

# FACULTY HANDBOOK

FALL 2020

NORTHERN NEW MEXICO BRANCH COMMUNITY COLLEGE

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# BRANCH COMMUNITY COLLEGE FACULTY HANDBOOK

*The supervision of all faculty members, the management of all academic departments, instructional programs, and school facilities is the responsibility and obligation of the parent institution, Northern New Mexico College Board of Regents and its College Administration. Northern New Mexico College Board of Regents and its College Administration retain all rights not specifically limited by this Handbook.*

*All other policies and procedures are found on the Northern New Mexico College Website.*

## **PREFACE**

### **Branch Community College Faculty Philosophy**

The faculty performs a significant role in the Northern New Mexico Branch Community College (“Branch Community College”). It is the essential and continuing instrument through which the educational process occurs. Within its area of responsibility at the Branch Community College are the following functions:

1. Instruction and student advisement.
2. Consultation and advisement with the President, Provost, Chairs, and administrators of Northern New Mexico College (“College”), in their management of the Branch Community College, via the constituted committees of the branch institution.
3. Contribution of expertise and knowledge affecting issues, problems and goals of the institution.
4. Participation in the:
  - a. Determination of programs of instruction and related curricula.
  - b. Ongoing review of the institutional mission, philosophy, and goals.
  - c. Ongoing accreditation process.
  - d. Ongoing licensure of programs.
  - e. Establishment of admission standards.
  - f. Establishment of graduation requirements.

The faculty of the Branch Community College is responsible for, and committed to, the following:

1. Knowledge of subject matter and instructional skills.
2. The development and maintenance of relevant curricula, as well as methods of instruction.
3. Integrity for each individual faculty member in the performance of their instructional duties.

4. A high level of dedication and sense of responsibility toward faculty duties, the students, and the instructional objectives.

### **Branch Community College Faculty Handbook Revision Policy**

The procedure for revisions to the Branch Community College Faculty Handbook is as follows:

1. As the judiciary authority of the Branch Community College, the Board of Regents of Northern New Mexico College or its designee may make changes to the Faculty Handbook at any time when needed. Suggestions for changes may be initiated by the Faculty too.
2. Proposed changes initiated by the Faculty will be presented by the Branch Community College Faculty Senate President to the College Provost. The College Provost will ensure that the proposed changes to the handbook do not conflict with other Branch Community College policies. The College Provost may accept the revisions or send the proposal back to the Branch Community College Faculty Senate with comments for modification.
3. The President of the College or a designee will approve the revisions in writing and present them to the College Board of Regents for consideration and/or final approval after the 15 -day all-campus review and comment period. The Branch Community College District Board will be informed on any changes to the Faculty Handbook.
4. The proposed and approved changes will become effective when approved by the College Board of Regents or their designee when appropriate.
5. Once approved, the Branch Community College Faculty Handbook will be posted on the College website and/or any Branch Community College website in the online Policy and Procedures Manual and announced via Broadcast to the entire Branch Community College campus community.

## **Part I. Branch Community College Governance and Organization**

### **I. A. The Board of Regents**

The primary responsibility of governance rests with the Board of Regents of Northern New Mexico College (“College Board of Regents”). Its basic duties include budget approval, policy approval, selection of the Branch Community College Director, approval of all programs including major revisions and deletions, and general oversight of the total operation of the Branch Community College institution. The College Board of Regents works through the Director who is responsible for the day-to-day administrative activities, which include making recommendations to the College Board of Regents and implementing its policy decisions.

### **I. B. The District Board**

The primary responsibility of the District Board is to approve a budget recommendation for the Branch Community College to the College Board of Regents.

### **I. C. The Branch Community College Director**

Unless otherwise specified herein, or unless a separate Director is appointed by the College Board of Regents, all references to Director shall mean the Northern New Mexico College President.

### **I. D. Branch Community College Faculty Governance**

The faculty shares responsibility for the governance of the Branch Community College institution with the Director and the administrative staff. This responsibility is defined as consultative-advisory in nature and has no judiciary authority. Under no circumstances can the authority of Faculty supersede the authority of the College Board of Regents. The more the subject concerns instructional matter and/or faculty welfare, the larger the faculty role. In general, however, the Faculty shall govern itself and participate in the governance of the institution in the following manner:

1. Instructional matters, including the establishment of curriculum and programs, the development of policies regarding the granting of degrees, certificates, and credits, and all matters impinging upon the development and delivery of instruction shall be referred to the faculty for study and consideration.

2. The "Constitution and By-Laws" spell out the authority of the faculty, the Faculty Senate and its committees.

**I. E. Faculty Appointment to Institutional Committees**

The Director or designee shall determine which institutional committees will be established and the responsibilities of those committees.

**Part II. The Branch Community College Faculty**

The Branch Community College employs qualified and competent faculty members to accomplish the mission, vision, and goals of the institution. The institution also considers competence, effectiveness, and professional capacity, including, as appropriate, professional licensure and certifications, undergraduate and graduate degrees, related work experiences in the field, professional honors and awards, academic and/or regional community service, continuous documented excellence in teaching. Other demonstrated competencies and achievements that contribute to effective teaching, student learning outcomes, and institutional advancement are considered. In all cases, while the faculty can assist in evaluating the qualifications of faculty candidates, the College Provost is ultimately responsible for justifying, documenting, and approving the qualifications of the Branch Community College's faculty.

**II. A. Definition of Faculty**

Branch Community College faculty shall consist of all individuals who teach in the academic programs of the institution. Faculty appointments and privileges vary according to the nature, rights and responsibilities, the term of appointment, assignments, and administrative roles. Because of this variance, what follows is a series of definitions that clarify the meaning and application of the terms:

**1. Full-time Instructors**

Full-time instructors are faculty appointed on an annual basis and hired under a faculty contract under a probationary basis. They have no right to reappointment. Instructors are normally hired in Career and Technical Education Programs and certain Academic Programs. Appointments of instructors follow the recommendation of the Chair

and the approval of the College Provost. Appropriate certification, licensure, and/or professional achievements may justify the appointment.

**2. Part-time Instructors**

Part-time instructors are persons employed on a faculty contract with a portion (normally one-half) of the workload, are compensated on a pro-rated basis including fringe benefits, and are normally hired in Career and Technical Education Programs and certain Academic Programs. They have no right to reemployment. Appointments of part-time instructors follow the recommendation of the Chair and the approval of the College Provost. Appropriate certification, licensure, and/or professional achievements may justify the appointment.

**3. Adjunct Instructor**

An adjunct instructor is appointed on a term contract for instructional, temporary and part-time assignments. They are not assigned other responsibilities such as professional service or Branch Community College community service. They have no right to reappointment. Persons appointed at this level will vary in minimal academic qualifications described in Section II.C. All degrees shall be from accredited institutions (licensed program when applicable) or from internationally reputable and recognized institutions. Exceptions to these requirements may be made by the College Provost upon presentation of evidence of a record of experience or other credentials that indicate academic degree equivalence. Appointments of adjunct instructors follow the recommendation of the Chair and the approval of the College Provost. Appropriate certification, licensure, and/or professional achievements may justify the appointment.

**4. Faculty Chairpersons**

Faculty chairpersons are instructors who have a reduced teaching load with additional compensation. They are supervisors responsible for the management, personnel of an instructional department comprised of more than one degree or certificate program. Chairs are appointed by and report to the College Provost.

**5. The Provost**

The College Provost is the chief academic officer of the Northern New Mexico College and is responsible for all education and public service efforts of the Branch Community College's faculty. The College



Provost is a member of the general faculty of both the College and the Branch Community College.

## **II. C. Minimum Branch Community College Faculty Qualifications by Program**

To be qualified to teach in a respective field of study, the following minimum academic credentials are required. Instructors teaching in programs with specific accrediting requirements must meet the minimum criteria for faculty qualifications recommended by the accrediting agency. An employee who fails to maintain required licenses, certifications or minimum qualifications for the employee's position may be removed from the employee's position and may be terminated for cause at the sole discretion of the institution.

### **1. Associate of Science**

To teach in this field of study, a minimum of a master's degree is required from an accredited institution in the teaching field or related field. Also acceptable is a bachelor's degree, certificate, or associate's degree with a license from the state of New Mexico in the relevant discipline.

### **2. Associate of Applied Science**

To teach in this field of study, a master's degree is required in the relevant discipline from an accredited institution. Also acceptable is a bachelor's degree, certificate, or associate's degree with a license from the state of New Mexico in the relevant discipline.

### **3. Associate of Arts**

To teach in this field of study, a master's degree is required in the relevant discipline from an accredited institution. Also acceptable is a bachelor's degree, certificate, or associate's degree with a license from the state of New Mexico in the relevant discipline.

### **4. Developmental Courses**

To teach in this field of study, a minimum of a master's degree is required from an accredited institution in the teaching field or related field.

## **5. Exceptions**

Qualified faculty are identified in part by credentials, but there are limitations to considering only the degrees earned. Academic disciplines, degree programs, and curricula are not static. Because of changing academic, societal and workforce needs, colleges and universities are developing interdisciplinary and other nontraditional programs that require faculty to think beyond their own disciplines and traditional academic programs to determine what students should know and to design curricula accordingly. In those cases, as well as in practice-oriented disciplines, including courses in the Studio Arts or in Health, Physical Education Recreation (HPER) fields, tested and significant experience in the field may be used.

