

FROM THE CAMPUS EXECUTIVE OFFICER



Welcome to New Mexico State University at Alamogordo (NMSU-A)!

Whether you are taking classes part-time, full-time or even online—you have made a conscious choice to explore a better future by expanding your education. NMSU-A is one of four community campuses within the New Mexico State University system, and we take great pride in our high academic standards, excellent programs and services, and our personal approach to helping each individual student succeed.

As a student at NMSU-A, you will find a diverse array of courses and programs leading to associate degrees or certificates. We also provide on-site, through New Mexico State University, access to bachelor degree programs in elementary education and nursing. While you are at NMSU-A, we guarantee you will have contact with uniquely talented faculty and outstanding student support services.

Our campus is situated at the top of Scenic Drive so we have a great view of the town of Alamogordo. If you look west, you can also see the beautiful White Sands. During 2007, we finished construction on the Academic Support Center. The tutors in this building will provide you with some excellent tutoring services in mathematics, reading and writing.

If you have any questions or concerns, please be sure to visit our offices or our website at <http://alamo.nmsu.edu>. Your continued academic success is our goal!

Sincerely,

Cheri A. Jimeno, Ph.D.
Campus Executive Officer (CEO)

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This STUDENT HANDBOOK is effective for the 2007-2008 academic year. If the information changes, students will be notified either through an addendum or through a subsequent publication. All items are subject to change by proper administrative procedure.

EASY REGISTRATION CHECKLIST

- 1. Apply for financial aid, if needed, in the Student Services Building, 439-3710. If applicable, SEE VETERAN'S CERTIFICATION OFFICER, 439-3632, <http://www.alamo.nmsu.edu>.
- 2. Submit application for admission to the Office of Admissions located in the Student Services Building, 439-3700 or apply online at <http://www.alamo.nmsu.edu>
- 3. Send for official transcripts or GED scores. Pick up the Transcript Request Form in the Student Services Building (Admissions), and arrange for official transcripts of all high school and college work to be sent to Admissions (439-3700):

Att: Admissions and Records
 New Mexico State University at Alamogordo
 2400 N. Scenic Drive
 Alamogordo, New Mexico 88310
- 4. Take placement tests (Free of Charge) in Classroom Building, Room 602 439-3787. Testing is required prior to registering for English or Math courses.
- 5. Attend the NMSU-A Orientation. Refer to the Class Schedule for dates, times, and locations.
- 6. Register for classes in the Student Services Building. Activate your my.nmsu.edu account to access your grades, access Web-CT and e-mail from campus and home. To register online go to <http://www.alamo.nmsu.edu>.
- 7. Take registration document to the Business Office, Administration Building, Room 304, 439-3604.
- 8. Pay tuition and fees in the Business Office, Administration Building, Room 304 by scheduled deadlines, 439-3604.
- 9. Obtain student ID card in the Audio Visual Department (439-3655) located in the Library. Students who already have a student ID should obtain their current ID stickers in that department. Student ID's will serve as library cards. They may also be used to receive discounts on University sponsored events.
- 10. Purchase required textbooks in the Bookstore (439-3609), located in Student Services Building, 1st floor.
- 11. Attend Classes
- 12. Keep investigating other resources and services available to NMSU-Alamogordo students:

2007-2008 ACADEMIC CALENDAR
 NEW MEXICO STATE UNIVERSITY AT ALAMOGORDO

FALL SEMESTER 2007

August 22 - December 14, 2007

First Day of Class	Aug 22 (W)
Faculty & Staff Meeting	
Faculty & Professional Development	Aug 24 (F)
Deadline for filing Degree Applications (for Students meeting requirements at end of Fall 2007)	Aug 29 (W)
Deadline for Registration & Course Addition	Aug 31 (F)
*Labor Day Holiday: Students, Faculty & Staff	Sep 3 (M)
Last Day to Drop Individual Course With a "W" (except courses carrying designated dates)	Oct 16 (T)
Last Day to Withdraw from the University	Nov 16 (F)
*Thanksgiving Holiday: Students & Faculty	Nov 19-25 (M-U)
*Thanksgiving Holiday: Staff	Nov 22-23 (R-F)
* FINAL EXAM WEEK	Dec 10-14 (M-F)
Last Day of Semester	Dec 14 (F)

* NOTES:

Weekend classes do not meet November 24-25 (Thanksgiving Holiday).

Weekend Final Exams will be given the last weekend of Class.

Final exams for Eight-Week Courses are on the last day of Class.

FIRST EIGHT WEEK SESSION * *FALL 2007 * *

August 22 - October 12, 2007

First Day of Class	Aug 22 (W)
Deadline for Registration & Course Addition	Aug 29 (W)
*Labor Day Holiday: Students, Faculty & Staff	Sep 3 (M)
Last Day to Drop Individual Course with a "W"	Sep 18 (T)
Last Day to Withdraw from the University (If Student is taking ONLY first Eight Week course(s) at the time of withdrawal)	Oct 2 (T)
FINAL EXAMS	Oct 10-11 (W-R)
Last Day of Class	Oct 12 (F)

* Note:

1. MW Classes will meet Friday, September 7 to make up for the Labor Day Holiday.

SECOND EIGHT WEEK SESSION * *FALL 2007* *

October 15 - December 14, 2007

First Day of Class	Oct 15 (M)
Deadline for Registration & Course Addition	Oct 22 (M)
Last Day to Drop Individual Course with a "W"	Nov 8 (R)
*Thanksgiving Holiday: Students & Faculty	Nov 19-25 (M-U)
*Thanksgiving Holiday: Staff	Nov 22-23 (R-F)
Last Day to Withdraw from the University (If Student is taking ONLY second Eight Week course(s) at the time of withdrawal)	Dec 4 (T)
FINAL EXAMS	Dec 12-13 (W-R)
Last Day of Class	Dec 14 (F)

SPRING SEMESTER 2008
January 16 - May 9, 2008

Deadline for filing Degree Applications (for Students meeting requirements at end of Spring 2008)	Jan 14 (M)
First Day of Class	Jan 16 (W)
Faculty & Staff Meeting	
Faculty & Professional Development	Jan 18 (F)
Martin Luther King Holiday: Students, Faculty & Staff	Jan 21 (M)
Deadline for Registration & Course Addition	Jan 28 (M)
Last Day to Drop Individual Course With a "W" (except courses carrying designated date)	Mar 10 (M)
* Spring Holiday: Students, Faculty & Staff	Mar 21 (F)
* Spring Break: Students & Faculty	Mar 24-30 (M-U)
Last Day to Withdraw from the University	Apr 18 (F)
* FINAL EXAM WEEK	May 5-9 (M-F)
*Last Day of Semester	May 9 (F)
Graduation	May 9 (F)

NOTES:

1. Weekend Classes do not meet March 29-30 (Spring Break).
2. Weekend Final Exams will be given the last weekend of Class.
3. Final Exams for Eight-Week Courses are on the last day of Class.

FIRST EIGHT WEEK SESSION * *SPRING 2008 *

January 16 - March 11, 2008	
First Day of Class	Jan 16 (W)
*Martin Luther King Holiday: Students, Faculty & Staff	Jan 21 (M)
Deadline for Registration & Course Addition	Jan 24 (M)
Last Day to Drop Individual Course with a "W"	Feb 13 (W)
Last Day to Withdraw from the University (If Student is taking ONLY first Eight Week course(s) at the time of withdrawal)	Feb 28 (M)
FINAL EXAMS	Mar 10-11 (M-T)
Last Day of Class	Mar 11 (T)

SECOND EIGHT WEEK SESSION * *SPRING 2008* *

March 12 - May 8, 2008

First Day of Class	Mar 12 (W)
Deadline for Registration & Course Addition	Mar 19 (W)
*Spring Holiday: Students, Faculty & Staff	Mar 21 (F)
Spring Break : Students & Faculty	Mar 24-30 (M-U)
Last Day to Drop Individual Course with a "W"	Apr 14 (M)
Last Day to Withdraw from the University (If Student is taking ONLY second Eight Week course(s) at the time of withdrawal)	Apr 28 (M)
FINAL EXAMS	May 7-8 (W-R)
Last Day of Class	May 8 (M)

SUMMER SESSION 2008
10-Week Session
May 28-August 12, 2008

First Day of Class	May 28 (W)
**Deadline for filing Degree Applications (for Students meeting requirements at the end of Summer 10-Week Session, 1st 5-Week Session, 2nd 5-Week Session)	
Deadline for Registration & Course Addition	Jun 4 (W)
Last Day to Drop Individual Course With a "W" (except courses carrying designated dates)	Jul 3 (M)
*Independence Day Holiday: Students & Faculty	Jul 2-3 (W-R)
*Independence Day Holiday: Staff:	Jul 4 (F)
Last Day to Withdraw from the University	Jul 25 (F)
Last Day of Class	Aug 8 (F)

SUMMER SESSION I 2008 (First 5-Week Session)

May 28 - July 1, 2008

First Day of Class	May 28 (W)
Deadline for Registration & Course Addition	May 30 (F)
Last Day to Drop Individual Course With a "W" (except courses carrying designated dates)	June 13 (F)
Last Day to Withdraw from the University	June 24 (T)
Last Day of Class	July 1 (T)

SUMMER SESSION II 2008 (Second 5-Week Session)

July 7 - August 8, 2008

First Day of Class	Jul 7 (M)
Deadline for Registration & Course Addition	Jul 9 (W)
Last Day to Drop Individual Course With a "W" (except courses carrying designated dates)	July 23 (W)
Last Day to Withdraw from the University	Aug 1 (F)
Last Day of Class	Aug 7 (M)

2006-2007 HOLIDAYS FOR EXEMPT AND NON-EXEMPT STAFF		
Labor Day	Mon	Sep 3, 2007
Thanksgiving	Thu - Fri	Nov 22-23, 2007
Winter Holiday	Mon-Tue	Dec 24 -Jan 1, 2008
Martin Luther King Holiday	Mon	Jan 21, 2008
Spring Holiday	Fri	Mar 21, 2008
Memorial Day Holiday	Mon	May 26, 2008
Independence Day Observation	Wed	July 4, 2008

CAMPUS TELEPHONE DIRECTORY

Academic Support Center	439-3853
ADA Advisor	439-3720
Admissions and Records Office (Registrar)	439-3700
Adult Basic Education	439-3812
Advising & Career Services	439-3720
Art & Graphic Design Program	439-3670
Bookstore	439-3609
Business Office	439-3603
Business Office Technologies Program	439-3773
Campus Academic Officer	439-3621
Campus Executive Officer	439-3696
Campus Student Services Officer	439-3716
Career Planning and Placement/Recruiter	439-3737
Community Education	439-3842
Computer Center	439-3780
Criminal Justice Program	439-3671
Education Program	439-3735
Electronics/Information Technology Program	439-3786
Faculty Office Building	439-3735
Fax (CAO)	439-3643
Fax (Business, Humanities, and Social Sciences)	439-3802
Fax (Holloman AFB)	479-9516
Fax (Library)	439-3657
Fax (Mathematics, Sciences, and Technologies)	439-3759
Fax (Prof, Occ & Tech)	439-3684
Fax (Student Services)	439-3760
Financial Aid	439-3710
Fire Science Program	439-3683
Holloman Extension	479-4318
Institutional Research	439-3624
Language Lab	439-3669
Library	439-3650
Microcomputer Technology/Web Mastery Programs	439-3670
Music Office	439-3816
NMSU-A Switchboard	439-3600
Nursing Program	439-3660
Paralegal Program	439-3671
Professional Occupations and Technologies (Pro Tech)	439-3670
Public Information Office	439-3697
Science Center	439-3761
Small Business Development Center	434-5272
Testing Center (Placement Tests)	439-3787
TTY Machine (Located in the Library)	439-3719
Veterans Programs	439-3710

All Correspondence to the University should be sent to:
New Mexico State University at Alamogordo,
(Name of Department),
2400 N. Scenic Drive, Alamogordo, NM 88310
or Visit our web-site: <http://alamo.nmsu.edu>

STUDENT ORGANIZATIONS INFORMATION

New Mexico State University at Alamogordo maintains that campus organizations are a contributing factor to a student's education. They provide the opportunity to extend classroom experiences into relevant programs that develop social skills beyond the student's attendance at New Mexico State University at Alamogordo

PROCEDURES FOR ORGANIZING A CLUB

Any group of students wishing to organize a club at New Mexico State University at Alamogordo should first check with the Office of the Campus Student Services Officer. There, they will receive a copy of the general procedures and regulations for organizations, a format outline for bylaws, a chartering form, and a copy of the guidelines for advisors. The following information must be included in the bylaws for all student organizations:

1. Name of the organization
2. Purpose of the organization
3. Names of members
4. Officers
5. Advisor(s)
6. Executive Board (if applicable)
7. Committees
8. Meetings
9. Finances
10. Parliamentary Authority
11. Amendment procedures

The complete set of bylaws and the signed copies of the Student Organization Form will be submitted to the Office of the Campus Student Services Officer for initial approval. Once the Campus Student Services Officer determines that the organization has met all required criteria, the advisor and the organization will receive written notification.

