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INFORMATIONAL REPORT: SUMMARY OF ARP REVISIONS 11/13/2019 – 03/12/2020

This report summarizes the revisions made to the Administrative Rules and Procedures of NMSU (ARP) during the period November 13, 2019 through March 12, 2020. Rule revisions are vetted by the relevant stakeholders, considered by the University Administrative Council, and approved by the Chancellor.

1. **ARP 5.40 – Access to Student Educational Records – FERPA Compliance** was amended January 7, 2020 to update the definition of “student” (for FERPA purposes) to be consistent with the established practice of using the first day of class as the date a student is in attendance, rather than the date of orientation or registration.
2. **ARP 16.12 – Clery Act Compliance** was amended January 7, 2020, upon the recommendation of the Clery Act Compliance Advisory Committee (CACAC) established by provisional ARP 16.12 enacted the previous October. The Clery Act requires transparency about campus crimes and statistics, issuance of Timely Warnings to help the university community protect themselves from future similar crimes, and publication of an annual security report categorizing the crimes committed on or adjacent to campus, and at university events away from campus.

In addition to many edits to clarify or simplify, highlights of the amendments include:

- a) Definitions were added or modified, consistent with the Clery Act (Part 2);
- b) The CACAC was given a role/responsibility to review Clery training (Part 7 C. 1.);
- c) A provision addressed elsewhere (Misuse of University Resources) was deleted (Part 8);
- d) A “catch all” was added to the list of CSA’s (Campus Security Authorities) to ensure that all those contemplated by the Act are included (Part 7 A. 15);
- e) Roles/responsibilities were added for the community college security officials and campus presidents to coordinate safety training with the offices of the Dean of Students and Institutional Equity, as well as in ensuring the timely issuance of the Annual Security Reports for their campuses (Part 3 A. and Part 12 C.); and
- e) Some basic guidance relating to Clery Geography was added (Part 12 B. 2. a. and b.)

3. **ARP 3.04 – Nepotism** was amended and re-numbered January 14, 2020 as **ARP 6.17 – Avoidance of Nepotism and Personal Conflicts**. The amendment updated and expanded the rule to prohibit the use of non-merit based factors, to include familial, personal or business relationships in making hiring decisions. The rule also incorporates conflict of interest principles from other existing policies to emphasize the need to disclose and avoid personal conflicts of interest in the context of hiring and personnel decisions.

4. **ARP 3.14 – Non-Work Related Use of University Resources** was amended March 12, 2020, superseding and repealing **ARP 15.18 – Telephone Equipment Use**. The new section at Part 2. H. effectuated a substantive change in the cost-ineffective practice, which required all employees and supervisors to review printed monthly phone logs and to certify that no personal calls were made. The proposed revision continues to prohibit such personal use; requires employees to use their personal cell phones or pre-paid calling card for long distance calls; and in exceptional circumstances that may require an employee to make a personal long distance call or fax, requires them to notify their supervisor and reimburse the cost of the call or fax.

Periodically, minor and non-substantive revisions are made without formal approval to reformat, update or correct, as part of regular ARP maintenance (e.g. updates to job titles or office names, correcting typographical errors or hyperlinks, adding cross references).