The Chairs with the approval of the College Provost may identify qualified faculty who do not hold the prescribed credentials but are considered experts in their field. A tested experience form will be completed in such cases and these faculty members may be considered for appointment.

The tested experience process will demonstrate that the potential faculty member shall a) have more than five years of supervised experience in the industry or field they will be teaching, or b) have a certification and/or licensure by a recognized certifying or licensing state, industry, or national agency in the field or industry they will be teaching, or c) have on the job training in the industry or be an expert in the field (including academia, different from teaching alone) that he/she will be teaching. Evidence could include a letter from a current or previous employer, record of research, scholarship, or achievement.

## **6. Seniority**

Seniority shall be defined as the total length of time of continuous full-time employment in an instructor position at the Branch Community College and/or Northern New Mexico College. Seniority credit shall commence with the full-time faculty member's most recent date of full-time employment. Adjunct instruction time does not count for seniority. Time spent on paid leave shall be counted for seniority purposes. Time spent on approved unpaid leave shall not constitute a break in continuous service but shall not be counted for seniority purposes. The Branch Community College will maintain a seniority list of all faculty members ranked in order of seniority within each contractual academic discipline. Seniority shall be forfeited in

circumstances, including, but not limited to resignation, termination, or retirement. Seniority is not lost in the situations below:

- a. A faculty member is part of a reduction in force and is subsequently rehired. In such a situation, the individual retains the seniority they had when terminated.
- b. A faculty member moves into an administrative position and back to a faculty position. In such a situation, the individual accrues seniority as if they have stayed in a faculty position.

## **II. E. Branch Community College Faculty Contracts**

### **1. Academic Calendar and Work Year**

The work year is normally defined by the academic calendar, which is approved by the Administration. The academic calendar for Fall shall begin with the convocation week and shall end with the date that final grades are due for the Spring semester. Faculty are required to attend the Fall and Spring convocation week events and the Fall and Spring Graduation ceremonies. The following holidays will be observed during the term of this Agreement:

- a. Labor Day
- b. Fall Break as defined in the Academic Calendar
- c. Veteran's Day
- d. Thanksgiving, the Wednesday prior, and the Friday following
- e. All days when the Branch Community College is closed for Winter Break as defined in the Academic Calendar
- f. Martin Luther King's Birthday
- g. Good Friday
- h. Spring Break as defined in the Academic Calendar.

### **2. Outside Employment**

The primary responsibility of faculty members is to render to the institution their most effective commitment to teaching, scholarship, and service. At the same time, consulting and other outside activities of a professional nature are encouraged by the institution where such activities give the faculty member experience and knowledge valuable to professional growth and development. These activities may help the faculty member make worthy contributions to knowledge, or contribute to instructional programs, or otherwise make a positive contribution to the institution, community, or profession (discipline).

No outside service or enterprise, professional, or other, should be undertaken that interferes with the faculty member's primary

responsibility to the institution. While a faculty member is allowed to engage in outside professional activities (such as consulting, teaching for another institution, pursuing a degree or licensure, working a second job, or operating a personal business.), this must be clearly subordinate to their teaching, advising, scholarly activities, and service responsibilities.

The faculty member is required to inform their supervisor in writing and shall obtain prior approval from the College Provost to make sure that there is no conflict with job assignments and outside activities. This approval will be documented with the Human Resources department.

Faculty members involved in outside employment activity must complete an outside employment disclosure form at the time of outside employment and resubmit it every academic year or immediately after a change happens during the academic year. If an activity presents a potential conflict of interest, it will be handled according to the Code of Conduct policy.

### **3. Summer Employment**

It is the Branch Community College administration's right to determine instructors for summer courses.

Full-time faculty members selected for summer employment will be paid according to Section III.A.

### **4. Facilities, Equipment, and Support**

Subject to available funding, the Branch Community College will provide classroom space, office space, library access, internet connection, access to the learning management system (LMS) when appropriate, equipment, and materials to aid in the faculty member's performance.

### **5. Health and Safety**

The Branch Community College will comply with all applicable State and Federal laws relating to safe working conditions. Whenever a faculty member becomes aware of a condition which the faculty member feels is a violation of an institutional safety or health rule or regulation, or College Board of Regents policy regarding work environment and discrimination; the faculty member will report such condition to an appropriate administrator who will promptly

investigate such conditions and, if appropriate, remediate in a timely manner.

Protective devices and first aid equipment will be provided to faculty members who practice in a hazardous institutional environment. The faculty members will be responsible for the proper use of such devices.

## **II. F. Branch Community College Faculty Responsibilities and Duties**

### **1. Faculty Workloads**

Faculty workloads shall be distributed among all faculty members. The preparation of teaching schedules shall be the responsibility of the department Chairperson in coordination with the Branch Community College. The institution maintains ultimate authority and discretion under the law concerning the assignment of duties. Thus, the course schedule will be determined at the sole discretion of the Chairperson and the College Provost. The Chairpersons may consider recommendations from faculty members. The Branch Community College shall continue to notify the faculty member of their tentative teaching schedule. Changes in faculty member's teaching schedule may be made as the need arises and faculty shall be notified of said changes. The final determination of teaching schedules shall be made exclusively by the Branch Community College. Monitoring of workloads is the responsibility of the supervisor and is intended to ensure that responsibilities are equally distributed. With the approval of the College Provost, the Chairperson may grant release time for special assignments or responsibilities.

Normal working hours for faculty occur between 8:00 am and 7:00 pm, Monday through Friday, unless the faculty member teaches evening or weekend classes, in which case the hours must be kept as appropriate for that faculty member's normal teaching schedule. Courses may be scheduled in any of the two campuses, other approved sites, or in a distance education modality determined by the Chairperson.

Full-time faculty members are employed on a full-time basis and are required to be available when they are under contract during normal working hours including periods when classes are not in session and the Branch Community College is open.

Faculty are required to attend the Fall and Spring convocation week events and the Fall and Spring Graduation ceremonies. Faculty members are required to attend any “Assessment Days” per academic year. Full-time faculty members shall be present on campus for all professional duties and obligations, including but not limited to classes, departmental meetings, accreditation work, and faculty meetings or events called by the Chair/College Provost or Director. Full-time faculty shall schedule a thirty five (35) hours per week, in person on campus, for office hours, advisement, or Branch Community College service; except when the faculty member is assigned weekend or evening courses. Office hours shall be posted on their office door and on the self-service banner. At the beginning of the semester, faculty members will submit their schedule to their Chair and must identify the hours that they will be on Campus.

The workload distribution will be determined in coordination with the supervisor based on the following four criteria:

- Teaching effectiveness. The teaching of students is central to the mission of the institution. Given the mission of the institution, instructors must demonstrate excellence in teaching, including assessment of student learning. Classes are to be met as scheduled including final exam week.
- Advising. Faculty must be committed to the academic well-being of students. Effective advising helps create an environment that fosters student learning and student retention.
- Service to the Branch Community College community. Faculty members are expected to provide service to the institution, its students, programs, and professional disciplines, as collegial and constructive members of the institution and the broader community.
- Mastery of discipline and professional development. All faculty should be positively engaged in their disciplines and should be recognized for their expertise.

These four areas are described in greater depth as follows:

i) Teaching effectiveness.

The teaching of students is central to the mission of institution. Given the mission of the institution, instructors must demonstrate excellence in teaching, including the assessment of student learning outcomes.

Good teaching, defined as much more than classroom activities, may be demonstrated in a variety of ways. The following list is illustrative rather than exhaustive.

- Meeting all class sessions from start to end times and keeping student attendance
- Integration of Branch Community College-wide outcomes and accrediting agencies (when applicable) outcomes in course syllabi, instructional design, and student assessment
- Integration of technology in instructional design and delivery. Learning Management System (e.g. Blackboard) integration into the courses for student learning enhancement.
- Developing online courses
- Continuing course alignment, exploring new adaptive technologies into course content and incorporating them, etc.
- New curriculum development
- Integration of industrial credentials/standards into courses
- Inviting speakers to classroom or general audience talks
- Developing intervention efforts for low performing students using tools such as Early Alert tickets
- Peer reviews based on the clarity of course goals, organization, use of technology and knowledge of the field
- Documents attesting to improvement in teaching
- Documentation of honors and awards given for teaching
- Implementation of innovative teaching techniques
- Participation in educational activities of professional associations
- Attendance or leadership of meetings related to the instructor's professional expertise
- Lecturing or making presentations to student groups, colleagues, or the Branch Community College community
- Letters of recommendation from other professional sources
- Participation in service learning activities

#### ii) Student Advising

Faculty must be committed to the academic well-being of students. Effective advising helps create an environment that fosters student learning and student retention. The formal and informal advising and mentoring of students is an indispensable component of the broader education at the institution.