GUIDELINES FOR ORGANIZATIONAL APPROVAL

In order to follow a consistent and fair standard in considering bylaws, the following criteria will be used as guidelines for chartering student organizations at New Mexico State University at Alamogordo.

1. All bylaws must be typed in clear and precise form and submitted to the Office of the Campus Student Services Officer.
2. The organization should have a name, one not presently used by any other chartered organization.
3. The purpose of the organization should be clearly stated and be compatible with the purposes of the University.
4. The organization must have officers to direct its activities.
5. The eligibility requirements and functions of the officers must be stated.
6. The procedures for the election of officers must be stated, and the acceptable voting margins must also be stated (majority or plurality).
7. The organization must have at least one advisor who is regular faculty or staff of New Mexico State University at Alamogordo.
8. The meeting requirements must be stated (how many times a week, month, semester, etc.)
9. The attendance requirements must be specifically stated.
10. The financial obligations of the members must be specifically stated. The

- financial requirements of the organization must not be an indirect means of exploitation by the members.
11. The processes for amending the bylaws must be stated. If amendments are initiated, the revisions must be submitted to the Campus Student Services Officer.
 12. Membership in the organization must be open to all NMSU-A students who meet the established guidelines.
 13. A statement must appear in the chartering form that indicates membership will not be denied for reasons relating to age, color, disability, gender, sexual orientation, or veteran status.
 14. The organization must serve the best interest of the University and the participating members.
 15. The organization must have at least eight (8) student members to be chartered.

PRIVILEGES OF CHARTERED STUDENT ORGANIZATIONS

When a student organization becomes chartered by New Mexico State University at Alamogordo, it shall be accorded the following privileges.

1. Use of University facilities subject to the established rules governing such use.
2. Use of the name of the University in official titles.
3. Use of the Business Office to deposit and withdraw money.
4. Use of University bulletin boards (with appropriate approval) and the Calendar of Events is for notices that conform to regulations.
5. Listing in the NMSU-A Student Handbook, Course Catalog and other appropriate University publications.
6. Participation in NMSU-A events and other activities that are appropriate for student organizations.
7. Privilege to request funds from Student Advisory Council (SAC).

RESPONSIBILITIES OF CHARTERED STUDENT ORGANIZATIONS

Along with the aforementioned rights are the following responsibilities for each of the chartered student organizations at New Mexico State University at Alamogordo:

1. To conduct its affairs within the framework of University policies, which include the Code of Conduct and Administrative Policies, and the provisions of the bylaws of the organization.
2. To conduct its affairs according to democratic processes.
3. To conduct its fiscal affairs in accordance with proper standards of good business management.
4. To notify and keep the advisor(s) informed of all activities, meetings and events of the organization.
5. To utilize University facilities, grounds, and equipment properly at all times in order to avoid damage and/or unnecessary abuse.
6. To operate and/or conduct all activities in a conscientious manner, consistent with recognized standards, in order to protect the health and safety of the general public and all individuals participating in the activities.
7. To replace, repair, or pay for all University facilities, grounds, or equipment that is lost, stolen, or unnecessarily damaged in the course of an event or activity that the organization conducts.
8. To submit a New Mexico State University at Alamogordo Chartering Form annually in order to maintain continued association with the University.

9. To update the copy of the organization's bylaws on file with the Office of the Campus Student Services Officer when amendments are made by the membership.
10. To realize that by virtue of the chartering status granted to the organization by the University, its membership, both individually and collectively, will be viewed by the community as a representative of the University.
11. To be responsible for any of its activities that cause a riot or disturbance or disorderly diversion that interferes with the normal operation of the University. This section should not be construed as denying any organization the right of peaceful assembly.

SCHEDULE OF EVENTS

Chartered student organizations may schedule meetings in the conference room located in the Student Union Building. Meetings and events at other locations may be scheduled through the CSSO office (439-3716).

SOLICITATION POLICY

University organizations and students are required to follow these policies.

1. Sales and/or solicitations by recognized University organizations for the purpose of selling merchandise or services or obtaining contributions on campus is subject to prior authorization by a completed Activity Approval Form. Such sales or solicitations shall be in accordance with regulations or policies governing facilities where an activity is to take place. All proceeds from sales shall be deposited in the organization's account to fulfill the purpose of the organization.
2. Sales will not be permitted when products or services are in direct competition with an existing University agency providing, or with the jurisdiction to provide, the same or similar goods or services.
3. There shall be no sales or solicitation by individuals or organizations on the NMSU-Alamogordo campus for, or which result in, personal financial gain to any individual. Exceptions to this policy must be granted by the Campus Student Services Officer or his/her designee. Reimbursement for legitimate, direct expenses incurred by the organization's members for the event is not considered personal financial gain.
4. There shall be no door-to-door solicitations of any kind in University facilities by individuals or groups. Solicitations may be permitted at approved solicitation sites in various facilities, in accordance with policies that govern each facility.
5. Solicitations shall be done in a manner that will not infringe upon the rights of an individual, will not restrict normal ingress and egress, will not subject the individual to over-zealous techniques and confrontation, and will not create excessive noise or disturbance in the solicitation area or adjacent areas. Interpretation shall be solely the judgement of University personnel with jurisdiction over facilities in use.
6. Solicitations through printed material distribution, posting, or advertising shall be conducted in accordance with the following regulations as well as various policies governing specific University facilities:
 - a. Campus organizations and/or individuals may distribute printed materials on campus for an approved activity but are responsible for removal and disposal of material in a manner that prevents littering at the end of its usefulness. The name of the sponsoring organization must appear on all posted

materials. Content of material shall be in good taste and conform to acceptable community standards.

b. Printed material shall be posted on bulletin boards and/or at locations specifically designed for such use. Material shall not be attached in any way to walls, glass, doors, floors, or any other part of a University building or structure, traffic sign, power or light pole, sidewalk, or tree.

c. Posted material shall be affixed in designated locations in a manner appropriate to the display space. Tack boards normally accept tacks and pins. On non-tack surfaces masking tape is recommended. Scotch tape, nails, tacks, etc., which leave residue or which damage surfaces, shall not be used. Individuals or organizations will be held responsible for damage or costs of removal.

7. Individuals are permitted to advertise or to sell personal items or services (books, personal auto, tutoring, typing, babysitting, etc.) only at approved locations. Advertising of this type is restricted to a note card-sized piece not to exceed 4" x 6". Individuals are not permitted to advertise as a commercial distributor of products or services.
8. Approved locations for posted materials may be acquired from building monitors or directors of various facilities.
9. The foregoing policy does not exclude advertising in University publications or other media.

STUDENT LOCKER POLICY

Lockers and the locking devices are the property of NMSU-A. There is no expectation of privacy. The department issuing the locker will administer the Locker Policy.

1. Lockers and locking devices are checked out to students on a semester by semester, first come, first serve basis. Personal locking devices are not allowed and will be removed.
2. Lockers are available for student use only. Non-students may not use the lockers. An exception may be made for individuals participating in intramural programs at the Tays Special Events Center.
3. Lockers may only be used for academic purposes. They may not be used to store food, beverages, or contraband. Lockers will be inspected with probable cause. Locker privileges may be suspended if any policy is violated.
4. Locker contents must be removed within 5 days after the semester terminates. Lockers that are not emptied will have the contents turned over to the University Security Office, Lost and Found Department.

STUDENT ORGANIZATIONS

For more information and a complete listing of all chartered and active student organizations, contact the Office of the Campus Student Services Officer 439-3716.

The Alpha Nu Beta Chapter of Phi Theta Kappa (PTK) was chartered in 1986 and is a growing academic honorary organization on the NMSU-A campus. To be eligible for membership, a student must carry a grade point average of 3.5 or above, must be currently enrolled at NMSU-A, and must demonstrate leadership qualities.

Campus Christian Fellowship (CCF) is open to all students, faculty, and staff who desire to share their faith and beliefs in Jesus Christ. The group provides encouragement and spiritual growth as well as differing points of view on weekly discussion topics on various Bible themes. Meetings consist of prayer, singing, sharing of prayer requests, and study of topics that affect the Christian in their day-to-day walk.

Epsilon Tau Sigma is a national fraternity for military service veterans. The Alamogordo chapter is officially recognized and chartered by the Executive Board of the National Veterans' Fraternity and is the first chapter to be established in New Mexico. Epsilon Tau Sigma at NMSU-A is a social and recognition fraternity founded for the purpose of organizing college students who have served in any branch of the United States Armed Forces, building morale among veteran students, conducting social and academic activities, and conducting fund raising events for worthy charities.

Foreign Language Club (FLC) was established to promote cultural and ethnic diversity, with an emphasis on understanding and awareness.

National Student Nurses' Association (NSNA) established nationally in 1952, is a voluntary organization through which nursing students or prospective nursing students practice self governance; advocate for student rights and the rights of patients; and take collective, responsible action on vital social and political issues. Participating in NSNA prepares students for eventual participation in professional nursing organizations. Through active participation in NSNA, students have access to prominent nursing leaders and peers from around their home state and throughout the country.

Native American Student Group (NASG) is an organized and visible force on the NMSU-A campus whose membership includes faculty, staff, and non-Native American students as well as Native American students. The organization strives to foster and promote a greater understanding of the Native American community within the academic environment, and to educate people about Native American cultural traditions.

Social Science Club was founded in 1998 and invites all students interested in the social sciences to join. Along with discussions about how the social sciences can work for everyone, two or more field trips are taken each semester to local archaeological and historical sites, places of interest, such as the Save the Chimps Foundation or local group meetings (e.g. NAACP), and occasionally to places just to have fun (IMAX Theater). This club sponsors campus recycling and is interested in environmental as well as social concerns.

The Student Advisory Council (SAC) is the recognized student governing organization that supervises and appropriates all student activity funds, coordinates intramural programs, provides social programs, and represents student concerns. Membership is open to students who are enrolled at least half-time with a cumulative GPA of 2.0 or better. All meetings are open to students, faculty, and staff.

The Student National Education Association is a student chapter organization affiliated with the National Education Association. NMSU-A students belong to this organization as they anticipate and prepare to become full-time teachers.

Student Code of Conduct

I. INTRODUCTION

A. Purpose - The freedom of individuals to inquire, study, evaluate, and gain new understanding and maturity is essential and must be protected against suppression. Dissent plays a vital part in the role of the University. However, freedoms cannot be protected or exercised in a university that lacks order and stability. Students at New Mexico State University main campus and campuses at Alamogordo, Carlsbad, Dona Ana, and Grants have an obligation to uphold the laws of the larger community of which they are a part.

