# EASTERN ESSENTIALS PLANNER

# 2014-15

Eastern New Mexico University

1500 S Ave K

Portales, NM  88130

www.enmu.edu

## *This planner belongs to:*

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**WELCOME TO**
**Eastern New Mexico University**

Dear Students,

I am pleased to welcome you to Eastern New Mexico University for the 2014-15 academic year, and I hope that I will have an opportunity to talk with you sometime during the year. I visit the residential areas and attend student events, so I have opportunities to hear about your experiences at ENMU. Don't be surprised if I walk up to your table in the dining hall and say, "Hi, I'm Steve Gamble. May I sit here with you?" - because having lunch with students gives me an opportunity to talk with you on a personal and individual basis.

Again, welcome to ENMU, and I hope you have a great year.

Sincerely,
Dr. Steven G. Gamble

**“Student Success — that’s what it’s all about.”**

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The 2014-15 Student Handbook is printed here for your reference. Please note that the official version of the handbook, with any updates, addition or corrections, will always appear on the ENMU website at www.enmu.edu/student-handbook or go to ”Current Students” on ENMU’s home page and click on “Student Handbook.”

# About Eastern New Mexico University

## HISTORY

Although it is the youngest state university in New Mexico, ENMU looks with pride upon the accomplishments since the dream of having a university in eastern New Mexico first arose many decades ago. The Legislature of 1927 located the University in Portales, and the Legislature of 1929 approved the first appropriation for buildings. Although the first building was constructed in 1931, Eastern's doors opened to students in 1934. The institution operated as a two-year college from 1934 to 1940 when the third and fourth years of college were first offered. ENMU was accredited by the North Central Association of Colleges and Secondary Schools as a four-year liberal arts college in 1946–47. Graduate work leading to the master's degree was added in 1949, and ENMU is also accredited by the National Council for Accreditation of Teacher Education.

## UNIVERSITY COLORS AND MASCOT

The official colors of ENMU are green and silver. These colors were selected by student vote shortly before the inauguration of Eastern's first president. Legend has it that the origin of Eastern's mascot, the Greyhound, came about in 1934 when football center Carrol McCasland got the idea from a passing Greyhound bus making its daily run through Portales. Students and faculty engaged in a heated discussion and finally agreed on Greyhounds as the nickname. The first logo resembled the dog on the side of the Greyhound bus. The name "Zias" was chosen for women's athletics after a contest to rename the teams in 1981. The Zia, the ancient sun symbol of the Zia Pueblo Indians in its adapted form, is the central feature of the New Mexico state flag. The Zia people believe there are four sacred obligations one must develop: a strong body, a clear mind, a pure spirit and devotion to the welfare of the people.

## ALMA MATER

*Circa 1938, by A. Bruce Gaarder*

There's a song in my heart and a feeling I would share

for the school of the Silver and Green

For the mem-ries I cherish and friends that I know

there in those days of fellowship keen.

There are thoughts that can't be spoken in my memories of you.

So I'm singing the praises of Eastern University Alma Mater true.

**O HAIL, ENMU (FIGHT SONG)**

*Circa 1946–47, by Lloyd Call*

O Hail, E-N-M-U to you,

May we ever be loyal and true.

Loudly your praises we sing,

Through the ages, may they ring,

And all through our lives we'll recall

The school that we love best of all.

Hail, E-N-M-U to you

The Green and Silver, Green and Silver reign forever.

**MISSION STATEMENT**

Eastern New Mexico University combines a traditional learning environment with 21st century technology to provide a rich educational experience. Eastern emphasizes liberal learning, freedom of inquiry, cultural diversity and whole student life. Excellent teaching and active learning define campus relationships. Scholarship, both primary and applied, cultural enrichment, and professional service are also important contributions of the university community.

ENMU, a state institution offering bachelor's and master's degrees, serves students from New Mexico, other states and other nations. Educational programs are offered at the Portales campus and also by interactive distance education, public broadcast television, and branch/community colleges in Roswell, New Mexico, and Ruidoso, New Mexico.

**EASTERN'S FOCUS**

• Prepare students for careers and advanced study.

• Impart citizenship and leadership skills and values.

• Support and expand the role of education and excellent teaching at all levels.

• Enable citizens to respond to a rapidly changing world.

**VISION STATEMENT**

Eastern New Mexico University has been a respected center of learning for its region and the state since 1934 and continues to build on its rich

heritage. The following Vision Statement conveys what Eastern New Mexico University desires to become:

The University mission is based on the concept of student success, and the people of the University provide student-centered academic and extracurricular programs to fulfill this mission. The institution recognizes the global nature of society and is committed to educating students on both the undergraduate and graduate level to be productive citizens with successful careers and fulfilling lives.

ENMU students pursue challenging academic goals and engage in stimulating classroom experiences, and the University emphasizes individual academic advising and career counseling. Students, faculty, and staff engage in intellectual dialog and debate in a collegial environment. In addition, faculty and students are engaged in meaningful research activities to further the academic priorities. The University continues to produce alumni who are good citizens and contributors to society and who can compete with graduates of other institutions.

The Eastern community envisions a university where each faculty and staff member instills in one another and in the students a sense of social and cultural awareness and responsibility. The University accomplishes this by embracing ethnic, racial, and cultural diversity as a core value and by actively building greater diversity among students, faculty, and staff. This environment facilitates personal and social growth for all members of the University community.

The students are mentored by well-qualified and caring faculty and staff who treat one another with respect and work together to accomplish institutional goals. The faculty and staff pursue professional development opportunities to enhance their skills and knowledge to improve the campus-learning environment and to create greater efficiencies and productivity within the University.

## PHILOSOPHY OF GENERAL EDUCATION

**Purpose:** The General Education curriculum at Eastern New Mexico University is designed to prepare graduates for a lifetime of learning and responsible citizenship; provide for the study of a broad spectrum of subjects beyond the student's chosen field and help students develop substantial analytical and communicative skills; gain a sense of social, ethical, and cultural values and appreciate the application of these values in societies.

**Learning Requirements:** The General Education curriculum is designed to fulfill the following learning outcomes:

- use written and spoken English effectively, which includes the ability to read and to listen with understanding and critical discernment;
- understand and apply scientific principles and develop an awareness of the role of science and technology in the contemporary world;
- understand and be able to utilize modern technology (including computer literacy);
- understand and apply basic mathematical principles;
- gain a basic understanding of human society and cross-cultural variations,
- including the ways individuals and groups function, interact and change;
- gain a perspective on the humanities in order to appreciate their value to the
- individual and society;
- develop an awareness and appreciation of fine arts through cognitive activities
- and affective experiences;
- develop an awareness and appreciation for culturally diverse value systems
- and modern realities of global interconnections within a framework of
- understanding and justice;
- acquire abilities to promote physical and mental well-being;
- pursue the opportunity to explore or further develop interests outside major or minor.

**STUDENT OUTCOMES ASSESSMENT**

As part of the continuing effort to maintain the quality of academic programs, the University has implemented student outcomes assessment. This program is designed to determine the level of student achievement in general education and in the student's academic major. Changes in student attitudes and values are also addressed. Student participation in the assessment program is mandatory. While these assessment activities are required, the scores are not part of a student's official transcript. Reporting of student outcomes assessment for the general public will be in aggregate form only.

In their first month at Eastern, freshmen should learn what general education outcomes are expected of them and how those objectives will be assessed. Sophomores should expect assessment of general education objectives in the classroom and should be looking forward to the Academic Profile test of general education once they have completed 55 credit hours. Juniors should expect continued classroom-based assessment of general education objectives, particularly communication and critical thinking skills, as well as assessment of knowledge and skills related to their declared major. Seniors should expect continued assessment of communication and thinking skills, and should be prepared for a "capstone" assessment in their major discipline.

Students who have accumulated 55 credit hours or more are required to take tests which measure general education achievement. Individual profile scores can be used for student advising. For information about assessments required in their majors, students should consult with their academic advisors.

## EASTERN'S PLAN FOR DIVERSITY

ENMU, first and foremost an institution of learning, is committed to affirming and fostering the study of ideas and values in an environment that supports each person's full development. To that end, we endeavor to conduct the University's affairs in an atmosphere that respects each individual, that enhances human dignity and that model that conviction in behaviors, policies, teaching, curriculum and dialogue inside and outside the classroom.

ENMU strives to create a campus climate which values diversity in students, faculty, staff, administration and the extended community. Diversity is here defined to include but not limited to differences that may shape our learning and working environment. These differences include age, creed, culture, disability, ethnicity, gender, race, sexuality and socioeconomic status. These terms represent a current understanding of diversity—an understanding that will evolve as we discover and come to value our differences. Recognizing that each of us has an obligation to the community of which we have chosen to be a part, we are committed to building a campus culture based on understanding and mutual respect.

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## STUDENT INVOLVEMENT

ENMU and the Office of Student Affairs are committed to providing the complete college experience for Eastern students. Extracurricular activities, balanced with academic performance, are proven to increase

retention and graduation success rates. Students are encouraged to choose from involvement opportunities that can be found campus-wide.

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**INTERCOLLEGIATE ATHLETICS 562-2153**

Intercollegiate Athletics is active and strong at ENMU. Eastern New Mexico University is a member of the NCAA, Division II and the Lone Star Conference. Intercollegiate teams include women's basketball, volleyball, track and field, cross country, and soccer. Men's sports include basketball, football, track and field, cross country, baseball, and soccer. Men's and women's rodeo are also sponsored ENMU events. Intercollegiate athletic contests are announced in advance on the athletic home page, accessible from the university home page. Student athletes appreciate the support of the entire university.

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**INTRAMURAL AND RECREATIONAL SPORTS 562-2297**

Intramural and Recreational sports programs are provided for all ENMU students, faculty and staff. Intramural and Recreational Sports programs at ENMU seek to provide broad opportunities for participation in wholesome physical activities for fun, to promote optimum physical and mental health and to provide a change-of-pace program for the busy university student. Intramural sports are a great way to stay active and meet other students, faculty and staff. We encourage everyone to stop by our office in Greyhound Arena, Room 14, or visit our website at www.enmu.edu/intramurals. A long-standing recreational sports motto at ENMU is "Fitness for Life!!"

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**STUDENT ACTIVITIES AND ORGANIZATIONS 562-2108**

The Office of Student Activities and Organizations produces a wide variety of activities throughout the year, including talent shows, comedians, performing artists, recreational activities, spirit events, leadership programs, community service opportunities and multicultural events. The **Associated Students Activities Board (ASAB)** takes an active role in organizing and publicizing many of these events. Students are encouraged to join ASAB to enhance leadership skills, build peer networks and fully settle into their new campus community. The Office of Student Activities and Organizations also serves as the focal point for more than 60 registered student organizations on campus. For more information about student activities, ASAB, or registered student organizations, please contact the Office of Student Activities and Organizations, located in the Campus Union Building, room 108**.**

**STUDENT GOVERNMENT** **562-2473**

The Associated Students of ENMU (ASENMU) provides students a voice in university governance and helps provide services for students. The executive branch is comprised of a president and a vice president, elected by the student body and chairpersons of executive boards who are appointed by the president and approved by the Senate. The legislative branch is headed by the vice president and consists of representatives from the colleges. The elected Senate distributes allocated student funds and makes recommendations to the administration on university policy. The judicial branch consists of an attorney general and a supreme court. Most student elections are held in the spring semester and appointments to standing committees are made in the fall semester. There are many opportunities to get involved in all areas of ASENMU. Stop by the ASENMU office in the CUB, room 11.

**STUDENT NEWSPAPER** **562-2757**

***The Chase*** is a student-run newspaper that offers hands-on experience to blossoming journalists, graphic designers and photographers. Each week, *The Chase* staff designs and produces the full-size broadsheet publication. *The Chase* fills approximately 30 staff positions each semester, allowing students to publish work they can clip and add to their portfolios for future employers.

**STUDENT SUCCESS CENTER: THE ALLEY** **562-2286**

Housed in the former ENMU bowling alley, the Student Success Center is located on the lower level of the Campus Union. Programs offered in the Alley include the College Success Program, Multicultural Affairs, Tutoring, and the Veterans and Non-traditional Student Organization. Professionals in The Alley work closely with faculty, other professionals, and campus organizations, providing workshops, seminars, and outreach to promote academic success, diversity, and cultural awareness. A computer lab offers students access to computer-assisted tutoring, training for the software used in online classes, and the Internet.

**COLLEGE SUCCESS PROGRAM** **562- 2455**

Student Support Services assists ENMU students who are first generation college students, students with disabilities, or students from low income families. This program helps remedy academic

deficiencies, provide career guidance and placement and encourage students to continue higher education. Student Support Services works closely with other student services to give student members the best chance at academic and personal success.

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**MULTICULTURAL AFFAIRS 562-4914**

Multicultural Affairs is the home of the offices of African-American Affairs, Hispanic Affairs, International Affairs and Native American Affairs. The Office of Multicultural Affairs facilitates full participation of ethnic minorities through programs that address academic success, retention and graduation. These offices promote cultural diversity and awareness throughout the campus community. Information is also available online at www.enmu.edu/current-students/orgs/multicultural/.

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**VETERANS AND NON-TRAD STUDENT ORG 562-2434**

This organization serves a variety of students: veterans, students above the age of 23, single and married parents of all ages, adults re-entering school after many years' absence, or others who have not made an immediate transition from high school to college. The primary goal is to reacquaint non-traditional students with the college atmosphere and to provide support and information.

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**TUTORING SERVICES 562-2286**

Tutoring is available in many disciplines such as math, sciences, English, and business, free of charge. Students have access to one-on-one tutoring sessions on a drop-in basis or by appointment. Tutoring is also available in the evenings, on weekends and on-line.

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## Other Student Services

**ADVISING CENTER/ LEARNING COMMUNITIES 562-2338**

The Advising Center (SAS 214) offers academic advising for students until the declaration of the major (by the 45$^{th}$ hour of coursework). The Center practices developmental advising programs for all students that emphasize personal responsibility and decision-making. Faculty advisors from all colleges help students create schedules based on the students' academic and personal goals. The Center also supports academic "early alert", "Freshman Seminar" (UNIV 101), and Eastern Learning Communities.

**CAMPUS TELEPHONE SERVICES** **562-2287**

The University does not furnish telephones for the residence halls; however, each room includes an active telephone line with free local calling. Long distance calls may be made using pre-paid phone cards, telephone credit cards or cellular phone service. As an added-value service, the University also offers a voice mail option for a nominal fee per semester. The University does not allow anyone to receive collect calls or to bill calls made from an off-campus location to a campus phone number. This feature has been blocked. If a call should get through the block, the student will be billed 1.5 times the rate the long distance company charges for the call. Please contact the Department of Telecommunications for information and prices.

**CAMPUS UNION BUILDING (THE CUB)** **562- 2108**

The Campus Union Building is the living room of the campus. You will find a place to check your email, read or study in the lounge, find your student organization leaders, and eat your meals. The Campus Union Building is your home away from home. Students treat the building with respect and enjoy what it has to offer. The Campus Union Building meeting rooms can be reserved free of charge for university approved student clubs and organizations.

**COMPUTER CENTER** **562-4352**

ENMU Information Technology Services (ITS) offers a variety of computing facilities on campus for students and faculty. Computer labs on campus are updated and configured with current software to encourage students to work at their most convenient location. All labs have high speed LaserJet printers and full internet access. Open computers labs are located in UCC 109, COB 126, Golden Library, Campus Union Building, Bernalillo, Eddie, Curry, and San Juan Village.

**POLICY ON COMPUTER USE**

A complete statement of the Computer Policy is available in the University Computer Center and available online at www.enmu.edu/services/its/policies/.

**COUNSELING AND CAREER SERVICES** **562-2211**

The Office of Counseling and Career Services (CCS) in SAS 232 provides free personal counseling, career choice assistance, and placement services to all enrolled students. Licensed professional counselors help students address personal problems on a short-term basis and refer students who may require long-term counseling or treatment to local agencies. Career counseling services include career evaluation and placement assistance. Find part time on and off campus job openings at the Career Employment Opportunities link on the CCS web page. Absence reports are processed through CCS. Contact CCS so that instructors can be notified of an emergency absence. An absence report does not mean the absence will be excused. Please discuss any absences and assignments with your instructors.

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**DINING SERVICES** **562-2190**

ENMU and Sodexo are partners in dining. Sodexo offers a Carte Blanche meal plan that offers students unlimited meals at the CUB Dining Room from 7:30 a.m. to 7:30 p.m. during the week and limited hours on weekends. In addition, a commuter meal plan is also offered. The director of Sodexo at ENMU will meet with any student who has special dietary needs and accommodate those needs. Flex dollars purchased with the Carte Blanche plan and the Commuter Plan give the flexibility to eat at locations other than the CUB Dining Room. Other retail venues on campus offer a variety of beverages and snacks for students on the go. This includes Starbucks coffee, breakfast foods, snacks, sandwiches,and pizza. The retail offerings are always changing according to the results of the student surveys. The goal of dining at ENMU is to provide healthy, balanced, and tasty choices for every meal.

