

NMMI  
Board  
of  
Regents  
Policy  
Manual

2019

**Table of Contents**

Table of Contents..... 1

1 Precedence..... 5

2 Foreword..... 5

3 Vision (rev. 01232018a) ..... 5

4 Mission..... 5

5 Legal Authorities ..... 5

    5.1 New Mexico State Constitution ..... 5

        5.1.1 Article XII - Education..... 5

    5.2 New Mexico State Statute ..... 7

        5.2.1 Chapter 21 State and Private Education Institutions..... 7

6 The New Mexico Military Institute Board of Regents..... 13

    6.1 Ultimate Responsibility for the Governance of the Institute..... 13

    6.2 Structure of the Board of Regents ..... 14

        6.2.1 Appointment of Members ..... 14

        6.2.2 Officers (rev. 02212017a) ..... 14

        6.2.3 (rev. 01232018b)..... 14

        6.2.4 Orientation of New Members..... 14

    6.3 Duties and Functions of the Board ..... 15

    6.4 Liability of Regents..... 15

    6.5 Regent Code of Conduct and Conflicts of Interest Policy ..... 15

    6.6 Regent Committees ..... 17

        6.6.1 Regent Standing Committees ..... 17

        6.6.2 Ad Hoc Committees ..... 17

        6.6.3 Other Standing or Special Committees or duties..... 18

        6.6.4 NMMI Foundation Board of Trustees Representatives ..... 18

    6.7 Board of Regent Meetings ..... 18

        6.7.1 Compliance with the Open Meetings Act ..... 18

        6.7.2 Construct of a Meeting ..... 18

        6.7.3 Quorum for Meetings of the Board ..... 18

        6.7.4 Conduct of Meetings..... 19

6.7.5	Compliance with the Americans with Disabilities Act. ....	19
6.7.6	References .....	19
7	Policy Declarations .....	19
7.1	General Richard T. Knowles Scholarship (rev. 10232015a) .....	20
7.2	Admissions Standards (rev. 12172015a, 11012016a).....	21
7.3	Attrition and Retention Standards (Addition Rev. 11012017a).....	25
7.4	NMMI Veteran Status for Tuition Benefit (rev. 01282016a) .....	28
7.5	Intellectual Property (rev. 02212017a).....	29
8	Appointment of the President/ Superintendent of the Institute .....	29
9	Responsibility of the President/ Superintendent of NMMI .....	31
9.1	Management Control Policy .....	32
9.2	Authority in an Emergency .....	34
9.3	Appointment and Termination of Key Administrators .....	34
9.4	Authority to Represent NMMI .....	35
10	Special Recognition and Awards .....	36
10.1	Honorary Degrees .....	37
10.2	Regents' Recognition Medal .....	37
10.3	President's Honorary Alumna Award (revision 02212017a).....	37
11	NMMI Trademarks .....	38
11.1	Trademark Definition .....	38
11.2	Use of the NMMI Official Seal.....	38
11.3	USE OF NMMI'S NAME/SYMBOLS.....	38
12	Architectural Style of Campus Buildings and Campus Master Plan.....	39
13	Historic Preservation.....	40
14	Naming Institute Facilities, Spaces, Endowments, and Programs .....	41
14.1	Criteria for Selection of Honorees .....	41
14.2	Extraordinary Institute Service .....	41
14.3	Private Financial Support.....	42
14.4	Request for Approval .....	42
14.5	Building Plaques.....	44
14.6	Building name .....	44

15	Advertising, Sales, and Solicitations on Campus.....	44
16	Academic Policies.....	45
16.1	The Faculty Senate.....	45
16.1.1	Faculty Constitution.....	46
17	Business and Financial Policies.....	46
17.1	Tuition and Fees.....	46
17.2	Budgets and Fund Balances.....	47
17.3	Investment of Operational Funds and Bond Proceeds.....	48
17.4	Investment Guidelines.....	49
17.5	Prohibited Investments.....	49
17.6	Reporting and Accountability.....	50
17.7	Property Management.....	50
17.8	Accounting and Reporting of Funds to the Governor.....	51
17.9	Internal Auditing.....	52
17.10	Responsibility and Accountability.....	53
17.11	Audit Committee.....	55
17.12	Purchasing.....	56
17.13	Signature Authority for Contracts.....	57
17.14	Borrowing and Bonding Authority.....	58
17.15	Approval of Construction Projects.....	59
17.16	Receipt and Investment of Gifts to the School.....	60
17.17	Risk Management and Insurance.....	61
17.18	Financial Exigency.....	61
17.19	The Patterson Fund.....	62
18	General Policies.....	63
18.1	Legal Counsel.....	63
18.2	Public Access to Institute Records.....	63
18.3	Student Records.....	64
18.4	NMMI Anti-Discrimination Policy.....	65
18.5	NMMI Affiliated Organizations.....	66
18.5.1	Affiliated Organizations.....	67

18.6 NMMI Foundation..... 67

18.7 NMMI Parents Club..... 69

18.8 Joint Powers Agreements/ Memorandums of Understanding..... 69

18.9 Speakers From Off Campus..... 70

18.10 SOCIAL MEDIA RULES OF CONDUCT (Revision 09182017a) ..... 71

18.11 Rules of Conduct for NMMI Visitors and Event Participants (Revision 09182017a) ..... 71

18.12 Maintenance of the NMMI Board of Regents’ Policy Manual ..... 74

    18.12.1 Revision Control ..... 74

19 END OF DOCUMENT..... 76

## 1 Precedence

Federal, State and Local law shall have precedence over any policy contained herein or associated with this Policy Document. No policy set herein or associated with the NMMI BOR Policy Manual shall be construed to avert Federal, State or local law.

## 2 Foreword

In 1891, Captain Joseph C. and Mabel Lea invited Robert S. Goss to start a military school similar to the school Goss directed in Fort Worth, Texas. In September, Goss Military Institute opened its doors to twenty-eight pupils. Struggling as a result of poor management and insufficient funds, Goss Military Institute had to close its doors in 1895. An appropriations bill passed by the territorial legislature and a generous donation by a resident philanthropist, J. J. Hagerman, of a forty-acre plot of land on North Hill helped reopen the doors of New Mexico Military Institute in its present location on September 6, 1898. The school provided then eight years of academic work and the cadets were organized into two companies. After the Institute inaugurated the junior college in 1915, the school offered four years of high school (NCA accredited, 1917) and two years of college work (NCA accredited, 1938). After experimentation with a four-year college in the fifties, NMMI returned to its high school and junior college program.

## 3 Vision (rev. 01232018a)

The New Mexico Military Institute is a globally recognized secondary and post-secondary learning institution for young men and women that instills excellence in leadership, academics, and physical development within a structured environment empowering students to thrive in a dynamic world.

## 4 Mission

"To educate, train, and prepare young men and women to be leaders capable of critical thinking and sound analysis, leaders who possess uncompromising character and leaders able to meet challenging physical demands"

## 5 Legal Authorities

### 5.1 New Mexico State Constitution

#### 5.1.1 Article XII - Education

##### Sec. 2. [Permanent school fund.]

The permanent school fund of the state shall consist of the proceeds of sales of Sections Two, Sixteen, Thirty-Two and Thirty-Six in each township of the state, or the lands selected in lieu thereof; the proceeds of sales of all lands that have been or may hereafter be granted to the state not otherwise appropriated by the terms and conditions of the grant; such portion of the proceeds of sales of land of the United States within the state as has been or may be granted by congress; all earnings, including interest, dividends and capital gains from investment of the permanent school fund; also all other grants, gifts and devises made to the state, the purpose of which is not otherwise specified. (As amended November 5, 1996.)

**Sec. 3. [Control of constitutional educational institutions; use of state land proceeds and other educational funds.]**

The schools, colleges, universities and other educational institutions provided for by this constitution shall forever remain under the exclusive control of the state, and no part of the proceeds arising from the sale or disposal of any lands granted to the state by congress, or any other funds appropriated, levied or collected for educational purposes, shall be used for the support of any sectarian, denominational or private school, college or university.

**Sec. 11. [State educational institutions.]**

The university of New Mexico, at Albuquerque; the New Mexico state university, near Las Cruces, formerly known as New Mexico college of agriculture and mechanic arts; the New Mexico highlands university, at Las Vegas, formerly known as New Mexico normal university; the western New Mexico university, at Silver City, formerly known as New Mexico western college and New Mexico normal school; the eastern New Mexico university, at Portales, formerly known as eastern New Mexico normal school; the New Mexico institute of mining and technology, at Socorro, formerly known as New Mexico school of mines; **the New Mexico military institute, at Roswell, formerly known as New Mexico military institute**; the New Mexico school for the blind and visually impaired, at Alamogordo, formerly known as New Mexico school for the visually handicapped; the New Mexico school for the deaf, at Santa Fe, formerly known as New Mexico asylum for the deaf and dumb; the northern New Mexico state school, at El Rito, formerly known as Spanish-American school; **are hereby confirmed as state educational institutions.** All lands, together with the natural products thereof and the money proceeds of any of the lands and products, held in trust for the institutions, respectively, under their former names, and all properties heretofore granted to, or owned by, or which may hereafter be granted or conveyed to, the institutions respectively, under their former names, shall, in like manner as heretofore, be held in trust for, or owned by or be considered granted to, the institutions individually under their names as hereinabove adopted and confirmed. The appropriations made and which may hereafter be made to the state by the United States for agriculture and mechanical colleges and experiment stations in connection therewith shall be paid to the New Mexico state university, formerly known as New Mexico college of agriculture and mechanic arts. (As repealed and reenacted November 8, 1960; as amended November 3, 1964; November 2, 2004.)

**Sec. 13. [Board of regents for educational institutions.]**

**The legislature shall provide for the control and management of each of said institutions, except the university of New Mexico, by a board of regents for each institution, consisting of five members, four of whom shall be qualified electors of the state of New Mexico, one of whom shall be a member of the student body of the institution and no more than three of whom at the time of their appointment shall be members of the same political party;** provided, however, that the student body member provision in this section shall not apply to the New Mexico school for the deaf, **the New Mexico military institute**, the northern New Mexico state school or the New Mexico school for the visually handicapped, **and for each of those four institutions all five members of the board of regents shall be qualified electors of the state of New Mexico.** The governor shall nominate and by and with the consent of the senate shall appoint the members of each board of regents for each of said institutions. The terms of said nonstudent members shall be for six years, provided that of the five first appointed the terms of two shall be for two years, the terms for two shall be for four years, and the term of one shall be for six years. Following the approval by the voters of this amendment and upon the first vacancy of a position held by a nonstudent member on each eligible institution's board of regents, the governor shall nominate and by and with the consent of the senate shall appoint a student member to serve a two-year term. The governor shall select, with the advice and consent of the senate, a student member from a list provided by the president of the institution. In making the list, the president of the institution shall give due consideration to the recommendations of the student body president of the institution.

...

Members of the board shall not be removed except for incompetence, neglect of duty or malfeasance in office. Provided, however, no removal shall be made without notice of hearing and an opportunity to be heard having first been given such member. The supreme court of the state of New Mexico is hereby given exclusive original jurisdiction over proceedings to remove members of the board under such rules as it may promulgate, and its decision in connection with such matters shall be final. (As amended September 20, 1949, effective January 1, 1950, November 4, 1986, and November 8, 1994.)

**5.2 New Mexico State Statute**

**5.2.1 Chapter 21 State and Private Education Institutions**

**Article 1 General Provisions Relating to State Educational Institutions**

**21-1-1. State institutions; admission requirements to be established by boards of regents. (1997). (1997)**

- A. The respective boards of regents of ... the New Mexico military institute at Roswell shall determine and fix the standard of requirements for admission to their respective institutions.
- B. In determining the standard of requirements for admission to their respective institutions, boards of regents shall not require a student who has completed the requirements of a home-based or non-public school educational program, and who has submitted test scores that otherwise qualify him for admission to that institution, to obtain or submit proof of having obtained a general education



development certificate. In determining requirements for admission, boards of regents shall evaluate and treat applicants from home-based educational programs or non-public schools fairly and in a nondiscriminatory manner.

**21-1-2. Matriculation and tuition fees. (2009)**

- A. Except as otherwise provided in this section and in Section 21-1-4.3 NMSA 1978, the boards of regents of... New Mexico military institute...shall establish and charge matriculation fees and tuition fees as follows:”
  - (1) each student shall be charged a matriculation fee of not less than five dollars (\$5.00) upon enrolling in each institution;
  - (2) each student who is a resident of New Mexico shall be charged a tuition fee of not less than twenty dollars (\$20.00) a year;
  - (3) each student who is not a resident of New Mexico shall be charged a tuition fee of not less than fifty dollars (\$50.00) a year;
  - (4) each student shall be charged a tuition fee of not less than ten dollars (\$10.00) for each summer session; and
  - (5) each student may be charged a tuition fee for extension courses.
  
- B. Except as otherwise provided in this section and in Section 21-1-4.3 NMSA 1978, the board of regents of northern New Mexico college shall establish and charge each student a matriculation fee and a tuition fee.
  
- C. The board of regents of each institution may establish and grant gratis scholarships to students who are residents of New Mexico in an amount not to exceed the matriculation fee or tuition and fees, or both. These scholarships are in addition to the lottery tuition scholarships authorized in Section 21-1-4.3 NMSA 1978 and shall be granted to the full extent of available funds before lottery tuition scholarships are granted. The number of scholarships established and granted pursuant to this subsection shall not exceed three percent of the preceding fall semester enrollment in each institution and shall not be established and granted for summer sessions. The president of each institution shall select and recommend to the board of regents of the institution, as recipients of scholarships, students who possess good moral character and satisfactory initiative, scholastic standing and personality. Beginning with the fall semester of 2010, a minimum of one-half of the gratis scholarships established and granted by each board of regents each year shall be granted on the basis of financial need, and beginning with the fall semester of 2011, a minimum of two-thirds of the gratis scholarships established and granted by each board of regents each year shall be granted on the basis of financial need.
  
- D. NMMI – N/A
- E. NMMI – N/A
  
- F. Matriculation fees and tuition fees shall be fixed and made payable as directed by the board of regents of each institution, collected by the officers of each institution and accounted for as are other funds of the institutions. Matriculation fees shall be charged only once for each institution in which a student enrolls.

**21-1-20. Power to hold property. (1921)**

All of the said institutions, including the New Mexico military institute, shall be entitled to receive all the benefits and donations made and given to similar institutions of learning and charity in other states and territories of the United States, by the legislation of the congress of the United States, or from private individuals or corporations, and for the benefit of said institutions they shall have power to buy and sell or lease or mortgage realty, and do all things that, in the opinion of the several boards, will be for the best interests of said institutions, and are in the line of its object.

**21-1-27.1. Higher education endowment fund created. (2011)**

A. The "higher education endowment fund" is created in the state treasury. The fund shall consist of appropriations, income from investment of the fund, gifts, grants, donations and bequests.

B. The higher education endowment fund shall be administered by the higher education department. Money shall be disbursed only on warrant of the secretary of finance and administration upon voucher signed by the secretary of higher education or the secretary's authorized representative.

C. Money shall be disbursed from the higher education endowment fund only to establish endowments at public post-secondary educational institutions as provided in this section. An institution shall not receive a disbursement for an endowment until that institution has notified the department that it has received matching funds for the endowment from other than governmental sources in the amount specified in this section.

D. Money in the higher education endowment fund is appropriated to the department to be disbursed for endowment purposes, including endowed chairs, lectureships, professorships, scholarships for students, graduate assistantships and faculty development programs that will enhance the quality of public post-secondary education in New Mexico. The department, by rule, shall establish procedures for disbursing money from the fund. Not less than five percent of each institution's total endowment effort resulting from amounts specified in this section shall address one or more of the governor's initiatives.

E. Appropriations to the higher education endowment fund shall be disbursed to public post-secondary educational institutions based on the following distribution proportions and matching requirements:

(4) the New Mexico military institute, independent community colleges, branch community colleges and technical and vocational institutes may draw a share of a total of twenty percent of each appropriation using a distribution formula approved by the higher education department; provided that no disbursement shall be made pursuant to this paragraph until an institution has shown to the satisfaction of the department that it has received matching funds in an amount equal to at least thirty percent of the disbursement.

