesses to testify or the deposition of any witness and in obtaining any other evidence.
6. Witnesses shall be sworn or required to affirm to tell the truth prior to testifying.
7. Each party shall be afforded the opportunity to make a final argument.
8. The hearing shall be recorded by a stenographer's or mechanical device.
9. Technical legal rules of evidence shall not apply where reason and justice require waiver of strict compliance. The formal hearing is not a trial.
10. If the President makes a prima-facie case, the employee shall come forward with facts to refute the President's recommendation.
11. The Hearing Officer, upon hearing all the evidence submitted at the hearing by the parties, shall make a decision within five (5) working days after the hearing. The decision shall contain a concise summary of the evidence whether or not the claim or assertion made by the employee shall be allowed or denied.
12. Right of Review. An employee's request for review of the Hearing Officer's decision must be submitted to the Board Chairperson within ten (10) days after the decision is received. Any employee aggrieved by the Hearing Officer's decision after Formal Hearing shall have the right to have the decision reviewed by the Board. The Board shall review the record and written decision in the case, and may allow new written submissions by the parties or their representatives. The Board may in its sole discretion grant a new hearing before it to review the Hearing Officer's decision or it may conclude that there is no legitimate reason for an additional hearing. The Board through its Chairperson shall prepare

the Board's written decision, announce individual Board member's respective votes and deliver the Board's decision by certified mail to the Employee within ten (10) working days after the review is concluded. The Board's decision shall be the final administrative action to which an employee is entitled. In the event the claim is allowed, a professional employee shall be offered a contract of employment, or a support/maintenance employee shall be reinstated.

I. Support/Maintenance Employees

All support/maintenance employees are AT-WILL employees. The College shall retain the right to suspend, demote, dismiss with or without cause or to take other disciplinary action against support/maintenance employees. Support/Maintenance Employees shall not be suspended or dismissed for reasons that violate the law. An employee who asserts that his/her termination or adverse employment decision is based upon the violation of his/her rights shall fully set forth such assertion in writing, to the President within fifteen (15) days from the date of any alleged illegal employment decision. The Hearing Procedure as outlined above shall be followed.

II. Professional Employees

A. Grounds for Dismissal

Any professional employee shall be suspended or dismissed by the President any time during the contract year subject to any act or event which in the opinion of the President is detrimental to the general welfare of the College, such as but not limited to the following:

1. Consolidation, reorganization, curtailment or reduction of the College staff, program or courses.
2. Misconduct in office.
3. Incompetency.
4. Insubordination.
5. Neglect of duty.
6. Drunkenness or conviction of any crime involving moral turpitude.
7. Unauthorized use of College funds, facilities, materials or any College asset for personal business or financial gain.
8. Drug abuse violation (see Appendix B).
9. Sufficient reasons, including but not restricted to instances, where an employee:
 - a. Has refused to comply with the policies of the Board.
 - b. Has been convicted of a felony.

- c. Has secured or maintained his/her position with the College through deceptive or fraudulent means.
- d. Has participated in disruptive activities, which interfere with the normal operation of the College.
- e. Has harassed another person or made threats by verbal/physical assault.

10. Abuse of Position.

- 11. Excessive absence from duty or absence without prior approval.

B. Procedure for Dismissal or Suspension

- 1. The President shall notify in writing the employee of dismissal or suspension as of a certain date. The notice shall specify:
 - a. Charges made against the employee.
 - b. Effective date of dismissal or suspension.
 - c. Individual right to request a hearing, which shall be made in writing within fifteen (15) days from the date of notice.
- 2. Copy of the procedures for dismissal or suspension shall accompany the notice.
- 3. Employee shall not conduct any activity under his/her contract after the effective date of dismissal or suspension.
- 4. If the employee requests a hearing, the President shall notify the Chairperson of the Board. The Hearing Procedure as outlined in Policy No. 401 shall be followed. In the event dismissal charges are sustained and the employee is dismissed, pay shall cease immediately and any contract of employment shall be canceled. If dismissal or suspension is not upheld, salary payments shall be retroactive to the date of the employee's dismissal or suspension. The decision of the Board is the final administrative procedure and shall be binding upon the employee.

APPENDIX A

EQUAL EMPLOYMENT OPPORTUNITY

AND

AFFIRMATIVE ACTION PLAN

AFFIRMATIVE ACTION POLICY STATEMENT

The primary purposes of New Mexico Junior College are to educate and to serve its people. The College's continued success in these efforts demands the full and effective utilization of qualified persons, regardless of race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, or veteran status. New Mexico Junior College has a continuous obligation to seek, to employ and to develop the best employees providing the College with a capable and exemplary work force, which is sound management.

In issuing the Affirmative Action Plan (AAP), New Mexico Junior College affirms its commitment and pledges its full support to equal employment compliance with Executive Order 11246. New Mexico Junior College shall continue to work diligently to ensure the College's employment and personnel matters related to recruitment, employment, training, compensation, benefits, promotions, transfers, layoffs, institutionally-sponsored education, social and recreational programs, and treatment of employees to be free from discriminatory practices.

The Human Resources Office shall have the primary responsibility for the implementation of the Affirmative Action Program and the enforcement of this policy statement.

New Mexico Junior College and its employees wish to engage the experience, intelligence and goodwill of our employees in an effort to provide genuine equal employment opportunities for everyone at the College.

Kelvin W. Sharp

2016

President

July 21,

Date

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EQUAL EMPLOYMENT OPPORTUNITY POLICY (EEO)

- I. New Mexico Junior College through responsible administrative employees shall recruit, employ, train and promote in all job titles without regard to race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, or veteran status in compliance with the state and federal statutes and regulations.
- II. Administrators/supervisors shall ensure that all personnel actions such as but not limited to compensation, benefits, New Mexico Junior College sponsored training, return from layoff and social recreation programs shall be administered without regard to race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, or veteran status in compliance with the state and federal statutes and regulations.
- III. Administrators/supervisors shall base employment decisions on the principles of Equal Employment Opportunity and with the intent to further New Mexico Junior College's Affirmative Action Program (AAP).
- IV. Administrators and supervisors shall take affirmative action to ensure that the under-represented individuals, females, veterans, qualified disabled persons and disabled veterans are considered for employment and that employees in these categories are encouraged to aspire for promotion and are considered as promotional opportunities arise.

