

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

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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>						
Crime	On Campus			Non-Campus		
	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>						
Crime	On Campus			Non-Campus		
	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 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 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.

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 unm.edu e-mail address, and members of the community who have signed up through the community site. The UNM Communications Director will notify, as appropriate, the local news media and social media to inform the community outside of UNM.

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.

[Local medical facility]

[Local medical facility]

[Local medical facility]

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 (CEEO) (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 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'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 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 Police Department (if applicable)]

[Local police agency]

[Local police agency]

[Local police agency]

REPORTING AN INCIDENT TO UNM

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

UNM's CEEO Grievance Procedure (CGP) dictates the process by which UNM 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 students, faculty, and staff. CEEO'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 CEEO 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, at a UNM-sponsored event, or in a building owned or controlled by UNM or a UNM-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.
- *For reports of incidents that occurred prior to August 1, 2024: 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 CEEO'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 CEEO 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 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 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 (CEEO)*

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 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 administration should you wish to report to either one. CEEO'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 (CEEO)*

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 (CEEEO) 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 | ceo@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

UNMPD 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 Lentos 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 | cccnm@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 in 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@habitatbq.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 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 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 CEEO, 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 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 premises or at a UNM-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 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 "CEEO" 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 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 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 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
<ul style="list-style-type: none"> ☐ 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 ☐ Stun Guns – with a maximum amperage of five (5) milliamps for self-defense purposes

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. 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.	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. 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. 2+ Prior Offenses: Life in prison
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		1 kg or more mixture	
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		

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!"



A Survivor's Guide to
RIGHTS & OPTIONS





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First Steps to Consider

If you need medical assistance, don't wait.

More medical facilities, including those located near UNM's Branch locations, are listed in the Resources section.

 **UNM Hospital**

2211 Lomas Blvd NE
Albuquerque, NM 87106
505-272-2111

 **Sandoval Regional Medical Center**

3001 Broadmoor Blvd NE
Rio Rancho, NM 87144
505-994-7000

 **Presbyterian Hospital**

1100 Central Ave SE
Albuquerque, NM 87106
505-841-1234

 **Veteran Affairs Health Care**

1501 San Pedro Dr SE
Albuquerque, NM 87108
505-265-1711

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.*

 **Albuquerque SANE**

625 Silver Ave SW, 2nd Flr
Albuquerque, NM 87102
505-884-SANE (7263)
info@abqsane.org

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 who 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.

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 (CEEO)** (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

UNM'S RESPONSIBILITIES IN RELATION TO ORDERS OF PROTECTION

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

- Obtaining an Order and, when the respondent lives on or near campus, assisting with serving the order to the respondent,
- Locating a Domestic Violence Advocate to assist you through the court hearing proceedings and driving you to your meetings with them, and
- Conducting extra patrols at your residence if you reside on campus (or working with external agencies to help if you live off campus).





“

*At any
given
moment
you have
the power
to say this
is not how
the story
is going to
end.*

- CHRISTINE MASON MILLER

”

REPORTING AN INCIDENT TO LAW ENFORCEMENT

UNM 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's daily crime log never include personally identifying information about victims.

! If you or someone else is in immediate danger, dial 911.

DOES UNM HAVE ITS OWN POLICE FORCE?

Yes. The University of New Mexico Police Department (UNMPD) Officers at UNM's Main, Gallup, and Valencia Campuses meet all state certification standards mandated by the New Mexico Department of Public Safety and are commissioned by the UNM Board of Regents (Section 29-5-2 NMSA 1978). They have full power of peace officers on campus and in Greek housing, which includes the authority to enforce all applicable laws and campus traffic regulations, as well as the authority to arrest. Officers investigate complaints of criminal activity on campus, partner with other police agencies to solve them, and work closely with their respective District Attorney's Office to ensure effective prosecution.

HOW DO I MAKE A POLICE REPORT?

To report a crime to law enforcement, UNM 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. At UNMPD, specially trained Officers called Sexual Misconduct and Assault Response Team (SMART) Officers investigate crimes of sexual assault, domestic violence, dating violence, and stalking and depending on the situation, may be the first to respond. 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 POLICE AGENCIES	 ALBUQUERQUE CAMPUS 505-277-2241 2500 Campus Blvd NE Albuquerque, NM 87131 <i>(west end of Hokona Hall)</i>	 VALENCIA CAMPUS 505-925-8570 280 La Entrada Rd Los Lunas, NM 87031	 GALLUP CAMPUS 505-863-7620 Gurley Hall Gallup, NM 87301
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LOCAL POLICE AGENCIES	 ALBUQUERQUE POLICE University Area Command 505-242-2677 1009 Bradbury Dr SE Albuquerque, NM 87106	 LOS LUNAS POLICE 505-865-9130 660 Main St SW Los Lunas, NM 87301	 GALLUP POLICE 505-863-9365 451 Boardman Drive Gallup, NM 87301
	 RIO RANCHO POLICE 505-891-7226 500 Quantum Rd NE Rio Rancho, NM 87124	 LOS ALAMOS CO POLICE 505-662-8222 2500 Trinity Dr #A Los Alamos, NM 87544	 TAOS CO SHERIFF'S OFFICE 575-758-4656 599 Lovato Pl Taos, NM 87571



REPORTING AN INCIDENT TO UNM

■ HOW UNM RESPONDS TO REPORTS OF SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE & STALKING

The **Office of Compliance, Ethics & Equal Opportunity (CEEEO)** 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:** Equal Opportunity and Prohibited Discrimination and Related Misconduct
- **UAP 2745:** Clery Act Compliance
- **UAP 2740:** Sex Discrimination Including Sexual Misconduct
- *For reports of incidents that occurred prior to August 1, 2024:* **Student Code of Conduct** (Section 2)

UNM's **CEEEO Grievance Procedure (CGP)** dictates the process by which UNM 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 students, faculty, and staff. *CEEEO'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 CEEEO 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.

AMNESTY

UNM encourages reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants, Respondents, and Witnesses are hesitant to report to UNM officials or participate in grievance processes because they fear that they themselves may be in violation of certain University policies, such as underage drinking or use of illicit drugs at the time of the incident. To encourage reporting and participation, UNM maintains a policy of offering parties and witnesses amnesty from minor UNM policy violations, such as underage consumption of alcohol or the use of other illicit drugs, related to the incident. Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution.

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, at a UNM-sponsored event, or in a building owned or controlled by UNM or a UNM-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.
- *For reports of incidents that occurred prior to August 1, 2024:* 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 CEEO'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.

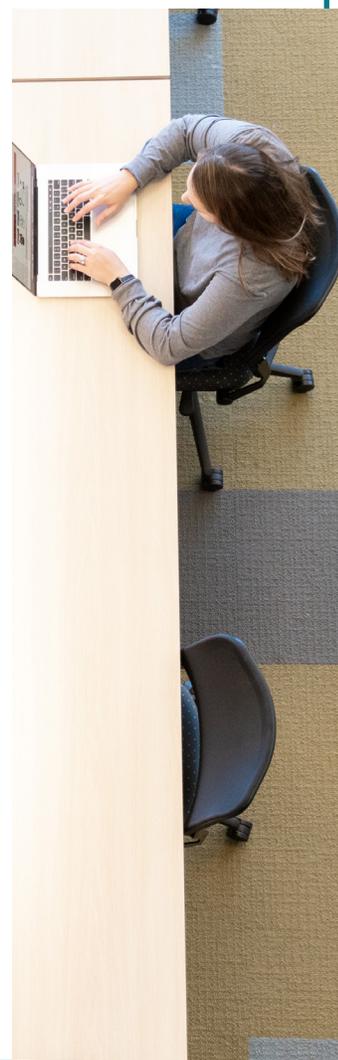
■ LIVE HEARING

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.

* CEEO reserves the right to pursue cases that involve severe and pervasive allegations or a threat to the campus community.



■ **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**

CEEO 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 CEEO 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.

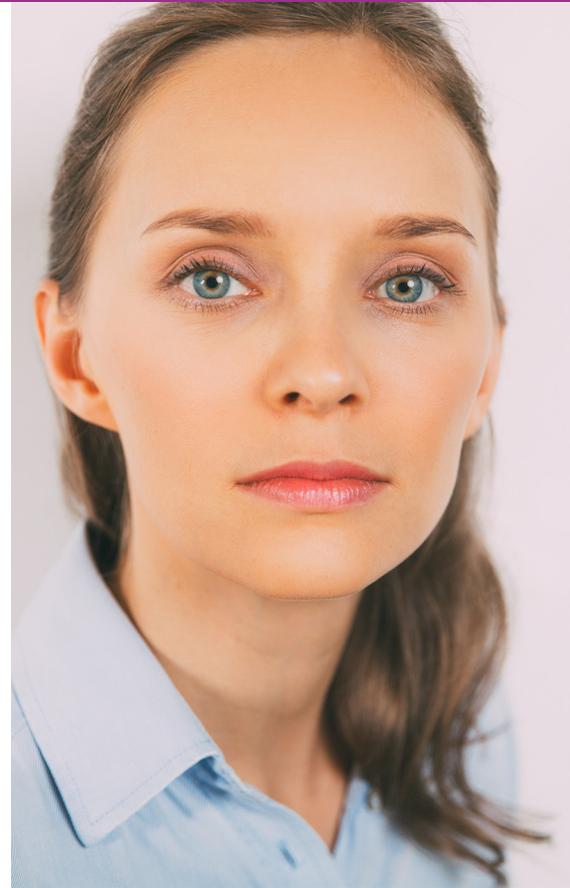
			Faculty Members of United Academics -	
Students	Visitors	Unrepresented Faculty	UNM Units 1 & 2	Unrepresented Staff
<i>Verbal warning</i>	<i>Verbal warning</i>	<i>Warning</i>	<i>Censure</i>	<i>Letter of improvement</i>
<i>Written warning</i>	<i>Written warning</i>	<i>Censure</i>	<i>Suspension without pay</i>	<i>Written warning</i>
<i>Disciplinary probation</i>	<i>Probation</i>	<i>Disciplinary probation</i>	<i>Termination</i>	<i>Suspension</i>
<i>Suspension</i>	<i>Removal from campus</i>	<i>Suspension without pay</i>		<i>Discharge</i>
<i>Expulsion</i>	<i>Barred from campus</i>	<i>Dismissal</i>		
<i>Dismissal from University employment</i>	<i>Denial of admission, readmission, or employment by the University</i>			
<i>Barrment from campus</i>				
Employee Members of United Staff - UNM		Employee Members of UNM Police Officer's Association - Albuquerque	Employee Members of Communications Workers of America	Employee Members of the United Electrical, Radio and Machine Workers of America (United Graduate Workers of UNM)
<i>Letter of improvement</i>	<i>Letter of improvement</i>	<i>Letter of improvement</i>	<i>Written reprimand</i>	
<i>Written warnings/notice</i>	<i>Written reprimand/warning</i>	<i>Written warning</i>	<i>Suspension without pay</i>	
<i>Suspension</i>	<i>Suspension without pay</i>	<i>Suspension</i>	<i>Discharge</i>	
<i>Discharge</i>	<i>Dismissal/Discharge</i>	<i>Discharge</i>		

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.*



SUPPORT SITES FOR STUDENTS

UNM 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 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 asterick (*) 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**

Vassar House

An extension of the Women's Resource Center, for North Campus students—by appointment only.

917 Vassar Rd NE (Bldg 225), Albuquerque, NM 87106
505-277-3716 | women@unm.edu or
vassarhouse@salud.unm.edu

✓ **Confidential** ✓ **Supportive Measures** ✓ **Advocacy**

Learning Environment Office (LEO)

For students at the UNM Health Sciences Center.

Reginald Heber Fitz Hall (Bldg 211)
2425 Camino De Salud NE, Rm 106, Albuquerque, NM 87106
505-272-7867 | hsc-leo@salud.unm.edu

✓ **Confidential** ✓ **Supportive Measures** ✓ **Advocacy**

Compliance, Ethics & Equal Opportunity (CEEO)*

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

SUPPORT SITES FOR EMPLOYEES

UNM 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 administration should you wish to report to either one.** CEEO'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 asterick (*) 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

COUNSELING & MENTAL HEALTH

HEALTH & MEDICAL ASSISTANCE

UNM HOSPITAL **S E**

2211 Lomas Blvd NE
Albuquerque, NM 87106
505-272-2111

SANDOVAL REGIONAL MEDICAL CENTER **S E**

3001 Broadmoor Blvd NE
Rio Rancho, NM 87144
505-994-7000

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 SPECIALITY 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

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)



ON-CAMPUS RESOURCES, CONT.

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

SANDOVAL REGIONAL MEDICAL CENTER (SRMC) BEHAVIORAL HEALTH CLINIC **S E**

Help for substance use and mental health conditions.
3001 Broadmoor Blvd NE
Rio Rancho, NM 87144
505-994-7146

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)



ON-CAMPUS RESOURCES, CONT.

EMERGENCY FOOD & HOUSING

CAMPUS LOBO FOOD PANTRY **S**

Free groceries to all currently enrolled UNM students. Bring your UNM ID or valid ID and UNM ID number, and a bag or box to carry groceries with.

Student Union Building (Bldg 60)

301 Cornell Dr NE, Rm 1093

Located at the first floor across from the computer lab.

Albuquerque, NM 87131

505-277-2911 | loborespect@unm.edu



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



ON-CAMPUS RESOURCES, CONT.

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

Health Sciences Student Financial Aid Office **S**
Health Sciences Library & Informatics Center (HSLIC)
(Bldg 234)
505-272-2954 | javaldez@salud.unm.edu

School of Law Financial Aid Office **S**
Bratton Hall (Bldg 218)
1117 Stanford Dr NE, Rm 2514
505-277-9035 | financialaid@law.unm.edu

UNM-Gallup Student Financial Aid Office **S**
Student Services and Technology Center (SSTC)
705 Gurley Ave
Gallup, NM 87301
505-863-7601 | gallupfinancialaid@unm.edu

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

UNM-Los Alamos Student Financial Aid Office **S**
Student Services Center (Bldg 1), Rm 103
505-662-0341 | jenduran@unm.edu

UNM-Taos Student Financial Aid Office **S**
1157 Co Rd 110
Ranchos De Taos, NM 87557
505-737-6220 | cmarti17@unm.edu

TRANSPORTATION ASSISTANCE & SERVICES

PARKING & TRANSPORTATION SERVICES (PATS) **S E**

Assistance with parking, the UNM Shuttle System, and alternative methods of transportation.

2401 Redondo Dr NE
Albuquerque, NM 87106
Located northeast of the UNM Bookstore.
505-277-1938 | parktran@unm.edu

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



2A17 UNM POLICE DEPARTMENT-ALBUQUERQUE **S E**

Offers safety escort services to and from locations on campus and bicycle registration for UNM community members.

Hokona Hall (Bldg 58), west side
2500 Campus Blvd NE
Albuquerque, NM 87131
505-277-2241

2A17 UNM POLICE DEPARTMENT-GALLUP **S E**

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

451 Boardman Dr
Gallup, NM 87301
505-863-9365

2A17 UNM POLICE DEPARTMENT-VALENCIA **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

ON-CAMPUS RESOURCES, CONT.

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

Health Sciences Center ARC **S**

505-277-0316 | kcanomartinez@unm.edu

School of Law ARC **S**

505-277-1188 | bsteplet@unm.edu

UNM-Gallup ARC **S**

505-863-7527 | sarviso2@unm.edu

UNM-Valencia ARC **S**

505-925-8840 | sjclawson@unm.edu

UNM-Los Alamos ARC **S**

505-661-4688 | kaguilar@unm.edu

UNM-Taos ARC **S**

505-737-6251 | rgift@unm.edu

UNM OFFICE OF COMPLIANCE, ETHICS & EQUAL OPPORTUNITY (CEEEO) **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

UNM-Gallup Veterans Resource Center **S**

505-863-7645 | nbrokesh@unm.edu

UNM-Valencia Veterans Resource Center **S**

505-925-8585 | fduran@unm.edu

UNM-Taos Veterans Resource Center **S**

575-737-3771 | mela20@unm.edu

UNM-Los Alamos Veterans Resource Center **S**

505-661-4688 | kaguilar@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



ON-CAMPUS RESOURCES, CONT.