The intent of this Code is to ensure that students at the University neither lose their rights nor escape the responsibility of citizenship. While the activities covered by the laws of the larger community and those covered by NMSU's

rules may overlap, it is important to note that the community's laws and NMSU's rules operate independently and therefore do not substitute for each other. NMSU may pursue enforcement of its own rules whether or not legal proceedings are underway or in prospect, and may use information from third party sources (such as law enforcement agencies and the courts) to determine whether University rules have been broken. Membership in the NMSU community does not exempt anyone from local, state or federal laws, but rather imposes the additional obligation to abide by all of NMSU's regulations. It is the personal responsibility of every member of the campus community not only to protect his/her own rights, but to respect the rights of others, and to behave in a manner conducive to learning and/or living in an educational environment.

Just as individuals within the community have a responsibility to adhere to a code of prescribed behavior, the institution assumes the obligation of clearly codifying and fairly enforcing the same. New Mexico State University upholds the belief that those who do not conform to established standards set forth in this Code of Conduct must be held accountable for their actions. Therefore, the purpose of the Code of Conduct is to inform the student body of the rules and regulations that are essential to the normal operation of this University.

B. Definition of Student - For the purpose of application of this Code of Conduct, "student" means any person enrolled at New Mexico State University, which includes the main campus and all branch campuses, and any person who resides in New Mexico State University on-campus housing facilities. Persons who are not officially enrolled for a particular term but who have a continuing relationship with New Mexico State University are considered "students." Students who violate the Code of Conduct can expect prompt and deliberate adjudication, whether or not they choose to be present, or remain at the University. Furthermore, if a decision has been made within the disciplinary process which impacts a person who is not currently enrolled, he/she still remains subject to the determination upon re-enrollment.

C. Students/Student Organizations' Rights and Responsibilities - By enrolling at New Mexico State University at Alamogordo, a student accepts responsibility for compliance with all local, state and federal laws, and University regulations, while retaining the rights guaranteed under the Constitution of the United States. A student or student organization alleged to have engaged in any misconduct shall have the right of due process and appeal as delineated in this Code, and it is each student's/student organization's responsibility to represent themselves in this educational administrative process. This is not a criminal process, and the University is not bound by the rules of evidence normally used in cases brought before the State or Federal judicial systems. The standard of proof will be "preponderance" not "beyond a reasonable doubt." The University expects all students to show respect for the rights of others and for authority, to protect private and public property, to execute contractual obligations, and to take responsibility for their own actions and the actions of their guests.

D. Student Organizations - A student organization, its officers and members may be held collectively and individually responsible when violations of this Code, by those associated with the organization, occur and such violations are authorized, encouraged, directed, tolerated, supported by, or committed on behalf of the organization.

II. ADMINISTRATION OF DISCIPLINE

The responsibility of administering the discipline system is delegated by the Campus Executive Officer of the Branch Campus of the University to the Campus Student Services Officer for non-academic discipline and to the Campus Academic Officer for academic discipline. In turn, these individuals may delegate authority to other groups or individuals for handling violations of the Student Code of Conduct. All activities shall be monitored by a central administrative authority to ensure fairness and consistency. All discipline sanctions imposed campus-wide will be reported to the Student Discipline Officer for record-keeping purposes.

The University attempts to handle discipline matters at the lowest possible level by recognizing a variety of hearing officers. Each Hearing Officer is a University official who is an administrator, faculty member, or staff member. Hearing Officers adjudicate cases when violations are alleged. The Hearing Officer is authorized to exercise active control over the proceedings in order to elicit relevant information, to avoid needless consumption of time, and to prevent the harassment or intimidation of witnesses.

Disciplinary regulations at New Mexico State University at Alamogordo are set forth in writing in order to give students general notice of prohibited conduct. These rules and regulations should be read broadly and are not designed to define prohibited conduct in exhaustive terms. It is recognized by New Mexico State University at Alamogordo that students are adults and are expected to obey the law and take personal responsibility for their conduct. A student is therefore subject to two sources of authority, civil-criminal authority and University authority.

Violation of any municipal ordinance, law or regulation of the State of New Mexico, or law or regulation of the United States which may cause harm or endangerment to self or others, or somehow compromises the educational mission of the University, may result in disciplinary action. The University does not normally take disciplinary action for off-campus violations, but it retains the right to act in special cases. Disciplinary action imposed by New Mexico State University at Alamogordo may precede, and may be in addition to, any penalty that might be imposed by an off-campus authority.

When accused of a violation, the student has the right to review the evidence against him or her, but this does not necessarily mean the right to confront a witness. Attorneys will not be allowed to attend or participate in hearings.

The procedures to be followed in matters of academic and non-academic misconduct differ and are outlined in the following sections. In exceptional cases of academic misconduct, the "Procedures for Dealing with Cases which May Result in Expulsion or Degree Revocation" will be followed instead, and are located in the Administrative Policy and Procedures Manual or may be obtained in the Office of the Campus Executive Officer.

III. ACADEMIC MISCONDUCT

A. **Persons and/or groups involved in Academic Discipline Cases:**

1. Campus Academic Officer -When an academic violation occurs, the Campus Academic Officer (or a designee) will dispose of any violations referred or appealed to the Campus Academic Officer.

2. Academic Appeals Board - Within each undergraduate college of the University, a student appeals board shall be established for each

academic year as a standing committee consisting of three (3) faculty members and two (2) students to be appointed by the Campus Academic Officer. In some cases, the Campus Academic Officer may convene the Academic Appeals Board and solicit its recommendation.

3. Campus Executive Officer - The decision of the Campus Executive Officer is final and will be reported to all parties concerned within three (3) working days under the general process.

B. Academic Misconduct - Any student found guilty of academic misconduct shall be subject to disciplinary action. Academic misconduct includes, but is not limited to, the following actions:

1. Cheating or knowingly assisting another student in committing an act of cheating or other forms of academic dishonesty;
2. Plagiarism is using another person's work without acknowledgment, making it appear to be one's own. Any ideas, words, pictures, or other source must be acknowledged in a citation that gives credit to the source. This is true no matter where the material comes from, including the internet, other student's work, unpublished materials, or oral sources. Intentional and unintentional instances of plagiarism are considered instances of academic misconduct. It is the responsibility of the student submitting the work in question to know, understand, and comply with this policy. If no citation is given, then borrowing any of the following would be an example of plagiarism.
 - *an idea or opinion, even when put into one's own words (paraphrase)
 - * a few well-said words, if these are a unique insight
 - * Many words, even if one changes most of them
 - * Materials assembled by others, for instance quotes or a bibliography
 - * an argument
 - * a pattern of idea
 - * graphs, pictures, or other illustrations
 - * facts
 - * all or part of an existing paper or other resource.

This list is not meant to include all possible examples of plagiarism. See the University Library's web page on plagiarism for further examples.

3. Unauthorized possession of examinations, reserve library materials, laboratory materials, or other course-related materials;
 4. Unauthorized changing of grades on an examination, in an instructor's grade book, or on a grade report; or unauthorized access to academic computer records.
 5. Non-disclosure or misrepresentation filling out applications or other University records in, or for academic departments or colleges. Students who engage in disruptive activities in an academic setting (e.g. classrooms, academic offices or academic buildings) are subject to disciplinary action in accordance with **Section IV - Non Academic Misconduct - All Students**. Such students are also subject to administrative actions in accordance with the NMSU Graduate and Undergraduate Catalogs.
- C. Academic Discipline Process- General Cases**
(for all undergraduate students.)
1. **Course or Departmental Level** - For incidents that occur at the course or academic department level, the faculty member or Division Head must inform the student of the alleged offense within ten (10)

working days of its discovery, and after an investigation and/or conference, will take one of the following actions:

- a. The allegation may be dismissed as unfounded;
 - b. The allegation may be dismissed for lack of evidence;
 - c. The student may admit guilt and a sanction will be imposed; or
 - d. The Hearing Officer will determine guilt based on preponderance of the evidence, and a sanction will be imposed;
 - e. The Hearing Officer will report the decision to the student and to the Campus Academic Officer.
- 2. Other Academic Misconduct** - For those incidents involving academic misconduct not at the course level (e.g., falsification of academic records), the Campus Academic Officer, or a designee, will serve as the Hearing Officer and will follow the same process as outlined above.
- 3. Appeal Process**
- a. All possible levels of appeal should be exhausted before a case reaches the Campus Academic Officer. The student must always be told the next level of appeal.
 - b. A Student who wishes to appeal an instructor's decision may do so by writing to the Division Head or the Campus Academic Officer (if the Division Head is also the Instructor) within five working days. The appropriate hearing officer will consider both sides of the case and report the decision to the student, the course instructor, the student's Division Head (where applicable), and the Campus Academic Officer within ten (10) working days. If extenuating circumstances prevent either party from meeting this time frame, an alternate schedule will be formulated by all parties involved.
 - c. Either party may appeal a Division Head's decision to the Campus Academic Officer or Campus Executive Officer, However, a request for a formal hearing need not necessarily be granted. The following points will apply in all cases of appeal:
 - (1) The appeal must be made in writing to the appropriate appellate person or body within the specified period of time.
 - (2) The appeal must include the name of the individual making the appeal, the action that is being appealed, the date the action took place, and the grounds for appeal. Appeals must be made on the basis of one or more of the following grounds:
 - a) Procedural or prejudicial error was committed.
 - b) The finding of facts contained in the decision included inaccurate information.
 - c) Specific evidence presented at the hearing is objectionable. Reason for the objection must be stated, i.e., why evidence should not be considered.
 - d) Evidence not offered during the hearing is now available. Reason why the evidence was not offered during the hearing must be stated.
 - e) The sanction imposed is excessive or inappropriate. Reasons for believing this must be stated.
 - (3) If warranted, the Campus Academic Officer shall convene the Academic Appeals Board to solicit its recommendation before making a decision.
 - d. The highest level of appeal for academic misconduct is the Campus Executive Officer whose decision is final.
- 4. Academic Appeals Board Procedures**
- a. If a decision is made to seek a recommendation from the Academic

Appeals Board, the Campus Academic Officer, or a designee, shall assemble case materials for the Board which will normally meet within three (3) weeks.

b. The Campus Academic Officer, or a designee, will inform all parties of procedures to be followed.

IV. NON-ACADEMIC MISCONDUCT ALL STUDENTS

A. Persons and/or groups involved in Non-academic Discipline Cases:

- 1. Student Discipline Officer** - The Student Discipline Officer who is the Campus Student Services Officer will dispose of any non-academic violations referred by any University officials, and also has responsibility for maintaining all student records relating to both academic and non-academic student misconduct. Within this capacity, the Student Discipline Officer acts as a resource person for administrators, faculty, staff, and students to promote consistency throughout the Campus community in adjudicating cases of student misconduct.
- 2. College Discipline Committee** - The College Discipline Committee hears non-academic appeals referred to it by the Campus Student Services Officer. The committee shall be composed of five staff and faculty members appointed by the Campus Student Services Officer and four students appointed by the Campus Student Services Officer from a pool of names recommended by the President of the Student Advisory Council of New Mexico State University at Alamogordo. Three staff and/or faculty members (including one co-chair) and two student members will be required to be present at each hearing. The two staff and/or faculty members having seniority on the committee will serve as co-chairpersons. A hearing by the College Discipline Committee is an informal procedure at which information is presented in an orderly manner so that the College Discipline Committee can reach a fair decision. The Chairperson of the College Discipline Committee is in charge of the proceedings at all times and rulings by the Chair are final. The Chair may remove persons, including the appellant's advisor, if that person does not conform to Committee rules and procedures. Complaints regarding persons reported to not be in compliance with hearing proceedings will be filed with the Campus Student Services Officer. It is each student appellant's responsibility to represent him/herself in this informal procedure. The student may elect to have an advisor present whose role is solely to advise the student appellant. Advisors may not actively participate (e.g. question, defend or directly respond to any information presented) in the hearing. More detailed "Rules and Procedures for the College Discipline committee" may be obtained from the Campus Student Services Officer. All College Disciplinary Committee Meetings are closed to the public.
- 3. Campus Executive Officer** - Should the decision of the College Discipline Committee be appealed, the appeal must be made in writing to the Campus Executive Officer, or a designee, and submitted to the Campus Student Services Officer (who also serves as the Student Discipline Officer) within three (3) working days after receipt of the decision made by the College Discipline Committee. The Campus Student Services Officer will compile and submit all relevant case records to the Campus Executive Officer or a designee. Upon receipt of all information, the Campus Executive Officer or a designee will have three (3) working days to review and render a decision.