DISSEMINATION OF POLICY

In order to ensure that employees, applicants for employment and others are aware that New Mexico Junior College is an equal opportunity employer and of its official policy on Equal Employment Opportunity, the following steps have been taken and shall continue to be undertaken as prescribed in the following:

- I. Internal Dissemination
 - A. The policy of EEO is contained in the *College Handbook* and the *College Catalog*.
 - B. Once each year the EEO policy is published in a College publication that is

intended for the general reading of employees.

- C. Employees are notified of the existence of the College's EEO/AAP policies through the President's letter posted on key bulletin boards. For example, employees are advised that all aspects of employment, including but not limited to job opportunity, training programs, employee benefits, tuition privilege and social events, shall be available without regard to race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, or veteran status.
- D. The EEO/AAP programs and policies have been included in all employee orientation programs and are communicated to the applicants.

II. External Dissemination

- A. Recruiting sources are informed annually, as required by Executive Order 11246, as amended, during the first quarter of each year in writing concerning College policy. These sources are requested to recruit and to refer under-represented individuals and women for all openings.
- B. The existence of the Affirmative Action Plan shall be communicated to prospective employees.

RESPONSIBILITIES

The President is responsible for the overall application of Equal Employment Opportunity/Affirmative Action Plan policies. The duties and responsibilities of the President include, but are not limited to, the following:

- I. Ensuring the Affirmative Action Program is adopted and effectively implemented.
- II. Assisting in the identification of problem areas and coordinating with the Human Resources Office in arriving at solutions to the problem areas and providing direction.
- III. Conducting regular discussions with supervisors and employees to ensure that the College's EEO/AAP objectives are being followed.
- IV. Reviewing EEO/AAP progress with the employees.

The President has designated the Human Resources Office as the Equal Employment Opportunity Coordinator for the College. The EEO Coordinator has also been given the responsibility for designing, administering and monitoring the AAP.

The EEO Coordinator's responsibilities include, but are not limited to, the following:

- I. Reviewing annually the institutional AAP.
- II. Assisting administrators in the identification of problem areas and in arriving at solutions.
- III. Serving as liaison between the College and minority organizations, women's organizations and community action groups concerned with employment opportunities of minorities and women.
- IV. Ensuring the College's continued compliance with applicable state and federal statutes and regulations.
- V. Reviewing all technical forms of compliance (i.e., posters) for conformance with federal regulations.
- VI. Measuring and ensuring the effectiveness of the EEO/AAP, conduct, as appropriate, audits of training programs, employment and promotional patterns and qualifications of all employees to ensure that protected-class employees are given full opportunity for advancement.

INTERNAL AUDIT AND REPORTING SYSTEMS

The Audit and Reporting System at New Mexico Junior College has been designed to:

- I. Measure the effectiveness of the program.
- II. Indicate those areas where remedial action is needed.
- III. Determine the degree to which the College's goals and objectives have been achieved.

The audit and reporting system shall provide for maintenance of the following records:

- I. An applicant log, which shall show the date, name of applicant, race, sex, veteran status, disability status, referral source, interview date (if any), EEO-6 category of position applied for, and the final disposition.
- II. Summary data of job offers, hires, permanent promotions, resignations,

dismissals, layoffs and training programs by job group, sex and minority group identification for the twelve (12) month period immediately preceding the new plan year.

- III. Summary data of applicant flow by EEO-6 categories, and sex and minority group identification for the twelve (12) month period immediately preceding the new plan year.
- IV. The audit and reporting system at New Mexico Junior College shall include a report, as often as needed by the EEO Coordinator, indicating efforts to achieve EEO goals. The employees shall indicate any current or foreseeable EEO problem areas and outline their suggestions for solution. If problem areas arise, employees shall report them to the EEO Coordinator immediately.
 - A. The EEO Coordinator shall discuss any problems relating to implementation of the programs such as the rejection ratio, EEO charges, etc. The EEO Coordinator shall also audit the total selection and placement process, including promotion, transfer patterns, etc.
 - B. The EEO Coordinator shall report the status of the College's Affirmative Action Program to the President as needed. The President shall take any remedial steps which are necessary to provide for the effective implementation of the program.

DEVELOPMENT AND EXECUTION OF ACTION PROGRAMS

New Mexico Junior College shall make efforts to ensure personnel involved in recruiting, selection, promotion, discipline and related processes are trained in the College's affirmative action objectives and the EEO laws and regulations.

New Mexico Junior College shall develop programs as needed to facilitate the attainment of EEO/AAP objectives and to increase the utilization of under-represented individuals at the College. The following procedures shall be among those implemented to facilitate appropriate utilization of under-represented individuals at all levels of the College work force, and thereby to ensure the job relatedness of College employment and promotion of under-represented individuals that may be identified.

I. Job Descriptions, Specifications and Requirements

Administrators/supervisors have been assigned to:

- A. Analyze position descriptions to ensure they accurately reflect position

functions and are consistent for the same position.

- B. Evaluate specifications for each job classification by division and department using job performance criteria. If any requirements screen out a disproportionate number of minorities or women, such requirements shall be carefully evaluated with respect to their necessity and legality.
- C. Make available approved position descriptions and worker specifications to members of management involved in the recruiting, screening, selection, and promotion process, and distribute copies to recruiting sources.

II. Recruitment Practices

Employees shall be assigned to conduct the following types of recruitment activities:

- A. Include the phrase *equal opportunity education and employment* in all printed employment advertisements.
- B. Encourage all employees to refer qualified under-represented individuals.
- C. Recruit at colleges with predominantly minority or female enrollments where recruitment is done at schools.
- D. Participate, when appropriate, in special employment programs such as WIA, summer jobs for minority youth, work-study programs for male and female students, disabled, veterans, etc.

