

Annual Security (Clery) Report

2024

Includes Crime Statistics for Calendar Years 2021, 2022, and 2023



The University of New Mexico-Valencia Campus and Workforce Training Center

Table of Contents

Compiling Crime Statistics and Crime Reporting.....	3
The University of New Mexico-Valencia Campus Crimes	4
Whom should UNM-Valencia Community Members specifically report Clery Crimes to?	9
Anonymous, Confidential, and Voluntary Reporting.....	9
Timely Warning Processes.....	12
Procedures to follow if a crime of sexual assault, domestic violence, dating violence, or stalking (sexual misconduct) has occurred	13
Reporting To and Overview of the UNM-Valencia Police Department	15
Investigative and Disciplinary Procedures.....	50
Faculty Disciplinary Process.....	52
Employee Disciplinary Process	55
Student Disciplinary Process.....	62
UNM-Valencia Weapons Policy	77
Policy On Illegal Drugs & Alcohol.....	77
The UNM-Valencia Drug Free Campus	78
Sex Offender Registration	83
Educational Programs and Campaigns for Alcohol/Drug Use, Dating Violence, Domestic Violence, Healthy Relationships, Sexual Violence and Stalking.....	84
Appendices	87

Purpose of the Annual Security Report (ASR):

The Clery Act requires all colleges and universities across the country to publish an annual safety and/or fire safety report by October 1st of each year. The report informs their respective campus communities of Clery reportable crime statistics for the past three years, and contains institutional policies and programs that pertain to sexual misconduct, safety, and crime prevention. Doing so informs the entire UNM-Valencia Campus community, including current and prospective faculty, staff, and students, of what safety features UNM-Valencia has to offer and what Clery Crime Statistics have been reported at UNM-Valencia. The Annual Security Report (ASR) is published and distributed by UNM-Valencia via e-mail to all current faculty, staff, and students each year, as part of the requirements of the Clery Act. The ASR can also be found on the UNM-Valencia web page at <http://valencia.unm.edu/campus-resources/campus-police/index.html>. UNM-Valencia does not have a fire safety report as the campus does not have resident housing.

Preparing the ASR:

Each year the ASR for UNM-Valencia Campus (UNM-V) and Workforce Training Center (WTC), collectively UNM-Valencia, is prepared by Diana Sargent, Clery Program Coordinator, under the direct supervision and guidance of Lieutenant B. A. Killinger, UNM-Valencia Police Department, at the direction of the Director of Business Operations and the Chancellor. The annual review of the following is used to put together UNM-Valencia's ASR:

- A review of applicable policies that are required as part of the ASR.
- An inventory of crime prevention and educational programming efforts that are offered by UNM-Valencia for the campus community.
- A review of the reporting avenues for the UNM-Valencia Community to report crimes to at UNM-Valencia.
- A reconciliation and review of the Crime Statistics that are required to be entered as part of the ASR.

Compiling Crime Statistics and Crime Reporting

The Crime Statistics that are included in this report are reported through one of the following areas for UNM-Valencia Campus and the Workforce Training Center:

- UNM-Valencia PD
- Campus Security Authorities (CSAs) who handle the majority of conduct referrals at UNM-Valencia
- Campus Surveys are sent on an annual basis to all CSAs and law enforcement officials (according to UNM's Clery Geography), as determined by the Clery Program Coordinator, UNM-Valencia PD, and UNM-Valencia Administration. CSAs generally would include the following:
 - Any individual or individuals who have responsibility for campus security, but who do not

constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property.)

- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, such as:
 - Director of Enrollment Management and Student Success
 - Director of Business Operations
 - Dean of Instruction

The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many people, students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals.

Examples of individuals who DO NOT meet the criteria for being campus security authorities include a faculty member who does not have any responsibility for student and campus activities beyond the classroom, clerical staff, custodians and maintenance personnel, and cafeteria staff.

The University of New Mexico-Valencia Campus/Workforce Training Center Crimes

The following tables contain statistics for Clery reportable crimes that have occurred within UNM-Valencia Campus Clery reportable geography.

The information has been gathered from the UNM-Valencia PD, Campus Security Authorities (CSAs), and surveys sent to external Law Enforcement Agencies/School Resource Officers. The data encompasses the following information within UNM-Valencia's Clery Geography, as defined by the Clery Handbook, unless otherwise noted.

Clery Reportable Crimes at UNM-Valencia Campus:

Murder/Non-Negligent Manslaughter – is defined as the willful (non-negligent) killing of one human being by another.

Negligent Manslaughter – is defined as the killing of another person through gross negligence.

Rape – is the carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth.)

Fondling – is the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Incest – is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape – is non-forcible sexual intercourse with a person who is under the statutory age of consent.

Robbery – is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault – is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary – is the unlawful entry of a structure to commit a felony or a theft. This category does not include thefts from automobiles.

Motor Vehicle Theft – is the theft or attempted theft of a motor vehicle.

Arson – is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Domestic Violence (Per Policy 2740) -- Under state law, domestic violence is defined as felony and misdemeanor crimes under the New Mexico Crimes Against Household Members Act. Crimes included under the New Mexico Crimes Against Household Members Act are assault, aggravated assault, assault with intent to commit a violent felony, battery and aggravated battery. A “household member” is a spouse, former spouse, parent, present or former stepparent, present or former parent-in-law, grandparent, grandparent-in-law, a co- parent or a child, or a person with whom someone has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member under the Act. In addition, under the New Mexico Family Violence Protection Act, violation of a court-issued order or protection granted to protect an individual who has experienced sexual violence or misconduct or domestic abuse is a misdemeanor crime.

Dating Violence (Per Policy 2740) – Under New Mexico Crimes Against Household Members Act, someone with whom a person has a dating or intimate relationship is considered to be a household member. Any of the felony and misdemeanor crimes enumerated as domestic violence in the Crimes Against Household Members Act are also crimes when committed against someone with whom the offender has a dating or intimate relationship.

Stalking (Per Policy 2740) – Under New Mexico law, “stalking” is defined as knowingly pursuing a pattern of conduct, without lawful authority, directed at a specific individual when the person intends that the pattern of conduct would place the individual in reasonable apprehension of death, bodily harm, sexual assault, or restraint of the individual or another individual. “Aggravated stalking” consists of stalking perpetrated by a person who knowingly violates a court order, including an order of protection, or when the person possesses a deadly weapon or when the victim is under sixteen years of age.

Violence Against Women’s Act (VAWA) Definitions for Domestic Violence, Dating Violence and Stalking:

A felony or misdemeanor crime of violence committed by:

- a. A current or former spouse or intimate partner of the victim or
- b. A person with whom the victim shares a child in common
- c. A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner
- d. A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred
- e. Any person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred

Dating Violence:

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:

- a. Dating Violence includes, but it is not limited to, sexual or physical abuse or the threat of such abuse.
- b. Dating Violence does not include acts covered under the definition of Domestic Violence.

Stalking:

Under New Mexico law, "stalking" is defined as knowingly pursuing a pattern of conduct, without lawful authority, directed at a specific individual when the person intends that the pattern of conduct would place the individual in reasonable apprehension of death, bodily harm, sexual assault, or restraint of the individual or another individual. "Aggravated stalking" consists of stalking perpetrated by a person who knowingly violates a court order, including an order of protection, or when the person possesses a deadly weapon or when the victim is under sixteen years of age.

Unfounded Crimes – Crimes that the UNM-Valencia PD have found to be baseless or false through investigation by their department. Only the UNM-Valencia PD can unfound a crime. Other Clery Reported incidents may have been found not to have occurred through other investigatory agencies, but still must be classified as a Clery Reported Crime on our UNM-Valencia Crime Statistics.

UNM-Valencia Campus Geography includes the following areas as defined below:

On Campus Property – Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes.

Non-Campus Property – Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. This would include buildings not located reasonably contiguous to UNM-Valencia.

Public Property – All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

<i>UNM-Valencia Clery Crime Statistics (2021, 2022, 2023)</i>						
	<i>On Campus</i>			<i>Non-Campus</i>		
Crime	2021	2022	2023	2021	2022	2023
Murder & Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	1
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	1
Aggravated Assault	0	0	0	1	0	0
Motor Vehicle Theft	1	0	0	0	0	0
Arson	0	0	0	0	0	0
Burglary	0	0	0	1	0	0
Liquor Law Arrests	0	0	0	0	0	0
Drug Arrests	0	0	0	0	0	0
Illegal Weapons Arrests	0	0	0	0	0	0
VAWA Clery Crimes:						
Dating Violence	0	0	0	0	0	1
Domestic Violence	0	0	0	1	1	0
Stalking	0	0	0	0	0	0
Referrals for Disciplinary Action:						
Liquor Law Referrals	0	0	0	0	0	1
Drug Law Referrals	0	0	0	9	2	16
Weapons Law Referrals	0	0	0	1	3	0
Hate Crimes	0	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0	0

Report reflects data for on campus and non-campus facilities. See full report for definitions

Definitions under Federal Regulations

On Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

A Non-campus Building or Property: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

On Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

The University of New Mexico-Valencia Workforce Training Center Crimes

<i>UNM-Valencia Workforce Training Center Clery Crime Statistics (2021, 2022, 2023)</i>						
	<i>On Campus</i>			<i>Non-Campus</i>		
Crime	2021	2022	2023	2021	2022	2023
Murder & Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	2
Motor Vehicle Theft	0	0	0	0	0	3
Arson	0	0	0	0	0	0
Burglary	0	0	0	0	0	1
Liquor Law Arrests	0	0	0	0	0	0
Drug Arrests	0	0	0	0	0	0
Illegal Weapons Arrests	0	0	0	0	0	0
VAWA Clery Crimes:						
Dating Violence	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
Referrals for Disciplinary Action:						
Liquor Law Referrals	0	0	0	0	0	0
Drug Law Referrals	0	0	0	0	0	0
Weapons Law Referrals	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0	0

Report reflects data for on campus and non-campus facilities. See full report for definitions. No data is recorded for calendar years 2021 and 2022 as the Workforce Training Center is a new facility and did not fully meet the definition of "separate campus" until 2023.

Definitions under Federal Regulations

On Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

A Non-campus Building or Property: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

On Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Whom should UNM Community Members specifically report Clery Crimes to?

It is recommended that UNM-Valencia faculty, staff, and students who are the victims of, or witness to, any crime(s) on the UNM-Valencia/Workforce Training Center campuses accurately and promptly report incidents to UNM-Valencia PD (505-925-8570). In addition, reports can also be made to:

- The UNM Office of Equal Opportunity (CEEEO) (505-277-5251) – All members of the UNM community, including faculty, staff, students, and visitors, can report hate crimes, sexual misconduct, stalking, domestic violence, dating violence, and other discrimination based incidents to any professional staff member with CEEEO.
- Your local police department if you are not located on the UNM-Valencia Campus or Workforce Training Center.
- The Director of Enrollment Management and Student Success Office (505-925-8560). All members of the UNM community, including faculty, staff, students, and visitors, can report crimes to the Director of Enrollment Management and Student Success.

Anonymous, Confidential, and Voluntary Reporting:

We encourage all individuals to report crimes, however, when the victim or witness of a crime on the UNM-Valencia/Workforce Training Center Campus elects not to, or is unable to make such a report to the UNM-Valencia PD or their respective law enforcement agency, but wants it included as a statistic in the ASR, a voluntary, confidential report can be made using one of the following reporting avenues:

Anonymous, Confidential and Voluntary Reporting Sites:

- Student Health and Counseling (SHAC) – Professional counselors with UNM's SHAC are not CSAs, so that crime reports made to counselors by UNM students are not disclosed by the counselor to the UNM-Valencia PD or the Clery Act Compliance Office for inclusion in the annual disclosure of crime statistics. Professional counselors with SHAC are required, when informed about crimes involving students, to inform the student being counseled of the procedures for reporting crimes to law enforcement or for reporting crimes voluntarily and confidentially to a campus security authority office or to the Office of Equal Opportunity (CEEEO). Phone Number: (505) 277-3136; Website: (<http://shac.unm.edu>)
- Counseling and Referral Services (CARS) – Professional counselors with UNM's CARS are not CSAs, so that crime reports made to counselors by staff or faculty are not disclosed to the PD for inclusion in the annual disclosure of crime statistics. Phone Number: (505) 272-6868 Website (<https://cars.unm.edu>)

- UNM Ombuds Office – Ombuds Services supplements existing compliance and formal reporting channels by offering a place where faculty and staff can talk privately about building communication and collaboration. They provide a variety of informal services to assist employees in preventing and/or resolving any workplace conflicts efficiently and effectively. They work with faculty and staff and their supervisors or coworkers. They listen respectfully and emphasize collaboration and fair consideration of all sides of an issue. Phone Number: (505) 277-2993; Website <http://ombudsforstaff.unm.edu/index.html>

Not Reporting Crimes:

- Victims of crimes have the right not to report crimes to the local authorities or other departments, however, UNM-Valencia encourages all victims of crimes to accurately and promptly report the incident to one of the Advocacy Centers; to either SHAC, if you are a student; or to CARS if you are an employee of UNM. We encourage the UNM-Valencia community to reach out to one of these areas, so that you can get the assistance you need, find out about UNM resources, and to understand more about the investigative process, should you elect to have the incident investigated.

Crimes that should be reported are:

- Murder and non-negligent manslaughter
- Negligent manslaughter
- Sex Offenses (Rape, Fondling, Incest, Statutory Rape)
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Liquor Law Arrests
- Liquor Law Referrals for Disciplinary Action
- Drug Law Arrests
- Drug Law Referrals for Disciplinary Action
- Weapons Violations
- Dating Violence
- Domestic Violence
- Stalking

All hate crimes noted by category of bias (race, gender identity, religion, sexual orientation, ethnicity, national origin or disability), which include the following:

- Murder and non-negligent manslaughter
- Negligent manslaughter
- Sex Offenses (Rape, Fondling, Incest, Statutory Rape)
- Robbery
- Aggravated assault
- Burglary

- Motor vehicle theft
- Arson
- Larceny-theft
- Simple Assault
- Intimidation
- Destruction, Damage or Vandalism of Property

Emergency Response Procedures

In the event of a significant emergency or dangerous situation involving an immediate threat on campus, UNM-Valencia has a multi-faceted, emergency communications system designed to notify students, faculty, staff, and visitors through text and email alerts, Campus Wide Mass Notification Alert system, and webpage notifications. Plans and policies are in place such that the UNM-Valencia will, without delay, and taking into account the safety of the campus community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Students, faculty, and staff are automatically enrolled in LoboAlerts, which is an emergency text messaging system, and the greater community can also receive the alerts through social networking sites like Twitter and Facebook.

The UNM Emergency Control Policy (UNM Policy 6130) outlines the process that the UNM-Valencia Police Department uses to confirm that a significant emergency exists, and the process used to target messages to the appropriate segments of the Valencia campus. The decision to send out notification of a significant emergency lies with the Director of Business Operations or any of his respective designees, and/or the UNM-Valencia Police Lieutenant. Ideally, these officials will collaborate when deciding whether to initiate the notification system; however, these officials are authorized to initiate the system on their own, without first obtaining the concurrence of the others, if circumstances do not allow for collaboration. The UNM-Valencia Communication and Marketing Department may assist in crafting the content of the notification message which is then disseminated by the appropriate communications department to the campus community through one or more of the systems described above.

UNM-Valencia conducts exercises of the campus emergency communications system annually. At that time, the Network Emergency Broadcast Alert system and web page are deployed.

UNM-Valencia provides orientation to new students, faculty, staff, campus groups, and departments regarding basic safety and emergency preparedness efforts. UNM-Valencia has an Emergency Management Committee which reviews plans and procedures on an ongoing basis.



Timely Warning Processes

When a Clery Act crime is committed within UNM-Valencia's Clery geography and the situation poses a serious or continuing threat, the Director of Business Operations or UNM-Valencia PD will issue a Timely Warning (Advisory) to promote safety and aid in the prevention of similar crimes on campus. The Timely Warning (Advisory) should include appropriate information as soon as it becomes available, such as location, crime, description of subject (if known), and any other pertinent details. Additional updates may be issued as the situation evolves.

To require a Clery Act Timely Warning (Advisory), an incident must:

- Involve a Clery Act crime;
- Occur within the Clery Geography, which includes:
 - On-campus (buildings on the UNM-Valencia Campus);
 - Public property (public property that is immediately adjacent to the UNM-Valencia Campus).
- Be reported to a campus security authority or local police authority; and,
- Represent a serious or continuing threat to the students and employees on campus. An example would be that the alleged suspect(s) of a Clery related crime, who may still be on campus and has not been apprehended, could potentially pose a serious and continued threat to UNM-Valencia.

Once it has been determined that the requirements above have been met, the UNM-Valencia PD will notify the Director of Business Operations (or designee) to initiate the Timely Warning Process. Ideally, the determination of a "serious or continuing threat" and the content of the message is made between the Director of Business Operations and UNM-Valencia PD. However, each has the ability to make that determination unilaterally so as not to cause additional delay.

The Timely Warning will be sent out via the UNM Lobo Alert system, which includes an initial text alert sent out to all members of campus, who have not opted out of receiving the text, followed up by an e-mail notification to all individuals who have a unmc.edu e-mail address, and members of the community who have signed up through the community site. The UNM-Valencia Communications Director will notify, as appropriate, the local news media and social media to inform the community outside of UNM-Valencia.

A Timely Warning (Advisory) might not be issued if it could compromise the apprehension of a suspect.

Enrollment for Lobo Alerts:

All faculty, staff and students are automatically opted into Lobo Alerts. If a student did not provide a cell phone number on their application or changes their cell phone number and would like to receive the text message alerts, they can update their information by going to <https://loboalerts.unm.edu/>.

Community members can sign up for Lobo Alerts by going to <https://www.getrave.com/login/unmcommunity>.

Procedures to follow if a crime of sexual assault, domestic violence, dating violence, or stalking (sexual misconduct) has occurred

FIRST STEPS TO CONSIDER

If you need medical assistance, don't wait. Immediately seek out medical services and preserve as much evidence as possible.

Sexual Assault Nurse Examiners (SANE)

Any healthcare professional can treat injuries and take necessary steps to address concerns of pregnancy and/or sexually transmitted infections. However, only specially trained Sexual Assault Nurse Examiners (SANE Nurses) can collect forensic evidence, which they may be able to do for up to five (5) days after an assault. This evidence, which may only be available immediately after an incident involving assault, can be saved aside regardless of whether you choose to report the incident immediately, at a later time, or never at all. The police can provide transportation, even if you do not want to file a police report.

[Local SANE facility]

Before your visit to SANE, try to avoid:

- Washing or changing out of the clothes or underwear you wore during or after the incident
- Cleaning any part(s) of your body, including hands
- Using a douche or tampon
- Cleaning the room or linens where the incident occurred
- Eating or drinking

The Importance of Preserving Evidence

It is not uncommon for a survivor to forget details about an assault or other significant event, or to not want to report it. Even if you do not want to participate in a criminal or administrative process right away, you might change your mind later. Taking the time to document everything can help you reconstruct a timeline of events should you wish to describe what happened down the road. Preserving evidence within the hours and days following an incident may also assist in proving a criminal offense occurred or may be helpful in obtaining a protection order. It also helps University officials determine whether a policy violation occurred should you wish to participate in the administrative grievance process.

Here are some tips:

- Urinate as soon as possible in an airtight container instead of the toilet and keep it with you. Forensic examiners can test the urine at a time of your choosing for illicit substances such as Rohypnol.
- Ask a trusted friend or family member to help you take photos of any bruising, scratches, or other physical injuries you suffered from the incident.
- Write down the names of people who might have seen you immediately before or after the incident, people with whom you talked about the abuse, misconduct, or incident, or people who you believe could serve as a witness.
- Save all text messages, emails, videos, photos, call logs, social media posts (screenshots can be helpful), and any other relevant information that helps document the other person's behavior.
- Maintain a log of the time(s) you interacted with the perpetrator or they attempted to contact you.
- Take photos of any property damaged by the perpetrator.

Restraining Orders

A Restraining Order is a court order that restricts someone from threatening, harassing, contacting, or going near you or your family, or even from having a gun. They are put in place for those who are worried about their safety because someone stalked, threatened, abused, or assaulted them. You do not need a lawyer to obtain one.