F. Distributions from the higher education endowment fund are made over a three-year cycle with unmatched balances reverting to the general fund at the end of the third fiscal year. The department shall notify each eligible institution of the specific amount it may match during the first two fiscal years of each three-year cycle. Allocations not matched during the first two years of each cycle are made available for supplemental or second round matching by other eligible public post-secondary educational institutions during the third fiscal year. Four-year public post-secondary educational

institutions may apply for supplemental matches to amounts originally designated for other four-year institutions. Two-year public post-secondary educational institutions may apply for supplemental matches to amounts originally designated for other two-year institutions. Successful submissions for supplemental matches shall be determined by the department in a manner that affords equitable participation over time based on guidelines for supplemental distributions from the fund.

G. The endowment funds of the institutions shall not be expended but shall be invested by the institutions in accordance with the Uniform Prudent Management of Institutional Funds Act [46-9A-1 NMSA 1978] and the provisions of Section 21-1-38 NMSA 1978. The income from the investments shall be expended by the institutions in accordance with the Uniform Prudent Management of Institutional Funds Act and the provisions of Section 21-1-38 NMSA 1978 to provide funding for chairs, lectureships, professorships, scholarships for students, graduate assistantships and faculty development programs, including paying all or a portion of the salary of the faculty member or the expenses necessary to support associated academic activities.

H. The department shall report annually to the legislative finance committee on disbursements made pursuant to this section. The report shall include the amounts disbursed to each institution, the amount of matching funds and their source and the purpose of the endowments.

## **Article 12 New Mexico Military Institute**

### **21-12-1 Board of regents; appointment; term; political affiliations; compensation.**

The New Mexico military institute, at Roswell, shall be under the supervision and control of a board of five regents, to serve without compensation, to be appointed by the governor, by and with the advice and consent of the senate for a term of four years, and not more than three of them shall belong to the same political party at the time of their appointment.

### **21-12-2 Election of officers; duties; bond of secretary-treasurer.**

The said board of regents shall organize and elect from their number, a president, a vice president, and a secretary and treasurer, who shall do and perform all of the duties that shall be incumbent upon them as such officers. The secretary and treasurer shall, before entering upon the discharge of his duties as such, execute a good and sufficient bond to the state of New Mexico with some solvent surety company authorized to do business in the state of New Mexico as the surety, in a penal sum to be fixed by the said board of regents of not less than \$20,000, conditioned for the faithful performance of his duties as such secretary and treasurer and that he will faithfully account for and pay over to the person or persons entitled to receive the same from him all monies which shall come into his hands as such officer, which said bond shall be approved by the said board of regents and kept on file as directed by the said board.

**21-12-3 Board of regents; duty; educational standard.**

It shall be the duty of the board of regents to maintain and control, at Roswell, a military institute for the education and training of the youth of this country, of as high a standard as like institutions in other states and territories.

**21-12-4 Rules and regulations; teachers' contracts; buildings; improvements.**

The said board shall have full power and authority to make such rules and regulations concerning the government and course of said institute as they [it] may deem proper; to make contracts with teachers; to erect buildings and make such other improvements as the institute may require.

**21-12-5 Sale of lands.**

With the exception of the forty-acre tract upon which the main portion of the buildings of the New Mexico military institute are now situated and excepting lands granted by acts of congress, the board of regents of the New Mexico military institute shall have authority and the power to sell, convey, lease or otherwise dispose of, for the benefit of the New Mexico military institute, any and all lands and property belonging to the New Mexico military institute or conveyed to the board of regents of the New Mexico military institute for the benefit of the New Mexico military institute, or conveyed to the state of New Mexico for the use and benefit of the New Mexico military institute.

**21-12-6 Deeds and contracts signed by president.**

That all deeds for the sale of lands and all contracts made by the said board shall be signed by the president.

**21-12-7 Increase in tuition fee authorized.**

The regents of the New Mexico military institute may charge a larger tuition fee than provided in Section 5164 if it is deemed necessary to do so to maintain said institute.

**21-12-8 Officers to be governor's aides; rank; uniforms.**

For the better government and enforcement of discipline in the New Mexico military institute, the superintendent, commandant / dean of students of cadets, instructors and others designated by the board of regents as officers in the New Mexico military institute, shall be commissioned as aides-de-camp on the staff of the governor of the state of New Mexico, with such military rank as the board of regents shall prescribe or designate, in addition to the number of aides-de-camp otherwise provided by law; the superintendent, commandant / dean of students of cadets, instructors and others designated by the board of regents of the New Mexico military institute as officers in the New Mexico military institute shall have such rank as may be prescribed by the board of regents and shall hold office and rank, as such during the time they are employed in such capacity in said New Mexico military institute, and they will be allowed to wear the uniform of their rank while on duty as officers in the New Mexico military institute and upon all public occasions when the national guard is under arms or the staff of the governor and commander-in-chief shall be ordered out.

**21-12-11 General Richard T. Knowles legislative scholarship program created; purpose.**

There is created the "General Richard T. Knowles legislative scholarship program" at the New Mexico military institute. The purpose of the program is to increase the number of New Mexico residents attending the New Mexico military institute and to increase the opportunity for promising young people who might not otherwise have the opportunity to participate in a military education and environment.

## **21-12-12 Program administration; criteria.**

A. The General Richard T. Knowles legislative scholarship program shall be administered by the board of regents of the New Mexico military institute. The board of regents shall establish one hundred twelve scholarships available to New Mexico residents, one scholarship available for each state legislative district.

B. Annually, each state legislator may nominate four prospective scholarship recipients to the board of regents of the New Mexico military institute. If a legislator has no applicant from the legislator's district, that senator or representative may choose to nominate an applicant from a senate or representative district contiguous to the legislator's own district, thus maintaining geographical diversity in the corps of cadets while affording a greater opportunity for more New Mexicans to receive a scholarship. In the event no applicant is available by July 1 of each year from either the legislator's district or a contiguous district, the scholarship may be awarded to any of the qualified nominees from any state legislative district.

C. Scholarships shall be awarded to qualifying New Mexico residents for a term not to exceed four years.

D. The board of regents shall establish criteria for the awarding of scholarships. Criteria shall include scholastic ability, faculty recommendations, standardized test scores, letters of recommendation, school honors and extracurricular activities.

## **21-12-13 Fund created.**

The "legislative scholarship fund" is created. No money appropriated to the fund or accruing to it through gifts, grants or bequests shall be transferred to another fund. The fund shall not revert at the end of any fiscal year. Any interest earned from investment of the fund shall be credited to the legislative scholarship fund for the purpose of implementing the General Richard T. Knowles legislative scholarship program. Money in the fund is appropriated to the New Mexico military institute.

## **21-12-14 Investment of fund.**

The board of regents of New Mexico military institute may invest and reinvest the legislative scholarship fund in accordance with state investment council policy for market rate investments for the severance tax permanent fund, subject to the approval of the state investment council after explanation and presentation of the investment plan.

## **21-12-15 New Mexico military institute; transfer of budget balances.**

With the approval of the commission on higher education, the board of regents of New Mexico military institute may, each fiscal year, transfer up to five hundred thousand dollars (\$500,000) of the institute's budget balances to the legislative scholarship fund established to implement the General Richard T. Knowles legislative scholarship program.



**21-12-16 Public safety education; scholarships.**

A. The board of regents of the New Mexico military institute may establish a public safety officer education program for students interested in careers in public safety.

B. Subject to available funding, the board of regents of the New Mexico military institute may offer public safety officer education scholarships to New Mexico residents who enroll in the public safety officer education program. With the advice of the department of public safety, the board of regents shall establish criteria for awarding the public safety officer education scholarships and, with the cooperation of the department of public safety, may establish internship programs with public safety agencies for scholarship recipients.

**21-12-17 Corrections education; scholarships.**

A. The board of regents of the New Mexico military institute may establish a corrections education program for students interested in careers in corrections.

B. Subject to available funding, the board of regents may offer corrections education scholarships to New Mexico residents who enroll in the corrections education program. With the advice of the corrections department, the board of regents shall establish criteria for awarding the corrections education scholarships and, with the cooperation of the corrections department, may establish internship programs at corrections department facilities for scholarship recipients.

Reference: N.M. Const. art. XII, § 13; NMSA 1978, §§ 21-1-1 et seq. and 21-7-1 et seq.

**6 The New Mexico Military Institute Board of Regents**

**6.1 Ultimate Responsibility for the Governance of the Institute**

The Board of Regents is responsible for the governance of the New Mexico Military Institute. This responsibility may be exercised only by the Board as a unit; individual Regents are without power to act separately in the transaction of Institute business, except when one of the Board's members are specifically authorized to act on behalf of the Board.

The Board's power to govern New Mexico Military Institute includes fiduciary responsibility for the assets and programs of the School, establishment of goals and policies to guide the Institute and oversight of the functioning of the School. The Board vests responsibility for the management and operation of the Institute in the President/Superintendent.

From the Constitution of the State of New Mexico, Article XII, Section 13: “The legislature shall provide for the control and management of each of said institutions except the university of New Mexico, by a board of regents for each institution, consisting of five members, four of whom shall be qualified electors of the state of New Mexico, one of whom shall be a member of the student body of the institution and no more than three of whom at the time of their appointment shall be members of the same political party; provided, however, that the student body member provision in this section shall not apply to the New Mexico school for the deaf, the New Mexico military institute, the northern New Mexico state school or the New Mexico school for the visually handicapped, and for each of those four institutions all five members of the board of regents shall be qualified electors of the state of New Mexico.”

Members of the board shall not be removed except for incompetence, neglect of duty or malfeasance in office. Provided, however, no removal shall be made without notice of hearing and an opportunity to be heard having first been given such member. The supreme court of the state of New Mexico is hereby given exclusive original jurisdiction over proceedings to remove members of the board under such rules as it may promulgate, and its decision in connection with such matters shall be final. (As amended September 20, 1949, effective January 1, 1950 and November 4, 1986.)

## **6.2 Structure of the Board of Regents**

### **6.2.1 Appointment of Members**

The Board of Regents is composed of five members who are appointed by the Governor of New Mexico, with the consent of the Senate, for staggered terms of six years.

### **6.2.2 Officers (rev. 02212017a)**

At the March Board of Regents meeting or next meeting following if there is no scheduled March meeting the Board of Regents will elect a President, Vice-President, and Secretary. The President presides at all meetings of the Board. When the President of the Board is absent, the Board of Regents hereby appoints the Vice-President to serve as President pro tem. In the event of a vacancy of an office by a Board member, the Board shall agree to convene at the next appropriate time to elect a member to fill the vacancy.

### **6.2.3 (rev. 01232018b)**

Members of the Board are not remunerated for their services. They are, however, eligible for travel reimbursement, pursuant to the School's travel reimbursement policies. (See, NMMI Accounting and Business Policies, and Procedures Manual, **section 9.01** Business Travel Policies, Advances and Reimbursement.)

### **6.2.4 Orientation of New Members**

When a new member is appointed to the Board, the member will receive copies of the Regents' Policy Manual, the Operations and Procedure Manual, the Cadet Blue Book, and the Faculty Handbook, and a compilation of other NMMI publications. The President/Superintendent will arrange an orientation session for newly appointed Regents.



### **6.3 Duties and Functions of the Board**

The Board shall carry out the duties and functions authorized by law and specified in this policy manual including, but not limited to the following:

1. Adopt Board of Regents' policies for the governance of the School, and at least biennially, review the Regents' Policy Manual for compliance and revision, in addition to revisions submitted, as necessary, at any time.
2. Select, appoint or remove the President/Superintendent of the Institute who serves as Chief Executive Officer; and delegate authority to the President/Superintendent for effective management and operation of the School.
3. Establish annual special emphasis goals for the President/Superintendent and annually review the performance of the President/Superintendent.
4. Establish, and periodically review, the mission, vision, and policy guidance for the school, as well as the long-range campus master plan for the physical development of the School.
5. In collaboration with the President/Superintendent, at least annually review the changes to the Operations and Procedures Manual.
6. Approve memorandums of understanding (MOUs) with component or affiliated organizations and others. The Board of Regents shall authorize the President/ Superintendent to develop and manage articulation agreements for the purpose of course development and recognition with other institutions.
7. Approve the curriculum, catalog, and all degrees awarded by New Mexico Military Institute.
8. Select, appoint and, when appropriate, supervise the internal auditor.
9. Take any other actions required by law to be decided at the level of the Board.

The Board reserves the right to consider and determine any matter relating to the School.

### **6.4 Liability of Regents**

Regents shall not be held personally liable in any action at law based on a claim for damages arising out of any act or failure to act of the Board. NMMI provides defense, including costs and attorney fees, for any Regent, acting in their capacity as a Regent, for legal actions not covered by the Tort Claims Act.

### **6.5 Regent Code of Conduct and Conflicts of Interest Policy**

#### **Applicability**

This policy applies to members of the Institute Board of Regents.



## Compliance with the Governmental Conduct Act

<http://www.nmag.gov/consumer/publications/inspectionofpublicrecordsactcomplianceguide2009/the-governmental-conduct-act-compliance-guide>.

### Policy

Members of the Board of Regents ("Regents") are expected to perform their duties faithfully and efficiently and never to give rise to suspicion of improper conflict with interests of the School. Regents shall not accept favors or gratuities of significant economic value from any firm, person, or corporation that is engaged in, or attempting to engage in, business transactions with the School. They must avoid any conflict of interest that may affect their independent judgment in the impartial performance of their duties. They may not use their positions to enhance their direct or indirect financial interest or use confidential information learned as a Regent for anyone's private gain. Regents shall comply with state conflict of interest laws as well as Institute policies.

No Regent shall maintain a financial interest in a firm or corporation with which the Institute is engaged in business. In addition, a Regent shall not participate directly or indirectly in any decisions relating to any transaction between the Institute and a business entity of which the Regent or any member of the Regent's immediate family is a director or trustee.

For the purposes of this policy, "financial interest" includes any direct or indirect financial interest. This includes any transaction between the Institute and the Regent or a member of the Regent's immediate family. An immediate family member is a family member who shares a home with a Regent; or is a person who receives financial support of more than twenty-five percent (25%) of his or her annual income from a Regent; or is a person who is claimed as a dependent for federal income tax purposes by a Regent. "Financial interest" also includes any transaction between the Institute and a business entity (corporation, sole proprietorship, partnership, LLC, or similar entity) including parents or subsidiaries of the business entity, in which the Regent or a member of the Regent's immediate family:

- a) has an ownership interest (other than as owner of less than one percent (1%) of the stock of a publicly traded corporation); or
- b) is a partner or officer of such business entity or an employee of such business entity whose compensation is related to business transacted with the School.

A member of the Board of Regents will have 120 days from the date the Board of Regents approves the "Regent Code of Conduct and Conflicts of Interest Policy" ("Code") to fully comply with the Code. Each Regent will annually certify compliance with the Code on a form approved by the Regents. Each annual certification shall be filed by the Regents with the Institute Counsel who shall furnish a copy to the Executive Vice President/Superintendent for Administration. If a Regent fails to file an annual certification or fails to comply with the Code, the Board of Regents shall give written notice to the Governor of the State of New Mexico. The Regents shall make any such notice public. Violation of the

Code by a Regent will be grounds for removal of that Regent pursuant to Article XII, Section 13 of the Constitution of New Mexico.

Members of the Board of Regents are required by the Financial Disclosure Act, Section 10-16A-1, et seq., NMSA 1978, to file a report with the New Mexico Secretary of State concerning the Regent's financial interests. A copy of such report shall also be filed by the Regent with the Institute Counsel who shall furnish a copy to the Chief Financial Officer and distributed to each member of the Board of Regents. The report filed with the Chief Financial Officer shall be supplemented to the extent necessary to set forth the Regent's financial interests as defined in Section 3 of this policy.

