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INFORMATIONAL REPORT

I. Summary Report: ARP Revisions - February 17, 2017 through November 14, 2017

This informational report summarizes the revisions made to the Administrative Rules and Procedures of NMSU (ARP) during the period 02/17/2017 through 11/14/2017, in accordance with Rule 1.10 - Protocols for Adoption and Amendment of Regents Policies and Administrative Rules and Procedures of NMSU. Additionally, at the end of this report is an update regarding the status of the long-term project to transition to a web-based policy system.

1. **Rule 5.14 - Faculty Credentials Required of NMSU Instructors of Record** is a new rule adopted on March 14, 2017 for compliance with Higher Learning Commission requirements relating to minimal faculty qualifications required of NMSU Instructors of Record. The rule clarifies the roles and responsibilities of academic administration as they pertain to validation of credentialing documents and alignment between credentials and teaching assignments. Human Resource Services will serve as the repository for the NMSU system to maintain the official documentation of faculty credentials. The rule also provides procedural guidelines for implementation, and consequences for non-compliance.
2. **Rules 5.25, 5.25.10 through 5.25.50, addressing faculty compensation**, were re-structured as revised on March 14, 2017. Rule 5.25 was reorganized as a general rule on Faculty Salary Adjustments, moving salary increase information relating to faculty promotion into its own rule at Rule 5.27. Rule 5.25 now clarifies the various types of faculty adjustments, eligibility for salary increases, effective date of salary increase, as well as the contingency upon availability of funding approved by the Board of Regents through the annual budget process. Rule 5.27 - Compensation - Faculty Promotion salary increases are calculated. These rules were re-numbered from 5.25 through 5.31.
3. **Rule 15.50 - Management of Health Information - HIPAA Compliance** is a new rule adopted on April 11, 2017 to formalize rules and procedures which are required for the protection of health information, and for compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the regulations promulgated thereunder, the HIPAA Privacy, Security and Data Breach Notification Rules, which cover health plans, health care clearinghouses and health care providers who conduct certain financial and administrative transactions electronically. The new rule designates NMSU as a hybrid entity and specifies responsibilities to comply with HIPAA, as well as establishing roles for the involved parties.

4. **Rule 6.26 - Class Schedules and Catalogs** was revised on May 10, 2017 to update to clarify in policy that NMSU's requirements for credit hour calculation also applies to online instruction, as required by federal law.
5. **Rule 6.55 - Distance Education** was revised on May 10, 2017 to update and clarify academic requirements applicable to on line courses and qualifications for faculty teaching those courses.
6. **Rules 5.86, 5.87 and 5.90, addressing faculty performance review and promotion and tenure**, were recompiled as revised on May 10, 2017 (Effective August 13, 2018) as Rules 5.85 through 5.91, collectively referred to as the Faculty Evaluation, Promotion and Tenure Rules. An overview of these rules is provided at new Rule 5.85- Overview of Faculty Evaluation, Promotion and Tenure Rules; Definitions; Periodic Rules Review. Rule 5.86 will continue to address Annual Performance Evaluation - Regular Faculty. The content of Rule 5.90 - Promotion and Tenure will be divided between Rules 5.87- Promotion and Tenure - Purpose and Guiding Principles, 5.88- Promotion and Tenure: The Professorial Ranks, 5.89 - Promotion and Tenure Committees; Common Elements Required in the Principal Unit Policies, and 5.90 - Promotion and Tenure Reviews: Procedural Guidelines and Timeline. Post-Tenure Review will be governed by current Rule 5.87, re-numbered as Rule 5.91.
7. **Rule 5.45.10 - Department Head - Leaves** was revised on June 13, 2017 to correct an inconsistency with rule amendments approved last year modifying leave accrual rates. The revision removed content covered in the ARP, Chapter 7 (HR-Employee Benefits), the rules governing leave, and instead provides a cross reference.
8. **Rule 3.70 - Administrative Office Hours** was revised on August 8, 2017 as a companion, clean-up revision to the recent revision to Rule 6.55- Distance Education. The proposed revision adjusts the title, appropriately identifies the officials authorized to require employees to work outside of regularly assigned work hours and eliminates the outdated reference to the vice provost for distance education and extended learning.
9. **Rule 5.29 - Compensation - Distance Education** was repealed on August 8, 2017 as a companion revision related to the earlier revision of Rule 6.55- Distance Education, containing outdated, conflicting provisions. Additionally, compensation for developing or teaching distance education courses is addressed by other rules and did not require a special rule for distance education compensation.
10. **Rule 4.65 - Security Clearance (Department of Defense)** was repealed from the ARP on August 8, 2017 but remains intact as a regents policy. The policy determines the positions that will constitute the Key Management Personnel Group, charged with safeguarding classified information.
11. **Rule 7.20.20 - Leaves-Absence, Unauthorized (Staff)** was repealed from the ARP on August 8, 2017. This rule was outdated, not a leave policy, and unauthorized absence is already listed as just cause for termination under the staff discipline rule. Violation of a leave rule is

treated as other alleged violations of policy, subject to investigation and disciplinary action as warranted by the facts, in accordance with the applicable HR rule depending on the classification of the employee.