The decision of the Campus Executive Officer, or designee, is final and will be reported to all parties concerned.

B. Non-academic Misconduct - The following list constitutes violations for which students and student organizations are subject to disciplinary action. This list is not designed to be all inclusive but offers examples of the types of prohibited conduct:

1. Actual or threatened physical injury to any person (including self) on University owned or controlled property or at a University-sponsored or supervised function, or conduct that endangers the health or safety of a person.
2. Engaging in individual or group conduct that is violent (including sexual misconduct, attempted suicide, or threats of either) abusive, indecent, unreasonably loud, or similar disorderly conduct that infringes upon the privacy, rights, or privileges of others or disturbs the peace or the orderly process of education on-campus.
3. Unauthorized use, possession, or storage of any weapon or explosive (including fireworks) on University premises or at University-sponsored activities.
4. Forgery, counterfeiting, alterations, or misuse of any University record, document, or identification card of a non-academic nature.
5. Unauthorized entry into, or alteration of, any University computer records, or violation of Computer Center policies.
6. Reporting the presence of a fire, bomb, or explosive or incendiary device on the university campus without good reason to believe the facts reported are true.
7. Unlawful possession, use, distribution, or sale of any narcotic or dangerous drug as defined by the statutes of the State of New Mexico.
8. Theft of, or unwarranted damage to, University property or property of any member of the University community.
9. Failure to comply with the lawful directives of University employees acting within the scope of their duties, including those directives issued by a University administrator to ensure the safety and well-being of students (refer to Student Special Care Policy).
10. Entry into, or use of, any building, facility, or room or other University property or grounds without authorized approval. This also includes the unauthorized possession or use of University keys, lock combinations, or other access codes.
11. Participation in illegal gambling activities on University-owned or -controlled property or at a function identified with the University.
12. Possession, or consumption, of alcoholic beverages in contradiction of state law and/or University policy.
13. Entering or attempting to enter any athletic contest, dance, social event, or other event without proper credentials for admission (e.g., ticket, identification card, or invitation).
14. Failure to make satisfactory settlement for any debts to the University.
15. Failure to comply with University traffic rules and regulations.

C. Non-academic Discipline Process- All alleged violations of non-academic rules and regulations contained herein will be referred to the Student Discipline Officer (CSSO) or other Hearing Officers (as appropriate). The following procedures will apply.

1. The Student Discipline Officer may consider any documentation submitted including but not limited to Police or other University reports and may choose to

interview persons who might have information relevant to the case. The student or organization accused of violating the Code of Conduct is responsible for providing any information that would be helpful in supporting a finding of Not Responsible for the alleged violation. The Student Discipline Officer will make a reasonable attempt to obtain all relevant information. As a result of an investigation and/or conference with a student or organization representative, one of the following actions may be taken:

- a. The allegation may be dismissed as unfounded;
 - b. The allegation may be dismissed for lack of preponderance of the evidence;
 - c. The student or organization representative may admit guilt and a sanction will be imposed; or
 - d. The Student Discipline Officer will determine guilt, based on clear preponderance and convincing evidence, and a sanction will be imposed.
2. A student or organization wishing to appeal the decision of the Student Discipline Officer may do so in writing to the next higher level of authority within the disciplinary system. The accused must always be informed of the next level of appeal by the Student Discipline Officer. An appeal by the accused must be presented in writing no later than three (3) working days after notification of the decision. All appeals to the College Discipline Committee will be delivered to the Campus Student Services Officer. The final level of appeal for all non-academic misconduct is the Campus Executive Officer.

D. Appeal Process - While all members of the University community have the right to appeal, a request for a hearing need not necessarily be granted. The following points will apply in all cases of appeal.

1. The appeal must be made in writing to the appropriate appellate person or body within the specified period of time.
2. The appeal must include the name of the individual or organization making the appeal, the action that is being appealed, the date the action took place, and the grounds for appeal. Appeals must be made on the basis of one or more of the following grounds:
 - a. Procedural or prejudicial error was committed.
 - b. The finding of facts contained in the decision included inaccurate information.
 - c. Specific evidence presented at the hearing is objectionable. Reason for the objection must be stated, i.e., why evidence should not be considered.
 - d. Evidence not offered during the hearing is now available. Reason why the evidence was not offered during the hearing must be stated.
 - e. The sanction imposed is excessive or inappropriate. Reasons for believing this must be stated.
3. Upon review of an appeal, the appellate person or body may uphold, modify, or completely reverse the original decision. A written rationale will be provided and should be in accordance with one or more of the conditions delineated in Item IV-D2. noted above.
4. The highest level of appeal for non-academic misconduct is the Campus Executive Officer, whose decision is final.

V. ACADEMIC AND NON-ACADEMIC DISCIPLINARY ACTIONS AND SANCTIONS

A. The following list is not designed to be all inclusive, but offers examples of the more severe sanctions that may be imposed upon an individual student for infraction of regulations.

1. Written warning - is a notice in writing to the student that they are in violation or have violated the student code of conduct.

2. Disciplinary Probation - is a written reprimand for violation of University regulations or local, state, and/or federal laws. Students placed on disciplinary probation are deemed "not in good standing" with the University. The duration of the probationary period, and conditions imposed, shall be in proportion to the seriousness of the misconduct. Duration will be at least 30 days, but may be extended indefinitely. Depending on the circumstances and at the discretion of the Hearing Official(s), additional stipulations may be enforced. These additional stipulations may be, but are not limited to, withholding of transcript or degree; suspension of rights and privileges; suspension of eligibility to participate in official extracurricular activities; restitution for damages incurred by the University; referral for counseling and/or participation in an educational program. Students who are assigned to an educational program and do not attend may be charged an administrative fee in accordance with policies developed by the Campus Student Services Officer.

During the probationary period, reported violations of the Code of Conduct or conditions of the probation will result in further action. This action may include, but is not limited to, extension of the probationary period, the addition of other restrictions or conditions to the probationary agreement, suspension, dismissal, expulsion, and notation on the student's transcript. Additionally, if a student should have a previous NMSU discipline record it may be considered in determining appropriate sanctioning for any future code of conduct violations. A student may return to a status of "in good standing" with the university at the conclusion of the probationary period, assuming all conditions have been satisfied.

A student who has been placed on indefinite disciplinary probation, and/or whose probation has been indefinitely noted on the transcript, may petition to have the probation lifted and/or the notation removed from the transcript. This petition will not be acceptable if submitted sooner than one calendar year from the date the probation began. Students must petition to the Campus Student Services Officer who may choose to convene the College Discipline Committee to review the petition and make a recommendation. The decision of the Campus Executive Officer is final.

3. Disciplinary Suspension - is the disenrollment of a student from the University. Suspensions will last a minimum of one full semester. Students may reenter the University at the conclusion of the suspension, only by consent of the Campus Executive Officer in cases of non-academic and academic misconduct. A permanent notation of a suspension will be made on the student's transcript.

4. Dismissal - Dismissal is the disenrollment of a student for an indefinite period of time. Students may not reenter the University for at least one year, and then, only by consent of the Campus Executive Officer or his/her designee in cases of non-academic and academic misconduct. A permanent notation of dismissal is placed on the student's transcript.

5. Expulsion - is the disenrollment of a student whereby the student is not eligible for readmission to the University. A permanent notation of expulsion will be placed on the student's transcript.

B. The following are possible sanctions that may be imposed upon a student organization for infraction of regulations:

1. Written warning - is a notice in writing to the student organization that they are in violation or have violated the student code of conduct.

2. Disciplinary Probation - is a written reprimand to a student organization for violations of University regulations or local, state, and/or federal laws. Organizations placed on disciplinary probation are deemed "not in good standing" with the University. The duration of the probationary period and conditions imposed shall be in proportion to the seriousness of the misconduct. Duration will be at least thirty (30) days, but may be extended indefinitely. Depending on the circumstances, and at the discretion of the Hearing Official(s), additional stipulations may be enforced. These additional stipulations may be, but are not limited to, suspension of rights and privileges, suspension of eligibility to participate in official extracurricular activities, termination of campus office space, and restitution for damages incurred by the University.

During the probationary period, reported violations of the Code of Conduct, or conditions of the probation, will result in further action. This action may include, but is not limited to, extension of the probationary period, the addition of other restrictions or conditions to the probationary agreement, or suspension or termination of University recognition. Additionally, if a student organization should have a previous NMSU discipline record it may be considered in determining appropriate sanctioning for any future code of conduct violations. The organization may return to a status "in good standing" with the University at the conclusion of the probationary period, assuming all conditions have been satisfied, and upon gaining approval from the Campus Student Services Officer.

3. Suspension of University Recognition - This sanction serves as notification to the organization that its conduct is in violation of University regulations, or local, state, and/or federal laws; and that its charter with the University, along with all privileges afforded a recognized student organization, is being withdrawn for a specified period of time. The suspension will last a minimum of one full calendar year and will take effect immediately upon notification. As with disciplinary probation, additional conditions may be attached and further disciplinary action may result if conditions are not met.

Reinstatement of an organization's charter can only be granted by the Campus Student Services Officer after the period of suspension when all conditions of the suspension have been met.

4. Termination of University Recognition - This sanction serves as notification to the organization that its conduct is in violation of University regulations, or local, state, and/or federal laws, and that its charter with the University, along with all privileges afforded a recognized student organization, is being withdrawn immediately. The organization is not eligible for reinstatement of its charter for a minimum of five (5) years. Reinstatement of an organization's charter can only be granted by the Campus Student Services Officer.

VI. AMENDMENTS TO THE CODE OF CONDUCT

Recommendations for changes related to the non-academic discipline process will be referred to the College Discipline Committee through the NMSU Manager of Student Judicial Affairs. Recommendations for changes related to the Academic Discipline process will be referred to the Provost through the College Deans. The College Discipline Committee will meet, as needed, to review the Code of Conduct and recommend changes to the Vice President for Student Success.

VII. STATEMENT OF LIMITATIONS

No student or student organization shall be subject to disciplinary procedures due to alleged violation of University regulations unless procedures are initiated within one

year from the time the alleged misconduct occurred or was made known to the Campus Student Services Officer or Campus Executive Officer, whichever occurs later. The one-year period of limitation, as referred here, will apply only while the student is enrolled at the University. If the disciplinary procedures cannot be completed for reasons beyond the control of the University, a time limitation will not be imposed.

Discipline Related Policies and Procedures

The sequence of the following policies is not intended to imply an order of importance or significance to New Mexico State University.

Alcohol Policy

Statement of Purpose

The Regents of New Mexico State University recognize that diversity of opinion and freedom of choice are concepts upon which higher education has been established. Inherent within these two basic concepts are the exercise of individual responsibility and making informed decisions on matters related to personal behavior. These are concepts basic to all American freedoms.

Within the University setting, faculty, staff, and students must demonstrate a mutual respect and commitment to the institution's educational mission while at the same time fostering diversity of opinion, freedom of choice, and responsibility. In this regard, the university respects the right of those of legal age to consume alcohol if they so choose, providing they do so in accordance with this policy and all applicable laws.

This Alcohol policy shall apply to every function or event, including, but not limited to receptions, banquets, dinners, picnics, or any outdoor event, social event, and campus-wide activity sponsored by organizations or individuals associated with New Mexico State University. Off-campus events conducted by University approved organizations are bound by this policy.

NMSU recognizes it cannot protect staff and students from making decisions that could potentially cause harm to themselves or others. NMSU disclaims any intention to assume duties to protect its staff and students from their own abuse of drugs or alcohol or to protect third party persons from conduct of the staff or students.

Permissible use of Alcohol

Where permitted under the policy, the use of alcohol shall be considered a privilege and may be allowed only if consistent with local, state and federal laws and University policy, and only when it does not interfere with the academic atmosphere of the University.