A Domestic Violence Order of Protection is a type of Restraining Order the court issues for someone whose household member has abused or threatened to abuse them, regardless of whether they live together, or for someone has been stalked or sexually assaulted by someone who is not a household member. A Civil Harassment Restraining Order (Temporary Restraining Order, or TRO) is another option for when you don't have any kind relationship with the other person. A court may grant a Restraining Order after it receives a statement in the form of a petition or affidavit from a petitioner (the person requesting it).

Who can help me Obtain a Restraining Order?

Every District Attorney's office in the State of New Mexico has a Victim Advocate who can help with forms

and applications, accompany victims to court, and provide notices and reminders to the victim about hearing dates and an offender's custody status.

UNM-Valencia's Responsibilities in Relation to Orders of Protection

UNM-Valencia encourages anyone who petitions for (requests) an Order of Protection to provide a copy of their petition to the UNM-Valencia Police Department (UNM-V PD). In addition to maintaining a hard copy for the petitioner so it is always accessible in the event of a technological failure, UN-V PD can help with:

- Obtaining an Order
- Locating a Domestic Violence Advocate to assist you through the court hearing

No Contact Directives

Unlike a Restraining Order which only a court can issue and enforce, a No Contact Directive (NCD) is an administrative, interim protective measure between two or more persons affiliated with UNM. The NCD is a means of preventing unwanted direct or directed contact and communication and serves as a way to help prevent harassment or disruptions to the learning environment within the University setting.

The NCD is not an Order of Protection and the University has no authority to limit contact and communication with someone unaffiliated with the University. The Dean of Students Office (DOSO) issues NCDs for students and works with officials at the Health Sciences Center colleges, the School of Law, and Branch Campuses to issue NCDs for students in these programs. Students can request an NCD from DOSO directly (505-277-3361 or doso@unm.edu). Both students and employees can also request an NCD as a supportive measure from the Office of Compliance, Ethics & Equal Opportunity (CEEEO) (505-277-5251 or ceeo@unm.edu). To report a violation of an NCD, contact the office issuing the directive.

To Request an NCD through a Confidential Resource:

- LoboRESPECT Advocacy Center: 505-277-2911 | loborespect@unm.edu
- LGBTQ Resource Center: 505-277-5428 | lgbtqrc@unm.edu
- Women's Resource Center: 505-277-3716 | women@unm.edu
- Vassar House: 505-506-0604 | vassarhouse@salud.unm.edu
- Learning Environment Office: 505-272-7867 | hsc-leo@salud.unm.edu

REPORTING AN INCIDENT TO LAW ENFORCEMENT

If you or someone else is in immediate danger, dial 9-1-1.

UNM-Valencia strongly encourages all members of the community (faculty, staff, students, and visitors) to report any crimes immediately to law enforcement. However, the University also recognizes that victims have a choice to make such a report and have the right to report anonymously or even decline police notification or involvement. Any information you provide is only shared among UNM officials on a need-to-know basis and as authorized under University Administrative Policy and applicable federal and state

law. Public records such as UNM-Valencia's daily crime log never include personally identifying information about victims.

Does UNM-Valencia have its own police force?

Yes. All UNM-Valencia PD officers are required to meet state certification standards mandated by the New Mexico Department of Public Safety. UNM-Valencia PD officers are sanctioned by the UNM Board of Regents (Section 29-5-2 NMSA 1978). They have full power of peace officers on campus, including the authority to enforce all applicable laws, ordinances, and campus traffic regulations, and the authority to arrest. Officers are also cross-commissioned countywide by the Valencia County Sheriff. Commissioned county-wide means that UNM-Valencia PD officers have jurisdiction both on and off campus, and throughout the entire Valencia County area.

The UNM-Valencia PD investigates complaints of on-campus criminal activity, working closely with the Valencia County District Attorney's Office to ensure effective prosecution. By statute, New Mexico State Police already have jurisdiction to enforce state laws within the entire state of New Mexico, which includes both UNM-Valencia and the WTC.

In an emergency, you may dial 911 or 505-925-8570. The 911 system automatically traces the location of all calls, which enables officers to respond even when a caller cannot provide the location. When you dial 911 from a campus telephone, your call will be received by the Valencia County Dispatch. If you use a cell phone to dial 911, the call will also be received by Valencia County Dispatch, but will be dispatched to UNM-Valencia PD if you have an on campus emergency.

UNM-Valencia PD encourage faculty, staff, and students who are the victim of, or witness to, any crime on the UNM-Valencia Campus grounds to accurately and promptly report the incident to the UNM-Valencia PD by calling 505-925-8570. Crimes committed off the UNM-Valencia properties should be reported to the appropriate police agency (Valencia County Sheriff's Department, Los Lunas Police Department, etc.). Under New Mexico law, the original entry police report must be made available for review upon request by a member of the public. Supplemental police reports detailing the investigation, and including the names of the accused and witnesses, are not available for public inspection during the course of the police investigation. Following the closure of the police investigation, the UNM-Valencia PD maintains confidentiality of the information in the supplemental police reports to the extent allowed by law.

Daily Crime Log*:

UNM-Valencia PD maintains a Daily Crime Log of all reported crimes, which includes:

- Date and Time Crime Reported
- Incident Type
- Location of Incident
- Disposition

*The information in this log will not include any personal identifying information about the victim.

How do I make a police report?

To report a crime to law enforcement, UNM-Valencia recommends calling the non-emergency number of the agency that has primary jurisdiction where the incident occurred. If you are unsure of which one to call, contact UNMPD (505-277-2241) and they can help you determine which agency to notify.

What can I expect after reporting?

A patrol Officer is typically the first to respond and speak with the person reporting a crime, along with any other parties present. Depending on the situation, a detective may be the first to respond and, in some cases, a victim might have to repeat what happened to them more than once. In addition to the victim's statement, Officers will try to gather evidence and information from other parties, such as suspects or witnesses, to build a case that is strong enough for the District Attorney's Office to prosecute in court.

Can someone help me report to police?

Yes. You have the right to be assisted by campus authorities in notifying law enforcement authorities at any time if that is what you choose to do. You also have the option to decline to notify such authorities. For help with connecting with law enforcement, contact the Office of Compliance, Ethics & Equal Opportunity at 505-277-5251.

UNM-Valencia Police Department (if applicable)

Los Lunas Police Department

Valencia County Sheriff Department

Albuquerque Police Department

REPORTING AN INCIDENT TO UNM-Valencia

How UNM-Valencia Reports of Sexual Assault, Domestic Violence, Dating Violence & Stalking

The Office of Compliance, Ethics & Equal Opportunity (CEEO) is the independent, impartial, and neutral campus office designated to respond administratively to allegations of any Violence Against Women Act (VAWA) crime (sexual assault, domestic violence, dating violence, or stalking), regardless of where the incident occurred.

A Complainant (victim) may file a report of sexual assault, domestic violence, dating violence, or stalking to obtain information regarding their rights, the availability of supportive measures, and the option to file a complaint to initiate an investigation.

Through UNM's grievance process, a student or employee accused of sexual assault, domestic violence,

dating violence, or stalking in a report to the University has the potential to be found responsible for violating one or more of the following University Administrative Policies (UAPs) at UNM:

- [UAP 2720: Prohibited Discrimination and Equal Opportunity](#)
- [UAP 2745: Clery Act Compliance](#)
- [UAP 2740: Sex Harassment Including Sexual Assault](#)
- *For reports of incidents that occurred prior to August 1, 2024: Student Code of Conduct (Section 2)*

UNM's CEEU Grievance Procedure (CGP) dictates the process by which UNM-Valencia responds to a report of sexual assault, domestic violence, dating violence, or stalking, regardless of which policy is invoked. The grievance process is the same for UNM-Valencia students, faculty, and staff. CEEU's Discrimination Grievance Procedure (DGP) dictates the process for reports of sex-based incidents that occurred prior to August 1, 2024.

Jurisdiction

Regardless of where the alleged conduct occurred, a VAWA crime is considered jurisdictional to CEEU if at least one of the parties involved is affiliated with the University through enrollment, employment, or contact and at least one of the following conditions is met:

- The conduct occurred in the context of a UNM employment or educational program or activity.
- The conduct has continuing effects on campus or in an off-campus sponsored program or activity.

Reports involving VAWA allegations that meet the following criteria may specifically invoke UAP 2740 pursuant to Title IX of the Education Amendments of 1972.

- The conduct is based on the Complainant's perceived or actual sex, sex stereotypes, sex characteristics, gender identity, sexual orientation, or pregnancy or related conditions.
- The conduct took place on campus or on property owned or controlled by UNM-Valencia, at a UNM-Valencia-sponsored event, or in a building owned or controlled by UNM-Valencia or a UNM-Valencia recognized student organization.
- The Complainant must be participating or attempting to participate in UNM's educational programs or activities at the time alleged conduct occurred.
- The Respondent is a member of the UNM community.
- The conduct occurred within the United States.

Even in cases where the report is considered nonjurisdictional because the Respondent is unaffiliated with the University, a current or prospective student or employee is entitled to supportive and protective measures after filing a report. If a report falls within CEEU's jurisdictional scope, a party may choose to resolve the report or concern through an alternative resolution or investigation.

Alternative Resolution

An alternative resolution (AR) is a path designed to eliminate the alleged discriminatory or harassing conduct, prevent its recurrence, and remedy its effects in a manner that ensures compliance, along with the safety and welfare of the campus community. This is an informal process where an investigation is not

conducted and the allegations in the report are neither corroborated nor contested. An AR is not disciplinary in nature.

Investigation

During an investigation, CEEO acts as a neutral finder of facts. A Compliance Specialist assigned to the case conducts interviews with the Complainant, Respondent, and any witnesses, gathers evidence, and compiles an Investigative Report. After both parties have had a chance to review it and add any new information they may have, CEEO concludes the investigation, finalizes the Investigative Report, and provides it simultaneously to both parties and the UNM Hearing Office.

Live Hearing

The UNM Hearing Officer (HO) presides over a live hearing to adjudicate the complaint and determine whether the Respondent's behavior violated UNM policy. The HO reaches a determination by examining the evidence in CEEO's Investigative Report, listening to statements, and applying a preponderance of the evidence standard. If the HO finds someone responsible by applying this standard, it means they determined it was more likely than not the person was engaged in the behavior for which they were accused. The Hearing Office notifies both parties in writing about the HO's Final Determination simultaneously.

Dismissals & Withdrawals

If, at any point, the available evidence shows that the matter does not meet jurisdictional requirements or if the Respondent is no longer affiliated with UNM, CEEO may dismiss a complaint. A Complainant may also elect to withdraw their complaint at any time.

Right to Appeal

Either party may appeal a dismissal, final determination, and/or sanction in writing to the Office of the President within seven business days of the date the applicable decision was issued if they believe a conflict of interest, bias, or procedural irregularity affected the outcome. A party may also petition the Board of Regents for an appeal of the President's decision within 10 days after the President's decision is issued.

General Timelines

CEEEO attempts to resolve all reports in a timely manner and generally concluding investigations within sixty (60) calendar days. However, some investigations may take additional time depending upon the complexity of the claim(s) and other extenuating circumstances (e.g., numerous witnesses, newly discovered evidence, new allegations, good cause extension). In investigations where there is also a criminal investigation being conducted by law enforcement, the CEEEO process will run concurrently with

such an investigation. CEEO may grant temporary delays reasonably requested by law enforcement for evidence gathering and preservation.

Remedies

Upon a Respondent's finding of responsibility under UAP 2740, the Complainant may also be provided with remedies to maintain their equal access to the working and learning environment in addition to supportive measures they may have in place. Remedies can take the form of disciplinary measures for the Respondent.

Sanctions

If the HO determines the Respondent has violated UNM policy, they will coordinate with the most appropriate University office to provide sanctions that are appropriate and consistent with the findings. The sanctioning authority must discuss the disciplinary action with the Title IX Coordinator prior to finalizing the disciplinary action. Someone who is found responsible for a violation of policy involving sexual assault, domestic violence, dating violence, or stalking is subject to any of the following sanctions.

Students

- Verbal warning
- Written warning
- Disciplinary probation
- Suspension
- Expulsion
- Dismissal from University
- employment
- Barrment from campus

Visitors

- Verbal warning
- Written warning
- Probation
- Removal from campus
- Barred from campus
- Denial of admission, readmission, or employment by the University

Unrepresented Faculty

- Warning
- Censure
- Disciplinary probation
- Suspension without pay

Dismissal

Faculty Members of United Academics - UNM Units 1 & 2

Censure

Suspension without pay

Termination

Unrepresented Staff

Letter of improvement

Written warning

Suspension

Discharge

Employee Members of United Staff - UNM

Letter of improvement

Written warnings/notice

Suspension

Discharge

Employee Members of UNM Police Officer's Association - Albuquerque

Letter of improvement

Written reprimand/warning

Suspension without pay

Dismissal/Discharge

Employee Members of Communications Workers of America

Letter of improvement

Written warning

Suspension

Discharge

Employee Members of the United Electrical, Radio and Machine Workers of America (United Graduate Workers of UNM)

Written reprimand

Suspension without pay

Discharge

Know Your Rights

Upon filing a formal complaint with the University, you have the right to:

- Proceedings that

- include a prompt, fair, and impartial process from the initial investigation to the final result.
- are completed within reasonably prompt timeframes as designated by UNM policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
- are conducted in a manner that is consistent with UNM's policies, transparent to the accuser and accused, and by campus officials who:
 - receive, at a minimum, annual training on the issues related to sexual assault, domestic violence, dating violence, and stalking, as well as how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability and
 - do not have a conflict of interest or bias for or against the Complainant or Respondent.
- Timely and equal access to any information that will be used during informal and formal disciplinary meetings and hearings.^
- Receive timely notice of meetings at which the accuser or accused, or both, may be present.^
- Examine and respond to all evidence gathered by CEEO.^
- Be accompanied by others during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by a support person of your choice during the CEEO process—including during the investigatory stage—to help you navigate UNM's administrative processes.*^
- Supportive measures throughout the administrative resolution process.^
- Simultaneous, written notification of:
 - the results of any disciplinary proceeding,^
 - the right to appeal a decision and the procedures for doing so,^
 - any change to the results,^ and
 - once the results become final.^
- Appeal a dismissal, a Hearing Office Final Determination, or accompanying sanction to the Office of the President within seven business days of the date the Hearing Office issues its Final Determination, and to receive notice in writing of the final outcome after the appeal is resolved.^

* A support person's role is to assist the party in navigating UNM's administrative processes. Support person roles may vary based upon the specific needs of the party. In the event a CEEO investigation advances to a hearing, the parties are required to have an Advisor of their choice. The Advisor assists the party during the hearing stage, including conducting cross-examination of the opposing party and witnesses.

^ Available to both Complainants and Respondents

UNM-Valencia encourages students to consult with a confidential support center on campus who can guide you through your options. The professionals at the sites tagged **Confidential** below provide safe and welcoming environments on campus and are trained to help you decide how to move forward in a direction of your choosing. Information you provide to a confidential employee does not generate a formal report, however, they can help you make a report to law enforcement and/or the UNM-Valencia

administration should you wish to report to either one. Sites tagged **Supportive Measures** can assist you with requesting, accessing, or requesting changes to supportive and/or protective measures, which are available following a disclosure, regardless of whether you decide to report to law enforcement. Sites with the **Advocacy** tag also offer free advocacy services and sites with an asterisk (*) are available to students at all UNM Branches.

LoboRESPECT Advocacy Center (LRAC)*

The LoboRESPECT Advocacy Center is a place of advocacy, safety, and support for all UNM students.

University Advisement & Enrichment Center (Bldg 85)

400 Cornell Dr NE, Rm 262, Albuquerque, NM 87131

505-277-2911 | loborespect@unm.edu

Confidential

Supportive Measures

Advocacy

Women's Resource Center (WRC)*

The Women's Resource Center is a place of advocacy, safety, and support for all members of UNM and greater community.

Mesa Vista Hall (Bldg 56)

301 Cornell Dr NW, Rm 1160, Albuquerque, NM 87106

505-277-3716 | women@unm.edu

Confidential

Supportive Measures

Advocacy

LGBTQ Resource Center*

The LGBTQ Resource Center offers services and support for LGBTQ+ individuals at UNM.

919 Las Lomas NE (Bldg 168), Albuquerque, NM 87131

505-277-5428 | lgbtqrc@unm.edu

Confidential

Supportive Measures

Advocacy

Ombuds Services*

Ombuds Services is a no-barrier, first-stop for UNM graduate students seeking guidance, information, and insight from a trusted, skilled neutral in a setting that is confidential, independent, and informal.

1800 Las Lomas Blvd NE (Bldg 29), Albuquerque, NM 87106

(SE corner of Buena Vista Rd NE & Las Lomas Blvd NE.

Visits by appointment only.)

505-277-2993 | ombuds@unm.edu

Confidential

Compliance, Ethics & Equal Opportunity (CEEEO)*

609 Buena Vista Dr NE (Bldg 42), Albuquerque, NM 87106

505-277-5251 | ceeo@unm.edu

EthicsPoint Hotline: 1-888-899-6092 | unm.ethicspoint.com

TITLE IX Coordinator | Dr. Angela Catena: acatena@unm.edu

Supportive Measures

Supportive Measures for Students

Supportive measures are free, individualized services or adjustments (accommodations) intended to help you maintain your education with minimal interference, to the extent possible. Supportive measures, some of which are protective measures, are non-punitive and held confidential for all parties, so long as maintaining such confidentiality does not impair UNM's ability to provide the supportive measures.

Examples include:

- Referrals for mental health or medical services
- Maneuvering campus and law enforcement resources
- Modifications of work or class schedules
- Student financial aid
- Visa and immigration assistance
- Campus escort services
- Mutual restrictions on contact between the parties
- Temporary or permanent changes to a room assignment
- Extra patrols at a Complainant's on-campus residence
- Potentially imposing a temporary ban on the Respondent (offender)
- Creating a safety plan

UNM-Valencia encourages employees to consult with a confidential reporting site on campus who can guide you through your options. The professionals at the sites labeled ***Confidential*** below provide safe and welcoming environments on campus and are trained to help you decide how to move forward in a direction of your choosing. Information you provide to a confidential employee does not generate a formal report, however, they can help you make a report to law enforcement and/or the UNM-Valencia administration should you wish to report to either one. CEEEO's ***Supportive Measures*** tag indicates its ability to assist you with requesting, accessing, or requesting changes to supportive and/or protective measures, which are available following a disclosure, regardless of whether you decide to report to law enforcement. Sites with an asterisk (*) are available to employees at all UNM Branches.

Counseling, Assistance & Referral Services (CARS)*

1800 Mesa Vista Rd NE (Bldg 184)

Albuquerque, NM 87106

505-277-3136 | cars@unm.edu

Confidential

Ombuds Services*

1800 Las Lomas Blvd NE (Bldg 29)

Albuquerque, NM 87106

(SE corner of Buena Vista Rd NE & Las Lomas Blvd NE. Visits by appointment only.)

505-277-2993 | ombuds@unm.edu

Confidential

Compliance, Ethics & Equal Opportunity (CEEEO)*

609 Buena Vista Dr NE (Bldg 42)

Albuquerque, NM 87106

505-277-5251 | ceeo@unm.edu

EthicsPoint Hotline: 1-888-899-6092 | unm.ethicspoint.com

TITLE IX Coordinator

Dr. Angela Catena: acatena@unm.edu

Supportive Measures

Supportive Measures for Employees

Supportive measures are free, individualized services or adjustments (accommodations) intended to help you maintain your job performance with minimal interference, to the extent possible. Supportive measures, some of which are protective measures, are non-punitive and held confidential for all parties, so long as maintaining such confidentiality does not impair UNM's ability to provide the supportive measures. Examples include:

- Maneuvering campus and law enforcement resources
- Referrals for mental health or medical services
- Visa and immigration assistance
- Transportation assistance to include campus escort services and parking adjustments
- Mutual restrictions on contact between parties
- Adjustments in the workplace or with scheduling
- Leaves of absence
- Increased security, such as extra patrols
- Potentially imposing a temporary ban on the offender (Respondent)
- Creating a safety plan

ON-CAMPUS RESOURCES

S: Available to UNM students

E: Available to UNM employees

Health & Medical Assistance

UNM Student Health & Counseling (SHAC) S

SHAC provides quality health services to all UNM students to foster student success. SHAC is not a provider of emergency medical care. In case of a medical or counseling emergency, dial 911 or go directly to a local hospital emergency room.