AUXILIARY SAFETY SERVICES

UNM SECURITY **S E**

Non-sworn Campus Security Officers provide safety escort services, motor assist, and key assist on UNM's Main Campus.

Hokona Hall (Bldg 58), west side

2500 Campus Blvd NE

Albuquerque, NM 87131

505-277-6059

Emergency Dispatch: 505-277-2241

UNM HOSPITAL SECURITY (NORTH CAMPUS) **S E**

Non-sworn Security Officers provide safety escort services, motor assist, and key assist on UNM's North Campus.

UNM Hospital

2211 Lomas Blvd NE

Albuquerque, NM 87106

505-272-2160

UNM SANDOVAL REGIONAL MEDICAL CENTER (SRMC) SECURITY **S E**

Non-sworn Security Officers perform patrols and provide safety escort services and other assistance to students, employees, and visitors at UNM's Rio Rancho Health Sciences Campus.

UNM Sandoval Regional Medical Center

3001 Broadmoor Blvd NE

Rio Rancho, NM 87144

505-980-1516

UNM STUDENT SAFETY **S**

Assists students with safety concerns in student housing.

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

UNM-TAOS: HIGH DESERT SECURITY PATROL (HDSP) **S E**

Non-sworn Security Officers perform patrols and provide safety escort services and other assistance to the UNM-Taos community.

1157 Co Rd 110

Ranchos De Taos, NM 87557

575-758-1450

For police assistance or in cases of emergency, contact one of the agencies listed on page 4 of this Guide.



COMMUNITY RESOURCES



NEW MEXICO 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
UNMPD 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

COMMUNITY RESOURCES, CONT.

HEALTH & MEDICAL ASSISTANCE



PRESBYTERIAN HOSPITAL

1100 Central Ave SE
Albuquerque, NM 87106
505-841-1234

VETERAN AFFAIRS HEALTH CARE

1501 San Pedro Dr SE
Albuquerque, NM 87108
505-265-1711

Mental Health Care: 505-265-1711, Ext. 2150

TRINITY URGENT CARE

1460 Trinity Dr, Ste A
Los Alamos, NM 87544
505-412-6033

MEDICAL ASSOCIATES OF NORTHERN NM (MANNM) / WALK-IN CLINIC

3917 West Rd, #A
Los Alamos, NM 87544
505-661-8900

REHOBOTH MCKINLEY CHRISTIAN HEALTH CARE SERVICES EMERGENCY ROOM

1901 Redrock Dr
Gallup, NM 87301
505-863-7141

GALLUP INDIAN MEDICAL CENTER

A 99-bed hospital located on the border of the Navajo Reservation.

516 E Nizhoni Blvd
Gallup, NM 87301
505-722-1000



24/7 Nurse Advice Line: 505-985-5206

HIROSHI "HERSHEY" MIYAMURA VA CLINIC

U.S. Department of Veterans Affairs (VA) outpatient primary and specialty health care services for Gallup's Veteran community.

2075 S NM Hwy 602
Gallup, NM 87301
505-722-7234

Mental Health Care: 505-265-1711, Ext. 2150

QUESTA HEALTH CENTER

Offers medical and dental support for individuals and families and also offers Medically Assisted Therapy.

2573 NM-22
Questa, NM 87556
575-586-0315

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

ALBUQUERQUE CENTER FOR HOPE & RECOVERY PEER- RUN DROP-IN CENTER

Support for people who live with mental health or co-occurring mental health and substance use challenges.

913 2nd St NW
Albuquerque, NM 87102
505-246-2247

ALBUQUERQUE INDIAN CENTER

Provides substance abuse, family and couples' therapy, and mental health assessments.

105 Texas St SE
Albuquerque, NM 87108
505-268-1751 | abqindiancenter@gmail.com

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



COMMUNITY RESOURCES, CONT.

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

GALLUP FAMILY COUNSELING

A wide range of therapy and treatment options for mental health and substance use disorders, medication evaluation and management, and crisis intervention offered by Presbyterian Medical Services (PMS).

2025 E Aztec Ave

Gallup, NM 87301

505-863-3828

CITY OF GALLUP BEHAVIORAL HEALTH

Outpatient Therapy services provided by Certified Substance Abuse Counselors as well as a High-Risk Unit designed to provide medically complex patient triage.

230 S 2nd St

Gallup, NM 87301

505-863-1220

LOS ALAMOS FAMILY COUNCIL

Offers a full menu of psychiatric evaluation, diagnosis, medication and symptom management as well as a variety of counseling services.

Administration & Counseling Center

1250 Central Ave, Ste 102

Los Alamos, NM 87544

505-662-4160



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 | ccnm@crisis-centers.org

NATIONAL ALLIANCE ON MENTAL ILLNESS SANTA FE

A volunteer-based local chapter of NAMI that connects individuals to mental health support.

313 Camino Alire, #307

Santa Fe, NM 87501

505-395-6204 | info@namisantafe.org

TEAMBUILDERS BEHAVIORAL HEALTH

Serves adults, children, adolescents, and families.

Santa Fe - Corporate Headquarters

2504 Camino Entrada

Santa Fe, NM 87507

505-216-2727

Bernalillo

301 South Camino del Pueblo

Bernalillo, NM 87004

505-404-6907

Clayton

834 Main St

Clayton, NM 88415

575-729-1953

Los Lunas

428 Los Lentos Rd SE, Ste 3

Los Lunas, NM 87031

505-865-4739

Raton

101 Letton Dr

Raton, NM 87740

575-347-1190

Santa Rosa

501 S 4th St

Santa Rosa, NM 88435

505-384-0220

Taos

920 Salazar Rd, Ste C

Taos, NM 87571

575-751-7037

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

COMMUNITY RESOURCES, CONT.

EL CENTRO FAMILY HEALTH

Offers behavioral health support in Taos, Penasco, and Embudo.

Taos Clinic

1331 Gusdorf Rd
Taos, NM 87571
575-758-3601

Embudo Clinic

2243 NM-68
Embudo, NM 87531
505-579-4255

Peñasco Clinic

State Rd 75 #15136
Peñasco, NM 87553
575-587-1944

TAOS BEHAVIORAL HEALTH

In-person and online counseling support for individuals, couples, families, or groups.

105 Bertha St, Ste B
Taos, NM 87571
575-758-4297 | info@taosbehavioralhealth.org

QUESTA HEALTH CENTER

Offers behavioral health support for individuals and families and also offers Medically Assisted Therapy.

2573 NM-22
Questa, NM 87556
575-586-0315

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 | ccnm@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

COMMUNITY RESOURCES, CONT.

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

اگر شہما ہر ہنوںگ اوسل: 4345-934-505

BATTERED FAMILIES SERVICES, INC.

Provides emergency shelter for families who are in immediate threat and in need of safety and safety planning for families in need of safety guidelines.

207 S Strong Dr
Gallup, NM 87301

 24/7 Crisis Line: 505-722-7483

COMMUNITY AGAINST VIOLENCE

Provides free and confidential legal and medical advocacy services 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

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)

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)



COMMUNITY RESOURCES, CONT.



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



LOS ALAMOS MENTAL HEALTH ACCESS PROJECT

Free, confidential, support from volunteer crisis counselors.

855-662-7474 or text "start" to 741-741



LOS ALAMOS FAMILY COUNCIL

Offers a full menu of psychiatric evaluation, diagnosis, medication and symptom management as well as a variety of counseling services.

505-820-6333



COMMUNITY AGAINST VIOLENCE

The only agency in Taos County that works solely with survivors of domestic and sexual violence.

575-758-9888 or text 575-770-2706

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

GALLUP COMMUNITY PANTRY

Free produce, emergency food boxes, food for kids, mobile pantry deliveries, and resources for seniors.

1130 Hasler Valley Rd

Gallup, NM 87301

505-726-8068 | coo@thecommunitypantry.org

HOZHO CENTER FOR PERSONAL ENHANCEMENT

Drop-in center and postal services for the unhoused.

216 W Maloney Ave

Gallup, NM 87301

505-870-1483 | hozhocenter@gmail.com

BIENVENIDOS FOOD PANTRY

Provides food and clothing to those in need in Santa Fe and the surrounding area.

1511 5th St

Santa Fe, NM 87505

505-986-0583 | director@bienvenidosfoodpantry.org

THE FOOD DEPOT

Drive-thru food pantry and food distribution at locations throughout Northern New Mexico.

1222 A Siler Rd

Santa Fe, NM 87507

505-471-2025 | info@thefooddepot.org

LA CARES

Provides a food pantry and rent and utility assistance to residents of Los Alamos County.

Bethlehem Evangelical Lutheran Church

2390 North Rd

Los Alamos, NM 87544

505-661-8015

LA JICARITA FOOD BASKET

Provides emergency food boxes.

14136 NM-75

Peñasco, NM 87553

505-480-3846

NORTH CENTRAL FOOD PANTRY

Free food for anyone in the Questa community and surrounding areas within the state of New Mexico, regardless of income.

140 Embargo Rd

Questa, NM 87556

575-586-0486 | taosfoodpantry@gmail.com

THE GIVING TREE

Monthly food distribution.

Taos, NM 87571

505-980-3887 | taoshope@gmail.com

COMMUNITY RESOURCES, CONT.

ST JAMES EPISCOPAL CHURCH FOOD PANTRY

Free food for anyone in the Questa community and surrounding areas within the state of New Mexico regardless of income.

208 Camino de Santiago

Taos, NM 87571

575-758-2790 | wrmesquire2@gmail.com

OUR LADY OF GUADALUPE

Free food baskets.

205 Don Fernando St

Taos, NM 87571

575-758-9208 | olgtaos@yahoo.com

HELEN'S HOUSING - ER 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

CRISIS CENTER OF NORTHERN NM (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

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

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

COMMUNITY RESOURCES, CONT.

COMMUNITY AGAINST VIOLENCE

Free and confidential emergency shelter for adults and children, and short end long-term transitional housing programs. Community Against Violence is the only agency in Taos County that works solely with survivors of domestic and sexual violence and is the only domestic violence shelter in Taos County.

945 Salazar Rd

Taos, NM 87571

575-758-8082 or 888-758-8082

 24/7 HelpLine: 575-758-9888 | Textline: 575-770-2706

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

CASA REINA SISTERS OF OUR LADY OF GUADALUPE & ST JOSEPH (GALLUP OFFICE)

Assist in paralegal and immigration matters.

Ayuda en asuntos de asistente legal e inmigración.

505-722-5511

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

ABQ RIDE

Provides transportation services for the Albuquerque Metropolitan Area, to include Albuquerque Rapid Transit (ART) and bus service.

505-243-RIDE (7433)

ABQ RIDE SUNVAN PARATRANSIT SERVICE

Curb-to-curb accessible transportation to persons residing in or visiting the Albuquerque metro area whose impairment makes it impossible to ride the fixed route service.

505-243-RIDE (7433)

RIO METRO BUS

Fare-free bus rides connecting communities throughout Valencia County.

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



COMMUNITY RESOURCES, CONT.

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.)

NAVAJO TRANSIT SYSTEM

Bus routes throughout the Navajo Nation.

928-729-4002 | navajotransit@outlook.com

GALLUP EXPRESS

Provides local transportation in Gallup and Zuni, as well as intercity service between the two towns.

505-243-RIDE (7433)

ATOMIC CITY TRANSIT

Free public transportation in Los Alamos and White Rock.

505-661-RIDE (7433) | atomiccitytransit@lacnm.us

NORTH CENTRAL REGIONAL TRANSIT DISTRICT (RTD)

Provides free and premium fare-based bus transit connecting communities and pueblos throughout the counties of north central New Mexico including Los Alamos, Rio Arriba, Santa Fe, and Taos.

505-629-4725 | info@ncrtd.org

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.)

ATOMIC CITY TRANSIT ACT ASSIST

A service for persons whose disability prevents them using riding Atomic City Transit which provides free public transportation in Los Alamos and White Rock. Passengers with disabilities may request modifications to current service procedures to access the service.

505-661-RIDE (7433) | atomiccitytransit@lacnm.us

NORTH CENTRAL REGIONAL TRANSIT DISTRICT (RTD) ADA PARATRANSIT SERVICE

A service for persons whose disability prevents them using riding fixed-route buses in Española. Passengers with disabilities may request modifications to current service procedures to access the service.

866-206-0754 | info@ncrtd.org

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

ALBUQUERQUE HOUSING AUTHORITY

Provides quality housing for those with limited incomes.

1840 University Blvd SE

Albuquerque, NM 87106

505-764-3920

GALLUP HOUSING AUTHORITY

Provides quality housing for those with limited incomes.

203 Debra Dr

Gallup, NM 87301

505-722-4388

LOS ALAMOS HOUSING PARTNERSHIP INC.

Assists households in purchasing homes in Los Alamos County and assists homeowners in Los Alamos County.

1362 Trinity Dr, Ste C1

Los Alamos, NM 87544

505-662-8918

cindylahp@gmail.com or stevelahp@gmail.com

COMMUNITY RESOURCES, CONT.



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@habitatnbq.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

HIROSHI "HERSHEY" MIYAMURA VA CLINIC

U.S. Department of Veterans Affairs clinic that provides primary and specialty health care services, including telehealth (mental health), heart monitoring, social work, women's health, EKG, and more.

2075 S NM Hwy 602
Gallup, NM 87301
505-722-7234

Mental Health Care: 505-265-1711, Ext. 2150

SUPPORT FOR INTERNATIONAL STUDENTS

INTERNATIONAL STUDENTS, INC. (ISI)

Free airport pickup, temporary home-stay, apartment-finding help, and friendship.

401 University Blvd NE
Albuquerque, NM 87106
BSU/Christian Challenge Building
isiabq@isionline.org

AUXILIARY SAFETY ASSISTANCE



ALBUQUERQUE COMMUNITY SAFETY (ACS)

Non-emergencies: 311

For police assistance or in cases of emergency, contact one of the agencies listed on page 4 of this Guide.

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 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.

SEXUAL OFFENSE DEFINITIONS



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

The state of New Mexico does not have a separate definition for Sexual Assault. New Mexico Statutes Chapter 30 - Criminal Offenses, Article 9 - Sexual Offenses address the crimes of rape, fondling, incest, and statutory rape. *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)*.



Section 30-9-11 - Criminal sexual penetration.

- A) 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, of the genital or anal openings of another, whether or not there is any emission.
- B) Criminal sexual penetration does not include medically indicated procedures.
- C) Aggravated criminal sexual penetration consists of all criminal sexual penetration perpetrated on a child under thirteen years of age with an intent to kill or with a depraved mind regardless of human life. Whoever commits aggravated criminal sexual penetration is guilty of a first degree felony for aggravated criminal sexual penetration.
- D) Criminal sexual penetration in the first degree consists of all criminal sexual penetration perpetrated:
 - 1) on a child under thirteen years of age; oR
 - 2) by the use of force or coercion that results in great bodily harm or great mental anguish to the victim.

Whoever commits criminal sexual penetration in the first degree is guilty of a first degree felony.

- E) Criminal sexual penetration in the second degree consists of all criminal sexual penetration perpetrated:
 - 1) by the use of force or coercion on a child thirteen to eighteen years of age;
 - 2) on an inmate confined in a correctional facility or jail when the perpetrator is in a position of authority over the inmate;
 - 3) by the use of force or coercion that results in personal injury to the victim;
 - 4) by the use of force or coercion when the perpetrator is aided or abetted by one or more persons;
 - 5) in the commission of any other felony; or
 - 6) when the perpetrator is armed with a deadly weapon.

Whoever commits criminal sexual penetration in the second degree is guilty of a second degree felony. Whoever commits criminal sexual penetration in the second degree when the victim is a child who is thirteen to eighteen years of age is guilty of a second degree felony for a sexual offense against a child and, notwithstanding the provisions of Section 31-18-15 NMSA 1978, shall be sentenced to a minimum term of imprisonment of three years, which shall not be suspended or deferred. The imposition of a minimum, mandatory term of imprisonment pursuant to the provisions of this subsection shall not be interpreted to preclude the imposition of sentencing enhancements pursuant to the provisions of the Criminal Sentencing Act [Chapter 31, Article 18 NMSA 1978].

- F) Criminal sexual penetration in the third degree consists of all criminal sexual penetration perpetrated through the use of force or coercion not otherwise specified in this section.

Whoever commits criminal sexual penetration in the third degree is guilty of a third degree felony.

