1. General

The University of New Mexico promotes a working, learning, and social environment where all encourage an environment of free expression and open debate. UNM does not attempt to shield people from ideas they may find unwelcome, disagreeable, or offensive. All members of the UNM community, including but not limited to the Board of Regents, administrators, faculty, staff, students, and volunteers work together in a mutually broadest possible latitude to speak, write, listen, challenge, and learn. Debate or deliberation may not be suppressed because the ideas put forth are thought by some, or even by most, to be offensive, unwise, immoral, or misguided.

At the same time, UNM is committed to providing a respectful, psychologically healthy campus environment. UNM strives to foster an environment that reflects courtesy, civility, and promotes learning, research, and productivity through relationships. Because a respectful campus environment is a necessary condition for success in teaching and learning, in research and scholarship, in patient care and public service, and in all other aspects of the University’s mission and values, the University is committed to providing a respectful campus, free of bullying in all of its forms. This Policy describes the values, cornerstones, and behaviors that delineate a respectful campus and applies to all members of the UNM community, including, but not limited to students, faculty, and staff. UNM’s mission and values.
This policy applies to regents, administrators, staff, students, and volunteers at UNM. For faculty, refer to the complementary Faculty Handbook Policy C09 (“Respectful Campus”). For reporting procedures for all members of the campus community, see Section 5.4.

2. **Cornerstones of a Respectful Campus**

## 2. Values

AUNM’s commitment to a respectful campus **exhibits and promotes** calls for promotion of an environment in which:

- Individuals at all levels and in all units value each other’s contributions and treat each other with respect.
- Individuals in positions of authority serve as role models by promoting courtesy, civility, diversity, and respectful communication.
- Individuals at all levels are allowed to discuss issues of concern in an open and honest manner, without fear of reprisal or retaliation.

3. **Constructive Actions**

In addition to the cornerstones, the following values constructive actions help contribute to a respectful campus:

- displaying personal integrity and professionalism;
- practicing fairness and understanding;
- exhibiting demonstrating respect for individual rights and differences;
- demonstrating harmony in the working and educational environment;
- respecting as well as diversity and differences;
- being responsible and accountable for one’s actions;
- emphasizing communication and collaborative resolution of problems and conflicts; and
- developing and maintaining confidentiality and trust; and

- achieving accountability at all levels.

### 3. Cornerstones of a Respectful Campus

The commitment to a respectful campus calls for promotion of an environment where the following are upheld:

- All individuals have important contributions to make toward the overall success of the university’s mission.
UNM’s mission is best carried out in an atmosphere where individuals at all levels and in all units value each other and treat each other with respect.

Individuals in positions of authority serve as role models in the promotion of a respectful campus. Promoting courtesy, civility, and respectful communication is consistent with the responsibility of leadership.

Individuals at all levels are allowed to discuss issues of concern in an open and honest manner, without fear of reprisal or retaliation from individuals above or below them in the university’s hierarchy. At the same time, the right to address issues of concern does not grant individuals license to make untrue allegations, unduly inflammatory statements or unduly personal attacks, or to harass others, to violate confidentiality requirements, or engage in other conduct that violates the law or University policy.

Bullying is unacceptable in all working, learning, and service interactions.

4. Destructive Actions

Actions that are counter to a respectful campus, such as those destructive to a respectful campus, will not be tolerated and should be reported according to Sections 4.2 or 5.4. Conduct that occurs off-campus may be the subject of a report if it is likely to interfere with a respectful campus according to this policy.

Perpetrators of destructive actions can face disciplinary action, up to and including termination, suspension, or expulsion (see Section 5.3). In certain instances, a single incident of a destructive action may be sufficiently severe that it can lead to disciplinary action.