300 Cornell Dr NE (Bldg 73)

Albuquerque, NM 87131

Opposite the southeast corner of the SUB.

505-277-3136 | shac@unm.edu

After-hours medical: 505-277-3136, Option #2

On-call service regarding medical needs for UNM students only.

UNM Health Gallup Specialty Care Clinic S E

205 Nizhoni Blvd, Ste 3

Gallup, NM 87301

505-925-7505

UNM Telehealth S

Partners with services across the University of New Mexico Health System to support and facilitate best practices for clinicians that provide direct patient care.

505-272-iUNM (4866) | UNMTelehealth@salud.unm.edu

Counseling & Mental Health

UNM Adult Psychiatric Center S E

The state's largest community mental health care provider, UNM Psychiatric Center provides a full spectrum of behavioral health care for thousands of New Mexicans each year, including psychiatric emergency or urgent care.

2600 Marble Ave (Bldg 299)

Albuquerque, NM 87106

505-272-2800

24/7 emergency services: 505-272-2920

Psychiatric urgent care: 505-272-9038

Counseling, Assistance & Referral Services (CARS) E

CARS is the Employee Assistance Program for faculty, staff, and retirees of UNM Main and Branch campuses and UNM Health Sciences. CARS provides free and confidential counseling, consultation and referral services to assist with both personal and professional concerns. CARS services are provided in person or via telehealth.

1800 Mesa Vista Rd NE (Bldg 184)

Albuquerque, NM 87106

505-277-3136 | cars@unm.edu

UNM Student Health & Counseling (SHAC) S

SHAC provides quality counseling services to all UNM students to foster student success.

300 Cornell Dr NE (Bldg 73)

Albuquerque, NM 87131

Opposite the southeast corner of the SUB.

505-277-3136 | shac@unm.edu

24/7 Crisis Line: 505-277-3136, Option 3

TimelyCare Telehealth S

Free, 24/7 access to virtual care services, self-care, and well-being tools for UNM students. No insurance needed.

Download at the App Store or Google Play.

833-4-TIMELY (833-484-6359)

UNM behavioral Health Clinic S E

Help for substance use and mental health conditions.

2600 College Blvd NE

Rio Rancho, NM 87144

505-994-5050

Manzanita Counseling Training Clinic S E

Free counseling open to all UNM community members.

Manzanita Hall (Bldg 70)

600 E University Blvd NE

Albuquerque, NM 87106

505-277-7311 | manzanita@unm.edu

Mental Health Collaborative (MHC) S

The Mental Health Collaborative (MHC) is a counseling internship program focused on serving UNM students at various student resource centers.

mhccounseling@unm.edu

Women's Resource Center

505-277-3716 | wrccounseling@unm.edu

El Centro de la Raza

505-277-5020 | elcentrocounseling@unm.edu

Accessibility Resource Center

505-277-3506 | arccounseling@unm.edu

Ombuds Services S E

Though not a counseling center, Ombuds is a no-barrier, first-stop for UNM graduate students and employees seeking guidance, information, and insight from a trusted, skilled neutral in a setting that is confidential, independent, and informal.

1800 Las Lomas Blvd NE (Bldg 29)

Albuquerque, NM 87106
SE corner of Buena Vista Rd NE & Las Lomas Blvd NE.
Visits by appointment only.
505-277-2993 | ombuds@unm.edu

Human Resources **E**

HR provides a wide range of resources for employees, to include short-term job/personal counseling and referrals to outside resources through the Employee Assistance Program (EAP).

John and June Perovich Business Center (Bldg 183)
1700 Lomas Blvd NE
Albuquerque, NM 87131
505-277-6947 | hrfiles@unm.edu
victim/survivor advocacy

LoboRESPECT Advocacy Center (LRAC) **S**

A place of confidential advocacy, safety, and support.
University Advisement & Enrichment Center (Bldg 85)
400 Cornell Dr NE, Rm 262
Albuquerque, NM 87131
505-277-2911 | loborespect@unm.edu

Women's Resource Center (WRC) **S**

A place of confidential advocacy, safety, and support.
Mesa Vista Hall (Bldg 56)
301 Cornell Dr NW, Rm 1160
Albuquerque, NM 87106
505-277-3716 | women@unm.edu
Vassar house **S**
An extension of the Women's Resource Center, for North Campus students—by appointment only.
917 Vassar Rd NE (Bldg 225)
Albuquerque, NM 87106
vassarhouse@salud.unm.edu

LGBTQ Resource Center **S E**

The LGBTQ Resource Center offers services and support for LGBTQ+ individuals at UNM.
919 Las Lomas NE (Bldg 168)
Albuquerque, NM 87131
505-277-5428 | ltqrc@unm.edu
Crisis Hotlines

LoboRESPECT Advocacy Center (LRAC) Hotline **S**

On-call service regarding UNM students only

505-277-2911

Student Health and Counseling (SHAC) S

Licensed counselors available 24/7.

24/7 Crisis Line: 505-277-3136, Option 3

TimelyCare Telehealth S

Free, 24/7 access to virtual care services, self-care, and well-being tools for UNM students. No insurance needed.

Download at the App Store or Google Play.

833-4-TIMELY (833-484-6359)

Emergency Food & Housing

UNM-Valencia Campus Food Pantry S E

Fully stocked with quick meals, take-home food, drinks, and hygiene products, all free for students.

Kitchen appliances on site.

PASOS Resource Center

Los Lunas, NM 87031

Located in the Learning Resource Center Building directly across from the STEM Center.

505-925-8546 | pasos@unm.edu

UNM-Taos Lobo Food Pantry S E

Stocked with take-home food, snacks, and other necessities. Free for students and family of students.

Cabinets are located in front of Fred Peralta Hall (art building on Klauer campus) and at Rio Grande Hall.

Taos, NM 87557

575-737-3697 | chartmen8@unm.edu

LoboRESPECT Advocacy Center (LRAC Housing/Shelter Services) S

Assistance with homeless and low-income student resources, rental assistance, homeowner assistance fund programs, and off-campus housing.

University Advisement & Enrichment Center (Bldg 85)

400 Cornell Dr NE, Rm 262

Albuquerque, NM 87131

505-277-2911 | loborespect@unm.edu

Legal Assistance

LoboRESPECT Advocacy Center (LRAC) Legal Aid Assistance S

Legal service referrals for UNM students.

University Advisement & Enrichment Center (Bldg 85)
400 Cornell Dr NE, Rm 262
Albuquerque, NM 87131
505-277-2911 | loborespect@unm.edu

UNM Law Clinic **S E**

Direct legal representation to address a broad range of legal issues including housing, domestic violence, immigration status, Kinship Guardianship, Adult Guardianship, custody, and alleged juvenile delinquency provided by UNM School of Law students.

UNM School of Law - Bratton Hall (Bldg 218)
1117 Stanford Dr NE
Albuquerque, NM 87106
505-277-2146

Visa & Immigration Assistance

LoboRESPECT Advocacy Center (LRAC) Immigration Services **S**

VISA and immigration assistance referrals for UNM students.

University Advisement & Enrichment Center (Bldg 85)
400 Cornell Dr NE, Rm 262
Albuquerque, NM 87131
505-277-2911 | loborespect@unm.edu

UNM Law Clinic **S E**

Direct legal representation to address a broad range of issues including housing, domestic violence, immigration status, Kinship Guardianship, custody, and alleged juvenile delinquency provided by UNM School of Law students.

UNM School of Law - Bratton Hall (Bldg 218)
1117 Stanford Dr NE
Albuquerque, NM 87106
505-277-2146

Student Financial Aid

UNM Student Financial Aid

Resources and guidance for UNM students on matters related to financial assistance to include grants, work study, loans, tuition assistance, and scholarships.

UNM One Stop
Mesa Vista Hall (Bldg 56), north side
302 Cornell Dr
Albuquerque, NM 87131
1-800-CALLUNM | 505-277-8900 | onestop@unm.edu

UNM-Valencia Student Financial Aid Office S
280 La Entrada Rd
Los Lunas, NM 87031
505-925-8590 | vcfinancialaid@unm.edu

Transportation Assistance & Services

Lobo Bike Shop S E

Full-service bike shop with repair and rental services at a discounted price for UNM community members.

UNM Recreational Services
Johnson Center (Bldg 59)
200 Cornell Dr NE
Albuquerque, NM 87131
505-277-0178

UNM-Valencia Police Department S E

Offers safety escort services to and from locations on campus and parking permits for UNM community members.

280 La Entrada Rd
Los Lunas, NM 87031
505-925-8570
Assistance for people with disabilities

UNM Accessibility Resource Center (ARC)

Services, accommodations, and support for students with disabilities in the UNM community.

Mesa Vista Hall (Bldg 56)
301 Cornell Dr NW, Rm 2021
Albuquerque, NM 87131
505-277-3506 | arc@unm.edu

UNM-Valencia ARC S

505-925-8840 | sjclawson@unm.edu

UNM Office of Compliance, Ethics & Equal Opportunity (CEEO) E

Assistance for employees with religious accommodations, Title IX accommodations (pregnancy, lactation) and accommodations for a disability or medical condition under the Americans with Disabilities Act of 1990 (ADA) and the ADA Amendments Act of 2008 (ADAAA).

609 Buena Vista Rd NE (Bldg 42)
Albuquerque, NM 87131
505-277-5251 | ceeo@unm.edu

Housing Assistance

UNM Residence Life & Student Housing (RLSH) S

Provides and manages UNM's on-campus student housing facilities and assists students with campus life programs.

Student Residence Center Commons (Bldg 89)

2700 Campus Blvd NE

Albuquerque, NM 87106

Located across from La Posada Dining Hall.

housing@unm.edu

24/7 Help Desk: 505-277-2606

American Campus Communities (ACC) S

Provides and manages on-campus student housing facilities and assists students with campus life programs.

Lobo Village, Located on South Campus.

1200 Avenida César Chávez

Albuquerque, NM 87106

505-925-5575 | lobovillage@americancampus.com

Support for Veterans

UNM Veteran & Military Resource Center

Services and support for student veterans at UNM.

608 Buena Vista Dr NE (Bldg 20A)

Albuquerque, NM 87131

505-277-3181 | vrc@unm.edu

Support for International Students & Employees

UNM International Student and Scholar Services (ISSS) S E

Assistance with navigating life for international students and employees studying and working at UNM.

Global Education Office (GEO)

Mesa Vista Hall (Bldg 56)

301 Cornell Dr NW, Rm 2120

Albuquerque, NM 87131

505-277-4032 | geo@unm.edu

Auxiliary Safety Services

COMMUNITY RESOURCES

Sexual Assault Services

New Coalition of Sexual Assault Programs, Inc (NMCSAP)

Sexual Assault Nurse Examiner (SANE) Programs provide medical/forensic exams for individuals who have been sexually assaulted. SANE services include a physical assessment, emergency contraception, injury documentation, forensic photography, and evidence collection up to five days after the sexual assault. SANE Programs offer medication for sexually transmitted infections (STI) up to 30 days after the assault. Services are available 24 hours a day, provided at no cost, and are confidential. No ID is required. Individuals can receive a SANE exam without filing a police report. Each SANE Program has a designated Coordinator who is active with their community co-responders and are available to assist with problems, questions, or presentations.

Alamogordo: Southern NM Wellness Alliance

Alamogordo, NM 88310

24/7 Dispatch: 575-430-9485

Albuquerque: Albuquerque Sexual Assault Nurse Examiner (SANE) Collaborative

625 Silver Ave SW, 2nd Flr

Albuquerque, NM 87102

UNMVPD can provide transportation, even if you do not want to file a police report!

24/7 Dispatch: 505-884-SANE (7263)

Carlsbad: SPEAK SANE/DV Exam Services

Cavern City CAC

1313 W Mermod St

Carlsbad, NM 88220

24/7 Dispatch: 575-303-7070

Los Lunas: Valencia Shelter Services Satellite SANE

445 Camino Del Rey SW, Ste B

Los Lunas, NM 87031

UNMVPD can provide transportation, even if you do not want to file a police report!

24/7 Dispatch: 505-864-1283

Farmington: Sexual Assault Services of Northwest NM

622 W Maple St, Ste F

Farmington, NM 87401

24/7 Dispatch: 505-325-2805

Gallup: Sexual Assault Services of Northwest New Mexico (SASNWNM-Gallup)

111 S 1st St

Gallup, NM 87301

505-399-5940

UNMGPD can provide transportation, even if you do not want to file a police report!
24/7 Dispatch: 866-908-4700

Hobbs: The Phoenix House Hobbs SANE
221 E Green Acres Dr
Hobbs, NM 88240
24/7 Dispatch: 575-433-3322

Las Cruces: Las Cruces La Piñon SANE Project
Memorial Medical Center
2450 S Telshorb Blvd
Las Cruces, NM 88011
24/7 Dispatch: 888-595-7273

Portales: Arise Sexual Assault Services
801 W 18th St
Portales, NM 88130
24/7 Dispatch: 575-226-7263

Roswell: I Can Survive Roswell Refuge SANE Project
1215 N Garden Ave
Roswell, NM 88201
24/7 Dispatch: 575-627-8361

Santa Fe: Christus St. Vincent Regional Medical Center SANE Program
Solace Sexual Assault Services
6601 Valentine Wy
Santa Fe, NM 87507
24/7 Dispatch: 505-989-5952

Silver City: Silver Regional Sexual Assault Support Services and SANE
La Clínica
3201 N Ridge Loop Dr
Silver City, NM 88061
24/7 Dispatch: 866-750-6474

Taos: Taos/Holy Cross Hospital SANE Program
Holy Cross Medical Center
1397 Weimer Rd
Taos, NM 87571
24/7 Dispatch: 575-751-8990

Health & Medical Assistance

Veteran Affairs Health Care

1501 San Pedro Dr SE
Albuquerque, NM 87108
505-265-1711
Mental Health Care: 505-265-1711, Ext. 2150

Counseling & Mental Health

Albuquerque Vet Center

Confidential help for Veterans, service members, and their families at no cost in a non-medical setting. Services include counseling for needs such as depression, post-traumatic stress disorder (PTSD), and the psychological effects of military sexual trauma (MST).

2001 Mountain Rd NW
Albuquerque, NM 87104
505-346-6562
24/7 Call Center: 877-927-8387

New Mexico Solutions

Comprehensive Behavioral Health Services in New Mexico specializing in a variety of services for children, adolescents, adults and their family members/life partners.

707 Broadway Blvd NE, Ste 500
Albuquerque, NM 87102
505-268-0701

2551 Coors Blvd NW
Albuquerque, NM 87102
505-833-2300
Crisis Line: 800-433-7291

Valencia Shelter Services

Provides trauma-informed, individual and group therapy for children, teens, and adults. Bi-lingual services available.

Administrative Offices
445 Camino Del Rey Dr, Ste E
Los Lunas, NM 87031
505-864-1283 | referrals@valenciashelterservices.org

Teambuilders Behavioral Health

Serves adults, children, adolescents, and families.

Los Lunas
428 Los Lentes Rd SE, Ste 3

Los Lunas, NM 87031
505-865-4739

Community Against Violence

Provides free and confidential counseling, support groups, and information and resources for those in need. Community Against Violence is the only agency in Taos County that works solely with survivors of domestic and sexual violence.

945 Salazar Rd
Taos, NM 87571
575-758-8082 or 888-758-8082
24/7 HelpLine: 575-758-9888 | Textline: 575-770-2706

Victim/Survivor Advocacy

Rape Crisis Center of Central New Mexico

Free, confidential services providing a 24-hour hotline for survivors of domestic violence, sexual assault, and sex trafficking.

9741 Candelaria Rd NE
Albuquerque, NM 87112
505-266-7711 | info@rapecrisisnm.org

Albuquerque Family Advocacy Center

Provides victims of domestic violence, child abuse, sexual assault and their families with a safe setting to assist in addressing and overcoming the trauma of their experience and break the cycle of violence that destroys families.

625 Silver Ave SW, #2
Albuquerque, NM 87102
505-243-2333

Haven House Crisis Line

Assistance with temporary restraining orders (TROs), emergency shelter, information about navigating the court system, accompanying Survivors to court hearings, and referrals to legal assistance; i.e., Legal Aid, Attorneys, etc.

505-896-4869

NM Coalition Against Domestic Violence

Support and assistance with domestic violence programs across the state.

2425 Alamo Ave SE
Albuquerque, NM 87106
505-246-9240 or 800-799-7233

Crisis Center of Northern New Mexico (CCNNM)

CCNNM is the only domestic violence shelter in Rio Arriba providing 24/7 shelter, crisis intervention, counseling, skills and knowledge groups, case management, and legal advocacy for survivors of domestic

abuse from Rio Arriba, Los Alamos, Santa Fe County, and eight Northern Pueblos. CCNNM also works with people who identify as Lesbian, Gay, Bisexual, Transgender and Intersex.

505-753-1656 | ccnnm@crisis-centers.org

Transgender Resource Center of NM

Supports transgender, nonbinary, and gender nonconforming communities through direct services, education, and advocacy.

5600 Domingo Rd NE

Albuquerque, NM 87108

505-200-9086 | tgrcnm@tgrcnm.org

Casa Fortaleza

Free counseling and services to survivors of sexual violence and their family and friends.

Provee consejería y servicios gratuitos para sobrevivientes de violencia sexual y sus familiares y/o amigos.

2340 Alamo Ave SE, Ste 124

Albuquerque, NM 87106

505-910-4031

Enlace Comunitario

Intervention, prevention and counseling services for victims of domestic violence.

Servicios de intervención, prevención y asesoramiento para víctimas de violencia doméstica.

2425 Alamo Ave SE

Albuquerque, NM 87106

505-246-8972

New Mexico Asian Family Center

Counseling and case management services, survivor led and centered services, programs centering traditional methods of healing, youth and community leadership programs, financial education workshops, cross-racial movement building, and civic engagement work.

505-717-2877

Mọi thắc mắc xin liên hệ: 505-934-5139

ご不明な点がございましたら: 505-934-5686

如果您有疑问: 505-526-8644

لسوا گونه ره امش رگا: 4345-934-505

Crisis Hotlines

Agora Crisis Center Hotline

Immediate assistance and referrals for those in crisis.

505-277-3013

National Suicide & Crisis Lifeline

A centralized, single telephone number to get immediate assistance and resources for mental health and substance use issues.

988 or 1-855-NMCrisis (855-662-7474) or
855-227-5485 (TTY)

Valencia Shelter Services

Assists individuals seeking immediate support in accessing shelter and other resources they may need.
505-864-1383

Healthcare Worker & First Responder Support Line

Support line specifically for healthcare workers and first responders.
1-855-507-5509

Albuquerque Vet Center

Confidential help for Veterans, service members, and their families at no cost in a non-medical setting. Services include counseling for needs such as depression, post-traumatic stress disorder (PTSD), and the psychological effects of military sexual trauma (MST).
877-927-8387

Peer to Peer Warmline

If you or a loved one wants to talk to someone that has been there, professional peers support workers are here to talk with you.
1-855-4NM-7100 (1-855-466-7100)

National Domestic Violence Hotline

24/7/365 compassionate support, crisis intervention information, educational services, and referral services in more than 200 languages.
1-800-799-SAFE (7233)

National Human Trafficking Hotline

Social and legal services for victims and survivors of human trafficking.
1-888-373-7888

RAINN: National Sexual Assault Hotline

The RAINN (Rape, Abuse & Incest National Network) anti-sexual violence organization operates the DoD Safe Helpline for the Department of Defense and carries out initiatives to prevent sexual violence, help survivors, and ensure that perpetrators are brought to justice.
1-888-656-HOPE (4673)

Veteran Crisis Line

For veterans having thoughts of self-harm, or of harming others.
1-800-273-8255, Option 1 or Text 838255

Lifeline for Vets

Crisis management and support for veterans in need, provided by the National Veterans Foundation.
888-777-4443

Homelessness Hotline

Crisis line for veterans who are currently experiencing homelessness or at risk of homelessness. Family members and supports of veterans at risk can also call.
877-424-3838

Trans Lifeline

Provides direct, peer emotional and financial support to trans people in crisis. Available 7am-1am PST daily.
877-565-8860

Emergency Food & Housing

Roadrunner Food Bank of New Mexico

Provides food distribution services throughout New Mexico through food pantries, soup kitchens, group homes, shelters, schools, senior centers, low-income senior housing locations, and health care partners.
505-349-5340 or 505-523-4390

Belen Area Food Pantry

Distributes food boxes to families in need. Must live in the Belen School District. ID required.
201 S 3rd St
Belen, NM 87002
505-966-2567 | info@fbcbelen.net

Statewide Homeless Resource Helpline

Provides resources and referrals related to homelessness.
505-768-HELP (4357) or text 505-600-2835
768-help@nmceh.org

Westside Emergency Housing Center

A safe and welcoming environment for men and women experiencing homelessness in Albuquerque. The center is open year-round and offers meals. Shuttle service is provided daily.
7440 Jim McDowell Rd NW
Albuquerque, NM 87121
505-839-9193

Esperanza Shelter Domestic Abuse Services

24 hour crisis hotline. Safe, confidential housing, counseling, food, clothing and supplies for you—and your children, if you have kids.