## References

NM Const. Article XII, Section 13; NMSA 1978 Governmental Conduct Act, § 10-16-1 et seq.; Procurement Code 13-1-190, -193, -195; 21-1-17, -35

## 6.6 Regent Committees

### 6.6.1 Regent Standing Committees

In order to facilitate the work of the Board of Regents, the President of the Board appoints members to standing committees each year and appoints chairs of each committee. No committee shall have more than two (2) Regent members assigned or in attendance so as to not appear to constitute a Board of Regent meeting. The assignment of Regents to committees shall coincide with the election of Regent members as officers. The Board of Regent standing committees shall consist of:

- Executive
- Academics
- Cadet Life
- Support Services
- Finance and Audit
- Competitive Athletics & Physical Fitness
- Awards and Recognition (*Revision 12132018a*)

Standing committees' duties and functions are determined by the Board of Regents, and shall include at least gathering information, conferring with members of the administration, faculty, staff, cadet body, and public on the topics within the committee's duties, and making recommendations for action by the Board of Regents. The chairs of the standing committees shall report the committee recommendations to the Board of Regents at its meetings. Standing committees do not constitute a quorum of the Board of Regents and have no authority to act for the Board of Regents.

### 6.6.2 Ad Hoc Committees

From time to time the President of Board may appoint ad hoc committees consisting of two or three Regent members to gather information and make recommendations to the Board of Regents about specified Policies.

### **6.6.3 Other Standing or Special Committees or duties**

The President of the Board may name other standing or special committees or duties with the consent of the Board of Regents. Each committee shall consist of two Regent members, and such community and Institute members as the President of the Board deems appropriate. The President of the Board shall serve as an alternate whenever any of the Regent members are not present.

The chair of each committee shall be responsible for preparing the agenda for the committee meetings, in consultation with the appropriate member of the NMMI staff. The President/Superintendent of the Institute or his designee may submit agenda items for the committee to the President of the Board and the chair of the committee. All action items for the Board of Regents meeting must be first reviewed by a standing committee, unless this requirement is waived by the President of the Board.

- Committee on Naming Facilities, Spaces, Endowments, and Programs
- Audit Committee

### **6.6.4 NMMI Foundation Board of Trustees Representatives**

The NMMI Foundation Board of Trustees Representatives as directed by the NMMI Board of Regents shall consist of 2 Regents and 1 non-Regent. The Board of Regents recognizes the New Mexico Military Institute Foundation, a non-profit corporation existing solely to promote the School, as a major supporting organization through which private citizens can assist the Institute with fund-raising efforts. Pursuant to state law (§ 6-5A-1, NMSA 1978), the Board of Regents has approved an agreement to govern the relationship between the Institute and the NMMI Foundation. The Institute encourages all donors of significant gifts for use in various programs or projects of the Institute to make them to the NMMI Foundation for the benefit of the School.

## **References**

N.M. Const. art. XII, § 13; NMSA 1978, §§ 21-1-1 et seq. and 21-7-1 et seq.; Governmental Conduct Act, § 10-16-1, et seq., NMSA 1978; Open Meetings Act, § 10-15-1, et seq., NMSA 1978

## **6.7 Board of Regent Meetings**

### **6.7.1 Compliance with the Open Meetings Act**

The NMMI Board of Regents shall conduct all meetings in accordance with the Open Meetings Act. <http://www.nmag.gov/consumer/publications/openmeetingsactcomplianceguide>.

### **6.7.2 Construct of a Meeting**

In accordance with the Open Meetings Act, Board members shall not meet to discuss NMMI business outside of a scheduled meeting. No more than two members of the Board shall discuss NMMI business. No decisions or agreements shall be made outside a scheduled meeting. All Board of Regent meetings intended to result in decisions by the Regents shall take place with proper notice and a minimum of a quorum of Regents.

### **6.7.3 Quorum for Meetings of the Board**

Three of the five members of the Board shall constitute a quorum for the transaction of business.

#### **6.7.4 Conduct of Meetings**

Parliamentary procedure shall be governed by the most current revision of Roberts' Rules of Order, except that New Mexico law or other applicable Regents' policies will govern if there is a conflict with Roberts' Rules of Order.

#### **6.7.5 Compliance with the Americans with Disabilities Act.**

In addition to the information specified above, all notices shall include the following language:

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend a meeting of the Board of Regents, please contact the Office of Public Affairs at least one week prior to the meeting. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Office of Public Affairs if an accessible format is needed.

#### **6.7.6 References**

Structure: New Mexico Constitution, art. XII, § 13; §§ 21-1-13, 21-7-5, 21-7-6, NMSA 1978.

Meetings: NMSA 1978 §§ 21-1-14, 21-7-5, 21-7-12; Open Meetings Act, § 10-15-1, et seq., NMSA 1978.

## **7 Policy Declarations**

In providing guidance to the President/Superintendent, the Board of Regents has reaffirmed the following long-standing policy declarations:

1. New Mexico Military Institute is primarily an academic institution operating within a conducive military environment.
2. The junior college curriculum is designed to prepare cadets for transfer to four-year colleges and universities. An Associate of Arts or Science degree is awarded to qualified graduates.
3. The high school curriculum is designed for those cadets planning to pursue a college course of study after graduation.
4. In order to receive the full benefit of the NMMI program, High School cadets are strongly encouraged to complete the Junior College program.
5. Members of the staff and faculty are selected for their professional qualifications and their willingness to work in a program that is both academic and military.
6. Integrity is the cornerstone of New Mexico Military Institute. Every effort is made to instill integrity through living the honor code, education, and example. Staff and Faculty of NMMI are expected by the Board of Regents to represent the NMMI honor code and standards of integrity, honesty and commitment to those standards.

7. Cadets are instructed in and offered opportunities to practice the principles and techniques of good leadership and individual responsibility. Only cadets in full residence may be members of the Corps of Cadets.
8. As a general policy, cadets at New Mexico Military Institute are provided the opportunity to attend chapel once weekly. Chapel services at New Mexico Military Institute are conducted at such times as to permit cadets to attend other church services in Roswell.
9. Cadets are required to be unmarried (and never have been married) resident members of the Corps of Cadets. All cadets are to participate in corps, academic and physical education activities. Entering cadets may not have reached their twenty-second (22nd) birthday on the day of matriculation. All cadets will be subject to the NMMI Maternity/Paternity Policy as established by the Regents (Policy 4.10)
10. Use of state-owned property, resources or other assets for any purpose other than those related to the educational mission of the school is prohibited. Employees are encouraged to avoid even the appearance of impropriety.

## 7.1 General Richard T. Knowles Scholarship (rev. 10232015a)

### Applicability

The Board of Regents is responsible for establishing the criteria and administration of the Knowles Legislative Scholarship program for eligible New Mexico resident students to be sponsored by specific Legislators for up to four years at an amount set forth and approved by the board on an annual basis. "The purpose of the program is to increase the number of New Mexico residents attending the New Mexico military institute and to increase the opportunity for promising young people who might not otherwise have the opportunity to participate in a military education and environment."

### Criteria for the Knowles Scholarship

In accordance with NMSA 21-12-12-D, "The board of regents shall establish criteria for the awarding of scholarships. Criteria shall include scholastic ability, faculty recommendations, standardized test scores, letters of recommendation, school honors and extracurricular activities."

The NMMI board of regents does hereby authorize and direct the criteria for the Knowles Legislative Scholarship as per following:

### Application Requirements for New Students:

1. Academic Requirements
  - A. New 9 th grade applicants
    - a. 7 th and 8 th grade transcript/report card
    - b. 2.0+ cumulative GPA
  - B. New 10-12 grade applicants
    - a. All high school transcripts

- b. 2.0+ cumulative GPA
- C. New College Applicants
  - a. All high school transcripts
  - b. 2.0+ cumulative GPA
- 2. Must be a New Mexico resident
- 3. Apply for admission to NMMI
- 4. Submit Legislative Application
- 5. Autobiographical essay (250 words minimum)
- 6. Three letters of recommendation

### **Application Requirements for Current Cadets:**

- 1. Academic Requirements
  - a. Cumulative high school GPA of 2.0+ from the last available term
  - b. Last available department grade must be "C" or better
- 2. Must be a New Mexico resident
- 3. Submit Legislative Application
- 4. Autobiographical essay (250 words minimum)
- 5. Three letters of recommendation

### **Requirements to Retain Scholarship (evaluated at the end of each award year):**

- 1. Maintain a NMMI cumulative GPA of a 2.0 or better
- 2. Maintain a "C" average or better from the last two available department grades

### **Administration of the Knowles Scholarship**

The NMMI board of regents hereby authorizes and directs the NMMI President / Superintendent to establish the methodology to maintain the Knowles Legislative Scholarship program as defined herein.

### **Authority**

- NMSA 21-12-11 General Richard T. Knowles legislative scholarship program created; purpose.
- NMSA 21-12-12 Program administration; criteria.
- NMSA 21-12-13 Fund created.
- NMSA 21-12-15 Investment of fund.
- NMSA 21-12-15 New Mexico military institute; transfer of budget balances.

### **7.2 Admissions Standards (rev. 12172015a, 11012016a)**

## **Applicability**

Recognizing the requirement and need by state statute, the NMMI BOR establishes the criteria for admission based upon but not limited to the students' demonstrated potential to succeed at NMMI academically, physically, socially, and morally. While the majority of accepted students meets or exceeds this criterion, failure to do so does not automatically preclude admission. In those cases, the candidate can submit additional documentation because in every case NMMI considers the student's total record and has developed a methodology to insure consistency, equity, fairness and balance in the selection process. Important in this assessment of a candidate is their exhibited capability and desire to learn within a unique structured environment of support. Our proven result is a young person who is ready to meet any education, physical or moral challenge.

## **Methodology**

Each candidate considered for admission to NMMI shall complete the process prior to the start of the academic year. The process shall include all required admissions documentations and any required waivers from the BOR or administration.

The President/ Superintendent and their directed staff shall establish a methodology which considers the body of work each candidate may represent. The method shall include a weighted measure for each category accounting to a whole measure of existing evidence and provide an analytical reference to the applicant's propensity to perform and do good work.

## **Standards**

The President/ Superintendent shall not post an absolute singular value such as GPA to determine the condition of admission for any potential cadet. Rather, the President/ Superintendent shall develop a set of criteria for each class which considers the most relevant, weighted inputs to determine the likely success of each candidate. The standards criterion shall be presented to and approved by the BOR on an annual basis. The President/ Superintendent shall develop a process to analyze the outcome of the standards and admittance procedure to determine if any changes to the criteria are required. These standards shall include but not necessarily be limited to:

- **Current GPA on a 4.0 basis**
- **Standardized test results such as ACT or SAT**
- **Adequate Placement Tests**
- **Transcripts of prior coursework**

## **Credentials**

All Junior College applicants shall present academic credentials to support completion of High School academics to include a diploma or certificate of GED or determined equivalent. (Rev. 11012016a)

## **International Applicants**

An international candidate is considered any non-U.S. citizen or U.S. permanent resident. For all international students the President/ Superintendent shall establish criteria which equates to the academic standards and non-academic requirements described herein.

## **Non-Academic Admissions Criteria**

The President/ Superintendent to establish a methodology to best determine the non-academic circumstances which may present themselves which would preclude a candidate from being accepted as a cadet at NMMI. The types of issues would include, but not necessarily be limited to:

### **Behavioral Issues**

A candidate shall not be accepted into the Corps of Cadets who has shown significant behavioral issues prior to matriculation at the candidate's home, school or otherwise.

### **Criminal Record**

A candidate shall not be accepted at NMMI who has a prior criminal record. It shall be the candidates responsibility to inform NMMI of any pending investigations which may result in criminal records.

### **Age**

A candidate shall not be accepted at NMMI who exceeds the age of 22 during the academic year.

A H.S. candidate shall not be accepted at NMMI who exceeds the age of 19 during the academic year.  
(Rev. 11012016a)

### **Dependent**

A candidate shall not be determined to have a dependent.

### **Health Matters**

A candidate shall not exhibit a medical condition which would prohibit the candidate from fully participating in activities of the Corps, Academics or Physical Fitness exercises.

### **Physical limitation**

A candidate shall not exhibit a physical limitation which would prohibit the candidate from fully participating in activities of the Corps, Academics or Physical Fitness exercises.

## **Admissions Process**



No candidate shall be allowed into NMMI until they have completed documents to include, but not necessarily limited to:

- Official Transcripts from all high schools or colleges applicable to the academic requirements herein.
- Official results for all required proficiency or standards tests required and applicable to the academic requirements herein.
- Submission of all required NMMI forms
- Submission of all required medical forms
- Completion of all NMMI forms such as medical release forms

## **Re-Entering Cadets**

A cadet who is placed on academic or disciplinary suspension may be permitted to reapply to NMMI after a break of at least one (1) semester. The application shall include the applicants academic and attendance record during the absence from NMMI. The applicant is subject to all other limiting acceptance criteria listed herein.

A cadet who withdraws in lieu of suspension or dismissal and who applies for readmission will be considered to be suspended as of the withdrawal date and is subject to the criteria for re-admission listed herein.

A cadet who is suspended and does reapply to NMMI will be required to have the conditions of their suspensions reviewed by the suspending entity to assure those conditions have been met prior to re-admission. The conditions include but are not limited to suspensions due to discipline resulting in community service, suspensions due to academics which do not otherwise limit the candidate's ability to graduate on time and have been engaged in proper academic achievement while away, and for medical suspensions for matters of student health and safety have been reviewed for proper diagnosis or existence of any condition(s) which would otherwise not allow the candidate to fully participate in all aspects of NMMI. Cadets denied re-admission are subject to the appeal process described within the Admissions SOP. **(REV. 04272019a)**

A cadet who is dismissed from NMMI will not be allowed to reapply to NMMI.

## **Waivers**

The BOR will consider waivers to the requirements herein when presented by the President/ Superintendent or their representative. Additionally, the BOR expects the President/ Superintendent to manage a number of academic waivers for specific circumstances.

## **Outcomes**

Every candidate who enters NMMI as a cadet has an expectation of completion as defined by the cadet. The determination of the admissions process of a student's skill and ability establishes the basis of meeting that expectation. The outcome does require continued effort by all elements of NMMI and the cadet. The BOR expect staff to continually review the methods of not only admissions but all processes to maximize attrition and academic outcomes.

## Authority

21-1-1. State institutions; admission requirements to be established by boards of regents. (1997). (1997)

### 7.3 Attrition and Retention Standards (Addition Rev. 11012017a)

The NMMI Governing Board of Regents (BOR) recognizes the importance of retaining students who choose to attend NMMI. The BOR realizes there to be circumstances beyond anyone's control where the departure of a cadet is unavoidable. However, the BOR believes these circumstances to be the exception rather than the rule in the matter of attrition at NMMI. The greater issue at hand is that of matters for which NMMI does have control, particularly towards department (corps discipline) or academic matters. To a lesser degree, the BOR understands there to be circumstances of dismissal or suspension of cadets due to non-payment or medical conditions previously undisclosed or developed during the period of enrollment at NMMI.

## Definitions

Classic Attrition; Starts with the 3rd Friday of academic activities as reported by the Registrar less the last day of fall term classes as the fall attrition. Mid-year value will be calculated on the end of fall term headcount less graduates and transfers (typically athletics) and add in the number of new or break in service (BIS) students beginning in the spring. This value will be the mid-term attrition. Finally, the difference between the start of spring number reported by the Registrar less the final day of spring classes will be the spring attrition. The sum of the fall, mid-year and spring attrition divided by the total sum of the gaining numbers will equal the classic attrition ratio.

Ex. 3rd Friday number = 900, Last day of fall classes = 850; Therefore, fall attrition = 50

Mid-year start = 850; Graduates/ Transfers = 30; New students/ BIS = 40; Start of Spring = 770; Therefore, mid-year attrition =  $850 - 30 = 820$  Start of spring (not new) =  $770 - 40 = 730$ ; mid-year attrition =  $820 - 730 = 90$

Spring attrition equal 700; spring attrition =  $770 - 700 = 70$

Total Classic Attrition =  $(50 + 90 + 70) / (900 + 40) = 22.34\%$

Last day of academic classes in the fall

Total Attrition – Starts with the number of candidates who arrive at NMMI, receive an official student ID number and begin the matriculation process. Candidates may not fully matriculate, but are counted if they receive the student ID number; less the last day of fall term classes as the fall attrition. Mid-year value will be calculated on the end of fall term headcount less graduates and transfers (typically athletics) and add in the number of new or break in service (BIS) students beginning in the spring. This value will be the mid-term attrition. Finally, the difference between the start of spring number reported by the Registrar less the final day of spring classes will be the spring attrition. The sum of the fall, mid-year and spring attrition divided by the total sum of the gaining numbers will equal the classic attrition ratio.