III. Selection Practices

Employees have been assigned to take the following actions, among others, to ensure that the College's selection process is job-related and to eliminate any artificial barriers to the employment and promotion of protected class persons that may be identified.

- A. Review the College's application and other pre-enrollment forms and procedures to ensure that inquiries are job related.
- B. Evaluate selection methods that have a negative impact on under-represented individuals.
- C. Train interviewers on proper interview techniques, inquiries and documentation and the College's affirmative action objectives.

IV. Promotional and Training Practices

Employees have been assigned to take the following types of actions to prepare protected class members for promotion and to assist employees in advancing to

jobs that offer more responsibility, challenge and further opportunity for advancement.

- A. Post promotion opportunities, when appropriate, on campus bulletin boards.
- B. Offer career counseling upon request to assist employees in identifying promotional opportunities, available training and educational programs to enhance promotability and opportunities for job rotation or transfer.
- C. Administer the employee evaluation program, which is designed to assist employees in meeting performance standards in a non-discriminatory manner.
- D. Evaluate requirements for promotion on job performance related criteria and ensure that under-represented individuals are not required to possess higher qualifications than required normally for the promotion.

V. Supervisory and Disciplinary Practices

Employees have been assigned to take the following actions to assist supervisors in meeting their Affirmative Action Program responsibilities:

- A. Develop and periodically review forms and instructions on supervisory practices such as in interviews, employee evaluations, counseling, training and discipline.
- B. Offer training for supervisors on the AAP objectives and job-related personnel practices.

VI. Benefits and Rules

Employees have been assigned to take the following actions to ensure that the College's facilities are desegregated and its benefits program and rules are non-discriminatory.

- A. Review periodically the College's employee benefits plans, coverage and administration procedures to ensure they do not inadvertently discriminate because of race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, or veteran status.
- B. Review periodically the College's policies to ensure the provisions do not inadvertently discriminate because of race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, or veteran status.

COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES

New Mexico Junior College fully complies with all applicable requirements of the Office of Federal Contract Compliance Programs (OFCCP) sex discrimination guidelines.

I. Recruitment and Advertisement

- A. The College recruits employees of both sexes for all jobs.
- B. Employment advertisements do not express a gender preference.

II. Job Policies and Practices

- A. NMJC's EEO policy expressly indicates that the College does not discriminate against employees or employment applicants based on sex.
- B. The College makes no distinction based upon sex in employment opportunities, wages, hours, benefits or other conditions of employment.
- C. Disabilities caused or contributed to by pregnancy, childbirth or related medical conditions are treated the same for job-related purposes as disabilities caused or contributed to by other medical conditions under the College's health insurance (disability insurance) and sick leave plans.

III. Wages

- A. The College's salary plan shall not be related to or based on the sex of employees.
- B. The College shall not restrict employees of one sex to certain job classifications. New Mexico Junior College shall make jobs available to qualified employees without regard to sex.

IV. Affirmative Action

- A. NMJC shall take affirmative action to recruit women and/or minorities to apply for all jobs.
- B. NMJC shall not make distributions based on sex in any College-sponsored training programs. New Mexico Junior College takes affirmative action to ensure that both sexes have equal access to all training programs.

SEXUAL HARASSMENT POLICY

- I. 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.

- II. 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 constitute 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.

- III. 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.

- IV. 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 the Director of Administrative Services, or to any other administrator, or to the Human Resources Office. A prompt confidential investigation shall be conducted of any reported sexual harassment. Charges of sexual harassment shall 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 discrimination grievance procedure.

V. 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 shall be made 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*.

COMPLIANCE WITH GUIDELINES ON DISCRIMINATION BECAUSE OF RELIGION OR NATIONAL ORIGIN

New Mexico Junior College fully complies with all applicable requirements of the guidelines because of religion or national origin.

I. Equal Employment Opportunity Policy

- A. NMJC's EEO policy expresses its commitment to prohibit discrimination based on religion or national origin against applicants for employment and employees in employment, upgrading, demotion, transfer, recruitment, recruitment advertising, layoff, termination, rates of pay and other forms of compensation and selection for training.
- B. The College's policy expresses its commitment to take affirmative action to ensure that applicants are employed and employees are treated equally during employment without regard to their religion or national origin.

II. Personnel Practices

- A. The College's employment practices, including those affecting top and middle management levels, afford fair consideration for job opportunities to members of the various religious and ethnic groups.
- B. The College undertakes appropriate outreach and positive recruitment activities to ensure that it does not discriminate on the basis of religion or national origin, including, as appropriate:
 - 1. Communicating internally the College's obligation to provide equal employment opportunity without regard to religion or national origin in a manner, which fosters understanding, acceptance, and support among the College's executive, management, supervisory and other employees, and encourages them to take the necessary action to aid the College in meeting this obligation.
 - 2. Utilizing internal monitoring procedures to ensure that the College's obligation to provide equal employment opportunity without regard to religion or national origin is being fully implemented.
 - 3. Informing all employees periodically of the College's commitment to equal employment opportunity for all persons, without regard to religion or national origin.
 - 4. Enlisting the assistance and support of all recruitment sources for the College's commitment to provide equal employment opportunity without regard to religion or national origin.
 - 5. Reviewing employment records to determine the availability of

promotable and transferable members of various religious and ethnic groups.

III. Religious Accommodation

New Mexico Junior College accommodates the religious observances and practices of employees and prospective employees unless the College is unable to reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship on the conduct of the College's business.

PARTICIPATION IN COMMUNITY ACTION PROGRAMS

- I. Employees, administrators and supervisors in particular, are encouraged by New Mexico Junior College to take the following community oriented actions, among others, to enhance employment opportunities of minorities and women:
 - A. Serving on community relations boards, merit employment counsels and similar organizations.
 - B. Supporting vocational guidance institutes, vestibule training programs and similar activities.
 - C. Assisting secondary schools and colleges, upon request and as feasible, in programs designed to enable minority and female graduates to compete in the open employment market on a more equitable basis.
 - D. Supporting programs developed by organizations concerned with employment opportunities for minorities and women.