Línea directa de crisis las 24 horas. Vivienda segura y confidencial, asesoramiento, alimentos, ropa y suministros, para usted—y sus hijos, si tiene hijos.

505-474-5536

Crisis Hotline: 505-473-5200 or 800-473-5220

Haven House

Shelter for victims of domestic violence and their children in Rio Rancho.

505-896-4869

Crisis Line: 505-896-4869

Helen's Housing – Domestic violence/sexual assault shelter

An 18-bed emergency domestic violence and sexual assault shelter for women and their children that are fleeing domestic violence. Shelter services include a safe place to sleep, healthy meals, individual and group counseling, weekly goal support, on site advocacy, clothing, laundry facility, limited transportation, and referral to other services as needed. Helen's Housing also offers services to help males by assisting them with a hotel stay.

Administrative Offices

445 Camino Del Rey Dr, Ste E

Los Lunas, NM 87031

505-864-1283 | referrals@valenciashelterservices.org

St Elizabeth Shelters & Supportive Housing

Assists homeless individuals and families by providing emergency shelter, food, case management, counseling, supportive housing, and referrals to partnering human-service agencies.

Men's Emergency Shelter

804 Alarid St

Santa Fe, NM 87507

505-982-6611

Casa Familia

1604 Berry Ave

Santa Fe, NM 87505

505-983-2042

Casa Cerrillos

1905 Siringo Rd

Santa Fe, NM 87505

505-471-3456

Sonrisa

6321 Jaguar Dr

Santa Fe, NM 87507

505-424-6973

Santa Fe Suites
3007 S St Francis Dr
Santa Fe, NM 87505
505-982-1154

Legal Assistance

New Mexico Legal Aid

Free services to eligible low-income New Mexico residents with civil (non-criminal) matters.

505 Marquette Ave NE
Albuquerque, NM 87102
Business phone: 1-866-416-1992
For legal help: 1-833-LGL-HELP (1-833-545-4357)
Domestic Violence Legal Aid Helpline: 1-877-974-3400

Volunteer Attorney Program: Family Law Clinic

Attorneys provide free legal information on family law issues, including Divorce, Child Support, Custody, Visitation, Mediation, Paternity, Kinship/Guardianship, Domestic Violence, Adoption, and Settlement Facilitation. The Clinic takes place the third Wednesday of each month from 10am until 1pm in the third-floor conference room of the 2nd Judicial District Court. Pre-registration is required and attendance is limited.

400 Lomas Blvd NW
Albuquerque, NM 87102
1-877-266-9861

Valencia Shelter Services

Support with filing restraining orders, court preparation, and court attendance.

Administrative Offices
445 Camino Del Rey Dr, Ste E
Los Lunas, NM 87031
505-864-1283 | referrals@valenciashelterservices.org

Visa & Immigration Assistance

New Mexico Immigrant Law Center

High-quality legal representation accessible to low-income immigrant communities.

625 Silver Ave SW, Ste 410
Albuquerque, NM 87102
505-247-1023

Catholic Charities VAVW Immigration Project

Provides educational and career programs for the many refugee families that have resettled in Albuquerque after the 90-day government resettlement program.

2010 Bridge Blvd SW

Albuquerque, NM 87105

505-724-4670 | info@ccasfnm.org

Student Financial Aid

U.S. Department of Education Federal Student Aid

Assistance with forms and processes related to federal student aid, credit counseling, and loan repayments and forgiveness.

1-800-433-3243

Transportation Assistance & Services

Rio Metro Bus

Fare-free bus rides connecting communities throughout Valencia County.

1-866-795-RAIL (7245) or 505-352-3595

Rio Metro Dial-a-Ride

Fare-free rides connecting the general public, including seniors and people with disabilities. Call to request a ride.

Rio Rancho/Corrales: 505-404-2063 (Weekdays only.)

Valencia County: 505-352-3595 (Weekends only.)

Pueblo of Isleta: 505-352-3595 (Weekdays only.)

Assistance for People with Disabilities

Aging and Disability Resource Center (ADRC) of New Mexico

Assistance for elders, persons with disabilities, and caregivers to find services and resources to help them live well and independently.

2550 Cerrillos Rd

Santa Fe, NM 87505

1-800-432-2080

Human Services Department of New Mexico

Cash assistance to dependent, needy children and disabled adults who are not eligible for other cash assistance programs.

Bernalillo County Field Office

1041 Lambertson Pl NE

Albuquerque, NM 87110

1-800-283-4465

McKinley County Field Office

3006 E Hwy 66

Gallup, NM 87301

1-800-283-4465

Rio Metro Dial-a-Ride

Fare-free rides connecting the general public, including seniors and people with disabilities. Call to request a ride.

Rio Rancho/Corrales: 505-404-2063 (Weekdays only.)

Valencia County: 505-352-3595 (Weekends only.)

Pueblo of Isleta: 505-352-3595 (Weekdays only.)

Housing Assistance

U.S. Department of Housing and Urban Development (HUD)

Provides assistance with homeownership and homebuying, rent, avoiding foreclosure, and homelessness.

Albuquerque Field Office

Dennis Chavez Federal Building

500 Gold Ave SW, 7th Floor, Ste 7301

Albuquerque, NM 87103

505-346-6463

Habitat for Humanity

Assists individuals and families with finding affordable housing.

HFH of Hobbs, NM Area

575-397-4398 | director@hobbshabitat.org

White Sands HFH

575-437-6562 | ktaiaroa@whitesandshabitat.org

Greater Albuquerque HFH

505-265-0057 | info@habitatabq.org

HFH- Espanola Valley & Los Alamos

505-747-2690 | director@habitatevla.org

Tres Rios HFH

505-326-5379 | habitatsanjuan@gmail.com

Mesilla Valley HFH

575-525-0475 | director@lascruceshabitat.org

Habitat for Humanity of Roosevelt & Curry Counties

575-359-1344 | marge.rhode@habitatrcc.org

Santa Fe HFH

505-986-5880 | info@santafehabitat.org

HFH of Taos

575-758-7827 | kevin@taoshabitat.org

Support for Veterans

Military Onesource

Defense Department-funded program providing 24/7 connection to information, answers, and support to help with tax services, spouse employment, webinars and online training, relocation and deployment tools, and much more.

800-342-9647

City of Albuquerque Office of Military and Veterans Affairs

Connect with resources, contact the Mayor's Office, and stay up-to-date on the issues that matter to our veterans and military service members and their families.

Dennis Chavez Federal Building

500 Gold Ave SW

Albuquerque, NM 87102

505-768-3000

Albuquerque Vet Center

Confidential help for Veterans, service members, and their families at no cost in a non-medical setting. Our services include counseling for needs such as depression, post-traumatic stress disorder (PTSD), and the psychological effects of military sexual trauma (MST).

2001 Mountain Rd NW

Albuquerque, NM 87104

505-346-6562

24/7 Call Center: 877-927-8387

Support for International Students

UNM-Valencia provides support for all students.

Auxiliary Safety Assistance

Not applicable to UNM-Valencia. Both campuses are under the jurisdiction of the UNM-Valencia PD.

IMPORTANT DEFINITIONS

This section provides a list of definitions for sexual assault, domestic violence, dating violence, stalking, and consent as set forth by the:

- 2013 Reauthorization of the Violence Against Women Act (VAWA) amendments to the Clery Act, which UNM uses in its campus disciplinary process pursuant to University Administrative Policies (UAPs) 2720, 2740, and 2745 and the
- State of New Mexico, which law enforcement uses to pursue charges against an offender in the criminal justice system. Knowing the State of New Mexico laws pertaining to VAWA crimes is useful for helping you understand your options should you choose to pursue charges through the criminal justice system.

UNM-Valencia encourages anyone who experiences sexual assault, domestic violence, dating violence, stalking, or related misconduct or stalking and wishes to pursue criminal charges to discuss their full list of options with a law enforcement official and/or an attorney.

Violence Against Women Act Definitions of Sexual Assault

Sexual assault.

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program.

Rape.

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling.

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest.

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory rape.

Sexual intercourse with a person who is under the statutory age of consent.

State of New Mexico Definitions of Sexual Assault

6.8 State of New Mexico Definitions of Sexual Assault, Domestic Violence, Dating Violence, Stalking, and

Consent

The definitions in this section are applied by the State of New Mexico, which law enforcement uses to pursue charges against an offender in the criminal justice system. UNM-Valencia encourages anyone who experiences sexual assault, domestic violence, dating violence, stalking, or related misconduct or stalking and wishes to pursue criminal charges to discuss their full list of options with a law enforcement official and/or an attorney.

6.8.1 Sexual Assault – Criminal Sexual Penetration (NMSA 1978, § 30-9-11), Criminal Sexual Contact (NMSA 1978, § 30-9-12), and Criminal Sexual Contact with a Minor (NMSA 1978, § 30-9-13)

The state of New Mexico does not have a separate definition for “sexual assault.”

“Criminal sexual penetration” is the unlawful and intentional causing of a person to engage in sexual intercourse, cunnilingus, fellatio, or anal intercourse or the causing of penetration, to any extent and with any object, or the genital or anal openings of another, whether or not there is any emission.

- Criminal sexual penetration is a felony crime; the degree of the felony (first degree through fourth degree) depends on the age of the victim and the force or coercion used by the perpetrator.
- “Force or coercion” is defined in NMSA 1978, § 30-9-10(A) and means:
- the use of physical force or physical violence;
- the use of threats to use physical force or violence against the victim or another;
- the use of threats, including threats of physical punishment, kidnapping, extortion, or retaliation directed against the victim or another; or
- committing a criminal sexual penetration or criminal sexual contact when the perpetrator knows or has reason to know that the victim is unconscious, asleep, or otherwise physically helpless or suffers from a mental condition that renders the victim incapable of understanding the nature or consequences of the act.

“Criminal sexual contact” is the unlawful and intentional touching of or application of force, without consent, to the unclothed intimate parts of another who has reached his eighteenth birthday, or intentionally causing another who has reached his eighteenth birthday to touch one’s intimate parts. “Intimate parts” means the primary genital area, groin, buttocks, anus, or breast.

- Criminal sexual contact is a felony crime if perpetrated by the use of force or coercion that results in personal injury to the victim, or if the perpetrator is aided or abetted by others, or when the perpetrator is armed with a deadly weapon.
- Criminal sexual contact is a misdemeanor crime when perpetrated with the use of force or coercion.

“Criminal sexual contact with a minor” is the unlawful and intentional touching of or application of force to the intimate parts of a minor or the unlawful and intentional causing of a minor to touch one’s intimate parts. “Intimate parts” means the primary genital area, groin, buttocks, anus, or breast. A “minor” is a person eighteen years of age or younger.

University of New Mexico Definition of Domestic Violence

Domestic violence.

A felony or misdemeanor crime of violence committed—

- a) By a current or former spouse or intimate partner of the victim
- b) By a person with whom the victim shares a child in common;
- c) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- d) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- e) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

State of New Mexico Definition of Domestic Violence

6.8.2 Domestic Violence – NMSA 1978, § 30-3-10, et seq., “Crimes Against Household Members Act” (includes dating violence)

Under state law, “domestic violence” is defined as felony and misdemeanor crimes under the New Mexico Crimes Against Household Members Act. Crimes included under the New Mexico Crimes Against Household Members Act are assault, aggravated assault, assault with intent to commit a violent felony, battery, and aggravated battery. A “household member” is a spouse, former spouse, parent, present or former stepparent, present or former parent-in-law, grandparent, grandparent-in-law, a co-parent of a child, or person with whom someone has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member. In addition, under the New Mexico Family Violence Protection Act, violation of a court-issued order of protection granted to protect an individual who has experienced sexual violence or domestic abuse is a misdemeanor crime.

Under the Family Violence Protection Act, “domestic abuse” is defined as “an incident of stalking or sexual assault whether committed by a household member or not” resulting in physical harm, severe emotional distress, bodily injury or assault, a threat causing imminent fear or bodily injury by any household member, criminal trespass, criminal damage to property, repeatedly driving by a residence or work place, telephone harassment, harassment, or harm or threatened harm to children.

Under the Family Violence Protection Act, “household members” include a spouse, former spouse, parent, present or former stepparent, present or former parent in-law, grandparent, grandparent-in-law, child, stepchild, grandchild, co-parent of a child, or a person with whom the petitioner has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member under the Act. Violation of any provision of an order of protection issued under the Family Violence Protection Act is a misdemeanor crime and constitutes contempt of court and may result in a fine or imprisonment or both.

6.8.3 Dating Violence

Under New Mexico’s Crimes Against Household Members Act, someone with whom a person has a dating or intimate relationship is considered to be a household member. Any of the felony and misdemeanor crimes enumerated as domestic violence in the Crimes Against Household Members Act are also crimes when committed against someone with whom the offender has a dating or intimate relationship.

“Domestic violence” consists of assault or battery of:

- a spouse or former spouse, or
- parent, step-parent, in-law, grandparent, grandparent-in-law, co-parent of a child, or a person with whom a person has had a continuing personal relationship.
- “continuing personal relationship” means a dating or intimate relationship.
- cohabitation is not necessary to be deemed a household member for purposes of the Crimes Against Household Members Act.

“Assault against a household member” means:

- An attempt to commit a battery against a household member; or
- Any unlawful act, threat or menacing conduct that causes a household member to reasonably believe they are in danger of receiving an immediate battery.

“Aggravated assault against a household member” means:

- Unlawfully assaulting or striking a household member with a deadly weapon; or
- Willfully and intentionally assaulting a household member with intent to commit any felony.

“Assault against a household member with intent to commit a violent felony” means any person assaulting a household member with intent to kill or commit any murder, mayhem, criminal sexual penetration in the first, second, or third degree, robbery, kidnapping, false imprisonment, or burglary.

“Battery against a household member” consists of the unlawful, intentional touching or application of force against a household member when done in a rude, insolent, or angry manner.

“Aggravated battery against a household member” consists of the unlawful touching or application of force against a household member with intent to injure that person or another.

University of New Mexico Definition of Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—

- A. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- B. Dating violence does not include acts covered under the definition of domestic violence.

State of New Mexico Definition of Dating Violence

Under New Mexico’s Crimes Against Household Members Act, someone with whom a person has a dating or intimate relationship is considered to be a household member. Any of the felony and misdemeanor crimes enumerated as domestic violence in the Crimes Against Household Members Act are also crimes when committed against someone with whom the offender has a dating or intimate relationship.

University of New Mexico Definition of Stalking

Stalking.

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily, require medical or other professional treatment or counseling.

State of New Mexico Definition of Stalking

6.8.4 Stalking – NMSA 1978, § 30-3A-1 et seq., "Harassment and Stalking Act"

Under New Mexico law, "stalking" is defined as knowingly pursuing a pattern of conduct, without lawful authority, directed at a specific individual when the person intends that the pattern of conduct would place the individual in reasonable apprehension of death, bodily harm, sexual assault, or restraint of the individual or another individual. "Aggravated stalking" consists of stalking perpetrated by a person who knowingly violates a court order, including an order of protection, or when the person possesses a deadly weapon or when the victim is under sixteen years of age.

"Harassment" means 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" means knowingly pursuing a pattern of conduct, without lawful authority, directed at a specific individual when the person intends that the pattern of conduct would place the individual in reasonable apprehension of death, bodily harm, sexual assault, confinement, or restraint of the individual or another individual. A "pattern of conduct" means two or more acts, on more than one occasion.

"Aggravated stalking" consists of stalking perpetrated by a person:

- who knowingly violates a permanent or temporary order of protection issued by a court, except that mutual violations of such orders may constitute a defense to aggravated stalking;
- in violation of a court order setting conditions of release and bond;
- when the person is in possession of a deadly weapon; or
- when the victim is less than sixteen years of age.

University of New Mexico Definition of Consent

Consent is an affirmative, informed, and conscious decision to willingly engage in mutually acceptable

sexual activity. Consent requires a clear affirmative act or statement by each participant to each sexual act in a sexual interaction. Consent demonstrates that the conduct in question is welcome or wanted. Relying solely on non-verbal communication can lead to miscommunication about one's intent. Confusion or ambiguity may arise at any time during a sexual interaction. Therefore, it is essential that each participant makes clear their willingness to continue at each progression of the sexual interaction. Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on UNM to determine if its policy has been violated. For information about incapacitation as it relates to the meaning of consent, visit UAP 2740.

State of New Mexico Definition of Consent

6.8.5 Consent: HB 151

"Affirmative consent" is the affirmative, conscious and voluntary agreement to engage in sexual activity.

HOW UNM PROTECTS YOUR CONFIDENTIALITY

Whether or not you ask to remain anonymous when reporting an incident of alleged sexual assault, domestic violence, dating violence, or stalking to a University official, a victim's personal information is always held confidential and is never published or provided in any crime statistic, crime log, or campus notification. UNM maintains as confidential any accommodations or protective measures provided to the victim of an alleged VAWA offense, to the extent that maintaining such confidentiality would not impair the ability of the University to provide accommodations or protective measures. UNM will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)). If information needs to be shared among UNM officials, it must be on a need-to-know basis and as authorized under University Administrative Policy and federal and state law.

Investigative and Disciplinary Procedures:

CEEO has the responsibility of investigating all matters of Sexual Misconduct, (including sexual harassment, domestic violence, dating violence, and stalking) for faculty, staff, and students. Through the investigative process and disciplinary process, both the complainant and the respondent have the right to have an advisor of their choice present during any institutional investigative or disciplinary proceeding. Additionally, during the investigative process and disciplinary process, the complainant and respondent in crimes of violence (including sexual violence, dating violence, domestic violence, and stalking) will be simultaneously notified, in writing, of the following:

- Notification of results of investigation and any disciplinary action
- Notification of appeal rights for both parties
- Notification of any change in results of the decision
- Notification of when the results of the investigation and any disciplinary action are final

- Notification to the next of kin, should the complainant be deceased due to result of such incident.

Per UAP 2740, both the person bringing the concern (Complainant) and the person responding to the concern (Respondent) shall be entitled to the following, (Per UAP 2740):

Complainants Shall Be Entitled:

- To be treated with respect, dignity, and sensitivity throughout the process.
- To information on obtaining orders of protection and no contact orders.
- To information on how the college will protect the confidentiality of the victim.
- To notification of available services for mental health, victim advocacy, legal assistance, and other available community resources.
- To be informed of the University's sexual violence policies and procedures.
- To written notification about their right to change academic, living, transportation, or work situations even if they do not formally report or participate in the University's investigatory or disciplinary process.
- To written notification of a student or employee's rights and options, regardless of whether the crime took place on campus or off campus.
- To a timely and thorough investigation of the allegations.
- To participate or decline to participate in the investigation or disciplinary process. However, these processes may still occur and decisions made based on the information available.
- To the same opportunity as the respondent to have others present at any meeting with University officials for support and/or consultation.
- To the same opportunity as the respondent to present and have others present evidence about alleged violations in investigatory and/or disciplinary proceedings.
- To be notified, in writing, of the outcome of any investigative, disciplinary, or appeals proceeding (victim is free to share the outcome with anyone they wish).
- To appeal the decision and sanctions determined by the investigation and/or disciplinary proceedings.
- To be protected from retaliation for their involvement in university investigatory proceedings.