1. Students of legal age are permitted to use alcohol only in a manner consistent with this policy and the Student Code of Conduct.
2. Selling, either directly or indirectly, of alcoholic beverages on campus is prohibited, except in those University facilities possessing a state alcohol license granted under the authority of the Board of Regents, or where pre-approved by the CEO (or his/her designee) by event type. The CEO (or his/her designee) has authorization, at his/her discretion, to grant permission for the serving or sale of alcohol at any other on-campus event. All venues approved for the routine sale of alcoholic beverages must have in place an approved policy for the sale and service of alcoholic beverages.
5. Events occurring on campus involving alcohol must obtain the proper approval/permit. The following shall apply:

- a. Any event involving alcohol must be registered and approved by the university in order to obtain a proper permit.
- b. Student groups, campus organizations who wish to host events, involving

alcohol must have proper policies in place, consistent with the University policies and local, state and federal laws, before they will be issued a permit for their event.

c. Student fees may not be used directly to purchase alcohol. However, in certain cases, student fees may be used to fund events where alcohol may be served, provided the appropriate permits are obtained and applicable policies are adhered to.

d. Permits will be issued by the president (or his/her designee).

e. State law requires that anyone serving alcohol must complete a Class and receive a server's permit.

Unacceptable Use of Alcohol

NMSU discourages the use of alcohol that is inconsistent with local, state and federal laws and University policy. NMSU recognized that the illegal use of alcohol interferes with the academic environment of this institution and the personal growth of its students.

1. NMSU explicitly prohibits the unlawful use, possession, sale, or distribution of alcohol or controlled substances by all students and employees. Any violation of applicable state, and /or federal law is considered to be a violation of this institution's policies.
2. Staff and/or students will be disciplined if their use of alcohol threatens to create disorder, public disturbances, danger to themselves or others, or property damage.
3. Students who have not yet reached legal age are prohibited from purchasing, using, and/or possessing alcohol.
4. Except as outlined by this policy, consumption or possession of alcohol intended for consumption is prohibited on the University campus. Possession of alcohol intended for consumption is permitted for the sole purpose of prompt delivery to a designated, approved location.
5. Open containers of alcohol are prohibited outside of designated areas.
6. Kegs, party balls or common containers are not permitted, unless in conjunction with an event approved by the president (or his/her designee).

Alcohol-Related Misconduct

1. Possession of false identification. Students found in possession of or attempting to use false identification in order to procure alcohol will be subject to the fullest force and effect of the consequences outlined in this policy and/or the Student Code of Conduct.
2. Alcohol as an aggravating factor to other violations. If alcohol is found to be an aggravating factor in other violations of the Student Code of Conduct and/or local, state and federal laws, the student may be subject to more severe punitive sanctioning.
3. Off-campus violations of Student Code of Conduct. The University reserves the right to impose sanctions upon students and student organizations that violate this policy and/or the Student Code of Conduct, even if such actions occur off-campus.

Consequences for Violations

1. Students found to be in violation of any of these policies through Student Judicial Services will be subject to disciplinary action ranging from Disciplinary probation in conjunction with educational sanctioning through Expulsion from the University.

2. Staff or students found to be in violation will also be subject to all local, state and federal laws and nothing in this policy shall be construed to protect staff or students from such actions as local, state and/or federal law enforcement deem appropriate. Similarly, if local, state and/or federal law enforcement entities decide not to pursue action against violators, the University reserves the right to process violations through the Student Judicial Services.
3. Staff or students who have not been found to be in violation of any of the policies herein who wish to self-identify and seek confidential help through the Employee Assistance Program, Counseling Center and/or the Wellness, Alcohol and Violence Education Program, will not jeopardize their employment or academic status. This benefit will continue as long as the staff member or student refrains from further alcohol misuse or abuse.

DRUG FREE WORKPLACE, DRUG FREE SCHOOLS & COMMUNITIES ACT, AND DRUG FREE WORKFORCE RULES

STANDARDS OF CONDUCT

Students of New Mexico State University are considered a valuable asset, and their health and welfare are of serious concern. The University strives to maintain a safe and productive environment free from the influence of illicit drugs and unlawful use of alcohol. As a recipient of federal funds, the University is obligated to inform all students that the unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as part of any of its activities is prohibited, and is a violation of University policy. University property is defined as all lands and buildings under the control of the Board of Regents, New Mexico State University. Students who violate this prohibition will be subject to appropriate disciplinary action, which may include termination of employment or expulsion from school. It is also a federal requirement and a University policy that, as a condition of employment, any student will notify his or her immediate supervisor within five (5) days after conviction of a criminal drug offense occurring in the workplace. In addition to the information provided in this Handbook, drug and alcohol policies and sanctions are discussed at New Student Orientation.

HEALTH RISKS

A chart outlining the risk of physical and/or psychological dependence on controlled substances and the effects of use, overdose, and withdrawal is available in each semester/session Schedule of Classes, online, and from the Office of Student Services. The University is required to inform students concerning these health risks.

Alcohol is also a drug, and students need to be aware of the health risks involved in using alcohol. In large doses, alcohol can dull sensation and impair muscular coordination, memory and judgment. Taken in large quantities over a long period of time, alcohol can damage the liver and heart, and can cause permanent brain damage. Dependence on alcohol can be psychological when the drinker uses alcohol to escape from stress. A pattern of repeated heavy drinking produces a condition in which the body needs alcohol to function, and can lead to physical dependence.

Alcohol can kill. A large dose consumed at once can interfere with the part of the brain that controls breathing. The respiratory failure which results can bring death. Delirium tremors, the most extreme manifestation of alcohol withdrawal, can also cause death. Pregnant women who drink risk delivering babies stillborn or with serious abnormalities. Approximately half of the deaths from car accidents each year in the United States are related to alcohol abuse.

AVAILABLE DRUG OR ALCOHOL COUNSELING, TREATMENT, REHABILITATION, AND RE-ENTRY PROGRAMS

Any student who may have a drug or alcohol problem is encouraged to obtain confidential and voluntary counseling and/or treatment. In Alamogordo, there are several resources for help: Otero County Council on Alcohol Abuse and Alcoholism, The Counseling Center, and Alamogordo Mental Health Services. Counseling and referral services are also available on campus. Students should contact the Advising and Career Center (439-3720) for information and confidential referral.

When a student or employee requires extended treatment and rehabilitation for a drug or alcohol problem, the counseling services on campus will arrange referral to an appropriate treatment program. In-patient treatment facilities in the area are: Otero County Council on Alcohol Abuse and Alcoholism. Several support groups are also available in Alamogordo, including Alcoholics Anonymous, Al-Anon, and Narcotics Anonymous. Any student who has been dismissed or suspended for drug or alcohol violations and who has evidence of successful rehabilitation may petition for readmission to the University upon recommendation from relevant psychological or psychiatric professionals. Students who voluntarily seek treatment for drug or alcohol violations before disciplinary action, and students who are readmitted to the University after rehabilitation, may be referred to an appropriate community resource.

DISCIPLINARY SANCTIONS FOR STUDENTS

For possible sanctions that may be imposed upon an individual student for violation of the University's alcohol or drug policies, refer to the Student Code of Conduct, Section V,A, Items 1-4.

LEGAL SANCTIONS

Federal trafficking penalties for methamphetamine, heroin, cocaine, PCP, LSD, Fentanyl, and Fentanyl Analogue vary depending on the quantity of drugs involved and whether the offense is the first or a repeat offense. Prison sentences range from 5 years to life. Fines for trafficking in these drugs range from \$2 to \$8 million.

Federal trafficking penalties for marijuana range from 10 years to life imprisonment, depending on the quantity involved and whether the offense is a first or repeat offense. Fines range from \$250,000 to \$8 million.

The New Mexico Legislature has enacted numerous laws concerning possession and trafficking of controlled substances. The most abused controlled substances are: marijuana, cocaine, heroin, LSD, and amphetamines. Fines and prison sentences vary according to the quantity of drugs involved and whether the offense is a first or repeat offense.

Fines for possession of marijuana range from not less than \$50 to \$5,000. Prison sentences range from 15 days to 18 months. The fine for trafficking marijuana is \$5,000; prison sentences for trafficking range from 18 months to 3 years.

The fine for possession of cocaine and heroin is \$5,000 and the prison sentence is 18 months. Fines for trafficking cocaine and heroin range from \$10,000 to \$15,000. Prison sentences for trafficking are 9 years for a first offense and 18 years for a repeat offense.

The fine for possession of LSD and amphetamines is \$1,000 and the prison sentence is up to 1 year. Trafficking in LSD and amphetamines carries a fine of \$5,000 and a prison sentence of 3 years.

Alcohol abuse is subject to penalties specified by the Liquor Control Act. A driving while under the influence (DWI) conviction can result in a fine up to \$300,

and/or imprisonment up to 7 months, and/or prosecution for vehicular homicide, and/or license revocation and vehicle impoundment.

DRUG POLICIES AND PROGRAMS

The University attempts by various means to provide the University community with a basic knowledge and awareness of drug abuse, and to disseminate the results of current research on the effects of drug use. It continues to explore the availability of outside funding to support these additional activities in drug education, health, and rehabilitation, and its discipline and law enforcement.

EDUCATIONAL PROGRAMS

The University actively encourages students to learn about the physiological, psychological, social, and legal implications of alcohol and drug use and abuse. The Office of Student Services can provide the names of various resource people who are available to talk with groups or individuals seeking information (Contact the Campus Student Services Officer at 439-3716.)

To ensure that students receive the best help and information, involved personnel are encouraged to participate in seminars, workshops, and conferences to learn the latest approaches to drug education and the newest information available regarding alcohol/drug use and abuse.

Recognizing that the social environment changes rapidly, the University invites students to offer suggestions pertaining to their needs in the area of drug and alcohol education to the Campus Student Services Officer.

DISCIPLINE AND LAW ENFORCEMENT

The University recognizes that many behaviors are restricted by state and federal laws. The basic premise of University discipline is to provide regulations for students in keeping with the laws of the State of New Mexico and the United States of America as well as to maintain an environment maximally conducive to education. While the University does not normally take disciplinary action for off-campus violations, it retains the right to act in special cases.

With reference to drug violations, an individual apprehended for drug abuse off-campus is subject to civil proceedings and is not usually addressed through the University discipline system unless the off-campus actions impact the campus community. As a property owner, the University has the right to prohibit behaviors on that property that may not be restricted in other environments.

A. Amnesty

Any student drug user who, prior to apprehension, voluntarily directs a request for rehabilitation to any University official, will be referred to the proper rehabilitation agency or medical authorities. The case will be kept strictly confidential, and no disciplinary or criminal action will be taken as long as the student upholds the agreement for rehabilitation and refrains from any other possession or use of illegal substances on campus.

B. Penalties for Drug Violation

1. First offense for usage, possession, or accessory to a drug violation.
 - a. If found guilty, or guilt is admitted (not relating to amnesty as defined above) for a violation of a law of the State of New Mexico or University regulation relating to one ounce or less of marijuana, the penalty may be as much as disciplinary probation or suspension.
 - b. If found guilty, or guilt is admitted (not relating to amnesty as defined above) for violation of a law of the State of New Mexico or University regulation relating

- to narcotic drugs, marijuana (over one ounce), depressants, or other illegal drugs, the penalty may be as much as disciplinary suspension, dismissal, or expulsion.
2. If guilt is proven or admitted for selling, processing, delivering, compounding, or dispensing in any manner marijuana or any other dangerous narcotic, depressant, stimulant or hallucinogenic drugs, the student will be subject to penalties up to and including expulsion on the first offense.
 3. A student who admits guilt, or is found guilty of a second drug offense, may be subject to penalties up to and including expulsion.
 4. Any student who has been suspended or dismissed for drug violations, and has evidence of successful rehabilitation, may petition for readmission to the University upon recommendation from relevant psychological or psychiatric professionals.