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**DISABILITY SERVICES** **562-2280**

The Office of Disability Services (ODS) in SAS 186 helps students make a smooth and successful transition to collegiate life. The office offers a variety of accommodations based on the individual's documentation of a disability. These may include electronic textbooks, examination accommodations, typing and other services. Orientation for services, programs and mobility are available in addition to adaptive equipment. Disability Services coordinates with other offices on campus, is part of the staffing of the College Success Program, and works closely with the Commission for the Blind, Vocational Rehabilitation and other agencies.

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**TESTING CENTER** **562-2280**

The Testing Center coordinates computer-based CLEP and paper-based Law School Admission Tests (LSAT), ACT, SAT, Graduate Record Exam (GRE) Subject, Praxis Series, Miller Analogy Tests, the California Critical Thinking Skills Test (CCTST) for Nursing and the State Bilingual Certification Test (La Prueba). Information about these national standardized tests is available in the Testing Center in SAS 186.

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**PARENTS' WEB PAGE** **562-2221**

Every month the Office of Student Affairs updates a web page for parents of ENMU students. Updates on what is happening on campus, a calendar of events, and issues pertinent to the time of year are included. Go to www.enmu.edu/services/student-affairs/parents-update for the latest issue and share the link with your parents.

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**STUDENT ACCOUNTS** **562-2615**

Students are responsible for payment in full of their accounts each semester. Payment in full is due on or before the Friday after classes begin. Various payment options, including an interest-free payment plan, are available ($10 is charged for this service). Information regarding payment of your student account is published in the class schedule. You can also receive more information from the Office of Student Accounts (Ad 114).

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**STUDENT HEALTH SERVICES** **562-2321**

ENMU and LaCasa Family Health Services have partnered to provide health care for ENMU students. Student Health Services (SHS) provides care and treatment for acute and minor illnesses. SHS also offers health clinics for men women and men, as well as nutritional counseling for students who request it. Limited prescription medications are available in the office if necessary. As with any medical clinic, confidentiality is assured. Many services are provided free for most students. A small fee will be charged for prescriptions. SHS is located in Curry Hall. Office hours are Monday-Friday, 8 a.m.-5 p.m. Unless it is an emergency, please make an appointment. It reduces your wait. Walk-in hours are also listed at SHS.

**Student Health Insurance:** ENMU is not responsible for costs arising from injury and sickness. Students are encouraged to purchase their own health insurance and to carry their insurance card with them at all times. International students are required to document proof of insurance each semester. ENMU does not endorse a particular student

health insurance company; however, the Student Health Services webpage has a link to a page listing several companies. You may choose from these groups or bring your own insurance.

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## Student Identification Card (Id)

You need an ENMU ID card to:

- Pick up payroll checks and financial aid proceeds
- Borrow library materials and equipment
- Access the computer lab
- Use your student meal plan

ID cards are made in the Office of Enrollment Services located in the Student Academic Services (SAS) Building, Room 130. The initial card is $25 and is charged to your student account. If you lose your card, please call the ID office to see if your card has been turned in. Replacement cards are $10 and should be paid for at the Cashier's Office in the Administration Building. Bring your receipt to the ID office to get a new ID made. If you are a distance education student, talk to your site facilitator or call the Office of Enrollment Services for information on obtaining an ID.

**Identification Card Terms and Conditions:**

Your identification Card is the property of Eastern New Mexico University and is not transferable. It will be confiscated if misused. Unauthorized use of your identification card, use by a party other than the person identified on the card, and tampering with or altering the card, warrant confiscation and possible disciplinary action by the university.

Identification cards are made in the Office of Enrollment Services located in the Student Academic Services (SAS) Building, Room 130. The initial card is $25 and is charged to your student account. If you lose your card, please call the ID office to see if your card has been turned in. Replacement cards are $10 and should be paid for at the Cashier's Office in the Administration Building. Bring your receipt to the ID office to get a new ID made. If you are a distance education student, talk to your site facilitator or call the Office of Enrollment Services for information on obtaining an ID. If you are misrepresenting the fact that your ID card is lost and are seeking a duplicate card, you may be subject to university discipline.

Carry your Identification Card at all times. It is required for:

- Residence Hall access

- Checking out library materials
- Registering motor vehicles
- Obtaining campus paychecks
- Verifying enrollment
- Admission to athletic, cultural and recreational events and facilities, etc.
- Entering Campus Dining Facilities

**Rules & Responsibilities**

1. Lost or stolen cards must be reported immediately to the Office of Enrollment Services located in the Student Academic Services (SAS) Building, Room 130. If you don't have your card, someone else might, so do not take a chance.
2. If you find your ID card after a new one has been issued, it is your responsibility to turn the old card in to the Office of Student Affairs, SAS Building, Room 194. The old card is considered inactive and must be turned in if you find it.
3. Meal service and flex dollars are non-transferable to any other person. Only the person pictured on the card will be allowed to use the card for services or spend money from the accounts associated with the cardholder. The cardholder may be required to sign a receipt for goods received. Providing your identification card to other individuals to access goods and services is prohibited.
4. Students providing their identification card, or in possession of another student's identification card, assume shared responsibility for goods and services accessed fraudulently thru the misuse of that card. Students involved in the misuse to transfer of cards may face university disciplinary action as well as civil or criminal charges.

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## Golden Library

Golden Library houses more than 300,000 volumes, 750,000 microforms and over 28,000 periodicals in print or online. Staff members provide a variety of services including research assistance and training in the use of information technology. For more information, phone
**(575) 562-2624**.

**Regular Session Hours:** Mon–Thurs, 7:30 A.M. - 12 A.M.

Friday, 7:30 A.M. - 8 P.M.; Sat, 10 A.M. -7 P.M.;

Sun, 12 P.M. - 12 A.M.

**GOLDEN LIBRARY ONLINE CATALOG:** The online catalog indexes the library's various collections (books, videos, CDs, DVDs, print journals, etc.) and those of many institutions of higher education in New Mexico. Government information is indexed here with many links to free electronic resources.

**PERIODICAL DATABASES:** More than 25,000 journals are available in electronic format both on campus and off campus. To access the journals from off campus, a current, ENMU ID number is necessary. This is how the system identifies eligible students and faculty.

**LIBRARY SERVICES**

**Reference Desk** **562-2638**

The reference desk is open all hours the library is open. A librarian is always on duty to consult with you on your research needs. Librarians provide instructional seminars on a regularly scheduled basis.

**Interlibrary Loan** **562-2644**

The Interlibrary Loan Department can provide patrons with books and articles not available in the library's collections. This process takes an average of seven days, so planning ahead is necessary.

**Reciprocal Borrowing Services** **562-2644**

The Library's Passport program provides patrons with reciprocal borrowing privileges at many libraries throughout New Mexico and West Texas.

**Federal Depository Library** **562-2788**

The library houses a 40 percent selective Federal Depository Library. The collection includes publications published through the Government Printing Office by all of the agencies of the federal government. This collection of more than 500,000 volumes is indexed in the online catalog.

**Instructional Resource Center (IRC)** **562-2640**

The IRC contains materials useful to education students and teachers. Included are elementary and secondary texts, teachers' guides, media kits and unit plans.

**Media Services Center** **562-2602**

The center checks out DVDs, audio tapes, TV/VCRs, cassette recorders, CD players and overhead projectors. The center's services include black and white or color printing, banners, document binding, video CD, DVD duplicating, laminating, a fax machine, Internet, word

processing and image scanning. Two large format, self-help scanners are located in the reference area.

**Special Collections** **562-2636**

ENMU archives, the New Mexico History Collection, the official papers of Congressman Harold Runnels and the Williamson Library of Science Fiction.

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# Financial Aid

Every student has a unique financial aid package of gift aid and loans. You are encouraged to visit or contact our office for one-on-one help with questions and concerns. Blanket answers are not usually helpful and we prefer to assist each individual student, so please call ( 562-2194) or stop by at SAS 107.

### TYPES OF FINANCIAL AID

Students at Eastern New Mexico University may apply for two basic types of financial aid: 1) Gift Aid or 2) Loan/Work aid. Gift aid does not have to be repaid and includes Federal Pell Grants, Supplemental Educational Opportunity Grants, and scholarships. Loans have to be repaid and include Stafford Loans (subsidized or unsubsidized), Federal PLUS Programs, and Leveraging Educational Assistance Partnership (LEAP). Student Work aid is earned income from the Federal Work-Study Program and the New Mexico Work-Study Program.

Information about each of these types of aid and eligibility criteria can be found in the undergraduate catalog, or contact the Office of Financial Aid, SAS 107 or by calling (575)562-2194. The Office of Development's *Guide to Scholarships* and application forms are available online at www.enmu.edu/scholarships.

**Lottery Success Scholarships**

Eastern is a participant in the New Mexico Lottery Success Scholarship program. Scholarships are funded from the Lottery Tuition Fund established within the New Mexico Lottery Act. The scholarships may pay up to 100% of tuition at the NM public postsecondary institution, depending on funding availability. The coverage amount will be announced each year or semester. Students must meet the following requirements in order to be eligible for an award:

(1) must be a New Mexico Resident and have graduated from a New Mexico public high school, an accredited NM private high school, or have obtained a New Mexico GED,

(2) must be enrolled full-time and complete 15 graded credit hours at an eligible New Mexico public college or university in the first regular semester immediately following their high school graduation, earning at least a 2.5 college GPA.

Eligible students do not begin receiving the award until their second semester of full-time enrollment, provided that all eligibility requirements have been met. Based upon their satisfactory academic progress and other factors, a student may be eligible for up to seven consecutive semesters of support. For more information, contact the Office of Enrollment Services at (575) 562-2178 or the New Mexico Higher Education Department at (800) 279-9777.

**HOW TO APPLY**

Complete the Free Application for Federal Student Aid (FAFSA). ENMU encourages you to apply online at www.fafsa.ed.gov or through the Office of Financial Aid at ENMU. ENMU's federal school code is 002651, "ENMU, Highway 70, Portales, NM 88130." **The FAFSA is required to receive financial aid and qualify for scholarships.**

**WHEN TO APPLY**

Apply for financial aid at ENMU as soon as possible. Each year check the Financial Aid Office web site at www.enmu.edu/services/financialaid for the exact dates. Typically, but not always, the deadlines are in February for awards for fall. Funds become limited the longer you wait. Grants money goes first, so apply before the deadline. Again, check at www.enmu.edu/services/financialaid.

**HOW TO GET YOUR MONEY**

1. You must meet the requirements for student eligibility in *The Student Guide* published by the U.S Department of Education.
2. Your financial aid file must be complete before we can award aid. Approximately 30 percent of financial aid applicants are selected by the federal government for a process known as **verification**. ENMU has no control over who is selected, but will help you if you are chosen. If your file is chosen, ENMU's Office of Financial Aid will request you provide the additional documentation the federal government wants to see. This may include federal tax returns for you and your parent(s), W-2 forms, proof of child support, proof of untaxed income, etc. These documents must be received in order to complete the awarding process. Check with us to be sure they are sent to the correct addresses. Our goal is help you

complete your file as quickly as possible and files that are selected for verification are not complete until verification is concluded.

3. If receiving loans, you must complete a Loan Entrance Interview. The Loan Entrance Interview is available online at www.mapping-your-future.org. If you have completed a Loan Entrance Interview at ENMU-Portales, you are not required to do another one. No loan proceeds will be disbursed prior to completing the interview, since this is the activity that informs you of your duty to repay the loan. Lenders want to be sure you know the rules before they send the money.
4. If your financial aid and scholarship awards are enough to cover your University bill and you have a refund due, a check will be mailed to your local mailing address, or, when electronic deposit is available, deposited in the account you indicate. Check with the Office of Student Accounts to ensure that your local mailing address is correct. All students are required to verify their address information at www.enmu.edu/currentstudents/index.shtml each semester. Students are not allowed to register for subsequent semesters unless their address information is current.

**INFORMATION REGARDING THE LETTER OF ESTIMATED AID NOTIFICATION**

Your award is based on your total budget for financial aid awards is noted below.

**TOTAL BUDGET**

- Minus Expected Family Contribution
- Minus Total Resources
- Minus Outside Aid

Equal **UNMET NEED**

Tuition and fees, estimated room and board, transportation costs, books, supplies and personal expenses determine your Total Budget. The budget is based on full-time tuition costs for residents or non-residents, and average costs for other categories. With supporting documentation, this budget may be increased for childcare expenses for the independent student. See your financial aid officer for further information.

If a student is half-time or three-quarter time, aid offered will be reduced proportionately.

The Expected Family Contribution (EFC) is a figure calculated by a federal need analysis system. It is an estimate of your family's ability to contribute toward post-secondary educational expenses based on the family's current financial situation.. The federal government calculates the Expected Family Contribution from the FAFSA. That is why it is so important to file it promptly. We can't award without that calculation.

Your unmet need is your Total Budget minus Total Resources, EFC and outside aid. **Your financial aid award cannot exceed your budget**.

**WIA/PROJECT SUCCESS/DVR/VETERANS BENEFITS RECIPIENTS**

Monies received through federal or state agencies are considered resources and will decrease the amount of your unmet need. Please be advised to check with your Financial Aid counselor before applying for loans.

Your unmet need is your Total Budget minus Total Resources, EFC and outside aid. **Your financial aid cannot exceed your budget.**

**MAINTAINING YOUR FINANCIAL AID**

All awards are subject to change depending on enrollment status, verification and notification of other resources and availability of funds.

Other resources will decrease your unmet need and your eligibility for other financial aid. These resources might include an out-of-state tuition waiver, an academic scholarship, a partial room grant, etc.

To maintain your financial aid, you must maintain satisfactory academic progress (SAP), which is defined by federal regulations in conjunction with the University. Basically, the federal loan and grant programs want to help you if you are working toward a degree and making progress toward earning credits toward that degree. If you are not making progress, according to their definition below, then the aid is reassigned to another qualified student. A copy of the SAP policy is available in the Office of Financial Aid and on the ENMU Web site at www.enmu.edu.

To be considered eligible for full-time financial aid, undergraduates must:

(1) Successfully complete 70 percent of all hours attempted each fall, spring or summer semester. (Grades of F, W, I and U are not considered as hours satisfactorily completed and will endanger financial aid continuance.)

(2) Maintain at least a 2.0 GPA.

(3) Graduate with a BA or BS within 196 hours attempted.

If the student fails to comply with any of these specifications, the student will be placed on financial aid suspension. A student can appeal his or her suspension. Contact the Office of Financial Aid for information regarding the appeal process.

These requirements are for financial aid only. They are separate and independent of academic standing.

**REFUNDING TITLE IV AID**

Title IV funds are awarded to a student under the assumption that the student will attend school for the entire period for which the assistance is awarded. When a student withdraws, the student may no longer be eligible for the full amount of Title IV funds that the student was originally scheduled to receive. For more information. Call the Office of Financial Aid at 562-2194.

**WORK/STUDY AND STUDENT HIRE**

Students seeking employment on campus must file a FAFSA and must obtain a SPAN (student personnel action notice) at the Office of Financial Aid. Job openings are available at the Student Job Board link on the Counseling and Career Services web page. All students working on campus are required to attend the student employee orientation training program. Call Student Affairs at 562-2221 to sign up.

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**CAMPUS HOUSING AND RESIDENCE LIFE 562-2632**

The Office of Housing and Residence Life provides living accommodations for students in well-equipped, safe and comfortable residence halls. These University living areas are staffed by both professional and student staff whose job it is to see that the living area environment is conducive to student success. Three basic types of student living environments are available to choose from. They are: 1) traditional halls, mostly double occupancy rooms; 2) suites and conjoined suites; or 3) university apartments ranging from one to four bedrooms. If you have questions about the types of facilities or if you are considering becoming a Housing and Residence Life staff member, please contact the housing office at 562-2632.

**CAMPUS RESIDENCE POLICY**

ENMU is committed to the education of the whole student. Students' living arrangements are one of the key factors in the successful college experience. Compared to those who commute, students living on campus

are able to be more involved, have better access to faculty, tend to perform better academically, are more likely to persist to graduation and report a higher degree of satisfaction with their experience. Although living on campus does not guarantee success, ENMU believes it does remove some of the barriers. The residential experience also provides the opportunity to learn the rights and responsibilities that accompany participation in a community of learners.