Respondents Shall Be Entitled:

- To be treated with respect, dignity, and sensitivity throughout the process.
- To information on how the college will protect the confidentiality of the respondent.
- To notification of how to access all available resources (i.e., counseling services, advocacy/support).
- To be informed of the University's sexual violence policies and procedures.
- To timely written notice of all alleged violations within the complaint.
- To a timely and thorough investigation of the allegations.
- To participate or decline to participate in the investigation or disciplinary process. However, these processes may still occur and decisions made based on the information available.
- To the same opportunity as the complainant to have others present at any meeting with University officials for support and/or consultation.
- To the same opportunity as the complainant to present and have others present evidence about alleged violations in investigatory and/or disciplinary proceedings.
- To be notified, in writing of the outcome of any investigative, disciplinary, or appeals proceeding (respondent is free to share the outcome with anyone).
- To appeal the decision and sanctions determined by the investigation and/or disciplinary proceedings.
- To be protected against retaliation for their involvement in university investigatory proceedings.

UNM-Valencia will take the appropriate course of action based on the incident in question and will handle this incident in a prompt, fair, and impartial manner from the initial investigation until the conclusion of the appeals process. The preponderance of evidence standard will be utilized to decide the outcome of all administrative cases against faculty, staff and students. The investigators in CEEU, who investigate cases of sexual misconduct (including sexual harassment, sexual violence, domestic violence,

dating violence, and stalking) are trained annually, specifically in investigating Title IX matters. Those whom sanction individuals for cases of sexual misconduct (including sexual harassment, sexual violence, domestic violence, dating violence, and stalking) are trained annually, specifically in sanctioning Title IX matters. These trainings include in-person workshops, facilitated presentations, and webinars, which cover proper techniques for questioning witnesses, evaluating evidence, and basic rules for conducting investigations.

Through their investigation, if CEEO makes a determination, they will then provide the information to the appropriate areas who then handle the disciplinary/sanctioning phase of this process. UNM-Valencia Campus has the following disciplinary/sanctioning procedures for handling crimes of violence (including, sexual harassment, domestic violence, dating violence, and stalking) for faculty, staff, students, and visitors, which are as follows and described in more detail below:

- Students found responsible by CEEO will be referred to the Director of Student Services Office
- Faculty found responsible by CEEO will be referred to the UNM Provost Office
- Staff found responsible by CEEO will be referred to the Human Resources Department-

FACULTY DISCIPLINARY PROCESS

Faculty who are found to be in violation of this policy may be subject to disciplinary action as provided in the Faculty Handbook Policy C07 ("Faculty Disciplinary Policy"), which states:

1. The university encourages a supportive problem-solving approach to workplace problems, but the university recognizes that misconduct may require disciplinary action. The university normally uses progressive discipline to address possible misconduct. Progressive discipline is intended to be corrective, not punitive in nature. It is designed to provide faculty with notice of deficiencies and an opportunity to improve. However, some violations of policies and procedures, or continued negative behavior, may be of such serious nature that suspension without pay or discharge pursuant to Faculty Handbook policies may be appropriate.

2. Any member of the faculty, including any serving as an academic administrator, who violates a published university policy may be subject to warning, censure, suspension without pay, or dismissal. Teaching or research assistants in their faculty capacity are considered faculty members for purposes of this Policy.

a) "Warning" means an oral reprimand or expression of disapproval.

b) "Censure" means a written reprimand or expression of disapproval, which should include an explanation of the nature of the misconduct, and the specific action to be taken by the faculty member and/or chair to correct the problem, including mentoring, if appropriate, and a statement that further disciplinary action could occur should the problem persists.

c) "Suspension without pay" means disciplinary suspension without regular salary for a stated period of time.

d) "Dismissal" means termination of employment (see Faculty Handbook Sections B.5.3, B.6.4.3, and

B.5.4).

3. The procedures specified in this policy provide for the consideration and determination of proposed disciplinary actions against faculty members short of dismissal. Consideration and determination of disciplinary actions that may result in a proposed dismissal of a tenured faculty member, or dismissal of an untenured faculty member prior to expiration of his or her contract term, are governed by sections B.5.3, B.6.4.3, or B.5.4, respectively, of the Faculty Handbook and are not covered by these procedures. However, cases in which faculty dismissal has been considered pursuant to sections B.5.3, B.6.4.3, or B.5.4, and a lesser sanction is ultimately proposed instead by the administration, shall be handled under this policy, without duplicating steps that have already taken place. In particular, if the chair and dean conclude that suspension without pay is appropriate in a case in which dismissal was considered but rejected, the faculty member is entitled to request a peer hearing as provided below in sections 10 and 11.

4. In the case of allegations against a faculty member that appear to be within the scope of another specific University policy that has its own procedures for investigation and resolution (including but not limited to allegations of research misconduct, discrimination, or sexual harassment), the chair or dean shall forward such allegations to the appropriate person or department for handling pursuant to the applicable policy. If such a process requires the chair to make a disciplinary determination after an investigation and recommendation from another University body, this policy will be followed in determining the appropriate discipline. If the other procedure involved a hearing before a faculty committee, any factual determinations will not be subject to reconsideration by faculty peer review under this policy.

5. References to the department chair in this policy also include the program director in a non-departmentalized school or college. If allegations are made against a department chair or other administrator, the next higher academic authority shall perform the functions assigned in this Policy to the chair, and the provisions shall be modified as appropriate. Any individual(s) bringing an allegation of faculty misconduct to the chair's attention is protected by, and subject to, the University's policy on reporting misconduct (UBPPM section 2200, Whistleblower Protection and Reporting Suspected Misconduct and Retaliation).

6. In all cases other than those set forth in paragraphs 3 and 4 above, if a member of the faculty is alleged to have violated a policy of the university, the department chair shall provide the faculty member a written notice explaining the nature and specific content of the alleged violation, together with a copy of this policy, and shall discuss the alleged violation with the faculty member. The written notice shall be given to the faculty member within ninety (90) days of the chair learning of the apparent violation of policy. The faculty member may be accompanied by one person in meeting with the chair. The faculty member and the chair shall notify each other at least two working days prior to the scheduled meeting who, if anyone, will be accompanying them at the meeting. The chair should issue a written report within five (5) working days after the meeting summarizing the discussion with the faculty member, keep a copy in the faculty member's file, and send a signed copy to the faculty member. Before, during, or after the meeting, the chair may ask the faculty member to respond in writing to the notice and present any relevant written material within a reasonable time specified by the chair. Likewise, the faculty member shall be free to submit any materials reasonably desired on

his/her own volition, no later than five (5) working days after meeting with the chair unless the chair grants additional time in writing. The matter may be concluded at this point by the mutual consent of all parties.

7. The department chair or the faculty member may initiate conciliation proceedings at any time prior to the chair's decision by contacting the Ombuds Dispute Resolution Services for Faculty program as provided in Section C345 with notice to the other parties. Conciliation may be undertaken if both parties agree.

8. If a mutually agreeable resolution (with or without conciliation) is not achieved, the department chair shall make a decision in the matter and communicate it to the faculty member in writing within ten (10) working days after meeting with the faculty member or the termination of conciliation efforts if they are unsuccessful, whichever is later. The faculty member shall have ten (10) working days from receipt of the written decision to submit a written request for review by the appropriate dean, who will issue a written decision concerning whether the chair's decision is upheld, modified or reversed. Prior to making a decision, the dean shall meet with the department chair and the faculty member, and their representatives if desired, together or separately, and shall receive and consider any documents the parties wish to submit. Documents shall be submitted within five (5) working days of the faculty member's request for review. If formal conciliation has not been attempted previously, the dean may refer the matter to Ombuds Dispute Resolution Services for Faculty. The dean will communicate his/her decision to the parties in writing within ten (10) working days after meeting with the faculty member or the termination of conciliation efforts if they are unsuccessful, whichever is later.

9. If the faculty member does not agree with the dean's action, he/she may submit a written request for review by the Provost or Chancellor within five (5) working days of receipt of the dean's decision. The Provost/Chancellor will decide the matter on the record unless he/she determines that it would be helpful to meet with the parties, together or separately. Within ten (10) working days after receipt of the complete record or after meeting with the parties, whichever is later, the Provost/Chancellor shall uphold, modify or reverse the dean's decision by written notice to the parties. The Provost/Chancellor may seek an advisory investigation and opinion from the Faculty Ethics Committee. The decision of the Provost/Chancellor is subject to discretionary review by the President or Board of Regents if requested by the faculty member.

10. If the chair, after meeting with the faculty member and considering all materials submitted pursuant to section 6, proposes to suspend the faculty member without pay, the chair shall meet with the dean to review the matter. If the proposal is supported by the dean after meeting with the chair and the faculty member, the faculty member is entitled to a faculty peer hearing. The faculty member shall send such a request to the Provost/Chancellor within five (5) working days of receipt of the dean's determination.

11. If a faculty peer hearing is requested as provided in this Policy, the chair of the Faculty Ethics Committee will arrange for a hearing before two members of that committee from outside the faculty member's department, chosen by the Faculty Ethics Committee, and one uninvolved department chair from a different school or college chosen by the Provost/Chancellor. The hearing will be held as soon as reasonably possible and shall be conducted according to the university's Dispute Resolution Hearing

Procedures. The University Secretary's office shall make arrangements for the hearing. Hearings shall be recorded and shall be private unless both parties agree that the hearing be open. The hearing panel may uphold or reverse the proposal to suspend the faculty member without pay. If the panel's decision is to reverse the proposal, the panel may direct the chair and dean to impose a lesser disciplinary measure. The panel's decision may be reviewed on the record by the Provost/Chancellor, but the panel's decision shall not be reversed or modified except in the case of clear error, which shall be detailed in writing by the Provost/Chancellor. The decision of the Provost/Chancellor is subject to discretionary review by the President or Board of Regents if requested by the faculty member.

12. The faculty member may bring a complaint before the Committee on Academic Freedom and Tenure (AF&T) if he/she believes the matter or its handling is within the jurisdiction of the Committee. The Committee will determine whether the matter is within its jurisdiction and, if so, shall handle the matter under the Policy on Academic Freedom and Tenure. Normally, review by the AF&T Committee should be sought after the determination by the Provost/Chancellor. If the faculty member pursues the matter before the AF&T Committee, AF&T shall accept the facts as determined by the faculty peer hearing, if one was held.

13. If the final determination is that no misconduct occurred, efforts shall be undertaken to the extent possible and appropriate to fully protect, restore, or maintain the reputation of the faculty member.

14. These procedures do not supersede Appendix VIII to Part B of the Faculty Handbook, concerning the Faculty Ethics Committee, and a faculty member who believes that he/she has been improperly accused of unethical behavior may bring the matter to the attention of the Ethics Committee under Appendix VIII after determination by the Provost/Chancellor.

Staff who are found to be in violation of this policy may be subject to disciplinary action as provided in UAP 3215 ("Performance Management"), which states:

EMPLOYEE DISCIPLINARY PROCESS

Employees play a valuable and critical role in helping the University fulfill its mission. Supervisors have a responsibility to train and support each employee in understanding job requirements, and to assist employees in improving performance and addressing issues negatively affecting the workplace. Employees should be treated with dignity and respect. In turn, providing quality programs and services requires cooperation by employees, and adherence to established policies, procedures, regulations, practices, and high standards of job performance. In an effort to maximize the contribution of every employee, the university has adopted this policy on performance management.

The university encourages a supportive problem solving approach to performance problems, but the university recognizes that misconduct, violation of policies and procedures, and continued performance problems may require disciplinary action. The university normally uses the progressive discipline process described in Section 4, herein, to address misconduct and continued performance problems. Progressive discipline is intended to be corrective, not punitive in nature. It is designed to provide employees with notice of deficiencies and an opportunity to improve. However, some violations of

policies and procedures, or continued negative behavior or performance may be of such serious nature that immediate suspension or discharge may be appropriate. The university retains the right, in accordance with applicable federal and state laws, and Regents' policies, to determine the methods, means, and personnel required to maintain efficient operations. This includes the right to hire, promote, transfer, assign, and retain staff employees in positions within the university.

For purposes of this policy "employees" include regular staff, contract, and term employees. Individuals specifically appointed as faculty; undergraduate, and graduate student employees, including Medical School house officers; and independent contractors are not subject to this policy.

2. Employee Responsibilities and Rights

Employees are responsible for following established university policies, procedures, regulations, and practices. They shall work in an efficient, competent, and cooperative manner and fulfill their job requirements. An employee's right with respect to disciplinary actions and discharge differ for the various classifications as described below. Employees who disagree with any disciplinary action taken may seek resolution under the "Dispute Resolution Policy" Policy 3220, UBP or the appropriate collective bargaining agreement.

2.1. Temporary and On-Call Employees

Temporary and on-call employees may be released from employment with or without cause.

2.2. Probationary Employees

Probationary employees are those employees who have not completed the appropriate probationary period as defined in "Recruitment and Hiring" Policy 3210, UBP or the appropriate collective bargaining agreements. Probationary periods will only be extended in accordance with Section 7 of Recruitment and Hiring" Policy 3210, UBP. All extensions must be approved by the Vice President for Human Resources.

Probationary employees may be separated from employment with or without cause. However, supervisors should make reasonable efforts to train and work with probationary employees to achieve satisfactory performance. Refer to "Separation of Employment" Policy 3225, UBP for notice requirements.

2.3. Post-Probationary Employees

Post-probationary employees are those employees who have completed the appropriate probationary period. Post-probationary employees may be suspended or discharged only for proper/just cause (discussed in Section 5. herein). Supervisors should normally use progressive discipline, when appropriate, to resolve disciplinary problems involving post-probationary employees. Progressive discipline is discussed in Section 4, herein.

2.3.1. Employees Hired on a Term Appointment

Certain employees hired into a position that is designated to run for a defined period of time are employed at the university under a term appointment agreement. Post-probationary employees hired

on a term appointment may be suspended or discharged only for proper/just cause (discussed in Section 5. herein) during the term appointment. However, the individual's employment will end as of the specified date, unless the supervisor notifies the employee that the appointment will be extended. Separation at the end of the original or extended term end appointment shall not constitute discharge and does not require proper/just cause.

2.4. Contract Employees

Contract employees are administrators designated by the President, who are hired on periodic employment contracts. Contract employees may be suspended or discharged only for proper/just cause (discussed in Section 5. herein) during the contract period; however, the university has the right not to renew these contracts when they expire. Terms, conditions, and notification requirements for employees hired under contract are described in "Contract Employees" Policy 3240, UBP. During the term of the contract, supervisors should normally use progressive discipline when resolving disciplinary problems involving contract employees. Progressive discipline is discussed in Section 4, herein. Separation at the end of the original or extended contract period shall not constitute discharge and does not require proper/just cause.

3. Supervisor Responsibilities

Supervisors should seek to achieve a productive, effective work environment by ensuring that each employee's job performance meets expectations. Supervisors should make appropriate efforts to ensure that employees understand job requirements and expectations, and supervisors should address problems that may impact on performance in a timely, constructive, and corrective manner.

The university does not condone poor performance; however, it recognizes that good "coaching" can correct many performance deficiencies. Good performance management requires continuous improvement feedback to employees. Supervisors should evaluate performance, identify shortcomings, and plan training needed to correct any weaknesses.

Supervisors should use a problem-solving approach to resolve performance problems and other issues negatively affecting the workplace. When an employee is not suited to a specific position, a supervisor may wish to consider a lateral transfer to a different position, which may be better suited to the employee. A lateral transfer may be appropriate when there is a comparable position open within the department and such a transfer is reasonably predicted to result in improved performance. In cases of poor performance where an employee performed satisfactorily in a lower level position, a demotion may be appropriate if there is a lower level position open in the department. Since a demotion results in a salary reduction, this can only be done with the employee's agreement. All demotions must be approved, in advance, by the Vice President for Human Resources.

In dealing with performance problems, supervisors are encouraged to seek assistance from the assigned Human Resources Consultant in the Division of Human Resources before beginning the disciplinary process. Following is a list of additional resources which can be used, as appropriate:

their superiors (especially their chair, dean, or director);
the University Office of Ombuds/Dispute Resolution (DR) Services (refer to "Dispute Resolution Policy" Policy 3220, UBP);
the university Counseling, Assistance, and Referral Service (CARS);

the Employee and Organizational Development Department in the Division of Human Resources; or the university Office of Equal Opportunity.

When performance problems continue or employee misconduct is of a serious nature requiring discipline, the actions described in Section 4, herein, may be appropriate. The objective of the following corrective actions is to seek to return the employee to positive productive performance.

4. Progressive Discipline

The University of New Mexico uses progressive discipline for post-probationary regular, term, or contract employees when appropriate. Progressive discipline is designed to allow an employee a reasonable opportunity to meet the requirements of the job, comply with university policies, procedures, practices, and regulations, and allow the employee an opportunity to improve performance.

Progressive discipline may not be appropriate in all instances; such as when health or safety is at risk or a crime has been committed, and is not a bar to a supervisor imposing stronger discipline with the approval of the Vice President for Human Resources, depending on the individual circumstances. Some violations (listed in Section 5.) could be of such a serious nature that disciplinary action could lead directly to suspension or discharge with the approval of the Vice President for Human Resources.

Progressive discipline actions include the use of oral warnings, written warnings, suspensions, and/or discharge. Discipline should be administered equitably, consistently, and progressively. Depending on the nature of the performance problem, misconduct, or violation of policy, a supervisor may start progressive discipline at any appropriate point in the process. The following sections describe in detail the actions used in progressive discipline.

4.1. Oral Warning

The primary objective of oral warning(s) should be to advise the employee that there is a performance problem or the employee has violated policies or procedures and to tell the employee what he or she can do to restore satisfactory performance. It is expected that such discussions will result in improved performance. The supervisor should advise the employee:

- of the nature of the problem and allow the employee to explain any reason for the problem and suggest ways to correct the situation;
- of the policies or rules violated (if any);
- of the specific actions to be taken by the employee and/or supervisor to correct the problem, including specific time frames, if appropriate;
- that further disciplinary action will occur should the problem persist; and
- that disciplinary action may be disputed according to the provisions of "Dispute Resolution Policy" Policy 3220, UBP or the appropriate collective bargaining agreement.

The supervisor must make it clear to the employee that this is an "oral warning." An oral warning is not documented in the employee's official personnel file, maintained by the Division of Human Resources. However, the supervisor shall maintain a record of any oral warnings given which should be referred to in any further disciplinary action taken.

4.2. Written Warning

A written warning provides the employee with a written explanation of the events leading to the warning, an explanation of any applicable rules, and any subsequent information that can help the employee improve the identified performance problem. The supervisor must make it clear to the employee that this is a "written warning" and that if the employee does not improve performance to a satisfactory level within the time frames listed more serious disciplinary action will take place. A written warning is documented in the employee's official personnel file maintained by the Division of Human Resources. The written warning should include:

- the nature of the problem, including reference to any earlier oral warning(s);
- the policies or rules violated (if any);
- the specific action to be taken by the employee and/or supervisor to correct the problem, including specific time frames, if appropriate;
- a statement that further disciplinary action, up to and including discharge, could occur should the problem persist; and
- a statement that disciplinary action may be disputed according to the provisions of "Dispute Resolution Policy" Policy 3220, UBP or the appropriate collective bargaining agreement.

Since the purpose of discipline is to help employees correct problems, when an employee has corrected a problem and the supervisor is satisfied that it will not reoccur, subsequent performance evaluations should reflect the improved performance. After an employee has received at least three (3) positive evaluations, an employee may petition his or her dean or director to have the written warning removed from the employee's official personnel file.