- G) Criminal sexual penetration in the fourth degree consists of all criminal sexual penetration:
 - 1) not defined in Subsections D through F of this section perpetrated on a child thirteen to sixteen years of age when the perpetrator is at least eighteen years of age and is at least four years older than the child and not the spouse of that child; or
 - 2) perpetrated on a child thirteen to eighteen years of age when the perpetrator, who is a licensed school employee, an unlicensed school employee, a school contract employee, a school health service provider or a school volunteer, and who is at least eighteen years of age and is at least four years older than the child and not the spouse of that child, learns while performing services in or for a school that the child is a student in a school.

Whoever commits criminal sexual penetration in the fourth degree is guilty of a fourth degree felony.



Section 30-9-12 - Criminal sexual contact.

- A) 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.
- B) Criminal sexual contact does not include touching by a psychotherapist on his patient that is:
- 1) inadvertent;
 - 2) casual social contact not intended to be sexual in nature; or
 - 3) generally recognized by mental health professionals as being a legitimate element of psychotherapy.
- C) Criminal sexual contact in the fourth degree consists of all criminal sexual contact perpetrated:
- 1) by the use of force or coercion that results in personal injury to the victim;
 - 2) by the use of force or coercion when the perpetrator is aided or abetted by one or more persons; or
 - 3) when the perpetrator is armed with a deadly weapon.
- Whoever commits criminal sexual contact in the fourth degree is guilty of a fourth degree felony
- D) Criminal sexual contact is a misdemeanor when perpetrated with the use of force or coercion.
- E) For the purposes of this section, "intimate parts" means the primary genital area, groin, buttocks, anus or breast.

Section 30-9-13 - Criminal Sexual Contact of a Minor.

- A) The unlawful and intentional touching of or applying force to the intimate parts of a minor or the unlawful and intentional causing of a minor to touch one's intimate parts. For the purposes of this section, "intimate parts" means the primary genital area, groin, buttocks, anus or breast.
- B) Criminal sexual contact of a minor in the second degree consists of all criminal sexual contact of the unclothed intimate parts of a minor perpetrated:
- 1) on a child under thirteen years of age; or
 - 2) on a child thirteen to eighteen years of age when:
 - a) the perpetrator is in a position of authority over the child and uses that authority to coerce the child to submit;
 - b) the perpetrator uses force or coercion that results in personal injury to the child;
 - c) the perpetrator uses force or coercion and is aided or abetted by one or more persons; or
 - d) the perpetrator is armed with a deadly weapon.

Whoever commits criminal sexual contact of a minor in the second degree is guilty of a second degree felony for a sexual offense against a child and, notwithstanding the provisions of Section 31-18-15 NMSA 1978, shall be sentenced to a minimum term of imprisonment of three years, which shall not be suspended or deferred. The imposition of a minimum, mandatory term of imprisonment pursuant to the provisions of this subsection shall not be interpreted to preclude the imposition of sentencing enhancements pursuant to the provisions of Sections 31-18-17, 31-18-25 and 31-18-26 NMSA 1978.

- C) Criminal sexual contact of a minor in the third degree consists of all criminal sexual contact of a minor perpetrated:
- 1) on a child under thirteen years of age; or
 - 2) on a child thirteen to eighteen years of age when:
 - a) the perpetrator is in a position of authority over the child and uses this authority to coerce the child to submit;

SEXUAL OFFENSE DEFINITIONS, CONT.



- b) the perpetrator uses force or coercion which results in personal injury to the child;
- c) the perpetrator uses force or coercion and is aided or abetted by one or more persons; or
- d) the perpetrator is armed with a deadly weapon.

Whoever commits criminal sexual contact of a minor in the third degree is guilty of a third degree felony for a sexual offense against a child.

D) Criminal sexual contact of a minor in the fourth degree consists of all criminal sexual contact:

- 1) not defined in Subsection C of this section, of a child thirteen to eighteen years of age perpetrated with force or coercion; or
- 2) of a minor perpetrated on a child thirteen to eighteen years of age when the perpetrator, who is a licensed school employee, an unlicensed school employee, a school contract employee, a school health service provider or a school volunteer, and who is at least eighteen years of age and is at least four years older than the child and not the spouse of that child, learns while performing services in or for a school that the child is a student in a school.

Whoever commits criminal sexual contact in the fourth degree is guilty of a fourth degree felony.

DOMESTIC VIOLENCE DEFINITIONS

VIOLENCE AGAINST WOMEN ACT 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 DEFINITIONS OF DOMESTIC VIOLENCE



Under New Mexico 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. 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. *NMSA 1978, § 30-3-10 through § 30-3-18, et seq., “Crimes Against Household Members Act” (includes dating violence).*

Section 30-3-11 - Definitions.

As used in the Crimes Against Household Members Act:

- A) “household member” means 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 a person with whom a person has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household



member for the purposes of the Crimes Against Household Members Act;

- B) “continuing personal relationship” means a dating or intimate relationship;
- C) “strangulation” means the unlawful touching or application of force to another person’s neck or throat with intent to injure that person and in a manner whereby great bodily harm or death can be inflicted, the result of which impedes the person’s normal breathing or blood circulation; and
- D) “suffocation” means the unlawful touching or application of force that blocks the nose or mouth of another person with intent to injure that person and in a manner whereby great bodily harm or death can be inflicted, the result of which impedes the person’s normal breathing or blood circulation.

Section 30-3-12 - Assault against a household member.

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 that he is in danger of receiving an immediate battery. Whoever commits assault against a household member is guilty of a petty misdemeanor.

Section 30-3-13 - Aggravated assault against a household member.

Unlawfully assaulting or striking at a household member with a deadly weapon; or willfully and intentionally assaulting a household member with intent to commit any felony. Whoever commits aggravated assault against a household member is guilty of a fourth degree felony.

Section 30-3-14 - Assault against a household member with intent to commit a violent felony.

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. Whoever commits assault against a household member with intent to commit a violent felony is guilty of a third degree felony.

Section 30-3-15 - Battery against a household member.

- A) The unlawful, intentional touching or application of force to the person of a household member, when done in a rude, insolent or angry manner.
- B) Whoever commits battery against a household member is guilty of a misdemeanor.
- C) Upon conviction pursuant to this section, an offender shall be required to participate in and complete a domestic violence offender treatment or intervention program approved by the children, youth and families department pursuant to rules promulgated by the department that define the criteria for such programs.
- D) Notwithstanding any provision of law to the contrary, if a sentence imposed pursuant to this section is suspended or deferred in whole or in part, the period of probation may extend beyond three hundred sixty-four days but may not exceed two years. If an offender violates a condition of probation, the court may impose any sentence that the court could originally have imposed and credit shall not be given for time served by the offender on probation; provided that the total period of incarceration shall not exceed three hundred sixty-four days and the combined period of incarceration and probation shall not exceed two years.

Section 30-3-16 - Aggravated battery against a household member.

- A) The unlawful touching or application of force to the person of a household member with intent to injure that person or another.
- B) Whoever commits aggravated battery against a household member is guilty of a misdemeanor if the aggravated battery against a household member is committed by inflicting an injury to that person that is not



likely to cause death or great bodily harm, but that does cause painful temporary disfigurement or temporary loss or impairment of the functions of any member or organ of the body.

- C) Whoever commits aggravated battery against a household member is guilty of a third degree felony if the aggravated battery against a household member is committed:
 - 1) inflicting great bodily harm;
 - 2) with a deadly weapon;
 - 3) by strangulation or suffocation; or
 - 4) in any manner whereby great bodily harm or death can be inflicted.
- D) Upon conviction pursuant to Subsection B of this section, an offender shall be required to participate in and complete a domestic violence offender treatment or intervention program approved by the children, youth and families department pursuant to rules promulgated by the department that define the criteria for such programs.
- E) Notwithstanding any provision of law to the contrary, if a sentence imposed pursuant to the provisions of Subsection B of this section is suspended or deferred in whole or in part, the period of probation may extend beyond three hundred sixty-four days but may not exceed two years. If an offender violates a condition of probation, the court may impose any sentence that the court could originally have imposed and credit shall not be given for time served by the offender on probation; provided that the total period of incarceration shall not exceed three hundred sixty-four days and the combined period of incarceration and probation shall not exceed two years.

Section 30-3-17 - Multiple convictions of battery or aggravated battery.

Whoever commits three offenses of battery against a household member as provided in Section 30-3-15 NMSA 1978 or aggravated battery against a household member as provided in Subsection B of Section 30-3-16 NMSA 1978, or any combination thereof, when the household member is a spouse, a former spouse, a co-parent of a child or a person with whom the offender has had a continuing personal relationship is guilty of a fourth degree felony. Whoever commits four or more offenses of battery against a household member as provided in Section 30-3-15 NMSA 1978 or aggravated battery against a household member as provided in Subsection B of Section 30-3-16 NMSA 1978, or any combination thereof, when the household member is a spouse, a former spouse, a co-parent of a child or a person with whom the offender has had a continuing personal relationship is guilty of a third degree felony. For the purpose of determining the number of offenses committed, each offense must have been committed after conviction for the preceding offense.

Section 30-3-18 - Criminal damage to property of household member; deprivation of property of household member.

Criminal damage to the property of a household member consists of intentionally damaging real, personal, community or jointly owned property of a household member with the intent to intimidate, threaten or harass that household member. Whoever commits criminal damage to the property of a household member is guilty of a misdemeanor, except that when the damage to the household member's interest in the property amounts to more than one thousand dollars (\$1,000), the offender is guilty of a fourth degree felony. Deprivation of the property of a household member consists of intentionally depriving a household member of the use of separate, community or jointly owned personal property of the household member with the intent to intimidate or threaten that household member. Whoever commits deprivation of the property of a household member is guilty of a misdemeanor.

DATING VIOLENCE DEFINITIONS

VIOLENCE AGAINST WOMEN ACT DEFINITION OF DATING VIOLENCE



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

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.

STALKING DEFINITIONS



VIOLENCE AGAINST WOMEN ACT 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.

- a) 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.
- A) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- B) 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 DEFINITIONS OF STALKING



State statutes relating to stalking and harassment are contained within New Mexico's "**Harassment and Stalking Act**". *Stalking - NMSA 1978, § 30-3A-1 et seq., "Harassment and Stalking Act"*.

Section 30-3A-2 - Harassment.

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

Section 30-3A-3 - Stalking.

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



B) As used in this section:

- 1) “lawful authority” means within the scope of lawful employment or constitutionally protected activity; and
- 2) “pattern of conduct” means two or more acts, on more than one occasion, in which the alleged stalker by any action, method, device or means, directly, indirectly or through third parties, follows, monitors, surveils, threatens or communicates to or about a person.

C) Whoever commits stalking is guilty of a misdemeanor. Upon a second or subsequent conviction, the offender is guilty of a fourth degree felony.

D) In addition to any punishment provided pursuant to the provisions of this section, the court shall order a person convicted of stalking to participate in and complete a program of professional counseling at the person’s own expense or a domestic violence offender treatment or intervention program.

Section 30-3A-3.1 - Aggravated stalking.

A) Aggravated stalking consists of stalking perpetrated by a person:

- 1) 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;
- 2) in violation of a court order setting conditions of release and bond;
- 3) when the person is in possession of a deadly weapon; or
- 4) when the victim is less than sixteen years of age.

B) Whoever commits aggravated stalking is guilty of a fourth degree felony. Upon a second or subsequent conviction, the offender is guilty of a third degree felony.

C) In addition to any punishment provided pursuant to the provisions of this section, the court shall order a person convicted of aggravated stalking to participate in and complete a program of professional counseling at his own expense.

Section 30-3A-4 - Exceptions.

The provisions of the [Harassment and] Stalking Act do not apply to picketing or public demonstrations that are lawful or that arise out of a bona fide labor dispute; or a peace officer in the performance of his duties.

CONSENT DEFINITIONS

UNIVERSITY OF NEW MEXICO DEFINITION OF CONSENT



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

HB 151 - Affirmative consent.

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.

MORE INFORMATION

Contact the UNM Office of Compliance, Ethics & Equal Opportunity for additional information related to this packet.



UNM Office of Compliance, Ethics & Equal Opportunity (CEEEO)

609 Buena Vista Rd NE (Bldg 42)

Albuquerque, NM 87131

505-277-5251

ceeo@unm.edu | ceeo.unm.edu

[Online CEEEO complaint form](#)

[UNM EthicsPoint Hotline complaint form](#)

Clery Coordinator

Adrienne Helms: ahelms6@unm.edu

Title IX Coordinator

Dr. Angela Catena: acatena@unm.edu



THE UNIVERSITY OF
NEW MEXICO.

ADMINISTRATIVE HEARING PROCEDURES: ALLEGATIONS OF VIOLATIONS OF UNIVERSITY ADMINISTRATIVE POLICIES¹

ARTICLE 1. INTRODUCTION AND GENERAL PROVISIONS

1.1 Introduction. This document provides a standard operating procedure for the Grievance Hearing Process referenced in Section VI(C)(3)(i) of the CEEO Grievance Procedure (“CGP”) issued by the Office of Compliance, Ethics, & Equal Opportunity (“CEEEO”) and performed by the UNM Hearing Office for alleged violations of the University’s Administrative Policies (“UAP”) 2310, 2720, 2740, 2745, 2760, and/or 3110. This procedure may be incorporated in another procedure by reference. The Administrative Hearing Procedures (“AHP”) set forth addresses alleged violations of UAP on or after August 1, 2024. All sex based discrimination matters concerning alleged violations of UAP before August 1, 2024, will follow the [AHP revised April 2023](#).

1.2 General Provisions

1.2.1 Timeframe. The Hearing Office shall, in most cases, issue a Final Determination regarding alleged violations of UAP within 45 days of receipt of a complete investigative file from the CEEEO. In some cases, such as those involving several Parties and Advisors, extensive evidence, and/or outstanding issues in materials provided to the Hearing Office, the timeframe may be delayed.

1.2.2 Calculation of Time, Extension of Time Limits and Good Cause. Unless otherwise specified herein, the term “days” refers to regularly recognized University business days, and does not include weekends, holidays, or other University closures. The Hearing Officer shall extend any time limit set forth in these rules for good cause upon request from the Parties. Good cause may include the following: that a time limit includes finals week, periods such as vacations, holidays, or intersessions, the absence of one or both Parties, or the absence of Hearing Office staff from the institution. Any time extension shall be communicated in writing to all Parties along with a new written schedule.

1.2.3 Decisionmaker Training. The Hearing Officer shall be required to complete specific training prior to conducting a hearing. Such training will be prescribed by federal and state law, CEEEO, the Title IX Coordinator, University policy, procedure, or

¹ These procedures do not apply to alleged violations of UAP 3215.

by order of the Board of Regents or the President. If so prescribed or ordered, the Hearing Coordinator will work with the appropriate University Department to obtain and provide the required training to the Hearing Officer prior to the hearing.

1.2.4 Sanctioner Training. In matters alleging sex-based discrimination, including sexual misconduct in violation of UAP 2740 or 2760, Sanctioners, including, but not limited to supervisors, chairs, directors, and department equivalents, shall be required to complete training specific to their affiliation or department prior to the sanctioning phase. Such training will be prescribed by CEEO, the Title IX Coordinator, University policy, procedure, or by order of the Board of Regents or the President.

1.2.4.1 Withdrawing a Complaint. Once the Hearing Office has received the investigative file from CEEO, a Complainant must follow the withdrawal process set forth in the CGP. In the event CEEO permits withdrawal of the Complaint, CEEO maintains the discretion to carry out another process option and move forward without the Complainant.

1.3 Definitions.

ADA Coordinator: The individual(s) designated to coordinate University compliance with the Americans with Disabilities Act and related laws. See UAP 2310 and 3110.

Administrative Hearing Determination: Written decision, including an analysis of the evidence, of the Hearing Officer's determination of whether a policy was violated following a hearing.

Administrative Hearing Notice: The document provided to all Parties and their Advisors indicating the date and time of the hearing together with information as required by Article 3.4 herein.