REAFFIRMATION OF THE POLICY CONCERNING PERSONS WITH DISABILITIES

Throughout the College, there is a determination to take voluntary, positive action that shall contribute to the reduction of any form of discrimination while furthering New Mexico Junior College's progress. A related determination is to assure that managers and employees comply with both the spirit and intent of federal, state and local legislation; government regulation; and executive orders in providing affirmative action as well as equal opportunity without regard to race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, or veteran status.

There is a continuing and urgent need for supervisors to take affirmative action in providing employment opportunities for qualified individuals with disabilities. Supervisors shall assure through action, accommodation and teaching that positive steps are being taken to

comply with the policy and to meet the requirements of law, while achieving the stated objectives of the College for continued responsible growth and success.

With respect to an individual, “disability” means: 1) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; 2) a record of such impairment or; 3) being regarded as having an impairment such as describe in 1) above. An impairment is a disability if it substantially limits the ability of an individual to perform a major life activity as compared to most people in the general population. The determination of whether an impairment substantially limits a major life activity requires an individualized assessment.

It is the policy of New Mexico Junior College to make reasonable accommodation to the known physical or mental limitation of an otherwise qualified applicant or employee with a disability, unless the accommodation would result in an undue hardship, health or safety concern.

DISCRIMINATION GRIEVANCE PROCEDURE

It is the policy of New Mexico Junior College to work with employees in finding fair and just solutions to problems such as discrimination. The purpose of this procedure is to provide employees a means to have these problems or disputes heard, investigated and resolved without fear of reprisal. It is intended that these problems be resolved at the lowest possible administrative level. With cooperation between employees and supervisors, this shall be achieved; however, should the need arise; the grievance procedure may be used, if necessary.

The Human Resources Office/Affirmative Action Plan Coordinator shall assist employees or supervisors in either the preparation or resolution of appeals.

I. General Procedures

- A. The grievance procedure shall be disseminated to every employee as an integral part of the EEO/AAP document. Each employee shall understand the encouragement to resolve problems with objectivity, freedom from fear of retaliatory consequences or reprisals and within a reasonable amount of time.
- B. These procedures apply to all grievances, which may arise in matters involving rights provided for under the AAP, which directly affect the personal interests and well-being of an individual employee.

- C. Where a dispute exists as to whether a particular matter is subject to coverage by these grievance procedures or by other policy or procedures, the College reserves the right to make the final judgment on that question.
- D. The President shall interpret the coverage of these procedures and shall deny application of these procedures where the matter in question clearly concerns issues other than discrimination based on race, color, religion, sex, national origin, age, disability, genetic information, or veteran status.

II. Informal Grievance

- A. The employee is encouraged to discuss a problem or complaint with his/her immediate supervisor in an attempt to resolve the problem prior to filing a formal complaint.
- B. If the grievance remains unresolved, he/she shall discuss it with his/her department/division supervisor.
- C. If circumstances of the grievance prevent using Step 1 and/or Step 2, or if the department/division supervisor does not resolve the grievance within five (5) working days, the employee shall discuss the grievance with the Human Resources Office/Affirmative Action Plan Coordinator.
- D. If the grievance involves a question or opinion not covered by the state or federal non-discriminatory regulations, the Human Resources Office/Affirmative Action Plan Coordinator shall counsel with the employee, the supervisor and/or the department/division supervisor to resolve the grievance.
- E. Any retaliatory action of any kind taken by any employee of the College by or against any other employee as a result of that person's seeking redress under these procedures, cooperating in an investigation or other participation in any proceeding under these procedures is strictly prohibited.

III. Formal Grievance

- A. If an aggrieved employee alleges discrimination, and if his/her grievance has not been resolved by informal appeal, he/she shall submit a request in writing to the Human Resources Office/Affirmative Action Plan Coordinator to have the grievance considered by a formal grievance committee.
- B. Procedure:
 - 1. A written request for a formal EEO grievance hearing shall clearly state the alleged discrimination and shall include the nomination of one full-time employee who is willing and available to serve as a member of a grievance committee.

2. The Human Resources Office/AAP Coordinator shall either approve or disapprove the request for a formal hearing. If the request is disapproved, the Human Resources Office/AAP Coordinator shall state the reasons therefore in writing. If approved, the Human Resources Office/AAP Coordinator shall appoint a grievance committee to meet within ten (10) days or as soon thereafter as possible. Such a committee shall include:
 - a. The employee so named in the original request or a substitute employee satisfactory to the aggrieved.
 - b. An employee nominated by the Human Resources Office/AAP Coordinator.
 - c. A third person selected by mutual agreement of the other two (2) members shall serve as committee chairperson. The chairperson shall be any regular full-time employee who is willing and available to serve in this capacity. If the two (2) members cannot agree upon a chairperson, the chairperson shall be appointed by the President.
 3. The Human Resources Office/AAP Coordinator shall serve as secretary and advisor to the committee but shall not vote.
- C. The grievance committee shall hear the grievance and may call such witnesses, as it deems relevant to the grievance and necessary to make its determination. Proceedings shall be open or closed at the discretion of the grievant. Since these proceedings are internal institution procedures, participation is limited to full-time employees. This limitation shall not apply to witnesses that may be called by either side. Deliberations shall adhere strictly to due process and the proceedings shall be recorded.
- D. Within fifteen (15) working days of the committee's formation, the grievance committee shall make a determination of whether there is cause to believe discrimination has occurred. The committee shall present its report and recommended action to the College President. The Human Resources Office/AAP Coordinator shall forward a copy of the decision to the grievant and other parties to the grievance.
- E. Appeal:
1. The decision of the committee may be appealed in writing to the President by the aggrieved employee, the supervisor and/or the department/division supervisor within three (3) working days of receipt of the decision.
 2. The President shall review and consider all memos, minutes and recordings of the grievance committee proceedings related to the decision.
 3. The decision of the President shall be final.