4.3. Suspension

A suspension is a temporary involuntary separation of employment, without pay, for performance problems that have not been satisfactorily corrected through the use of oral and written warnings or for misconduct or serious violation of policy or procedure. Suspensions range from one (1) work day up to thirty (30) work days, depending on the seriousness of the problem. The supervisor must comply with the notice requirements listed in Section 6, herein, and should inform the employee in writing that the suspension is a disciplinary action and that discharge could occur should the problem persist. A suspension requires approval, in advance, of the cognizant dean or director and the Vice President for Human Resources.

4.4. Discharge

A discharge is a permanent involuntary separation of employment from the University for Disciplinary Reasons. Discharges must be approved, in advance, by the cognizant dean or director and the Vice President for Human Resources. The supervisor must comply with the notice requirements listed in Section 6, herein.

5. Proper/Just Cause

Proper/just cause is any behavior significant or substantial in nature relating to the employee's work

that is inconsistent with the employee's obligation to the university. A list of examples that constitute proper/just cause is shown below for guidance only, and is not considered as an all-inclusive list.

- Assault or battery on another person.
- Conviction of a felony or misdemeanor where the provisions of the Criminal Offender Employment Act apply, depending on the nature of the offense and the type of position.
- Creating a hostile working environment.
- Discrimination, including sexual harassment.
- Falsification (deliberate) or omission of information on employment applications or resumes, time cards/records, or other university records.
- Illegal drugs and alcohol - violation of the university's "Policy on Illegal Drugs and Alcohol."
- Incompetence.
- Inefficiency.
- Insubordination.
- Intoxication on the job.
- Misappropriation or personal use of university funds, property, possessions, or resources.
- Misconduct.
- Negligence.
- Performance which continues to be inadequate after reasonable time has been allowed to correct it.
- Possession of or distribution of obscene or pornographic material unrelated to business needs or university research.
- Theft or fraud.
- Uncooperative behavior.
- Confidentiality – violation of confidentiality or the release of confidential information.
- Violation of university policies.

6. Notice Requirements

6.1. Notice of Contemplated Action

To initiate a suspension or discharge of a post-probationary regular, term, or contract employee, the dean, director, or department head must serve the employee with written notice of the contemplated action. Suspensions and discharges require approval of the cognizant dean or director and the Vice President for Human Resources prior to issuing a Notice of Contemplated Action. This notice must include all the following points:

- Cite the acts which the supervisor believes may constitute proper/just cause. These may be any one (1) or more of the acts listed in Section 5 herein.
- Give a summary of the evidence against the employee.
- Specify the contemplated action.
- State that the employee has ten (10) calendar days from receipt of the notice to respond orally or in writing to the contemplated action.

A copy of the notice will be sent to the Division of Human Resources for placement in the employee's official personnel file.

6.2. Notices

Notices shall be in writing and should be served in person, if possible. At the time of service, the employee should be asked to sign an acknowledgement of receipt. If the employee declines, the supervisor shall so note for the record. If the notice cannot be served in person, the notice may be sent by certified mail with a return receipt requested. The notice must be properly stamped and addressed to the last address provided by the employee. Service of the notice is complete when the notice is hand delivered or deposited with the United States Postal Service by certified mail with a return receipt requested.

6.3. Computation of Time

Any time period required or allowed by this policy, does not include the day of the action from which this time period begins to run. If the last day of the time period falls on a Saturday, Sunday, or holiday, the last day of the time period shall be the next working day.

6.4. Response to Notice of Contemplated Action

The employee or a representative of the employee's choosing may respond orally and/or in writing to the notice of contemplated action. Refer to the appropriate collective bargaining agreement regarding representation for employees in titles listed under labor agreements. The response is served to the supervisor who signed the notice. If the employee wishes to meet with the supervisor to respond to the notice of contemplated action, he or she must submit a written request for the meeting within five (5) work days from receipt of the notice. As stated in Section 6.1, herein, the employee must respond orally and/or in writing within ten (10) calendar days from receipt of the notice. Any extension of time must be in writing and agreed upon by both the employee and the supervisor.

A copy of the response will be sent to the Division of Human Resources for placement in the employee's official personnel file.

6.5. Notice of Final Action

After considering the employee's oral and/or written response, the supervisor shall decide on the final action and serve the employee with a written notice of final action. The notice of final action shall be within thirty (30) calendar days after receipt of the employee's response and include all the following points:

- The final action to be taken.
- The acts constituting proper/just cause, which shall only include allegations specified in the Notice of Contemplated Action.
- A summary of the evidence.
- A reply to the employee's response, if any.
- The effective date of any disciplinary action.
- A statement that the employee may request within two (2) weeks of receipt of the Notice of Final Action that the DR Coordinator review the action according to the provisions of "Dispute Resolution Policy" Policy 3220, UBP.

A copy of the notice will be sent to the Division of Human Resources for placement in the employee's official personnel file.

6.6. Pay Status

Post-probationary and contract employees will remain on paid status at all times pending completion of the disciplinary action process, with the exception of a suspension (Section 4.3. herein) approved by the Vice President for Human Resources. An employee may be placed on administrative leave with pay pending completion of the investigative or disciplinary process (for more information, refer to Section 3.7. of "Leave With Pay" Policy 3415, UBP).

7. Required Approval by the Division of Human Resources

Supervisors contemplating the suspension, demotion, or discharge of any employee, including probationary and temporary employees, must consult with the Vice President for Human Resources before taking such action. Whenever prior consultation is not practical because of reasons perceived to be of such an urgent or serious nature, the employee must be placed on administrative leave with pay until the case can be discussed with the Vice President for Human Resources.

STUDENT DISCIPLINARY PROCESS

ARTICLE 4. DISCIPLINARY PROCESS

Dean of Students Office

Student Disciplinary Procedure

Prior versions of this procedure were known as the Student Grievance Procedure. The Student Grievance Procedure was approved by the Faculty Senate on 3/10/87, ASUNM Senate on 4/1/87, GPSA Senate on 5/2/87, and by the Board of Regents on 8/11/87.

Revisions were approved by the Faculty Senate in May 1994 and by the President in May 1995. Revisions approved by the President: March 5, 1999; June 19, 2001; July 2, 2013; May 13, 2014; May 21, 2015; January 13, 2016; February 24, 2021.

This Student Disciplinary Policy (SDP) applies to all student conduct matters occurring on or after February 24, 2021.

Any student conduct matters occurring prior to February 24, 2021, will be addressed with a previous applicable version of the Student Grievance Procedure (SGP). Please contact the Dean of Students Office for an archived version of this procedure.

Subject to Change Without Notice

I. Introduction

The Dean of Students Office Student Disciplinary Procedure is intended to provide University of New Mexico ("University" or "UNM") procedures for handling student disciplinary matters. The Dean of Students Office is the office responsible for the administration of these procedures and has primary authority with student disciplinary matters on UNM's main campus. These procedures are created and administered in accordance with Faculty Handbook Policies D175: Student Conduct and Grievance

Procedures and D176: Graduate Student Grievance Procedures and the Student Code of Conduct. Faculty Handbook Policies D175 and D176 are in effect and should be reviewed in conjunction with these procedures: <https://handbook.unm.edu/section-d/>. Any question regarding these procedures should be directed to the Dean of Students Office.

II. Jurisdiction

The Director of Student Services and/or Dean of Students Office may take disciplinary action against a student for a violation of the Student Code of Conduct when the offense occurs on UNM-Valencia premises or at a UNM-Valencia-sponsored event, or when the violation occurs off campus and failure to take disciplinary action is likely to disrupt the academic process or other campus functions or endanger the health, safety or welfare of the UNM-Valencia community or any individual Student or employee.

Student grievances or disciplinary matters arising in UNM Health Science Center (“HSC”) programs shall be handled under the procedures in effect for that HSC program.

Student grievance or disciplinary matters arising in the UNM School of Law shall be handled under the procedures in effect for the School of Law. The School of Law may refer the matter to the Dean of Students Office and handled pursuant to these procedures if approved by the Dean of Students.

Branch campuses shall follow this Student Disciplinary Procedure, as modified to identify the decision-makers at their respective campus or program. HSC departments or the School of Law may elect to follow this Student Disciplinary Procedure, as modified to identify the decision-makers at their respective campus or program.

At times, the Dean of Students Office may review allegations of Student Code of Conduct violations at the same time as another department (ex: Office of Compliance, Ethics and Equal Opportunity “CEEEO” or Residence Life & Student Housing) is reviewing the allegations for violations of another University policy.

The Student disciplinary process is entirely separate from criminal or civil litigation. Legal outcomes do not affect the Student disciplinary process, nor will pending criminal or civil litigation stop or delay the Student disciplinary process. As such, the Dean of Students Office may proceed with the Student disciplinary process before, during, or after any legal proceedings related to the allegations of Code of Conduct violations.

III. Definitions

For purposes of these procedures, the following definitions shall apply.

Student: includes all persons currently enrolled both full-time and part-time while pursuing undergraduate, graduate or professional studies at the University, whether full-time, part-time, non-degree, credit or no credit, or online-only; those who withdraw or graduate after allegedly violating the Student Code of Conduct or other University policy; those who were previously enrolled as Students but are not officially enrolled for a particular term yet have a continuing relationship with the University; and those who have been notified of their acceptance for admission. For purposes of these procedures, Student may also mean Student Organization.

Student Organization: means any number of persons or entities who have associated as a group and complied with the University’s formal chartering requirements for recognition as a chartered Student Organization.

Student Organization Activity: means any activity on or off campus which is group sponsored, initiated, financed, advertised or attended by a significant portion of the members.

Complainant: refers to the person or persons filing a complaint about Student misconduct. Complainant may refer to the University, where the University itself pursues an alleged violation of the Student Code of Conduct or other University policy against a Student.

Respondent: refers to the Student or Student Organization who is responding to allegations of violating the Student Code of Conduct.

Witness: means any person who may have direct or indirect knowledge of the alleged incident or Evidence.

Good Cause: means adequate or substantial grounds or reason to take a certain action. Good Cause may be specifically defined or limited as noted herein.

Evidence: consists of, but is not limited to, eyewitness statements, photos, video, security video, audio recordings, social media, emails, texts, cellular records, police reports and any other information that would assist the Hearing Officer in making a finding.

Advisor: means an individual whose role is to provide the Complainant or Respondent support or counsel regarding the disciplinary process, subject to limitations as noted herein. The role of an Advisor under these procedures may differ from the role of an Advisor under procedures of other offices.

Hearing Officer: means a University Official authorized by the Dean of Students to facilitate Student conduct hearings and determine whether a Student or Student Organization has violated the Student Code of Conduct or other University policy. The Hearing Officer may or may not be the Student Conduct Officer or Administrative Hearing Officer.

Student Conduct Officer: means the staff person(s) in the Dean of Students Office with authority to facilitate Student conduct hearings and determine whether a Student or Student Organization has violated the Student Code of Conduct or other University policy. The Student Conduct Officer has authority to impose sanctions when violation has been substantiated by a preponderance of the Evidence and to issue interim or supportive measures when necessary. For purposes of these procedures, the Student Conduct Officer may also mean the Associate Conduct Officer.

Administrative Hearing Officer: means the staff person(s) serving as an independent officer under the supervision of the President with authority to adjudicate cases related to personnel issues, Student conduct violations, allegations of discrimination, Title IX violations, and other related matters.

University Official: includes any person employed by the University performing assigned administrative or professional responsibilities.

IV. Provisions Governing This Procedure

The following provisions govern the disciplinary process and apply to all matters referenced herein.

A. Evidence

The standard of proof utilized to resolve alleged violations of the Student Code of Conduct shall be that of preponderance of the Evidence, meaning that the Evidence, considered in its entirety, indicates that, more likely than not, the Respondent violated the Code of Conduct or University policy.

The formal rules of process, procedure and Evidence used by the legal system in civil or criminal trials do not apply to the University disciplinary process. Hearsay is admissible as Evidence in the University disciplinary process.

B. Email As Official Communication

The Dean of Students Office sends official notifications and other documentation or communication to Students via email to University email addresses. All correspondence sent from the Dean of Students Office by email is considered received by the Student on the date the email is sent. Students are responsible for these correspondences and any deadlines communicated therein regardless of whether they opened or read the email correspondence that was received. If the Student does not have access to a University email address (for example as a newly admitted Student), the Dean of Students Office will communicate via the email or mailing address otherwise provided to the University. See University Administrative Policy 2540: Student Email for Student responsibilities regarding email accounts.

C. Deadlines

Any University Official referenced in this procedure may set deadlines by which parties are required to respond to correspondence, meet with the University Official, or complete a sanction requirement. University Officials should set deadlines to ensure that a decision is rendered within sixty (60) days of a complaint being received by the Dean of Students Office. If a deadline has passed with no response from the party, the party has waived their right to respond or participate and the University Official shall proceed with the process without the response or participation.

Extensions of deadlines may be granted for Good Cause at the discretion of the University Official. Extension requests must be received prior to the deadline in order to be considered.

D. Role of Advisors

The Respondent and Complainant may be accompanied by one (1) Advisor at any meeting or hearing regarding the disciplinary process. The Advisor may be family, friend, or other personal or professional connection providing support or counsel to the Student during the disciplinary process. The Advisor may also be an attorney retained by a party at the party's own expense, but is not required to be. The Advisor, including an attorney Advisor if applicable, cannot act as a representative of the party, cannot have a voice in meetings or hearings and therefore is not permitted to present arguments or Evidence or otherwise participate directly in meetings or hearings. The Advisor must act in decorum at all times; this is, they must not object, raise their voice, argue, or seek to intimidate the University Official. The Advisor may not serve in a dual role as a Witness in any investigation or hearing.

The Student must provide the University Official conducting the meeting or hearing notice of the name of the Advisor and whether the Advisor is an attorney at least two (2) days prior to the meeting or hearing. A Student may not bring an Advisor without such prior notification. The University Official is not required to extend a deadline or reschedule a meeting or hearing because the Student did not provide such notification.

The Student, not the Advisor, is responsible for scheduling a meeting or hearing with the University Official. Reasonable efforts will be made to schedule meetings and hearings to include the Advisor, but the scheduling of meetings or hearings shall not be delayed due to the unavailability of an Advisor.

The Advisor must comply with the limitations set forth in this procedure. Should the Advisor act in noncompliance with this procedure as determined by the University Official conducting the meeting or hearing, the Advisor will first receive a warning that future acts of noncompliance will lead to their removal from the meeting or hearing. Upon any additional acts of noncompliance as determined by the University Official conducting the meeting or hearing, the University Official may direct the removal of the Advisor from the meeting or hearing. In such instances, the University Official may but is not required to reschedule the meeting or hearing to accommodate the presence of the Advisor.

E. Reasonable Accommodations for Documented Disabilities

The Dean of Students may consider exceptions to any portion of these procedures on a case-by-case basis for a reasonable accommodation for a documented disability or serious medical condition. Students who need an accommodation for the disciplinary process should contact the Accessibility Resource Center (arc.unm.edu). The Accessibility Resource Center works with Students to develop reasonable accommodations and verify accommodation needs.

F. Designees

Whenever these procedures specify a University Official by title, the University Official may designate someone to consider and/or decide the matter. A designee may only be appointed by a Dean, Vice President (“VP”) or Senior Level Administrator. Such designee will normally be, but is not required to be, a member of the decision-maker's staff.

G. Former Students

If the Respondent has left the UNM-Valencia community by graduation or otherwise, these procedures shall continue to apply so long as the event giving rise to the dispute occurred while the Student was a member of the UNM-Valencia community and so long as UNM has the power to resolve the matter.

H. Conflict of Interest

The University Official deciding a matter shall not have a conflict of interest or bias with respect to the matter to be heard such that they cannot hear the matter fairly and impartially. Prior knowledge of the parties in the case or the conduct that is subject of the case does not constitute a conflict or bias. Prior decision-making regarding either party or prior sanctioning of either party does not constitute a conflict or bias. Allegations that a decision-maker has a conflict of interest or bias shall be reviewed by the Dean of Students, whose decision is final.

I. Calculation of Time and Time Limits

Unless otherwise specified herein, the term “days” refers to regularly recognized University business days and does not include weekends, holidays, or other University closures. For Good Cause, the University Official may extend any time limit set forth in this procedure. Good Cause includes but is not limited to the fact that a deadline falls during finals week or during a period such as vacations, holidays, intercessions, or summer session.

J. Use of Technology

Any meeting or hearing referenced herein may be conducted by telephone or videoconference technology where parties may be in separate rooms or locations. During a videoconference hearing, all participants, including but not limited to the Respondent, Complainant, Hearing Officer, and Advisors, must be able to both see and hear one another at all times, unless granted an exemption by the Hearing Officer for Good Cause. Good Cause may include inability to access videoconference due to unavailability of internet or technology.

K. Deviations from Procedures

Reasonable deviations from these procedures by UNM will not invalidate a decision or proceeding unless significant prejudice results.

V. Student Rights

Students participating in the disciplinary process as described in these procedures have the following rights:

- The Respondent has the right to written notice of the charges at issue in the proceeding that contains sufficient detail and time to prepare for a hearing.
- The Respondent has the right to a timely hearing before an appropriate official or committee.
- The Respondent has the right to know the nature and source of the Evidence used in a hearing process. Both parties may have access to the Evidence, upon request.
- Both parties have the right to present Evidence on their own behalf.
- Both parties have the right to choose not to testify and/or not to answer questions; in such cases, the decision-maker will decide the allegations based upon all the Evidence presented.
- Both parties have the right to be accompanied by an Advisor.
- The Complainant has the right to submit a victim impact statement during the sanctioning portion of the discipline process.
- The Complainant has the right to have past irrelevant behavior excluded from the discipline process.
- Both parties have the right to be free from retaliation for having made an allegation of misconduct or having participated in an area covered by this procedure. See University Administrative Policy 2200: Reporting Suspected Misconduct and Whistleblower Protection from Retaliation.

VI. Reporting Alleged Misconduct

All members of the University community are encouraged to contact the Student Conduct Officer within the Dean of Students Office if they observe, experience, or encounter Student conduct they suspect may violate the Student Code of Conduct or other University policy.

Reports of alleged Student misconduct may be submitted in writing such as through email or by telephone, videoconference or in person through meeting with the Student Conduct Officer. Reports of alleged misconduct should be submitted as soon as possible after the event takes place, preferably

within sixty (60) days. Absent Good Cause, reports must be submitted within one year following discovery of the suspected misconduct.

Reports of alleged Student misconduct may be submitted anonymously via the University's Compliance Hotline, Ethicspoint at unm.ethicspoint.com or 1-888-899-6092.

Reports of alleged Student misconduct specific to hazing may be submitted online at the Dean of Students Office website. Hazing Report Form

VII. Interim And Supportive Measures

In certain circumstances, the University may issue interim or supportive measures upon notification of alleged Student misconduct. Interim and supportive measures are not sanctions and do not replace the Student disciplinary process. Rather, they are issued while the investigation or disciplinary process is proceeding. The University Official will assess the specific situation and the severity of the allegations to determine the appropriate interim or supportive measures to implement pending the outcome of the disciplinary process.

In matters involving Title IX, the University Official shall consult with the Title IX Coordinator before issuing any supportive measure.

Interim or supportive measures include, but are not limited to:

A. Interim Registration Hold

A registration hold is placed to prevent a Student from registering for classes.

Interim registration holds may be placed at the discretion of the Student Conduct Officer when a Student fails to meet regarding the disciplinary process by the required deadline. The interim registration hold will be lifted after the Student meets with the Student Conduct Officer.

B. Interim Transcript Hold

A transcript hold is placed to prevent a Student from receiving an official copy of their transcript.

Interim transcript holds may be placed at the discretion of the Student Conduct Officer where a Student is facing serious allegations of misconduct that, if substantiated by a preponderance of the Evidence, would likely result in a Suspension or Expulsion from the University. The interim transcript hold will be lifted after the Student either is found not responsible for the allegations or, if responsible, after the sanctioning process has been completed and all appellate avenues exhausted.

C. Interim Restriction of Student Organization Social Events

An interim restriction of Student Organization social events is a temporary restriction of social gatherings. The restrictions may include but are not limited to formals, dinners, mixers, other social events, any activity involving alcohol, and some philanthropic events.

An interim restriction of Student Organization social events may be placed at the discretion of the Student Conduct Officer where a Student Organization is facing allegations related to drugs and/or alcohol; alleged violations that occurred at a social gathering; or alleged violations of the Fraternity and Sorority Risk Management Procedures.