Advisor: A person selected by the Complainant or Respondent to guide the Party through the Hearing Process and question the Party and Party's witnesses through Direct-Examination at the hearing. An Advisor may assist a Party as permitted by Articles 2.1, 2.2 and 2.3 below. There are three types of Advisors:

- 1) Private Advisor: any individual a Party personally selects to serve as their Advisor;
- 2) UNM Advisor: Upon the request of a Party, an individual designated by UNM to serve as their Advisor.
- 3) Attorney Advisor: an attorney engaged by a Party to serve as the Party's Advisor.

CEEEO: The UNM Office of Compliance, Ethics and Equal Opportunity. CEEEO investigates claims of discrimination or related misconduct. It provides oversight of the University's

compliance with federal and state equal opportunity and affirmative action statutes and regulations, including Title II, Title VI, Title VII, Title IX, the Clery Act, and the Americans with Disabilities Act (“ADA”). Refer to <https://ceeo.unm.edu> for more information regarding CEEO.

Complainant: The person(s) identified as being the target of alleged discrimination or harassment pursuant to UAP 2720, 2740, 2745, 2760, and/or 3110 in accordance with the CGP.

Consolidated Complaints: A matter involving several complaints against a Respondent by more than one Complainant that arises out of the same set of facts or circumstances and that is consolidated into one investigation.

Cross-Claims: A matter where parties each have a claim against the other that arises out of the same set of facts or circumstances and is consolidated into one investigation.

Cross-Examination: Questioning of a Party or witness at a live hearing by the Hearing Officer to challenge or clarify testimony or other evidence. Cross-Examination questions are developed by Advisors and their respective Parties and submitted to the Hearing Officer in advance of the live hearing. Additional cross-examination questions may arise from evidence presented during the live hearing and considered by the Hearing Officer. In all situations, the Hearing Officer retains sole discretion regarding the relevancy and inclusion of any question and may ask additional questions at will.

Departmental Investigation: Matters where there are multiple complaints against a Respondent that do not arise from the same set of facts or circumstances and may be sufficient to indicate a pattern of acts that, in the aggregate, may violate UNM policy.

Direct-Examination: Questioning of a witness at a live hearing by an Advisor to introduce evidence and/or clarify existing evidence. Direct-Examination questions are developed by Advisors and their respective Parties. Direct-Examination questions are not submitted to the Hearing Officer in advance of the live hearing, but the Hearing Officer retains sole discretion regarding the relevancy of any question.

CEEEO Grievance Procedure (“CGP”): The procedures followed by the CEEEO when processing reports alleging violations of certain UNM policies. The CGP may be found at: <https://oeo.unm.edu/forms/pdf/oeo-CGP.pdf>.

Closing Statement: An optional verbal and/or written statement by a Party composed of arguments regarding the evidence presented. A verbal statement may be made at the conclusion of evidence presented at the live hearing. A written statement may be individually submitted by a Party to the Hearing Officer within the time allotted after the live hearing. A Party’s written statement is not reviewed by the opposing Party. While the statement is an opportunity for a Party to present arguments regarding evidence already in the record, and may be considered by the Hearing Officer in deciding the outcome of a case,

it is not itself considered evidence. This means that new information introduced in the statement will not be given any weight by the Hearing Officer.

Complaint: An allegation or set of allegations that triggers the investigative procedure set forth in the CGP. See the CGP for more information regarding Complaints.

Hearing Coordinator: The hearing facilitator who provides additional administrative assistance to the Hearing Officer. The Hearing Coordinator has no decision-making authority regarding the issues to be decided at the hearing or the outcome thereof.

Hearing Officer: The individual responsible for conducting a live hearing, cross-examining witnesses, evaluating evidence, and issuing a subsequent determination regarding alleged violations of UAP.

Investigative File: The file produced at the conclusion of an investigation conducted by CEEO, which includes: the Investigative Report, Complainant's statement(s), Respondent's statement(s), witness statements, and relevant evidence. This file serves as the record to be used in the administrative hearing should no additional evidence be presented in the form of Party or witness testimony or new evidence.

Impact Statement: A written statement by either Party, provided to the Hearing Officer within five (5) business days of a live hearing's conclusion. The statement is not reviewed by the Hearing Officer. In the event of an adjudication of responsibility, the statement is sent by the Hearing Office to the Sanctioner for their consideration in determining the sanction. In their statements, the Complainant and Respondent may address their experience and the incident in question, as well as respond to how the investigation and hearing was conducted and any areas of agreement or/disagreement with the investigation or hearing. The Impact Statement may not seek to introduce new evidence.

New Evidence: New, previously undiscoverable or undisclosed evidence not reasonably available to CEEO, or not in existence at the time of the CEEO investigation, presented to the Hearing Officer for consideration in advance of the Pre-Hearing Conference. With respect to an appeal of an Administrative Hearing Determination, the definition of new evidence in the CEEO Grievance Procedure is applicable.

Opening Statement: An optional verbal statement by a Party made at a live hearing prior to the presentation of evidence, outlining the Party's expectations of what evidence will be introduced and what the evidence will show. The Opening Statement is not considered evidence.

Party/Parties: The Complainant and Respondent are each referred to as a Party to the hearing. Collectively, the Complainant and Respondent are referred to as the Parties.

Pre-Hearing Conference: The meeting set by the Hearing Officer to confer with the Parties and their respective Advisors, prior to the hearing, regarding the format of the live hearing,

evidence, and proposed witnesses. Ordinarily, one Pre-Hearing Conference is held with all Parties and Advisors for a case in attendance. However, the Hearing Office will facilitate separate Pre-Hearing Conferences with each Party and their Advisor upon request.

Preponderance of the Evidence: The burden of proof standard that means when satisfied, that based on the evidence determined to be relevant and considered by the Hearing Officer, it is more likely than not that a policy violation occurred.

Remedies: As provided by federal law in cases of violations of UAP 2740 or 2760, remedies are designed to maintain the Complainant's equal access to the programs and services the University provides, including education, work opportunities, and other activities. This may include the same individualized services described as supportive measures in the CGP. Remedies are confidential and only are offered to Complainant when Respondent is found to have violated UNM policy based on a Preponderance of the Evidence considered at the hearing. Remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

Respondent: The individual who is alleged to have engaged in discriminatory conduct in violation of UAP 2310, 2720, 2740, 2745, 2760, or 3110; or is alleged to have violated any other UNM policy based on the same facts and circumstances.

Sanctioner: The individual or entity with sanctioning authority who is responsible for deciding the appropriate sanction when there is a determination that University policy has been violated. Sanctioning authority is determined by the policy alleged to have been violated and/or the University entity that has sanctioning authority over the Respondent. Sanctioning authorities may include one or more of the following:

For Staff: The staff member's supervisor, chair, dean, director or department equivalent. In cases of sex discrimination or misconduct, consultation with the Title IX Coordinator or designee also is required.

For Students: The UNM Dean of Students. In cases of sex discrimination or misconduct, consultation with the Title IX Coordinator or designee is also required.

For Faculty: University personnel identified pursuant to the UNM Faculty Handbook or applicable collective bargaining agreement. In cases of sex discrimination or misconduct, consultation with the Title IX Coordinator or designee is also required.

Support Persons: Individuals designated by a Party as a support person may attend the Pre-Hearing Conference and hearing to provide emotional or physical support to a Party. A support person cannot be a potential witness in the hearing or someone in a Party's supervisory chain if the Party is a University employee.

Title IX Coordinator: The individual(s) designated to coordinate University compliance with Title IX and related laws.

Witness: Any person who may have knowledge of the evidence in an investigation , including but not limited to the Complainant and Respondent. For inclusion on the list of possible witnesses a party may call at the live hearing to testify, the witness must have participated or been contacted during CEEO’s investigation of the alleged incident(s). However, a party may petition for inclusion of an unknown or unlisted witness with the Hearing Officer at the Pre-Hearing Conference. Inclusion or exclusion of any witness is at the Hearing Officer’s discretion.

ARTICLE 2: ROLES AND RESPONSIBILITIES

2.1 Advisors, Generally. The role of *any* Advisor is to conduct Direct Examination of their Party, should the Party choose to testify, and their Party’s witnesses.

An Advisor may appear and conduct Direct Examination even when the Party whom they are advising does not attend the hearing, so long as there has been some communication between the Advisor and their Party to select witnesses and prepare the Direct Examination. An Advisor may be excused from a hearing if the Party does not attend the hearing and the Party did not consult with the Advisor regarding witnesses or Direct Examination questions.

Advisors shall not answer any question directed at the Parties or their Witnesses.

An Advisor may also assist a Party throughout the entire grievance process and assist a Party in preparing for and participating in the pre-hearing process as agreed upon by the Advisor and the Party.

2.2 Advisors, Limitations. Hearings are not legal proceedings. Advisors shall not treat the pre-hearing or hearing process as a legal proceeding regardless of whether the Advisor is also a licensed attorney. Advisors may not negotiate a settlement or stipulation on behalf of a Party, confer with another Party’s Advisor, object during hearings, offer motions, engage in discovery such as contacting or deposing witnesses, request additional documentary evidence from the other Party, present opening or closing statements, provide witness testimony or otherwise engage in conduct that is beyond the Advisor’s role as set forth in the preceding Article.

2.2.1 UNM Advisors: Advisors who have been assigned to a Party by UNM shall not provide legal advice to Parties on any matter. UNM Advisors are not involved in the appeal process other than to assist the Party in locating the forms to submit an appeal.

2.2.2 Private Advisors/Attorney Advisors: Private Advisors and Advisors who are attorneys retained by a Party must follow the rules applicable to all Advisors. Parties seeking an Attorney Advisor must do so at their own expense. Nothing in this Article shall prohibit Attorney Advisors from providing other legal services to a Party.

2.3 Advisors, Removal/Recusal/Replacement. Advisors are required to conduct themselves in accordance with the rules of decorum included in this Procedure. The Hearing Officer reserves the right to deny an Advisor the opportunity to ask specific questions if such questions are deemed irrelevant or otherwise in violation of the limitations on evidence as provided in this Procedure. The Hearing Officer reserves sole discretion in determining whether to remove an Advisor from any part of any proceeding in which the Advisor violates the rules of decorum or refuses to cooperate with a Hearing Officer directive.

Non-UNM Advisors: Advisors may recuse themselves from participating at any time after notifying the Hearing Office. The Party advised by the recused Advisor may select another Advisor or request a UNM-assigned Advisor.

UNM Advisors: UNM assigned Advisors may make a good cause request to recuse themselves from working with a Party. The Party may select another Advisor or another UNM Advisor may be assigned.

A Party may change Advisors upon notice to the Hearing Coordinator.

2.4 Hearing Officer, Generally. The Hearing Officer's role is to conduct the hearing and ensure all participants adhere to the Rules of Decorum. The Hearing Officer may ask questions deemed relevant by the Hearing Officer. The Hearing Officer Cross-Examines a Party during a hearing. The Hearing Officer reviews the evidence and determines whether or not the Respondent violated a UNM policy and reduces that determination to writing for both Parties, and the Sanctioner when a policy violation has occurred.

2.5 Parties, Generally. The Party must designate an Advisor and at their discretion, submit to the Hearing Coordinator information not previously considered by the investigator prior to the Pre-Hearing Conference. Additionally, the Party and their Advisor should prepare an Opening Statement, Direct and Cross-Examination questions, and a Closing Statement. A Party may testify on their own behalf. Close communication with the Advisor throughout the process is essential.

Parties are responsible for communicating with the Hearing Coordinator to designate, or confirm designation, of their Advisor. Parties are responsible for responding to communications from the Hearing Coordinator regarding the Pre-Hearing Conference and the hearing. It is the responsibility of the Parties to notify the Hearing Coordinator of any change in the contact information for the Party (e.g., address, email address or phone number) or change in the Party's affiliation with the University. Failure to do so could result in a Party missing the opportunity for a hearing.

ARTICLE 3. PREHEARING MATTERS

3.1 Pre-Hearing Conference. After receipt of the information specified in Article 3.2, the

Hearing Officer will meet with the Parties and their Advisors, if available, to consider clarifying or narrowing the issues to be heard by the Hearing Officer, to provide an overview of the hearing process, to answer procedural questions, to consider limiting the number of witnesses, or to consider any other matters which may aid the conduct of the hearing. The Hearing Officer will also consider the submission of previously undiscovered or undisclosed evidence submitted by the Parties, as described in Article 3.2. The Hearing Officer shall have sole discretion to determine whether to hold a single Pre-Hearing Conference for all Parties and their Advisors or separate Pre-Hearing Conferences for each Party and their Advisor. The Hearing Office facilitates separate Pre-Hearing Conferences upon request, which may be sent via email prior to the scheduled Pre-Hearing Conference.

3.1.1 Accommodations for Disabilities. This Procedure does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Hearing Coordinator at any point before or during the hearing process. The Hearing Coordinator shall work with University personnel including the Accessibility Resource Center (ARC), pursuant to University Administrative Policy 2310, or the ADA Coordinator, pursuant to University Administrative Policy 3110, or their designee to provide accommodation, as appropriate. Neither the ADA Coordinator nor ARC shall be required to provide the Hearing Coordinator, Hearing Officer, or other hearing participant the exact medical reason for the exception or accommodation.

3.2 Pre-Hearing Conference Requirements for Parties. At least two (2) business days before the Pre-Hearing Conference scheduled for each Party, the Party shall provide the Hearing Coordinator with electronic copies of the following information, copies of which the Hearing Coordinator shall distribute to the other Party or Parties and to the Hearing Officer.

- **Witness List**

A list of witnesses the Party intends to call at the hearing. Witnesses may include: persons interviewed by the investigator; persons identified in the Investigative Report, but not interviewed by the investigator; or a previously undiscovered witness who will testify about New Evidence. The Parties must inform the Hearing Coordinator in writing if they do not intend to call any witnesses. The Hearing Officer may grant an extension to submit the witness list for good cause in accordance with Article 1.2.1. A Party may request an extension of time to submit a witness list by contacting the Hearing Coordinator. Witnesses who were not identified two days prior to the Party's Pre- Hearing Conference will not be permitted to testify at the hearing.

The Hearing Officer may place reasonable limitations on the number of witnesses, either before or after the list above is submitted, and will inform the Parties of such

limitation no later than two (2) business days prior to the hearing. The Hearing Officer may exclude Witness testimony that is cumulative or irrelevant to the issues presented. No witnesses other than those on the Party's list may testify without the consent of the Hearing Officer.

- **Name of Designated Advisor or Request for a UNM Advisor**
Each party shall provide the Hearing Coordinator with the name of their Advisor and disclose whether the Advisor is an attorney representing the Party, whether or not such attorney is engaged in the practice of law in New Mexico, or request a UNM Designated Advisor.
- **Electronic copies of any New Evidence**
Any Party requesting that the Hearing Officer consider New Evidence at the Pre-Hearing Conference must submit electronic copies of that evidence to the Hearing Coordinator.
In the case of new testimonial evidence, a written summary of the same must be submitted electronically to the Hearing Coordinator.

3.3 Preparation of Evidence.

All relevant evidence and witness names should have been submitted by the Parties or gathered by the investigator during the investigation preceding the hearing. The investigative file that is submitted to the Hearing Coordinator at the conclusion of an investigation contains the same evidence and documents provided to the Parties during the investigation.

All members of the University community are encouraged to cooperate with the Parties' reasonable requests to provide evidence and to appear at the hearing as witnesses.

3.3.1 Provision for New Evidence. The Parties may present New Evidence for consideration at the hearing at least two (2) business days prior to the Pre-Hearing Conference, as described in Article 3.2.

The Hearing Officer has sole discretion to determine whether the New Evidence will be accepted as evidence. The Hearing Officer shall consider the relevance of the evidence, whether the Party could have obtained it earlier, the time remaining until the hearing, and the degree of prejudice to the other Party when determining whether the New Evidence will be accepted as evidence.

3.4 Administrative Hearing Notice. In accordance with the CGP, upon completion of the Investigative Report, CEEO will submit the Investigative File in its entirety to the Hearing Coordinator. Upon receipt of the file, the Hearing Coordinator will schedule the date of the Pre-Hearing Conference and the Hearing. The Hearing Coordinator will send the Parties a Notice of Administrative Hearing no less than ten (10) business days before the hearing date.