To demonstrate excellence in student advising, faculty must provide the following documents:

Faculty may include documents to demonstrate their efforts from the following list, which is illustrative rather than exhaustive:

- Meeting with all advisees and keeping narratives/logs.
- Performing degree audits
- Contacting unregistered advisees
- Documenting the meeting with advisees
- Advising students that are not instructor's advisees in the absence of the primary advisor
- Mentoring or tutoring students
- Assisting students in the selection of courses and career options
- Implementing special review sessions for students
- Keeping an "open door" policy toward students
- Advising all majors of instructor's department
- Use degree works for advising and auditing transcripts
- Advising evening students

iii) Branch Community College, Public, and Community Service

Faculty service is essential to the institution's success in serving the institution and the community. It is the responsibility of the individual faculty member to perform a broad array of services that are vital to supporting and sustaining the quality and effectiveness of the Branch Community College. Faculty members are expected to provide service to the institution, its students, programs, and professional disciplines, as collegial and constructive members of the institution and the broader community. Examples include service in faculty governance, Branch Community College committees, professional organizations, governmental entities, and community non-profit agencies. The following lists are illustrative rather than exhaustive:

Branch Community College Service

Branch Community College service means committee work at the departmental and Branch Community College level. Faculty must present letters from committee chairs verifying attendance and participation on committees.

- Academic program development
- Program coordination or assistance
- Assist with the development of accreditation documents and new programs
- Student organization advising



- Attendance of departmental meetings
- Participation in departmental sponsored activities
- Arranging professional opportunities for students
- Working on activities related to the departmental grants
- Participation in institutional governance including Faculty Senate, and institutional committees
- Branch Community College service at the state or regional level
- Representing the institution at public events
- Participation in student recruitment efforts

#### Community and Public Service

- Serving on boards or advisory councils at the local, state, national and international levels
- Lectures or presentations to local groups in the community
- Work with community leaders to develop solutions to community problems
- Work with the local community as a volunteer
- Participation in activities that increase the desire of non-college students to attend college
- Participating in student recruitment efforts

#### iv) Mastery of Discipline and Professional Development

Faculty with assignments in research will be evaluated by the standards appropriate to the field. All faculty should be positively engaged in their disciplines and should be recognized for their expertise. The following are examples of professional development and scholarship. The list is illustrative but not exhaustive:

- Creative work presented
- Professional consulting
- Service as an officer of a state, regional or national association
- Service on editorial boards
- Service on a professional task force
- Participation in curriculum development in the instructor's discipline at the state or regional level
- Managing, writing and/or reviewing grant proposals
- Contributions to improve teaching technology
- Demonstrated growth in the subject matter
- Demonstrable command of subject matter
- Contributions to curriculum development

- Demonstrable quality improvement in teaching strategies incorporating new technologies (where applicable) and new approaches to learning

#### Academic Year Teaching Load:

In particular, the teaching load is determined with the following parameters:

The normal teaching load for full-time instructors is fifteen (15) credit hours per semester. When appropriate, the supervisor may approve 15 contact-hours instructors as an exchange of other activity on Campus related to student advisement, accreditation, recruitment, and other activities.

When a faculty member is teaching two or more scheduled classes at the same time (e.g., cross-listed courses), only one of the classes will be counted in the workload computation. The workload for courses that are co-taught will be calculated equally by dividing the normal workload of the particular course by the number of faculty members teaching it or in a pro-rated way if the workload is not equally distributed among the faculty members. In special situations, such as co-op courses, lab courses, field experiences, capstones, independent studies, and practicums, the workload credit hours shall be computed by the Chair with the College Provost's approval.

A Chair's teaching load is 15 credit hours per year (distributed in two semesters). Additional administrative time may be approved when preparing for accreditation, curriculum revision, and other administrative activities.

#### Teaching Overload

When a faculty member needs to teach more than the assigned teaching load during a semester, the Chair may approve the overload. However, to determine if an overload exists, all courses taught by the faculty member will be considered. The fifteen (15) credits of the normal teaching load per semester (fifteen (15) per year for Chairs) will be determined by the courses with the highest enrollment. The courses that will be paid as an overload will be those courses with the lowest enrollment. The compensation for an overload is addressed in Part III.A.

#### Student Advising

Each faculty member shall serve as an advisor to students. Advisors shall assist students in course selection, scheduling, auditing of transcripts, and making sure that all academic requirements for certificate or degree programs are met. When necessary, students shall be referred to the appropriate support services for assistance. Full-time faculty shall schedule advisement hours every semester. Advisement hours shall be posted on their office door and Self Service Banner (SSB).

#### Class cancellations

To meet accreditation standards, faculty members shall not cancel scheduled classes in any circumstances without prior written supervisor approval. For absences that are approved in advance by the program or department chair, instructors should find an acceptable substitute for their classes or obtain the chair's approval for an alternate means of making up the student contact hours. For unanticipated absences such as illness or family emergency, faculty members must notify the Chair as soon as possible so that arrangements can be made regarding classes and other scheduled activities. Faculty members should find an acceptable substitute for their classes or obtain the chair's approval for an alternate means of making up the student contact hours. Failure to notify the program or department chair of a missed class meeting or excessive absences from class obligations can result in disciplinary action.

#### Course delivery/schedule changes

Faculty members shall not change the delivery method of instruction or the approved schedule of classes and assigned classroom under any circumstances without prior written supervisor approval and without advance written notification to the office of the registrar.

#### Academic year contract

Faculty members are engaged and paid on the basis of an academic year contract, including days when the community college is open, and classes are not in session. Supervisors may require attendance any day during the term of the contract.

#### Contract length

Faculty will be issued a contract for one academic year (9-months). For additional months of service, the College will issue a supplemental contract.

## **2. Faculty Responsibilities and Duties**

### Professional Ethics

Faculty members shall demonstrate respect for the students, Branch Community College faculty members, staff members, administrators, and other members of the Branch Community College community in their role as intellectual guides, foster honest academic conduct, and promote an atmosphere that is conducive to learning and the acquisition of scholarly standards. They shall strive to help each student realize his or her potential as a worthy and effective member of society.

### Collegial Respect

Faculty members will demonstrate respect for their colleagues, uphold academic ethics, collaborate, and model the culture of the academy. In fostering an environment of collegial respect, faculty will observe basic etiquette, honor each other's intellectual domain and individual strengths while collectively working towards meeting the needs of students in fulfillment of institution's mission.

### Faculty Duties

Each faculty member shall be responsible for the following:

- a. Become familiar with institutional policies and procedures
- b. Be able to explain to students the course content and requirements and distribute a course syllabus during the first day of scheduled class
- c. Meet every assigned class at its designated time except for illness, emergencies, and approved absences
- d. Submit midterm and final grades before the deadline.
- e. Assume responsibility for the security of institutional facilities and equipment
- f. Maintain a classroom that is conducive to learning and indicate a sincere interest in students' education
- g. Arrange for equipment, supplies, and materials necessary for instruction
- h. Advise students concerning academic achievement, absences, and tardiness that might jeopardize satisfactory progress
- i. Emphasize to all classes the importance of prompt, regular and continuous class' attendance
- j. Maintain accurate scholastic records of students enrolled in each class and submit course enrollment correction forms to the registrar by the due date, and grade reports to the Registrar's Office by the due

date. This includes attendance recording for every class in a manner that the institution determines appropriate.

k. Refer students who need special consideration to the appropriate student services

l. Report all irregularities, questions, or problems concerning instruction to the department supervisor

m. Keep credentials and certifications (as required) current and on file in the Human Resource Office

n. Conduct assigned classes in accordance with the stated philosophy and objectives of the community college and in accordance with the approved master course syllabus

o. Participate in all activities directed by the supervisor related to student learning outcomes assessment and accreditation processes when they are required by the program of study

p. Participate in all activities directed by the supervisor related to student advisement, student recruitment, and student retention

q. Initiate purchase requisitions as appropriate

r. Recommend course textbooks and submit it to the appropriate textbook adoption website

s. Recommend the selection of library books, reference materials, and periodicals for the Library

t. Perform registration duties

u. Attend and support activities of the institution such as scheduled and special faculty and department meetings and assigned committee meetings

v. Actively assist in the recruitment of students

#### **4. Chairperson Duties**

Each Chairperson shall be responsible to the College Provost (or designee) and shall:

a. Supervise assigned personnel and coordinate all departmental activities

b. Coordinate efforts with faculty and make proper recommendations related to the development of new courses and programs, the revision or deletion of existing courses and programs, and the maintenance of instructional standards within the department

c. Provide leadership in formulating, developing, revising program objectives and curriculum, and maintaining current course outlines and syllabi which accurately reflect the instructional program

- d. Supervise instructional activities within the department, including evaluation of curriculum, teaching methods, effective use of the library and support programs, testing techniques, and audio-visual aids
- e. Schedule and preside at regular departmental meetings to review areas of concern and maintain communication. Maintain and distribute minutes of all meetings to department personnel
- f. Ensure that faculty maintain scheduled office hours and equitable workloads
- g. In coordination with the Office of Human Resources, orient new department personnel and ensure that all assigned personnel are familiar with academic policies, regulations, and procedures.
- h. Evaluate formally or informally department personnel and the overall effectiveness of instruction within the department
- i. Recommend to College Provost appropriate renewal or non-renewal of contract, promotion, or dismissal of personnel within the department
- j. Ensure functional advisory committees as required by degree programs
- k. Verify that safety guidelines are in place as required by appropriate program oversight standards
- l. Monitor the attendance of personnel within department and approve faculty leave requests
- m. Assist in the registration process, coordinate advisement, and registration duties to personnel within department
- n. Assist on articulation agreements with post-secondary and secondary institutions
- o. Validate faculty selection of textbooks for bookstore adoption
- p. Verify that adequate supplies and equipment are available for the department
- q. Review materials for the Branch Community College catalog and other institution publications ensuring an accurate representation of the department
- r. Participate in the screening and interviewing process for department personnel and make recommendations for employment within procedural guidelines
- s. Coordinate the development of the annual recommended budget for assigned department and submit the budget to the College Provost
- t. Maintain records and controls to assure that the department operates within established budget limits
- u. Coordinate all purchase requests within the department