**Therefore:** All students who are under 21 years of age on the first day of class fall semester and who have earned fewer than 30 semester hours after high school graduation and who are enrolled in 12 or more semester hours must live in the University residence halls and purchase a meal plan.

Exemptions to the residential requirement may be granted to students living with parents, married and/or having dependent children. Meal plan waivers may be granted to students with medical needs. All exemptions to the University residence and meal plan requirements must be documented and be approved by the Housing and Residence Life Office. Any student who is required to live on campus and is enrolled in 12 or more hours will be held financially responsible for room and board fees unless an approved waiver is on file with the Housing and Residence Hall Life Office. **In no case should arrangements be made to live off campus until approval from the Office of Housing and Residence Life has been issued.**

Students must seek approval each academic year while subject to the requirement. Any changes to the initial request during the year must be reported and approved. For further information, please call (575) 562-2632. Exemption forms are available on-line at: www.enmu.edu/forms. Review of requests will require at least two working weeks. Failure to provide complete documentation may delay this review further. All information provided must be accurate. Students should submit requests as early as possible to avoid time delays due to a large number of last-minute requests. **In no case should arrangements be made to live off campus until approval from the Office of Housing and Residence Life has been issued.**

All students residing in the halls are required to have an approved meal plan for residents. Students living in residence halls sign a room and board contract for an academic year. Preferences of residence hall, room and roommates are honored when possible. Private rooms are not guaranteed to any student, but are assigned on a space available basis with priority given in descending order starting from graduate students. Apartments are available for married students, students with families and students who have achieved sophomore status or more, with priority given to order of application.

Room rates and other information may be obtained from the Office of Housing and Residence Life located in the Campus Union, 562-2632, or on-line at www.enmu.edu/housing.

## GUIDE TO CAMPUS LIVING

The Guide to Campus Living contains all of the information, rules, and regulations regarding campus housing. Please read this document carefully. A printed copy will be furnished to all students checking into university residences. A copy is posted on the web at www.enmu.edu/services/housing/forms/campus-living-guide.pdf.

Please note that possession of firearms or any item considered to be a dangerous weapons is strictly prohibited. This included possession in the building and in the parking lots. Do not bring these items to campus. Your intent to use them or display them is not considered. If they are in your possession, a violation has occurred. Due to fire safety and cleanliness issues, students are not permitted to cook or prepare meals in residence hall rooms. For similar health reasons pets other than fish in tanks of smaller than 25 gallons are not allowed. Use and possession of alcohol and other illegal drugs are strictly prohibited in the residence halls. The university has a three-strike policy and has the option to exercise suspension on the first offense. Parents are informed of the violation in the majority of cases. Information concerning University-owned apartment policies and facilities may be obtained from the Office of Housing and Residence Life, 562-2632 or on-line at www.enmu.edu/housing. The Guide to Campus Living contains a complete listing of all rules and regulations as well as a link to the Student Code of Conduct. Please read both documents carefully before checking into the residences.

## RESIDENCE HALL SECURITY

The security of the facility is very important to the staff as well as the University. Staff members make every effort to create a safe and comfortable environment, but they cannot do it alone. Residents are responsible for helping to ensure the security of the hall by abiding by policies and taking an active role in the hall.

**Access:** Traditional Residence Halls are locked 24/7. Access is by card stripe. If you lose your card, you have lost your key to the building and to your room. This puts all the residents of your building at risk until the electronic key is deactivated. Report it immediately to the front desk or to the Housing Office in the CUB. Your lost card will be deactivated and a new code issued to ensure your safety and that of the building residents. Apartments are key operated. Report lost keys immediately to ensure your safety and that of the other residents.

**Conduct:** Students living in campus housing are expected to conform to standards of conduct which are consistent with the educational objectives and priorities of ENMU. Respect and consideration for the rights of others and their needs for study and rest must receive priority. You are expected to respond appropriately to requests from staff and fellow students concerning behavior that is not conducive to the housing community environment. The maximum penalties for conduct violations may include eviction and/or suspension. Please refer to the "Guide to Living on Campus" for additional policies and information and the Student Code of Conduct referenced in the Guide.

## CAMPUS SAFETY

The University strives to ensure a safe environment; however, crime is a reality on every campus. Preventing it is a responsibility shared between the University and all campus constituents including students, faculty and staff. One cannot assume someone else has reported criminal activity. Suspicion is the only reason one needs for calling the police. Whether you are the victim or someone else, report a crime, suspicious activity or a crisis situation on campus. Do not intervene in the situation. Be prepared to provide detailed information to the Police. This will allow the University Police to investigate the report thoroughly.

## UNIVERSITY POLICE

**Office Phone: (575) 562-2393**

**After Hours/Weekend Cell: (575) 760-2945**

**Emergency number 911**

Officers commissioned by the state of New Mexico are responsible for upholding the laws of the state as well as University policies and regulations. The department sponsors a number of crime prevention programs.

## CAMPUS CRIME STATISTICS

In accordance with the Campus Crime Security Act, a summary of the University's crime statistics are available online at www.enmu.edu/services/police/criminal-activity.shtml. This information reflects certain types of crimes that were reported to have occurred on campus, in or on off-campus buildings or property owned or controlled by the school and on public property within or immediately adjacent to the campus for the last three years. You may also request a paper copy from the Eastern New Mexico University Police department.

**PARKING REGULATIONS:**

All motor vehicles, including motorcycles, must display a valid University parking permit when parking on campus. Vehicles not displaying valid parking permits may be assessed a fine. Parking permits along with instructions on how to correctly display them and ENMU parking regulations may be obtained from University Police at no charge or on the ENMU web site.

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# Information Technology Services Procedures
# Official Email Communication with Students

**Purpose:** Provide guidelines for the creation, maintenance and use of an **official** email address for communication to any student enrolled at Eastern New Mexico University.

**Policy:** Students are assigned an official email address in the Microsoft Live email system, in the format of firstname.lastname@enmu.edu, once they have been admitted and enrolled at ENMU Portales or ENMU Ruidoso. The email address will remain the same throughout the student's academic career at ENMU unless the students name is changed for legal purposes or other extraordinary/extenuating circumstances.

**Rules:** The student email account should be activated immediately after they have been accepted at ENMU.

- Important communication from ENMU will be sent to this account upon acceptance.
- Students will be required to use this email address for all official communication that comes from the University.
- The student shall have an ENMU email address at the discretion of the University.

**Guidelines:** The students email address cannot be changed without official approval from Information Technology Services.

- Students must be aware that address changes may affect other courseware systems at ENMU.
- The system will prohibit emails larger than 25 megabytes being sent or received. Student email accounts currently have a quota of 10 gbs. Exceeding the quota will cause the student email account to no longer be able to send or receive mail until the account is brought under the quota.
- The University expects users to be familiar with and abide by the computer use policy.

- In matters not controlled by law or institutional policy, the University urges members of its community to exhibit ethical conduct in the use of computing resources. Electronic communication can be ambiguous and is less personal in nature than other forms of interaction. While the University encourages the exchange and debate of values and ideas, individuals are expected to exercise good judgment to ensure that their electronic communications reflect the high ethical standards of the academic community and convey mutual respect and civility.
- The University expects members of its community to familiarize themselves with copyright laws as they pertain to the educational environment and to understand the nature of the special privileges (referred to as *fair use*) extended by law to teachers and students in the limited reproduction of copyrighted materials for their personal use. The University expects members of its community to keep within legal limits in their use of copyrighted materials in the electronic environment. Posting any copyrighted material in an electronic form that is accessible by others, even if posted for personal use, is in violation of law and is prohibited. Similar prohibitions apply to the posting of trademarks or other protected symbols and the use and/or distribution of computer software or other electronic information and written materials, or parts thereof, without permission of the copyright holder.
- University computing resources shall not be used for commercial or for-profit purposes.
- Student email accounts can be terminated if used in a manner inconsistent with University policy.
- Student email accounts are provided at the discretion of the University and can be removed or terminated at the discretion of the University.

**Reporting:**

- Requests for name change must be initiated with the Registrar's office in the Administration Building, Room 105. Once this is done you will then need to report your name change request to the helpdesk at helpdesk@enmu.edu or 575.562.4357. Once approved, the change will occur at the discretion of Information Technology Services.

## Academic Regulations and Policies Courses and Classes

**Classification of Students:** Student classification is based upon the following standard of credit hours earned:

Freshman 0–29; Sophomore 30–59; Junior 60–89; Senior 90–up

**Class Attendance Policy**: Each student is expected to attend all class sessions of each course for which he/she enrolls. Faculty members will establish and state in the syllabus the attendance policies for the course. It is the responsibility of the student to adhere to the policies of the instructor. Absences due to participation in sanctioned University activities are considered to be authorized absences. Sanctioned activities are those that have been approved in advance by the dean of the college or the director of the unit sponsoring the activity. The activity sponsor submits to the Office of Student Affairs the names of student participants and the dates of their absences. This information is published in the ***Monday Memo***. Participation in sanctioned activities does not relieve the student of the obligation to meet the stated requirements of the course. It is the responsibility of the student to make arrangements in advance with the instructor for any make-up work.

**Course Repeat:** A course may be repeated once to replace the initial grade earned in a course. Any student who wishes to take advantage of this policy must file an official "First Repeat Course Form" prior to completion of the baccalaureate degree. *Refer to the current undergraduate catalog for more information.*

**Clemency Policy:** The clemency policy allows qualified former ENMU students to exclude poor academic work from their ENMU academic record under certain conditions. *Refer to the current undergraduate catalog for more information.*

**Administrative Drop**: Students who lack the required prerequisites for a course may be administratively dropped from the course. Students should be aware that their attendance is expected at all sessions of each course. Faculty are not responsible for dropping students who do not attend. Non-attendance does not imply withdrawal from a course.

**Course Drop/Add/Withdrawal:** A student may change his/her registration by adding, dropping or withdrawing from courses within the deadlines set in the University class schedule (usually the first week of classes). A course dropped during the drop/add period will not appear on the student's transcript. After that, a course withdrawn from will appear on the student's transcript with a grade of "W." Refunds

will be made according to the refund schedule printed in the class schedule. In a variable credit course (such as an internship or directed study) all hours must be dropped, not just a portion of them. All exceptions to these policies must be approved by the vice president for Academic Affairs.

**Complete Withdrawal:** A student may completely withdraw from the University by the deadline published in the semester schedule of classes. Full-time enrolled students must complete a university withdrawal procedure starting at the Alley (CUB). Part-time evening students may withdraw at the Office of the Registrar. Students who do not withdraw may receive a failing grade for the course. A student who is forced by emergency circumstances to leave the University without officially withdrawing should notify the Office of the Registrar and request an administrative withdrawal. In the event the student is unable to make such a call, the parents or guardian may do so on the student's behalf. Refunds will be made according to the tuition and fees refund schedule.

**Degree Plan and Declaration of Major**: Students must declare a major and file an official degree plan to the Advising Center at or before completing 45 hours. It must then be submitted to the Office of Student Records. Each student should confer with a faculty member in his or her desired major prior to requesting preparation of a degree plan checklist. The degree plan is signed by the student, his or her advisor and department chair and college dean. The Office of the Registrar then makes the plan official after review in the semester the student will complete 100 credit hours.

The official process can be found on page 23 in the online 2009-2011 undergraduate catalog at www.enmu.edu/academics/resources/ug-catalog/index.shtml

For help in degree plan preparation, students submit a degree plan request at www.enmu.edu/degreeplanrequest. Call the Office of Student Records at (575) 562-2780 for more information.

**Student Athletes:** Students participating in a NCAA/LSC sport at ENMU are governed by the above regulations and by the ***Eastern New Mexico University Student Athlete Handbook.*** Students are encouraged to discuss compliance issues with their coaches and the University's NCAA compliance officer.

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# Eastern New Mexico University
# Procedure for The Review of Grades

In order to provide a process by which a student may have a disputed grade reviewed, the following procedures have been established. It should be understood however, that the principle of academic freedom dictates that a faculty member is responsible for and has authority over grades which he/she assigns, and the criteria by which the student is evaluated. The intent of the procedures outlined below is to allow an objective review of the disputed grade when an issue of "fairness" or "equity" is raised by a student. No grade review request will be considered after a period of three calendar months from the last day of the semester in which the class was taken or three calendar months after the final grade is posted, whichever is later. All timelines below refer to calendar days.

Special provisions apply to those situations where a faculty member assigns a particular grade on the basis of the faculty member's determination that the student cheated or engaged in academic dishonesty or academic misconduct. Such situations are subject to the provisions set forth below at Section C.

**A. Grade Review Process (where grade is not based upon cheating or academic dishonesty).**

If a student wishes to have a grade reviewed, the steps below should be followed in the sequence shown:

1. The student should inform the faculty member who assigns the grade, hereafter called "the instructor," of the student's dispute of the grade within three (3) calendar months from the last day of the semester in which the class was taken or three (3) calendar months after the final grade is posted, whichever is later. This notice must be in writing and must be sent by the student to the instructor and the instructor's immediate administrative supervisor within the same time period.
2. Within fourteen (14) days of the written notice being given to the instructor, the student and the instructor should meet in an attempt to resolve the disagreement. The instructor should inform the student of his or her decision within seven (7) days of this meeting, in writing. If there is no resolution, or a resolution which is unacceptable to the student, the student may then proceed to Step #3.
3. Within seven (7) days of receiving the instructor's decision, the student may appeal the instructor's decision to the instructor's immediate administrative superior, in writing. If the administrative supervisor believes that the complaint may have merit, he or she should discuss it

with the instructor, within seven (7) days of the student's written appeal. The student shall be informed in writing whether or not the instructor has changed the earlier decision within seven (7) days of the meeting between the administrative supervisor and the instructor. If the decision is unacceptable to the student, the student may proceed to Step #4.

4. Within seven (7) days of receiving the administrative supervisor's decision, the student may appeal to the dean of the college under whose auspices the course was taught, in writing. Upon receipt of the petition, the dean shall appoint an *ad hoc* review committee of three faculty members from within the college.[1] The *ad hoc* committee will be composed of faculty members in the instructor's department or in closely allied fields. The committee shall examine available written information on the dispute, shall be available for meetings with the student and with the instructor at the request of the committee or of the respective party to the dispute, and may meet with others as it sees fit. The faculty committee shall inform the instructor of their decision within twenty-one (21) days after receipt by the dean of the student's petition. If the faculty committee, through its inquiries and deliberations, determines that compelling reasons exist to change the grade, it shall request that the instructor make the change, providing the instructor with a written explanation of its reasons and the appeal will proceed to step #5. If not, the student is informed of the committee's decision to sustain the instructor's grade; if the decision is unacceptable to the student, the student may proceed to Step #6.

5. If the committee recommends a change of the grade, then upon receipt of the committee's decision, the instructor will decide whether a change of grade is appropriate. Should the instructor decline, he or she shall provide an explanation to the committee for refusing. The instructor shall inform the committee of his or her decision within seven (7) days of the receipt of the committee's decision and the committee shall so inform the student with seven (7) days of the instructor's response. If the decision is unacceptable to the student, the student may proceed to

[1] If the dean is also the instructor, the VPAA will assume the role of the dean in Step 3 and Step 5.

Step #6. If the decision is unacceptable to the committee, the committee may proceed to Step #6.

6. The faculty committee, after considering the instructor's explanation and upon concluding that it would be unjust to allow the original grade to stand, may then recommend to the dean that the grade be changed within seven (7) days of the receipt of the instructor's decision. Alternatively or coincidentally, within seven (7) days of the student learning of the final decision under Step #4 or Step #5, if the decision is unacceptable to the student, the student may appeal the decision to the dean, in writing. The dean shall then either change or affirm the grade, notifying the instructor and the student of this action within seven (7) days of the receipt of the committee's recommendation or the student's appeal, whichever was earlier.
7. If the decision rendered under Step #6 is unacceptable to either the student or the instructor, then within seven (7) days of being notified of the decision, the student or the instructor may appeal the decision, in writing, to the Vice-President for Academic Affairs (VPAA). Only in unusual circumstances will the VPAA intervene in the process. If intervention is deemed necessary, the VPAA will submit a detailed rationale in writing to the instructor and student within seven (7) days) of being notified of the appeal. If the VPAA takes no action or takes an action unacceptable to the student or instructor, then the student or instructor may proceed to Step #8.
8. If the VPAA declines to act under Step #7 within the time allowed or renders a decision unacceptable to the student or the instructor, then the student or the instructor may make a final appeal to the President, in writing, within fourteen (14) days of the student/instructor being notified in Step #6. Only in unusual circumstances will the President intervene in the process. If intervention is deemed necessary, the President will submit a detailed rationale in writing to the instructor and student within seven (7) days) of being notified of the appeal. This is the final step in the process; there is no further appeal beyond the President.