The Administrative Hearing Notice will include the following:

- A description of the alleged violation(s), a list of all policies allegedly violated, a copy or link to these Administrative Hearing Procedures, and the potential sanctions/responsive actions that could result if the Respondent is determined to have violated a policy.
- That a Preponderance of the Evidence standard will be applied by the Hearing Officer;
- The time and date of the hearing and whether the hearing will be in person or conducted via a virtual platform;
- Any technology that will be used to facilitate the hearing;
- A list of all those identified by the Parties who will attend the hearing, if known;
- Information regarding how the hearing will be recorded and how the Parties may access the recording after the hearing;
- A statement that if any Party or witness does not appear at the scheduled hearing, the hearing may be held in their absence. No inference will be drawn from the absence of a Party or witness;
- Notification that the Parties may have the assistance of an Advisor at the hearing and will be required to have one present to conduct Direct-Examination;
- Notification that if a Party does not secure an Advisor of their choice, the University will designate one free of charge;
- A copy of the Investigative Report created by CEEO.
- A copy of any report issued by another department, including but not limited to Human Resources, which addresses potential violations of policies other than UAP 2720, 2740, 2745, 2760, or 3110 by an employee Respondent whose alleged conduct arises out of the same facts and circumstances as set forth in the Investigative Report.
- An invitation to contact the Hearing Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least five (5) business days prior to the hearing.
- A statement that individuals not designated by the Hearing Officer or these procedures are prohibited from recording the hearing.

ARTICLE 4. HEARINGS

4.1 Hearings, Generally & Recordings. All hearings shall be closed to the public, persons who are not participants, and the media. Unless designated by the Hearing Officer,

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hearings may not be recorded by any person or means. If any participant is found to be recording the hearing, they will be immediately removed from the hearing and prohibited from further participation. If it is later discovered that a participant recorded all or part of the hearing, the person alleged to have violated these procedures may be subject to disciplinary action under the UNM policies applicable to each participant.

4.1.1 Consolidation. There is a presumption that separate matters with the same Parties and/or witnesses shall be adjudicated as separate matters. The Hearing Officer may consolidate Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations arise out of the same facts or circumstances.

4.1.2 Delays. A Party may request a delay in the hearing for good cause as described in Article 1.2.1. Requests for a delay must be sent to the Hearing Coordinator for consideration at least five (5) days prior to the hearing, unless the absence is the result of an emergency or unforeseen medical condition. The Hearing Officer has the sole discretion to allow an extension of time. The Hearing Officer shall consider the reason for absence, scheduling conflict or other reason for a delay, length of proposed delay, the time until the hearing date, and the prejudice to the other Party. The Hearing Officer shall include the rationale for granting or denying a request for a delay in the Administrative Hearing Determination.

4.1.3 Advisor Designation. Each Party must have an Advisor for the purpose of conducting Direct-Examination of their Party (should they choose to testify) and the Party's witnesses. A Party may designate a person to serve as their Advisor or may request a University-designated Advisor at no cost by contacting the Hearing Coordinator.

A Party must identify their Advisor at least two (2) business days before the Pre-Hearing Conference by contacting the Hearing Coordinator. A Party must also disclose whether their Advisor is an attorney. If a Party appears at the hearing without an Advisor, the hearing may not proceed until either the Party designates an Advisor or the University designates an Advisor for that Party. A Party cannot decline the UNM-designated Advisor without first selecting an Advisor of the Party's choice.

4.2 Opening and Closing Statements. Only Parties shall be allowed to make Opening or Closing Statements and such statements shall be permitted at the discretion of the Hearing Officer. If the Hearing Officer allows one Party this option, each Party will have the same option. Neither Opening nor Closing Statements are considered evidence relied upon by the Hearing Officer.

4.3 Evidence. The Parties may testify, present testimony of other witnesses, and/or explain documents and other evidence at the hearing. The Hearing Officer may exclude cumulative, unfair, confidential or irrelevant evidence (see Article 4.5 below), but UNM Administrative Hearings are not governed by state or federal Rules of Evidence.

The Hearing Officer may rely on any relevant statement of a Party or witness in reaching a determination of whether a policy was violated regardless of whether a Party or witness attended the hearing or was subjected to Cross-Examination at the hearing.

4.3.1 Cross-Examination Questions. Potential Cross-Examination questions for the opposing Party and their witnesses must be submitted, via email, in one attachment, by the respective Advisor with their Party copied on the message. Parties should not include the opposing Party and Advisor in this email. Questions must be submitted at least two (2) business days before the live hearing. The Hearing Officer retains sole discretion over what Cross-Examination questions are asked during the live hearing.

A witness's live testimony may raise new Cross-Examination questions from the opposing Party. Accordingly, the Hearing Officer will allow for brief follow-up Cross-Examination, conducted by the Hearing Officer, after initial questioning is complete. As needed, the Hearing Officer will facilitate a brief recess for the Party and Advisor to develop and submit new Cross-Examination questions arising from a witness's live testimony.

4.4 Determination of a Question as Relevant. Before a Party or witness responds to a question on Direct-Examination, the Hearing Officer must first determine if the question is relevant. The Hearing Officer must explain any decision to exclude a question on the basis that it is irrelevant. Questions submitted for Cross-Examination will be reviewed for relevancy by the Hearing Officer separately.

4.5 Irrelevant/Inadmissible Evidence. The Hearing Officer shall exclude any evidence that is deemed irrelevant or otherwise inadmissible, including but not limited to the following:

- A Complainant's prior sexual history, unless offered to prove Complainant's consent with respect to Respondent, or to prove that someone other than Respondent committed the alleged conduct;
- Information protected by a legally recognized privilege (i.e., attorney-client privilege);
- Duplicative or cumulative evidence;
- A Party's FERPA-protected education records unless the Party gives written consent;
- A Party's HIPAA-protected treatment records unless the Party gives written consent;
- Information that is not related to the matter which is the subject of the hearing.

The Hearing Officer shall not have the authority to overrule or supersede the confidentiality protections provided by law or under a legally-recognized privilege.

4.6 Order of Evidence. Pursuant to Article 4.3, the Hearing Officer may determine the order

of evidence to be presented at the hearing. Each Party, however, will have opportunity to do the following:

- Testify on their own behalf and to have witnesses testify on a Party's behalf;
- Via their Advisor, conduct Direct-Examination;
- Provide follow-up testimony and via their Advisor, conduct follow-up Direct Examination.

The Hearing Officer also may ask questions of the Parties and their witnesses any time during the hearing.

4.7 Witnesses. The Hearing Coordinator is responsible for scheduling witnesses for the hearing; however, the Parties are responsible for ensuring that their witnesses appear to testify at a hearing. The Parties shall have the right, within reasonable limits set by the Hearing Officer, to question their own witnesses. The Hearing Officer will require all witnesses to affirm the truth of the testimony they present. Witnesses are allowed in the hearing room only during their own testimony. Witnesses on a witness list submitted by a Party and approved by the Hearing Officer shall be allowed to testify even if a Party does not appear at the hearing.

Providing testimony is voluntary and witnesses cannot be compelled to testify. Witnesses shall notify the Hearing Coordinator during the scheduling process if they choose not to participate. A witness may refuse to answer all or part of any question posed. The Hearing Officer cannot draw an inference about the Respondent's violation of a policy based solely on the absence of any Party or witnesses from the live hearing or their refusal to submit to Direct examination or Cross-Examination.

A Party may testify on their own behalf. A Party may eliminate a witness from their list by notifying the Hearing Coordinator in writing. The Hearing Coordinator will notify the other Party or Parties and the Hearing Officer upon receiving such notice.

Reasonable limits on one's right to question witnesses may be imposed by the Hearing Officer and may include any modifications the Hearing Officer deems appropriate under the circumstances or the result of any accommodation approved by ARC or the ADA Coordinator. Requests for modifications to the method a Party's or witness' testimony is elicited or presented must be included with the witness list submitted by the Party seeking the modification.

4.8 Rules of Decorum. Hearings are not civil or criminal proceedings and are not designed to mimic formal trial proceedings. As such, the University has adopted rules of decorum that prohibit any Party, witness, Advisor, or Hearing Officer from questioning witnesses or Parties in an abusive, intimidating, or disrespectful manner. These rules may be enforced through the removal of any participant who refuses to comply with said rules.

The rules and standards apply equally to all participants regardless of sex, gender, or other

protected class, and regardless of whether they are in the role of Advisor, Complainant, Respondent, witness, or other participant.

The following Rules of Decorum are to be observed during the hearing:

1. Questions must be conveyed in a neutral tone;
2. Parties, Advisors and witnesses will refer to all hearing participants using the name and gender used by the person and shall not intentionally misname, deadname, or misgender any person in communication or questioning;
3. No participant in a hearing may act abusively or disrespectfully during the hearing toward any other Party, witness, Advisor, the Hearing Officer, or any other individual participating in the hearing;
4. Advisors may not yell, scream, badger, or physically “lean in” when questioning a witness;
5. Participants may not use profanity unless the language is a direct quote from some source such as the Investigative Report or witness. Advisors may not make personal attacks that harass or intimidate a Party or witness. Questions are meant to be interrogative statements used to test knowledge or understand a fact; they may not include accusations within the text of the question;
6. Participants may take no action prior to or at the hearing that a reasonable person would see as intended to intimidate or coerce a Party, witness, Hearing Officer, or any other participant to testify, refuse to testify, or decide the matter in a particular way.

4.8.1 Warning and Removal Process. The Hearing Officer shall have sole discretion to determine if the Rules of Decorum have been violated. The Hearing Officer will notify the offending person of any violation of the Rules before or during the hearing. The Hearing Office may immediately remove any person whose violation of Rules is so egregious as to warrant such removal.

Upon a second or further violation of the Rules, the Hearing Officer shall have discretion to either remove the offending person or allow them to continue participating in the hearing or other part of the process. Warnings to, decisions to, and/or reasons for the removal of a Party, Advisor, or witness shall be included in the Administrative Hearing Determination. If the Hearing Officer removes a Party’s Advisor, the Party may select a different Advisor of their choice, or accept an Advisor provided by the University. Reasonable delays, including the temporary adjournment of the hearing, may be anticipated when an Advisor

is removed. A Party cannot serve as their own Advisor in this circumstance. The Hearing Officer shall make no inference with regard to the removal of an Advisor.

4.9 Closing the Hearing. No New Evidence may be submitted for the Hearing Officer's consideration after the hearing concludes. The hearing is deemed fully and finally closed for purposes of appeal pursuant to Article 6 herein upon the issuance of the Administrative Hearing Determination, unless the Hearing Officer expressly leaves the proceedings open pending some later action to be taken by the Hearing Officer, a Party, or another person or entity specifically identified in the Hearing Officer's express instruction that the hearing remain open pending the later action occurring.

ARTICLE 5. POST HEARING PROCEDURE

5.1 Record of Proceedings. The Hearing Coordinator shall make a digital audio recording of all proceedings. The Parties may request a copy of records from the Hearing Coordinator after the hearing has been finally closed. Best efforts shall be made to provide the Party with a digital copy of the recording within two (2) days of a request.

Records shall consist of the digital recordings of all proceedings and an electronic copy of all documents introduced as evidence, including evidence deemed inadmissible by the Hearing Officer. The record shall be kept by the University for ten (10) years after all appeals have been concluded.

5.2 Written Closing and Impact Statements. After hearing the evidence, the Parties have the option of submitting to the Hearing Officer (a) written Closing Statement of no more than five (5) pages; and/or (b) an Impact Statement of no more than five (5) pages, unless the Hearing Officer allows an extension of these page limits. Parties must submit their Closing or Impact Statements to the Hearing Coordinator no later than five (5) business days following the final closing of the hearing. The Hearing Officer has discretion to allow additional time for written Closing and/or Impact Statements to be submitted upon good cause shown by either Party as described in Article 1.2.1.

5.3 Administrative Hearing Determination. In making a determination, the Hearing Officer considers all available evidence in the investigative file, contained in the Investigative Report, and any testimony presented at the hearing. The Administrative Hearing Determination shall include the following information as appropriate to the circumstances:

- The names of the parties, their role in the investigation, and the associated investigation number.
- The policies implicated;
- A brief statement indicating whether or not a policy violation was found;
- A brief procedural history;
- In the event an advisor was excused from the hearing, the reasons for excusal;

- If a Party did not attend or refused to fully participate, a statement indicating that the Hearing Officer made no inference as to the Party's absence or refusal to answer questions;
 - If the hearing was delayed, the reason for the delay and rationale for rescheduling it;
 - A statement of the procedures applied to the hearing, including the burden of proof standard;
 - Whether there were any disruptions to the hearing resulting in the issuance of warnings by the Hearing Officer and, if a participant was removed from the hearing, the reasons for such removal and any resulting delays from such disruptions;
 - A list of witnesses who testified at the hearing;
 - An analysis of each alleged policy violation consistent with the University's Analysis of Claims, and the evidence relied upon by the Hearing Officer, including the following considerations, as applicable: the weight given to a particular statement or piece of evidence; any power differential that exists between the parties; the ability of a Party to affirmatively consent to alleged conduct, consistent with UAP 2740; the credibility of Parties and/or witnesses;
 - A brief review of evidence excluded by the Hearing Officer, including written statements and testimony offered by a Party or witness, and the rationale for doing so;
 - Sanctions, if any, determined by the sanctioning authority.²
 - Statement indicating how and when an appeal may be taken.
- **5.4 Sanctions.** If the Hearing Officer determines there was a policy violation by either Party, the Hearing Officer shall inform the appropriate sanctioning authority of the findings. The Sanctioner is provided with a copy of the Administrative Hearing Determination, and on a case-by-case basis, may be provided additional documentation upon request. The Sanctioner will inform the Hearing Officer as to the sanctions to be imposed and the Hearing Officer will include those sanctions in the Administrative Hearing Determination.³
- 5.5 Remedies.** Upon a finding that the Respondent is responsible for a policy violation, CEEO or the Title IX Coordinator may provide Remedies to Complainant in adjudications involving UAP 2740 and 2760.

ARTICLE 6. APPEALS

- **6.1 Appeal.** No appeal of the Hearing Officer's decision may be taken until the Administrative Hearing Determination is issued to the Parties above. The timing and process for any appeal will be pursuant to the instructions in the Administrative Hearing

² Sanctions for faculty Respondents found responsible for violating UAP 2720 and/or 3110, unless such allegations concern the Violence Against Women Act, are issued separately pursuant to the UNM Faculty Handbook or CBA.

³ See above.

Determination and the policy, procedure, or order authorizing the appeal. In cases where a sanction is issued separately, and after, the issuance of an Administrative Hearing Determination, the appeal may be filed after receipt of the sanction.



OFFICE OF
COMPLIANCE, ETHICS
& EQUAL OPPORTUNITY

CEEO GRIEVANCE PROCEDURE

AUGUST 1, 2024

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CEEO GRIEVANCE PROCEDURE

I. OVERVIEW AND INTRODUCTION

The University of New Mexico (“UNM”) is committed to creating and maintaining a community free from all forms of discrimination, including harassment, differential treatment, failure to accommodate, and retaliation for participation in civil rights-protected or related activity. UNM has policies that prohibit discrimination and retaliation, specifically prohibiting all forms of sexual misconduct, a type of sex discrimination that is prohibited by state and federal law.

UNM is committed to providing all individuals equal access to educational and employment opportunities. UNM considers the following as civil rights-protected statuses:¹

- Age
- Ancestry
- Color
- Disability
- Ethnicity
- Gender
- Gender identity
- Genetic information
- Immigration status
- Medical condition
- Military status
- National origin
- Pregnancy
- Race
- Religion
- Sex
- Sexual orientation
- Spousal affiliation
- Veteran status

In addition, pursuant to the Violence Against Women Act (VAWA) amendments to the Clery Act, UNM will consider complaints of domestic violence and stalking that are not based on a protected status.

The Office of Compliance, Ethics & Equal Opportunity (CEEO) is the independent, impartial, and neutral campus entity designated to ensure compliance with all UNM policies that apply to civil rights, including investigations of alleged civil rights violations and VAWA offenses. CEEO acts as the finder of fact when investigating alleged policy violations and prepares a report after its investigation, as described herein. CEEO has no decision-making or sanctioning authority concerning alleged policy violations except for failure to report claims. Once CEEO finalizes an investigative report, CEEO refers the matter to the appropriate UNM office, which ultimately determines whether a University policy has been violated. CEEO reports directly to the UNM President’s Office to maintain optimal independence and impartiality.