- v. Serve as liaison between department and institutional personnel and/or public
- w. When necessary, discipline faculty and staff members under their authority
- x. Inform the College Provost of departmental needs, concerns, changes, or irregularities that warrant attention
- y. Instruct as assigned by the College Provost within limits as described under Faculty Workloads of this handbook
- z. Assume responsibilities and duties required of faculty and additional assignments outlined for Chairpersons
- aa. Assume additional duties assigned by the College Provost or designee

## **II. G. Academic Freedom, Faculty Member Investigations, and Progressive Discipline**

### **1. Academic Freedom**

The Branch Community College is committed to the promotion of responsible academic freedom for its faculty and students. The major premise of academic freedom is that open inquiry and expression by faculty and students is essential to the institution's mission. Academic freedom will be understood to include the following:

- Academic freedom means that both faculty members and students can engage in intellectual debate without fear of censorship or retaliation.
- Academic freedom establishes a faculty member's right to remain true to his or her pedagogical philosophy and intellectual commitments. It preserves the intellectual integrity of our educational system and thus serves the public good.
- Academic freedom in teaching means that both faculty members and students can make comparisons and contrasts between subjects taught in a course and any field of human knowledge or period of history.
- Academic freedom gives both students and faculty the right to express their academic-related views — in speech, writing, and through electronic communication, both on and off-campus — without fear of sanction, unless the manner of

expression substantially impairs the rights of others or, in the case of faculty members, those views demonstrate that they are professionally ignorant, incompetent, or dishonest with regard to their discipline or fields of expertise.

- Academic freedom gives both students and faculty the right to study the topics they choose and to draw what conclusions they find consistent with their research, though it does not prevent others from judging whether their work is valuable and their conclusions sound. To protect academic freedom, universities should oppose efforts by corporate or government sponsors to block the dissemination of any research findings.
- Academic freedom means that the political, religious, or philosophical beliefs of politicians, administrators, and members of the public cannot be imposed on students or faculty.
- Academic freedom gives faculty members and students the right to seek redress or request a hearing if they believe their rights have been violated.
- Academic freedom gives faculty members and students the right to challenge one another's views, but not to penalize them for holding them.
- Academic freedom includes the assessment of student academic performance, including the assignment of particular grades and the following principles in assigning grades: (1) the individual faculty member has the responsibility for the assignment of grades; (2) students should be free from prejudicial or capricious grading; and (3) if the faculty member does not initiate a change of grade, no grade may be assigned or changed without following the Grade Appeal Process applicable to the Branch Community College. The review of a student complaint about a grade should follow the current procedure established by the institution.
- Academic freedom does not mean a faculty member can harass, threaten, disrespect, insubordinate, intimidate, ridicule, or impose his or her views on students, faculty members, staff members, administrators, and other members of the Branch Community College community.



- Student academic freedom does not deny faculty members the right to require students to master course material and the fundamentals of the disciplines that faculty teach.
- Academic freedom does not protect an incompetent faculty member from losing his or her job.
- Academic freedom does not protect faculty members from a colleague/student challenge or disagreement with their educational philosophy and practices.
- Academic freedom does not protect faculty members from college or non-college penalties if they break the law or Branch Community College policy/regulations.
- Academic freedom does not protect students or faculty from disciplinary action, but it does require that they receive fair treatment and due process.
- Academic freedom does not protect faculty members from sanctions for professional misconduct, though sanctions require clear proof established through due process.
- Academic freedom does not protect a faculty member who skips class or refuses to teach the classes or subject matter assigned including the delivery mode established in the schedule.
- Academic freedom does not allow a faculty member to prevent a talk or event.
- Academic freedom does not protect a faculty member from investigations into allegations of scientific misconduct or violations of sound policies, nor from appropriate penalties should such charges be sustained in a hearing of record before an elected faculty body.

## **2. Faculty Member Investigations**

The institution has the right to investigate all allegations of faculty misconduct. A faculty member may be placed on administrative leave

with pay during an investigation involving the faculty member. When necessary, during an investigation, the Director or designee may enter a faculty member's office. The affected faculty member shall be given reasonable notice prior to entering the faculty member's office. The faculty member may observe, but not interfere with, the entry of the office to conduct an investigation. For purposes of this paragraph, reasonable notice shall be at least 24 hours' notice in writing, prior to entry of the office.

Under exigent circumstances such as, but not limited to, an emergency affecting safety and security or allegations of criminal activity, the Branch Community College may immediately and without notice enter a faculty member's office to conduct an initial investigation and/or to secure property, data, documentation or other items stored within the office. Within one workday of an entry, the Director or Designee shall notify the affected faculty member.

During the investigation, no documentation or information related to the matter under investigation will be placed in the faculty member's personnel file or released publicly unless required by law. Any actions, other than dismissal, taken by the Administration as a result of such an investigation may be grieved according to Part II.H.

### **3. Progressive Discipline**

The general purpose of discipline is to correct unsatisfactory performance and/or misconduct. Any discipline requires good and just cause. Progressive discipline may be utilized when management determines that the merits of a particular case warrant such an approach. Progressive discipline will not be utilized when management determines that a faculty member's action(s) are so egregious that such an approach is inappropriate. Unapproved absences may result in disciplinary action.

Progressive discipline starts with the least severe discipline and progresses to more severe discipline depending on the circumstances. Examples of the least severe discipline consist of verbal and written warnings. More severe disciplines consist of written reprimands, suspensions and terminations.

The faculty member may be discharged in accordance with Part II.M.

Discipline is designed to give a faculty member an opportunity to correct employee behavior and performance. Every reasonable effort will be made to ensure acceptable work performance by the faculty member. When problems with the faculty member's behavior that affects the workplace or performance arise, a supervisor will seek to correct the problem with the least amount of disruption to the work environment. Serious infractions may result in immediate suspension from work with or without pay.

a. Verbal warning

A faculty member is issued a verbal warning for minor infractions or to correct minor faults in a faculty member's job performance. Verbal warnings are issued during a private conference between the supervisor and the faculty member where the supervisor explains the problem and recommends a process the faculty member must accomplish to return to satisfactory status. The faculty member is informed that the conference is being conducted to issue a verbal warning.

b. Letter of reprimand

Should contain the following information: a description of the specific problem or offense, the most recent incident and when it occurred, previous unsatisfactory behavior or performance related to the reprimand, and a statement that further unsatisfactory behavior or performance may result in further disciplinary action. The written reprimand is issued and discussed with the faculty member in a private conference with the supervisor and must have been discussed with the faculty member previously. A copy of the written reprimand will be given to the faculty member and a copy placed in the faculty member's official personnel file. The written reprimand will also specify a review period, if appropriate, in which the faculty member's behavior or performance will be reviewed. The length of the review period will be no longer than one year.

c. Discipline resulting in dismissal must follow Part II.M.

d. Grievances of disciplinary actions are governed by Part II.H.

## **II. H. Grievances**

### **General Policy**

While the Branch Community College endeavors to maintain pleasant working conditions that lead to cooperative, effective working relationships for all faculty members, it recognizes that misunderstandings and disagreements may arise regarding terms and conditions of employment. However, for questions and complaints not resolved through informal discussions, institution has established a formal Grievance Procedure. The Grievance Procedure is applied only to those matters for which the institution can provide a remedy.

### **Definitions and Limitations**

- a. "Grievant" shall mean a faculty member who is personally and directly affected by a condition for which he or she seeks a resolution.
- b. A "grievance" shall be an allegation by a faculty member that the treatment he or she has received from a supervisor or other Branch Community College employee is a violation, a misinterpretation, or an inequitable application of Branch Community College policy, administrative rules, or procedures that directly and adversely affect the grievant. A single grievance may be submitted jointly by more than one grievant.
- c. "Resolution(s)" shall be the proposed written decision by the appropriate administrator(s) in response to the grievance.
- d. "Parties in Interest" shall be the grievant and the supervisor or other Branch Community College faculty member(s) whose conduct or actions are the subject of the grievance.
- e. The following situations are not covered by this grievance procedure and are therefore not grievable under this policy:
  - e.1 The discretionary act(s) of the professional judgment related to the evaluation of the work performance of any faculty member by his or her immediate supervisor;
  - e.2 Any personnel decision made by the Director, including, but not limited to, a discharge, transfer or any other action directly and adversely affecting the employment of the faculty member;

e.3 Situations in which the Director or Administrator(s) are without authority to act;

e.4 Situations where the remedy for the alleged violation exclusively resides in some person, agency, or authority other than the Director;

e.5 Situations as to which a different procedure or remedy has been provided and;

e.6 Situations as to which the procedure within the Branch Community College is prescribed by state or federal authority.

f. A grievance cannot be filed by a former faculty member any more than five (5) days after the effective date of termination or discharge of employment.