4. The aggrieved employee may pursue other appeals as provided by state and federal laws or regulations after completely exhausting all grievance procedures provided herein.

APPENDIX B

NEW MEXICO JUNIOR COLLEGE

DRUG-FREE WORKPLACE

POLICY

AND

PROGRAM

**NEW MEXICO JUNIOR COLLEGE
DRUG-FREE WORKPLACE POLICY AND PROGRAM**

I. Preamble

- A. 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.
- B. This policy statement complies with the requirements of the Drug-Free Workplace Act of 1988 (Public Law No.100-690) and implementing regulations, and with DOT Federal Drug Policy, 49 CFR Parts 382 and 40.
- C. New Mexico Junior College shall comply with all state and federal requirements for drug testing. The College shall also adopt drug testing procedures that ensure compliance with this policy.
 - 1. All employees who have a commercial driver's license (CDL) and are required to drive commercial vehicles are subject to Department of Transportation (DOT) Drug Testing Requirements.
 - 2. Such employees shall become familiar with the New Mexico Junior College DOT Federal Highway Drug Policy, a copy of which shall be provided by the Director of Administrative Services.
- D. For purposes of this drug-free policy, the workplace includes all property owned, used, leased or controlled by the College or any site where official College business is conducted. Controlled substances means those substances in Schedules I-V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and implementing regulations 21 CFR 1308.11-1308.15. Controlled substances include, but are not limited to, marijuana, cocaine (including *crack*), amphetamines, heroin, PCP, hallucinogens and certain prescription drugs. Alcohol and tobacco are not controlled substances.

II. Policy Statement

- A. The unlawful manufacture, distribution, dispensation, possession or use of controlled substances in the workplace by any employee or student of the College is strictly prohibited. Any employee engaged in the performance of work under a federal contract or grant is required, as a condition of

employment, to notify his/her supervisor if he/she is convicted of a criminal drug statute violation occurring in the workplace within five (5) days of such conviction.

- B. As a condition of employment, New Mexico Junior College employees shall abide by the terms of the policy. Violation of the drug-free policy shall result in disciplinary action, up to and including dismissal. This disciplinary action shall include requiring such an employee to participate satisfactorily in an approved substance abuse treatment or rehabilitation program as a condition of continued employment.
- C. In recognition of the dangers of substance abuse in the workplace, New Mexico Junior College shall maintain drug-free awareness programs to inform employees and other members of the College community about the issues and risks of substance abuse in the workplace.

III. Responsibility

The President of the College shall be responsible for the administration of the Drug-Free Workplace Policy and Program. As designated by the President, the Human Resources Office shall administer this program for employees and certify the program for state and federal grants and contracts.

IV. Program and Implementation

- A. NMJC considers the unlawful manufacture, distribution, dispensing, possession or use of controlled substances in the workplace by any employee to be an extremely serious matter that shall subject such employee to appropriate disciplinary action up to and including dismissal. This Drug-Free Workplace Policy and Program, however, shall not be intended to supersede or negate any existing policies on substance abuse, employee discipline or any additional requirements imposed on the College by state or federal law.
 - 1. The purpose of the Drug-Free Workplace Policy and Program is to inform the College's employees and students about:
 - a. Dangers of drug abuse at the College as a workplace and for education.
 - b. The College's policy for maintaining a drug-free environment.
 - c. Information on available drug counseling, rehabilitation or employee assistance programs.
 - d. Disciplinary action and penalties that shall be imposed for drug abuse violations.
- B. The Drug-Free Workplace Policy and Program shall require the Human Resources Office:

1. To provide each employee with a copy of the policy.
 2. To sign certification of the Drug-Free Workplace Policy and Program for all state and federal grants and contract proposals and agreements.
 3. To notify the appropriate state or federal contracting agencies within (10) days after receiving notice from an employee of a conviction on any criminal drug statute or of otherwise receiving actual notice of conviction.
- C. The Drug-Free Workplace Policy and Program shall require each employee, as a condition of employment:
1. To abide by the College's Drug-Free Workplace Policy and Program.
 2. To notify the Human Resources Office of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after conviction.
 3. To sign a certification of awareness of the College's Drug-Free Workplace Policy and Program.
- D. The Drug-Free Workplace Policy and Program shall require the Human Resources Office to take one of the following actions after receiving notice of any criminal drug statute conviction:
1. Determine appropriate disciplinary action according to established personnel policies and procedures up to and including dismissal.
 2. Require the employee to participate in an approved drug-abuse assistance or rehabilitation program.
- E. The Drug-Free Workplace Policy and Program shall require the College to make a good faith effort to maintain a drug-free workplace through implementation of the policies and program.

Although the Drug-Free Workplace Policy and Program applies to controlled substances, the College recognizes that alcohol abuse also poses a serious threat to the health, safety and well-being of the college community and its employees. In response to this need, a list of drug-free and alcohol awareness programs shall be maintained in the Human Resources Office and posted throughout the campus to keep employees and students informed about the issues and risks involved in the use of controlled substances and abuse of alcohol. These awareness programs shall inform employees of the provisions of this policy; the availability of counseling, rehabilitation and employee assistance programs; and the dangers of drug abuse in the workplace.

V. Employees in Safety Sensitive Positions

This category includes, but is not limited to, the following positions: Director of Administrative Services, Director of Physical Plant, Dean of Public Safety

and Industry, ~~Lead Law Enforcement Instructor~~~~Director of Law Enforcement Academy~~, Director of Corrections Academy, General Maintenance Foreman, Custodial Supervisor, Public Safety Officers/Security, Custodial, Grounds, Maintenance, all Nursing Faculty including Director of Nursing and any others who meet the requirements of safety sensitive positions, such as employees who operate vehicles on duty, use machinery creating safety issues, or are in security related jobs.

All Employees who work in safety sensitive positions on NMJC property must submit and pass a Urine Drug Screen Test and/or Blood Test or Breath Test prior to employment.