D. Interim Suspension of Student Organization Activity

An interim suspension of Student Organization Activity is a temporary suspension of all or some Student Organization activities and/or a temporary suspension of the Student Organization charter. Interim suspension terms may include but are not limited to suspending meetings, practices, games, philanthropic events, recruitment and social gatherings.

The Dean of Students has designated the Student Conduct Officer to issue interim suspensions of Student Organization Activity. Interim suspensions of Student Organization Activity may be issued if the Student Conduct Officer determines, based on the seriousness of the allegations, that the organization's continued presence on the campus may endanger persons or property or may threaten disruption of the academic process or other campus functions.

Interim suspensions of Student Organization Activity may be appealed to the Dean of Students. The Student Organization President, or designee, may request an appeal meeting with the Dean of Students. This appeal meeting shall be held as soon as possible after the request but no later than five (5) days after the request. The Dean of Students shall give the Student Organization an opportunity to explain their position and present Evidence.

After the meeting, if the Dean finds that the Student Organization's continued presence may endanger persons or property or threaten disruption of the academic process or other campus functions, the Dean shall uphold the interim suspension. The Dean may also revoke or modify the terms of the interim suspension.

E. Interim Ban from Campus

An interim ban from campus means being temporarily barred from all or designated portions of the University property or activities.

The Dean of Students has designated the Student Conduct Officer to issue interim bans. Interim bans from campus may be issued if the Student Conduct Officer determines, based on the seriousness of the allegations, that the Student's continued presence on the campus may endanger persons or property or may threaten disruption of the academic process or other campus functions. The Student Conduct Officer will conduct an individual risk assessment prior to issuing an interim ban.

Interim bans from campus may be appealed to the Dean of Students. The Student may request an appeal meeting with the Dean of Students. This appeal meeting shall be held as soon as possible after the request but no later than five (5) days after the request. The Dean of Students shall give the Student an opportunity to explain their position and present Evidence.

After the meeting, if the Dean finds that the Student's continued presence may endanger persons or property or threaten disruption of the academic process or other campus functions, the Dean shall uphold the interim ban. The Dean may also revoke or modify the terms of the interim ban.

The Student Conduct Officer and Dean of Students may consult with the University's Threat Assessment Team, Title IX Coordinator, UNM/UNMV Police, and/or any other appropriate University Official in decision-making regarding interim bans from campus.

F. No Contact Directive

A No Contact Directive is a means of preventing unwanted contact and communication and serves as a way to help prevent harassment and/or retaliation or other learning environment disruptions within the University setting. In an effort to support Students at the University of New Mexico, the Student

Conduct Officer has the authority to issue and enforce No Contact Directives to a Student affiliated with the University of New Mexico.

A No Contact Directive is not a disciplinary action and is not indicative of a Code of Conduct or University policy violation for either party of the directive. Violations of a No Contact Directive involving a Student will be addressed as a disciplinary matter and allegations regarding Student violations will be resolved through the Student Code of Conduct pursuant to these disciplinary procedures.

The Student Conduct Officer will work with the appropriate University Officials at the Health Sciences Center colleges, School of Law, and branch campuses in requests involving Students in these programs. Typically, No Contact Directives are issued between two or more Students. In some cases, the Dean of Students Office may issue a No Contact Directive to a Student where another office on campus, such as Human Resources and/or the Provost's Office, issues a No Contact Directive to a staff or faculty members. For more information about No Contact Directives, please see the Dean of Students, No Contact Directive FAQ.

VIII. Pre-Hearing Process

Following receipt of a report or complaint, the Student Conduct Officer shall assess whether the allegations are jurisdictional to the Dean of Students Office.

The Student Conduct Officer may perform a preliminary investigation regarding the allegations. A preliminary investigation may be performed to aid the Student Conduct Officer in determining jurisdiction, assessing what sections of the Code of Conduct the Respondent is alleged to have violated, gathering Evidence, or for other Good Cause.

If the allegations are jurisdictional to the Dean of Students Office, the Student Conduct Officer shall provide notice of the allegations to the Student and either propose resolving the situation with the non-disciplinary Restorative Resolutions Process or send Notice of Allegations and Investigation to the Respondent to initiate the disciplinary process.

A decision, in most cases, will be rendered within sixty (60) days of the filing of a complaint. This date can be modified at the discretion of the Dean of Students Office if deemed necessary, such as to conduct a hearing that protects the rights of all parties.

A. Restorative Resolutions Process

The Student Conduct Officer may propose resolving allegations against a Respondent through a non-disciplinary Restorative Resolution Process. Additionally, with approval from the Student Conduct Officer, other entities on campus may refer Students to the Dean of Students Office Restorative Resolution Process.

Under a Restorative Resolutions Process, a Student may bypass formal investigation and disciplinary action when their behavior may violate the Student Code of Conduct or other University policy. Examples of Restorative Resolution Processes may include but are not limited to conflict coaching, mediation, and restorative justice.

The use of the Restorative Resolution Process as an appropriate method of resolution requires the recommendation of the Student Conduct Officer, based on the facts and circumstances of the case as well as staffing and other business needs. The nature of some situations, such as those involving power imbalances, serious violence, or repeated problematic behavior are not appropriate or permitted through the Restorative Resolution Process.

Participation in a Restorative Resolution Process must also be mutually agreed upon and voluntary for all parties and may or may not result in agreement or resolution.

If resolution is reached through a Restorative Resolution Process, the situation is considered resolved. Any agreement or resolution is binding and not subject to appeal. Failure to abide by the agreement or resolution may result in disciplinary action.

If resolution is not reached, allegations against the Respondent will be resolved through the Student Code of Conduct pursuant to these disciplinary procedures or otherwise referred to the University entity or official most appropriate to handle the matter.

B. Notice of Allegations and Investigation & Pre-Hearing Meeting

To initiate the disciplinary process and official investigation, the Student Conduct Officer shall send a Notice of Allegations and Investigation to the Respondent. The Notice of Allegations and Investigation shall contain a written summary of the allegations, what sections of the Code of Conduct the Respondent is alleged to have violated, and information for a pre-hearing meeting.

The Pre-Hearing Meeting is vital to the investigation and hearing process. During the Pre-Hearing Meeting, the Student Conduct Officer will review the allegations and the investigation and disciplinary process with the Respondent. The Student Conduct Officer will review with the Respondent the available hearing options, which are described below in section IX. The matter will proceed with an Administrative Hearing where separation from the learning environment will not be considered as a potential sanction outcome should the Respondent be found responsible for the alleged violations. The Respondent has the option to choose between Administrative or Formal Hearing if suspension, expulsion, ban from campus, or outcome which results in a significant interruption toward degree completion may be considered as a potential sanction if the Respondent were to be found responsible for the alleged violations. If the Respondent does not attend the Pre-Hearing Meeting to consult with the Student Conduct Officer regarding the hearing options or does not select a hearing preference, the Student Conduct Officer will determine which of the hearing options will be utilized to resolve the matter.

C. Outcome Agreement Conference

An Outcome Agreement Conference may be held if, after the Pre-Hearing Meeting, the Respondent does not dispute the allegations and wishes to take responsibility for violating the Student Code of Conduct.

If a Respondent wishes to hold an Outcome Agreement Conference, the Student Conduct Officer will prepare an Outcome Agreement containing the proposed findings of Code of Conduct violations and the proposed sanction outcomes. The Respondent may not present Evidence or Witnesses during the Outcome Agreement Conference. If the Respondent agrees to the terms of the Outcome Agreement, the Respondent will sign the document and will be required to complete all sanctions therein. A signed Outcome Agreement will constitute a waiver by the Respondent of the right to an Administrative or Formal Hearing as well as any appeal, and an acceptance of the findings and sanction. Failure to fulfill the terms of the Outcome Agreement may lead to additional disciplinary action for the Respondent.

If the Respondent does not agree to the terms of the Outcome Agreement, the matter will proceed with either an Administrative or Formal Hearing, in accordance with section IX below.

D. Designation to Office of Compliance, Ethics and Equal Opportunity

In matters involving allegations of Code of Conduct violations related to University Administrative Policy 2720 or University Administrative Policy 2740, the Dean of Students may designate the Office of Compliance, Ethics and Equal Opportunity to perform the Code of Conduct investigation and hearing process pursuant to the procedures adopted by their office.

E. Investigation Report

Prior to the Administrative or Formal Hearing, the Student Conduct Officer will perform an investigation and prepare an investigation report. The investigation is a neutral Evidence gathering process during which the Student Conduct Officer gathers Evidence from the Respondent; Complainant, if applicable; Witnesses; and from any other source with relevant information that the Student Conduct Officer determines may be useful or relevant to the investigation. The parties may provide the Student Conduct Officer with documentation to review and Witnesses to contact. With regards to Witnesses, the parties must provide the Student Conduct Officer with contact information and expected testimony of any Witnesses for them to be contacted. The Student Conduct Officer may decline to contact suggested Witnesses if the Student Conduct Officer determines that the expected testimony is not sufficiently relevant to the allegations, would be duplicative of other testimony, or would otherwise not be significantly helpful to the review and determination of the allegations.

At the conclusion of the investigation, the Student Conduct Officer shall draft an Investigation Report containing the Evidence gathered in the investigation.

A party may not present additional Evidence at an Administrative or Formal Hearing that they did not present to the Student Conduct Officer during the investigation. Exceptions shall be considered by the Hearing Officer for Good Cause. Good Cause is limited to (1) Evidence requested by the Hearing Officer, (2) Evidence of which the party was not previously aware, that the party could not have possibly discovered through the exercise of reasonable diligence, and the absence of which would be sufficient to materially affect the outcome of the matter, or (3) relevant Evidence submitted to rebut information in the Investigation Report, and the absence of which would be sufficient to materially affect the outcome of the matter.

The University does not have the power to compel a person's participation in the investigation or hearing process, nor does it have subpoena powers to obtain documents or other relevant Evidence. As a result, the Hearing Officer may reach a decision without the opportunity to consider a party's or Witness' testimony, or other relevant Evidence. For individuals affiliated with the University, the Student Conduct Officer and/or Hearing Officer will make reasonable attempts to secure the participation. However, a party or Witness' non-participation in the investigation or hearing will not prevent the Hearing Officer from reaching a determination in a case. The Hearing Officer shall decide the allegations based upon all the Evidence available.

IX. Hearings

The Dean of Students Office shall resolve contested allegations of Code of Conduct violations through either an Administrative or Formal Hearing process, as described below. Which hearing process will be utilized is determined via the process described in section VII (B) above.

A. Administrative Hearing

The Administrative Hearing is a hearing between the Respondent and Hearing Officer to discuss the alleged violations. The Hearing Officer for an Administrative Hearing shall be the Student Conduct Officer.

No less than five (5) days before the hearing, the Hearing Officer shall send to the Respondent the Investigation Report.

The Administrative Hearing allows the Respondent to confront the Evidence in the Investigation Report and to present arguments for consideration by the Hearing Officer. The Hearing Officer may ask the Respondent any questions deemed relevant to determining the findings and/or sanctions, if applicable.

Within three (3) weeks of the Administrative Hearing, the Hearing Officer shall send the Respondent written notice of the findings and the reasoning therefor. If the Respondent has been found responsible for violating the Student Code of Conduct, the written notice shall contain the sanctions imposed for the violation(s).

B. Formal Hearing

The Formal Hearing is a live hearing before a Hearing Officer to discuss alleged violations, present arguments, and question parties and Witnesses. In most matters, the Hearing Officer for Formal Hearings will be the University's Administrative Hearing Officer. Formal Hearings shall be recorded by the University.

No less than seven (7) days before the Formal Hearing, the Student Conduct Officer shall send the Investigation Report to all parties, including the Hearing Officer.

The Formal Hearing shall follow those procedures adopted by the Hearing Officer as modified if necessary to comply with all provisions in this procedure. The Student Conduct Officer may be called to the Hearing to attest to any questions regarding the Investigation Report.

The Hearing Officer shall determine responsibility for the alleged violations of the Student Code of Conduct. If the Respondent is found responsible for violating the Code of Conduct, the Respondent will be subject to sanctioning, pursuant to section X below.

A decision for Formal Hearings shall be issued in the manner and timeline as delineated in those procedures adopted by the Hearing Officer.

X. Sanctioning

The Student Conduct Officer shall issue a sanction in all matters where a Respondent has been found responsible for violating the Code of Conduct pursuant to these procedures. Additionally, the Student Conduct Officer shall issue a sanction in all matters properly referred to the Dean of Students Office where a Student Respondent has been found responsible for violating the University's policies on civil rights or discrimination, to include University Administrative Policy 2720 and University Administrative Policy 2740. Branch campus, HSC, and School of Law Students shall be sanctioned by the appropriate University Official as outlined in the procedures of those programs.

No sanction shall be issued in matters where a Respondent was found not responsible for violating the Code of Conduct or other University policy.

To the extent practicable, all hearing decisions where a Respondent has been found responsible for a Code of Conduct or other University policy violation should contain both a written description of the responsibility finding rationale as well as a description of the sanctions issued. This simultaneous notification of responsibility and sanction outcome may not be always be possible where the Hearing Officer is not the Student Conduct Officer

For matters where the Student Conduct Officer is not the Hearing Officer in the matter, such as in Formal Hearings or in cases decided through the Office of Compliance, Ethics and Equal Opportunity process, the Student Conduct Officer will either draft the sanction outcome for the Hearing Officer to include in the Hearing Officer's written decision or will issue a sanction within five (5) days of the issuance of the Hearing Officer's written decision. Prior to determining a sanction, the Student Conduct Officer will review the Hearing Officer's decision and rationale on responsibility as well as all Evidence in the matter. The Student Conduct Officer may sit in on the Formal Hearing to expedite this review process. Should the Student Conduct Officer be unavailable to sit in on the Formal Hearing, the Student Conduct Officer will review the hearing recording and all Evidence, or the Dean of Students may designate the Administrative Hearing Officer to determine the appropriate sanction.

In any matter where the Dean of Students designates the Administrative Hearing Officer (who is not the Student Conduct Officer) to decide the appropriate sanction, the Administrative Hearing Officer shall consult with the Student Conduct Officer prior to issuing the sanction, unless the Student Conduct Officer was found to have a conflict of interest in the matter. If such conflict of interest exists, the Administrative Hearing Officer shall consult with the Dean of Students prior to issuing the sanction.

Sanctions shall be set based upon numerous factors, including but not limited to the severity of the offense, the amount of harm created, the Student's prior disciplinary record, and sanctions imposed in recent years for similar offenses. In determining sanctions, the Student Conduct Officer should assess each case individually and use professional judgment when weighing facts as well as aggravating or mitigating factors that may exist to determine the most appropriate sanctioning for the development of the Student and the common good and safety of the University community.

In matters involving Title IX, the Student Conduct Officer shall consult with the Title IX Coordinator prior to issuing a sanction to ensure compliance with Title IX.

Sanctions for Code of Conduct violations shall not be implemented until the conclusion of the President-level appeal. Sanctions for violations of University Administrative 2720 or University Administrative Policy 2740 shall not be implemented until the exhaustion of the appellate process, including the Regents-level discretionary appeal, as described in Section XI below.

If a Student fails to timely and successfully complete a sanction requirement, they may be subject to additional disciplinary action in accordance with this procedure. A registration hold may also be placed at the discretion of the Student Conduct Officer where a Student fails to complete a sanction requirement by the deadline. In such cases, the registration hold will be lifted after the Student successfully completes the sanction requirement.

XI. Appeals

Decisions of the Student Conduct Officer regarding Code of Conduct violations or sanctions are final, unless the sanction imposed on the Respondent is suspension, expulsion or banning from campus or results in a significant interruption toward degree completion. Decisions of the Student Conduct Officer regarding discrimination claims under University Administrative Policy 2720 or University Administrative Policy 2740 may be appealed no matter the level of sanction. In cases involving discrimination that related to sexual harassment, sexual misconduct, or sexual violence, the decision may be appealed by either the Respondent or Complainant.

Below are the available appeals.

A. Appeals for Code of Conduct Violations

1. Appeal to Vice President of Student Affairs

The decision on sanctions pertaining to Respondents made by the Dean of Students Office may be appealed to the Vice President for Student Affairs. The Respondent must submit a written request for appeal to the Vice President for Student Affairs within seven (7) days of the date of the written decision from the Dean of Students.

The grounds for appeal to the Vice President of Student Affairs are that: 1) there was significant procedural error of a nature sufficient to have materially affected the outcome; 2) the decision was not in accordance with the Evidence presented; 3) there is significant new Evidence of which the appellant was not previously aware, that the appellant could not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome ; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

The Vice President for Student Affairs will send written notification of the decision to the appealing party within seven (7) days of receiving the request for appeal. A copy of the decision shall be sent to the Dean of Students Office.

2. Discretionary Appeal to President

The President has the discretionary authority to review the decision of the VP for Student Affairs. A request for a review by the President shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) days of the date of the written decision from the last reviewer.

3. Discretionary Appeal to Board of Regents

In accordance with Regent Policy 1.5, Students may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered.” A request for a review by the Board of Regents shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) days of the date of the written decision from the last reviewer.

B. Appeals for University Administrative Policy 2720 or University Administrative Policy 2740

1. Appeal to the President

The student may appeal the Hearing Officer's finding and, if applicable the Dean of Students' sanction. If a Student wishes to appeal both the Hearing Officer's determination and the imposed sanction, the appeals must be filed at the same time; separate appeals will not be permitted.

The appeal must be in writing and contain a statement specifying what action(s) is/are being appealed and the grounds for appeal. The request for appeal must be received at the Office of the President within seven (7) days of the date of the written decision from either the Hearing Officer or the Office of the Dean of Students, whichever is later.

Refer to the CEEO Discrimination Grievance Procedures for allowable grounds and procedures for appeal of the Hearing Officer's determination. Appeals of sanctions issued for violations of the University's prohibition against discrimination, including sex discrimination, sexual harassment, sexual misconduct, or sexual violence, are only permissible if the grounds for such appeal are that: 1) there was significant procedural error of a nature sufficient to have materially affected the outcome; 2) the decision was not in accordance with the Evidence presented; 3) there is significant new Evidence of which the appellant was not previously aware, that the appellant could not have possibly discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially affected the outcome ; and/or 4) the severity of the sanction is grossly disproportionate to the violation(s) committed.

The Hearing Officer's determination and/or the sanctioning decision in cases involving discrimination that are not related to sexual harassment, sexual misconduct, or sexual violence. may be appealed only by the sanctioned Student. However, the Hearing Officer's determination and/or a sanctioning decision in cases involving sexual discrimination, sexual harassment, sexual misconduct, or sexual violence may be appealed by either the sanctioned Student or Complainant.

2. Discretionary Appeal to the Board of Regents

In accordance with Regent Policy 1.5, Students affected by a decision of the administration, faculty, Student government, or hearing board may appeal the decision to the Board of Regents. The Board has discretion to determine whether the appeal will be considered. A request for a review by the Board of Regents shall be made in writing and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the President's Office within seven (7) days of the date of the written decision from the last reviewer.

XII. Student Conduct Records

Records regarding Student conduct shall be kept in the Dean of Students Office for a period of ten (10) years after final disposition, except for records of suspensions or expulsions which shall be permanently maintained. Copies of the final decision in an academic dishonesty case shall be sent to the faculty member.

Other entities on campus may hold Student conduct records in addition to the Dean of Students Office. These entities may include but are not limited to Residence Life & Student Housing, the Office of Compliance, Ethics and Equal Opportunity, HSC programs, and the School of Law.

Investigation and Disciplinary Action for Title IX Incidents (Faculty, Staff and Student Process):

- CEEO reviews report to determine jurisdiction.
- CEEO meets with reporting party (referred to as "complainant") and responding party (referred to as "respondent") to determine scope of investigation and explain procedure.
- CEEO gathers evidence from parties, analyzes to determine if it demonstrates that a violation of university policy more likely than not occurred (referred to as the "preponderance of the evidence" standard).
- CEEO issues a Preliminary Letter of Determination (PLOD) finding that there is either probable cause or no probable cause that a violation of university policy occurred.