Total Matriculation Number = 950, Last day of fall classes = 850; Therefore, fall attrition = 100

Mid-year start = 850; Graduates/ Transfers = 30; New students/ BIS = 40; Start of Spring = 770; Therefore, mid-year attrition =  $850-30= 820$  Start of spring (not new) =  $770 - 40= 730$ ; mid-year attrition =  $820-730= 90$

Spring attrition equal 700; spring attrition =  $770-700 = 70$

Total Attrition =  $(100+90+70)/ (950+40) = 26.26\%$

Summer attrition – Begins with the total headcount on the last day of spring classes, less the total number of 1st class members who are assumed to be graduating and not eligible to return. This number is divided by the number of old cadets who actually do return the following fall for the total summer attrition.

Beginning head count – Total beginning head count = total number of the students who are assigned a cadet number in the fall. Classic beginning Head count = the total headcount on the 3rd academic Friday as reported to NM HED. Total Headcount = all gains from the beginning of matriculation to the beginning of Spring.

Retention – Those Cadets eligible to return, who reenroll and return for the following semester or year.

## Academics

While in attendance at NMMI a grade point average of 2.00 is required of all cadets in order to maintain “good academic standing.” Any NMMI cadet whose GPA falls below 1.50 at the end of a semester may be suspended. Any NMMI cadet whose GPA falls below 2.00 at the end of a semester is placed on Academic Probation. The cadet then has one more semester in which to attain a GPA of 2.00 or better. Failing to do so, may result in academic suspension. Any cadet whose GPA falls below 2.00 will be evaluated by the Academic Review Board. For academic standing awards only, the department grade

must be as follows: Superintendent/Dean Lists - A (DA); Commandant List - A/B (DA/DB); Good Standing - A/B/C (DA/DB/DC), no award, Academic Probation, Academic Suspension (any department grade).

Withdrawn or suspended cadets for academic or department matters may apply for readmission to the Institute; however, dismissed cadets may not. A cadet who has been placed on suspension may apply to NMMI after a break of at least one semester.

Cadets who have been identified with the Habitual Academic Indifference delinquency report a cadet may be placed on academic probation or suspension at any time during the semester.

## **Department**

Disciplinary suspension shall include commission of a serious or critical offense and/or excessive demerits.

**Critical Offenses:** All critical offenses result in a suspension letter. All may be appealed. On a case by case basis, the Commandant shall review and may uphold the appeals with a 20 demerit cushion. If the cadet exceeds the 20 demerit cushion at any time during the following 9 weeks, they shall be suspended immediately without appeal.

Cadets found to be in violation of the drug policy (in possession or under the influence) are not likely to have their appeal upheld.

Cadets found to be distributing alcohol are not likely to have their appeal upheld.

Cadets found guilty of sexual assault are not likely to have their appeal upheld.

Dismissal shall also be considered for any of the above offenses.

**Serious offenses:** Serious offenses shall end up with a cadet being placed on Disciplinary Probation. At the discretion of the Commandant, all serious offenses may result in suspension, depending on the severity of the offense, e.g., fighting.

**Excessive demerits:** Excessive demerits shall be determined to be an amount exceeding 120. In addition, the following shall be considered with excessive demerits:

Cadets who accumulate 25 demerits shall be required to meet with their TLA and cadre to come up with a plan to improve performance.

Cadets who accumulate 50 demerits shall be required to meet with their TLA, SLA, academic counselor, coach/APMS/bandmaster, etc. for an intervention. The cadet shall be assigned a mentor and receive life-coach counseling from the CCC to assist in improving performance.

Cadets who accumulate 75 demerits shall be placed on DP and be required to meet with their DCO, academic counselor/ high school principle, head coach/PMS/bandmaster, etc. and be told the cadet shall receive a suspension letter if they reach 100 demerits.

Cadets who accumulate 100 demerits shall receive a suspension letter. They may appeal to the Commandant. Appeals that are upheld shall be placed on a 20 demerit cushion for the next 9 weeks.

Cadets shall not receive tours for minor or major infractions. Cadets shall be given corrective training instead. Cadets who have no serious or critical infractions shall be able to voluntarily march off demerits for other infractions.

## **Financial**

Tuition and fees are expected to be paid on time. Failure to pay tuition on time will result in immediate disenrollment, and possible legal action.

## **Health**

Subject to the actions of the Medical Review Board as defined in the O&P, cadets who are suspended otherwise determined to be unable or unwilling to fully participate in Corps activities due to a medical condition. Matters considered as requirements of dismissal from NMMI due to health reasons shall be related to the cadet's inability to fully perform in their academic, corps or physical readiness at NMMI. The health matters shall be deemed as chronic or of such duration that a medical remedy is not suitable in a manner of time to allow the cadet to complete their studies at NMMI.

## **7.4 NMMI Veteran Status for Tuition Benefit (rev. 01282016a)**

### **Application**

Candidates or current cadets who fall within the defined groupings shall be determined to receive in-state tuition benefits.

### **Policy**

- Candidates or cadets who are eligible to use their GI Bill benefits and thus have qualified under the chapter 1606, (Montgomery GI bill). These cadets have completed some level of training and service time to qualify as VA beneficiaries. These students have not previously been required by law or policy to receive in-state tuition.
- Candidates or Cadets who are titled as chapter 33 (GI bill) or 35 (dependents) cadets or otherwise defined as dependents of a post-9-11 GI bill benefit. These cadets are currently supported by Federal law as recipients of in-state tuition.

- Candidates or cadets who are non-chapter 1606, or cadets who happen to have attended basic training, but do not otherwise qualify as VA beneficiaries.
- Candidates or cadets who are defined as SMP/ ECP cadets.
- Candidates or cadets who are dependents of Veterans who do not otherwise qualify for the benefits of the GI bill or who do not currently receiving any benefit of in-state tuition from NMMI.

Candidates or cadets who are dependents of service members who have less than an honorable service discharge status shall not be considered for the veteran tuition discount described herein.

The BOR hereby direct the President / Superintendent and associated staff to develop the methodology to identify and manage the process which allows the candidates or cadets as defined herein to benefit from the in-state tuition rate as established by the BOR.

## **Authority**

NMSA 21-1-2. Matriculation and tuition fees. (2009)

## **7.5 Intellectual Property (rev. 02212017a)**

The President / Superintendent shall establish a policy within the Operations and Procedures policies to cover Intellectual Property as it might relate to NMMI and shall include at a minimum the following:

Purpose  
Policy  
Definitions  
Implementation and Dissemination  
Disclosure  
Procedure for Development of Intellectual Property  
Co-Inventors  
Agreement with Agent

## **8 Appointment of the President/ Superintendent of the Institute**

### **Applicability**

This policy applies to the selection and appointment of the President/Superintendent of the New Mexico Military Institute.

## **Definition**

The term "candidate" includes both applicants and nominees for the position of President/Superintendent of the School.

## **Policy**

The Board of Regents is responsible for selecting and appointing a President/Superintendent of the School. The Board considers this to be one of its most important responsibilities.

## **Implementation**

Whenever the position of President/Superintendent becomes vacant, the Regents shall conduct a search for qualified candidates for the Presidency. The Board shall be guided by equal employment opportunity and affirmative action principles and procedures.

The Board may appoint an advisory search committee to aid in identifying qualified candidates for the Presidency. Such a committee should be representative of the various segments of the Institute community and may include Regents and one or more members from the community at large. The Board will carefully consider the committee's recommendations before taking final action but cannot be bound by those recommendations, because the Board has sole legal responsibility for appointing a President/Superintendent of the School.

All Regents, search committee members, or employees involved in the search process at the Institute shall keep confidential the identity of candidates for President/Superintendent and the details of the deliberations of those responsible for screening candidates, except as provided in this policy. Under all circumstances, letters of reference, the deliberations of the search committee, and other similar evaluative materials shall be kept confidential with respect to all candidates. Preliminary interviews of candidates by the search committee or any member or subcommittee of the search committee prior to the public identification of finalists shall also be confidential.

At least twenty one days before the date of a meeting of the Board of Regents at which final action is taken on selection of the President/Superintendent, the Board shall give public notice of names of the finalists being considered for the position. The required notice may be provided through various methods which must include publication in a newspaper of county-wide circulation. The required publication shall be made at least twenty one days and not more than thirty days before the described meeting. Copies of the resumes or curriculum vitae of the finalists shall be made available at the same time public notice is given of their names.

The Board may appoint an interim President/Superintendent pending completion of a search for a permanent President/Superintendent.

The President/Superintendent serves at the discretion of the Board, subject to the terms of the President/Superintendent's contract.

## References

Inspection of Public Records Act, §14-2-1, NMSA 1978, as amended, Special Session 1998.

## 9 Responsibility of the President/ Superintendent of NMMI

### Applicability

This policy applies to the President/Superintendent of the School.

### Authority

#### New Mexico State Statute

#### **21-12-9 Organization of cadets; cadet commissions; authority of superintendent.**

The superintendent of the New Mexico military institute shall have power to organize the cadets of the New Mexico military institute into military units and to appoint cadet officers and noncommissioned officers who shall hold their offices at the pleasure of the superintendent. Commissions shall be issued by the superintendent to cadet officers, and shall be known as cadet commissions. The superintendent shall have power to designate and prescribe the number and rank and duties of cadet officers and noncommissioned officers.

#### **21-12-10 Ordnance and quartermaster's stores; care and custody; annual report.**

It shall be the duty of the superintendent to provide a safe and convenient place for the keeping and preservation of all ordnance and quartermaster's stores received from the state for the use of the institution, and on and before the thirty-first day of December in each year, he shall make a report to the adjutant general of the state of all such stores on hand, and in such report he shall show their condition, whether serviceable or unserviceable, and if any of such stores should be lost or destroyed, the manner of their loss or destruction.

### Policy

The President/Superintendent of the Institute is its Chief Executive Officer and reports directly to the Board of Regents. The President/Superintendent is responsible for implementing the policies adopted by the Board of Regents. The Board hereby delegates authority to the President/Superintendent to carry out his or her responsibilities to manage the School, as set forth generally in this policy, and to adopt administrative policies and procedures consistent with Regents' policies.



The President/Superintendent may adopt new or revised administrative policies and procedures on the President/Superintendent's own initiative or on the recommendation of faculty or administrative staff, without prior approval of the Regents, provided that any changes in administrative policies and procedures do not conflict with existing Regents' policy. The President/Superintendent shall advise the Board of Regents of any such policies.

The President/Superintendent may further delegate his/her authority unless specifically prohibited from doing so by explicit statement in a policy adopted by the Regents.

The President/Superintendent's responsibilities include, but are not limited to

- a) ensuring the health, safety, welfare, and discipline within the Corps of Cadets;
- b) oversight of the quality of the academic, physical and character development programs of the School; supervision of the relationship between cadets, faculty, staff, and the administration; management of the School's finances; administration of the personnel system and the professional development of faculty and staff operation and maintenance of real and personal property under the jurisdiction of the School; fundraising; intercollegiate and interscholastic athletics; auxiliary enterprises, the self-supporting business activities that serve cadets; consultation and cooperation with the Regents and other Institute groups on various Policies, including planning for the future development of the School; representation of the Institute in public affairs; accounting to the Board of Regents for the School's finances on a quarterly and annual basis; coordinating with the NMMI Foundation in establishing a centralized system for fundraising, advancement, and development; reporting annually to the Board of Regents on the state of the School; presenting to the Board of Regents for approval the organizational structure of the School.

This Policy Manual specifies actions for which Regents' approval is required. However, it is virtually impossible to anticipate every situation in which it may be appropriate for the Regents to act. It is the responsibility of the President/Superintendent of the School, in consultation with the President of the Board, to seek Regents' approval when a proposed action is of such consequence that it could affect the fiscal condition of the Institute or its academic mission or is of such public importance as to warrant the involvement of the Regents even though Regents' approval is not specifically required by this Policy Manual or any statute or other regulation.

## **9.1 Management Control Policy**

The President/Superintendent of the New Mexico Military Institute (NMMI) is charged with the responsibility for establishing a network of processes with the objective of controlling the operations of NMMI in a manner which provides the Board of Regent's reasonable assurance that:

- a) Data and information published either internally or externally is accurate, reliable, and timely.

- b) The actions of management and employees are in compliance with the organization's policies, standards, plans and procedures, and all relevant laws and regulations.
- c) The organization's resources (including its people, systems, data/information bases, and customer goodwill) are adequately protected.
- d) Resources are acquired economically and employed profitably; quality business processes and continuous improvement are emphasized.
- e) The organization's plans, programs, goals, and objectives are achieved.
- f) Controlling is a function of management and is an integral part of the overall process of managing operations. As such, it is the responsibility of managers at all levels of the organization to identify and evaluate the exposures to loss which relate to their particular sphere of operations.
- g) Specify and establish policies, plans, and operating standards, procedures, systems, and other disciplines to be used to minimize, mitigate, and/or limit the risks associated with the exposures identified.
- h) Establish practical controlling processes that require and encourage management and employees to carry out their duties and responsibilities in a manner that achieves the five control objectives outlined in the preceding paragraph.
- i) Maintain the effectiveness of the controlling processes they have established and foster continuous improvement to these processes.
- j) The President/Superintendent will develop administrative policies and procedures to implement the policies of the Board of Regents.

## **Implementation**

The President/Superintendent shall appoint an administrative staff to assist in the performance of the functions and duties assigned by the Board to the President/Superintendent and may delegate authority as the President/Superintendent deems necessary to selected administrators, except as may be explicitly restricted by the Board of Regents. The President/Superintendent may adopt appropriate administrative policies and procedures to implement policies adopted by the Regents.

The President/Superintendent shall adopt a procedure for developing and adopting new or revised administrative policies and procedures. This procedure shall be designed to ensure participation and discussion by those members of the Institute community affected by the proposed administrative action. Administrative policies and procedures shall become effective on the date of adoption by the President/Superintendent, or as otherwise specified.

## **References**

See, Policy on Signature Authority for Contracts (Policy 7.8).

## 9.2 Authority in an Emergency

### Applicability

This policy sets forth the President/Superintendent's authority in an emergency.

### Policy

The President/Superintendent is authorized to declare a state of emergency at the Institute upon finding that the orderly processes of the Institute have broken down or are seriously threatened. In making such a finding, the President/Superintendent shall consider whether the situation is so disruptive as to require immediate, extraordinary measures to safeguard persons or property or to maintain the School's educational function. As soon as reasonably possible, the President/Superintendent shall inform available Regents of the declaration of emergency. When the President/Superintendent determines that the threat has passed, the President/Superintendent shall inform the Regents and declare the state of emergency to be at an end.

During a state of emergency, the President/Superintendent, in the exercise of reasonable judgment under the circumstances, is authorized to take whatever actions are necessary to safeguard persons or property or to maintain the School's educational function, including suspending Institute activities for all or part of one or more days. Such actions shall remain in effect during the state of emergency, unless sooner cancelled by the President/Superintendent.

President/Superintendent executive orders made during a state of emergency need not be consistent with established Institute policy or procedures. During a state of emergency, the violation of a President/Superintendent order or the commission of any act of misconduct by any person will be considered an offense of the gravest nature, subject to sanctions appropriate to the gravity of the offense. During a state of emergency, failure to identify oneself by name and status as a cadet, faculty member, staff employee, or visitor after being requested to do so by a properly identified official and after being advised of the sanctions for failure to do so, may result in the imposition of disciplinary sanctions.

## 9.3 Appointment and Termination of Key Administrators

### Applicability

This policy applies to the appointment, dismissal, compensation, and contract amendment or non-renewal of the Commandant / Dean of Students/ Dean of Students, Academic Dean / Chief Academic Officer, Chief of Staff, Chief Financial Officer, and Athletic Director.