Certain investigations may require employees who work in safety sensitive areas on NMJC property to submit to a Urine Drug Screen Test and/or Blood Test or Breath Test.

Tests/inspections will be required under the following circumstances:

- A. When a safety sensitive employee's trained supervisor and the Director of Administrative Services or the Director of Public Safety has reason to believe that an employee on NMJC's property is using; is under the influence of prohibited drugs, prescribed drugs, alcohol, or other~~and~~ substances; or has been in violation of this policy.
- B. When a safety sensitive employee returns to active employment after a leave of absence of thirty (30) or more days.
- C. After an on-the-job injury or following a serious or potentially serious accident or incident, including near misses, in which safety precautions were violated, unsafe instructions or orders were given, vehicles/equipment/property was damaged, or unusually careless acts were performed. If it is impossible or impractical to give a urine or blood sample because of the physical condition of the individual(s) involved in the accident and if in subsequent medical treatment of the person(s) blood will be drawn, then the medical facility's blood sample will be analyzed for drugs, alcohol, and other prohibited substances.
- D. Randomly (periodically and unannounced) testing other than to meet current specific job site requirements, will not commence until thirty (30) days following the date of this policy; however applicants for safety sensitive positions shall be subject to testing as of the date of this policy. The Search, Inspection, Urine and/or Blood Drug Screening provisions herein will be performed with concern for the personal privacy of each employee, or other person, and will also apply to contract labor, when feasible.

E. All safety sensitive employees, as defined in this policy, will be tested within 30 days following the date of this policy.

All persons shall have the opportunity, prior to testing, to list all prescription and non-prescription drugs they have used in the last thirty (30) days and to explain the circumstances surrounding the use of such drugs. All records containing medical information will be maintained in accordance with applicable law.

Any safety sensitive employee found in violation of this policy, or who refuses to submit to a urine and/or blood analysis, are subject to disciplinary action, up to and including termination of employment.

Any employee, or anyone else, who in any way alters, tampers with, or substitutes a urine or blood specimen, will be considered a violator of this Policy, and the employee shall be discharged.

NMJC may take into custody any illegal, unauthorized, or prohibited items or substances and may turn them over to the proper law enforcement agencies.

Any safety sensitive employee who, as a result of drug testing and screening, is found to have detectable levels or identifiable trace quantities of a prohibited drug or substance in his or her system, regardless of when or where the drug or substance entered that person's system, without an explanation satisfactory to NMJC, will be considered in violation of this Policy and are subject to disciplinary action up to and including termination.

Any Safety Sensitive employee who, as a result of drug testing and screening, is found to be under the influence of a legally prescribed narcotic while on the campus, will be considered in violation of this policy and are subject to disciplinary action up to and including termination of his/her employment.

APPENDIX C

NEW MEXICO JUNIOR COLLEGE BOARD

POLICY

Policy No. 805

Copyrights and Patent Ownership

NEW MEXICO JUNIOR COLLEGE BOARD POLICY

Policy No. 805

Page 1 of 5

POLICY TOPIC: Copyright, Patent and Intellectual Property Policy

DATE AMENDED: October 20, 2005

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 mediate 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.

APPENDIX D

**NEW MEXICO JUNIOR COLLEGE DOMESTIC
VIOLENCE AND WORKPLACE POLICY**

New Mexico Junior College Domestic Violence and Workplace Policy

Policy Statement

New Mexico Junior College is committed to promoting the health and safety of its employees. Domestic violence, sexual assault and stalking permeate the lives and compromise the safety of thousands of New Mexico employees each day, with tragic, destructive, and sometimes fatal results. Domestic violence occurs within a wide spectrum of relationships, including spouses, former spouses, current or former family members, co-parents of a child or between individuals who have or have had a dating or intimate relationship. Sexual assault and stalking may occur within any of those same relationships or may be perpetrated by an individual who has no direct relationship with the victim.

In addition to exacting a tremendous toll on the individuals it directly affects, the effects of domestic violence, sexual assault and stalking often spill over into the workplace, compromising the safety of both victims and co-workers and resulting in lost productivity, increased health care costs, increased absenteeism, and increased employee turnover.

The purpose of this Policy is to identify and prescribe College practices that will promote safety in the workplace and respond effectively to the needs of victims of domestic violence, sexual assault and stalking

Therefore, the College, pursuant to Executive Order 2008-047 shall to the fullest extent possible without violating any existing rules, regulations, statutory requirements, and contractual obligations designate and direct appropriate management, supervisory, and/or human resources staff to implement the Domestic Violence and Workplace Policy that includes the following:

Definitions

For purposes of this policy, the following terms will be defined as.

College: New Mexico Junior College

Domestic Violence: A pattern of coercive behavior that is used by a person against a household member, as defined in NMSA 30-3-11(A), to gain power and control over the other household member in the relationship. This behavior may include any of the following: physical violence, sexual abuse, emotional and psychological intimidation, verbal abuse and threats, stalking, isolation from friends and family, economic control, and destruction of personal property.

Batterer, Perpetrator, or Abuser: An individual who commits domestic violence, sexual assault, or stalking.

Survivor or Victim: An individual subjected to domestic violence, sexual assault, or stalking.

Sexual assault: An act of sexual violence whereby a party forces, coerces, or manipulates another to participate in sexual activity. This behavior may include rape, attempted rape, child sexual assault, attempted child sexual assault, criminal sexual contact, exposure, and voyeurism.

Stalking: Purposely pursuing a pattern of conduct directed at a specific person when the individual knows or should know that the pattern of conduct would cause a reasonable person to fear for his or her safety or the safety of a household member. The “pattern of conduct” means two or more acts, including, but not limited to, acts in which the individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.

Domestic Violence Response Team/Responder: Designated employees, with specialized training to handle disclosures, referrals, and office safety planning and with management or supervisory responsibility, are Responders. *Contact the Director of Administrative Services for the current list of qualified Responders.*

Designated Family Member: Is a victim who is the employee’s minor child or an incapacitated adult, where the employee is the guardian of the incapacitated adult.