- Complainant and respondent have two weeks to submit any new information that CEEO has not considered or previously seen.
- CEEO issues a Final Letter of Determination (FLOD) either upholding the finding in the PLOD or altering it based on new information submitted.
- Either party has two weeks to seek a discretionary review of the FLOD from the Office of the President.
- CEEO forwards the matter to the Director of Student Services and/or Student Affairs Committee at the Director of Student Services Office to determine what, if any, sanction to be imposed.
- At either party's election or when referred by the Director of Student Services, Student Conduct Committee will hold a formal hearing regarding discipline imposed or lack thereof.
- Student Affairs Committee issues a formal decision on discipline imposed.
- Either party has seven working days to appeal certain types of disciplinary action to the Director of Student Services or Vice President of Student Affairs depending on hearing option used and sanction given.

UNM WEAPONS POLICY

- With very few exceptions, employees, students, and visitors are not permitted to use or possess weapons on any part of the campus, including the WTC. A weapon includes, but is not limited to: firearms; ammunition, and other dangerous weapons, substances, or materials; and bombs, explosives, or incendiary devices.
-
- Any person failing to comply will become subject to appropriate disciplinary and/or criminal action. The UNM Weapons Policy is printed in its entirety in The UNM Pathfinder, which is available in the Dean of Students Office (Student Services Center). The Pathfinder is also available on-line at <http://pathfinder.unm.edu/>.
-
- There are certain items that are allowed for self-defense purposes, which include:

Allowable Self-Defense Items
<div style="display: flex; margin-bottom: 10px;"> <div style="width: 10px; height: 10px; background-color: #ccc; margin-right: 5px;"></div> <div>Pepper Spray – Members of the UNM campus community may carry pepper spray (AKA oleoresin capsicum) in container no larger than 2.5 ounces, with a concentration of oleoresin capsicum of no more than ten (10) percent, for self-defense purposes</div> </div> <div> <div style="width: 10px; height: 10px; background-color: #ccc; margin-right: 5px;"></div> <div>Stun Guns – with a maximum amperage of five (5) milliamps for self-defense purposes</div> </div>

POLICY ON ILLEGAL DRUGS & ALCOHOL

The Drug-Free Schools and Communities Act Amendments of 1989 (amends original law passed in 1986)

This law requires institutions receiving federal financial assistance to establish drug and alcohol abuse prevention programs for students and employees. This includes, at minimum, the following:

I. Create/have a campus alcohol and other drug policy that contains information on:

1. Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by employees and students on its property or as part of its activities;
2. A description of applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
3. A description of health risks associated with the use of illicit drugs and the abuse of alcohol;
4. A description of available drug or alcohol counseling, treatment, or rehabilitation or re-entry programs;
5. A clear statement of the disciplinary sanctions that the institution will impose on employees and students and a description of termination of employment and referral for prosecution for the unlawful possession, use, or distribution of illicit drugs and alcohol. Disciplinary sanctions may also include completing an appropriate rehabilitation program.

II. The institution must distribute this policy to all students, faculty, and staff annually.

Note: Until a few years ago, the Department of Education interpreted this to require that the policy be sent via printed documents through campus mail. The use of electronic distribution (email) is now considered appropriate, given,

1. The email is distributed to all students, staff, and faculty, and,
2. The policy appears in the text of the email and not as an attachment.

III. The institution has adopted and implemented an alcohol and other drug prevention program.

IV. The institution must conduct a biennial report review of the program's effectiveness, implement changes, if needed, and ensure that the disciplinary sanctions are consistently enforced.

The UNM-Valencia Drug Free Campus

This Policy on Illegal Drugs and Alcohol is adopted pursuant to federal laws and because of the commitment of UNM-Valencia to an environment for the pursuit of its educational mission free of drugs and the illegal use of alcohol. Drug and alcohol abuse on campus poses a serious threat to the health and welfare of faculty, staff, and students; impairs work and academic performance; jeopardizes the safety and well-being of other employees, students, and members of the general public; and conflicts with the responsibility of The University of New Mexico to foster a healthy atmosphere for the pursuit of education, research, and service. Federal and State laws relating to controlled substances and alcohol are enforced by the UNM-Valencia PD. The university enforces the state of New Mexico underage drinking laws and therefore does not permit the possession or consumption of alcoholic beverages by people under the age of twenty-one. Illegal uses of alcohol include, but are not limited to, serving, buying, or drinking alcohol by a minor; assisting a minor or an intoxicated person to get alcohol; selling alcohol without a license, and driving while under the influence.

This policy covers all property owned, used, leased or controlled by UNM, or any other site where official University business is being conducted. "Controlled substances" means those substances in Schedules I through V of section 202 of the Controlled Substances Act, 21 U.S.C. 812, and implementing regulations, 21 CFR 1308.11-1308.15. Controlled substances include, but are not limited to, marijuana, cocaine (including "crack"), amphetamines, heroin, PCP, hallucinogens, and certain prescription drugs. This policy is not intended to supersede or negate any existing policies on substance abuse, student or employee discipline, or any additional requirements imposed on The University of New Mexico or its students, faculty, or staff by federal or state law.

I. Policy Statement

The unlawful manufacture, distribution, dispensing, possession or use of controlled substances or alcohol on UNM-Valencia property or as part of any of its activities by any member of the UNM-Valencia community—faculty, staff, or students—is strictly prohibited.

As a condition of continued registration and enrollment, any student of UNM-Valencia shall abide by this policy. Violation of this policy shall result in disciplinary action, up to and including expulsion. For more detailed information, students should refer to the Student Code of Conduct and related policies printed in The UNM Pathfinder (<http://pathfinder.unm.edu>) and/or contact the Director of Student Affairs.

UNM-Valencia's response to any violation of this policy may include, as a total or partial alternative to disciplinary action, a requirement that the employee or student participate satisfactorily in an approved substance abuse treatment or rehabilitation program as a condition of continued employment or registration/enrollment. Any employee engaged in the performance of work under a federal contract or grant is required, as a condition of employment, to notify his/her supervisor if he or she is convicted of a criminal drug statute violation occurring in the workplace within five days of such conviction. The supervisor shall notify the University Counsel's Office. Failure of the employee to notify the supervisor shall be grounds for disciplinary action.

In recognition of the dangers of substance abuse in the workplace, UNM-Valencia shall maintain alcohol and drug-free awareness programs to inform members of the University community about the issues and risks of substance abuse, and about counseling and treatment resources. The university shall assign responsibility for such awareness programs to specific administrative entities, which shall be provided sufficient resources to develop and maintain the programs. As a matter of policy, any referral, treatment, awareness, or primary prevention programs established by the University shall play no role in enforcing or instituting possible disciplinary action.

II. Legal Sanctions for the Unlawful Possession or Distribution of Illicit Drugs and Alcohol

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, 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 be 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, the following charts (figures 1 and 2) detail federal and state sanctions for the unlawful possession or distribution of illicit drugs.

FEDERAL DRUG TRAFFICKING PENALTIES (Figure 1)

DRUG/ SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 – 4999 gms mixture	First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an Individual, \$5 million if not an individual.	5 kgs or more mixture	First Offense: Not less than 10 yrs, & not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual.
Cocaine Base (Schedule II)	5 - 49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture	Second Offense: Not less than 10 yrs, & not more than life. If death or serious injury, life in prison. Fine of not more than \$4 million if an individual, \$10 million if not an individual.	1 kg or more mixture	Second Offense: Not less than 20 yrs, & not more than life. If death or serious injury, life in prison. Fine of not more than \$8 million if an individual, \$20 million if not an individual.
LSD (Schedule I)	1- 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 – 499 gms mixture		50 gms or more pure, or 500 gms or more mixture	
PCP (Schedule II)	10-99 gms pure or 100 – 999 gms mixture		100 gm or more pure, or 1 kg or more mixture	
				2+ Prior Offenses: Life in prison

DRUG/ SCHEDULE	QUANTITY	PENALTIES
Other Schedule I & II Drugs (& any product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.
Flunitrazepam (Schedule IV)	1 gm or more	Second Offense: Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual.
Other Schedule III drugs	Any amount	First Offense: Not more than 5 yrs. Fine not more than \$250, 000 if an individual, \$1 million if not an individual.
Flunitrazepam (Schedule IV)	30 – 999 mgs	Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.
All other Schedule IV drugs	Any amount	First Offense: Not more than 3 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.
Flunitrazepam (Rohypnol) (Schedule IV)	Less than 30 mgs	Second Offense: Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.
All schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

DRUG	QUANTITY	1ST OFFENSE	2ND OFFENSE
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	Not less than 10 yrs., not more than life. If death or serious injury, not less than 20 yrs., not more than life. Fine not more than \$4 million if an individual, \$10 million if not an individual.	Not less than 20 yrs., not more than life. If death or serious injury, mandatory life. Fine not more than \$8 million if an individual, \$20 million if not an individual.
Marijuana	100 kg - 999 kg mixture; or 100 – 999 plants	Not less than 5 yrs., or more than 40 yrs. If death or serious injury, not less than 20 yrs., not more than life. Fine not more than \$2 million if an individual, \$5 million if not an individual.	Not less than 10 yrs., not more than life. If death or serious injury, mandatory life. Fine not more than \$4 million if an individual, \$10 million if not an individual.
Marijuana	More than 10 kgs hashish; 50 – 99 kg mix. More than 1 kg of hashish oil; 50 – 99 plants	Not more than 20 yrs. If death or serious injury, not less than 20 yrs, not more than life. Fine \$1 million if an individual, \$5 million if not an individual.	Not more than 30 yrs. If death or serious injury, mandatory life. Fine \$2 million if an individual, \$10 million if not an individual.
Marijuana	1 – 49 plants; less than 50 kg mixture	Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if not an individual
Hashish	10 kg or less		
Hashish Oil	1 kg or less		

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

DRUG	CONDITIONS QUANTITY	PENALTY Prison Fines
Methamphetamine PCP, Rohypnol, GHB	Possession	18 mos. ≤ \$5,000 (4th degree Felony)
Methamphetamine PCP Rohypnol * GHB	1st Offense Trafficking (to sell, barter, give away, or distribute)	9 yrs. ≤ \$10,000 (2nd degree Felony)
Methamphetamine PCP Rohypnol, GHB	2nd or subsequent Offense Trafficking	18 yrs. \$15,000 (1st degree Felony)
Cocaine/Heroin LSD , Other drugs	Possession	≤1 yr. \$500 – 1,000
Prescription Drugs	Possession	≤1 yr. \$500 – 1,000 (higher for narcotics)
Cocaine/Heroin LSD Other drugs	1st Offense Trafficking (to sell, barter, give away, or distribute)	≤ 3 yrs. ≤ \$5,000 (3rd degree Felony)
Prescription Drugs Cocaine/Heroin LSD, Other drugs	2nd or subsequent Offense Trafficking	9 yrs. \$10,000 (2nd degree Felony)
Marijuana	Possession, <1 oz. 1st offense Possession, 1-8 oz. 1st offense Possession, 8+ oz. 1st offense	≤ 15 dys. \$50-100 < 1 yr. \$100-1,000 18 mos. \$5,000
Marijuana	1st Offense Trafficking (to sell, barter, give away, or distribute)	18 mos. \$5,000 >100 lbs = 3 yrs. \$5,000

III. Health Risks Associated with Use of Illicit Drugs and the Abuse of Alcohol.

Excessive alcohol consumption and abuse of illicit drugs 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 date 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 on the possible effects and health risks associated with the use of illicit drugs and alcohol, contact the Student Health Center Health Education Program at (505) 277-1074 or the UNM Campus Office of Substance Abuse Prevention at (505) 277-2795. Information on the possible effects and health risks associated with the use of illicit drugs and controlled substances is also contained in the Policy on Illegal Drugs and Alcohol that appears in the UNM Pathfinder—UNM Student Handbook (<https://pathfinder.unm.edu/index.html>.)

Campus Resources for Faculty and Staff:

If you are concerned about your own, an employee's or a colleague's alcohol or drug use, contact the

CARS program. The intent of CARS is not to intrude into the private lives of university employees, but rather to provide services for those who choose to request help with their problems. Your contact with CARS is confidential, within the limits of applicable law and ethical guidelines. Individual assessments, short-term counseling, consultation, and referrals are available. CARS also offers presentations on a variety of topics, voluntary mediation services, group crisis intervention, and team building.

C.A.R.S. (Counseling, Assistance & Referral Service) 505-272-6868.

University Hospital employees may contact C.A.R.S. directly (505-272-6868) or call Human Resources (272-0942) for information about available counseling & referral resources.

Campus Resources for Students:

If you are concerned about the alcohol or other drug use of yourself or another, please contact the Student Health Center or the Campus Office of Substance Abuse Prevention. Confidential consultants, individual assessments, and education are available.

Student Health and Counseling (Counseling Services) - 277-3136

Campus Office of Substance Abuse Prevention - 277-2795

Other Campus and Community Resources:

AGORA Crisis Center – 505-277-3013

NM Council on Alcoholism and Drug Dependence - 505- 256-8300

(for intervention services and information on community treatment resources and recovery groups, e.g., AA, ACOA, Al-Anon, Rational Recovery, Women for Sobriety)

Suicide Prevention Emergency Service (24 hours) – 505-247-1121

University Hospital Emergency Dept. – 505-272-2411

UNM Center on Alcoholism, Substance Abuse and Addictions (CASAA) – 505-925-2300

UNM Department of Psychology Clinic – 505-277-5164

UNM Employee Health Promotion Program – 505-272-4460

UNM Employee Occupational Health Services – 505-272-2517

UNM Mental Health Center, Crisis Unit – 505-272-2800

UNM Women’s Resource Center – 505-277-3716

SEX OFFENDER REGISTRATION

In accordance with the Campus Sex Crimes Prevention Act of 2000 (CSPA), the UNM-Valencia PD is providing a link to the New Mexico Department of Public Safety for law enforcement agency information concerning registered sex offenders. The CSPA requires institutions of higher education to inform the campus community where law enforcement information about registered sex offenders may be obtained. It also mandates that sex offenders who are required to register in a State must also give notice of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student. Additionally, the New Mexico Sex Offender Registration and Notification Act requires a convicted sex offender who is employed by, enrolled at, volunteering with, or carrying on a vocation at an institution of higher education to register with the university’s law enforcement department, the university registrar, the county sheriff for the county in which the higher education institution is located, as well as the county sheriff for the county in which the sex offender resides.

A list of registered sex offenders is available online from the New Mexico Department of Public Safety at: <http://www.nmsexoffender.dps.state.nm.us/> or by calling the Valencia County Sheriff's Department at (505) 866-2400.

***Educational Programs and Campaigns for Alcohol/Drug Use, Dating Violence,
Domestic Violence, Healthy Relationships,
Sexual Violence and Stalking:***

UNM-Valencia Campus is committed to educating members of its campus community through a number of ongoing educational and awareness programs. All incoming students receive the following mandatory training, which is the primary prevention and awareness program for students:

Grey Area Training:

This training module is an in-person and interactive training for students that is approximately 1.5 hours in length, which includes:

- Covers sexual misconduct prevention risk reduction, including dating violence, domestic violence, sexual assault, and stalking.
- States that sexual discrimination, which includes dating violence, domestic violence, sexual assault, and stalking are prohibited acts.
- Reporting Options – including areas that are anonymous and those individuals that are mandatory reporters.
- Discusses the importance of “consent”.
- Discusses safe bystander information such as:
 - Using Humor
 - Group Intervention
 - Distraction
 - Using “I” Statements
- Defines Sexual Violence terms, such as sexual assault, stalking, and relationship violence

UNM-Valencia is committed to educating members of its campus community through a number of ongoing educational and awareness programs. All employees must complete the following mandatory training on an annual basis, which is the primary prevention and awareness program for faculty and staff:

Intersections: Preventing Discrimination and Harassment:

The module raises awareness on the various topics of discrimination, harassment, and sexual violence. Intersections includes animated scenarios, skill practices, UNM policies and resources, sound and closed caption (CC) capability. The training is one hour in length for both faculty and staff, which includes:

- Covers sexual misconduct prevention and risk reduction, including dating violence, domestic violence, sexual assault, and stalking.

- States that sexual discrimination, which includes dating violence, domestic violence, sexual assault, and stalking are prohibited acts.
- Reporting Options – including areas that are anonymous and those individuals that are mandatory reporters.
- Discusses the importance of “consent”.
- Discusses safe bystander information such as:
 - Using Humor
 - Group Intervention
 - Distraction
 - Using “I” Statements
- Defines Sexual Violence terms, such as sexual assault, stalking, and relationship violence

General Campus Crime Prevention and Safety Related Programs

In addition to the Grey Area and Intersections trainings that specifically address incidents of sexual misconduct (including dating violence, domestic violence, sexual assault, and stalking), UNM-Valencia offers information about safety and security awareness/prevention programs that are available to the UNM-Valencia Campus community, as well as crime prevention services and tips. This information is designed to keep faculty, staff and students safe, here at UNM-Valencia. Information about these ongoing no cost services is given out to new students at their incoming orientation. Employees (faculty and staff) of UNM-Valencia must complete the Annual Basic Safety Training each year, via an on-line platform through Learning Central, and receive safety information at new employee orientation. The following is a list of programs or themes that the UNM-Valencia campus does to address:

- Sexual misconduct prevention training, including dating violence, domestic violence, sexual assault, and stalking.
- That sexual discrimination, which includes dating violence, domestic violence, sexual assault, and stalking are prohibited acts.
- Reporting Options – including areas that are anonymous and those individuals that are mandatory reporters.
- The importance of “consent”.
- Safe Bystander Options for all.
- Impact of Alcohol/Drugs on individuals.
- Hazing related behavior.

Protect the Pack:

This is UNM-Valencia’s campaign to promote a number of safety related items, including how to be a good bystander and protect their fellow students by “Protecting the Pack” – a play on protecting other students (Lobos).

Office of Equal Opportunity:

Campaign (Prevention and Awareness)	Target Audience	Frequency
Know Your Title IX (Tabling)	UNM Community, including prospective students	Several Times Annually

Definitions:

Awareness/Education Programs: These are programs designed by UNM to create more awareness and education about sexual misconduct, domestic violence, dating violence, and stalking.

Ongoing Prevention and Awareness Campaigns: These are marketing pushes to make our UNM Campus Community more aware about sexual misconduct, domestic violence, dating violence, and stalking.

Bystander Intervention: These are programs or campaigns, which inform our UNM campus community of ways to intervene safely and positively in situations that may have potential for becoming unsafe situations.

Primary Prevention Programs: These are programs designed to educate our campus community about preventing sexual misconduct, domestic violence, dating violence, and stalking.

Risk Reduction: Information or programs designed to lessen the risk of sexual misconduct, domestic violence, dating violence, and stalking.

Active Bystander Intervention:

A bystander is a person who observes a conflict or unacceptable behavior. The observed behavior may be serious or minor, one-time or repeated, but the bystander knows that the behavior is harmful or likely to make a situation worse. This person may be in a position to discourage, prevent, or interrupt unacceptable behavior. The bystander has two options: to remain a passive bystander or become an active bystander. A passive bystander is one who observes, but does not intervene in any way.

Steps to becoming an Active Bystander:

1. Notice a situation that is out of the ordinary. Does your "gut" tell you something is wrong?
2. Ask yourself "Could I play a role here?", or
 - a. If nobody intervenes, what will likely happen?
 - b. Is someone else better equipped to respond?
 - c. What would be my purpose of responding?
3. Assess your options for providing help. Use your words; don't use violence to end violence.
4. Determine the potential risk(s) of taking action
 - a. Are there risks to myself and/or others?
 - b. Is there a low-risk option?
 - c. How could I reduce risks?
5. Determine how to implement your choice(s) safely. Examples of safe bystander interventions:
 - Come up with an excuse to separate your friend from the situation
 - Ask friends to assist when a situation seems to be going poorly
 - Come up with some distraction if a situation is not going well

As Lobos, you should remember to "Protect the Pack!"

Appendice A – CEEO Discrimination Grievance Procedure

<https://ceeo.unm.edu/assets/docs/dgp.pdf>

Appendice B – UNM Hearing Office Administrative Hearing Procedures

<https://hearingoffice.unm.edu/about/hearing-procedures-4-23.pdf>