C. Exclusion from Campus

Students suspended, dismissed or expelled from the University for drug violations, or those convicted of drug violations off campus who persist in returning onto campus, will be subject to such legal procedures as deemed necessary to bar such entry, when probable cause of further violations of University regulations can be shown.

FIREARMS POLICY

The possession and carrying of firearms, loaded or unloaded, is restricted on all lands under the control of the Board of Regents, New Mexico State University, except in the following cases: certified New Mexico Peace Officers engaged in the official performance of their assigned duties; approved University experiments and/or projects; transporting of firearms to and from a place of storage; ROTC, under the direction of the Dean of the College of Arts and Sciences; other approved academic use, or as otherwise allowed by 30-7-1-2.4 NMSA 1978 et. seq. All requests, exceptions, and interpretations of this policy will be managed by the Campus Executive Officer. The decision of the Campus Executive Officer may be appealed to the Provost or his/her designee. The decision of the Provost in these matters shall be final.

MENTAL HEALTH POLICY

The staff and faculty of New Mexico State University are concerned about the health and well-being of students. Occasionally, students are confronted by illnesses that interfere with their academic progress. In such situations, withdrawal from the University setting may be in the best interest of all concerned. Guidelines for the Administration of Psychiatric Withdrawals under the Mental Health Policy are available in the Office of the Campus Student Services Officer, Student Services, Room 203.

PROHIBITED ACCESS POLICY

The following individuals may be prohibited from entering upon land or buildings owned or used by the Regents of New Mexico State University, its colleges, departments, branches, experiment stations, ranches, and all property owned or occupied by agencies supervised by the Regents:

- A. Persons charged with criminal acts against the Regents or NMSU students or employees during the pendency of such criminal charges.
- B. Persons found guilty by a court of competent jurisdiction of criminal acts against the Regents or NMSU students or employees.
- C. Any individual whose presence on campus constitutes a clear and present danger to the persons, property, or peace of the Regents, or NMSU students, employees or agents (contractors).

- D. Any individual whose presence on campus, given all attendant circumstances, could reasonably cause injury against the persons or property of the Regents or NMSU students or employees.
- E. Any individual ordered withdrawn under the Medical/Psychiatric Withdrawal Policy of the University.

In order to be prohibited from use of University lands and buildings, individuals must be notified in writing of the prohibition by the Campus Executive Officer or a designee. Notice may be made personally or by certified mail. Individuals so notified shall be immediately barred subject to the right to request a hearing within three (3) days of the service of notification or within six (6) days of the date of mailing the certified letter. Extension of time will be given to the next business day for any day that occurs on a weekend or a holiday as established by New Mexico State University.

Appeals shall be made by giving a written notice to the Office of the Campus Executive Officer of intent to appeal. Hearing on the appeal shall be within seven days from the receipt of the notice of appeal. Neither the individual prohibited nor the University shall be represented at the hearing by legal counsel. The hearing need not conform to the strict rules of legal evidence. In the event that the Campus Executive Officer or his or her designee, reverses the prohibition, the individual shall be immediately entitled to enter upon University land or property. In the event that the Campus Executive Officer or his or her designee, affirms the decision, the individual's prohibition shall continue. The decision of the Campus Executive Officer is final.

Under most circumstances, prohibitions under this policy will be for one year or less. When the prohibition is indefinite, the affected individual may petition for the removal of the prohibition after one calendar year by submitting a written request to the Campus Student Services Officer. With respect to individuals convicted of criminal acts against the University, its students, or employees, the one year shall commence to run at the time the individual is released from incarceration resulting from the conviction.

Any violation of such prohibition may result in legal action by the Regents against the individual, including such criminal charges as may be appropriate under the circumstances, including criminal trespass.

RESTRICTIVE ACCESS POLICY

New Mexico State University serves the people of New Mexico through education, research, extension education, and public service and welcomes all within our community. However, in order to establish an appropriate environment and preserve University property for educational purposes, the University reserves the right to restrict access to some of its lands and facilities. Academic spaces are generally used for educational purposes only, and buildings which serve as residences for students are restricted to students, their guests, and appropriate University employees. While some other University facilities and grounds are available to the general public, they must be used according to University rules and regulations. No individual(s), except for those contracted to reside on-campus, shall temporarily or permanently remain overnight on the property of the Regents, or dwell on the property of the Regents, including but not limited to, in motor vehicles, or in temporary or permanent structures, without the specific prior approval of the Campus Executive Officer or a designee.

Members of the campus community, as well as visitors, are expected to behave in ways that do not interfere with the right of others to pursue an education or disrupt community living on campus. Behaviors of any individuals that interfere with, disrupt,

impair or obstruct the processes, procedures, or functions of the University, are prohibited.

Failure to comply with this policy could subject the individual to warning, probation, removal from the campus, arrest, barring from the campus, or any other sanctions applicable under the Student Code of Conduct, University Personnel Policies, or state or federal laws. Actions taken under this policy will be initiated by the appropriate Campus Administrator. Contested administrative actions may be appealed in writing to the Campus Executive Officer within three (3) working days after receipt of the decision made by the appropriate Campus Administrator. The decision of the Campus Executive Officer or his or her designee will be final.

SEXUAL MISCONDUCT POLICY

New Mexico State University will not tolerate sexual misconduct of any kind as defined herein:

Forced Sexual Contact - Any harmful, insulting or non-consensual verbal or physical contact of a sexual nature with another person (including touching, fondling, exposure, disrobing, etc.) that is accomplished toward another without his/her consent including any such act accomplished by means of actual or implied force, threat, coercion, or helplessness. Forcing or intimidating a person to touch another's intimate parts shall also constitute sexual contact.

Forced Sexual Penetration - Intercourse (vaginal penetration); sodomy (anal penetration); oral copulation (oral-genital contact); or penetration with any object (including a finger), by the use of force, threats, coercion, or by taking advantage of a victim's helplessness.

A student charged with sexual misconduct, including acquaintance or date rape, can be prosecuted under New Mexico criminal statutes and disciplined under the Student Code of Conduct. Even if the law enforcement authorities choose not to prosecute, the University can pursue disciplinary action.

A violation occurs when there is participation in any kind of sexual misconduct by a student individually or in concert with others. Since the University hopes to educate students in order to prevent violations, students should understand that:

- A. Forced sexual penetration or other unwanted forced sexual contact is defined as sexual misconduct whether the assailant is a stranger or an acquaintance of the victim.
- B. Alcohol and/or drug use, intoxication, or any impairment of the accused, does not absolve responsibility for sexual misconduct.
- C. In situations where the victim is incapable of giving consent, or is unable to resist sexual advances due to alcohol/drug use or other impairments, the accused will be held responsible for sexual misconduct.
- D. Force or coercion is defined as:
 1. The use of physical force or physical violence; or
 2. The use of threats, including but not limited to physical threats, abduction, extortion or retaliation directed against the victim or another when the victim believes that there is an ability to execute such threats; or
 3. The use of verbal comments or non-verbal behaviors/ gestures to intimidate the victim or another when the victim believes that there is a present ability to execute such threats.
- E. Threat is defined as an expression of intention to hurt, destroy, or punish the victim or another. Where there is cause to believe that the University regulations

prohibiting sexual misconduct have been violated, the University will initiate disciplinary action. Accusations of sexual misconduct will be investigated by the Student Discipline Officer according to the Code of Conduct. If evidence is available to indicate that a student is guilty of sexual misconduct, or if guilt is admitted, the penalty for such misconduct may be as much as disciplinary suspension, dismissal or expulsion.

SPECIAL GRIEVANCE POLICIES STUDENT ACADEMIC GRIEVANCE POLICY

Procedure for Initiating Grievance Complaints: This procedure has been established to provide a method to resolve undergraduate student grievances at the lowest administrative level in a fair, expeditious manner. For the purpose of this procedure, grievances are limited to alleged violation of university policy or procedures by the university or its employees, disputes with faculty and/or alleged unfair treatment. Usually this method is used to appeal a grade that the student feels was not justified. Under no condition should these policies be used when the student has allegedly violated the University Code of Conduct or a University contractual agreement, and at no hearing should either party have a lawyer. Any student who believes that he/she has been unjustly treated within the academic process may proceed as far as necessary in the steps detailed below: Should the alleged grievance not involve a faculty member or course, the student is to appeal directly to the Division Head or Campus Academic Officer.

1. Appeal to faculty member: The student is to submit a written appeal to the faculty member within 30 days after the start of the grading period following the grading period in which the alleged grievance occurred. If the alleged grievance occurs during a summer session, the student is to submit an appeal no later than 30 days into the fall grading period following the summer grading period in which the alleged grievance occurred. The faculty member and the student are to discuss the problem. The faculty member will submit a written report outlining his or her decision to the student and division head within ten (10) working days of receipt of the student's written appeal.
2. Appeal to the division head: If a decision satisfactory to the student cannot be reached, the student may submit a written appeal to the division head in which the course in question was taught. This is to be done within ten days of receipt of the faculty member's written decision. The faculty member, the Division Head, and the student are to meet to discuss the problem. The division head will send a written response outlining his or her decision to the student and faculty member within ten days of this meeting.
3. Appeals to the Campus Academic Officer (or designee): If a satisfactory decision cannot be reached among the division head, the faculty member and the student, the student or the faculty member may submit a written statement of appeal to the Campus Academic Officer (or designee). This is to be done within ten working days after receipt of the written decision by the division head. The Campus Academic Officer may request a written recommendation from the College Academic Appeals Board. Should this be the case, the Academic Appeals Board will conduct a hearing with the student and faculty member (not necessarily at the same time) to review the merits of the appeal. They may also ask for supporting evidence for or against the appeal. The Academic appeals Board will submit the written recommendation to the Campus Academic officer within five working days following the conclusion of their review process. The Campus Academic Officer may meet with the student, faculty member and division head to discuss the appeal (not necessarily at the same time). The Campus Academic Officer will submit a written response outlining his or her decision to the

student, faculty member, division head and Campus Executive Officer within ten days of the last meeting.

4. Appeals to the Campus Executive Officer (or designee): The Campus Executive Officer, may at his or her discretion, review the appeal upon the written request of the student or faculty member and render a final decision. An appeal to the Campus Executive Officer is the last step in the appeals process and the Campus Executive's decision cannot be appealed further. Should the Campus Executive Officer not choose to review the appeal, the decision of the Campus Academic Officer is final.

5. Exceptions to the time involved: The Campus Academic Officer or designee may waive the normal time frame for appeals for compelling reasons. Regardless of circumstances, academic appeals must be initiated with the course instructor within two years of the conclusion of the grading period in which the course was taken.

6. Enrollment: A student need not be enrolled at the university to initiate an appeal. Academic Appeals Board: An academic appeals board will be appointed by the Campus Academic Officer to hear student appeals. The appeals board will consist of three faculty members and two students.

Maintenance of records: Instructors and or divisions shall keep records used to compute individual grades for two years after the completion of a course. If a grade has been appealed, these records shall be kept for at least two years after completion of the appeal. Divisions may require that records be kept for longer periods.

STUDENT NON-ACADEMIC GRIEVANCE POLICY

Any student who believes that he/she has been treated unjustly in a non-academic area, not involving a contractual agreement, can file a grievance as long as the Code of Conduct has not been violated. The purpose of this policy is to allow the parties to resolve grievances at the lowest administrative level in a fair and expeditious manner without the involvement of lawyers. A grievance must be filed no later than thirty (30) days following the time the alleged problem occurred. Failure of University personnel to respond within ten (10) days, at any level in the procedure, will allow the student to proceed to the next step. The channel of appeal for non-academic grievances shall be:

1. The aggrieved student must first confer with the staff member involved in an attempt to resolve the problem.
2. Unresolved grievances shall be filed in writing by the student with the Supervisor/Coordinator. The Supervisor/Coordinator will conduct an inquiry and attempt to resolve the matter impartially and as quickly as possible. This step must be concluded within ten (10) days of the date the grievance was received.
3. If the grievance is not resolved at Step 2, the student may forward a copy of the grievance and all relevant correspondence to the Campus Student Services Officer. The Campus Student Services Officer (or his/her designee) will conduct an investigation and attempt to resolve the issue. This process shall be concluded within ten (10) days of the date the grievance was received.
4. If the issue is not resolved in Step 3, the student may appeal to the Campus Executive Officer. If warranted, the Campus Executive Officer will appoint a hearing panel consisting of a student, a faculty member, and a staff person from departments or colleges not involved in the grievance. If a hearing panel is appointed, the parties involved in the grievance will be allowed to submit written documentation concerning the problem, may be present at all hearing sessions, and will be given the opportunity to provide additional oral information on their behalf.