In fulfilling its dual tasks of educating and providing public service, UNM shall demonstrate leadership in remedying discrimination and providing equal opportunities in employment and education. CEEO, acting under the authority of University Policies [2720](#), [2740](#), [2745](#), [2750](#), [2760](#), [2310](#), [2215](#), [3110](#), [3210](#), [3790](#), and Board of Regents [Policy 2.3](#), and [7.2](#) and may take necessary action to prevent, correct, and educate about behavior that violates UNM policies or impacts the academic or work environment. Leadership in CEEO includes the Chief Compliance Officer, the Deputy Chief Compliance Officer, the Director of Equal Opportunity, the Title IX Coordinator, and the Clery Coordinator.

¹ See University Administrative Policy 2720 for the federal and state laws which designate the protected statuses which UNM observes.

CEEO staff treat all participants and parties respectfully and approach each case impartially and equitably. CEEO's grievance procedures do not restrict rights guaranteed under the First and Fourth Amendments to the U.S. Constitution, nor the Due Process Clause of the Fifth and Fourteenth Amendments to the U.S. Constitution. CEEO complies with the Family Educational Rights and Privacy Act ([FERPA](#)) and other applicable state and federal privacy laws.

This CEEO Grievance Procedure ("CGP") outlines the method CEEO uses when processing complaints alleging UNM civil rights and related misconduct policy violations. Some of the complaints brought under this procedure may also contain allegations that qualify as violations of criminal statutes. As stated above, CEEO only processes alleged policy violations on an administrative level; it does not process alleged crimes. All persons who believe they have been the victim of a crime are encouraged to report such crime to law enforcement at any time, have the right to obtain assistance from University officials to report to law enforcement and have the right to decline law enforcement participation. **CEEO does NOT independently report alleged crimes to law enforcement except in limited circumstances, such as harm to a minor or elder or in the event there is a threat of imminent harm to a person or the UNM community.**

II. NOTIFICATION AND CORRESPONDENCE WITH CEEO

CEEO generally sends official notifications and other documentation via email to official UNM email addresses; if an individual does not have a UNM email address, it is sent to an email address provided by the individual. Individuals may request that CEEO use an alternative email address or a different contact method. Still, unless and until this request is made, CEEO will send all correspondence using official University email. Requests that CEEO send communications to an email address other than a UNM email address must be made in writing via email to ceeo@unm.edu.

If an individual prefers to receive correspondence by mail, that preference and the individual's preferred mailing address must be specified in writing and delivered either by email to ceeo@unm.edu, by mail to CEEO's mailing address at 1 University of New Mexico, MSC05 3150, Albuquerque, NM 87131-0001, or by hand delivery to CEEO during CEEO's regular business hours at 609 Buena Vista Dr. NE, Albuquerque, NM 87106.

All CEEO correspondence sent to an individual by email is deemed received on the date the email is sent. All correspondence sent from CEEO to an individual by mail is deemed received by the recipient **three (3) business days** after the postage date.

III. RETALIATION

It is UNM's policy to foster an environment where faculty, staff, and students may raise civil rights and related claims without fear of retaliation or reprisal. All UNM community members have a right to redress for perceived violations of civil rights and related policies. It is contrary to UNM policies to retaliate against any person for asserting their civil rights, for reporting any perceived civil rights violation, or for reporting other related misconduct, including sexual misconduct. These rights include, but are not limited to notifying UNM (faculty, staff) of their concerns; filing a claim of discrimination or harassment; participating as a witness in an investigation; declining to participate in an investigation; accessing supportive measures; or responding to allegations of civil rights or related policy violations. UNM will not tolerate retaliation or reprisal against any investigation participant. Retaliation or perceived retaliation against a person who seeks assistance from CEEO is grounds for a subsequent claim and investigation.

IV. TIME FRAME

Individuals who believe their civil rights have been violated at UNM or in a UNM program should file a complaint within **180 calendar days** from the most recent alleged discriminatory incident. This time frame may be extended due to the severity and/or pervasiveness of the allegations (such as sexual violence), allegations of a continuing pattern of conduct, or as determined by CEEO.

In cases of sex-based discrimination, including sexual misconduct, the 180-day time limit does not apply. However, CEEO reserves the option of determining the appropriate way to address sex-based discrimination in all cases.

V. REPORTING CONCERNS; TYPES OF COMPLAINTS

Any person, including those listed below, may report discrimination or related misconduct to CEEO if they observe, experience, become aware of, or encounter conduct they believe may violate University policy(ies):

- UNM Students
- UNM Staff
- UNM Applicants
- Former UNM Employees or Students
- UNM Student Employees
- UNM Faculty
- Visitors to UNM
- Parents and Guardians of Applicants or Students

Reports of potential civil rights violations or related misconduct can be made through any of the following means:

- Complete the online [UNM EthicsPoint Hotline Complaint Form](#) (anonymous reporting option is available);
- Email (ceeo@unm.edu), fax (505-277-1356), or mail a written document describing the concerns;
- Make an appointment with a CEEO employee;
- In person at CEEO's office during regular business hours; or
- Call 505-277-5251.

Different types of complaints may be made to CEEO under this CGP, as outlined below.

A. Receiving a Report

The University accepts reports from campus and community members. A Complainant may file a [report](#) discrimination, harassment, or related misconduct to seek supportive measures and obtain information regarding their rights and the CEEO grievance procedures as described herein. Once informed of their options, the Complainant may initiate an alternative resolution or investigation. A report by itself, however, will not automatically activate a CEEO investigation or notification of a report to a Respondent.

The report should include:

1. The Complainant's name and preferred contact information, as well as any affiliation with UNM as a student, staff, faculty, applicant, or visitor to UNM;

2. The Respondent's name and contact information, if known, and whether the Respondent has any affiliation with UNM as a student, staff, faculty, contractor, or UNM visitor;
3. The Complainant's protected status (as recognized in [CGP Section I.](#)) under which the alleged misconduct occurred;
4. The civil rights category to which the Complainant believes the allegations belong (e.g., sexual harassment or misconduct, discrimination, harassment, failure to accommodate, retaliation, etc.), if applicable; and
5. Briefly describe the alleged policy violation, including the reasoning for the civil rights category and the Complainant's protected status.

Upon receipt of a report, the following will occur:

1. CEEO will contact the Complainant with campus and community resources. These resources are specific to the Complainant's role at UNM (student, staff, or faculty) and may, if applicable, outline access to groups on and off campus to assist the Complainant with the impacts of the alleged misconduct;
2. CEEO will offer the Complainant an opportunity to meet and request supportive measures; and
3. CEEO will advise the Complainant of their right to pursue an alternative resolution or investigation and provide information regarding the CEEO grievance procedure.

Complainants may provide the required information verbally or in writing. CEEO may contact the reporter to discuss the details of the concerns and obtain additional information.

B. Third-Party Reports and Reports from Responsible Employees; Failure to Report

CEEEO receives reports from third-party reporters, responsible employees, or others who have information regarding potential civil rights violations or related misconduct. When a third-party report lacks sufficient detail, CEEEO may contact the individual(s) or other witnesses the third-party reporter identifies for more information. CEEEO will evaluate and accept third-party reports to determine if the report is sufficiently detailed to accept jurisdiction of the matter. In cases where reports are received from third parties, CEEEO will contact the alleged Complainant to discuss the report, determine the alleged Complainant's need for supportive measures, and how they wish to proceed.

1. Failure to Report (FTR)

When CEEEO receives information that a UNM employee with reporting responsibilities, pursuant to University Policies [2720](#), [2740](#), or [2745](#), has failed to report allegations of known or suspected policy violations in a timely fashion, CEEEO will initiate the following process.

Depending upon the nature of the FTR, CEEEO may issue a memorandum or proceed with additional fact-finding processes. If an FTR is a singular occurrence with minimal impact, an FTR memorandum will be sent to the Respondent (the person who failed to report to CEEEO under UNM policies) and their supervisor. This memorandum is a reminder of the employee's duties as outlined in University Policies [2720](#), [2740](#), and/or [2745](#) and is not disciplinary or punitive. No CEEEO investigation is conducted, no finding is made, and no hearing is held.

In cases where there are multiple instances of FTR or when an FTR could or does result in significant harm to the campus or its community, CEEEO will notify the Respondent (the person who failed to report to CEEEO under

UNM policies) of the information that CEEO has related to the FTR in writing and will provide Respondent **five (5) business days** to respond to the FTR allegations, by either providing a verbal or written statement. CEEO will also provide the Respondent with their rights, responsibilities, and available resources including supportive measures and options.

CEEEO will review all relevant documents and interview witnesses, if available and necessary, to determine whether Respondent failed to report about their duties, position, and responsibility under UNM policy. This information will be gathered into an Investigative Report and provided to Respondent for review. Respondent will have **five (5) business days** from the date of the Investigative Report to provide additional, relevant information. CEEEO will then prepare a memorandum stating whether the information gathered demonstrates a violation of policy (POLICY VIOLATION or NO POLICY VIOLATION) and will provide the memorandum to Respondent. **There is no live hearing associated with an FTR investigation;** the CEEEO investigator makes the determination of a policy violation. Respondent will have the same opportunity to appeal per the process outlined in [Section XI](#) herein. After the appeal window closes, CEEEO will provide the FTR memorandum to Respondent's supervisor and the appropriate sanctioning authority on campus.

C. Anonymous Reports

Individuals who report to CEEEO may choose to do so through anonymous means, such as through UNM's [anonymous compliance hotline](#). CEEEO's ability to fully investigate the alleged discrimination may be limited in this circumstance. Similarly, an individual who reports discrimination anonymously may have limited protection from retaliation. Complete anonymity can never be guaranteed, as the specific allegations in a report may make the anonymous reporter identifiable. See [CGP Section XII](#).

As described in [Section X](#) above, responsible employees cannot make anonymous reports and must provide details as described.

D. Process Initiated by CEEEO

Based on information the Director of Equal Opportunity and/or the Title IX Coordinator, or their designee, receives, they may exercise their authority to initiate an investigation or alternative resolution on behalf of UNM, regardless of the cooperation or involvement of a Complainant or affected party.

E. False Reports

If CEEEO receives clear and credible information demonstrating that a Complainant or other filing party has submitted a false report, CEEEO will investigate as outlined herein against the party alleged to have filed a false report. A person determined to have filed a false report will be referred to the appropriate UNM office under UNM policies for review and discipline as appropriate.

VI. JURISDICTION

CEEEO reviews reports of discrimination and related misconduct to determine whether it is authorized to address them. CEEEO's jurisdiction is generally limited to conduct that occurs on UNM property or within UNM education activities, programs, sponsored events, or functions. In some cases, however, CEEEO may assert jurisdiction when concerns are alleged to impact the campus environment or a staff member, faculty member, or student's work or academic environment.

CEEO will take no action on any report filed with CEEO unless it has jurisdiction over one of the parties involved and the subject matter as described in greater detail below:

1. The parties involved. CEEO investigates policy violations. Therefore, the policy alleged to have been violated must apply to at least one of the persons involved in the issue raised with CEEO.
2. The subject matter of the allegations underlying the complaint. CEEO has jurisdiction to investigate alleged policy violations regarding civil rights and related misconduct. For CEEO to have jurisdiction to investigate a complaint, the allegations must state facts that, taken in the light most favorable to the Complainant, qualify as an alleged violation of one or more of UNM's policies. If the allegations in the report do not allege sufficient facts demonstrating that one of UNM's civil rights or related policies has been violated, then CEEO may not be able to accept jurisdiction. As noted above, CEEO may take informal action related to allegations that do not, as alleged, violate UNM policy; therefore, UNM and CEEO encourage anyone who has any concerns related to civil rights at UNM to bring their concerns to CEEO.

To make a jurisdictional determination, CEEO may also consider:

1. Previous and contemporaneous reports or violations against Respondent;
2. Pattern of behavior;
3. Severity of the allegations;
4. Use of weapons, drugs, or coercion;
5. Physical threats or violence;
6. The power dynamic between the parties involved;
7. Where the incident(s) took place;
8. The impact on the parties; and
9. Whether multiple parties were impacted.

VII. PROCESS OPTIONS

When a Complainant determines that they want either an alternative resolution with a Respondent or an investigation into a Respondent's alleged misconduct, CEEO will confirm the Complainant's allegations via a Confirmation of Allegations, which outlines the specific charges being addressed by CEEO. The Complainant is given **two (2) business days** to review and confirm their statement or provide additional information. **Three (3) business days** after the Complainant's review period expires, CEEO will send the Notice of Jurisdiction to both the Complainant and Respondent at the same time. The Notice of Jurisdiction will include the following:

1. Notice that a complaint has been received;
2. The specific charge(s) being addressed and description of Complainant's allegations, including the identities of relevant participants;
3. The specific policy(ies) that Respondent is alleged to have violated;
4. The date and location of the incident, if known;
5. A statement that Respondent is presumed not to have violated policy until a determination is made at the conclusion of the grievance process, if applicable;
6. Inform the parties that they may have an Advisor of their choice during any subsequent hearing, including an attorney at their own expense, as applicable;
7. Inform the parties that they may have a Support Person of their choice to accompany them to any meeting or interview with CEEO;

8. Advise the parties of UNM policies prohibiting false statements. See [UNM Student Code of Conduct](#), Section 2.3; [University Policy 2720](#), Section 12; [University Policy 2740](#).
9. Inform the parties about retaliation as described in University policy;
10. Notify parties that they may pose cross-examination questions to the other party by submitting those questions to the CEEO Compliance Specialist assigned to the investigation, as applicable;
11. Provide notice of any additional allegations that arise after the initial notice to the parties;
12. State the purpose of all meetings with a party, with enough time for the party to prepare for the meeting;
13. Extend an invitation to meet with the Respondent to discuss the allegations; and
14. Notify the parties and witnesses that interviews will be recorded and transcribed for their approval.

Meetings for gathering statements related to an investigation will be recorded and transcribed. This ensures accuracy, offers a reference for review, and allows parties to clarify and confirm their statements to CEEO.

If a party prefers not to be recorded, they should inform the CEEO Compliance Specialist, investigator, or staff member as soon as possible. Instead of the recording and transcript, they may submit a written statement directly to the CEEO investigation that will be summarized appropriately and sent to the party for confirmation.

F. Process Options

After a Complainant elects either an alternative resolution or an investigation, and the parties are provided with notice, the following process options are available:

2. Withdrawal of Election Option

A Complainant may withdraw their alternative resolution or investigation at any time after bringing concerns to CEEO. If the Complainant chooses to withdraw their election, they must notify CEEO in writing; an email to CEEO will suffice. A Complainant can still access supportive measures as described in this CGP.

Even if a Complainant withdraws their election, CEEO reserves the right to continue its inquiry into the concerns to ensure compliance with UNM policy and related state and federal regulations. Within **five (5) business days** of either receiving Complainant's notice of withdrawal or CEEO's final attempt at communication with Complainant, CEEO will notify Complainant if further action is taken regarding their report. If CEEO reopens a matter after the **five (5) business days** have passed, CEEO will inform the Complainant. CEEO may act as deemed appropriate to ensure a working and learning environment free from harassment and discrimination.

If, after a withdrawal by Complainant, CEEO determines it will not proceed with its grievance, it will dismiss the election and notify the parties of the dismissal and justification. See [Section F.4.d.i.](#) herein.

3. Alternative Resolution

An alternative resolution is a path designed to eliminate the alleged misconduct, prevent its recurrence, and remedy its effects to ensure compliance, along with the safety and welfare of the campus community. In an alternative resolution, Respondents may be informed that allegations have been made against them and are made aware of UNM policies and behavioral expectations. This is an alternative process where an investigation

is not conducted, and the allegations in the complaint are, therefore neither corroborated nor contested. An alternative resolution is **NOT** disciplinary.

The parties must agree with this option to proceed with an alternative resolution in cases involving alleged Policy 2740 violations. If the parties do not agree, CEEO will proceed as appropriate under the specific circumstances.

An alternative resolution does not follow a pre-determined process. Instead, CEEO consults with the parties and then proceeds with a solution that prevents the recurrence of the alleged misconduct. Examples of alternative resolutions include, but are not limited to:

- Meet with Respondent to discuss the allegations and UNM policies;
- Meet with Respondent and Respondent's supervisor separately if the allegations regard a work environment;
- Meet with Respondent and supervisor or other authority figure together;
- Provide training or engage in other collaborative processes as CEEO deems appropriate;
- Initiate an accommodation process in cases where a failure to accommodate has been alleged;
- Facilitate dialogue about the issues to improve the environment or remedy the effects of the alleged conduct;
- or
- Refer the parties to a supervisor or other appropriate party for remedial action and monitoring of the work and/or academic environment. The supervisor will notify CEEO of the actions taken to address the work and/or academic environment.