### Policy

The appointment, dismissal, compensation, and contract amendment or non-renewal of the key administrators shall be the responsibility of the President/Superintendent. In addition to following the applicable administrative policies and procedures, the President/Superintendent shall inform the Board of Regents prior to appointing, dismissing, setting compensation, and amending or not renewing the contract of the Commandant / Dean of Students, Academic Dean / Chief Academic Officer, Chief of Staff, Chief Financial Officer, and Athletic Director.

With regard to the recruitment and hiring of the positions named in this policy, the following guidelines shall be observed, consistent with Institute policies and procedures unless the Regents have been consulted and agree to a different process:

A national search shall be conducted unless there are exceptional circumstances;

A broadly-representative search committee shall be used;

Finalists in a competitive process for the position shall participate in interviews which include an open forum on campus for the general Institute community and interested members of the public.

## References

Employment Contracts; NMMI Hiring Guide

## Implementation

The President/Superintendent shall adopt administrative policies and procedures for the recruitment and hiring of key administrative positions, including but not limited to the positions specified in this policy. Dismissal or contract non-renewal shall be in accordance with Institute policies and procedures.

## 9.4 Authority to Represent NMMI

### Applicability

This policy applies to all members of the Institute community: Regents, faculty, cadets, and staff.

### Policy

Those who speak or act shall not do so in the name of the Institute or any of its organizations unless there has been specific authorization to do so. The President/Superintendent of the School, as its Chief Executive Officer, is authorized by the Board of Regents to be the primary spokesperson for the School. The President of the Board of Regents is authorized to speak officially on behalf of the Board.

Any action taken in the name of New Mexico Military Institute is prohibited unless specifically authorized by the Board of Regents or the President/Superintendent or his designee.

## **Implementation**

The President/Superintendent shall adopt administrative policies and procedures to implement this policy.

## **10 Special Recognition and Awards**

### **Applicability**

This policy applies to awards of honorary degrees and other types of special recognition given on behalf of the Institute at the discretion of the Board of Regents. This policy does not preclude other kinds of awards and recognition by other units or officials of the School.

### **Policy**

It is the practice of the Board of Regents of the Institute to recognize from time to time the contributions of special people to the School, to the state of New Mexico, or to the national or international community. Nominations for these awards may be submitted to the President/Superintendent by cadets, faculty, and staff. The President of the Board of Regents may appoint an ad hoc committee to review the nominees, to include the personnel file of the employee(s). The final decision for the Will Rogers Award, the Regents' Recognition Award, NMMI Distinguished Service Award, and Honorary Degrees will be made by the Regents.

### **The Will Rogers Award**

Will Rogers' honest, clean lifestyle inspires. He was a self-appointed ambassador without portfolio. Meeting with kings and presidents, he traveled by slow boat around the world seeking knowledge to share. Following a chance meeting with Brigadier General L. T. "Babe" Godfrey, NMMI (Ret) 1924 JCG, he enrolled his son, Jim, in 1931. During school year 1931-32, he was named the first Honorary Alumnus of NMMI. In 1997, NMMI established the Will Rogers Memorial Award to recognize nationally and internationally prominent individuals who have displayed the characteristics so engrained in the Corps of Cadets and Alumni, "Duty, Honor and Achievement." The award recognizes eminent individuals who have distinguished themselves as "Great Americans". The prestigious awardees are:

1997 President Gerald R. Ford

1997 Mr. Bill Daniels, 1941 JCG

2000 Stephen E. Ambrose, Ph.D.

2002 Justice Sandra Day O'Connor

### **10.1 Honorary Degrees**

The New Mexico Military Institute wishes to recognize and thereby encourage individuals by awarding special honors to those persons who have contributed significantly to the cultural or scientific development of the Southwest, or to the spiritual or material welfare of its people. At the same time, due regard should be paid to eminent individuals and scholars whose contributions are of general significance and transcend geographic limitations. In no case should a passing courtesy to the New Mexico Military Institute, such as the delivery of a commencement address, be the sole or principal cause for such honorary awards. The award of an honorary degree to a person seeking or holding a political office does not indicate endorsement by the New Mexico Military Institute. Political involvement should not prevent selection of an individual for an honorary degree.

It is not the School's policy to award honorary degrees to active members of the faculty, staff, or administration. This does not preclude, in an exceptional case, the awarding of an honorary degree to an emeritus member of the faculty or to a former employee whose stature remains or becomes eminent in the years following active service with the School. In such exceptions, sufficient time shall have elapsed to insure objectivity in the process of selection.

Honorary degrees will be awarded only upon the approval of the Regents, based on recommendations from the Honorary Degree Committee, whose membership is set out in the Operations and Procedure Manual

### **10.2 Regents' Recognition Medal**

The Regents' Recognition Medal will be awarded by the Regents of the New Mexico Military Institute to a person or persons, other than faculty or staff, who have performed outstanding service to the institution.

The criteria for the award will be extraordinary and unselfish assistance to the Institute over an extended period of time. However, a single service might be recognized if, in the judgment of the Regents, circumstances warrant. Selection will be made by the Regents.

Implementation Awards will be a medal, or other appropriate device, bearing the seal of the New Mexico Military Institute and other appropriate designs and will be accompanied by a certificate upon which the nature of the service will be cited.

### **10.3 President's Honorary Alumna Award (revision 02212017a)**

Honorees are non-NMMI graduates who are chosen because of their unique contributions, reputation, devotion and service to NMMI that singularly qualify them for special recognition as members of the NMMI community and family. The award is bestowed only upon the most worthy individuals, and therefore is not awarded every year. The award shall not be presented to current employees or students. The award requires a majority vote of the Board of Regents and qualifies the recipient to full alumni rights and privileges.

## **11 NMMI Trademarks**

### **11.1 Trademark Definition**

A trademark (or mark) is any logo, symbol, nickname, letter(s), work(s), word(s), slogan, or derivative that can be associated with an organization, company, manufacturer, or institution and can be distinguished from those of other entities or competitors.

In addition to the marks listed above, any indicia adopted hereafter and used or approved for use by the New Mexico Military Institute shall be subject to the policies and procedures of the New Mexico Military Institute. Additionally, the trademark licensing program shall also cover any derivations of NMMI marks which would cause consumers to erroneously believe that the product originated from, or was sponsored/authorized by, NMMI.

### **11.2 Use of the NMMI Official Seal**

#### **Applicability**

This policy applies to the use of the School's official symbols, including the corporate seal, Institute crest, the Bronco, the "I" over the crossed sabers, and the Bronco seal or any other logo considered the property and right of NMMI.

#### **Policy**

The official seal of the New Mexico Military Institute is the symbol of the authority and corporate signature of the Board of Regents and may be used in its impressed or embossed form only on diplomas, academic transcripts, enrollment certifications or other official Institute documents for which certification is requested. The seal cannot be altered or modified except by authorization of the Board of Regents.

Use of the name and/or official symbols of NMMI, including the Institute crest and the Bronco seal, for other than NMMI official business, is prohibited unless authorized by written permission by the President/ Superintendent or their designee.

#### **Implementation**

The Office of the Registrar shall have custody of the seal for the purposes described in this policy.

The President/ Superintendent shall establish policies for the requests for the use of the NMMI name, crest, logo or Bronco shield.

### **11.3 USE OF NMMI'S NAME/SYMBOLS**

## **Applicability**

This policy applies to the use of the School's name and official symbols, including the corporate seal, Institute crest, the Bronco, the "I" over the crossed sabers, and the Bronco seal.

## **Policy**

The official seal of the New Mexico Military Institute is the symbol of the authority and corporate signature of the Board of Regents and may be used in its impressed or embossed form only on diplomas, academic transcripts, enrollment certifications or other official Institute documents for which certification is requested. The seal cannot be altered or modified except by authorization of the Board of Regents.

Use of the name and/or official symbols of NMMI, including the Institute crest and the Bronco seal, for other than NMMI official business, is prohibited unless authorized by written permission from the Legal Advisor/Adjutant.

## **Implementation**

The Office of the Registrar shall have custody of the seal for the purposes described in this policy. Requests for the use of the NMMI name, crest, logo or Bronco shield shall be forwarded to the Legal Advisor/Adjutant.

# **12 Architectural Style of Campus Buildings and Campus Master Plan**

## **Applicability**

This policy applies to all buildings on the central campus of the School.

## **History**

The yellow "buff pressed brick", sometimes called Kansas brick, was introduced in 1908 by the Rapp brothers, widely respected architects originally from Carbondale, Illinois. Isaac Rapp, the older brother and designer, had already been recognized for his work in Santa Fe and Las Vegas, New Mexico. He had designed the territorial capitol, the New Mexico building at the Lewis and Clark Centennial Exposition, Santa Fe's La Fonda Hotel and various other buildings including the Chaves County Court House. In 1908, Regents approved the architectural style of a new Kansas brick barracks (named Hagerman barracks) that was described as baronial, tudor gothic, and military gothic.

## **Policy**



It is the policy of the Regents that all construction on the campus of New Mexico Military Institute will consist of the yellow brick military gothic style and that buildings off of the main campus reflect the general character of this style to the extent possible given the special needs for facilities in these areas. The consistent use of a single architectural style has become a unique feature of the New Mexico Military Institute campus, and contributes an aesthetically pleasing environment that becomes an unforgettable memory of the campus. Regent approval is required on all construction valued at more than \$50,000.

The Board of Regents shall approve the School's long-range campus master plan to guide the physical development of the campus. Revisions to the master plan must have the approval of the Regents.

### **Implementation**

The President/Superintendent, through the Director for Facilities, shall draft design specifications for campus buildings which specify use of the military gothic architectural style for central campus buildings and that are compatible with this style for other areas of the campus.

The current campus master plan, prepared by the Director of Facilities \_\_\_\_\_ was adopted by the Regents in concept in March 2008.

A copy of the current approved campus master plan is on file in the office of the Director for Facilities.

## **13 Historic Preservation**

### **Applicability**

This policy applies to all buildings, landscapes and places or objects of historic significance that possess exceptional value or quality in representing and reflecting the School's architectural and cultural heritage.

### **History**

The New Mexico Military Institute has several buildings that are listed on the New Mexico Historical Register.

It is the policy of the Regents that all buildings, landscapes and places or objects of historic significance be preserved and protected. Removal of or major alteration to any buildings listed on the State historical register or considered by the Director of Facilities to be of historic significance, must be approved by the Board of Regents. These unique historic resources provide a connection to the past for cadets, faculty, staff, alumni and the general public. They are essential to alumni development, cadet recruitment, the public image of the School, and help define a sense of place.

## **Implementation**

The President/Superintendent shall adopt administrative policies and procedures which create guidelines for ensuring the preservation and protection of the School's historic resources, consistent with this Regents' policy.

## **References**

N.M. Stat. §§ 18-8-1 through 8, New Mexico Prehistoric and Historic Sites Preservation Act

# **14 Naming Institute Facilities, Spaces, Endowments, and Programs**

## **Applicability**

This policy applies to the naming of facilities including buildings and structures, interior spaces, landscapes, roads, collections, programs, endowed chairs and professorships on the campus of the School.

## **Policy**

The New Mexico Military Institute welcomes the opportunity to honor those who have rendered extraordinary service or support to NMMI. Facilities, spaces, endowments or programs may be named for individuals or entities whose accomplishments or generosity advance the academic mission of the School, further the capacity of NMMI to meet its teaching and scholarly objectives and to serve its community, and enhance the growth and reputation of NMMI. A decision to construct or renovate a building, establish a chair or create a program is to be taken on the basis of established academic and other operational criteria and approved in keeping with the School's established practices and academic mission. Naming will be independent of all appointment, admission and curriculum decisions which the Institute will continue to make in keeping with its established practices and academic mission. To ensure the appropriateness of the honor, the Institute will follow the guidelines listed in this policy as it makes decisions on a case-by-case basis with regard to naming facilities, spaces, endowments or programs.

### **14.1 Criteria for Selection of Honorees**

Naming a facility, space, endowment or program for an individual, organization or corporation is one of the highest honors that the Institute can bestow. This recognition is a lasting and powerful affirmation of the honoree's connection to the School's mission. As such, honorees shall have exemplary character, an unqualified reputation for honesty, personal integrity and the highest standards of personal and professional ethics.

### **14.2 Extraordinary Institute Service**

Honorees who have been employed by the Institute shall have given extraordinary service to the institution in a teaching, research, service or administrative field with such exceptional distinction that their contributions are widely recognized by their peers, both at the Institute and elsewhere. The recognition afforded the honoree may also include private financial contributions related to the naming opportunity. Honorees may not be in active service at the Institute or hold elected office at the time of the naming, unless the circumstances are exceptional.

### **14.3 Private Financial Support**

Individuals who have not been Institute employees, corporations and other organizations may be considered for naming recognition if they have made significant financial contributions to the Institute related to the naming opportunity. Decisions regarding such recognition are made on a case-by-case basis in accordance with the approval process contained in this policy and any other applicable Institute policies and shall also take into consideration the total cost of the project, the availability of other funds and the level of financial contribution. A bequest or legacy gift from a donor who is still alive will not normally be considered for a naming opportunity.

The following guidelines should also be taken into consideration in determining a significant level of financial support in a given situation:

- New facilities--fifty percent (50%) of construction costs or one million dollars.
- Renovation of facilities--seventy-five percent (75%) of the cost of renovating a facility.
- Existing facilities without renovation--seventy-five percent (75%) of the fair market value of the facility.
- Portable items--donation of the collection or at least fifty percent (50%) of the value of the collection.
- Tribute markers--fifty percent (50%) of the cost or value of associated items (e.g. trees, gardens).
- Endowed chairs and professorships--full funding of the endowment.
- Programmatic Entities--determined on a case-by-case basis.

### **14.4 Request for Approval**

Since naming facilities, spaces, endowments and programs has a long-term impact on the School, the approval process is designed to ensure such action is in the best interest of the School. All naming requests will be reviewed by the Committee on Naming Facilities, Spaces, Endowments, and Programs in accordance with the guidelines and procedures found in "Naming Facilities, Spaces, Endowments, and Programs" Section 1700, O & P. The Committee will submit recommendations to the President/Superintendent or other official with approval authority. A plan for any naming opportunity that involves private financial support must be submitted in writing to the Committee and the appropriate approving official prior to submission of a request for approval of a specific name. In the

best interest of the Institute and prospective honorees, information relating to any naming request or plan should remain confidential until appropriate approvals have been obtained. The following naming opportunities must be recommended by the Committee on Naming Facilities to the President/Superintendent who will make recommendation to the Facilities Committee of the Board of Regents.

2.1 Naming facilities and spaces that are part of the outside environment of the Institute.

2.2 Naming facilities and spaces that are part of the interior space of the Institute.

2.3 Naming facilities and spaces that are made up of portable items which are identifiable because of a specific focus or purpose (for example, collections of art and/or artifacts).

2.4 The display of tribute markers which include plaques, medallions or other markers in association with features such as trees, benches or small monuments.

2.5 Naming of endowed chairs and professorships.

2.6 The naming of academic or non-academic programmatic entities (such as departments, schools, colleges, institutes and centers).

The Board of Regents reserves the right to review for approval, on a case-by-case basis, any naming request not specifically addressed above and not otherwise delegated by the Board of Regents to the President/Superintendent of the School.

### 3. Duration of Name

Naming of facilities, spaces, endowments and programs in honor of individuals is generally expected to last the lifetime of the facility, space, endowment or program. Naming of facilities, spaces, endowments and programs in honor of corporations or other organizations will have a set number of years attached to the naming which will be determined on a case-by-case basis and listed in the signed gift agreement. Naming associated with a particular facility, space, endowment or program will not preclude further naming within the facility, space, endowment or program.

### 4. Request Processing

Every reasonable effort will be made to ensure that a naming request will be acted upon within sixty (60) days of the initial submission of that request to the Committee.

### 5. Recording and Reporting

Regent minutes will reflect the approval of naming opportunities.

## **Implementation**

The President/Superintendent will develop detailed policies and procedures to ensure that the naming of facilities, spaces, endowments and programs is consistent with this Regents' policy.