4.1. Bullying

Bullying is defined by the University as sufficiently severe, persistent, or pervasive mistreatment directed at one or more individuals as to cause or create a hostile working or educational environment or unreasonably interfere with a person’s work or school performance or participation. Differences of opinion, conflicts, or problems in relationships occasionally occur as a normal part of working or academic life and should not be considered bullying. Nor is it bullying for a supervisor to note an employee’s poor job performance and potential consequences within the framework of University policies and procedures, or for a professor or academic program director to advise a student of unsatisfactory academic work and the potential for course failure or dismissal from the program if uncorrected.

The destructive actions known as bullying may include, but are not limited to the following, when they rise to the level of the standard set forth above:

- **Verbal bullying**—oral, written, or electronic communications that include slandering, ridiculing, or maligning of a person or persons; addressing abusive or offensive remarks to a person or persons; shouting at others in public or in private.

- **Nonverbal bullying**—directing threatening gestures toward a person or persons or invading personal space after being asked to move or step away.
• **Cyberbullying**—bullying that takes place over digital devices like cell phones, computers, and tablets. Cyberbullying can occur through text messaging and apps, or online in social media, forums, or gaming where people can view, participate in, or share content. Cyberbullying includes sending, posting, or sharing negative, harmful, false, or mean content about someone else. It can include sharing personal or private information about someone else causing embarrassment or humiliation. Some cyberbullying crosses the line into unlawful or criminal behavior.

• **Physical bullying**—pushing, shoving, kicking, poking, or tripping; assault or threat of physical assault; damage to a person’s work area or property; damage to or destruction of a person’s work product.

• **Anonymous bullying**—withholding or disguising one’s identity while treating a person or group in a malicious manner, sending insulting or threatening anonymous messages, placing objectionable objects among a person’s belongings, or leaving degrading written or pictorial material about a person where others can see.

• **Threatening action toward a person's job or well-being**—making threats, either explicit or implicit to the security of a person’s job, position, or personal well-being.

### 4.2. Destructive Actions Covered by Other University Policies

Reports of the destructive actions described below will be addressed in accordance with the applicable policy listed below:

• Sexual harassment and sexual misconduct—refer to UAP 2730 ("Sexual Harassment"); UAP 2740 ("Sexual Misconduct");

• Other forms of harassment or discrimination—refer to UAP 2720 ("Prohibited Discrimination and Equal Opportunity");

• Retaliation—refer to UAP 2200 ("Reporting Suspected Misconduct and Whistleblower Protection from Retaliation");

• Violent action—refer to UAP 2210 ("Campus Violence");

• Hate crimes and Hate/Bias Incidents—refer to UAP 2210 ("Campus Violence");

• Conduct which can affect adversely the University's educational function, disrupt community living on campus, or interfere with the right of others to the pursuit of their education or to conduct their University duties and responsibilities—refer to UNM Faculty Handbook, Section C05, “Rights and Responsibilities at the University of New Mexico,” Pathfinder “Visitor Code of Conduct,” Pathfinder “Student Code of Conduct,” and UAP 2220 ("Freedom of Expression and Dissent");
• Unethical conduct--refer to UNM Faculty Handbook, Section B, Appendix V, “Harassment and Professional Ethics Policy”; and UAP 3720 (“Employee Code of Conduct and Conflicts of Interest”).

• Bullying behavior which is defined in Section 5. herein.

5. Definition

5.1. Definition of Bullying
Bullying can occur when one individual or a group of individuals exhibits bullying behavior toward one or more individuals. Bullying is defined by the University as repeated mistreatment of an individual(s) by verbal abuse, threatening, intimidating, humiliating conduct or sabotage that creates or promotes an adverse and counterproductive environment, so as to interfere with or undermine legitimate University learning, teaching, and/or operations. Bullying is not about occasional differences of opinion, conflicts and problems in workplace relationships as these may be part of working life. Bullying can adversely affect dignity, health, and productivity and may be grounds for corrective disciplinary action, up to and including dismissal.