### **General Provisions**

a. A faculty member who has a grievance and is unable to resolve it informally must inform their supervisor of the desire to invoke the formal Grievance Procedure.

b. A grievance must be in writing and contain a statement of grievance, the circumstances upon which it is based, the Branch Community College's policy allegedly violated, and the remedy being sought.

c. Grievances must be filed within five (5) working days following the act being grieved or discovery of circumstances that gave rise to the grievance.

d. All steps of the grievance procedure are considered confidential and should not be open to the public.

e. Faculty members filing the grievance and faculty members required as witnesses to give testimony in a grievance meeting shall be given time off with pay if such meetings are scheduled during work hours.

f. Non-Branch Community College persons, former faculty members, or faculty members on suspension, layoff, or another unpaid status shall not receive pay to attend grievance hearings.

## **Steps in Grievance Procedure**

- a. A faculty member grievance is to be submitted in writing to the aggrieved faculty member's Chair with a copy to the Human Resources Director within five (5) working days following the discovery of the condition which gave rise to the grievance.
- b. A meeting with the aggrieved faculty member and Chair to resolve issue(s) in the grievance shall be held within five (5) working days of the receipt of the written grievance. A resolution shall be submitted to the faculty member by the Chair with a copy to the Human Resources Director.
- c. If the faculty member is not satisfied that the grievance is resolved by the written resolution or if the grievance is not resolved within five (5) working days, the faculty member may request the grievance to be submitted to the College Provost.
- d. The decision of College Provost is final unless the grievant reports directly to the College Provost. In that case, the grievance may be submitted to the Director and the Director's decision will be final.

## **II. I. Evaluation of Faculty Performance**

Evaluation of faculty members will be consistent with Branch Community College's Mission, Vision, Strategic Goals, and Core Values.

### **a. Annual Evaluation**

1. Instructors will participate in an annual evaluation. This evaluation will be formative, with plans implemented to develop and intensify the skills of the faculty member.

b. Reappointment Review. All appointments are subject to renewal on an annual basis at the sole discretion of the Branch Community College. The decision regarding renewal must be made by May 20<sup>th</sup>.

### **Timeline for Evaluation and Reappointment Review**

The evaluation for faculty includes two stages: pre-evaluation and evaluation by the supervisor.

- a. Faculty members, by the end of the second week of March, will submit a Report of Activities to their supervisor. The supervisor will schedule an evaluation meeting that must be completed before April 30<sup>th</sup>. Concurrently with the evaluation process, the supervisor will perform the pre-evaluation process which consists only of setting up the goals for the following academic year. For new faculty members, the Pre-evaluation will be done no later than August 30<sup>th</sup> of their first year.
- b. If there is any area in the Evaluation that was rated “unsatisfactory” or “needs improvement”, a corrective action plan will be submitted to the Office of the College Provost and the Office of Human Resources no later than May 15<sup>th</sup>.

## **II. M. Policies and Procedures for Termination of Employment**

### **1. Reappointment Review**

All appointments are subject to renewal on an annual basis at the sole discretion of the Branch Community College. The decision regarding renewal must be made by May 20<sup>th</sup>.

The reappointment recommendation made by the supervisor will be evaluated by the College Provost. The decision of the College Provost is final and will be communicated to the faculty member in writing no later than May 20<sup>th</sup> if the decision is a non-renewal. Otherwise, renewal contracts will be available during Convocation Week. The only grounds for appeal available to the faculty member are for an alleged violation of this Handbook. Such appeals are sent through the procedures outlined in the grievance process.

### **2. Termination: Dismissal for cause**

Dismissal for cause is a permanent involuntary separation of employment from the Branch Community College for disciplinary reasons. A faculty member may be discharged without prior progressive discipline when warranted by the seriousness of the offense.

#### **Process**

- a. Required approvals by the Department of Human Resources  
Supervisors contemplating the dismissal of a faculty member must consult with the Department of Human Resources before taking such actions.

Dismissal requires the approval of the Director, College Provost, and the Director of Human Resources.

b. Pay Status

Faculty members will normally remain at work pending the issuance of a Notice of Final Action. However, a College Provost/ Chair may, with the approval of Human Resources, place a faculty member on administrative leave with pay pending completion of the investigative or disciplinary process.

c. Notice Requirements

Notices shall be in writing and will normally be served in person by the immediate supervisor, if possible. At the time of service, the faculty member shall be asked to sign an acknowledgment of receipt. If the faculty member declines, the supervisor shall so note on the letter itself for record purposes. If the notice cannot be presented personally, the letter may be sent certified mail with a return receipt requested. The notice must be properly stamped and addressed to the last address provided by the faculty member. Service of the notice is complete when the notice is deposited with the United States Postal Service.

d. Notice of Contemplated Action (NCA)

To initiate discharge of a non-probationary regular or term faculty member, the Chair will contact the Director of Human Resources and the College Provost. Human Resources will assist in the drafting of the NCA, gathering the required documentation and will coordinate a time to meet with the supervisor and faculty member to present the NCA. The NCA must include the following:

- Specify the contemplated action
- Specify the basis for a determination that just cause exists to discharge the faculty member
- Indicate which policies the faculty member has violated.
- Specify that the faculty member has the right to respond to the notice of contemplated action within ten (10) workdays of receipt of the NCA if submitting a written response.
- Specify that the faculty member must request to present an oral response within five (5) workdays.

e. Response to a Notice of Contemplated Action

The faculty member may respond orally or in writing to the notice of contemplated action within ten (10) workdays of receipt of the NCA. The



written response will be submitted to the Director of Human Resources. If the faculty member wishes to present an oral response, he/she must submit a written request for the meeting within five (5) working days from receipt of the notice of contemplated action. Any extension of time must be in writing and agreed upon by both the faculty and the Department of Human Resources. Oral response meetings will include a member of the Department of Human Resources, and at the faculty member's request.

- When the NCA is served by mail, the faculty member shall have three (3) additional calendar days in which to submit a written response or submit a request to present an oral response.
- The purpose of the written or oral response is not to provide an evidentiary hearing but is an opportunity for the faculty member to respond to the charges against him or her.

f. Final Notice of Disciplinary Action

If a faculty member submits a written response or presents an oral response, the Chair will consider the response. The Chair, after consultation with the Human Resources Department, will decide on the final action to be taken, whether or not the faculty member has responded to the NCA. The final disciplinary action, signed by the College Provost shall be issued no later than ten (10) working days from the date of receipt of the written response, the oral response or within ten (10) working days following the expiration of the response period. The Notice of Final action should include the following:

- Statement of the final discipline to be taken, which may be upholding the contemplated action, a lesser form of discipline than contemplated, or no disciplinary action.
- Notice should contain the basis for a determination of just cause for the suspension, demotion or dismissal.
- Statement indicating if the faculty member responded to the Notice of Contemplated Action.
- Specify when the disciplinary action will be effective.
- If the faculty member had previously submitted a timely written response or a timely oral response, inform faculty member that the disciplinary action may be appealed in writing to the Human Resource Department within five (5) working days from receipt of the Final Notice.

Appeal Process

- a. This Appeal Process applies only if the faculty member submitted a timely written or oral response in accordance with Section Process Part (e) above.
- b. The faculty member must submit a written appeal to the Human Resources Department within five (5) working days of receipt of the Notice of Final Action. If the faculty member does not appeal the disciplinary action within the five (5) working days, no appeal is available.
- c. The Department of Human Resources, within five (5) working days after receiving the written appeal, will forward the written appeal, along with all pertinent information, to the Director.
- d. The Director at his or her discretion may limit his or her review to the records submitted, or the president may elect to receive new materials or evidence to be considered. The Director may consult, as appropriate, with additional parties before reaching a decision. The Director will render that decision within thirty (30) working days of the appeal.
- e. While an appeal is pending the faculty member shall maintain the same leave status as maintained upon faculty member's receipt of the Notice of Contemplated Action, or if not already on leave with pay status, may be placed on leave with pay.

### **3. Reduction in Force**

The Branch Community College administration shall determine whether or not to continue, discontinue, or re-institute programs. The College Provost may identify programs for review. Program Review should include information on costs, enrollment, student-faculty ratios, societal needs, program quality and other criteria appropriate to the particular situation. The institution shall have the right to reduce its employment and, if necessary, discharge or terminate faculty members as a result of a reduction in force (RIF). Every faculty member shall be associated with one academic program at the Branch Community College and this will be documented with Human Resources.

The determination as to which faculty member is to be laid off shall be based on factors including, but not limited to, the following: education (advanced education and training related to the field); relevant employment experience; full certification or licensure; evaluations; additional certification, outside activities related to the field or program being affected; and, program needs or requirements.

The institution will attempt to place the affected faculty member in a vacant full-time position for which they qualify. If an affected faculty member does not accept an offered position, they shall have no recall rights under this section. A faculty member who refuses an offered position shall have no further rights to employment. Failure to respond within the time frame shall be considered a refusal of employment. Upon lay-off, a faculty member may continue to participate in health insurance benefits by contributing the full premium in accordance with the provisions of COBRA. Upon request, a laid-off faculty member may be placed on the Branch Community College's approved adjunct faculty lists.

