

New Mexico State University  
Board of Regents Meeting  
Meeting Date: March 6, 2017

- Action Item
- Consent Item
- Informational Item

Presented by: Liz Ellis, General Counsel

**Summary Report: Rule Revisions (August 9, 2016 through February 16, 2017)**

This informational report provides a summary of the revisions to the Administrative Rules and Procedures of NMSU (ARP), in accordance with Rule 1.10 - Protocols for Adoption and Amendment of Regents Policies and Administrative Rules and Procedures of NMSU.

1. **Rule 7.45 – Workers Compensation** was amended August 9, 2016 to address a NM Risk Management Division Loss Prevention and Loss Control audit finding and to incorporate a claims processing procedures.
2. **Rule 7.08 - Employee Health Center** was amended October 11, 2016 consistent with decisions made by administration and the Board of Regents during the FY 15/16 budget reduction to close the Employee Health Center. The Rule was also revised to clarify that if the employee participates in an EAP session at the Campus Health Center, it does not require the use of accrued leave.
3. **Rule 4.40 - Layoff/Financial Exigency** was repealed on October 11, 2016. This Rule was out of date, having been adopted long before current administrative structure with expertise in HR, Finance and Budget. It did not provide a workable mechanism for addressing budget and financial issues, and other mechanisms have been put in place since this former policy, now rule, was adopted. (e.g. Regent’s Budget Committee, now renamed the Regents Financial Strategies, Performance and Budget Committee) Lastly, it conflicted with more recently adopted policy, rules and the union contract.
4. **Rule 13.10 - Investment Management** was approved October 11, 2016, and was implemented after the Board of Regents approved a related policy on October 19, 2016 separating investment policy from operational rules and procedures. Rule 13.10 amends former Rule 2.37 - Investments. Rule 2.37 was re-titled, re-numbered and re-formatted to ARP Rule format. The content was also updated and clarifies the administrative rules and procedures applicable to investment of university funds, with no substantive changes.
5. **Rule 7.20.42 - Faculty Care Leave** was amended on November 8, 2016 to insert into the ARP Rule those administrative rules and procedures which former Policy 7.20.42, Section F. authorized HRS to promulgate and post on the HRS-Benefits website. (Policy and Rule 1.10 have been enacted since that time, changing the rulemaking process.)
6. **Rule 16.20 – Unmanned Aircraft Systems (aka Drones)** is a new rule adopted on December 13, 2016 to regulate the indoor and outdoor use of drones on NMSU property. This Rule is proposed for safety, security and compliance purposes.

7. **Rule 6.82- Degrees, Majors, Minors and Other Academic Programs of Study** was amended to re-title former Rule 6.82 - Majors and Minors; to update and clarify the requirements relating to recording of academic achievements on the official transcript; to expand the list of the various types of academic achievements and requirements therefor; and to cross reference to two charts attached as appendices which provide the sequence of approvals required for each type of academic credential.
8. **RULE 11.05 - Intellectual Property Management** was amended on February 16, 2017, re-titling and re-numbering former Rule 5.94.20 - Intellectual Property and Patents. The revision is a substantial re-write to simplify, update, and clarify current practices, procedures, and standards. The formula for distribution of earnings was not changed. The provisions on dispute resolution were modified to include the right to an administrative hearing before the Intellectual Property and Commercialization Board (IPAC), decision by the Vice President for Economic Development, with right of appeal to the chancellor.
9. **Rules 1.05 - Governance/Authority/Organizational Structure; 1.14 - Succession Planning and 1.15 - Non-Academic Units-Creating, Reorganizing, Relocation, Eliminating** were repealed from the ARP on February 16, 2017. These repeals were necessary as part of the ongoing policy project to upgrade the university's policy system to a web based system with one set of regents policies and one set of administrative rules and procedures. The content of these Rules, previously replicated from the NMSU Policy Manual into the ARP, is now being deleted from the ARP but remains in the Regents Policy Manual until further amended by the Board of Regents.