**B. Grade Review Policy When the Instructor is Unavailable to Participate in the Process**

If an instructor becomes deceased, mentally incapacitated, leaves without a trace, or for whatever reason refuses to cooperate with the university officials in the review process over a disputed grade, the university may proceed with the review process provided that the review procedure is started within three calendar months from the last day of the semester in which the class was taken or three calendar months after the final grade is posted, whichever is later.

A student filing for a grade review process will follow steps A(3) through A(8), omitting steps which relate to the absent instructor.

### C. Grade Review Process Where the Grade is Based Upon Cheating, Academic Dishonesty or Other Academic Misconduct.[2]

A student seeking review of a grade should proceed according to the following steps, in the order indicated:

1. The student should meet with the faculty member who assigned the grade. Both the student and the faculty member will have at least 48 hours' advanced notice of the meeting, unless both of them agree to waive the requirement for prior notice. At the meeting, the faculty member will provide the student with a memo outlining the facts that support the faculty member's determination that the student cheated or engaged in academic dishonesty or misconduct. If, after reviewing the memo, the student admits that the student cheated or committed the act of misconduct described in the memo, then the faculty member will prepare a second memo describing the meeting and the student's admission. The faculty member will submit both memos to the Department Chair. If a student who admits to cheating (or academic dishonesty) still wishes to pursue the grade review process further, then he or she should proceed according to Steps A(3) to A(8), above. The procedures outlined below under Steps C(2) to C(5) are limited to those students who continue—after meeting with the faculty member—to deny that they cheated or committed an act of academic dishonesty or misconduct.

[2] Failure to comply with the faculty member's instructions, requirements or standards with respect to the completion or submission of course assignments does not constitute "misconduct," for purposes of these procedures. A student who seeks review of a grade resulting from the student's failure to follow instructions or procedures must follow the process outlined above at A(1) to A(8). The term "misconduct," as it is used in this Policy, refers to actual or alleged conduct involving moral culpability.

2. If, after meeting with the faculty member, the student is still unsatisfied with the grade, then the student should provide a written demand for a hearing to the dean of the college under whose auspices the course was taught. Such notice must be received by the dean within 3 days after the meeting between the student and the faculty member. Upon receipt of such notice, the dean will convene an ad hoc committee and schedule a grade review hearing. The dean will set the date, time and location of the hearing and will provide written notice to the student, the faculty member and the committee members. The hearing must take place within 21 days after receipt by the dean of the student's written notice. In addition, the student must receive written notice of the date, time and location of the hearing at least 3 days prior to the hearing, unless the student waives this requirement.
3. The ad hoc committee will be designated by the dean and will consist of three faculty members from within the college. One member of the committee shall be a faculty member from another department within the college. The three committee members will elect a committee chair from among themselves.

4. The following procedures will apply to the hearing before the ad hoc committee:
    i. Order of Proceedings: The hearing will be conducted in the following sequence:
        a. Opening statement by the faculty member who assigned the disputed grade;
        b. Presentation of witnesses, evidence and documents by the faculty member;
        c. Cross-examination of the faculty member and the faculty member's witnesses by the student and the committee members;
        d. Opening statement by the student;

e. Presentation of witnesses, evidence and documents by the student;

f. Cross-examination of the student and the student's witnesses by the faculty member and the committee members;

g. Closing statement by faculty member; and

h. Closing statement by student.

5. Note: The student or the faculty member may waive or omit any of the foregoing steps as he or she deems appropriate.

ii. The faculty member must attend the hearing and present evidence (in the form of personal testimony, documents or the testimony of other witnesses) to support the faculty member's determination that the student cheated or engaged in other academic dishonesty or misconduct. The faculty member will have the right to ask questions of (i.e., cross-examine) the student and also any witnesses who may testify on behalf of the student.

iii. The student must attend the hearing and present his or her case. The student will have the right to ask questions of (i.e. cross-examine) the faculty member and also any witnesses the faculty member may present. If the student fails to appear at the hearing, then the grade assigned by the faculty member will stand and the proceedings will be concluded.

iv. Hearings shall be confidential and shall be conducted in private. The chair of the committee will insure that all documents and information are kept confidential.

v. The student may bring one advisor to the hearing. The advisor's participation will be limited to advising the student. The adviser may not address the committee, examine or cross-examine witnesses or make arguments.

vi. The student shall be permitted to present a letter or brief to the committee setting out the student's factual, procedural or legal arguments. If a student presents such a letter or brief, then the student may

still make verbal arguments and present witnesses and other documentary evidence. Or the student may elect to present the letter in lieu of verbal arguments. The student will be required to personally attend and participate in the hearing and be subject to cross-examination, even if he or she elects to present a letter or brief to the committee.

vii. The committee chair shall decide and rule upon procedural and evidentiary matters. Formal rules of evidence and rules of civil procedure will not apply to the hearing. However, the committee chair may exclude certain evidence or testimony if he or she determines that it is unreliable, repetitive or of little probative value.

viii. The ad hoc committee shall make a factual determination as to whether the student cheated or committed an act of academic dishonesty or misconduct. This is the only question that the committee will decide. The committee shall decide this issue according to a preponderance-of-the-evidence standard. That is, if the committee determines that the evidence indicates that it is more likely than not that the student cheated, or engaged in academic misconduct then the committee shall decide against the student. Likewise, if the committee determines that the evidence indicates that it is more likely than not that the student did not cheat or engage in academic misconduct, then the committee will find in favor of the student. If the committee determines that the evidence is equally weighted both ways, then the committee will find in favor of the student.

ix. The ad hoc committee will reach a decision by majority vote. The committee's decision will be reduced to writing and delivered to the dean who convened the committee within 3 days after the conclusion of the hearing. The committee shall provide copies of its written decision to the faculty member and the student concerned.

6. If the ad hoc committee decides in favor of the student, then the faculty member must reassign a new grade. The revised grade cannot be based upon cheating or academic dishonesty or academic misconduct. If, after the grade is

revised, the student is still dissatisfied with the grade, then the student may seek a review of the grade in accordance with the procedures outlined above under Sections A(1) to A(8).

7. The hearing procedures described herein in Sections C(1) to C(5) pertain only to grade reviews initiated by a student, and such proceedings are distinct from proceedings under the Student Code of Conduct. An act or alleged act of cheating or academic dishonesty might give rise to a grade review and hearing under this regulation, and such conduct or alleged conduct might also give rise to a separate proceeding pursuant to the Student Code of Conduct. Likewise, such conduct or alleged conduct might give rise to only one or the other of these two types of administrative proceedings. A faculty member who believes that a student cheated or committed an act of academic dishonesty may assign an adverse grade or the faculty member may initiate a charge against the student under the Student Code of Conduct. Or the faculty member may assign an adverse grade and also initiate a charge against the student under the Student Code of Conduct. Principles of double jeopardy do not preclude separate proceedings under this Policy and also the Student Code of Conduct for the same act or alleged act of cheating, academic dishonesty or academic misconduct. Similarly, the result in one such proceeding does not automatically mandate a particular result in the other proceeding. Ordinarily, however, the Adjudication Officer will dismiss a charge of cheating brought under the Student Code of Conduct if an ad hoc committee determines (following a hearing pursuant to this Policy) that the student did not cheat or engage in academic dishonesty or misconduct.

*Amended version approved for implementation August, 2012*

# Student Records Policy

**Family Educational Rights and Privacy Act (FERPA)**

ENMU adheres to the Family Educational Rights and Privacy Act of 1974. Any questions regarding the Family Educational Rights and Privacy Act (FERPA) should be referred to the Registrar.

For the purposes of this policy, ENMU has used the following definitions of terms:

**Student—**any person who attends or has attended ENMU. At the post-secondary school level, the rights afforded by FERPA belong to the student, not the parent; therefore, any rights listed in this policy are referring to the student's rights.

**Educational Records —** any record (in handwriting, print, tapes, film or other medium) maintained by ENMU or an agent of the University, which is directly related to a student, except:

1. A personal record kept by a staff member if it is kept in the sole possession of the maker of the record and is not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. An employment record of an individual whose employment is not contingent on the fact that he or she is a student, provided the record is used only in relation to the individual's employment.
3. Records maintained by University Police if maintained solely for law enforcement purposes is revealed only to law enforcement agencies of the same jurisdiction, and the University Police does not have access to education records maintained by the University.
4. Alumni records which contain information about a student after he or she is no longer in attendance at the University and which do not relate to the person as a student.
5. Annual Notification: As per Section 99.7 of the FERPA regulations, ENMU will notify students of their rights in the schedule of classes published for each semester.

**Procedure to Inspect Education Records:** Students may inspect and review their education records upon request to the appropriate records custodian. Students should submit to the records custodian a written request which identifies as precisely as possible the record or records he or she wishes to inspect. The records custodian will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must

be given in 45 days or less from the receipt of the request. When a record contains information about more than one student, the student may inspect and review only the records which relate to him/ her.

**Right of University to Refuse Access:** The University reserves the right to refuse to permit a student to inspect the following records:

1. The financial statement of the student's parents.
2. Letters and statements of recommendation for which the student has waived his or her right of access or which were placed in file before Jan. 1, 1975.
3. Records connected with an application to attend ENMU or component unit of ENMU if that application was denied.
4. Those records which are excluded from the FERPA definition of education records.

**Release of Copies of Transcript/Records:** ENMU will provide students the opportunity to review their records; however, it reserves the right to deny transcripts or copies of records not required to be made available by the FERPA in any of the following situations.

1. The student has an unpaid financial obligation to the University.
2. The student has received Federal Student Financial Aid and (a) does not complete an exit interview OR (b) has defaulted in loan repayment.

**Fees for Copies of Records:** No fees will be charged if it is determined that the records are necessary in order to comply with review process requirements.

**Locations and Custodians of Education Records:** The following is a list of the types of records that ENMU-Portales maintains, their locations and their custodians:

Undergraduate admissions records for the Portales Campus are maintained in the Office of Enrollment Services located in SAS 107. The custodian of these records is the director of Enrollment Services.

Graduate admissions records are maintained in the Office of the Graduate School located in the Administrative Building 207. The custodian of these records is the dean of the Graduate School.

The locations and custodians of records maintained at other ENMU branches can be obtained by contacting those campuses.

**Disclosure of Education Records**

ENMU will disclose information from a student's education records without written student consent in the following instances:

1. School officials with legitimate education interest.
2. Other schools to which a student is transferring.
3. Specified officials for audit or evaluation purposes.
4. Appropriate parties in connection with financial aid to a student.
5. Organizations conducting certain studies for or on behalf of the school.
6. Accrediting organizations.
7. To comply with judicial order of lawfully issued subpoena.
8. Appropriate officials in cases of health and safety emergencies.
9. State and local authorities, within a juvenile justice system, pursuant to specific state law.
10. The final results of any institutional disciplinary proceedings for a crime of violence or non forcible sex offense, if the institution determines that the student committed a violation of its rules or policies with respect to the crime.
11. Information to the parent or legal guardian regarding a student's violation of any law or institutional rule or policy governing the use or possession of alcohol or a controlled substance if the student is under 21 and the institution determines that the student has committed a disciplinary violation.

**Directory Information:** ENMU has established the following as Directory Information: name, mailing addresses, telephone number, e-mail addresses, date and place of birth, most recent previous school attended, major field of study, classification, dates of attendance, honors awarded, degrees and dates conferred, participation in officially recognized activities and sports, and weight and height of members of athletic teams. The information is available to the public and will be released unless a nondisclosure form to withhold this information is completed for each enrollment period (fall, spring, summer). This must be done within the first two weeks of the semester.

**Correction of Education Records:** Students have the right to ask to have records corrected which they believe are inaccurate, misleading or in violation of their privacy rights. Students may challenge inaccuracies contained in their files; however, they may not challenge the fairness of a grade. "Correction of Grade" and "Grade Review Policy" is addressed under Academic Regulations in the ENMU Portales undergraduate and graduate catalogs. "Grade Review Policy" under Academic Regulations addresses this issue in the ENMU-Ruidoso. "Changing Grades" under Academic Policy and Procedure addresses this issue in the ENMU-Roswell catalog.

Following are the procedures for the correction of educational records:

1. A student must ask an appropriate official at ENMU to amend a record. In so doing, the student should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of his or her privacy or other rights.
2. Individuals in authority at ENMU may comply with the request or they may decide not to comply. If they decide not to comply, authorities will notify the student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading or in violation of the student's rights.
3. Upon request, appropriate authorities of ENMU will arrange for a hearing and notify the student, reasonably in advance of the date, place and time of the hearing.
4. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the institution. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend his/her education records. The student may be assisted by one or more individuals, including an attorney.
5. ENMU personnel will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
6. If ENMU personnel decide that the challenged information is not inaccurate, misleading or in violation of the student's right of privacy, they will notify the student that he/she has a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

7. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If ENMU discloses the contested portion of the record, it must also disclose the statement.
8. If personnel at ENMU decide that the information is inaccurate, misleading or in violation of the student's right of privacy, they will amend the record and notify the student, in writing, that the record has been amended.

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## 70-2 Student Code of Conduct

70-2-1 Purpose •70-2-2 Policy• 70-2-3 Definitions• 70-2-4 Rules of Conduct for Students•70-2-5 Administration•70-2-6 Judicial Authority• 70-2-7 Jurisdiction of the University•70-2-8 Violation of Law and University Discipline• 70-2-9 Charges and Hearings Procedure • 70-2-10 Sanctions •70-2-11 Interim Suspension• 70-2-12 Management of Student Records • 70-2-13 Appeals • 70-2-14 Interpretation and Revision

**1. Purpose.** The purpose of this policy and procedures is to maintain honesty, safety, order and discipline among the members of the student body at a level and in a manner sufficient to enable Eastern New Mexico University (University) to fulfill its mission.

**2. Policy.** The general policies of the University regarding the conduct of students are as follows:

A.Dishonesty shall not be condoned or tolerated.

B.Respect for the personal and property rights of others shall be required.

C. Civil disorder or disruption of the normal operation of the University shall not be tolerated or considered a means of constitutionally protected freedom of expression.

D. Criminal behavior may not be tolerated. Conviction of a felony by a student shall result in immediate disciplinary sanctions by the University. Suspicion of a felony, especially a violent felony, may result in disciplinary sanctions by the University.

E. Students shall be expected to do their part to maintain the University as a safe refuge for teaching, learning, research, study, other intellectual activities and exchanges, as well as recreational activities.

F. This Student Code, adopted by the University, sets forth standards and expectations for student behavior, as well as procedures for handling student misconduct.

G. The Student Code of Conduct requires that students are also subject to the rules and regulations set forth in of specific codes of conduct. Examples are athletes are required to abide by the rules of the Athletic Handbook and students living in residents on campus property are required to abide by the rules of the guide to campus living.

Because of this mandate, students subject to the Student Code of Conduct or any other code of conduct set forth by the University, will be provided with due process if suspected of violations of policies or procedures. Other codes of conduct include, but are not limited to, The Athletic Handbook (for athletes), the Guide to Campus Living (for students residing in campus residences on University property), the Student Organization Handbook (for members of student organizations), and/or the statutes and administrative regulations for the state of New Mexico, or in any other regulation including the ENMU Policy manual (AGP&P), set forth by the University or approved by the board of regents for Eastern New Mexico University. The minimum requirements of that due process shall be:

(1) That the student be notified of the violation of which he or she is suspected;

(2) That the student have an opportunity to speak to the person or persons charged with determining the disposition of the matter;

(3) That all parties to a student disciplinary proceeding, including the accused and the complainant and the University, shall have equal rights to be heard.

H. The University administration may adopt such policies and procedures it deems advisable to ensure enforcement of the above policies.

**3. Definitions.** The following terms are defined for use in this Student Code of Conduct:

A. "Faculty member" means any person hired by the University to conduct classroom activities.

B. "Judicial body" means the judicial coordinator or any appellate authority in an appeal arising under this Student Code of Conduct.

C. **Judicial Coordinator"** means either the vice president for Student Affairs (VPSA) or a University official authorized by the VPSA to hold hearings under the Student Code of Conduct, make factual findings and recommend or impose sanctions upon students found to have violated the Student Code of Conduct. If the VPSA does not appoint a judicial coordinator, then the VPSA shall act as the judicial coordinator.

D. "The judicial system" is the adjudicatory system established in the Student Code of Conduct for enforcement of the Student Code of Conduct.

E. "May" is used in the permissive sense.

F. "Member of the University" includes any person who is a student, faculty member, University official or any other person employed by the University. A person's status in a particular situation shall be determined by the VPSA.

G. "Organization" means any number of persons who have complied with the formal requirements for University recognition. Student Organizations are subject to the same procedures and policies applicable to students as outlined in the Student Code of Conduct.