## **14.5 Building Plaques**

### **Applicability**

This policy applies to the placement of plaques on buildings or other structures on the School's campus/property.

### **Policy**

Upon the completion of construction of a new building or a major new addition to a building on any of the School's property, a plaque shall be mounted in the lobby of the building or other appropriate interior location as determined by the Institute President/Superintendent. The plaque will be of such material, proportion and detail as to harmonize with its surroundings in an appropriate manner, as approved by the Institute Architect. The plaque will include the following information:

### **14.6 Building name**

Institute President/Superintendent on the date (the "contract approval date") of approval of the construction contract for the building project.

Members of the Board of Regents and their Board offices on the contract approval date.

Name of Architect

Name of General Contractor

Year building completed

### **References**

Regents' Policy "Naming Institute Facilities, Spaces, Endowments, and Programs"; "Naming Institute Facilities, Spaces, Endowments and Programs"; Section 13-8-1, NMSA 1978 (Public buildings; acknowledgment of taxpayers when elected officials acknowledged).

## **15 Advertising, Sales, and Solicitations on Campus**

### **Applicability**

This policy applies to advertising and solicitation on campus.

### **Policy**

Advertising, promotion, and/or solicitations through printed material, electronic media, or in-person are not permitted on Institute property except by those vendors contracted by NMMI to provide services (such as the Cadet Store).

## **Implementation**

The President/Superintendent is authorized to adopt policies regulating advertising, sales and solicitations, including machine vending.

The President/Superintendent shall adopt administrative policies and procedures to protect and preserve the beauty and tranquility of the Institute environment; promote the health and safety of the Institute community; prevent commercial exploitation of cadets; and protect and preserve the School's proprietary interests in its property.

## **16 Academic Policies**

### **16.1 The Faculty Senate**

#### **Applicability**

This policy applies to faculty of the School.

#### **Policy**

The Board of Regents fully appreciates the strategic role the Faculty has in carrying out the School's mission by teaching and mentoring. The Constitution of the Faculty Senate provides that "we the Faculty of New Mexico Military Institute, in order to provide for the educational needs of our students; to sustain and enhance the academic excellence at this Institution; and to promote free and open participation in all matter of concern to the Institute, do hereby establish this Constitution for the Faculty Senate." Further, "The Faculty Senate shall provide guidance on all Policies of concern to the Institute within the areas of academic policy, faculty affairs, and student affairs."

#### **Implementation**

The Faculty Constitution adopted by the Faculty and approved by the Board of Regents contains the faculty responsibilities included in this policy. In implementing this policy, the Board may from time to time approve policies and procedures adopted by the faculty. Amendments to the Faculty Senate Constitution and policies and procedural changes to the Handbook adopted by the faculty and approved by the Board shall be printed in the appropriate document when revised with the appropriate date of revision.

## Reference

16.1.1 Faculty Constitution

## 17 Business and Financial Policies

### 17.1 Tuition and Fees

#### Applicability

This policy applies to the annual determination of tuition and mandatory fee rates for resident and nonresident cadets

#### Policy

Assumptions

Factors to be considered in setting annual tuition and fee rates include: access issues, levels of state appropriations and other revenues, availability of need-based financial aid, charges at peer and regional institutions, national trends, economic conditions, recognition of the social benefits of education, and parameters defined in this policy.

Need-based financial assistance will be available for qualified college cadets to mitigate the effects of any increase in tuition and fees thereby assuring access to the Institute for qualified cadets who demonstrate the greatest financial need.

These guidelines are established by the Board of Regents in good faith and are subject to change in the event of unforeseen fluctuations in funding requirements, including major changes in the level of state general fund appropriations for higher education.

#### Objectives

To provide a rationale for the School's tuition decisions.

To provide predictability and consistency with respect to tuition and fees as a guide to cadets and their families.

To assure that cadets and the state continue to share the cost of education at NMMI in reasonable proportions.

To ensure that tuition and fee decisions are consistent with the goals and objectives of the School.

To be sensitive to relevant national and regional tuition and policy trends.

To ensure that current economic conditions of the consumer are considered in establishing tuition policy.

## **Implementation**

Taking into consideration recommendations of the President/Superintendent, the Board approves tuition and fee rates annually.

In setting the tuition and fee rates, the Board approves the total tuition and fee rates paid by resident and nonresident cadets.

Upon consultation with the Chief Financial Officer and through the budget process, the President/Superintendent shall approve the allocation of the student activity fee among various activities.

## **17.2 Budgets and Fund Balances**

### **Applicability**

This policy applies to budget management and use of fund balances for Current Unrestricted funds at the New Mexico Military Institute with special emphasis on Instruction & General funds.

### **Policy**

The Board of Regents has a fiduciary responsibility to ensure effective, efficient management of funding provided to the Institute to fulfill its mission. Budgeting involves all segments of the Institute and is a continuous process designed to ensure the best use of available funding. Budget management requires short-term and long-range planning, and involves setting up program priorities, requesting funding, allocating available funds to various programs and projects, preparing and maintaining the budget, and reporting on the use of funds and intended use of any unexpended funds.

#### **Reporting and Review of Fund Balances**

Annually, upon receipt of the annual external audit, the Regent Finance Committee will review NMMI Fund Balances for adequacy. These adequacy of fund balances will be considered before approving the NMMI Operating Budget or Request Budget and Budget Adjustment Requests (BARs).

### **Allocation of Fund Balances**



It is critical to the fiscal integrity of the Institute that adequate central reserves be available to address unexpected and/or critical needs of the School; therefore, the Regents require that fund balances do not drop below \$2,000,000 without the specific approval of the Board of Regents.

## **Implementation**

The President/Superintendent shall adopt administrative policies and procedures for implementing this policy.

## **17.3 Investment of Operational Funds and Bond Proceeds**

### **Applicability**

This policy governs the investment of operational funds and bond proceeds of the New Mexico Military Institute. It does not apply to endowments held by the Institute, which are invested in accordance with the Regent's Investment Policy.

### **Policy**

The Institute shall manage its cash flow in a manner which will maximize funds available for investments. The primary objective for investments of operational funds and bond proceeds of the Institute is capital preservation. In addition, available funds shall be invested with the following objectives:

1. Conformance with applicable laws and regulations, bond resolutions and indentures, and other pertinent legal restrictions.
2. Sufficient liquidity to ensure the Institute can quickly respond to cash demands and meet funding and operations requirements and emergency expenditures.
3. Recognition of differing objectives and needs of various operating funds and bond proceeds.
4. Maximization of investment returns.

The Board recognizes that in order to meet these investment objectives it may be advantageous to engage the services of investment consultants and managers who have appropriate training and expertise and who have access to specialized information and analysis or analytical tools and systems. Investment consultants and managers must be registered investment advisors with the Securities and Exchange Commission (SEC) and must have a minimum of \$500 million of assets under management. Such contracts must be approved by the Board of Regents. All persons or entities, including investment managers and consultants, that have responsibility for investment of Institute funds shall be bound by

this and other Institute policies, including conflict of interest policies RPM 1.8 and RPM 6.4, and federal and state laws and regulations.

## **17.4 Investment Guidelines**

The scope of authority for the types of investments that may be made with Institute funds is statutorily defined in NMSA 1978, Sections 6-8 and 6-10. Institute assets may be invested in any securities permitted by law, subject to the provisions of this investment policy. Individuals responsible for investment decisions shall exercise judgment, care, skill, and caution to invest and manage funds as a prudent investor would, by considering the objectives, terms, and distribution requirements while preserving capital. Operational funds and bond proceeds are primarily invested in high quality, relatively short-term fixed income securities not exposed to significant market risk. Investments should have an average duration of three years or less, an average credit quality of A1/A+ or better, no use of leverage, and security ratings of investment grade.

## **17.5 Prohibited Investments**

Notwithstanding authority granted by law and elsewhere in this document, in order to mitigate exposure to interest rate risk, market risk, and liquidity risk, the following investments and investment practices are prohibited. Prohibited investments include, but are not limited to the following:

Domestic or international equity securities (i.e. stocks)

Commodities and futures contracts

Options

Speculative securities

Mortgages- backed debt and pass-through securities or obligations

Non government fixed income mutual funds

Private placements

Limited partnerships

Real estate properties

Principal-only (PO) securities

Interest-only (IOs) Securities

Planned amortization class (PACs)

Residual Tranche collateralized mortgage obligations

Venture-capital investments

## Derivatives

Collateralized mortgage obligations (CMOs) and other mortgage-backed securities, inverse floaters, leveraged floaters, capped and rate floaters, dual index floaters, and floating rate notes whose index is tied to a long-term interest rate or lagging index, e.g. Cost of Funds Index (COF1)

Investment purchase on margin or short sales

Leveraging the portfolio, lending securities with an agreement to buy them back after a stated period of time (reverse repurchase agreements from the perspective of the Operating Fund)

Repurchase agreements are prohibited for operating funds, but are allowable for bond proceeds

GICs are prohibited for operating funds, but are allowable for bond proceeds

## **17.6 Reporting and Accountability**

The Chief Financial Officer is responsible to ensure that investments are managed in accordance with Institute policy and applicable laws and regulations. The Chief Financial Officer is also responsible for oversight of the investment process and distribution of investment income, monitoring investment activities, and reporting the results of investment activity to the Regent Finance Committee. All investment transactions require prior authorization from two Institute administrators with signature authority on the School's depository account. All individuals delegated authority to make investment decisions must be bonded in accordance with NMSA 6-8-5.

## **References**

NMSA 1978, §§ 6-8 and 6-10; Uniform Prudent Investor Act, NMSA 45-7 (601-612); Internal Revenue Code IRC §148, Arbitrage; BOR 1.8 "Employee Code of Conduct and Conflicts of Interest Policy," BOR 6.4 "Employee Code of Conduct and Conflicts of Interest Policy." O & P Policy 1025

## **17.7 Property Management**

### **Applicability**

### **Policy**

The Institute may acquire, maintain, protect, use and dispose of property required to perform its mission. Institute property shall be managed according to Institute policies and applicable state and federal law.

Institute property includes all equipment purchased by Institute departments, regardless of the source of funds used to purchase the equipment; U.S. Government-owned equipment used by Institute

departments; components and materials used to make equipment, whether furnished to, acquired by, or fabricated by the School; property donated to the School; and property loaned or leased to the Institute by outside organizations.

The following types of property management transactions must be approved by the Board of Regents:

Purchase, sale or transfer of real property.

Disposition of surplus property.

Acceptance of certain gifts to the Institute (see Policy 7.13).

Prior to commitment of NMMI funds, leases of real property with total cost between \$150,000 and \$500,000 will be reviewed by the Regent Finance Committee. The Regent Finance Committee will recommend approval of leases with a total cost of over \$500,000 to the full Board. Expenditures made pursuant to a previously approved contract are not subject to separate expenditure approval

## **Implementation**

The President/Superintendent shall adopt administrative policies and procedures to implement this policy.

## **References**

By statute, purchase of real property must also be approved by the Higher Education Department and the State Board of Finance.

Disposition of Surplus Property Act, § 13-6-1, NMSA 1978; Policy on Property Management & Control, Development, Receipt and Investment of Gifts to the School, BOR 7.13.

## **17.8 Accounting and Reporting of Funds to the Governor**

### **Applicability**

This policy applies to all funds received by the School, including federal funds.

### **Policy**

The Institute shall keep an accurate account of all funds received. The Institute shall make reports on these funds as the Governor requires, including a full and complete report at least thirty days prior to the regular session of the State Legislature.

## **Implementation**

Implementation of this policy shall be by means of submission of the annual operating budget, the annual legislative budget request and the annual audited financial statement to the Department of Finance and Administration.

## **References**

Accounting and reporting of funds to the Governor is required by N.M. Const., art. V, § 9. See also, State ex rel. Segov v. Kirkpatrick, 86 N.M. 359, 524 P.2d 975 (1974) (requiring reporting of federal funds).

## **17.9 Internal Auditing**

### **Applicability**

This policy applies to the controls, risk management and organizational governance of the School.

### **Policy**

The Board of Regents shall establish an Internal Audit Department to perform a comprehensive internal audit function for the New Mexico Military Institute (School). The internal audit function is an assurance and consulting activity designed to add value and improve the New Mexico Military Institute's operations. Internal Audit will conduct independent, objective assurance services (audits) and consultations to determine whether the School's systems of controls, risk management, and organizational governance, as designed and represented by management, are adequate and functioning properly. To ensure independence of the internal audit function, the Internal Audit Department shall report functionally to the Board of Regents and administratively to the President/Superintendent of the School. The Internal Audit shall be free from interference in determining the scope of internal auditing, performing work, and/or communicating results, and shall answer solely to the Board of Regents with respect to such Policies.

### **Authority**

The Internal Audit Department is authorized to:

1. Have unrestricted access to all functions, records, property, and personnel.
2. Obtain the necessary assistance of personnel in organizations where they perform audits.
3. Communicate with Institute management, faculty, staff, external auditors, governmental entities, and law enforcement agencies as needed.

4. Cooperate with any legitimate inquiry or investigation from an outside audit, law enforcement or investigative agency, if advised to do so by Institute Counsel.

The Internal Audit Department is not authorized to:

1. Perform operational duties for the Institute or its affiliates.
2. Initiate or approve accounting transactions external to Internal Audit.
3. Direct the activities of any Institute employee not employed by Internal Audit.
4. Render legal opinions.
5. Have direct responsibility for or authority over any of the activities that it examines.

### **17.10 Responsibility and Accountability**

The Director of Internal Audit shall:

1. Submit an annual audit plan to the Board of Regents Audit Committee (Audit Committee) for review and approval.
2. Provide reports to the Audit Committee on the status and results of the audit plan, significant audit findings and recommendations, and sufficiency of department resources.
3. Provide timely information to the President/Superintendent of the Institute and the Audit Committee concerning suspected fraudulent activities.
4. Maintain sufficient knowledge, skills, experience, and professional certifications to meet the requirements of the Policy.

### **Scope of Work**

The scope of work of Internal Audit is to determine whether the School's systems of control, risk management, and organizational governance, as designed and represented by management, are adequate and functioning properly to ensure:

1. Risks are identified and managed.
2. Significant financial, managerial, and operating information is accurate, reliable, and timely.
3. Employees' actions are in compliance with policies, standards, procedures, and applicable laws and regulations.

4. Resources are acquired economically, used efficiently, and adequately protected.
5. Programs, plans, and objectives are achieved.
6. Quality and continuous improvements are fostered in the School's control process.
7. Significant legislative or regulatory issues impacting the organization are recognized and addressed appropriately.
8. Procedures used by the governing body provide oversight of risk and control processes administered by management.

## **Reports**

Internal Audit will prepare written reports of the result of audit work performed. Management is required to respond to the report within ten days of receiving it. The response will include three elements: a statement as to whether management agrees with the audit finding, corrective action to be taken to meet the objectives of the audit finding, and the dates by which the actions will be implemented. If no action will be taken, the response will indicate the reasons. The Internal Auditor will forward its initial report and the management's response to the President/Superintendent who shall review them and either accept the response or request further development of the response. After the President/Superintendent has finalized the response, the Internal Auditor will forward the report and response to the Finance Committee. The full text of reports may be released to external auditors, governmental entities, funding entities, and law enforcement agencies as needed. Internal Audit will perform follow-up reviews to ensure corrective actions indicated in the responses have been completed.

## **Investigation of Fraudulent Activity**

The Internal Audit Department will coordinate investigation of suspected fraudulent activities within the School. If the investigation reveals possible fraudulent activity has occurred, Internal Audit will ask Legal Counsel to render an opinion as to whether the audit findings indicate that illegal activity may have occurred. If, in Legal Counsel's opinion, illegal activities may have occurred, Internal Audit will notify the President/Superintendent of the School, the supervising administrator, the Chief Financial Officer, and the appropriate law enforcement agency. Internal Audit will notify the Audit Committee within forty-eight hours. Internal Audit will notify the State Auditor's Office of illegal activity in accordance with NMAC 2.2.2.10L

In the conduct of its audits, Internal Audit shall abide by applicable pronouncements made by professional bodies including the Institute of Internal Auditors (IIA) and the American Institute of Certified Public Accountants (AICPA). The generally accepted auditing standards published by these groups shall serve as guides in the performance of internal audits. In addition to maintaining the highest standards of practice in the performance of its duties, Internal Audit shall adhere strictly to the Code of

Ethics as established by the IIA and adopted by the Association of College and Institute Auditors. Due regard should also be given to pronouncements concerning ethical behavior by the AICPA.