### **Part III. Personnel Section for Full-Time Faculty**

#### **III. A. Compensation**

Refer to the published salary matrix on the website.

#### **III. B. Fringe Benefits**

Part-time faculty and adjuncts must consult with the Human Resources Department to verify benefits eligibility.

Shared Cost Benefits:

The Branch Community College will provide faculty members coverage under the group plan from the New Mexico Public Schools Insurance Authority (NMPSIA). The Branch Community College reserves the right to select benefits vendors through an appropriate procurement process, applying appropriate fiscal and quality of service analysis.

Eligible faculty members and eligible family members are defined by NMPSIA and may participate in the following plans offered by NMPSIA. Each fiscal year, NMPSIA may offer an open/switch enrollment period. Payment for these benefits shall be based on rates established by NMPSIA for participating members. The Employer shall contribute the amount required for such payments. Eligibility, effective dates, and change of status rules are defined by NMPSIA. The following benefits are subject to change by NMPSIA.

a. Group Insurance (Medical, Prescription Drugs, and Vision)

The costs are shared between the Branch Community College and eligible faculty members distributed as follows for faculty members earning more than \$30,000 per annum:

NNMCC 60% of premium; faculty member: 40% of premium

b. Educational Retirement/Alternative Retirement

The Educational Retirement Board (ERB) is the statutory entity responsible for administering the New Mexico Educational Retirement Act (ERA). NM Educational retirement is a shared rate set by New Mexico Statute. The rate for FY2018, based on gross pay, is 10.7% (faculty member) and 13.90% (NNMCC). An Alternative Retirement Plan (ARP) is available to new faculty who meet eligibility requirements. Membership is a condition of employment, commencing with the first day of employment.

c. New Mexico Retiree Health Care

NM Retiree Health Care is a shared rate set by NM Statute. The rate for FY2018, based on gross pay, is 1% (faculty member) and 2% (NNMCC).

Other benefits paid by the Branch Community College:

- a. Basic Term Life Insurance (faculty member coverage) \$50,000
- b. Employee Assistance Program
- c. State Unemployment Insurance
- d. Worker's Compensation
- e. Educational opportunities

Employee Tuition Waivers at the College and Branch Community College for credits up to 9 credit hours per semester (Fall/Spring semesters) and up to 4 credit hours per summer term (fees are paid by the faculty member).

- f. Dependent Tuition

Waivers up to 18 credit hours per semester (tuition paid by the Branch Community College/fees paid by faculty members' dependent). This program applies to Branch Community College offered courses only. Eligible dependents including a legal spouse, a domestic partner (affidavit of Domestic Partnership must be filed with Human Resources), and any natural, legally adopted, or step-children who, as of the original application deadline, are unmarried and have not reached the age of twenty-five (25). When a faculty member is no longer married or a domestic partnership is terminated, the ex-spouse or domestic partner is not eligible for tuition benefits under this program, effective with the academic semester following the date of the divorce or termination of the domestic partnership.

The amount of the tuition benefit will be reduced by the amount of tuition waived by any other tuition waiver or tuition scholarship. The amount of an individual's dependent education tuition benefit, plus the amount of any need-based financial aid grants, will not exceed the cost of attendance, as defined by the Financial Aid Office.

Under IRS regulation, the value of tuition benefits may be considered taxable income to the faculty member. The value of the benefit, if applicable, will be included as compensation on the faculty member's W-2 form filed with the IRS and subject to withholding.

Faculty members may be granted up to four hours of time off with pay per week to attend one (1) course each semester at the discretion of the faculty member's supervisor. The faculty member participating shall forfeit breaks on class days. Supervisors are encouraged to grant permission for such time-off, if possible based on workload or other legitimate business reasons. If time off is not feasible, supervisors are encouraged to arrange for an Alternative Work Schedule for a faculty

member to attend a class during the day, if possible based on workload or other legitimate business reasons. Faculty members working less than 40 hours per week are not eligible for time off.

Course fees assessed for participation in instructional academic credit courses are not covered. The mandatory student fee portion of tuition and fees is not covered for eligible dependents. Non-resident tuition in excess of resident tuition is not covered. Tuition or fees for Continuing Education courses are not covered.

#### Faculty Member Paid Benefits

Flexible Spending Accounts – allow the faculty member to pay for eligible medical and/or dependent care expenses on a pre-tax basis.

a. Life Insurance – Additional Employee Term Life (Supplemental) Life, and Dependent Life (spouse, domestic partner, and children) coverage are provided. Contact the Human Resources Department for details.

b. Supplemental Retirement Plans

Faculty members shall be eligible to participate in a supplemental retirement plan (403(b) and 457(b) accounts). Contribution limits are established each calendar year by the Internal Revenue Service.

c. Other Supplemental Plans

Voluntary Supplemental Accident, Cancer, and other similar plans are offered by various carriers. For a complete list of other supplemental insurances and carriers, please contact the Human Resources Department.

### **III. C. Leaves for Full-Time Faculty**

Part-time faculty and adjuncts must consult with the Human Resources Department to verify benefits eligibility.

#### **1. General Leaves**

Paid Leave. Faculty members will be entitled to the following paid leave:

a. Sick Leave/Personal Leave

1. Faculty members shall be credited with sixteen (16) days of sick leave (computed at 7 hours per day) at the beginning of the academic year, of which three (3) days shall be considered personal leave days. Faculty commencing employment after the beginning of the academic year will be granted pro-rated sick leave.

2. Sick leave may be taken for either personal illness or illness of dependents.

3. Sick leave shall be accumulated up to a maximum of 200 days (1400 hours).

4. Faculty members shall be responsible for immediately reporting an absence to the appropriate Chair, and if unavailable, to the College Provost.

5. A faculty member shall be responsible for promptly completing and signing the faculty leave request and returning the request form to the appropriate Chair and if unavailable then to the College Provost. A faculty member will be required to provide a physician's statement for absences of three consecutive days charged to sick leave. If a faculty member demonstrates a pattern of abuse of sick leave, the supervisor in consultation with the Department of Human Resources, may require a physician's statement of absence from the faculty member for each absence.

Sick leave may be used only for the following:

- Partial days not worked when a faculty member, who has been on sick leave, returns to work on a part-time basis while recovering from the illness or injury
- Transporting an immediate family member for medical services
- Caring for an immediate family member, defined as spouse, parent, child, brother, sister or any other person residing in the same household of a faculty member who becomes ill or injured and requires personal assistance from the faculty member.
- Doctor's appointments and other pre-scheduled health-related absences. A faculty member requesting sick leave for a pre-scheduled appointment must request the leave at least twenty-four (24) hours in advance unless an emergency exists.

Each faculty member shall be credited with three (3) paid personal leave days at the beginning of each academic year. Personal leave is subtracted from the faculty member's sick leave. Personal leave cannot be accumulated but remains in the sick leave balance if not utilized by the end of the fiscal year. The use of personal leave must be pre-approved by the supervisor. If classes must be canceled for the use of personal leave, the faculty member will make alternative arrangements for the students. A faculty member shall not be required to state the reason for the personal leave.

b. Family and Medical Leave Act (FMLA)

The FMLA's purpose is to ensure that workers can meet their family obligations without fear of losing their jobs or being otherwise adversely affected by taking time off. FMLA affords eligible workers the right to take up to 12 weeks off from work to care for themselves or family members during a covered medical event or for certain other family reasons. The faculty member can opt to use their sick leave to continue to receive pay during the leave. The faculty member must contact the Human Resources Department for eligibility requirements.

c. Bereavement Leave

Upon notification to the Chair, a faculty member may be granted up to three (3) days of leave with pay for a death in the faculty member's family. "Family" is defined as spouse, domestic partner, parent, step-parent, child, step-child, brother, sister, father-or-mother-in-law, brother- or sister-in-law, aunt, uncle, niece, nephew, grandparents, or any other person residing in the same household of the faculty member. Upon approval of the Chair, additional circumstances may be considered for bereavement leave, and additional days of leave may be granted and charged to sick leave.

d. Military Leave

Emergency military leave, temporary military leave, and indefinite military leave shall be granted to faculty members in accordance with state and federal law.

e. Voting Leave.

Faculty members who are New Mexico registered voters, are granted, at their request, time off that does not require the cancellation of classes (2 hours maximum) from Branch Community College duties to vote in government elections.

f. Jury Duty and Required Court Attendance

A faculty member summoned for jury duty or for duty as a witness (other than as plaintiff or defendant) is granted time off with pay. A copy of the summons must be sent to the Human Resources Department. A faculty member is required to return to his or her work location while temporarily excused from attendance in court unless it is not practical because of the short time between court sessions or between the time court is recessed and the end of the scheduled workday.

g. Domestic Abuse Leave

The Branch Community College provides domestic abuse leave to any faculty member who is a victim of domestic abuse in accordance with the New Mexico Promoting Financial Independence for Victims of Domestic Abuse Act, NMSA 1978, § 50-4A-1 through 4A-8. Domestic abuse leave means intermittent paid or unpaid leave time for up to fourteen (14) days in any calendar year, taken for up to eight hours in one day. Leave time may be used to obtain an order of protection or other judicial relief from domestic abuse or to meet with law enforcement officials, to consult with attorneys or district attorney's victim advocates or to attend court proceedings related to the domestic abuse of the faculty member, a minor child of the faculty member, or a person for whom the faculty member is a legal guardian. When domestic abuse leave is taken in an emergency, the faculty member or the faculty member's designee must give notice to the faculty member's supervisor or the Human Resources Department within twenty-four hours of commencing the domestic abuse leave. A faculty member may use paid leave time or unpaid leave time, consistent with Branch Community College policies.