H. "Policy" and" policies and procedures" are defined as the written regulations of the University as found in this Student Code of Conduct, the Undergraduate Catalog, the Graduate Catalog, the ENMU Policy manual (AGP&P), the Guide to Campus Living, the Athletic Handbook, or the Student Organization Handbook, or any written agreements signed by the student to receive services and/or the statutes and administrative regulations for the State of New Mexico, or in any other regulation approved by the Board of Regents for Eastern New Mexico University.

I. "Shall" is used in the imperative sense.

J. "Student" includes all persons taking courses at the University, both full-time and part-time, pursuing undergraduate or graduate studies. Persons who are not officially enrolled for a particular semester but who have an ongoing academic relationship with the University (other than as a faculty member) are considered students.

K. "Summons" means a written order, issued by the judicial coordinator, that directs a student to (1) appear at a proceeding held by judicial coordinator in accordance with the Student Code of Conduct, or to (2) present documents for such proceedings.

L. "University" means Eastern New Mexico University.

M. "University official" includes any person employed by the University and performing assigned administrative or professional duties.

N. "University premises" includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by the University, including adjacent streets.

**4. Student Code of Conduct.** Any student or student organization found to have committed the following misconduct is subject to the disciplinary sanctions set forth in this Student Code of Conduct:

A. **Acts of dishonesty** include but are not limited to the following:

(1) **Cheating**, which includes, but is not limited to:

a. Dishonesty of any kind on examinations, quizzes, written assignments and projects;

b.Unauthorized possession of examinations, quizzes or instructor records;

c. Alteration of instructor, professor or University records of grades received on an examination or quiz, assignment or class; or

d. Illegal entry or unauthorized presence in an office of the University or the residence of an instructor; or

e. Illegal or unauthorized access to any University computer files; or

f. Illegal or unauthorized access to University records of grades, examinations and assignment requirements.

(2) **Plagiarism**, which includes, but is not limited to:

a.Offering the work of another as one's own; or

b. Offering the work of another without acknowledgment; or

c. Failing to give credit for quotations or essentially identical expressions taken from any source that is not one's own, including but not limited to books, encyclopedias, magazines, journals, on-line sources, other reference works, papers, research results, reports, audio or video image files or copyrighted materials or sources of any other individual or entity.

d. The requirement to provide acknowledgement applies to all University class assignments and projects, both oral and written.

e. The requirement to provide acknowledgement demands that a student provide proper credit and citation for any quoted material or expression taken from a source that is not one's own at the time such source is used in completion of an assignment or project.

(3) **Any other form of academic dishonesty.**

B. **Misrepresentation,** which includes but is not limited to**:**

(1) Furnishing false information to a University official, faculty member or office; or

(2) Claiming to be a representative of the University or acting on behalf of the University without the University's advanced authorization; or

(3) Forgery, alteration or misuse of any University document, record or instrument of identification; or

(4) Tampering with the election of any University-recognized student organization or sponsored activity.

C. **Disruption of University Operation**

(1) Substantial disruption or obstruction of the University's educational processes, which include its teaching, research, administration and disciplinary proceedings; or

(2) Substantial disruption or obstruction of any University activity, which includes its on- or off- campus public service functions as well as those activities that are non-University activities authorized by the University and occurring on University premises; or

(3) Substantial disruption or interference with persons who are studying, sleeping, or otherwise engaging in activities that are consistent with the normal and expected uses of

institutional facilities or of student residential activities; or

(4) Substantial disruption, interference or obstruction of the free flow of pedestrian or vehicular traffic on campus.

(5) "Substantial disruption" is defined as that conduct which unreasonably infringes on the rights of others to freely attend or participate in the University's programs and services. This definition includes any action that willfully denies or recklessly disregards a person's lawful freedom of movement or their lawful use of University facilities.

(6) Nothing in this section shall be construed to impede or prevent an individual's freedoms of speech and expression.

D. **Participation in a Disruptive Campus Demonstration**

(1) Disrupting the normal operations of the University and infringing on the rights of other members of the University community; or

(2) Leading or inciting others to disrupt scheduled or normal activities within any campus building or area; or

(3) Intentional obstruction that unreasonably interferes with the freedom of pedestrian or vehicular movement on campus.

(4) Nothing is this section shall be construed to prevent the right to peaceful, lawful assembly or the right to orderly petition for the redress of grievances.

E. **Disorderly Conduct/Breach of Peace**

(1) Engaging in conduct on University premises or at University-sanctioned events, which a reasonable person would believe to be violent, abusive, indecent, obscene, profane, unreasonably loud or disorderly, and which has a tendency to disturb the peace; or

(2) Engaging in conduct on University premises or at University-sanctioned events which a reasonable person

would believe to be maliciously disturbing, threatening or insolent, and which has the tendency to cause a disturbance of the peace; or

(3) Engaging in conduct that aids and abets another in a disturbance of the peace to the University or to a University-sanctioned event.

(4) Conduct that has the "tendency to disturb the peace" is defined as conduct that is likely to cause violence, or community consternation and alarm. Such conduct is inconsistent with the University's dedication to providing a community that fosters and supports personal and social growth for all members of the University community.

F. **Acts of Aggression**

(1) Physical abuse, verbal abuse, threats, intimidation, coercion or other conduct which threatens or endangers the health or safety of any person; or

(2) Tampering with fire and life safety equipment including, without limitation, fire alarms, sprinkler systems, first aid equipment and laboratory safety apparatus; or

(3) Calling in, being part of a conspiracy to, or having advanced notice and not reporting an impending bomb threat to the University or its sanctioned activities.

(4) Conduct that threatens or endangers a student's own health or safety may also violate this section.

(5) Bullying consists of repeated and/or severe aggressive behavior that is likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally, and that may interfere with his or her ability to participate in or to realize the intended benefits of an institutional activity, employment or resources. (The term “bullying” does not encompass conduct or speech that is protected by the First Amendment.)

(6) Cyber-bullying consists of repeated and/or severe conduct that targets an individual or group through the use of the internet, interactive and digital technologies or another person physically or mentally and that may interfere with

his or her ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource. (The term “cyber-bullying” does not encompass conduct or speech that is protected by the First Amendment.).

(7) Stalking consists of repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the community, or the safety of any of the immediate family of members of the community.

(8) "Aggression" means not only intentional infliction of harm, but also conduct that intentionally subjects another to unwelcome, offensive physical contact, or that puts another person in reasonable fear that the actor intends immediately to subject another person to intentional injury or unwelcome offensive touching.

G. **Sexual Misconduct.**

(1) Subjecting another person to any sexual act against that person's will, or subjecting another person to any illegal, non-forcible sexual act, as described below:

a. Sexual Harassment: Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when such conduct has the purpose or effect of unreasonably interfering with an individual's academic and campus life or when such conduct has the purpose or effect of creating an intimidating, hostile or offensive campus or academic environment.

b. Forced /Non Consensual Sexual Contact: Any unwelcome contact of a sexual nature with another person (including exposure, disrobing, telephone calls, etc.) that is accomplished toward another, including any such act accomplished by means of actual or implied force, threat, coercion or by taking advantage of a victim's helplessness.

c. Forced /Non Consensual Physical Contact: Any unwelcome contact of a sexual nature with another person (including, fondling ) that is accomplished

toward another without her/his consent and by means of actual or implied force, threat, coercion, or by taking advantage of a person's helplessness. Sexual contact includes the use of force or intimidation to make or cause another person to touch another's intimate parts.

d. Forced/Non Consensual Sexual Penetration: Intercourse (vaginal penetration), sodomy (anal penetration), oral copulation (oral-genital contact), or penetration with any object or body part, by the use of force, threats, coercion or by taking advantage of a victim's helplessness.

(2) Persons who are under the influence of alcohol or other illegal controlled substances at the time they are subjected to the sexual act shall be presumed incapable of consent.

(3) Persons accused of sexual misconduct while under the influence of alcohol or illegal controlled substances at the time they engage in the sexual act are held fully accountable for their actions.

(4) Sexual Exploitation

Sexual exploitation occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

a. Invasion of sexual privacy

b. Encouraging another person to participate in prostitution

c. Non-consensual video or audio taping of sexual activity

d. Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex)

e. Engaging in voyeurism

f. Knowingly transmitting an STD or HIV to another student

g. Exposing one's genitals or inducing others to expose their genitals under non-consensual circumstances.

h. Sexually-based stalking and/or bullying may also be forms of sexual exploitation

H. **Harassment and Stalking.**

Harassment consists of knowingly pursuing a pattern of conduct that is intended to annoy, seriously alarm or terrorize another person and that serves no lawful purpose. The conduct must be such that it would cause a reasonable person to suffer substantial emotional distress.

Stalking consists of knowingly pursuing a pattern of conduct without lawful authority directed at a specific individual when the person intends that the pattern of conduct that would place the individual in reasonable apprehension of death, bodily harm, sexual assault, confinement or restraint of the individual or another individual.

I. **Invasion of Privacy.**

(1) No person may use a concealed camera or video recording device of any type to secretly videotape, film, photograph or record by electronic means, any other person who may be without clothing or through their clothing to view the body of such other person without the person's consent or knowledge of such other person in situations in which there is a reasonable expectation of privacy.

(2) No person may use an audio recording device for unauthorized eavesdropping upon another person in any situation in which there is a reasonable expectation of privacy.

J. **Theft, Neglect or Damage to Property.**

(1) Attempted or actual theft of property of the University or property of a member of the University community or other personal or public property; or

(2) Attempted or actual damage or severe neglect to the property of the University or property of a member of the University community or other personal or public property; or

(3) Knowingly possessing stolen property.

K. **Hazing.**

(1) Hazing is defined as any activity or act that endangers the mental or physical health or safety of a student, or destroys or removes private or public property for the purposes of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization.

(2) Hazing is not permitted even if participation is voluntary or agreed to by the individual subjected to the hazing act or activity.

L. **Failure to Comply.**

(1) Failure to comply with the directions of University officials or law enforcement officers acting in performance of their duties; or

(2) Failure to identify oneself to University officials or law enforcement officers acting in performance of their duties when requested to do so; or

(3) Failure to obey a summons issued by the judicial coordinator.

M **Unauthorized Possession, Duplication or Use of Keys.** Unauthorized use of keys, access cards, or any other entry-unlocking device in order to access University premises is prohibited.

N. **Alcohol.**

(1) Possession, use or distribution of alcoholic beverages on University property or at authorized University events; or

(2) Possession, use or distribution of alcoholic beverages or their containers in University owned residential structures.

O. **Narcotics or Controlled Substances.**

(1) Possession, use or distribution of any controlled substance on University property, including parked vehicles, outdoor venues, buildings, or any other area owned by the University; or

(2) Possession, use or distribution of any controlled substance at any University-sponsored event, whether the event occurs on property owned by the University or owned by a private party.

P. **Firearms Violation.**

(1) The illegal or unauthorized possession of firearms, projectiles, explosives, dangerous chemicals or other dangerous items or substances on University premises or at University sponsored events; or

(2) The presence of firearms, projectiles, explosives, dangerous chemicals or any other dangerous item or substance, whether legal or illegal, in residential structures or adjacent outdoor areas.

Q. **Violation of University Computer Use Policies and Procedures.** Please reference policy 60-1 Computer Use and 70-9 Student Computing on the ENMU web site.

R. **Violations of Residence Hall Policies**

(1) Violations of residence hall policy, as listed in the University's Guide to Living on Campus, the Guide to Apartment Living, the University's Student Housing Contract and/or lease. Please reference the Campus Living Guide

http**://www.enmu.edu/services/housing/forms/campus-living-guide.pdf**on the ENMU web site.

(2) All students are subject to these policies, whether or not a resident of a University residence hall.

S. **Abuse of the Judicial System**, including but not limited to:

(1) Failure to obey a summons of a judicial body or University official; or

(2) Falsification, distortion or misrepresentation of information before a judicial body; or

(3) Disruption or interference with the orderly conduct of a judicial body; or

(4) Attempting to discourage an individual's proper participation in, or use of, the judicial system; or

(5) Attempting to influence the impartiality of a judicial body prior to, or during the course of, the judicial proceeding; or

(6) Harassment (verbal or physical) or intimidation of a member of a judicial body prior to, during or after a judicial proceeding; or

(7) Failure to comply with the sanction(s) imposed under the Student Code of Conduct; or

(8) Influencing or attempting to influence another person to commit an abuse of the judicial system.

T. **Violation of a Published University Policy, Rule, or Regulation** in the Student Handbook, the Athletic Handbook, the Guide to Campus Living which applies to all campus residences, or any other regulation of the University.

U. **Violation of Federal, State or Local Law on University Premises or at University Sponsored or Supervised Activities.**

V. Violation of the cohabitation regulations as set forth in the Guide to Campus Living for students living in or visiting campus residences: Cohabitation among unmarried men and unmarried women is not permitted anywhere on the campus of the University including campus residences, either traditional halls or apartments, regardless of whether operated or managed by the University or another party. Unless the students can present a valid marriage license to the Office of Housing and Residence Life or to the general manager of other residences anywhere on the campus of the University, males must live with males in the same double, suite or apartment unit and females must live with females in the same double, suite, or apartment unit. Same gender couples who are not legally married may not live in the same double, suite, or apartment unit anywhere on the campus of the University. This applies to all residences anywhere on the campus of the University including residences operated or managed by the University or another party.

The foregoing Student Code of Conduct shall be enforced by the following.

## Procedures

**5. Administration.** The vice president for Student Affairs (the VPSA) is the person designated by the University to be responsible for administration of the Student Code of Conduct.

**6. Judicial Authority.** Authority for enforcement of student discipline and the Student Code of Conduct are as follows:

A. The VPSA shall oversee the administration of the judicial program and procedural rules for the conduct of hearings consistent with the provisions of this Student Code of Conduct. The VPSA may appoint a judicial coordinator to carry out adjudication.

B. The VPSA shall ensure that all persons serving as the judicial coordinator are fully trained, notified of the meetings and have all supporting materials needed to act in a fair and just manner.

C. Decisions made by the judicial coordinator shall be final, subject to the normal appeal process.

7. **Jurisdiction of the University.** University jurisdiction and discipline shall be limited to conduct occurring on University premises or at University sponsored events (either on or off campus). University jurisdiction also extends to conduct that adversely affects the University community or the pursuit of its mission and objectives.

8. **Violation of Law and University Discipline.**

   A. If a student is charged only with an off-campus violation of federal, state or local laws, but not with any other violation of this Code, the University retains the right to pursue disciplinary action against that student for grave misconduct demonstrating flagrant disregard for the University community.

   B. University disciplinary proceedings may be instituted against a student charged with a violation of any federal, state or local law if such conduct is also a violation of the Student Code of Conduct. If both violations result from the same factual situation, without regard to the pendency of civil litigation or criminal arrest and prosecution, the University hearing may proceed without regard to the pendency of civil litigation or criminal arrest and prosecution.

   C. When a student is charged by federal, state or local authorities with a violation of law, the University shall not request or agree to special consideration for that individual because of his or her status as a student. The University shall cooperate fully with federal, state or local law enforcement and agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students, staff and faculty members, acting in their personal capacities, remain free to interact with government representatives as they deem appropriate.

9. **Charges and Hearing Procedure.**

   A. Any member of the University community may file charges against any student for misconduct. As soon as possible after

the event that gives rise to a charge, and no more that 8 weeks after such event has occurred, the accuser shall visit the office of the judicial coordinator , where the accuser will be instructed to prepare a written complaint and to submit that written complaint to the judicial coordinator.

B. The judicial coordinator will conduct an initial investigation to determine if the charges have merit and will meet with the accused student(s) to determine if the accused student(s) accepts or denies responsibility for the charges.

C. If charges are deemed to have merit, an informal resolution hearing may be scheduled, at which time, charges may be disposed of administratively by mutual consent of the parties involved, and on a basis that the proposed resolution is acceptable to the judicial coordinator.

D. If the charges can be disposed of as noted by the conditions of 9C, above, such disposition shall be final and there shall be no subsequent University proceedings.

E. If the charges cannot be disposed of by the conditions of 9C above, the process continues to the formal hearing stage.

F. All charges shall be presented to the accused student in writing prior to the formal hearing, noting the specific section(s) of the Student Code of Conduct that are alleged to have been violated, as well as the factual basis for the charges.

G. A time shall be set for the formal hearing not fewer than three (3) days after the student has been notified. The accused student may waive this waiting period, if he/she chooses. In cases of a threat to safety, the judicial coordinator may proceed without 3 days' notice to the accused student.

H. Hearings shall be conducted by the judicial coordinator according to the following guidelines:

(1) Hearings shall be conducted in private.