Workplace: An employee is considered to be in the workplace when the employee is conducting College business, is using College resources or equipment, is using a vehicle that is owned or leased by the College or its agencies or is attending work-related events or traveling on work related business.

Workplace Safety Plan: A strategy developed in collaboration with a victim or survivor to implement workplace safety options.

Guidelines

I. Employee Awareness

The College shall increase awareness of domestic violence and inform employees of available sources of assistance.

- a. The College shall include information on domestic violence, sexual assault and stalking awareness and services in written materials provided to new employees and as part of new employee orientation.
- b. The College shall integrate information on domestic violence, sexual assault and stalking and the College’s workplace policy into existing materials and literature, policies, protocols, and procedures, as appropriate.

- c. The College shall maintain, publish and post in locations of high visibility such as bulletin boards, break rooms and online sources, a statewide list, created by the Department of Children, Youth and Families (CYFD), with contact information for counseling, advocacy and referral resources of victims of domestic violence, sexual assault and stalking, as well as counseling resources for perpetrators. Additional referrals may be made to best meet the needs of the employee.

II. Non-Discriminatory and Responsive Personnel Policies for Victimized Employees

The College shall ensure that policies and procedures do not discriminate against victims of domestic violence, sexual assault and stalking, and are responsive to the needs of victims of these offenses.

Employees who are victims of domestic abuse or who are the parent or legal guardian of a minor child who is the victim of domestic abuse shall be entitled to intermittent paid or unpaid leave time for up to fourteen (14) days in any calendar year. Such leave may be for up to eight (8) hours in one day and must be for the purpose of obtaining or attempting to obtain an order of protection or other judicial relief from domestic abuse or to meet with law enforcement officials, consult with attorneys or the district attorneys' victim advocates or attend court proceedings related to the domestic abuse of the employee or family member.

When possible, Domestic Abuse Leave should be requested in advance by submitting a request to the employee's immediate supervisor. When Domestic Abuse Leave is taken in an emergency, the employee or the employee's designee shall give notice to the employee's supervisor within twenty-four (24) hours of commencing the leave. Upon request, employees requesting such leave shall provide one of the following forms of verification: a police report indicating domestic abuse; a copy of an order of protection or other court evidence produced in connection with an incident of domestic abuse; or a written statement of an attorney representing the employee or other official that the employee or the employee's minor child appeared or is scheduled to appear in court in connection with an incident of domestic abuse.

An employee may use accrued vacation or personal leave if the employee wishes to be paid for Domestic Abuse Leave.

All information provided to New Mexico Junior College regarding a request for or the use of Domestic Abuse Leave shall remain confidential by New Mexico Junior College and shall only be disclosed when the employee consents, when a court or administrative agency orders disclosure or when otherwise required by federal or state law.

III. Workplace Safety Plans

- a. The College shall take steps to comply with all known court orders of protection, particularly orders in which abusers have been ordered to stay away from the

work site. If requested by the victim of domestic violence or law enforcement, the College shall provide information in its possession concerning an alleged violation of an order of protection.

- b. The College shall incorporate responses to domestic violence, sexual assault and stalking into the College's workplace safety response.
- c. The College shall discuss with the victim of domestic violence, sexual assault or stalking the College's confidentiality policy and the limitations thereto.
- d. The College shall provide reasonable means to assist victimized employees in developing and implementing individualized workplace safety plans. Plans must address additional concerns if the victim and the offender are both employed by the same workplace.
- e. The College shall review the workplace policy annually.

IV. Accountability for Employees Who Are Offenders

The College shall hold accountable employees who engage in the following behavior: (1) using College resources to commit an act of domestic violence, sexual assault or stalking; (2) committing an act of domestic violence, sexual assault or stalking from or at the workplace or from any other location while on official College business; or (3) using their job-related authority and/or College resources to assist perpetrators in locating a victim and/or in perpetrating an act of domestic violence, sexual assault or stalking.

- 1. In cases in which ~~an~~ the College has found that an employee has threatened, harassed, or abused an individual while in the workplace using College resources such as work time, workplace telephones, FAX machines, mail, e-mail or other means, said employee shall be subject to corrective or disciplinary action in accordance with existing College policies.
- 2. In cases in which the College has verification that an employee is responsible for a domestic violence, sexual assault or stalking related offense, or is the subject of any order of protection, including temporary, final or out-of-state order, as a result of domestic violence, sexual assault or stalking and said employee has job functions that include the authority to take actions that directly impact victims of domestic violence, sexual assault or stalking and/or actions that may protect abusers from appropriate consequences for their behavior, the College shall determine if corrective action is warranted, in accordance with existing College policies.
- 3. In cases in which any employee intentionally uses his/her job-related authority and/or intentionally uses College resources in order to perpetrate domestic

violence, sexual assault or stalking, assist an abuser in locating a victim, assist an abuser in perpetrating acts of domestic violence, sexual assault or stalking, or protect an abuser from appropriate consequences for his behavior, said employee shall be subject to corrective or disciplinary action, in accordance with existing College policies.

4. The College encourages employees who are perpetrators to voluntarily seek assistance from any entity on the community service provider list.
5. If an employee discloses that he or she is or has been a perpetrator of domestic violence, the responder should refer the employee to a CYFD approved Batterer's Intervention Program.
6. College employees who witness threats or incidents of domestic violence, sexual assault or stalking in the workplace, shall immediately notify ~~a member of the Response Team~~ the Director of Administrative Services/Director of Public Safety or ~~site security personnel~~ or the NMJC Public Safety Department. The employee shall not confront the perpetrator directly. Instead, the Responder will discuss the issue with the Response Team who will decide how best to address the situation.

V. Firearms

Pursuant to federal law, a person convicted of a domestic violence-related crime or subject to an order of protection, under certain circumstances, forfeits the right to legally possess a firearm or long gun. Additionally, federal law contains prohibitions relating to shipping, transportation, or receiving firearms or ammunition.