Upon completion of the hearing(s), the panel will forward a written recommendation to the Campus Executive officer or his/her designee. This document

should include findings of fact and the basis for recommendation. The decision of the Campus Executive Officer or his/her designee is final.

STUDENT SPECIAL CARE POLICY

To ensure the safety and well-being of our students, New Mexico State University at Alamogordo may, on occasion, require that students receive a particular type of care or treatment (i.e., emergency medical attention, personal attendants, or vaccinations) as a condition of continued enrollment. When this care or treatment is required by the cognizant University administrator, the student will be obligated to assume any financial responsibility associated with the treatment.

Furthermore, the University may, on occasion, contact a student's parents, legal guardian, or spouse in cases of extreme emergency, or where a possibility of imminent harm exists. This will occur only when, in the judgment of the appropriate official, the best interests of the student and the University will be served.

When practical, the University will notify the student, in writing, of the University's intention to undertake the steps authorized by this policy. This decision may be appealed by the student to the Campus Student Services Officer within 24 hours of notification. The appeal should be in writing and clearly state the reasons why the student objects to the proposed action. The Campus Student Services Officer will review the facts in the case and convey a decision to all parties within 48 hours. The Campus Student Services Officer's decision shall be final.

ADDITIONAL POLICIES AND PROCEDURES

CHILDREN IN THE ACADEMIC WORKPLACE

Students, staff, faculty, and administrators can expect to attend and teach Class, or complete work or research in laboratories, libraries, offices, an other work places with a minimum of distractions or interruptions. Consequently, the following regulations have been established, and will be enforced by the appropriate administrator or administrative supervisor to ensure that an appropriate academic environment is maintained.

1. Children visiting campus must be closely supervised by an adult at all times.
2. Children will be prohibited from entering dangerous settings such as labs and equipment rooms without the approval of the appropriate division head or Campus Academic Officer.
3. Children may not attend a Class in session without the prior approval of the Class instructor. Children under the care of the instructor may not attend Class without the prior approval of the immediate supervisor.
4. Children may, on rare occasions and with the approval of the supervisor, accompany a parent to the workplace. However, the expectation is that parents will make alternate arrangements for the care of their children during normal working hours.
5. Children taking part in programs and/or special events on campus are expected to abide by the rules and regulations established by the program or event sponsors.

FAMILY EDUCATION RIGHTS & PRIVACY ACT OF 1974

New Mexico State University maintains academic, disciplinary, and other records pertaining to students in accordance with the specifications of the Family Educational Rights and Privacy Act of 1974 and amendments. Students who are interested in acquiring access to their records should make their requests to the Chief Administrator of the following offices:

1. Admissions and Records
2. Campus Student Services Officer
3. Advising, and Career Services
4. Financial Aid

Directory information will be released upon request unless the student does not wish such a release and notifies the Office of Admission and Records in writing. Directory information includes student's name, address, e-mail address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and most recent previous educational agency or institution attended by the student.

Disclosure of the types of records maintained by the institution is available upon request by the student as are all other requirements stipulated by the Family Educational Rights and Privacy Act of 1974 as they pertain to New Mexico State University. Further information regarding details may be acquired from the Office of Admission and Records.

FILM POLICY

In order to comply with the Federal Copyright Act (Title 17 United States Code) which governs how copyrighted materials, such as films/movies, may be used, it is strongly suggested that chartered student organizations and university departments of New Mexico State University review and adhere to the following guidelines as indicated by the Motion Picture Licensing Corporation when the proposed event involves the screening of a film/movie on campus. The Department of Campus Activities will be available for consultation regarding the public performance licensing procedures, but will not be responsible for ensuring that the student organization or university department have complied with the intent of the law and have secured the appropriate license.

By law, as well as by intent, the pre-recorded videocassettes and DVD's (referred to henceforth as "videos") which are available in stores throughout the United States are for all purposes intended for "home use only." Rentals or purchases of videos do not carry with them licenses for non-home showings. Before you can legally engage in any non-home showings, you must have a separate license, which specifically authorizes such use.

Any institution, organization, company or individual wishing to engage in non-home showings of videos should be aware of the Copyright act's provisions governing the showing of videos. The Copyright Act grants to the copyright owner the exclusive right, among others, "to perform the copyrighted work publicly." (Section 106-FCA) In summary, the Copyright Act mandates:

- The rental or purchase of a video does not carry with it the right "to perform the copyrighted work publicly." (Section 202 - FCA)
- Videos may be shown without a license in the home to "a normal circle of family and its social acquaintances" (Section 101-FCA) because such showings are not "public."
- Videos may also be shown without a license for non-profit educational purposes and in certain narrowly defines "face-to-face teaching activities" (Section 110.1 - FCA) because the law makes a specific, limited exception for such showings. (Sections 106 and 110(1)-FCA)
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- Others showings of videos are illegal unless they have been authorized by license. Even "performances in 'semi-public' places such as clubs, lodges, factories, summer camps and schools are 'public performances' subject to copyright control." (Senate Report No. 94-473, page 60; House Report No. 94-1476, page 64)
- Institutions, organizations, companies or individuals wishing to engage in non-home showings of videos must secure licenses to do so - regardless of whether an admission or other fee is charged. This legal requirement applies equally to profit-making organizations and non-profit institutions (Senate Report no. 94-473, page 59; House Report No. 94-1476, page 62)

Showings of videos without licenses, when one is required, are infringements of the established copyright. If done "willfully and for purposes of commercial advantage or private financial gain," they are a federal crime and subject to a \$150,000 penalty per advantage or private financial gain," they are a federal crime and subject to \$150,000 penalty per exhibition (Section 506-FCA). In addition, even innocent or inadvertent infringers are subject to substantial civil damages (\$750-30,000) for each illegal showing and other penalties. (Sections 502-505 - FCA)

To Obtain Public Performance License

Obtaining a public performance license is relatively easy and usually requires no more than a phone call. Fees are determined by such factors as the number of times a particular movie is going to be shown, how large the audience will be and so forth. While fees vary, they are generally inexpensive for smaller performances. Most licensing fees are based on a particular performance or set of performances for specified films. The majors firms that handle these licenses include:

Swank Motion Pictures, Inc.

<http://www.swank.com>

(800) 876-5577

Criterion Pictures

<http://www.criterionpicusa.com>

Motion Picture Licensing Corporation (MPLC)

<http://www.mplc.com>

(800) 462-8855

FREEDOM OF EXPRESSION POLICY

New Mexico State University recognized and promotes an intellectually open campus. The free exchange of ideas through written, spoken, and other forms of expression reflects its public land-grant heritage, support of diverse points of view, and commitment to excellence in education and research.

A. Campus Use for Free Expression

Any outdoor area that is generally accessible to the public may be used by any individual or group for petitioning, distributing written material, handing out newspapers, or conducting speech acts. Prior approval is not necessary as long as the primary action is not to advertise or sell a commercial product. Activities must follow all applicable fire codes, local, state, and federal laws.

Activities shall not:

- Unreasonably obstruct vehicular or pedestrian traffic.
- Block the entrances or exits to buildings and facilities.
- Permanently occupy land areas or permanently locate signs and posters.
- Erect permanent structures, shelters or camps.
-

- Unreasonably interfere with classes, university work, and scheduled events

In exercising the right of expression, one must accept the responsibility of following the laws related to the safety of people and property. If property damage or excessive littering occurs, or other unusual expenses are incurred by the University as a result of the event, event organizers may be held responsible for reasonable charges if deemed appropriate by the Campus Executive Officer or his/her designee.

1. Petitioning and the Distribution and Posting of Literature and Signs

- All literature distributed must contain identifying information either (1) the name of an NMSU sanctioned organization, or (2) the name and address which may be an organization and e-mail address of the unaffiliated entity or person or the telephone number of the unaffiliated entity or person for someone to contact in case of litter problems.
- Literature may be distributed hand-to-hand, though the use of tables, or by posting on designated bulletin boards and kiosks.
- Written materials may not be placed in non-approved locations. Written materials may not be placed on any part of a university building or structure without university permission. Posting on traffic signs, power poles, trees, and automobile windshields is not allowed.
- Tables are allowed as long as they do not unreasonably interfere with pedestrian traffic. Materials may not be left on unattended tables. While scheduling of tables is not required in advance, those individuals who have previously scheduled through the Campus Student Services Officer's Office or other appropriate university offices will take precedence.

2. Group Speech Activities

- Group speech activities, including rallies, parades and demonstrations that are advertised through public media including newspapers, radio, television, flyers, or electronic lists may need to be coordinated through the Campus Student Services Officer's Office and the Alamogordo Department of Public Safety (as described in 2b).
- Any individual, group, or organization sponsoring a group speech activity that is expected to draw more than 100 persons at one time and uses public media for advertising must notify the Alamogordo Department of Public Safety (DPS) no less than 72 hours in advance of the activity, so that the Alamogordo DPS can take appropriate actions to ensure the safety of the event. Activities expected to draw 500 or more participants, or require road closures or detours, must be scheduled two weeks in advance.
- Any individual, group, or organization planning a group speech activity is encouraged to contact the Campus Student Services Officer's office in advance so that activities may be coordinated with appropriate university offices. This will allow for locations to be reserved or other concerns to be addressed, such as the use of sound amplification equipment. Contacting the Campus Student Services Officer is voluntary and does not constitute an approval process.
 - All scheduling is done on a "first come, first serve" basis.
 - Activities that are scheduled receive priority in the use of space on campus.

3. Electronic Sound Amplification

- The use of electronic sound amplification equipment is authorized in the Tays through the Special Events Coordinator at 439-3659 or on the Patio from 12:15-1:00 pm or when classes are not in session through the Campus Student Services Officer at 39-3716.

- Sound amplification equipment may be allowed at other times and other locations if coordinated no less than two-weeks in advance through the Campus Student Services Officer.

4. Use of Chalk

- Chalk may be used on campus as long as it is restricted to concrete walkways.
- All chalk used must be of a temporary or removable nature. Permanent chalk, such as surveyor's chalk, may not be used under any circumstances.

B. Policy Enforcement

Any person violating this policy will be subject to:

- Being asked to cease and desist or to relocate by appropriate university employees acting within the scope of their duties.
- Being ordered to leave the premises or property owned or controlled by the university by the police or a person in charge of the property.
- Institutional disciplinary proceedings under the Student Code of Conduct if violation by a student. Violations by faculty or staff will be referred to the appropriate department or academic unit.
- Arrest for violation of local, state, and federal law(s).
- Restriction of future use of, or access to, the NMSU-A campus.

C. Reference to Other Policies Impacting Freedom of Expression

In the event that the terms of this policy conflict with other existing policies impacting freedom of expression in areas generally accessible to the public, the terms of this policy shall prevail.

FUND RAISING/SALES AND SOLICITATIONS

Raising funds is a means for campus organizations to supplement their other resources in meeting the goals of their organization. In order to avoid conflicts, duplications, or violation of laws or regulations, it is necessary to establish guidelines to aid in coordinating such activities.

Although the University supports organizational fund raising efforts, it recognizes that the campus is not a market place to be exploited by opportunistic entrepreneurial projects. Fund raising is not the primary function of student organizations, and campus organizations do not have an implicit right to use the campus or the community for fund raising activities.

Fund raising through sales and solicitations, both on and off-campus are governed by University Sales and Solicitation Policies. Full text copies of these policies are available from the office of the Campus Student Services Officer. The Campus Student Services Office is responsible for interpreting the Sales and Solicitation Policy. The Campus Student Services Officer's office is located in Student Services Building, Room 203.