For employees, supervisors at all levels are responsible for addressing known indications of destructive actions in an appropriate, prompt, and fair manner. For the destructive actions discussed in Section 4.1, the supervisor should meet with the individual allegedly targeted by the bullying, as well as the individual accused of the bullying. As a result of these meetings, if the supervisor determines there are sufficient grounds to justify a complaint of bullying, then the supervisor should address the destructive action through informal resolution (see Section 5.2) or appropriate disciplinary action (see Section 5.3).

For destructive actions covered by other University policies, the supervisor should make an appropriate referral based on the policies outlined in Section 4.2.

5.2. Informal Resolution
It can be helpful to address certain destructive actions informally. In such cases, the destructive action may be brought to the attention of the impacted individual’s supervisor or the alleged wrongdoer’s supervisor. If the impacted individual is not comfortable reporting the destructive actions to a supervisor, the individual may report the actions according to Section 5.3. Informal resolution may include training or consulting with next level supervisors.

UNM has resources to help individuals with informal resolution and concerns, including:

• Counseling, Assistance, and Referral Services (CARS) for faculty and staff;
Ombuds Services for Staff can provide guidance for determining whether behavior meets the definition of bullying. Examples of behaviors that meet the definition of bullying above include, but are not limited to:

- Ombuds/Dispute Resolution Services for Graduate Students; and
- Dean of Students Office for undergraduate students.

5.3. Disciplinary Action

Destructive actions may lead to disciplinary action when they rise to the level of being sufficiently severe.

5.1. Physical Bullying

Physical bullying is pushing, shoving, kicking, poking, and/or tripping; assault or threat of physical assault; damage to a person’s work area or property; damage to or destruction of a person’s work product.

5.2. Verbal Bullying

Verbal bullying is repeated slandering, ridiculing, or maligning of a person or persons, addressing abusive and offensive remarks to a person or persons in a sustained or repeated manner; or shouting at others in public and/or in private where such conduct is so severe, persistent, or pervasive as to cause or create a hostile working or offensive educational or working environment or unreasonably interfere with the person’s work or school performance or participation. As noted in Section 4, in certain instances, a single incident of a destructive action may be sufficiently severe that it can lead to disciplinary action. Disciplinary action will be addressed by the following policies:

5.3. Nonverbal Bullying

Nonverbal bullying can consist of directing threatening gestures toward a person or persons or invading personal space after being asked to move or step away.

- For faculty, refer to Faculty Handbook Policy C09 (“Respectful Campus”).
- For staff, UAP 3215 (“Performance Management”);
- For students, the Pathfinder “Student Code of Conduct;”

For visitors,

5.4. Anonymous Bullying

Anonymous bullying can consist of withholding or disguising identity while treating a person in a malicious manner, sending insulting or threatening anonymous messages, placing objectionable objects among a person’s belongings, leaving degrading written or pictorial material about a person where others can see.

5.5. Threatening Behavior Toward a Person’s Job or Well-Being
Making threats, either explicit or implicit to the security of a person’s job, position, or personal well-being can be bullying. It is not bullying behavior for a supervisor to note an employee’s poor job performance and potential consequences within the framework of University policies and procedures, or for a professor or academic program director to advise a student of unsatisfactory academic work and the potential for course failure or dismissal from the program if uncorrected.

6. the Pathfinder “Visitor Code of Conduct.”

5.4. Reporting Destructive Actions

All members of the University community may report destructive actions described in Section 4. herein should be reported in accordance with (not addressed by other policies) by referring to the following policies or offices, or by contacting the applicable policies and procedures: UNM Compliance Hotline, anonymously if preferred, at 1-888-899-6092 or on-line at: unm.ethicspoint.com:

- Faculty member accused – refer to Faculty Handbook Policy C09 (“Respectful Campus”);
- Staff member accused – refer to UAP 2200 (“Whistleblower Protection and Reporting Suspected Misconduct and Retaliation”);
- Student accused – refer to the Dean of Students Office;
- Volunteer or visitor accused – refer to the Dean of Students Office;
- Person of unknown identity accused – refer to supervisor (for employees reporting), Dean of Students Office (for students reporting), or any of the resources listed herein; however, extreme in UAP 2200 (“Whistleblower Protection and Reporting Suspected Misconduct and Retaliation”).