(2) Admission of any person to the hearing shall be at the discretion of the judicial coordinator.

(3) In hearings involving more than one (1) accused student, the judicial coordinator, at his or her discretion, may permit the hearings concerning each student to be conducted separately.

(4) The complainant and the accused have the right to be assisted by any advisor they choose from the faculty, staff or students of the University. Complainants and the accused are responsible for presenting their own cases and, therefore, advisors are not permitted to speak or participate directly in any hearing before the judicial coordinator.

(5) The complainant and the accused and the judicial officer shall have the privilege of presenting witnesses, subject to the right of questioning by opposing parties and the judicial coordinator.

(6) Pertinent records, exhibits and written statements may be accepted as evidence for consideration, at the discretion of the judicial coordinator.

(7) All procedural questions are subject to the final decision of the judicial coordinator.

(8) After the hearing, the judicial coordinator shall whether the student has violated the specific section(s) of the Student Code of Conduct which the student has been charged with violating.

(9) The judicial coordinator's determination shall be made on the basis of whether it is more likely than not that the accused student violated the specific section(s) of the Student Code of Conduct which the student has been charged with violating.

(10) The accused student(s) will be notified in writing of the recommendation of decision of the judicial coordinator. Every attempt will be made to have this notification in the hands of the accused student within 7 working days after the last hearing.

I Except in the case of a student charged with failing to obey the summons of a judicial body or University official, no student may be found to have violated the Student Code of Conduct

solely because the student failed to appear before judicial coordinator.

J. If the accused student fails to appear, the hearing may proceed and all evidence in support of the charges may be presented and considered, at the discretion of the judicial body.

K. If the complainant or witness(es) fail to appear, the hearing may proceed. All evidence in support of the charges shall be presented and considered, and the judicial coordinator may issue his or her final determination, at his or her discretion..

L. There shall be a summary record kept of all hearings before a judicial body. The record shall be the property of the University and it shall be retained for a period of at least five years.

M. Transcriptions and photocopying: Any costs incurred for transcriptions or photocopying of the record, when such costs are incurred at the request of the accused student either for that student's appeal or for another related event, will be borne by the requesting party.

**10. Sanctions.**

A. The following sanctions may be imposed upon any student found to have violated the Student Code of

Conduct:

(1) Warning: A notice in writing to the student that the student is violating or has violated University regulations.

(2) Probation: A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any University regulation(s) during the probationary period. Probation may carry loss of privileges including but not limited to the prohibition of holding any University office, representing ENMU at any function, or receiving University awards with the exception of academic scholarships for the period of probation.

(3) Loss of Privileges: Denial of specific privileges for a designated period of time.

(4) Fines: Fines may be imposed.

(5) Restitution: Compensation for loss, damage or injury. Restitution may take the form of appropriate service or monetary or material replacement.

(6) Discretionary Sanctions: Work assignments, service to the University or other related discretionary assignments. Such assignments must have prior approval of the Adjudication Officer.

(7) Residence Hall Suspension: Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions of readmission may be specified. Refunds will follow the University's approved schedule of refunds and will be based on the date that disciplinary action was taken against that student. Deposits are not refundable.

(8) Residence Hall Expulsion: Permanent separation of the student from the residence halls.

(9) University Suspension: Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

(10) University Expulsion: Permanent separation of the student from the University.

B. More than one (1) of the sanctions listed above may be imposed for any single violation.

C. The following sanctions may be imposed upon groups or organizations:

(1) Those sanctions listed in section A (1) through (6).

(2) Deactivation: Loss of privileges, including University recognition, for a specified period of time.

D. In each case in which a judicial body determines a student has violated the Student Code of Conduct, the sanction(s) shall be determined and imposed by the judicial coordinator. The judicial coordinator shall advise the accused in writing of its determination and of the sanction(s) imposed, if any.

**11. Interim Suspension.** In certain circumstances the VPSA, or a designee, may impose a University or residence hall suspension prior to the hearing before a judicial body.

A. Interim suspension may be imposed only:

(1) To ensure the safety and well-being of members of the University community or preservation of University property; or

(2) To ensure the student's own physical or emotional safety and well-being; or

(3) If the student poses a definite threat of disruption or interference with the normal operation of the University.

B. During the interim suspension, students shall be denied access to the residence halls and/or the campus (including classes), and/or all other University activities or privileges for which the student might otherwise be eligible, as determined by the VPSA or the judicial coordinator.

**12. Management of Student Records.**

A. Other than records of a student's University expulsion, disciplinary sanctions shall not be made a part of the student's permanent academic record, but shall become a part of the student's confidential record. In cases involving the imposition of sanctions other than university notations of University discipline shall be expunged from the student record five (5) years after final disposition of the case.

B. Under the power of a valid subpoena that complies with the exceptions to student record confidentiality under FERPA, the

University may be legally compelled to release student records.

**13. Appeals.**

A. A decision reached by the judicial coordinator may be appealed to the University president.

B. The student must file a Notice of Appeal in writing. The notice will be submitted to the president or the president's official designee within 7 working days from the date the student receives the letter of disposition.

C. A Notice of Appeal shall state with specificity the purpose(s) for the appeal. All appeals shall be limited to review of the record of the initial hearing and supporting documents for one (1) or more of the following purposes:

(1) To determine whether the original hearing was conducted fairly; or

(2) To determine whether the decision reached regarding the accused student was based on a preponderance of the evidence, i.e., whether the record supports a finding that it was more likely than not that the student committed the offending conduct(s) with which that student was charged; or

(3) To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct; or

(4) To consider new evidence or other relevant facts not brought out in the original hearing, because such evidence or facts were not known to the person appealing at the time of the original hearing.

D. The president shall, after review of the Notice of Appeal, reach one of the following results:

(1) To uphold the decision of the judicial body; or

(2) To reverse the decision of the judicial body; or

(3) To remand the case to the judicial body for a re-opening of the hearing, with instructions to consider additional or different evidence; or

(4) To accept the judicial body's determination of guilt but change the sanction imposed by the judicial body.

E. The president's determination of the appeal shall be in writing and shall be delivered to the VPSA or his or her executive secretary.

F. If the president remands the case back to the VPSA for further proceedings, such proceedings may not result in more severe sanction(s) for the accused student. Instead, following an appeal, the judicial body may, upon review of the case, reduce, or maintain, but not increase, the sanctions previously imposed.

G. The appeal to the president is considered final.

**14. Interpretation and Revision.**

A. Any question of interpretation regarding the Student Code of Conduct shall be referred to the VPSA or his or her designee for final determination.

B. The Student Code of Conduct shall be reviewed every four (4) years under the direction of the VPSA.

*Approved by the Board of Regents on June 27, 1992.*
*Amended version approved by the University Policy Council on March 20, 2006.*
*Approved by the Board of Regents on May 12, 2006.*
*Amended version approved by University Policy Council on April 21, 2008.*
*Approved by the Board of Regents on April 25, 2008.*
*Amended version approved by University Policy Council on November 26, 2012*
*Approved by the Board of Regents on December 6, 2012*

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# Drug Free Campus

ENMU, in compliance with the drug Free Schools Act of 1990 does not condone illicit possession, use, or distribution of controlled substances. ENMU is committed to drug and alcohol education for

students and employees and takes an active approach toward the health and safety of all members of the University community. ENMU recognizes the institution's responsibility, but also holds the student and employee responsible for their own decisions/action.

**State and Federal Law:**

ENMU alcohol and drug policy 40-13 and the entries in the Student Code of Conduct are in keeping with the educational mission of the institution and applicable state and federal laws governing controlled substances. The policy applies to the illegal possession, distribution and abuse of alcohol , drugs , and controlled substances as defined in New Mexico statute by both students and employees. The entries in the Student Code of Conduct further define the prohibition of possession, use, or distribution of controlled substances on ENMU property or at University affiliated or sponsored events.

**University Regulations:**

Controlled substances, (alcohol and drugs) are not allowed on campus or at university sponsored or affiliated events. In addition to all structures, this prohibition also includes all grounds, buildings, lounges, patios, foyers, arenas, parks, parking lots or other open spaces as well as all buildings. Violators of state statutes and or University regulations governing the possession and/or consumption of alcohol or controlled substances shall be subject to sanctions, Students shall be subject to sanctions set for tin the Student Code of Conduct and residential students shall be subject to the sanctions noted in the Guide to Residential Living and/or the Guide to Apartment Living. Employees will be subject to the guidelines outlined in the ENMU Policy Manual and the University's progressive discipline process. This is in addition to the regulations and/or penalties described in New Mexico state statues and Federal Laws.

Residential students are individually responsible for maintaining an atmosphere within their residential community that is in concert with the academic mission of ENMU. Drunken and/or disorderly behavior will not be tolerated. The responsibility for administering the disciplinary system at the University is delegated by the president of the University to the vice president for Student Affairs. The vice president of Student Affairs may delegate administrative responsibility to the Judicial Coordinator to review and process student disciplinary matters. Employee discipline will be carried out in cooperation with the unit supervisor and the Office of Human Resources.

Each fall semester, students and employees will be sent an email on their institutional email address or by broadcast email referring students to this page and to the web addresses that contain policy regarding

controlled substances. Each student as a condition of enrollment agrees to abide by the Student Code of Conduct and all information included in this section of the Student Code of Conduct. All employees as a condition of their employment agree to abide by the policies outlined in the ENMU Policy Manual. Those students who receive federal or state money under Financial Aid benefits have a statement of compliance regarding alcohol, drugs, and controlled substances included in the award letter. Acceptance of any part of the Financial Award is a commitment to abide by all policies, procedures, rules, and regulations regarding controlled substances addressed by state statutes, federal law, and university policy and procedures.

**Legal Sanctions for the Unlawful Possession or Distribution of Illicit Drugs, alcohol, or controlled substances:**

The penalties for even the most minor of violations of the Liquor Control Act can include fines of up to $300, confiscation of property and imprisonment for up to seven months. More serious violations carry greater penalties, with larger fines and longer imprisonment.

Driving or using machinery after drinking or using drugs creates the risk that the user may injure or kill someone. This can result in homicide charges. License revocation and vehicle impoundment are also possible results of driving while under the influence of liquor or drugs. The minimum blood alcohol levels at which drivers' licenses are revoked in New Mexico are: .02% for those under 21 and .08% for those 21 and over. All drivers in New Mexico are presumed to e intoxicated at the .08% level.

In drug related cases a court can permanently suspend eligibility for federal benefits including financial aid. A criminal record can seriously hurt educational and career opportunities.

Penalties for illegal drug use can include significant fines and imprisonment. Penalties for the illegal sale of drugs are greater, and may include property confiscation. Alternative penalties for illegal drug or alcohol use may also include mandatory community service. Violation of laws by a foreign national may result in deportation.

As required by federal regulations, charts accompanying this policy statement in the current ENMU Student Handbook detail federal and state sanctions for the unlawful possession or distribution of illicit drugs or controlled substances.

As required by federal regulations, the following charts detail federal and state sanctions for the unlawful possession or distribution of illicit drugs.

**FEDERAL DRUG TRAFFICKING PENALTIES )**

| Federal Trafficking Penalties | | | | |
|---|---|---|---|---|
| **Schedule** | **Substance/Quantity** | **Penalty** | **Substance/Quantity** | **Penalty** |
| II | Cocaine<br>500-4999 grams mixture | **First Offense:** Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.<br>**Second Offense:** Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual. | Cocaine<br>5 kilograms or more mixture | **First Offense:** Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more life. Fine of not more than $10 million if an individual million if not an individual.<br>**Second Offens** Not less than 20 yrs, and not than life. If death or serious bodily injury, life imprisonment. Fine of not more than $20 million if an individual, $75 million if not a individual.<br>**2 or More Pri Offenses:** Life imprisonment. of not more than $20 million if an individual, $75 million if not an individual. |
| II | Cocaine Base | | Cocaine Base | |

| | | |
|---|---|---|
| | 28-279 grams mixture | 280 grams or more mixture |
| IV | Fentanyl<br>40-399 grams mixture | Fentanyl<br>400 grams or more mixture |
| I | Fentanyl Analogue<br>10-99 grams mixture | Fentanyl Analogue<br>100 grams or more mixture |
| I | Heroin<br>100-999 grams mixture | Heroin<br>1 kilogram or more mixture |
| I | LSD<br>1-9 grams mixture | LSD<br>10 grams or more mixture |
| II | Methamphetamine<br>5-49 grams pure or<br>50-499 grams mixture | Methamphetamine<br>50 grams or more pure<br>or 500 grams or more mixture |
| II | PCP<br>10-99 grams pure or<br>100-999 grams mixture | PCP<br>100 grams or more pure<br>or 1 kilogram or more mixture |

| **Substance/Quantity** | **Penalty** |
|---|---|
| Any Amount Of Other Schedule I & II Substances | **First Offense**: Not more that 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine $1 million if an individual, $5 million if not an individual.<br>**Second Offense:** Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if not an individual. |
| Any Drug Product Containing Gamma Hydroxybutyric Acid | |
| Flunitrazepam (Schedule IV)<br>1 Gram | |
| Any Amount Of Other Schedule III Drugs | **First Offense**: Not more than 10 yrs. If death or serious bodily injury, not more that 15 yrs. Fine not more than $500,000 if an individual, $2.5 million if not an individual.<br>**Second Offense**: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than $1 million if an individual, $5 million if not an individual. |
| Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam) | **First Offense**: Not more than 5 yrs. Fine not more than $250,000 if an individual, $1 million if not an individual. |

| | |
|---|---|
| | **Second Offense:** Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if other than an individual. |
| Any Amount Of All Schedule V Drugs | **First Offense:** Not more than 1 yr. Fine not more than $100,000 if an individual, $250,000 if not an individual.<br>**Second Offense**: Not more than 4 yrs. Fine not more than $200,000 if an individual, $500,000 if not an individual. |
| **Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances** | |
| Marijuana<br>1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants | **First Offense:** Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than $10 million if an individual, $50 million if other than an individual.<br>**Second Offense:** Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $20 million if an individual, $75 million if other than an individual. |
| Marijuana<br>100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants | **First Offense:** Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than $5 million if an individual, $25 million if other than an individual.<br>**Second Offense:** Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $8 million if an individual, $50million if other than an individual. |
| Marijuana<br>50 to 99 kilograms marijuana mixture,<br>50 to 99 marijuana plants | **First Offense:** Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine $1 million if an individual, $5 million if other than an individual.<br>**Second Offense:** Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if other than an individual. |
| Hashish<br>More than 10 kilograms | |
| Hashish Oil<br>More than 1 kilogram | |
| Marijuana<br>less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)<br>1 to 49 marijuana plants | **First Offense:** Not more than 5 yrs. Fine not more than $250,000, $1 million if other than an individual.<br>**Second Offense:** Not more than 10 yrs. Fine $500,000 if an individual, $2 million if other than individual. |
| Hashish | |

| |
|---|
| 10 kilograms or less |
| Hashish Oil<br>1 kilogram or less |

**NM DRUG LAWS (30-31-2 NMSA 1978) - (Figure 2)**

| **DRUG** | **CONDITIONS**<br>**QUANTITY** | **PENALTY**<br>**Prison Fines** |
|---|---|---|
| Methamphetamine<br>PCP<br>Rohypnol, GHB | Possession | 18 mos. ≤ $5,000<br>(4th degree Felony) |
| Methamphetamine<br>PCP<br>Rohypnol * GHB | 1st Offense Trafficking<br>(to sell, barter, give away, or distribute) | 9 yrs. ≤ $10,000<br>(2rd degree Felony) |
| Methamphetamine<br>PCP<br>Rohypnol, GHB | 2nd or subsequent Offense<br>Trafficking | 18 yrs. $15,000<br>(1st degree Felony) |
| Cocaine/Heroin<br>LSD , Other drugs | Possession | ≤1 yr. $500 – 1,000 |
| Prescription Drugs | Possession | ≤1 yr. $500 – 1,000 |
| Cocaine/Heroin<br>LSD<br>Other drugs | 1st Offense Trafficking<br>(to sell, barter, give away, or distribute) | ≤ 3 yrs. ≤ $5,000<br>(3rd degree Felony) |
| Prescription Drugs<br>Cocaine/Heroin<br>LSD, Other drugs | 2nd or subsequent Offense<br>Trafficking | 9 yrs. $10,000<br>(2nd degree Felony) |

| | | |
|---|---|---|
| Marijuana | Possession, <1 oz. 1st offense<br>Possession, 1-8 oz. 1st offense<br>Possession, 8+ oz. 1st offense | ≤ 15 dys. $50-100<br>< 1 yr. $100-1,000<br>18 mos. $5,000 |
| Marijuana | 1st Offense Trafficking<br>(to sell, barter, give away, or distribute) | 18 mos. $5,000<br>>100 lbs = 3 yrs. $5,000 |

**Health Risks caused by using alcohol, drugs, or controlled substances:**

Excessive alcohol consumption and abuse of illicit drugs or substances can lead to certain types of cancer, pathological changes in the liver, brain, heart and muscle which can lead to disability and death, addiction, birth defects, shortened life span, stomach ulcers, phlebitis, varicose veins, and other health problems. Alcohol and drugs are also a major factor in homicides, assaults, rapes, suicide, family and sexual violence. Alcohol is significantly involved in all types of accidents--motor vehicle, home, industrial, and recreational. Unintended pregnancies and sexually transmitted diseases are often associated with alcohol or other drug abuse, as well as relationship, academic or work problems.

