



September 17, 2020

Agenda
REGENTS' AD HOC GOVERNANCE COMMITTEE
September 21, 2020; 10:00 AM
Virtual¹

(Livestreamed: <https://live.unm.edu/board-of-regents>)

The Regents' Ad Hoc Governance Committee will meet in open session on Monday, September 21, 2020 at 10:00 AM (MST). The purpose of the meeting is to provide a venue for open discussion and input from various constituent groups regarding Regents' Policy 1.5, "Appeals to the Board of Regents" and any proposed revisions. The meeting will be held virtually on the Zoom platform and will be livestreamed for public viewing. Following is the agenda for the meeting.

Agenda

Regent Members:

Rob Schwartz, Chair
Marron Lee
Kim Sanchez Rael

Members from Administration:

Loretta Martinez, Chief Legal Counsel
Terry Babbitt, President's Chief of Staff

- I. Call to Order and Adoption of the Agenda, *Regent Rob Schwartz*
- II. Introductory Remarks from the Committee Chair
- III. Public Comment² [*limit 3 minutes; pertaining to item IV.*]
- IV. Discussion and Consideration of Constituent Input Regarding Four Alternative Proposals to Regents Policy 1.5, "Appeals to the Board of Regents":
 - A. No Change to the Current Policy (see attached)
 - B. Delete the Current Policy with No Replacement
 - C. Revised Language (Alternative C – see attached)
 - D. Revised Language (Alternative D – see attached)
- V. Summary Remarks and Future Policy Revisions
- VI. Adjournment

¹Under the current guidelines from the Governor and in order to slow the spread of COVID-19, the UNM Board of Regents and Regents' Committees will meet virtually over Zoom platform. Additionally, public access to view or listen to Regent meetings is provided via a livestream of the virtual meeting. To view the livestream, go to the following link: <https://live.unm.edu/board-of-regents>

²Public comment will be heard during the meeting. Due to the nature of online meetings and the logistics of getting speakers connected, anyone wishing to provide public comment during the meeting *must register their intent to speak before noon on Sunday, September 20, 2020*. In order to sign up for public comment, please email regents@unm.edu, [or call 505-277-7639 and leave a message] with the subject, "Request to provide public comment at 9/21 Regent's Ad Hoc Governance Committee Meeting", and include the below information:

1. First name and last name
2. Email address and telephone number
3. Affiliated organization (if applicable)
4. Professional Title (if applicable)

***Please consider submitting your comments in writing to regents@unm.edu, and in the case of connection difficulties during the public comment time, or if it is your preference, your comment will be read aloud during the 3 minute time limit. If it is your preference that your comments be read out, please indicate so in your email.**

Regents' Policy Manual - Section 1.5:

Appeals to the Board of Regents

Adopted Date: 09-12-1996

Applicability

This policy applies to appeals of administration, faculty, student government, or hearing board decisions to the Board of Regents.

Policy

Faculty, staff, or students affected by a decision of the administration, faculty, student government, or hearing board may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered, except for those appeals from decisions of the Academic Freedom and Tenure Committee which the Board is required to hear. The Board may refer appeals to a committee of the Board for recommendation as to whether the appeal should be heard.

Implementation

A person wishing to appeal a decision to the Board must submit a written petition to the Board through the President of the University. The petition must be filed within thirty (30) days from the date the decision being appealed was rendered, unless expressly provided by University policy to the contrary. The petition must describe the decision being appealed and the basis for the appeal.

In considering whether to take a discretionary appeal and in considering the appeal itself, the Board (or a committee if one is appointed to consider whether an appeal should be heard) may request written briefs, oral arguments, or both.

The Board shall render its final decision within 90 days from the date the appeal was filed unless a delay is requested by one of the parties and approved by the President of the Board. If no decision is rendered within the deadline, the appeal shall be deemed denied.

References

Other documents and policies that specifically mention appeals to the Board of Regents include, but are not necessarily limited to: [Faculty Handbook Section B](#), [UAP 3220 \("Ombuds Services and Dispute Resolution for Staff"\)](#), [Student Grievance Procedure](#).

Regents' Policy Manual - Section 1.5: Appeals to the Board of Regents

Adopted Date: 10-20-2020

Applicability

This policy applies to appeals to the Board of Regents.

Policy

University policy provides for appropriate administrative review of decisions that affect faculty, staff, and students. When a tenure-track faculty member is denied tenure or the tenure of a faculty member is revoked, that faculty member may appeal the decision to the Board of Regents. No other decision concerning individual faculty, staff or students may be appealed to the Board of Regents unless the determination is referred to the Board by the President, and review of any Presidential referral by the Board shall be discretionary.

Implementation

A faculty member wishing to appeal a decision regarding tenure or revocation to the Board must follow the procedures delineated in the Faculty Handbook section _____. An appeal that is not resolved by the Regents within 90 days of filing shall be deemed denied.

Regents' Policy Manual - Section 1.5: Appeals to the Board of Regents

Adopted Date: 10-20-2020

Applicability

This policy applies to appeals to the Board of Regents.

Policy

The Board has discretion to determine whether to hear appeals of faculty, staff, or students from final decisions of serious consequence to the individual. Such appeals are not a matter of right, and will be granted only in extraordinary circumstances at the discretion of the Board of Regents.

Implementation

A person wishing to appeal a final decision of serious consequence to the Board must submit a written petition to the Board Office. The petition must be filed within ten (10) days from the date the decision being appealed was rendered. The petition must describe the decision being appealed and the basis for the appeal. The Board may also upon its own motion determine that an appeal of a final decision should be taken.

In considering whether to grant a discretionary appeal, and in considering the appeal itself, the Board may require any additional information or processes it deems necessary.

Any appeal not granted review by the Board within 90 days from the date the appeal was filed shall be deemed denied.