#### Certification or Verification

The Branch Community College may require verification of the need for domestic abuse leave. If verification is required, a faculty member must provide one of the following forms of verification in a timely fashion: A police or security report indicating that the faculty member or a family member as defined above was a victim of domestic abuse; or 1) copy of an order of protection or other court evidence produced in connection with an incident of domestic abuse. The document does not constitute a waiver of confidentiality or privilege between the faculty member and the faculty member's advocate or attorney; or

2) The written statement of an attorney representing the faculty member, a district attorney's victim advocate, a law enforcement official or prosecuting attorney stating that the faculty member or a family member appeared or is scheduled to appear in court in connection with an incident of domestic abuse. The faculty member must contact the Human Resources Department for eligibility requirements.

#### Confidentiality

The Branch Community College shall not disclose verification information and shall maintain confidentiality of the fact that the faculty member or faculty member's family member was involved in a domestic abuse incident, that the faculty member requested or obtained domestic abuse leave and that the faculty member made any written or oral statement about the need for domestic abuse leave. The Branch Community College may disclose faculty member's information related to domestic abuse leave only when the faculty member consents, when a court or administrative agency orders the disclosure or when otherwise required by federal or state law.

#### h. Governmental Entity

A full-time faculty member who has been duly appointed or elected as a member of a legally constituted State or Federal Board or County, Municipal or Public Utility Commission, shall be entitled to leave with pay when requested to be absent from his employment in order to attend meetings or transact business of said Board or Commission. Such leave does not apply to publicly balloted and elected offices (e.g., City Council, County Commission, School District Board of Education, etc.). Any payment provided to the faculty member, other than food and travel expenses, shall either be refused or turned in to the Branch Community College as reimbursement for the leave with pay.

A faculty member shall not participate in a Board or Commission if such participation will create a conflict of interest for the faculty member or the Branch Community College or otherwise violates applicable conflict of interest laws. Absence from duty must be approved by the Director or designee and it must not hamper the performance of the faculty member's duties with the Branch Community College. Such leave shall

normally not exceed (2) days per month unless previously approved by the College Board of Regents.

#### Leaves Without Pay

Faculty members may be entitled to the following unpaid leaves:

1. Academic Leave- An extended leave of absence without pay may be granted a faculty member for a period not to exceed one (1) year for the purpose of teaching at another educational institution.
2. Extended Personal Leave/Leave Without Pay- A faculty member may be granted an extended leave without pay for extended periods for illness or injury, personal reasons, school attendance, sickness in a family, or other purposes of a personal nature at the discretion of the College Provost. A faculty member shall submit a written request for the leave without pay at least two (2) weeks in advance, if possible. Otherwise, notice must be given as soon as reasonably practical. Approval may be granted for a limited duration and based on operational needs. While a leave without pay is not recommended or granted without expectation of reinstatement, reinstatement is not guaranteed. While on an approved leave without pay, the faculty member shall be responsible for the faculty member and employer cost of medical benefits. Leave without pay shall not exceed one (1) academic year. Time spent on leave without pay in excess of one semester shall not count toward eligibility for promotion.

## **2. Sick leave bank**

The sick leave bank is available to instructors.

### **Purpose**

To provide a process whereby participating full-time faculty members of the Branch Community College may request additional sick leave due to a catastrophic situation involving their own medical condition, as defined in this Section.

### **Eligibility**

Only full-time faculty members who donate to the Sick Leave Bank are eligible to become members of the Sick Leave Bank, and only members may request leave from the Sick Leave Bank. Full-time faculty must have a minimum of eighty (80) hours of accumulated sick leave and have been employed for one academic year.

### **Administrative Procedure**

The Branch Community College has a standing committee to review applications for the use of sick leave from the Sick Leave Bank and to make a determination to either approve or disapprove a request. This standing committee is comprised of the Human Resources Office and the College Provost. If the request for additional sick leave is approved, the Sick Leave Bank Committee shall notify the faculty member of the decision in writing. If the request for additional sick leave is disapproved, the Committee shall notify the faculty member in writing of the reason(s) for the disapproval. The decision of the Committee is final.

### **Procedure**

- a. Participation in the Sick Leave Bank is strictly voluntary.
- b. By default, all eligible full-time faculty members will donate hours to contribute to the Sick Leave Bank. If a faculty member does not want to participate and/or donate to the Sick Bank, they must sign a waiver at the same time that their annual contract is signed. A faculty member who decides not to join the Sick Leave Bank must wait until the next academic year cycle to join the Bank if they decide to participate.
- c. In order to become members of the Sick Leave Bank, during the first year of membership full-time faculty members must donate four days (twenty-eight (28) hours) of their accumulated sick leave, based on a seven-hour day. In subsequent years, members will donate fourteen (14) hours based on a seven-hour day.
- d. The Sick Leave Bank Committee may request additional voluntary donations if the Sick Leave Bank is low or out of contributions.
- e. Donated sick leave will not be returned to the member. If not utilized, the donated sick leave shall be retained in the Sick Leave Bank.

#### Application for Sick Leave Bank from the Sick Leave Bank

- a. Application for sick leave from the Sick Leave Bank shall not be approved until the member has exhausted all their accumulated sick leave.
- b. Members who apply for sick leave from the Sick Leave Bank must complete the Request for Use of Faculty Sick Leave Bank Form. It must accompany the Medical Certification Form properly completed by the healthcare provider. The maximum sick leave that a member may request from the Sick Leave Bank at any one time is forty (40) days (280 hours) based on a seven-hour day.
- c. Appropriate documentation and required forms will be forwarded to the Sick Leave Bank Committee for consideration.
- d. If approved, the Chair shall notify the member in writing and indicate the total amount of sick leave hours which were approved.
- e. The Chair shall then notify the Payroll Manager in order that the member's payroll records can be adjusted with the additional sick leave.
- f. If the application is not approved, the Chair will notify the member in writing specifying the reason(s) for the non-approval. The decision of the committee is final.
- g. The Sick Leave Bank will operate on a first-come, first-serve basis. If the Bank exhausts the donated hours, future requests on the academic year will be denied if there are no further donations.

#### Definition of Catastrophic Situation

A medically documented severe illness or injury requiring prolonged hospitalization or recovery and incapacitating the person from working, creating a financial hardship. Such injury or illness often makes exceptional demands on patients, caregivers, families, and healthcare resources. In general, an illness or injury that results in a medical condition that a health care provider has certified is likely to result in a loss of 30 or more workdays.

### **III. D. Personnel Files**

The institution shall maintain one (and only one) official personnel file for each member of the faculty. The file will be located in the Office of Human Resources.

A faculty member will be permitted to review the material contained in his or her file. At the time the file is reviewed, the faculty member shall sign and date a form maintained in the personnel file.

The institution will provide a faculty member with a copy of any document placed in his or her file unless an original or copy was sent directly to the faculty member. The faculty member may submit a written response to any document placed in the faculty member's personnel file. This response shall also be placed in the faculty member's file.

The Human Resources Director or his or her designee must be present during any review of personnel files.

A faculty member may request a copy of his or her personnel file at any time. The copy will be made available to the faculty member within three (3) working days at the current cost per copy.

Faculty members may also place in their file materials relevant to their academic qualifications, teaching, research, scholarship, and service.

If permissible under state and federal records preservation laws, a faculty member considers material more recent than 10 years old in his or her file to be obsolete, because of its age or a significant change in circumstances, he or she may request to the College Provost in writing that the material is removed. The College Provost shall consider whether the material is still relevant. Material more than ten (10) years old shall be presumed to be obsolete unless the College Provost explains to the faculty member why it is still relevant. However, "core documents" such as contracts, legal settlements, and notices of disciplinary action, shall remain in a faculty member's personnel file irrespective of age.

## **Part IV. Branch Community College Faculty Association Constitution and By-Laws**

### **IV. A. Faculty Constitution**

#### **Preamble**

The Faculty shares responsibility for the governance of the institution with the College Board of Regents, the President of Northern New Mexico College, the Director, and the Branch Community College administration staff. This responsibility is broadly defined as consultative-advisory in nature. The Faculty recognizes that the students are the center of the school and thus seeks to promote comprehensive education and the continued improvement of the Branch Community College. This document is a statement of the organization, purpose, and responsibilities of the Faculty of the Branch Community College and is independent from any recommendations from the Faculty Senate of Northern New Mexico College.

#### **Article I: Name**

Section 1. The name of this organization shall be the Branch Community College Faculty Association.

#### **Article II: Purpose**

Section 1. The purpose of this organization shall be:

- A. To serve as an advisory and consultative body in the governance process in matters affecting instructional programs and the Faculty, including the creation of new programs, departments, and divisions.
- B. To make recommendations to the administration, the Board of Regents, on matters affecting instructional programs and the Faculty, including major curricular changes.
- C. To participate in the formulation of policies on instructional and professional matters.
- D. To elect Faculty Senators to serve as a governing body for the Faculty.
- E. To promote communication and mutual understanding among Faculty and other groups relating to the welfare and growth of the Branch

Community College.