For more information about the possible effects and health risks associated with the use of illicit drugs and alcohol, contact the Health Services at 575 562-2321 or the University Police at 575-562-2392. The following chart (figure 3) lists the possible effects and health risks associated with the use of illicit drugs and controlled substances.

## Controlled Substances—Uses and Effects

U.S. Department of Justice, Drug Enforcement Administration

* "Class" refers to one of the five schedules of controlled substances established by the federal Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended 21 U.S.C. Section 801 and following.

| | Class* | Trade or Other Names | Medical Uses | Dependence (Physical) | Dependence (Psycho.) | Tolerance | Duration Hours | Usual Method of Administration | Possible Effects | Effects of Overdose | Withdrawal Syndrome |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **NARCOTICS** | | | | | | **NARCOTICS** | | | | | |
| Opium | II III V | Dovers powder, Paregoric, | Analgesic, antidiarrheal | High | High | Yes | 3–6 | Oral, smoked | Euphoria, drowsiness, respiratory depression, constricted pupils, nausea | Slow and shallow breathing, clammy skin, convulsions, coma, possible death | Watery eyes, runny nose, yawning, loss of appetite, irritability tremors, panic, cramps, nausea chills, sweating |
| Morphine | II III | Morphine, MS-Contin, Roxanol, Roxanol-SR | Analgesic, antitussive | High | High | Yes | 3–6 | Oral, smoked, injected | | | |
| Codeine | II III V | Tylenol w/Codeine, Empirin w/Codeine, Robitussan A-C, Florinal w/Codeine | Analgesic, antitussive | Mod. | Mod. | Yes | 3–6 | Oral, injected | | | |
| Heroin | I | Diacetylmorphine, Horse, Smack | None | High | High | Yes | 3–6 | Injected, sniffed, smoked | | | |
| Hydro-morphone | II | Dilaudid | Analgesic | High | High | Yes | 3–6 | Oral, injected | | | |
| Meperidine (Pethidine) | II | Demerol, Mepergan | Analgesic | High | High | Yes | 3–6 | Oral, injected | | | |
| Methadone | II | Dolophine, Methadone, Methadose | Analgesic | High | High-low | Yes | 12–24 | Oral, injected | | | |
| Other narcotics | I II III IV V | Numorphan, Percodan, Percocet, Tylox, Tussionex, Fentanyl, Darvon, Lomotil, Talwin | Analgesic, antidiarrheal, antitussive | High-low | High-low | Yes | Varies | Oral, injected | | | |
| **DEPRESSANTS** | | | | | | **DEPRESSANTS** | | | | | |
| Chloral Hydrate | IV | Noctec | Hypnotic | Mod. | Mod. | Yes | 5–8 | Oral | Slurred speech, disorientation, drunken behavior without odor of alcohol | Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death | Anxiety, insomnia, tremors, delirium, convulsions, possible death |
| Barbiturates | II III IV | Amytal, Butisol, Florinal, Lotusate, Nembutal, Seconal, Tuinal, Phenobarbital | Anesthetic, anticonvulsant, sedative, hypnotic, veterinary euthanasia agent | High-mod. | High-mod. | Yes | 1–16 | Oral | | | |
| Benzodiazepines | IV | Ativan, Dalmane, Diazepam, Librium, Xanax, Serax, Valium, Tranxene, Versitran, Versed, Halcion, Paxipam, Restoril | Antianxiety, anticonvulsant, sedative, hypnotic | Low | Low | Yes | 4–8 | Oral | | | |
| Methaqualone | I | Quaalude | Sedative, hypnotic | High | High | Yes | 4–8 | Oral | | | |
| Glutethimide | III | Doriden | Sedative, hypnotic | High | Mod. | Yes | 4–8 | Oral | | | |
| Other depressants | III IV | Equanil, Miltown, Noludar, Placidyl, Valmid | Antianxiety, sedative, hypnotic | Mod. | Mod. | Yes | 4–8 | Oral | | | |
| **STIMULANTS** | | | | | | **STIMULANTS** | | | | | |
| Cocaine | II | Coke, Flake, Snow, Crack | Local anesthetic | Possible | High | Yes | 1–2 | Sniffed, smoked, injected | Increased alertness, excitation, euphoria, increased pulse rate & blood pressure, insomnia, loss of appetite | Agitation, increase in body temp., hallucinations, convulsions, possible death | Apathy, long periods of sleep, irritability, depression, disorientation |
| Amphetamines | II | Biphetamine, Delcobese, Desoxyn, Dexedrine, Obetrol | Attention deficit disorders, narcolepsy, weight control | Possible | High | Yes | 2–4 | Oral, injected | | | |
| Phenmetrazine | II | Preludin | Weight control | Possible | High | Yes | 2–4 | Oral, injected | | | |
| Methylphenidate | II | Ritalin | Attention deficit disorders, narcolepsy | Possible | Mod. | Yes | 2–4 | Oral, injected | | | |
| Other stimulants | III IV | Adipex, Cylert, Didrex, Ionamin, Melfiat, Plegine, Sanorex, Tenuate, Tepanil, Prelu-2 | Weight control | Possible | High | Yes | 2–4 | Oral, injected | | | |
| **HALLUCINOGENS** | | | | | | **HALLUCINOGENS** | | | | | |
| LSD | I | Acid, Microdot | None | None | Unknown | Yes | 8–12 | Oral | Illusions and hallucinations, poor perception of time and distance | Longer and intense "trip" episodes, psychosis, possible death | Withdrawal syndrome not reported |
| Mescaline, Peyote | I | Mexc, Buttons, Cactus | None | None | Unknown | Yes | 8–12 | Oral | | | |
| Amphetamine variants | I | 2.5-DMA, PMA, STP, MDA, MDMA, TMA, DOM, DOB | None | Unknown | Unknown | Yes | Varies | Oral, injected | | | |
| Phencyclidine | II | PCP, Angel Dust, Hog | None | Unknown | High | Yes | Days | Smoked, oral, injected | | | |
| Phencyclidine analogues | I | PCE, PCPy, TCP | None | Unknown | High | Yes | Days | Smoked, oral, injected | | | |
| Other hallucinogens | I | Bufotenine, Ioglaine, DMT, DET, Psilocybin, Psitocyn | None | None | Unknown | Possible | Varies | Smoked, oral, injected | | | |
| **CANNABIS** | | | | | | **CANNABIS** | | | | | |
| Marijuana | I | Pot, Acapulco Gold, Grass, Reefer, Sinsemilla, Thai Sticks | None | Unknown | Mod. | Yes | 2–4 | Smoked, oral | Euphoria, relaxed inhibitions, increased appetite, disorientated | Fatigue, paranoia, possible psychosis | Insomnia, hyperactivity and decreased appetite |
| Tetrahydro-cannabinol | I II | THC, Marinol | Cancer chemotherapy, antinauseant | Unknown | Mod. | Yes | 2–4 | Smoked, oral | | | |
| Hashish | I | Hash | None | Unknown | Mod. | Yes | 2–4 | Smoked, oral | | | |
| Hashish oil | I | Hash Oil | None | Unknown | Mod. | Yes | 2–4 | Smoked, oral | | | |

**Resources for students and employees who may be concerned about alcohol,**
**drug, or controlled substances use, abuse, or dependency:**

***ENMU Counseling and Career Services**
Student Academic Services (SAS) 232
Portales, NM 88130
(575) 562-2211 Phone (575) 562-2215 FAX
24 hour Crisis line (575) 607-5689

*Indicates open to ENMU students only. All others open to all

**Alcoholics Anonymous - For information on local Portales meetings call this number or call ENMU Counseling & Career Services at 575-562-2211**
1119 North Thornton Street Clovis, NM 88101
(575) 769-6052 www.aa.org

**Guidance Center of Lea County**
315 North 1st Street
Lovington, NM 88260
(575) 396-3818 Hotline: (575)93-6633 www.gclcnm.org

*Junctions Counseling Center for Drug and Alcohol Dependency*
1614 1/2 N. Main
Clovis, NM 88101
Phone: (575) 935-8522
Fax: (575) 935-8524
E-mail: administrator@Junctions-DestinationsUnlimited.com

**La Casa Family Health Center**
*www.**lacasa**health.com/*
*Portales*: (575) 356-6695. Clovis: (575) 769-0888. Roswell: (575) 623-3255
1515 West Fir Street
Portales, NM 88130
(575) 356-6695

**Managed Care Center Inc. – Women's Residential Program**
1705 North Farm Market Road 179
Lubbock, TX 79416
(806) 763-7633 www.mccaod.com

**Managed Care Center Inc. – Men's Residential Program**
1705 North Farm Market Road 179
Lubbock, TX 79416

(806) 797-8003 www.mccaod.com

**Mental Health Resources**
1100 W. 21st Street
Clovis New Mexico 88101
(575) 769-2345

300 E. 1st Street
Portales, NM 88130
(575) 359-1221 24/7 crisis helpline 1-800-432-2159

**New Mexico Rehabilitation Center Chemical Dependency Unit**
72 Gail Harris Avenue
Roswell, NM 88203
(575) 347-3431

**New Mexico Behavioral Health Institute**
801 4th Street
Santa Rosa, NM 88435
(505) 472-3768

**The Pavillion**
Northwest Texas Healthcare System
1501 Coulter Road
Amarillo TX 79106
Phone: (806) 354-1848
Hotline: (806) 354-1810

**Sunrise Medical Health Center**
405 W Country Club Road
Roswell, NM 88201-5209
Phone: (575) 624-8700

**Team Builders Counseling Services, Inc.**
121 Townsgate
Clovis, NM 88101
(505)742-2620
www.teambuilders-counseling.org

**Turquoise Lodge Hospital**
5901 Zuni Road SE
Albuquerque, NM 87108
(505) 841-8978

# ENMU Will Not Tolerate Sexual Harassment, Sexual Discrimination, Or Sexual Violence Of Any Kind

- Has someone in authority over you asked you on a date?
- Does one of your peers continuously call you after you have asked them to stop?
- Do you believe you have been raped or forced to have physical contact against your will"
- Are you receiving unsolicited pornographic email or texts?

These are but a few examples of situations that may be considered sexual harassment, discrimination, or violence. The information below will direct you to people who can help.

**YOUR RIGHTS**

Title IX protects you from unlawful sexual harassment in all program, activities, classes, and in all locations. This extends to all university sponsored programs activities and class events off campus and on campus. Title IX protects all people, regardless of the identity of the alleged harasser. The following University policy links may give you more affirmation that ENMU will not tolerate sexual harassment, discrimination, or sexual violence.

**LINKS**

Student Code of Conduct 4-H "Harassment" and 4-G:1-a "Sexual Harassment" www.enmu.edu/studenthandbook (pp. 34-35)

Policy 80-4 "Americans with Disabilities Act" found at www.enmu.edu/about/info/ada.shtml

Policy 80-13 "Sexual Harassment" found at www.enmu.edu/about/info/sexual-harassment.shtml

**WHAT IS SEXUAL HARASSMENT, DISCRIMINATION, VIOLENCE?**

**Sexual Harassment**

Sexual Harassment is usually defined as persistent unwanted contact that makes it difficult to learn, work, and socialize without fear of embarrassment or harm. Sexual harassment can also occur in one instance if the behavior is severe enough to cause you to fear for your wellbeing.

**Quid Pro Quo**

This type of sexual harassment occurs in situations where a person in a position of authority over you causes you to believe you must submit to unwelcome sexual conduct or there will be negative consequences imposed on you. For example, if you were threatened with a failing grade if you did not submit to unwelcome sexual contact or you were threatened with exclusion from a university event if you did not comply.

**Hostile Environment**

A hostile environment is created when you are subject to an intimidating threatening or abusive learning, working, or social situation. It can be caused by anyone attending, working at, or visiting ENMU or sponsored events of ENMU. Examples are repeated unwanted flirtation or advances, or propositions of a sexual nature. Verbal abuse, physical harassment such as impeding movement, or graphic comments, pictures, texts, or other unwanted intrusions into your environment are also considered examples of sexual harassment.

**Sexual Violence**

Any unwanted touching, intimidation or threat to physical safety, and unwanted physical sexual action against you is considered sexual violence. If you believe you have been subject to sexual violence, please report it immediately so help and resources can be provided for you. ENMU has a no tolerance policy for violence of any kind. You may go directly to law enforcement, including the ENMU Police Department on Ave ____ or at Phone. Law enforcement personnel may assist you in filing charges or contacting resources for you to help you recover.

**Victim's Bill of Rights:**

Victims of sexual assault, domestic violence, dating violence or otherwise violent crime will have the right to the following:

A. Reasonable changes to academic and living situations.

B. Referral to counseling, victim's advocacy and other resources.

C. Assistance in notifying law enforcement.

D. The same opportunity as the accused to have others present at disciplinary hearing(s).

E.Unconditional notification of the outcomes of hearings, sanctions and terms of sanctions in place.

F.Opportunity and assistance to speak or the choice not to speak to anyone regarding the incident or outcome.

G.Confidentiality to the extent allowable by law and university policy.

**WHAT TO DO IF YOU BELIEVE THIS HAS HAPPENED TO YOU**

1. **Tell someone who can help you.** All the individuals listed below know how to report, where to find resources you may need, and what to do. Call or talk to anyone.

   Ms. Tammi Gardner
   director of Human Resources
   Title IX Coordinator
   Administration Building
   Phone 575.562.2115
   Tammi.gardner@enmu.edu

   Mr. Steve Estock
   director of Housing and coordinator of Judicial Affairs
   Campus Union Building
   Phone 575.562.2632
   Steve.estock@enmu.edu

   Chief Brad Mauldin
   chief of University Police
   police Station  Ave K
   Phone 575.562.2392
   Brad.mauldin@enmu.edu

   Dr. Judith Haislett
   vice president for student affairs
   SAS 194
   Phone 575.562.2221
   Judith.haislett@enmu.edu

   Ms. Susan Larsen
   director of Counseling
   SAS 232
   Phone 575.562.2211
   Susan.larsen@enmu.edu

   Nurse Kourtney Dunlap
   director of Student Health Services
   Curry Hall Ground Floor

Phone 575.562.2321
Kourtney.dunlap@LaCasaHealth.com

2. **The Director of Human Resources is ENMU's Title IX Coordinator**. Ms. Gardner will meet with you, help you file a complaint, and oversee the investigation and resolution of your complaint. She will also direct you to resources you may wish to pursue to help in your recovery from sexual harassment, discrimination, or violence. It is the expectation of ENMU that any negative contact with the alleged harasser will cease as soon as contact with the Title IX Coordinator is made.

3. **Ms. Gardner will initiate a thorough investigation** into the complaint. Every effort will be made to avoid intimidating confrontations between the accused and the complainant during the course of the investigation. Most investigations are concluded in 30-60 days, unless unusual circumstances interfere with the process.

4. **Ms. Gardner will also help you contact local law enforcement** to initiate a complaint or file for an order of protection through the courts. The University will proceed with its investigation separate from police action and using the standard of preponderance of the evidence.

**CONFIDENTIALITY AND ANONYMITY**

5. **ENMU strives to maintain confidentiality to the extent permitted** by state and federal laws. However, the institution has the obligation to investigate and resolve allegations of sexual harassment, discrimination, or violence. Therefore, the university must share pertinent information with those who have a legitimate "need to know". These individuals are obligated to maintain confidentiality and share only necessary information with those who have a legitimate right to know. Any attempt by any participant to influence the outcome of an investigation by divulging information to others who have no legitimate need to know is prohibited.

6. **Anonymity Request will be honored to the extent possible**. The Title IX Coordinator will evaluate the anonymity request in the context of the university's responsibility to provide a safe and nondiscriminatory learning, working, and social environment. ENMU will strive to keep your identity confidential, but reserves the right to disclose your name when necessary to fulfill the university's obligations under anti-discrimination laws/regulations. While working diligently to

complete a thorough investigation and recommendation for action, the university's ability to pursue the claim may be limited.