After an alternative resolution, CEEO sends follow-up correspondence to Respondent and/or to Respondent's supervisor or another authority figure (if applicable), documenting what action was taken by CEEO. CEEO notifies Complainant of the action taken and, when appropriate, may impose a monitoring period to ensure the conduct has stopped. After the monitoring period, CEEO will close the case. CEEO may modify monitoring periods on a case-by-case basis.

Alternative resolutions may not be appropriate for all forms of conduct prohibited by UNM policies. In those instances, CEEO may proceed with an investigation, which can lead to an evidentiary hearing before a Hearing Officer, as described herein.

4. Investigation

An investigation is initiated at Complainant's or CEEO's election. The investigation is a neutral process during which CEEO gathers evidence related to the allegations CEEO receives. This evidence is gathered from the parties, any witnesses they identify, any witnesses CEEO identifies, and from any other source willing to provide information to CEEO. The parties are encouraged to provide evidence and witnesses relevant to their case and should submit evidence that is described in the Definitions section of this CGP. As described in greater detail below, each party will have the following opportunities during a CEEO investigation:

- Be provided an overview of the CEEO process;
- Submit a written or verbal statement to the investigator;
- Provide evidence to the investigator;

- Suggest witnesses to be interviewed by the investigator;²
- Review the evidence gathered and organized into an Investigative Report and provide new relevant information; and
- Propose questions to be asked of witnesses and parties.

If additional allegations are identified during the investigation, the investigator shall provide an amended notice to the parties. The Respondent will have the opportunity to provide additional information in response to new allegations.

a. *Complainant Meeting*

Upon receiving a report, CEEO will reach out to the Complainant to schedule a process meeting. During the meeting, CEEO will describe process options, the rights and responsibilities of the parties, and UNM's policies prohibiting retaliation.

Included in the initial outreach, CEEO will provide Complainant with an election form, which allows Complainant to outline the specific process with which they would like to proceed. The Complainant has **ten (10) business days** from the initial CEEO outreach to meet with CEEO or make their election. If, at the end of the 10 days, Complainant has not made an election, CEEO will close the report. However, the Complainant may reinstate the CEEO process in the future.

After receiving the Complainant's election, CEEO will assign an investigator to the report, if applicable. CEEO will request to meet with the Complainant within **five (5) business days** of having received Complainant's process election. At this meeting, the CEEO investigator will interview the Complainant to determine the specific facts underlying the Complainant's allegations. The interview will be audio-recorded and transcribed. **Two (2) business days** after the interview, the CEEO investigator will send the Complainant the interview transcript and a Confirmation of Allegations (COA) outlining the specific concerns CEEO will address. The Complainant has **two (2) business days** to review the information and confirm its contents. After the two-day time period, CEEO will proceed with issuing a Notice of Jurisdiction, which describes the allegations it will investigate, to both the Complainant and Respondent simultaneously.

If a Complainant does not want their statement to be recorded, they will submit a written statement outlining their allegations to the CEEO investigator in the time frame specified. The CEEO investigator may ask follow-up questions in writing to clarify the written statement.

If a Complainant does not return a COA for the allegations, they have raised within the timeline specified above, CEEO may, at its option, close the complaint without further action, or take any action it determines necessary based on the information it has.

b. *Respondent Meeting*

After a Notice of Jurisdiction (NOJ) is issued to the parties, CEEO will schedule a process meeting with Respondent. The NOJ will solicit questions each party would like the investigator to ask of the other party during

² Witness statements which attest to a party's character are limited and are considered on a case-by-case basis. Any witnesses suggested by the parties should provide relevant evidence specific to the allegations in the complaint.

the investigation. These answers will be included in the evidence of the Investigative Report. CEEO will determine the format and exact content of questions asked of the parties to elicit relevant information and maximize the impartiality of the question content.

At the process meeting, CEEO reviews the NOJ with Respondent, advises them of the CEEO process, and makes them aware of their rights and responsibilities under this CGP. CEEO will provide Respondent with the ability to make a verbal response to the allegations, which is audio-recorded and transcribed. **Two (2) business days** after the interview, the CEEO investigator will submit the interview transcription and an overview of Respondent's responses to the allegations. Respondent has **two (2) business days** to review the information and confirm its contents. After the two-day time period, CEEO will proceed with the investigation.

If a Respondent does not want their statement to be recorded, they will submit a written statement outlining their response to the CEEO investigator in the time frame specified. The CEEO investigator may ask follow-up questions in writing to clarify the written response.

c. Evidence Gathering

As part of its investigation, CEEO gathers information it deems relevant to the allegations. The parties may submit documentation they believe should be considered, as well as identify witnesses they believe should be interviewed. Witnesses are given the opportunity to review a transcript and summary of their statement, referred to as the Confirmation of Witness Statement (COWS), before the statement is included in the Investigative Report. The parties should submit any evidentiary items that are listed in the Definitions section herein, including electronic evidence such as social media posts, audio, text, and phone records. The parties should notify CEEO as soon as possible of any electronic evidence, such as recordings and social media, for CEEO to request and preserve the evidence.

CEEEO shall also identify evidence independent of the parties if CEEEO determines that such evidence may be relevant to its investigation. CEEEO may also receive information from other UNM offices as appropriate or review public sources, such as social media or public records.

CEEEO has sole discretion to determine which allegations it will investigate and the way it will conduct an investigation. As such, CEEEO has sole discretion to determine the relevance of information to the investigation.

CEEEO does not have subpoena power or other authority to compel document production or witness participation. Document production and witness participation is therefore voluntary; however, UNM strongly encourages all members of the UNM community to participate in CEEEO investigations and provide information when CEEEO requests it, pursuant to its role as investigator.

d. Post-Investigation Steps

At any point during an investigation, CEEEO may dismiss some or all of the allegations, or continue the investigatory process for further action if a dismissal is not warranted.

i. Dismissal Memorandum

If the evidence gathered during an investigation indicates that there is insufficient information for a decision maker to make a determination, or does not fall within the jurisdiction of CEEEO, it will issue a Dismissal

Memorandum to the parties, summarizing its investigative findings and justification for dismissing the complaint.

CEEO will consider a dismissal as follows:

- Where a Complainant notifies CEEO or the Title IX Coordinator in writing that they want to withdraw the complaint or any allegations therein;
- Where the Respondent is no longer enrolled in or employed by UNM; or
- Where specific circumstances prevent CEEO from gathering evidence sufficient for a decision-maker to reach a determination (e.g., alleged misconduct is not targeted at a specific individual; there is no nexus between alleged misconduct and a protected status).

Parties may appeal a CEEO dismissal for one or more of the following reasons:

- Procedural irregularity that affected the outcome;
- New evidence that was not reasonably available when the determination of responsibility was made that could affect the outcome; or
- The Title IX Coordinator, investigator, or other decision-maker had a general or specific conflict of interest or bias against the Complainant or Respondent that affected the outcome.

A dismissal appeal should follow the procedure outlined in this CGP. Even when it issues a dismissal, CEEO may determine that the academic and/or work environment requires some informal action, such as training or education for the parties or a department. In cases where post-investigative or post-dismissal action is deemed appropriate, parties who need to know will be notified. This informal action may include:

- Referring the issue to a department to address climate issues (CEEO will require the department to provide CEEO with information outlining the remedial action that was taken);
- An educational or other training opportunity conducted by CEEO or other entity; or
- Referral to another department on campus with authority to address the issues including the UNM Police Department, Dean of Students, Academic Affairs, or Human Resources.

ii. Investigative Report

If it does not dismiss all allegations raised, CEEO will create an Investigative Report. The Investigative Report will offer no opinion as to whether a policy violation occurred.

The Investigative Report will include:

- a citation to the policies alleged to have been violated;
- Complainant's statement;
- Respondent's statement;
- Witness statements; all relevant and irrelevant evidence gathered in the investigation;
- The investigative steps taken;
- Credibility factors to be considered by the Hearing Officer or other appropriate decision-maker; and
- A statement outlining the reason for any delay in an investigation.

The Investigative Report shall:

- Objectively state all relevant evidence, including both inculpatory and exculpatory evidence; and

- Start from the premise that the Respondent did not engage in the alleged conduct until a determination of responsibility is made at the conclusion of the grievance process by a preponderance of the evidence.

At the request of a party or witness, or at its discretion, CEEO will exclude and redact from the report content falling into one of the following categories:

- **Prior Sexual History.** Generally, an individual may exclude evidence of their own prior sexual history with anyone other than a party;
- **Mental Health Treatment and/or Diagnosis.** Generally, an individual may exclude evidence of their own mental health diagnosis and/or treatment;
- **Sensitive Personal Identifying Information and Medical Records.** Sensitive personal identifying information, such as Social Security numbers and irrelevant information contained in medical records, will be excluded; or
- **Irrelevant Information.** Information that is not relevant to the investigation or the policy violations alleged will not be included in witness statements or in the Investigative Report.

The investigator will also exclude and redact content that is impermissible under applicable law. Exclusions and redactions will be noted and thereby become part of the investigative record.

In order to protect the integrity of a CEEO investigation, no documents or records are released to the parties until the Investigative Report is issued. The Investigative Report includes the evidence – or a description thereof – that CEEO gathered during its investigation and which the Hearing Officer may use to determine whether UNM policy was violated.

After the Investigative Report is issued, the parties will have **five (5) business days** to submit any new, relevant, factual information to be included in the Investigative Report. The response may include corrections or clarifications to the party’s own statement, questions for the other party or witnesses, along with any additional evidence or witnesses **not reasonably available to the parties prior to issuing the Investigative Report**. This new information will be included as part of the record in the Investigative Report, which will be issued to the parties and the Hearing Office within **five (5) business days** of having received the parties’ responses to the Investigative Report. At this point, CEEO closes the investigative file and turns the rest of the grievance procedure over to the Hearing Office.

e. *Grievance Hearing Process*

A live hearing presided over by a Hearing Officer will be held to adjudicate the allegations and CEEO investigation. The hearing process is determined by the [UNM Hearing Office](#), and parties should refer to its [procedures](#) for more information.

VIII. OTHER MATTERS RELEVANT TO THE GRIEVANCE PROCESS

A. General Statement of Investigation Timelines

CEEEO attempts to complete investigations in a timely manner, generally concluding within **sixty (60) calendar days** of notifying the parties that CEEEO is initiating an investigation; however, some investigations may take additional time depending upon the complexity of the claim(s) and other extenuating circumstances. When there are factors that extend the normal time frame, the parties are notified of the extension and CEEEO

documents the reasons for the extension. Similarly, when circumstances dictate that any of the timelines specifically identified herein be extended, CEEO notifies the parties and documents the reasons for the extension.

If a party requires an extension of any time limits applying to them as stated herein, they should submit a request to the investigator as soon as they learn of the need for an extension and state the reason for the request. If good cause for an extension is provided, CEEO may grant the request. If a request is granted, CEEO will notify the parties of the length of the extension.

In investigations where there is also a criminal investigation by a law enforcement agency, the CEEO process will run concurrently with such an investigation. CEEO may grant temporary delays reasonably requested by law enforcement for evidence gathering and preservation.

B. Responsibilities of the Parties

All persons involved in a CEEO investigation are encouraged, and all UNM employees are **required**, to preserve all information and tangible material related to alleged discriminatory, harassing, or related misconduct. Examples of evidence include, but are not limited to: electronic communications, photographs, video and/or audio recordings, clothing, and medical information.

At all stages of a CEEO investigative and hearing process, UNM students and employees are expected to provide truthful information to investigators, hearing coordinators, and hearing officers. Making false representations to the University is prohibited under policy and applies to all UNM community members. See [UNM Student Code of Conduct](#), Section 2.3; [University Policy 2720](#); [University Policy 2740](#).

All UNM students, staff, and faculty who participate in a CEEO investigation, and any subsequent hearing are encouraged to keep investigation and hearing information confidential during the investigation and hearing in order to maintain the integrity of the process.

C. Modification of the Investigation Process

CEEEO may elect to deviate from standard process when facts or situations require it. Any deviation from the standard process will be described in detail in the Investigative Report, which will include the reasoning for this deviation. Examples include, but are not limited to:

1. Unaffiliated Respondents. If the Respondent is unaffiliated with UNM or becomes unaffiliated with UNM, CEEEO may continue the investigation and issue an Investigative Report.
2. Hiring Challenges. CEEEO may accept a hiring challenge based on protected status, where the complaint demonstrates a potentially disparate impact on Complainant. In these situations, CEEEO may name a department, division, unit, or office as Respondent and review the hiring process, procedure, candidate pool, or hiring outcome. CEEEO may not name a specific Respondent in these situations and will issue only a Final Report.
3. Failure to Report. See [CGP Section V.B.1](#).

D. Advisors, Support Persons, and Union Representation

Complainants and Respondents are encouraged to bring a support person of their choice to guide the CEEO process, including the investigatory stage. A support person may be any person who is **NOT** a party, a potential witness in the case, or a supervisor of one of the parties; their role is to assist the party in navigating UNM's and CEEO's administrative processes.

The parties may be accompanied by their respective support person to any CEEO meeting or interview. The support person is allowed to ask questions regarding CEEO's process but not to answer questions posed to the parties, present arguments or evidence, or otherwise participate directly in the investigation. A support person shall make themselves reasonably available for all aspects of the CEEO grievance process. CEEO will review and grant good cause extensions as it deems necessary and, on a case-by-case basis; scheduling conflicts alone generally do not constitute good cause. Parties are encouraged to utilize UNM's on-campus resources to obtain a support person.

In the event a CEEO investigation advances to a hearing, the parties are required to have an Advisor of their choice at the hearing stage. The Advisor assists the party during the hearing stage, including conducting direct examination of their party and witnesses and creating cross-examination questions to pose to the Hearing Officer to ask of the opposing party and witnesses. Parties to a hearing should read the [UNM Hearing Office procedure](#) regarding an Advisor's role in a hearing.

If a party is a member of a union as part of their University employment, the party has a right to request that a union representative be present at any meeting with CEEO. If the party feels it is necessary to have a union representative during the interview, the party may ask to stop the interview at any time. The party will be given **three (3) business days** to obtain a union representative and reschedule the interview.

The union representative's role is similar to a support person's, in that they are permitted to ask questions regarding CEEO's process but are **not** allowed to answer questions posed to the parties, present arguments or evidence, or otherwise participate directly in the investigation. A union representative shall make themselves reasonably available for all aspects of the CEEO grievance process. CEEO will review and grant good cause extensions as it deems necessary and, on a case-by-case basis; scheduling conflicts alone generally do not constitute good cause.

CEEEO will communicate directly with the parties. If a party wishes CEEEO to communicate directly with a support person or union representative, the party must sign a release and describe the parameters of CEEEO's communication with the support person or union representative. If the party is a student, the student must sign a FERPA waiver provided by CEEEO.

Advisors, support persons, and/or union representatives shall not share [FERPA](#)-protected or other confidential information learned through the CEEEO process, nor engage in harassment or retaliation of any person or party. Support persons and union representatives known to CEEEO will be asked to sign a Confidentiality Agreement to protect the integrity of the CEEEO grievance process and investigation.

IX. SANCTIONS AND REMEDIES

CEEEO does not have sanctioning or disciplinary authority. If the Hearing Officer's final determination is that a policy violation has occurred, the Hearing Coordinator will send a copy of the Hearing Officer's Final Determination to the parties, their Advisors, and CEEEO as outlined in the [hearing procedure](#).

Investigative Reports and Final Determinations may also be shared with others who have a legitimate business reason to be advised of the determination, including but not limited to: the National Institutes of Health (NIH), National Science Foundation (NSF), UNMPD, Student Conduct, Residence Life, the Clery Coordinator, Greek Life, and Athletics. CEEO will determine what information and what officials must be advised of the Hearing Officer's findings in order to remedy the effects of discriminatory and related misconduct and to prevent its recurrence.