12. **Rule 2.69 - Travel** was revised on September 12, 2017 to become **Rule 14.69 - University Related Travel Guidelines** as part of comprehensive revision to all travel rules, including international travel. *See next entry.* This particular rule was not substantively revised; rather, it clarified already existing protocols.
13. **Rule 2.69.1 - International Travel, Generally and Rule 2.69.2 - International Travel in Countries Subject to U.S. Travel Warnings** were revised on September 12, 2017 as **Rules 16.69 - University Related International Travel Requirements and Rule 16.70 - Education Abroad.** The restructuring of these travel rules was a complex project, intended to clarify the rules, and simplify the procedures for all users--particularly for students enrolled in Education Abroad programs, as well as for faculty and staff for all university related domestic and international travel.
14. **Rule 6.82 - Degrees, Majors, Minors and other Academic Programs of Study** was revised on September 12, 2017 to amend the chart appended at ARP Appendix 6-A, which shows the sequence of approvals required for each type of academic credential.
15. **Rule 17.30 - Ticket Sales** was amended provisionally, and then on October 10, 2017, to enhance the community college student experience, as well as attendance at NMSU athletic events, by providing free admission to such events to students enrolled in at least one DACC Community College course, similar to the students enrolled in courses at NMSU-Las Cruces.
16. **Rule 6.67 - Experiential Learning Component for Academic Programs** is a new rule adopted on October 10, 2017 to formalize incorporation of an experiential learning component into NMSU academic programs, at the recommendation of the Regents Student Success Committee.
17. **Rule 14.93 - Charitable Activities** is a new rule adopted October 10, 2017, superseding former Rule 2.70-United Way to clarify the prohibition on the donation or use of NMSU public resources for private benefit or gain, consistent with the state's Anti-Donation clause, and to distinguish situations where charitable activities may be organized by student or employee organizations which do not rely upon the use of public funds or resources. The rule also clarifies that supervisors are not permitted to ask their subordinates to support private charitable activities.
18. **Rule 6.75 - Honorary Degrees** was revised provisionally, and then on November 14, 2017, to revise content and to divide into two rules: Rule 5.50 - Award of Posthumous Honorary Degree and Rule 18.05 - Honorary Degree Awards.

Rule 5.50 broadens the types of degrees which may be awarded posthumously to students according to the degree program the student was enrolled in, and also limiting to a

posthumous award. The nomination and approval process continues to be initiated by the faculty of the student's home department who are familiar with the student and the student's work progress, and involves the major dean or associate vice president for academic affairs at the community colleges, the executive vice president and provost, with final approval by the Board of Regents.

ARP 18.05 was streamlined to clarify purpose for this type of honorary degree, to provide guiding principles for the award, and to simplify the nomination and recommendation process (utilizing an advisory committee to the VP for Advancement consisting at a minimum of the chancellor and at least one regent designated by the chair of the Board of Regents) which must occur prior to submission to the Board of Regents for approval. The nominee is not to be officially notified until after the Board of Regents approves.

19. **14.94 - Aggie Cupboard** is a new rule adopted on November 14, 2017 to formally recognize the Aggie Cupboard as a program under the oversight and direction of Health and Wellness, designed to provide essential support and reduce food insecurity and promote the success and productivity of students and employees. The Aggie Cupboard is funded primarily by donations which are directed to the NMSU Foundation, Inc.
20. **9.10 - Capital Projects** was revised on November 14, 2017 to align the university's rule on change orders with recently revised New Mexico Administrative Code provisions issued by the State of NM Commission on Higher Education, codified at NMAC 5.3.10.1. The revised language requires Board approval of changes to capital projects when there is a change in the size of the project of 10 percent or over 1,000 net assignable square feet, whichever is larger; a 10 percent change in the type or purpose of planned space; or a change in the total project cost of 10 percent or \$100,000, whichever is larger.

II. Status of Project to Transition to Web-Based Policy System

On November 14, 2017, the transition to a web based policy system was announced to be in the final stage, and **now live on the web at rpm.nmsu.edu and arp.nmsu.edu.**

The functional aspects of the new websites were presented to the University Administrative Council, with *caveats* that the content of the rules and policies will be a continuing work in progress for another month, to finalize revision histories and other details.

Some of the features include crosswalk buttons, which help the users navigate from the prior ARP and RPM numbering system to the newly recompiled ARP and RPM; switch from ARP to RPM and vice versa buttons; url copy/paste feature to easily share a policy via email; quick print one rule or policy feature.

The UAC members and their respective staffs were encouraged to review the sites and to report any malfunctions, numbering glitches or other errors they may encounter.

This now completes the project the Board authorized in late 2015.