**ANTI -RETALIATION**

**7.** Retaliation against any participant in the claim or the investigation is prohibited. ENMU insists that everyone be provided an environment in which they feel free to raise claims of sexual harassment, discrimination, or violence without fear of retaliation. You should not be harmed in any way, unjustly fired from employment, given an undeserved failing grade, or physically or verbally threatened because you filed a complaint of sexual harassment, discrimination, or violence. Retaliation is not tolerated and will be subject to disciplinary actions.

**RESOURCES**

**Every member of the university** faculty and staff are required to report what they may reasonably believe to be sexual harassment, discrimination, or violence to the title IX coordinator. Tell anyone, but if you need a specific person to tell, here are the names and contact information of those most closely involved with ENMU's prohibition against sexual harassment, discrimination, or violence:

**On campus**
Ms. Tammi Gardner
director of Human Resources
Title IX Coordinator
Administration Building
Phone 562- 2115
Tammi.gardner@enmu.edu

Mr. Steve Estock
director of Housing and coordinator of Judicial Affairs
Campus Union Building
Phone 562 2632
Steve.estock@enmu.edu

Chief Brad Mauldin
chief of University Police
police Station Ave K
562-2392
Brad.mauldin@enmu.edu

Dr. Judith Haislett

vice president for student affairs
SAS 194
Phone 562-2221
Judith.haislett@enmu.edu

Ms. Susan Larsen
director of Counseling
SAS 232
Phone 562-2211
Susan.larsen@enmu.edu

Nurse Kourtney Dunlap
director of Student Health Services
Curry Hall Ground Floor
Phone 562-2321
Kourtney.dunlap@LaCasa Health.com

***Local Resources***
ARISE( formerly SANE)
1-575-226-7263
RGH Emergency Room
1-575-359-1800

**WHERE DOES THIS LEAVE YOU**

Each student and member of the ENMU community is valuable and must have the freedom to pursue their goals without fear of harm, embarrassment, discrimination, or retaliation. The university will pursue any report of sexual harassment, discrimination, or violence and will not wait until such claims have proceeded through civil or criminal actions. Further, if ENMU has a reasonable report from someone else of incidents of sexual harassment, discrimination, or violence, the university will proceed with an investigation. Those making the allegation will receive respect, prompt action, and be kept informed of the process and outcome. Those who are accused will receive due process, a fair and equitable investigation and hearing, and be kept informed of the outcome.

ENMU cannot meet its expectation of providing you with an environment free from sexual harassment, discrimination, or violence without your cooperation. Please tell us and let us help you.

# Deadly Weapons, Concealed Weapons, Explosives, Incendiary Materials and Devices Policy

Having deadly weapons, explosives or incendiary materials or devices in one's possession/control on University premises or at University events and activities is prohibited, except when the possession is by:

1. University Police and/or their delegated campus security personnel;
2. State or federal certified law enforcement officers within the scope of their duties or armed forces under order of the governor of New Mexico or the President of the United States;
3. An academic program, activity or special event which has been approved by the chief of University Police or his or her approved delegate (see below for request for approval process);
4. Students, faculty, staff and visitors of the University who store their deadly weapons, etc., with University Police (or approved delegate); and who must make prior arrangements to deliver or pick up weapons except during regular University working hours and
5. Other exceptions as requested in writing and approved by the chief of University Police or his or her approved delegate.

It is a violation of University policy to aid or abet another person to conceal or transport deadly weapons, explosives or incendiary materials or devices on University premises or at University activities or events.

Petitions and requests for exceptions to the prohibition for possession of deadly weapons, explosives, incendiary materials or devices on campus shall be in writing, shall be submitted in advance of the date of proposed occurrence, must be submitted to the chief of University Police or his or her approved delegate and, if approved, must be approved in advance of the occurrence and shall be effective only for the term of approved possession but, in any case, not longer than one (1) calendar year from the date of approval.

**Discipline and Penalties for Violation of Policy:** Whoever is determined to have violated this policy shall be governed, prosecuted and punished pursuant to New Mexico law and/or the policies, procedures and regulations of the University.

Students, employees and users of the University must abide by this policy as a condition of enrollment, employment or use. Employees and students are subject to disciplinary action up to termination or

expulsion for violations of this policy. Visitors and guests of the University must abide by this policy as a condition of participation in the events and activities of the University and of the use of University facilities and space. Visitors and guests who violate or allegedly violate this policy are subject to prosecution as prescribed by New Mexico law.

**Definitions**: "University premises" means University-owned or leased properties as administered through each of its campuses, off-campus centers, residence halls, rental properties, athletic fields, arena, stadiums, including all lands and properties, as well as University-owned or leased vehicles, both on and off University premises, and all of its associated activities and events. "Deadly weapons and explosives" include all classes of firearms (loaded or unloaded), incendiary materials and devices as defined in New Mexico law. "University events and activities" include all activities on and off campus sponsored by University departments and organizations including student, employee and volunteer organizations.

**Appeals:** Any affected person may appeal the decision of the chief of University Police or any decision taken by any appropriate University personnel. The basis of the appeal must be stated in writing and directed to the appropriate executive administrator. The appropriate executive administrator of the University shall have ten (10) working days in which to respond to the appeal and his or her decision shall be final, subject to review by the president of the University.

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# Solicitation, Advertisements and Printed Materials

The director of Student Activities and Organizations shall administer all regulations pertaining to on-campus solicitations, advertisements and printed materials pertaining to solicitations by students and registered student organizations. For more information about regulations regarding solicitations, advertisements and distribution of printed materials on campus as well as sanctions regarding violations of these regulations, contact the Office of Student Activities and Organizations.

**70-7 Sales, Solicitation and Advertising**

70-7-1 Purpose · 70-7-2 Policy · 70-7-3 Administration · 70-7-4 Definitions

70-7-5 Scope · 70-7-6 Regulation of Place, Time and Manner ·

70-7-7 Content or Viewpoints Expressed · 70-7-8 Timely Review of Applications

70-7-9 Right to Appeal · 70-7-10 Guidelines Pertaining to Sales, Solicitation and Advertising ·
70-7-11 Unauthorized Materials, Amplification or Charges for Services
70-7-12 Printed Materials

**1. Purpose**. The purpose of this policy and procedures is to delineate acceptable times, manner, and places on Eastern New Mexico University's (the University's) property, media, or sponsored events for sales, solicitations, and/or advertisements.

**2. Policy.** The primary mission of the University is educational. The University is responsible for promoting and protecting the intellectual and cultural growth and development of the institution and the members of its community. The University's responsibilities also include the need to protect and promote intellectual freedom, and the free exchange of ideas. The University has a legitimate interest in regulating activity or material that could unduly interfere with its educational mission. To this end, the University may impose reasonable restrictions upon the time, place and manner of sales, solicitations, advertisements, displays and the distribution of publications, including the use of ENMU electronic university media,. All such sales, solicitations and advertisements on the University campus shall conform to the regulations contained in this policy.

***The foregoing purpose and policies are implemented by the following procedures***

**3**. **Administration.** This policy and procedures shall be administered by the vice president for Student Affairs (VPSA) or his or her designee, the director for Campus Life.

**4. Definitions.**

A. **"Sales"** include requesting money, seeking agreement to pay, taking subscriptions, selling merchandise or offering other comparable materials and privileges, in person or by handbills, raffles, consignment sales, posters or similar materials to promote sales.

B. **"Solicitation"** may involve all activities noted identified as "sales," as well as solicitation of ideas or points of view, or requesting money or donations.

C. **"Advertisements"** are printed or mass media communications targeted at the general public that have, as an integral part of their message, the identification and promotion of a product, service or point of view.

D. **"Printed materials"** are publications, handbills, posters, leaflets and other printed materials intended for public distribution or display on campus.

E. The term **"obscenity"** is narrowly construed and is limited to materials that lack any literary, artistic, political or scientific value and that contain patently offensive representations or descriptions of ultimate sexual acts, masturbation, excretory functions or lewd exhibitions of the genitals or that include descriptions or representations of children engaged in any sexual activity or in a state of undress.

F. **"Non-Expressive Commercial Message"** means commercial advertising or solicitation that lacks any political, social, academic, religious or moral content, component or message.

G. **"Expressive Commercial Message"** means commercial advertising or solicitation that includes some political, social, academic, religious or moral content, component or message. ENMU AGP&P 70-7 Page 2 of 4

**5. Scope.** This policy shall apply to:

A. All campus personnel, students, student organizations, visitors and to any person, organization or business seeking to use campus facilities for the purpose of sales, solicitation or advertising;

B. All University facilities and property; and

C. All forms of sales, solicitation and advertising, including but not limited to the placement of signage, the conduct of rallies and similar events, the distribution of publications and handbills, and the use of ENMU electronic media for sales, solicitation or advertising purposes.

**6. Regulation of Place, Time and Manner.** The University has the right to reasonably regulate the place, time and manner of sales, solicitation, advertisements, displays, distribution of publications and the use of ENMU electronic media for such purposes. An application for sales, solicitation or advertising may be denied or regulated if the requested activity will substantially interfere with the University's need to maintain campus safety, avoid disruption of University functions, maintain personal privacy and prevent commercial exploitation of members of the University community, provided that any such regulation must conform to constitutional standards of free speech, free assembly and free association.

**7. Content or Expressive Viewpoints.** Content or expressive viewpoints shall not be considered in a decision to grant or deny an

application for sales, solicitation or advertising on University property or in any University facility, except when the message:

A. Promotes the use of alcoholic beverages or the abuse of drugs;

B. Contains obscenity;

C. Threatens, promotes or incites actual violence; or

D. Violates any local, state or federal law.

**8. Timely Review of Applications.** All applications for sales, solicitation or advertising will be reviewed in the order in which they are received. Upon receipt, a decision to grant or deny an application will be made within five (5) business days from the date that a completed application is submitted to the appropriate University authority.

**9. Right to Appeal.** A decision to deny an application for sales, solicitation or advertising may be appealed to the vice president for Student Affairs. Any appeal must be received by the vice president for Student Affairs no later than five (5) business days from the date of denial. The vice president for Student Affairs shall meet with the applicant within five (5) business days from receipt of the applicant's appeal in order to review the reasons for denial. An applicant may revise the application to meet University standards and re-submit it.

**10. Guidelines Pertaining to Sales, Solicitation and Advertising.**

A. Place.

1. The primary locations are in the Campus Union Building, academic buildings, administrative buildings, the intercollegiate athletic facilities, all exterior grounds, at University off-campus sponsored events, and in University publications and electronic media sites.

2. The VPSA or the director of Campus Life will have the names and contact information of those who can approve sales, solicitations and advertising for all areas or buildings.

3. Printed materials may not be placed on windshields of parked vehicles. ENMU AGP&P 70-7 Page 3 of 4

B. Time.

1. Requests for permission to sell, solicit or advertise are granted for a specified period of time. The Sales, Solicitation and Advertising application form asks the applicant for requested dates and times. The

director for Campus Life will respond with approved dates and times.

2. Posters and other printed materials ordinarily may not be displayed for more than two (2) weeks.
3. Any activity may be discontinued and permission revoked by either the VPSA or the director for Campus Life, if the activity:
4. does not match the description on the permission form;
5. encourages use or abuse of alcohol or drugs;
6. contains threats of violence or promotes or incites actual violence;
7. contains obscenity;
8. causes substantial disruption to the educational mission of the University; or
9. violates any local, state or federal law.

C. Manner.

1. Commercial organizations may engage in advertising and commercial solicitation on campus only in accordance with the terms of the approved application. The application will not be approved if it is determined that the proposed advertisement or commercial solicitation will be misleading or that it will substantially interfere with the University's educational mission or promote or encourage the use of alcohol or illegal drugs or other illegal activity. Such written determination will include an explanation of the decision. This determination may be appealed to the vice president for Student Affairs in accordance with the appeal procedures described in this policy.
2. If the director for Campus Life approves an application for commercial solicitation or advertising, then the Director will make a written determination as to whether the requested activity constitutes a Non-Expressive Commercial Message or an Expressive Commercial Message (as those terms are defined in this policy). This determination may be appealed to the vice president for Student Affairs in accordance with the appeal procedures described in this policy.

3. If the director for Campus Life determines that the requested solicitation or advertising constitutes a Non-Expressive Commercial Message, then the director ordinarily will restrict the requested advertising or solicitation activity to the designated commercial areas in and around the Campus Union Building.
4. If the director for Campus Life determines that the requested solicitation or advertising constitutes an Expressive Commercial Message, then the director ordinarily will authorize such activity in and around the designated commercial areas of the Campus Union Building and also in other common areas of the University. The director for Campus Life will specify the common areas where the activity may occur in the permit authorizing such activity. Commercial Messages (both Expressive and Non-Expressive) ordinarily will not be permitted in the following areas due to the adverse impact on the University's educational mission: (1) residential facilities; (2) classroom and laboratory areas and buildings; (3) administrative areas and office areas; and (4) libraries. ENMU AGP&P 70-7 Page 4 of 4

**11. Unauthorized Materials, Amplification or Charges for Services**

A. Individuals and commercial organizations attempting to display or distribute unauthorized materials on campus or use campus facilities for unauthorized or un-permitted commercial solicitation or advertising will be removed from the campus and may be subject to other appropriate legal action.

B. Amplification equipment may not be used to advertise or promote sales in conjunction with any approved solicitation activity unless specifically requested and authorized in advance by the regulating office.

C. Any activity on the ENMU campus that results in the need to use University personnel for litter collection, crowd control, repair/replacement of University property, etc., may require repayment to the University by the responsible party. The responsible party may also be required to hire such required personnel and services as a condition of approval of the request for sales, solicitation or advertising.

**12. Printed Materials.**

A. Student election campaign literature must conform to the procedures established by the Student

B. Elections Committee of the Associated Students of ENMU.

C. Permission to distribute printed materials (such as handbills) must be approved by the director f for Campus Life. Applicants may consult the director for Campus Life for specific names and

D. contact information.

E. Maximum size of posters is 18" by 24". Posters ordinarily may not be displayed for more than two (2) weeks. A person or organization seeking to display posters beyond the initial two-week period must apply for and obtain permission. All materials representing ENMU must comply with any regulations regarding presentation, including but not limited to ENMU word mark identity, regulations and use of official color dyes, as noted by the Office of Communication Services.

F. Posters, announcements, banners, cards, web page entries on official ENMU sites, or other campaign materials for any individual seeking public office may not be posted or displayed on or in any University academic, residential or administrative buildings, campus grounds, parking lots or electronic media. Campaign material for individuals seeking public office may be posted only in an individual's assigned residence hall room or in areas designated for that purpose in or around the Campus Union Building. Student election campaign material may be distributed and displayed only in accordance with the rules of the Associated Students of ENMU. Regulations pertaining to campaign material for Student Government elections are determined by the Associated Students of ENMU (Student Government), and are available from that office.

G. Publications may be sold in the Campus Union, the Bookstore and museums maintained by ENMU only in accordance with the regulations established by the management of these agencies.

*Approved by the Board of Regents on June 27, 1992.*

*Amended version approved by the University Policy Council on March 20, 2006.*

*Approved by the Board of Regents on May 12, 2006.*

*Amended version approved by University Policy Council April 28, 2008.*

*Amended version approved by Board of Regents on May 9, 2008*

Please consult **enmu.edu** for changes to any or all of these policies.

**SERVICES AND INFORMATION NUMBERS**

If you cannot find the number you need, please call Guest Services and Information at
(575) 562-2106.

**EMERGENCY NUMBERS**

**Campus Police 562-2392 (on-campus: 2392)**

**Portales Police (Emergencies)911**

**IMPORTANT OFF-CAMPUS NUMBERS**

Police (non-emergency) .....Portales: (575) 356-4404 Clovis: (575) 769-1921
Sheriff (non-emergency) .....Portales: (575) 356-4408 Clovis: (575) 769-2335
Fire Department.....Portales: (575) 356-4406
Crime Stoppers.....Portales: (575) 356-8100 Clovis: (575) 763-7000
Crisis Center.....(575) 762 -5454
FBI .....(575) 763-9405
Mental Health Resources.....Portales: (575) 359-1221 Clovis: (575) 769-2345
Missing Children Hotline .....(800) THE-LOST (843-5678)
National Runaway Switchboard.....(800) RUNAWAY (786-2929)
National Youth Crisis ..... (800) HIT HOME (448-4663)
New Mexico Environmental Improvement
Division 24 hr. Emergency Reporting.....(575) 762-3728
New Mexico State Police .....Portales: (575) 356-5139Clovis: (575) 763-3426
Rape Crisis .....(575) 762-5454
Red Cross .....Portales: (575) 356-4672 Clovis: (575) 763-4129
Suicide Prevention.....Portales: (575) 359-1221 Clovis: (575) 769-2345