### **Article III: Amendment**

- Section 1. A proposed amendment to the constitution must be presented in writing at a meeting of the Faculty Senate.
- Section 2. A vote on the proposed amendment will be taken by the Faculty Senate.
- Section 3. An amendment to the constitution shall be adopted upon a favorable vote by two-thirds of the members present and approval of the College Board of Regents.

### **IV. B. By-Laws**

#### **By-law I: Membership**

- Section 1. Only full-time faculty whose appointments involve teaching at the level of 0.5 FTE or greater can serve on the Faculty Senate and its standing committees. Adjunct faculty can also be elected as officers and serve on committees if their duties are limited to teaching.

#### **By-law II: Governance**

- Section 1. The governing body which represents the Branch Community College Faculty Association should be known as the Faculty Senate.
- Section 2. The Faculty Senate shall consist of Senators elected from and by the members of the constituent units of the Branch Community College.
- Section 3. Terms of elected Senators shall be for three years, except for adjunct faculty Senators, who shall serve one-year terms while they are hired to teach courses. Senators may be re-elected for one consecutive term. An exception to the term limitation shall be made for units that consist of a single faculty member.
- Section 4. Chairs of standing committees of the Faculty Senate shall serve as Senators, *ex-officio*, with partial voting rights (that is they cannot vote for the election of the Faculty Senate President and/or Vice President).
- Section 5. Any *ex-officio* or elected Senator who is unable to attend a meeting of the Senate may appoint a proxy to attend that meeting, providing that the name of the substitute is communicated to the Secretary of the Senate or President before the beginning of that meeting. The Senator should specify whether the proxy is a general or a specific proxy. A specific proxy can only vote on certain items. A general proxy can vote on all items.
- Section 6. Any unexpired term of a Senator shall be filled by a special election to be held prior to the next meeting of the Faculty Senate following the date of the

vacancy. Senators filling an unexpired term shall be eligible for election to two regular terms.

- Section 7. The following persons shall have a standing invitation to attend all meetings of the Senate, with the privilege of the floor but not of voting: the President of the College, the Branch Community College Director, the College Provost, the Registrar, and the Assistant College Provost for Student Affairs. The Chair shall also have a standing invitation to attend all meetings but can vote if they are serving as: a chair of a standing committee of the Faculty Association, Faculty Senator for their academic unit or as a Faculty Senate officer (President, Vice-President, or Secretary-Treasurer). The President of the Faculty Senate may invite other persons to a meeting of the Faculty Senate if the presence of such a person is deemed important for the discussion of an agenda item. These persons shall have the privilege of the floor but not of voting. If the Chairperson who serve as Chairs of Faculty Senate Standing Committees, who hold an office within the Faculty Senate, or who serve as departmental senator shall retain the voting rights associated with those positions.

### **By-law III: Officers**

- Section 1. The officers of the Faculty Senate shall be as follows:  
A. President  
B. Vice President  
C. Secretary-Treasurer
- Section 2. Officers shall assume their responsibilities immediately upon election.
- Section 3. The terms of the office shall be for two academic years with the possibility of re-election for one additional term.
- Section 4. Elections for vacancies among officers of the Faculty Senate shall be accepted at its next regular meeting. In case of a vacancy in the office of President, the Vice President shall become President and another Vice President shall be elected by elected Senators (these exclude standing committee chairs) by roll-call vote only. In the event that the vacancy occurs during non-term duties, a special meeting may be called by any member of the Senate.

### **By-law IV: Duties of Elected Officers**

- Section 1. The President of the Faculty Senate shall:  
A. Preside at all meetings of the Faculty Senate.  
B. Prepare an agenda for each meeting, in consultation with other officers of the Faculty Senate.



- C. Appoint members to ad hoc committees, upon approval of a majority of the Senate members at any meeting.
  - D. Be the official representative of the Faculty at the College Board of Regents meetings, District Board meetings, or meetings of concern to faculty members.
  - E. Be an advisor to the President of the College, the College Board of Regents, and District Board in matters pertaining to the Branch Community College Faculty.
- Section 2. The Vice President of the Faculty Senate shall:
- A. Perform any and all duties of the Faculty Senate President during his or her absence or disability.
  - B. Conduct all elections.
  - C. Perform other duties as authorized by the President of the Faculty Senate.
- Section 3. The Secretary-Treasurer of the Faculty Senate shall:
- A. Keep a record of the proceedings of all meetings. Minutes shall be distributed to the Faculty by email.
  - B. Supervise the maintenance of all records.
  - C. Distribute the agenda and the minutes to all members of the Faculty at least five working days prior to the scheduled meeting of the Senate.
  - D. Be responsible for all correspondence.
  - E. Determine if a quorum is present at all meetings of the Faculty Senate and retain all sign-in sheets.
  - F. Collect and disburse monies as approved by the membership and maintain the records thereof.
  - G. Perform other duties as authorized by the President of the Faculty Senate.

### **By-Law V: Meetings of the Branch Community College Faculty Association**

- Section 1. Meetings of the Faculty Association shall be held twice per year, during the beginning of the Spring and Fall semesters.
- Section 2. Meetings of the Faculty Association shall be for the purpose of dissemination and discussion of issues pertaining to the Faculty. However, no business will be transacted, except for the election of Senators by the constituent groups of the Faculty Association at the meeting held at the beginning of the academic year in August as determined by the official Branch Community College calendar.

### **By-Law VI: Meetings of the Faculty Senate**

- Section 1. Meetings of the Faculty Senate shall be held on the first Friday of each month, during the academic year, at a time and place designated at the first meeting of the academic year.
- Section 2. A quorum of the Senate shall consist of not less than 50% of the voting members.
- Section 3. Special meetings of the Faculty Senate shall be subject to the call of the Faculty Senate President or may be called on the written request of two-thirds of the membership.
- Section 4. All members of the Faculty Senate shall be notified by email of all regular meetings at least five business days prior to the meeting. Special meetings may be called with twenty-four hour notice to the members.
- Section 5. All meetings of the Faculty Senate shall be open to all members of the Faculty who shall have the privilege of the floor but no rights of voting.

### **By-Law VII: Conduct of Meetings**

- Section 1. Any member of the Branch Community College Faculty may place an item on the agenda prior to the approval of the agenda by the quorum present.
- Section 2. The agenda shall include:
  - A. Approval of the Agenda
  - B. Reading and Approval of the Minutes
  - C. Report of the Committees
  - D. Unfinished Business
  - E. New Business
  - F. Announcements
  - G. Adjournment
- Section 3. All Senate meetings will be conducted according to the rules and procedures outlined in *Robert's Rules of Order, revised*.

### **By-Law VIII: Committees**

- Section 1. The following shall be the standing committees of the Faculty Senate:
  - A. Undergraduate Curriculum Committee
  - B. Academic Standards Committee
  - C. General Education Committee
- Section 2. A standing committee's structure can be modified by a majority vote of the Senate.
- Section 3. *Ad hoc* committees may be established by the President of the Senate or by a majority vote of the Senate.

## **By-Law IX: Committee Structure**

- Section 1. Faculty committees shall be the primary tool through which the Faculty achieves its purpose. Faculty members shall be allowed to self-select the committees which they want to join during an open sign-up session at biannual Faculty Association meetings. The Faculty Senate will review and approve these appointments at the first regular meeting of the academic year. Because membership on a committee is required of all full-time faculty, each member of the Faculty shall be assured of a place on at least one committee.
- A. The chairperson of each standing committee shall be designated by the Faculty Senate President with the approval of a majority of members of the Faculty Senate.
  - B. Meetings of all committees shall be conducted according to *Robert's Rules of Order, Revised*.
  - C. The chairpersons of all committees shall submit all recommendations, conclusions, reports, actions or other decisions to the Faculty Senate for approval or rejection, with the exception of decisions on promotion and tenure. Committee actions not approved must be returned to the originating committee.
  - D. Faculty-approved committee actions are received by the President of the Faculty Senate and forwarded to the appropriate administrative level for necessary action.
- Section 2. Duties of Committees.
- A. Undergraduate Curriculum: responsibilities include all issues related to the instructional curriculum at the undergraduate level. Specifically, it shall analyze certificates, degrees, courses, and programs and recommend any changes deemed necessary. In addition, it shall certify that the membership includes representatives from all vocational and academic areas. This committee shall specify both normal and emergency procedures for the approval of new courses and new programs.
  - B. Academic Standards: responsibilities include all issues related to academic standards. Specifically, it shall review policies governing the transference and validation of credits, admissions, academic advising, and shall review requirements for honors, degrees, and honorary degrees, hear cases of plagiarism, cheating, or improper conduct and appeals of readmission or change of grade.
  - C. General Education: responsibilities include all issues related to general education for undergraduate students. The committee shall make recommendations to the Faculty Senate regarding General Education. It shall work in collaboration, when appropriate, with the

undergraduate curriculum committee. The General Education Committee shall ensure that the general education requirements satisfy the General Education Common Core Competencies established by the State of New Mexico.

### **By-Law X: Adoption of Constitution**

Section 1. This constitution with the by-laws shall go into effect immediately upon approval by a majority of the members present at a regular or special meeting of the Faculty Senate.