## References

Audit Act, §12-6-3, NMSA 1978; NMAC 2.2.2.10 L; BOR 7.3 "Audit Committee"; "Reporting Misconduct and Retaliation", NMMI O & P Policy 3300 and 3310

## 17.11 Audit Committee

### Applicability

This policy applies to the controls, risk management and organizational governance of the School.

### Policy

The Chief Financial Officer will assist and advise the Board of Regents (Board) in fulfilling its oversight responsibilities for the School's financial reporting, internal controls, risk management, performance of external and internal auditors and compliance with laws and regulations. The Audit Committee will review all contracts for audit and non-audit services provided by independent public accountants and recommend action to the Board. These contracts must be approved by the State Auditor. Both the internal auditors and external auditors shall have direct access to the Audit Committee and the Board.

### Financial Statements

The Institute shall maintain proper financial accounts and records and prepare annual financial statements in accordance with generally accepted accounting principles. The Institute President/Superintendent and the Chief Financial Officer must attest that the annual financial statements accurately reflect the financial position of the School.

### External Auditors

The School's financial accounts and records shall be audited annually by independent public accountants approved by the Higher Education Department (HED) and the State Auditor. The Audit Committee will recommend to the Board the independent public accountants to conduct the annual audit. The independent public accountants who perform the annual audit are prohibited from providing consulting services to the School. The audit shall be conducted in accordance with generally accepted auditing standards.

The Chief Financial Officer along with the Audit Committee, will review the audit scope and approach and oversee the audit. To the extent deemed necessary and desirable, the Audit Committee will maintain direct and separate avenues of communications with the external auditors. As soon as feasible after the end of the fiscal year, the Board of Regents will review the annual audit report, including the



management letter and response, with the external auditors and will take action to approve the report. The report must also be approved by the State Auditor.

## **Internal Audit Department**

The Internal Audit Department shall report functionally to the Board and administratively to the President/Superintendent of the School. Internal Audit shall be free from interference in determining the scope of internal auditing, performance of work or communication of results. The Audit Committee will review and approve the annual audit plan and budget submitted by the Director of Internal Audit. Discussions regarding hiring, performance evaluation, compensation and termination of the Director of Internal Audit require endorsement of the Audit Committee. The Committee will receive quarterly reports from the Director of Internal Audit on the status and results of the audit plan and significant audit findings. The Audit Committee will meet with the Director of Internal Audit to review the School's system of internal controls and the adequacy of accounting, financial, and operational policies and practices on financial and compliance reporting.

## **References**

Audit Act, § 12-6-3, NMSA 1978; NMAC 2.2.2.8., 2.2.2.10; BOR 7.2 "Internal Auditing"

## **17.12 Purchasing**

### **Applicability**

This policy applies to the purchase of supplies, materials, equipment, and contractual services. It also applies to the reimbursement of employees for expenses incurred in the performance of Institute business.

### **Policy**

The New Mexico Military Institute is committed to operating in the most economical and efficient manner possible. The Regents have approved NMMI's Central Purchasing Office. All funds received by the School, regardless of their source, are considered to be Institute funds and all purchases shall be made in accordance with Institute policies and procedures.

The Regent Finance Committee will review expenditures for goods and service between \$150,000 and \$500,000 and recommend approval of expenditures over \$500,000 to the full Board. Expenditures made pursuant to a previously approved contract are not subject to separate expenditure approval.

Except as otherwise provided in this manual with regard to real estate Policies (BOR 7.9), the Regents shall authorize the execution of contracts for the purchase of goods or services in excess of \$500,000 per year.

## **Implementation**

The President/Superintendent shall establish specific procurement policies that assure the procurement of goods and services of acceptable quality at the lowest possible cost. The President/Superintendent shall also establish policies and procedures for the reimbursement of employees for appropriate expense incurred in the performance of Institute business, such as travel, recruitment and hiring of new employees, and business expenses. All such policies and procedures shall ensure compliance with all applicable state and federal laws regarding the procurement and management of goods and services. The President/Superintendent may also establish policies to assure minimum performance standards and compatibility with other Institute investments in facilities and equipment.

## **Delegation of Authority**

NMMI's Chief Financial Officer shall be its Central Purchasing Officer. The Central Purchasing Officer shall have the sole authority to establish the institutional procedures for obligating the Institute for the procurement of supplies, materials, equipment and contractual services.

## **References**

The New Mexico Military Institute is exempt from the requirement that all purchasing for state agencies be performed by the State Purchasing Agent. NMSA 1978, § 13-1-98.

## **17.13 Signature Authority for Contracts**

### **Applicability**

This policy applies to all members of the Board of Regents, faculty, staff and cadets.

### **Policy**

The Board must approve and an officer of the Board must sign the following types of contracts and documents:

1. Contracts between the President/Superintendent and the Institute
2. Bond resolution, notification and certification documents, including certification of bond sale
3. Any contracts or other documents required by law to be signed by an officer of the Board of Regents.

The President/Superintendent, Chief of Staff, Chief Financial Officer, and Comptroller shall have the authority to sign all other contracts and documents for the operation of the Institute. This signature

authority includes the authority to execute certificates representing stocks, bonds, or other securities in order to buy, sell, assign, or endorse for transfer such securities.

The signature authority delegated in this policy must be exercised in accordance with other Regents' policies, some of which may require approval of the contract or other document by the Board.

## References

Appointment of the President/Superintendent of the School; Borrowing and Bonding Authority

### 17.14 Borrowing and Bonding Authority

## Applicability

This policy applies to the financial affairs of the School.

## Policy

The Institute is authorized to borrow money through the issuance and sale of Institute bonds for erecting, purchasing, or otherwise acquiring, altering, improving, furnishing and equipping any necessary buildings or structures at the School; or acquiring any necessary land for use by the School; or for retiring the whole or any part of any series of bonds previously issued by the School. The Institute also is authorized to borrow money through the issuance and sale of bonds for purchasing, erecting, altering, improving, repairing, furnishing and/or equipping any income-producing facility and for acquiring any necessary and convenient lands for these purposes. The Board of Regents may impose and collect fees for the use of such facilities as it deems necessary to retire these bonds on schedule. The Institute may borrow funds by issuing other debt obligations under terms approved by the Board of Regents.

Bonds or other obligations issued by the Institute may be sold at public or private sale, at the discretion of the Board of Regents. The proceeds from the sale of these bonds shall be paid to the School, which shall place the proceeds in a separate fund known as the Building and Improvement Fund. This fund shall be used only for the purposes stated in applicable law and the purposes for which the bonds were issued.

Bonds or other obligations shall be authorized and issued only when the Board of Regents determines that it is prudent to do so and that appropriate provisions can be made for orderly repayment. At the time of issuing bonds the Board of Regents shall establish a fund known as the Interest and Retirement Fund for the payment and interest of the bonds. The issuance and sale of these bonds constitute an irrevocable pledge by the Board of Regents of sufficient funds from each year's income from the School's funds to pay the interest and principal on the bonds.

## Implementation

The President/Superintendent may adopt administrative policies and procedures to implement this policy.

## References

NMSA 1978, §§ 6-13-1 to -26 (Institution Bonds); §§ 6-14-1 to -12 (Public Securities); §§ 6-17-1 to -19 (Finances of State Educational Institutions); §§ 21-7-3 to -25 (Building and Improvement Bonds); Signature Authority for Contracts, BOR 7.8

## 17.15 Approval of Construction Projects

### Applicability

This policy applies to Institute construction projects.

### Policy

Any plan for the addition of square footage, for construction of a new building or for any alteration, site improvement or major project exceeding \$ 50,000 shall be submitted to the Board of Regents for approval of the project concept before any formal project planning begins.

In accordance with laws and regulations of the Higher Education Department and the Board of Finance as may be amended from time to time, the following construction projects shall be presented to the Board of Regents for approval prior to issuance of a request for bids:

Any addition of square footage or construction of new building;

Any alterations, site improvement or other major project exceeding \$50,000

Any revised, previously approved project, if the total project cost increases by 10% or if the size increases by more than 10% or 1,000 NSF whichever is greater or if the type or purpose of the space changes by 10% or more.

This policy does not apply to purchase of equipment.

### Implementation

The President/Superintendent may adopt administrative policies and procedures to implement this policy and provide for review and approval of all construction projects.

## References

New Mexico Procurement Code, § 13-1-28, et seq., NMSA 1978; § 13-1-21, et seq. (resident preference); § 13-4-1 (public works contracts); § 21-1-21 (capital expenditures).

Expenditures for the construction of or additions to buildings or major projects including major remodeling must be approved by the Higher Education Department (HED) and the State Board of Finance, per statute and regulations of the HED and Board of Finance § 21-1-21 NMSA 1978.

## **17.16 Receipt and Investment of Gifts to the School**

### **Applicability**

This policy applies to the receipt and investment of funds and other gifts from private sources to the Institute. It does not apply to grants or contracts from governmental agencies or other entities.

### **Policy**

Private support is important to the teaching, research and service activities of the School. Through private support, the Institute can enhance current programs and develop resources to support programs for future generations. The Institute shall employ coordinated efforts to obtain and increase private support, working cooperatively with the NMMI Foundation in accordance with the NMMI Foundation MOU, so long as that agreement is in effect.

The Board of Regents' approval shall be required prior to acceptance of: (1) any gift to NMMI of real property; (2) any gift to NMMI of tangible personal property that would require any expenditure by the School; or (3) any gift to NMMI of tangible personal property valued in excess of \$10,000.

### **Implementation**

The President/Superintendent may adopt administrative policies and procedures regarding the acceptance of gifts and other development Policies.

### **References**

§6-5A-1, NMSA 1978 (Requirements for Receiving Funds from [Affiliated] Organizations); § 21-1-38 (Policies for Investing Endowment Funds); Regents' Investment Management Policy. BOR 7.9 (Property Management); BOR 7.19 (Regents' Endowment Fund); Memorandum of Agreement between the Regents of NMMI and the NMMI Foundation, Inc., on file in the NMMI Foundation Office and Institute Legal Office.

## **17.17 Risk Management and Insurance**

### **Applicability**

This policy applies to all members of the Institute community and to all property owned or controlled by the School.

### **Policy**

It is the policy of the Institute to take reasonable steps to avoid accidents that could result in injury or death to cadets, faculty, staff, and visitors, and to protect the physical resources of the Institute against loss or damage. The School, therefore, will have an active safety and loss prevention program. The program will also provide for the proper handling and disposition of hazardous materials, pursuant to applicable laws.

Liability insurance covering the Institute and its "public employees," as defined in the New Mexico Tort Claims Act, property and casualty insurance, and workers' compensation insurance are provided by the Risk Management Division, General Services Department, of the State of New Mexico.

The Board shall approve the establishment or elimination of any alternative insurance or self-insurance program.

### **Implementation**

In cooperation with the Risk Management Division, the Institute will carry fire and extended coverage insurance on its buildings, heating and cooling systems, and major equipment; and workers' compensation, unemployment compensation, medical malpractice, and comprehensive general liability insurance to protect itself and its employees, consistent with the New Mexico Tort Claims Act.

The Institute will offer to its entire active and retired permanent faculty and staff employees several different plans of group health insurance coverage which the Institute co-pays in accordance with state law. Institute employees may also purchase other benefits available through the state insurance plan.

### **References**

Tort Claims Act, § 41-4-1 et seq., NMSA 1978; Workers' Compensation Act, §52-1-1, et seq.; Group Benefits Act, §10-7B-1, et seq.

## **17.18 Financial Exigency**

## **Applicability**

This policy applies to School-wide fiscal operations. It does not apply to decisions concerning individual programs.

## **Policy**

In the event the Institute is threatened by a serious financial crisis which jeopardizes its mission and effective operation, the Board of Regents may declare a School-wide financial exigency to be followed by reductions in Institute expenditures, including reductions in force, if necessary. In making a determination of financial exigency and in approving reductions in expenditures, the Board will be guided by recommendations from the President/Superintendent, who shall convene a special committee to advise the President/Superintendent on the nature and extent of the exigency and recommended courses of action.

## **Implementation**

The President/Superintendent may adopt administrative policies and procedures to implement this policy.

## **References**

See, Policy on Academic Freedom and Tenure, Section 7, published in the Faculty Handbook, regarding the rights of tenured faculty members under financial exigency.

## **17.19 The Patterson Fund**

### **Applicability**

This policy applies to all allocations and expenditures from the Patterson Fund.

### **Policy**

The Patterson Fund was created from a bequest as a quasi-endowment of the School. It shall be managed and used as follows:

The Patterson Fund shall be invested as part of the School's endowment funds and portfolio and shall be managed in accordance with the Regents' Investment Management Policy.

All reductions of the Patterson Fund principal balance must be approved by the Board of Regents and shall generally be limited to infrastructure improvement or construction.

Investment income distributed annually shall be limited to expenditures for improvements to and upgrade of the facilities, infrastructure and construction projects.

The Institute administration shall provide information to the Regents in June of each year regarding the Patterson Fund's principal balance and the proposed distribution of income for the next fiscal year.

As a general guideline, the Regents require that the principal balance of the Patterson remain at least \$2,000,000.

## **Implementation**

The President/Superintendent may adopt administrative policies and procedures to implement this policy.

## **18 General Policies**

### **18.1 Legal Counsel**

#### **Applicability**

This policy applies to requests for legal advice concerning Institute business from outside legal counsel.

#### **Policy**

It is in the best interest of the Institute that legal services provided by outside counsel to the Institute and its components be of the highest quality and delivered in a cost-effective manner. In order to attain these objectives, no component of the Institute may retain or employ outside counsel except with the prior approval of the President/Superintendent of the School. The term "component of the School" includes the School, any unit, department or office of the Institute and any School-affiliated organization. The retention, employment and supervision of such outside counsel shall be in accordance with guidelines promulgated by NMMI Purchasing Policies.

### **18.2 Public Access to Institute Records**



## **Applicability**

This Policy applies to requests for Institute records under the Inspection of Public Records Act, § 14-2-1, et seq. NMSA 1978.

## **Compliance with Inspection of Public Records Act**

<http://www.nmag.gov/consumer/publications/inspectionofpublicrecordsactcomplianceguide2009>.

## **Policy**

Pursuant to the Inspection of Public Records Act, § 14-2-7, NMSA 1978, the President/Superintendent shall designate at least one custodian of public records to receive and respond to requests for public records, as specified in the Act. In responding to requests for records, the Institute shall comply with the Family Educational Rights and Privacy Act of 1974 (FERPA) and any other applicable laws and regulations.

## **Implementation**

The President/Superintendent shall adopt administrative policies and procedures to carry out the Inspection of Public Records Act, consistent with the Act, FERPA, and any other applicable laws and regulations.

## **References**

Inspection of Public Records Act, § 14-2-1, et seq., NMSA 1978; Student Records Policy

## **18.3 Student Records**

### **Applicability**

This policy applies to all records containing personally identifiable information about a student. It does not apply to records containing information about prospective students, applicants, or alumni.

### **Policy**

Under the Family Educational Rights and Privacy Act of 1974 (FERPA), students have the right to inspect and review most records maintained about them by the School, to restrict access to information about

them by outsiders in most cases, and to amend student records which are incorrect or violate students' rights. FERPA also requires the Institute to inform students of their rights under FERPA and the policy.

It is the policy of the Institute to comply fully and fairly with the provisions of FERPA and applicable federal regulations.

## **Implementation**

The President/Superintendent shall establish administrative policies and procedures to implement this policy which shall be in accord with FERPA and its regulations. The full text of the NMMI Student Records Policy shall be published in the NMMI catalog.

## **References**

Public Access to Records (BOR 2.18).