NON-DISCRIMINATION POLICY

The university is dedicated to providing equal employment and educational opportunities to all persons without regard to age, ancestry, color, disability, gender identify, national origin, race, religion, sexual orientation, spousal affiliation or veteran status. The university strives to comply with all federal and state nondiscrimination laws, including:

- Titles VI and VII, Civil Rights Act of 1964
- Age Discrimination in Employment Act of 1975
- Equal Pay Act of 1963
- Pregnancy Act of 1978
- Education Amendments of 1972, Title IX
- Section 504 of the Rehabilitation Act of 1973

- Vietnam Era Veterans Readjustment Act of 1974
- Executive Order 11246
- Executive Order 11141
- Americans with Disabilities Act of 1990
- Civil Rights Act of 1991
- New Mexico Human Rights Act

This dedication extends to recruitment, hiring, promotion, compensation, training, benefits, separations, and to the availability and delivery of all educational, academic, and student welfare programs and services. The Office of Institutional Equity/EEO Office is responsible for assuring compliance with equal employment opportunity programs throughout the university. Any individual who wishes to file a discrimination complaint or discuss discrimination issues is encouraged to contact the Office of Institutional Equity/EEO Director or the Human Resources (Personnel) Director if the individual is uncomfortable reporting the complaint to the Office of Institutional Equity/EEO Director. For nondiscrimination complaints or matters, employees may contact the Assistant Director of Employee Relations, Hadley Hall, room 15, and the telephone number is 646-4148.

To access the complete grievance procedures for discrimination, please refer to Chapter four, Section 4.05.10 of the New Mexico State University Policy Manual (dated September 8, 2006). Copies of this policy manual may be obtained via the Human Resources (Personnel) website at <http://www.nmsu.edu/manual/>

Sexual Harassment Policy/Hostile Work/Academic Environment

To access the complete Sexual Harassment Policy, please refer to Chapter three, Section 3.94 of the New Mexico State University Policy Manual (dated September 8, 2006). Copies of this policy manual may be obtained via the Personnel website at <http://www.nmsu.edu/manual/>.

All employees and students should be aware that the university is prepared to take action to prevent and remedy such behavior, and that individuals who engage in such behavior are subject to disciplinary action. Faculty and staff actual or apparent authority who engage in sexual harassment or neglect to control the work environment may be held accountable. Anyone who may have been subjected to sexually offensive behavior or conduct in the classroom or work environment is encouraged to contact the Office of Institutional Equity/EEO Director. The office is located at O'Loughlin House on University Ave. and the telephone number is 646-3635.

DISABILITY: Qualified students with disabilities are to be provided with reasonable accommodation in accessing buildings, programs, and services. Students are encouraged to contact the ADA Advisor in the Advising and Career Services department at 439-3725 for academic related services, and may refer to the "Campus Directory" for resource information, telephone numbers, and Telecommunication Devices for the Deaf (TDD) locations. Disability based discrimination grievances may be filed according to the procedures set forth in Section 4.05.10 of the New Mexico State University Policy Manual (dated September 8, 2006).

POSTER POLICY FOR NMSU-ALAMOGORDO

Posting/Distribution of Printed Materials on NMSU-A Campus

Posting/distribution of printed material for information, solicitation, promotion, or advertising must be conducted in accordance with the following regulations, as well as various policies governing specific University facilities. Items not in compliance will be removed.

- A. The placing of posters (informational material) and signs originating from

- campus units requires the approval of the Campus Executive Officer.
- B. Any announcements, postings, etc. not originating from a campus office or a campus organization must be approved by the Public Information Office (in Student Services Bldg.) before posting. Items posted improperly or without approval will be removed. The organization or individual that posts the information is responsible for proper removal/disposal of materials at the end of their usefulness in a manner that prevents littering.
- C. Posters/flyers must have the name of sponsoring organization clearly indicated, must not exceed 14" x 22", and must be removed the day following the election or advertised event.
- D. Advertising products/services as a commercial (for profit) distributor (or its representative) is NOT permitted. However, enrolled students are permitted to advertise personal items/services for sale (books, autos, tutoring, typing, babysitting, etc.). Such advertising is restricted to "note card" size not to exceed 4" x 6". Such advertising also must be approved by the Public Information Office.
- E. Advertisement of a religious or political nature will not be posted unless it is an approved activity which is sponsored by a chartered student organization.
- F. The institution will have final authority when determining which materials to post.

Approved Locations

- A. Approved and recommended locations for posting/distributing materials may be obtained from the Public Information Office.
- B. Because of limited posting space, there must be no more than two promotional posters/flyers in any single area.
- C. After material is approved, the cork bulletin boards or other designated locations on campus must be used for posting. (Cars, traffic signs, power/light poles, sidewalks, trees, walls, glass doors, floors, or any part of a University structure are NOT approved for posting/advertising).
- D. Personal advertising is restricted to the cork bulletin board in the "Glass House." (See E above).
- E. Temporary directions, signs for conventions, tours, or other special events may be displayed in a manner appropriate to the space and surface but must be removed promptly by the sponsoring group. Such signs must have prior approval through the activity approval form process.

Approved Attachment Methods

- All materials must be affixed in designated locations in a manner appropriate to the display space and surface.
- A. Bulletin boards accept tacks or pins. (Masking tape is recommended for non-tack surfaces.)
- B. Scotch tape, nails, tacks, etc. that damage surfaces or leave residue are NOT approved.
- C. Individuals or organizations will be held responsible for damage or costs of removal

The foregoing policy does not exclude advertising in University publications or other media.

SMOKING POLICY

Accumulating evidence has shown environment or second hand tobacco smoke increases the risk of cancer and other health hazards for non-smokers as well as smokers. NMSU has a vital interest in maintaining a healthy and safe environment for its students, faculty, staff and visitors while respecting individual choice. Consistent with these concerns and the New Mexico Clean Indoor Air Act, NMSA 1978, § 24-16-1 through 11, the following policy has been established to restrict smoking of tobacco, or any other weed or plan, and provide procedures for accommodating the preferences of both smokers and nonsmokers.

Smoking of tobacco products is prohibited in all buildings (exceptions below owned or leased by the University as well as within 25 feet of entrance or exit, vehicles, and during some organized outdoor events on University property.

SMOKE FREE AREAS

Smoking is prohibited in or at:

- all enclosed buildings and facilities including classrooms, offices, food service venues, lavatories;
- within 25 feet of building entrances and exits (when reasonable) and fresh air intake grills unless it is a specially designated smoking area.
- partially or fully enclosed walkways, corridors, elevators vehicles owned, leased or rented by the University; and
- within 50 feet of any area where flammable materials are handled or stored, or where other significant fire hazard may exist
- indoor athletic or other University-sponsored or designated events.

No Smoking signs or the international no-smoking symbol will be posted at major entrance of University buildings.

SMOKING PERMITTED AREAS

Smoking is permitted outdoors on university property except during organized events which have been designated as "No Smoking". Individuals choosing to smoke outdoors must be 25 feet from doorways, open windows, enclosed walkways, and ventilation systems to prevent smoke from entering enclosed buildings and facilities, and to prevent public access from being denied to an individual with a respiratory medical condition.

EDUCATION AND SERVICES FOR SMOKERS

In light of numerous adverse health effects associated with active smoking, and with exposure to second hand smoke, the University will provide educational services to faculty, staff, and students about the hazards of smoking and information and services on quitting smoking.

COOPERATION AND COMPLIANCE

This policy relies on the mutual courtesy and cooperation of smokers and nonsmokers for its success. It is the responsibility of all members of the NMSU community to observe the provisions of this policy on smoking. Complaints or concerns or disputes regarding its implementation should be referred to the immediate supervisor for resolution. Environmental Health & Safety will assist in determining what distance or location is reasonable for the particular situation. If a resolution cannot be reached, the matter will be referred to a campus administrative officer, manager, department heads and unit directors are responsible for seeing that

persons in their areas are informed and comply with this smoking policy. Those having difficulty complying with these restrictions are encouraged to seek assistance from the resources listed in Section 4. Students, faculty, and staff violating this policy are subject to disciplinary action. Any person who commits an unlawful act under any of the provisions of the New Mexico "Clean Indoor Air act" shall be fined in an amount not less than ten dollars or more than twenty-five dollars for each violation.

DISPOSAL OF TOBACCO WASTE

Anyone who chooses to smoke or use smokeless tobacco on campus must discard the waste in an appropriate manner.

SPEAKER POLICY FOR NMSU-ALAMOGORDO

A student organization must be officially chartered before the organization can issue any invitation to an off-campus speaker.

Contracts and financial commitments will be approved only after the sponsoring organization has given two (2) weeks notice (by submitting an Activity Request Form) and only after a statement from the Business Office has been received certifying that the organization has a balance on hand for the program, including facility rental, speaker's fee, advertising, and any other expenses.

The University reserves the right to select a full-time member of the University's tenured faculty or professional staff to preside at meetings at which off-campus persons are speaking.

The sponsoring organization shall assume full responsibility for courteous treatment of the speaker and ensure him or her the freedom to speak.

Speakers shall agree to receive and answer questions from the audience.

Any chartered student organization that violates the speaker policy or any of these regulations shall be subject to disciplinary action that may result in the loss or suspension of recognition, or the imposition of other sanctions.

These regulations and the speaker policy shall be included as part of all contracts with off-campus speakers.

The Campus Student Services Officer, or his/her designee, shall be notified of all speakers invited to campus.

VACATING UNIVERSITY BUILDINGS OR PROPERTY

The University recognizes the importance of providing a venue where members of the community can freely and openly express their ideas. However, if an individual(s) and/or organization improperly or illegally occupies university buildings or property, the following statement will be read:

"You are violating university regulations and/or State laws concerning improper occupations of buildings or property. If you leave within the next 10 minutes, no further action will be taken. If you do not leave within 10 minutes you may be arrested. If you are a student, you may also be subject to disciplinary action as outlined in the Student Code of Conduct."

In the event a crime (other than the peaceful, but illegal occupation of a building or property) has occurred, is occurring, or is about to occur, action may be taken without regard to the above statement by the appropriate university officials in order to protect the safety, lives, and property of the university community.

**STUDENT RIGHT-TO-KNOW AND
CAMPUS SECURITY ACT OF 1990**

The Student Right-to-Know Act and Campus Security Act of 1990 requires NMSU-A to provide students a summary of campus security procedures, and a report of campus crime statistics. Security procedures and crime statistics are published in the online NMSU-A course schedule.

Note: Policies are subject to change; check the NMSU website for updated information at <http://www.nmsu.edu/~vpsa/handbook.html> or on the NMSU-A Campus website at <http://www.alamo.nmsu.edu>, under Student Resources.

MISSION STATEMENT

The mission of New Mexico State University at Alamogordo is to provide quality learning opportunities for individuals in the diverse communities we serve.

For additional information or clarification of the policies and procedures detailed in this publication, contact:

Campus Student Services Officer
Student Services Building, Room 203
New Mexico State University at Alamogordo
2400 North Scenic Drive, Alamogordo, NM 88310
(505) 439-3716

The university is dedicated to non-discrimination and equal opportunity in education and employment in compliance with state and federal laws which prohibit discrimination on the basis of race, color, national origin, ethnicity, gender, gender identity, sexual orientation, spousal affiliation, physical or mental disability, serious medical condition, or veteran status. NMSU's dedication to non-discrimination extends to recruitment, admissions, education, scholarships, and other tuition assistance, social and recreational programs, hiring, promotion training, and other employee actions such as work assignments, compensation, benefits, transfers, layoffs, and terminations. Additionally, NMSU's mandated affirmative action plan is evidence of our dedication to excellence in everything we attempt to accomplish.

It is to be understood that any item is subject to modification at any time by proper administrative procedure.

Programs and services at New Mexico State University at Alamogordo are available to all students without regard to age, ancestry, color, disability, gender, national origin, race, religion, sexual orientation, or veteran status.

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