Extreme incidents may be reported directly and immediately to UNM Police in accordance with UAP 2210 (“Campus Violence”). Bullying behavior should be reported as follows:

6.1. Students References

An individual who believes a student has engaged in bullying behavior should report the behavior to the Dean of Students Office. Students in the School of Medicine who believe that a faculty member has engaged in bullying behavior towards them should follow the procedures in the UNM School of Medicine “Teacher Conduct and Learner Complaints.” All other students who believe that a staff or faculty member has engaged in bullying behavior towards them may follow the procedures listed in Sections 6.2. and 6.3. below.

Students may also report bullying behavior by:

- contacting the Dean of Students Office,
• calling the UNM Hotline 1-888-899-6092 (call may be anonymous, but doing so may limit the University's ability to conduct a full investigation), or
• contacting the University Internal Audit Department.

-If the bullying of students is based on race, color, religion, national origin, physical or mental disability, age, sex, sexual preference, gender identity, ancestry, medical condition, or spousal affiliation, it should be reported to the University Office of Equal Opportunity.

-6.2. Staff

An individual who believes a staff member has engaged in bullying behavior may report the behavior using any of the options listed in Section 4 of UAP 2200 (“Reporting Suspected Misconduct and Whistleblower Protection from Retaliation”). The individual should select the reporting method he or she is most comfortable with and is most appropriate to the situation. Although bullying behavior may not meet the definition of misconduct in Policy 2200, suspected bullying behavior will be reported and investigated in the same manner as misconduct.

-6.3. Faculty

-An individual who believes a faculty member has engaged in bullying behavior should follow the procedures listed on the Faculty Handbook website maintained by the Office of the University Secretary. These procedures were approved by the Faculty Senate and all subsequent changes must be approved in accordance with processes defined by the Faculty Senate.

-7. Monitoring

An annual survey will be undertaken by the Faculty Senate Policy Committee in collaboration with the Staff Council and the Division of Human Resources to measure the effectiveness of the Respectful Campus Policy. The survey should provide ongoing monitoring of faculty and staff attitudes concerning the campus climate and culture. The survey results will be distributed to the Faculty Senate, Staff Council, President of the University, and executive vice presidents.

-8. Related Policies

RPM 2.4 (“Diversity and Campus Climate”)
RPM 2.5 (“Sexual Harassment”)
UAP 2200 (“Reporting Suspected Misconduct and Whistleblower Protection from Retaliation”)
UAP 2210 (“Campus Violence”)
UAP 2220 (“Freedom of Expression and Dissent”)
UAP 2210 (“Campus Violence”)
UAP 2300 (“Inspection of Public Records”)
UAP 3220 (“Ombuds Services and Dispute Resolution for Staff”)
UAP 2730 (“Sexual Harassment”)

UAP 2720 ("Prohibited Discrimination and Equal Opportunity")
UAP 2740 ("Sexual Misconduct")
UAP 3215 ("Performance Management")
UAP 3220 ("Ombuds Services for Staff")
UAP 3720 ("Employee Code of Conduct and Conflicts of Interest")
UAP 3750 ("Counseling, Assistance, and Referral Service")

"Student Code of Conduct" Pathfinder
“Visitor Code of Conduct,” Pathfinder

Dean of Students Office

UNM Faculty Handbook, Section C05, “Rights and Responsibilities at the University of New Mexico”
UNM Faculty Handbook, Section C09, “Respectful Campus”
UNM Faculty Handbook, Section B, Appendix V, “Harassment and Professional Ethics Policy”
UNM School of Medicine “Teacher Conduct and Learner Complaints” Policy