## **18.4 NMMI Anti-Discrimination Policy**

### **Applicability**

NMMI is dedicated to providing equal opportunities in areas of employment and academics without regard to age, ancestry, color, disability, gender identity, genetic information, national origin, race, religion, serious medical condition, sex, sexual orientation, spousal affiliation or protected veteran status as outlined in federal and state anti-discrimination statutes.

### **Policy**

NMMI does not discriminate on the basis of sex in education programs and activities; Title IX of the Education Amendments Act of 1972 is a federal law that states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." NMMI does not tolerate any sexual violence to include intimate partner violence which can be defined as any physical, sexual, or psychological harm against an individual by a current or former partner or spouse of the individual. Such sexual violence covers domestic violence, dating violence and stalking. The Campus SaVE Act complements and is a companion to Title IX and assists with the response to and prevention of sexual violence in higher education. The Act provides a framework for educational institutions to address incidents of sexual violence occurring on-campus, on public property within and adjacent to campus, and at non-campus properties like off-campus student organization housing, campus sponsored

events and remote classrooms. It is against NMMI policy to discriminate in any aspect of employment or education, which includes, but is not limited to:

Hiring actions and terminations; compensation, assignment, or classification of employees; transfer, promotion, layoff, or recall of employees; job advertisements; recruitment actions; testing; grading; acceptance or participation in an academic program or activity; use of facilities; training programs; benefits; retirement opportunities, and paid and unpaid leave programs; housing; academic accommodation; employment accommodation; financial aid; other terms and conditions of employment.

Determining what constitutes discrimination under this policy will be accomplished on a case by case basis and depends upon the specific facts and the context in which the conduct occurs. Some conduct may be inappropriate, unprofessional, and/or subject to disciplinary action, but would not fall under the definition of discrimination. The specific action taken, if any, relating to a particular instance depends on the nature and the seriousness of the conduct that is reported.

## **Implementation**

The BOR directs the President/ Superintendent of NMMI to establish procedures to assure no employee or student, either in the workplace or in the academic environment, should be subjected to discrimination which includes inappropriate conduct. Even one incident may constitute a violation of this policy. It is expected that students, faculty and staff will treat one another and campus visitors with respect.

## **Authority**

Age Discrimination in Employment Act of 1967; Americans with Disabilities Act of 1990, as amended; Civil Rights Act of 1991; Title IX of the Education Amendments of 1972; Executive Order 11141; Executive Order 11246; Equal Pay Act of 1963; Pregnancy Discrimination Act; Section 504 of the Rehabilitation Act of 1973, as amended; Title VI & VII of the Civil Rights Act of 1964; Vietnam Era Veterans Readjustment Act; Genetic Information Non-discrimination Act of 2008; NM Human Rights Act, 1969; Campus SaVE Act, 2013

## **18.5 NMMI Affiliated Organizations**

### **Applicability**

This policy applies to nonprofit corporations or associations which are affiliated with the Institute and exist solely for the benefit and support of the School, even if not created by the School. An organization

does not necessarily have to be declared an exempt organization under Section 501(c)(3) of the Internal Revenue Code in order to be considered a School-affiliated organization.

## **Policy**

The Institute recognizes the value and importance of affiliated organizations for the support and benefit of the Institute and its programs. Pursuant to Section 6-5A-1, NMSA 1978, the Institute shall enter into a written agreement with each affiliated organization approved by the Board of Regents specifying the organization's purposes and relationship with the School

## **Implementation**

The Articles of Incorporation and Bylaws of affiliated organizations are maintained in the offices listed below, as well as in the Institute Counsel's Office.

### **18.5.1 Affiliated Organizations**

- NMMI Foundation
- NMMI Parents Club
- NMMI Booster Club

## **References**

§ 6-5A-1, NMSA 1978.

## **18.6 NMMI Foundation**

### **Applicability**

This policy applies to the NMMI Foundation.

### **Policy**

The NMMI Foundation, a separate 501(c)3 organization located on the campus of NMMI, operates independently from NMMI, is classified as a public charity under the Internal Revenue Service Code Section 170 (b) (1) (A) (vi). The Foundation provides fundraising services and other assistance to attract private gift funds to enhance NMMI's instructional activities and provides scholarship assistance for cadets to attend NMMI.

### **Implementation**

NMMI will work in partnership with the NMMI Foundation in institutional development activities. A memorandum of agreement shall be maintained between NMMI and the NMMI Foundation, describing their relationship and cooperative efforts.

## **References**

Foundation MOA and Foundation By-Laws

## **18.7 NMMI Parents Club**

### **Applicability**

The NMMI Parents Club is a separate organization made up of the parents, guardians or ambassador families of past or current cadets. The Club holds elections to select officers. The purpose of the Parents Club is to provide support to the Corps of Cadets.

### **Policy**

It is the policy of the Regents that NMMI will provide an Institute liaison to interact with and provide assistance to the Parents Club. The activities of the Club must be coordinated through and be in compliance with all NMMI policies and procedures.

### **Implementation**

The President/Superintendent will appoint a liaison to the Parents Club. A memorandum of understanding shall be maintained between NMMI and the NMMI Parents Club, describing their relationship and cooperative efforts.

### **References**

Parent Club MOU and Parent Club Bylaws

## **18.8 Joint Powers Agreements/ Memorandums of Understanding**

### **Applicability**

This policy applies to all joint powers agreements and/or memorandums of understanding entered into by the School.

### **Policy**

The Regents shall authorize any joint powers agreement entered into by the School. By means of a resolution specifying the general subject and the government agency involved, the Regents may authorize the President/Superintendent or his/her designee to enter into a joint powers agreement to exercise jointly any power common to the Institute and the government agency. In the alternative, and at the discretion of the Board, the Regents may approve the actual joint powers agreement.

The Regents shall authorize any memorandums of understanding entered into by NMMI. By means of a resolution specifying the general subject and the other party to the agreement, the Regents may authorize the President/Superintendent or his/her designee to enter into a memorandum of understanding. In the alternative, and at the discretion of the Board, the Regents may approve the actual memorandum of understanding(s).

Joint powers agreements should be used only where required by statute for the joint exercise of a power common to two or more public agencies.

## **Implementation**

The President/Superintendent may adopt administrative policies and procedures to implement this policy.

## **References**

Section 11-1-3 NMSA 1978 Comp., NMMI/State Investment Council Joint Power Agreement

## **18.9 Speakers From Off Campus**

### **Applicability**

This policy applies to all speakers at the Institute who are not affiliated with the New Mexico Military Institute, but who are sponsored by members of the campus community.

### **Policy**

The Institute encourages free inquiry on the campus. It has confidence in the ability of its cadets, faculty, and staff to critically evaluate all ideas that may be expressed at the Institute by speakers from off campus. Given the age and maturity level of NMMI high school cadets, care should be exercised in determining whether a topic and its presentation are appropriate.

As an educational institution, the Institute expects that presentations of speakers in Institute facilities will be of educational value, and that they will be conducted in an orderly manner. The responsibility for determining the educational value of invited speakers rests ultimately upon the group authorized to extend the invitation. No Institute organization should accept speakers imposed upon it by any outside agency or individual, nor should an organization lend its entitlement to invite a speaker merely as an accommodation to anyone.

Speakers approved in accordance with Institute procedures should be allowed free expression of their views, but should be reminded of the young age of some members of the Corps of Cadets.

## Implementation

The President/Superintendent shall adopt administrative policies and procedures to implement this policy.

### **18.10 SOCIAL MEDIA RULES OF CONDUCT (Revision 09182017a)**

The Board of Regents of NMMI has established a Social Media Handbook that provides guidelines for those using any NMMI-related social media community to ensure that everyone understands what behavior is expected and what behavior will not be tolerated. Anyone joining any NMMI-related social media community is expected to read and follow these rules and guidelines and those in the Social Media Handbook. The rules and guidelines are designed to preserve a climate that encourages both civil and fruitful dialogue. NMMI encourages individuals to remember the risks whenever you use the Internet.

#### **The Rules**

1. Don't challenge or attack others. The discussions and comments are meant to stimulate conversation not to create contention. Let others have their say, just as you may.
2. Any defamatory, abusive, profane, threatening, offensive, or illegal materials are strictly prohibited. Do not post anything that you would not want the world to see or that you would not want anyone to know came from you.
3. Include a signature tag on all messages. Include your name, affiliation, location.
4. Do not post any information or other material protected by copyright without the permission of the copyright owner. Do not post any videos or photos of minors without the prior permission of the parent(s) or NMMI representatives.
5. NMMI does not actively monitor sites for inappropriate postings and does not undertake editorial control of postings. However, in the event that any inappropriate posting is brought to the attention of NMMI, we will take all appropriate action.
6. NMMI is not responsible for the content of external internet sites. You are advised to read the privacy policy of external sites before disclosing any personal information.

### **18.11 Rules of Conduct for NMMI Visitors and Event Participants (Revision 09182017a)**

The New Mexico Military Institute (NMMI) community is made up of a network of people, including alumni, parents, staff, Regents and friends, with a common interest in NMMI. It is of utmost importance to NMMI that every person visiting the campus or attending an event sponsored



by or connected to NMMI has a positive and rewarding experience. NMMI invites all alumni, parents, sponsors, volunteers, attendees, vendors and visitors ("Participants") to help us realize a safe, respectful and positive experience for everyone. When you visit the campus or participate in an event, you are contributing to the overall experience, which makes us all accountable to each other.

The Board of Regents of NMMI has established a Visitor Code of Conduct in its Operations & Procedures Policy Manual that applies to all Participants. This summary is designed to ensure that all Participants understand what behavior is expected and what behavior will not be tolerated. NMMI expects all Participants to abide by the Operations & Procedures Policy Manual while on campus or at any NMMI event. This includes NMMI-related social events at off-site locations and in related online communities and social media.

## **Expected Behavior**

NMMI expects that Participants will:

1. Be considerate and respectful and refrain from demeaning, discriminatory, or harassing behavior, materials and speech.
2. Adhere to all NMMI rules and policies and instructions from NMMI personnel.
3. Speak up if they observe anything at an event that conflicts with this Code of Conduct. If you are being harassed or feel uncomfortable, notice that someone else is being harassed or have any other concerns, please contact a member of NMMI's staff immediately.

## **Unacceptable Behavior**

Unacceptable behavior from any Participant will not be tolerated. Unacceptable behavior includes, but is not limited to:

1. Intimidating, harassing, abusive, discriminatory, derogatory, or demeaning speech, materials, or conduct by any Participant.
2. Engaging in violence, threats of violence, or violent language directed against another person.
3. Making sexist, racist, homophobic or other discriminatory jokes, insults or other language.
4. Possessing or using illegal drugs while attending NMMI events, being on campus while under the influence of illegal drugs or while intoxicated, or violating NMMI's Operations & Procedures Policy Manual provisions regarding the use of alcoholic beverages.

5. Failing to adhere to NMMI Operations & Procedures Policy Manual provisions. Examples include but are not limited to failure to adhere to safety rules that prohibit animals on campus or at NMMI events other than service animals and prohibit the use of recreational drones over its campus or at NMMI events, ignoring safety barriers or moving barricades.
6. Using any NMMI property without prior authorization, such as golf carts or vehicles.
7. Engaging in inappropriate communications with current NMMI cadets, such as addressing cadet dress or demeanor or issuing commands to cadets.
8. Taking photos or videos within the campus or event environment for use on social media, including Twitter and other online media, without the prior permission of the individuals or their parents or the owners of the content therein, or contrary to the provisions of the Operations & Procedures Policy Manual.
9. Engaging in any boisterous, lewd or offensive behavior or language.
10. Failing to obey any NMMI rule or regulation or NMMI staff directions.

### **Consequences of Unacceptable Behavior**

Unacceptable behavior will not be tolerated. Anyone asked to stop unacceptable behavior is expected to comply immediately. If a Participant engages in unacceptable behavior, NMMI may take any action it deems appropriate, including warning or expelling the offender from the campus or NMMI event with no refund. For more egregious behavior, NMMI may, in its discretion, temporarily ban or permanently expel a Participant from attendance at any NMMI event or from NMMI's campus and pursue appropriate legal action.

NMMI is dedicated to providing a harassment-free and inclusive experience for everyone regardless of gender, gender identity, sexual orientation, disability, physical appearance, body size, ethnicity, nationality, race, age, religion, or other protected category. Participants asked to stop any harassing behavior are expected to comply immediately.

This statement of the Rules of Conduct is the result of NMMI's Board of Regent's commitment to create and nurture a welcoming, respectful, and collaborative community, and we thank our Participants for sharing our commitment.

## 18.12 Maintenance of the NMMI Board of Regents' Policy Manual

### Applicability

This policy applies to all policies adopted by the Board of Regents.

### Policy

Any Regents' policy, including the policies contained in this Regents' Policy Manual, may be modified by a majority vote of the Board of Regents at any of its meetings. As provided herein, the Board shall review all policies in the Regents' Policy Manual, and all policies adopted or revised since the previous review, and make any changes it deems appropriate.

### Implementation

Members of the Institute community may propose new or revised Regents' policies by submitting them, in the format used in this Manual, to the President/Superintendent of the School. The President/Superintendent will review and submit proposed policies, together with any appropriate background information and administrative recommendations, to the Board for consideration. Proposed policies must be approved by the Regents before they may be put into effect. All new or revised policies adopted by the Regents shall be promptly published as additional or replacement pages of this Regents' Policy Manual.

The NMMI Board of Regent's Policy revision maintenance shall be the responsibility of the assigned NMMI custodian of records.

#### 18.12.1 Revision Control

Unless otherwise noted, the revisions established below and so noted within the body of the BOR policy were initially established in revised form and accepted by the BOR on November 01, 2014.

##### 18.12.1.1 *Revision 10232015a*

Established by authority of and direction of NMMI Board of Regents action at the normally scheduled BOR meeting of October 23, 2015.

##### 18.12.1.2 *Revision 12172015a*

Established by authority of and direction of NMMI Board of Regents action at the normally scheduled BOR meeting of December 17, 2015.

##### 18.12.1.3 *Revision 01282016a*

Established by authority of and direction of NMMI Board of Regents action at the normally scheduled BOR meeting of January 28, 2016.

**18.12.1.4      *Revision 11012016a***

Added a maximum age requirement of 19 for H.S students via NMMI BOR action at meeting of October 21, 2016.

Added a credential criteria for entering JC students via NMMI BOR action at meeting of October 21, 2016.

**18.12.1.5      *Revision 02212017a***

Added Honorary Alumni language to Section 10, Special Recognition and Awards; 10.3 President's Honorary Alumna Award. Approved language from NMMI BOR action at meeting on December 16, 2016.

Added 7.4, Intellectual Property language as approved by the NMMI BOR at the December 16, 2016 meeting.

Revised Section 6.2.2, Officers; from, "At its January meeting annually, the Board of Regents will..." to read, "At the March Board of Regents meeting or next meeting following if there is no scheduled March meeting, the Board of Regents will..." Added language to the same paragraph to read, "In the event of a vacancy of an office by a Board member, the Board shall agree to convene at the next appropriate time to elect a member to fill the vacancy." Language approved by NMMI BOR action at the meeting on February 13, 2017.

**18.12.1.6      *Revision 09182017a***

Added BOR Policy for Social Media and Visitor Code of Conduct as approved by the BOR at their August 17, 2017 meeting.

**18.12.1.7      *Revision 11012017a***

Added BOR Policy for Attrition and Retention standards; Suspension determinations by the BOR at the October 27, 2017 meeting.

**18.12.1.8      *Revision 01232018a***

Revised the Vision statement to match the BOR approved revised Vision 125 language.

**18.12.1.9      *Revision 01232018b***

Revised the Compensation language; the current BOR policy references the old O&P section 4100 which no longer exists. The revised document and section is the NMMI Accounting and Business Policies, and Procedures Manual, section 9.01 Business Travel Policies, Advances and Reimbursement.

**18.12.1.10     *Revision 12132018a***

BOR added at their regularly scheduled meeting in December 2018, a new board-level committee "Awards and Recognition". Two board members, President/Superintendent and Director of Alumni Relations as members.

**18.12.1.11**    *Revision 04272019a*

BOR agreed to the modified suspension criteria language at their regularly scheduled meeting on April 27, 2019.

**19 END OF DOCUMENT**