- a. In addition to complying with the law, employees who are authorized to carry a firearm as part of their job responsibilities are required to notify the College if they are arrested on a domestic violence-related offense and/or served with an order of protection. Under certain circumstances, such employees are responsible for surrendering their firearms to the issuing agency or to the appropriate police agency.
- b. Should an employee fail to comply with the requirements set forth in V. a., said employee shall be subject to corrective or disciplinary action, in accordance with existing College policies. In addition, the appropriate law enforcement agency shall be notified for possible criminal action.

VI. Training

- a. The College Domestic Violence and Workplace policy will be distributed to all current employees. New employees will receive the policy upon commencing employment. All employees are expected to become familiar with this policy and

to attend domestic violence, sexual assault and stalking training as provided by the College. The policy will also be posted on the College's website.

- b. All managers, supervisors, and members of the College's Domestic Violence Response Team shall complete the Domestic Violence, Sexual Assault and Stalking in the Workplace Prevention Training developed by the New Mexico Domestic Violence Leadership Commission or a similar program provided by the College. Training shall focus on domestic violence, sexual assault and stalking awareness, workplace security and safety planning, the need for confidentiality and record keeping, conducting appropriate investigations and appropriate referrals. Training will also include information on the ways in which domestic violence, sexual assault and stalking impacts the workplace, including the potential impact on worker productivity and the safety risks to on-site personnel and visitors.
- c. Training on domestic violence, sexual assault and stalking and its impact on the workplace should be made available upon the hiring of new personnel and College wide at least every two years. When possible, the Domestic Violence, Sexual Assault and Stalking in the Workplace Prevention Training and delivery program developed by the New Mexico Domestic Violence Leadership Commission will be integrated into existing College training programs.

VII. College Responsibility

- a. The College shall set a tone communicating that domestic violence, sexual assault and stalking is behavior that will not be tolerated and that the College will actively provide information and support to employees who are victims of such abuse.
- b. The College shall, consistent with applicable law and the College policy, document all incidents of domestic violence, sexual assault and stalking that happen in the workplace. Such documents shall be kept confidential to the extent permitted by law.
- c. All Domestic Violence Response Team/Responders providing domestic violence information and support services shall document, consistent with applicable law and the College policy, the number of employees who report domestic violence, sexual assault and stalking, the number of employees that request information/services, and the number of referrals made to service providers. All information about employees who seek assistance shall be kept confidential to the extent permitted by law.

d. Information related to an employee being a victim shall be kept confidential, to the extent permitted by law and the College policy, and shall not be divulged without the written consent of the victimized employee, unless the College determines that maintaining said confidentiality puts the victim or other employees at risk of physical harm, is required by law, or is deemed necessary to enforce an order of protection. In such circumstances where a determination has been made that maintaining confidentiality puts the victim or other employees at risk of physical harm, only those individuals (College employees and/or safety and security personnel and/or rescue and first aid personnel) as deemed necessary by the College to protect the safety of the victim and/or other employees or to enforce an order of protection shall be given such information. The College shall disclose only the minimum amount of information necessary to protect the safety of the victim and/or other employees or enforce an order of protection. Where possible, the College will provide to the victim with notice of the intent to provide information to other employees and/or safety personnel. It is important for the College to inform a victim of domestic violence of the College policy of confidentiality toward domestic violence information and the limitations of that policy. Nothing herein shall prevent the College from investigating an act or acts of domestic violence that happen within the workplace. The College shall provide examples of situations where confidentiality cannot be maintained such as the following:

1. Supervisors/managers may be informed about a domestic violence, sexual assault or stalking incident that happens in the workplace, or a report of domestic violence, sexual assault or stalking if it is necessary to protect the safety of the employee or the employee's co-workers.
2. First aid and safety personnel may be informed about a domestic violence, sexual assault or stalking incident that happens in the workplace or a report of domestic violence, sexual assault or stalking if it is necessary to protect the safety of the employee or the employee's co-workers.
3. The College or law enforcement investigating a domestic violence, sexual assault or stalking incident that happens in the workplace or a report of domestic violence, sexual assault or stalking shall be provided relevant information on request.

APPENDIX E

NEW MEXICO JUNIOR COLLEGE

WHISTLEBLOWER POLICY

Policy Protecting Whistleblowers

- I. The New Mexico Junior College Policy Protecting Whistleblowers shall cover all employees of, and all persons who contract with, New Mexico Junior College. This policy also extends to former employees and persons who contracted with New Mexico Junior college when retaliation against such person has resulted in a change of the person's status to that of a non-employee or non-contractor prior to resolution of any alleged retaliation.
- II. It is the policy of New Mexico Junior College that no employee of, or person who contracts with, New Mexico Junior College shall be subject to any discriminatory or adverse employment action regarding his or her terms and conditions of employment because the employee or contractor:
 - A. Communicates to New Mexico Junior College or a third party information about a practice, procedure, action or a failure to act that the employee/contractor believes in good faith violates a federal law, a federal regulation, a state law, a state administrative rule or any other law, constitutes malfeasance in public office; or constitutes gross mismanagement, a waste of funds, an abuse of authority or a substantial and specific danger to the public;
 - B. Provides information to, or testifies before, a public body as part of an investigation, hearing or inquiry into a matter such as described in paragraph A; or
 - C. Objects to or refuses to participate in an activity, policy or practice of the type described in paragraph A.
- III. New Mexico Junior College prohibits retaliation of any kind against employees/contractors who, in good faith, engage in any of the activities described in paragraph II. A.-C. Any employee/contractor who believes that he/she has been subjected to any form of retaliation should immediately report that conduct to his/her immediate supervisor or the Director of Administrative Services, or to any other administrator, or to the Human Resources Office. Employees are not required to approach the person who is believed to be retaliating against them. A prompt confidential investigation shall be conducted of any reported retaliation. 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 retaliation or for knowingly permitting retaliation to occur.