In cases involving student Respondents, the Title IX Coordinator or Student Conduct Officer may submit a written statement regarding aggravating and mitigating factors to the sanctioning authority, including whether the Respondent was previously found to have violated University policy.

Sanctions can range from a verbal warning to expulsion or termination of employment.

If the Respondent is determined to have violated [University Policy 2740](#), the Title IX Coordinator may provide the Complainant with remedies that are separate from the Respondent's sanction. Remedies are designed to maintain the Complainant's equal access to the academic and/or work environment. Remedies may include extending supportive measures as defined in this CGP. Remedies are not required to be non-disciplinary or non-punitive for the Respondent and need not avoid burdening the Respondent. Remedies are confidential and are not shared with the Respondent except to ensure the remedy is carried out.

X. DEPARTMENTAL INVESTIGATIONS; CONSOLIDATED COMPLAINTS; HIRING CHALLENGES

E. Consolidated Complaints; Cross-Claims

Where there are several complaints against a Respondent by more than one Complainant, CEEO will consolidate those complaints into one investigation when possible. In order to consolidate multiple complaints into one investigation, the complaints being consolidated must arise out of the same set of facts or circumstances.

In instances where parties to an investigation each have a claim against the other – a cross-claim – that is jurisdictional to CEEO, the investigator assigned to the first report will also investigate the second report simultaneously. The cross-claims will be consolidated into one investigation. This is done to ensure a timely investigation, as well as save time for parties and witnesses to the investigation. In addition, this allows for the ultimate live hearing following an investigation to address both parties' claims, preventing the need for an additional hearing.

F. Departmental Investigation

Unlike the consolidated complaint process outlined above, a departmental investigation is held when there are multiple complaints against one Respondent, but the complaints **do not** arise from the same set of facts or circumstances. In this type of case, the occurrence of multiple complaints may be sufficient to indicate a pattern of acts that, in the aggregate, could violate UNM policy. Under such circumstances, CEEO may determine that a departmental investigation is warranted even though the individual complaints giving rise to the departmental investigation are not accepted as jurisdictional or may not rise to the level of discrimination on an individual basis.

When CEEO determines that a departmental investigation is the appropriate procedural option, it will follow the investigative process as outlined in this CGP, as applicable.

G. Hearings with Multiple Complaints against One Respondent

In instances where there are multiple complaints involving the same Respondent are not consolidated by CEEEO, the cases may be adjudicated in one hearing at the discretion of the Hearing Officer.

H. Hiring Challenges

If an applicant for a University employment position or a current University employee alleges, they were not interviewed, hired, or promoted as a result of discrimination due to a protected status, CEEEO will accept the complaint as a hiring challenge. If the applicant or employee identifies a specific Respondent(s), CEEEO will follow the grievance procedure process set forth in this CGP.

If the applicant or employee does not name a specific Respondent(s), CEEEO will review documentation from the specific Human Resource or Faculty Contract area and ask that Human Resources, Faculty Contracts, and/or the hiring official provide a response regarding the hiring challenge. Relevant documentation may include, but is not limited to: position posting, recruitment efforts, ranking documents, resumes, applicant pool information, interview notes, interview committee composition, and hiring justification.

If the response and applicable documents do not appear to constitute a violation of UNM policy, CEEEO will dismiss the challenge and notify the parties. Parties may appeal the dismissal as outlined herein.

If there is evidence that UNM process and policy were not followed during the hiring or promotion process, CEEEO will continue its investigation and grievance procedure set forth in this CGP.

XI. APPEALS

Parties may appeal a CEEEO dismissal, as well as a Final Determination and/or sanction as follows:

A. Appeals to the President

Either party may appeal a dismissal, final determination, and/or sanction to the President of the University of New Mexico within **seven (7) business days** of the date of issuance of a dismissal, final determination, and/or applicable sanction. Exceptions to this time limit will be considered on a case-by-case basis with sufficient justification provided by the individual seeking the exception. Appeals that are not received by the stated deadline will be denied unless an exception to the appeal time limit is granted by the President.

The President will consider an appeal only if it alleges one or more of the following extraordinary circumstances:

1. Procedural irregularity that affected the outcome;
2. New evidence that was not reasonably available when the determination of responsibility was made that could affect the outcome; or
3. The Title IX Coordinator, investigator, or decision-maker had a general or specific conflict of interest or bias against the Complainant or Respondent that affected the outcome.

The appeal must clearly state which one (or more) of these grounds for appeal is alleged. No other grounds for appeal will be considered.

Appeals may be submitted electronically through an [online form](#); via email to unmpres@unm.edu; by mail to MSC05 3300, Scholes Hall, Suite 144, 1 University of New Mexico, Albuquerque, NM 87131; or by hand-delivery to the Office of the President at Scholes Hall, Suite 144. Emailed appeals will be considered received by the Office of the President on the date and time they are sent. Appeals sent by mail will be considered received by the Office of the President as of the date of postmark on the document. Hand-delivered appeals will be considered received by the Office of the President when a representative of the Office physically accepts delivery of the document and notes the date and time of receipt thereon. Appeals that are not submitted as outlined in this paragraph may be denied without consideration.

1. Appeals Regarding a Hearing Office Final Determination

If a party files an appeal of a Final Determination, CEEO and the Hearing Officer will be informed of the appeal. The President's Office will notify the other interested parties that an appeal has been filed. The party who is not filing an appeal will be given **five (5) business days** to submit an impact statement to the President's Office for consideration. If an appeal alleges that CEEO or the Hearing Officer have not followed proper procedures, those parties will be given the opportunity to respond to the allegation.

2. Appeals Regarding a CEEO Dismissal

If a party files an appeal of a CEEO Dismissal, CEEO will be informed of the appeal. The President's Office will notify the other interested parties that an appeal has been filed. The party who is not filing an appeal will be given **five (5) business days** to submit an impact statement to the President's Office for review in consideration of the appeal. If an appeal alleges that CEEO has not followed proper procedures, CEEO will be given the opportunity to respond to the allegation.

Best efforts shall be made by the President to issue a decision within **twenty (20) business days** after the appeal is received. If the appeal is considered, the President may decide to uphold the decision in its entirety or may remand all or part of the appealed CEEO dismissal or Hearing Office determination to the Hearing Officer or CEEO for additional proceedings or investigation. Written notice of the President's decision will be provided to the appealing party, the non-appealing party, the Hearing Officer, and CEEO.

If the President denies an appeal of the Final Determination or upholds that Final Determination without change, the Hearing Officer and Coordinator may take whatever further action they deem is warranted on the matter, including but not limited to forwarding its Final Determination to appropriate disciplinary bodies or administratively closing the matter.

B. Appeals to the Board of Regents

Under [Regents Policy Manual, Section 1.5: Appeals to the Board of Regents](#), the Board of Regents has the discretion to review the President's decision on an appeal of the Final Determination or CEEO dismissal. The Board of Regents does not review appeal requests that have not been previously reviewed by the President. Appeals to the Board of Regents must be received within **ten (10) calendar days** from the date of the President's decision. The Board of Regents has sole discretion to determine whether the appeal will be considered.

XII. PRIVACY

UNM strives to respect individuals' privacy to the extent permitted by state and federal laws. However, UNM has an obligation to investigate and resolve civil rights claims. To meet this obligation, UNM may be required to share information with persons who have a legitimate need to know that information. For example, those who are responsible for determining policy violations, or those who sanction individuals found to have violated UNM policy, have a legitimate need to know the investigative findings made by CEEO. Those who manage the appeals process of CEEO factual findings have a legitimate need to know the details of CEEO's investigation and/or need to review the evidence underlying a finding.

While UNM strives to respect the privacy of all parties involved in the process, UNM **cannot under any circumstances** guarantee privacy unless required to do so by law. Examples of situations in which privacy cannot be maintained include, but are not limited to:

1. Parties (Complainant and Respondent) have a right to examine and respond to all the evidence gathered by CEEO. While CEEO maintains information protected by [FERPA](#), parties may be able to view FERPA-protected information;
2. When UNM is required by law to disclose information (such as in response to a legal process or a request for information under the New Mexico Inspection of Public Records Act);
3. When disclosure of information – such as the identity of witnesses, sources of information – is necessary for conducting an effective and fair investigation, such as allowing for cross examination questions or providing facts and documentation to parties;
4. Communicating with managers, supervisors, deans, chairs, and HR agents on a need-to-know basis, in order for them to effectively manage the work and/or academic environment;
5. For the purpose of implementing supportive measures pursuant to Title IX; or
6. When privacy concerns are outweighed by UNM's obligation to protect the safety or rights of others.

CEEEO cannot grant anonymity to a person pursuing either a investigation, as these cases may result in a live hearing before a Hearing Officer to determine if policy has been violated. For more information about the rights of individuals participating in processes related to alleged sex discrimination, please refer to [University Policy 2740](#).

CEEEO cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in that capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of medical treatment to the party, unless the party provides voluntary, written consent to do so as part of this grievance process.

APPENDIX 1: DEFINITIONS

Actual Knowledge	Notice of sexual harassment or allegations received by CEEO or the Title IX Coordinator regarding discrimination, including sexual harassment.
Advisor	A person chosen by a party or provided by UNM who acts as an advocate for the party during a UNM administrative hearing, if applicable. An Advisor acts as a party's representative during a hearing for the purpose of conducting cross-examination of witnesses and the opposing party. An Advisor may be obtained independently by the Respondent or Complainant to assist in CEEO investigations, but cannot participate in CEEO interviews; rather, they act as a second observer for the Complainant or Respondent.
Affected Party	When multiple Complainants are party to a Departmental Investigation as outlined herein, they are referred to as Affected Parties.
Alternative Resolution	An informal process where CEEO does not investigate, and the allegations in the complaint are neither corroborated nor contested. An alternative resolution is not disciplinary in nature. In cases where a violation of Policy 2740 is alleged to have occurred. Both parties must agree to an alternative resolution.
COA	Confirmation of Allegations. A Complainant's written statement of the allegations they are making against the Respondent(s).
Complainant	The person(s) identified as being the target of alleged discrimination or harassment.
Confidential(ity)	Entrusted with private or restricted information that is intended to remain private or confidential to the extent allowed by law.
COR	Confirmation of Response. A Respondent's written statement in response to a Complainant's allegations.
Cross Examination	The act of posing questions to an opposing party as part of the CEEO investigative process and/or the administrative hearing process.
Differential Treatment	Occurs when a protected class of people – whether an individual or a group – are treated differently than similarly-situated individuals who are not in the protected class, due to their membership in the protected class.
Discrimination	Conduct based on protected class that excludes a person(s) from participation in, denial of benefits of, treats the person(s) differently than similarly situated individuals who are not in the protected class, or otherwise adversely affects the terms of condition of the person(s)'s employment, education, living environment, or participation in a UNM program or activity. Harassment, including hostile environment and quid pro quo, and differential treatment are forms of discrimination.
Education Program and Activity	Locations, events, or circumstances where UNM exercises substantial control over both the Respondent and the context in which harassment or discrimination occurs, and also includes any building owned or controlled by a student organization officially recognized by UNM.
Evidence	Evidence consists of, but is not limited to: eyewitness documents, records, statements, photos, video, security footage, audio recordings, social media, emails, text messages, cellular records, police reports, and any other information that would assist the investigator in finalizing a report and assist the Hearing Officer in reaching a determination.

Exculpatory Evidence	Evidence which tends to show that a Respondent is not responsible for an alleged policy violation.
Failure to Report	All responsible employees under University Policy 2740 are required to report allegations of known or suspected violations of University Policy 2740 or of gender discrimination to CEEO and/or the Title IX Coordinator within 24 hours or as soon as reasonably practicable. Per University Policy 2720 , supervisors are required to report allegations of known or suspected violations of UNM's civil rights policies to CEEO when the impacted party is a student or subordinate employee. Failure to report to CEEO within a reasonable timeframe could be considered a failure to report and a violation of University policy.
Final Determination	The Hearing Officer's conclusion by a preponderance of the evidence deciding whether alleged conduct occurred and whether that conduct violates UNM policy.
Hearing	The adjudicatory process that takes place after CEEO has concluded its investigation of an alleged civil rights policy violation.
Hearing Coordinator	The individual responsible for coordinating a hearing among the parties, Advisors, witnesses, and other hearing participants.
Hearing Officer	The individual responsible for evaluating the evidence presented by the parties at a hearing and issuing a subsequent determination as to whether a civil rights or related policy violation occurred.
Hostile Environment	Conduct sufficiently serious (severe/pervasive) and objectively offensive so as to deny or limit a person's ability to participate in or benefit from UNM's programs, services, opportunities, or activities, or conduct that has the purpose or effect of unreasonably interfering with a person's employment or education.
Inculpatory Evidence	Evidence which tends to show that a Respondent is responsible for an alleged policy violation.
Investigative Report	The final report issued at the conclusion of an investigation, which includes: Complainant's statement(s), Respondent's statement(s), witness statements, documentary evidence, and threshold record to be used in an evidentiary hearing.
Jurisdiction	Occurs when the circumstances of a complaint are such that CEEO is authorized by UNM policy to investigate or remedy those circumstances or allegations.
Notice of Jurisdiction	A formal notice sent to the parties informing them of an investigation into a matter reported to CEEO. See Section F.3 herein.
Post-Closure or Post-Dismissal Action	Informal action that may be taken after the closure of an investigation that does not proceed to a live hearing which is designed to address alleged conduct and prevent its recurrence.
Preponderance of the Evidence	The relevant evidence gathered during an administrative investigation demonstrates it is more likely than not that a policy violation occurred.
Protected Class or Status	A trait or association recognized by law or policy as protected against unlawful discrimination. UNM recognizes the following as protected statuses: age, ancestry, color, ethnicity, gender identity, gender, sex, genetic information, medical condition, national origin, physical or mental disability, pregnancy, race, religion, sexual preference, spousal affiliation, immigration status, and veteran status.
Remedies	To be provided to a Complainant when a Respondent is found to have violated UNM policy. Remedies are designed to maintain the Complainant's equal access to education and may include the same individualized services described as supportive measures herein. Remedies for a Complainant are not, however, required to be non-

	disciplinary or non-punitive for the Respondent and need not avoid burdening the Respondent.
Respondent	The person responding to a complaint filed with CEEO, who is alleged to have engaged in discrimination or harassment.
Retaliation	Any action taken to seek an adverse academic or employment result against any individual or group of individuals opposing discrimination, filing a complaint, reporting alleged discrimination, participating in a civil rights investigation, filing an external civil rights complaint, or otherwise participating in a civil rights protected activity.
Support Person	A support person is any person of a Complainant or Respondent's choosing who attends CEEO interviews and helps to guide the party through the CEEO process. A support person cannot participate in CEEO interviews; rather, they attend CEEO meetings and receive information provided to the Complainant and Respondent. A support person CANNOT be a potential witness in the CEEO investigation that the Complainant or Respondent is involved in, nor can they be someone in the Respondent's supervisory chain. A support person cannot participate in an evidentiary hearing, if applicable.
Supportive Measures	<p>Non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a complaint or where no complaint has been filed. Such measures are designed to restore or preserve equal access to education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or UNM's educational environment, or deter harassment.</p> <p>Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.</p> <p>UNM will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality does not impair UNM's ability to provide the supportive measures.</p> <p>The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.</p>
Third-Party Report	A report filed by someone other than the party affected by civil rights violations, including a responsible employee, witness, or other individuals with knowledge or information regarding potential civil rights violations.
Title IX	Title IX of the Education Amendments of 1972 prohibits discrimination based on sex or gender in any educational program or activity receiving federal financial assistance. Title IX violations include: sex/gender, sexual orientation, gender identity and expression discrimination, sexual harassment, stalking, dating violence, domestic violence, and intimate partner violence, or any other form of sexual violence.
Unaffiliated	When a party is referred to as "unaffiliated," it means that they do not have a direct relationship to UNM as a student, faculty, staff member, or contractor.
Union Representative	A union representative is a person from a party's employment/labor union who may attend CEEO interviews and help guide the party through the CEEO process. A union

	representative cannot participate in CEEO interviews; rather, they act as a second set of eyes and ears for the party.
VAWA	The Violence Against Women Act (VAWA), a federal law, originally passed in 1994 and reauthorized several times by Congress, most recently in 2022.
Witness	Any person who may have knowledge of or evidence relevant to an investigation or complaint.