



The University of New Mexico Main Campus - Albuquerque **2024 Annual Security & Fire Safety Report**

Crime and Fire Statistics for Calendar Years 2023, 2022 & 2021 and
Policy Statements for the 2024-2025 Academic Year



*Prepared by the UNM Office of Compliance, Ethics & Equal Opportunity in Compliance with
the Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act and
University Administrative Policy 2745: Clery Act Compliance*

October 1, 2024
Revised May 12, 2025

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Main Campus - Albuquerque
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A MESSAGE FROM CEEO

DEAR FELLOW AND FUTURE LOBOS,

We have worked so hard as a community over the past several months to make UNM a safer and more secure campus for students, faculty, staff, and visitors, and we at the Office of Compliance, Ethics & Equal Opportunity (CEEEO) are pleased to showcase this work in this year's Annual Security & Fire Safety Report.

UNM's Clery Act crime statistics were significantly lower overall in 2023, and as the Report illustrates, we welcomed an uptick in interest and investment in safety and security initiatives across our institution.

If there is one thing we see in our line of work at CEEEO, it is that Lobos really do look out for one another. Still, UNM is not immune to crime and we at CEEEO remain committed to making sure your experience at UNM is a positive one, full of learning, enjoyment, fulfillment, and freedom. We continue to partner with UNMPD and other campus stakeholders to improve UNM's campus-wide notification procedures, safety and security policies, and resources centered around the needs of our community.

We urge you to take advantage of the many, many safety and security programs on campus—for your own safety, safety of those around you, and your enjoyment of life. Most of all, we encourage you to take care of yourself and to come forward with suggestions and concerns you have regarding safety and security during your experience as a Lobo. Preventing crime takes a Pack.

Stay safe, Lobos.



Francie Cordova, JD
Chief Compliance Officer



Adrienne Helms
Clery Coordinator



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1 | INTRODUCTION

1.1 THE JEANNE CLERY ACT

In 1990, Congress passed the Crime Awareness and Campus Security Act (CACSA) amendments to the Higher Education Act of 1965 (HEA). Amendments to CACSA in 1998 renamed the law the [Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act \(the Clery Act\)](#) in memory of a student who was murdered in her dorm room. In 2013, Congress passed the Violence Against Women Reauthorization Act (VAWA), which included additional amendments to the Clery Act. [University Administrative Policy \(UAP\) 2745: Clery Act Compliance](#) dictates UNM's compliance functions related to Clery.

1.2 ABOUT THE ASFSR

In the spirit of the Clery Act's consumer protection intent, the Annual Security & Fire Safety Report (ASFSR) the Clery Act requires is intended to help current and prospective students and employees of the University make informed decisions about whether to work, live, or study at our institution. It does so by providing information on the policies and procedures we have in place to help keep our students, staff, faculty, guests, and campus safe and by painting a straightforward picture of what crime and life are like at UNM. In addition to disclosing policy

statements in place for the current academic year, the ASFSR contains crime and fire statistics for the previous three calendar years.

1.3 HOW UNM PREPARES THE ASFSR

The Clery Coordinator within the UNM [Office of Compliance, Ethics & Equal Opportunity \(CEEEO\)](#) stays up to date on new initiatives and compliance information pertaining to the ASFSR and prepares Reports each year for UNM's Main Campus. Various departments support the development of the ASFSR by providing content the law requires, such as policy statements, crime reports, and fire reports. They include but are not limited to the UNM Police Department, the Dean of Students Office, Residence Life & Student Housing, American Campus Communities, Lobo Athletics, and UNM Hospital, in addition to individuals such as the Title IX Coordinator and employees designated as Campus Security Authorities (CSAs) pursuant to UAP 2745.

1.4 WHERE TO OBTAIN ADDITIONAL INFORMATION ABOUT THIS REPORT

Anyone who would like additional information about, or assistance with, this Annual Security & Fire Safety Report is encouraged to contact the UNM Office of Compliance, Ethics & Equal Opportunity.



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

Clery Coordinator

Adrienne Helms: ahelms6@unm.edu

2 | CAMPUS LAW ENFORCEMENT

2.1 THE UNIVERSITY OF NEW MEXICO POLICE DEPARTMENT

The [University of New Mexico Police Department \(UNMPD\)](#), located on the west side of Hokona Hall, employs approximately 50 sworn Officers in addition to 30 non-sworn staff. All UNM Police Officers 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](#)).

UNMPD is open 24 hours a day, seven days a week, 365 days a year to respond to the needs of the UNM community.

AUTHORITY & JURISDICTION

State criminal and traffic laws apply on University property. Sworn UNMPD Police Officers are authorized to enforce all applicable laws and University regulations, and have the powers of peace officers within the exterior boundaries of lands under control of the Board of Regents, including public streets and highways within such boundaries. UNMPD Officers have the authority to arrest and investigate complaints of criminal activity on campus, working closely with the [Bernalillo County Second Judicial District Attorney's Office](#) to ensure effective prosecution. UNMPD also patrols and provides law enforcement services to UNM's Greek Letter Organizations and all UNM student housing areas.

UNMPD Officers are cross-commissioned countywide by the [Bernalillo County Sheriff's Office \(BCSO\)](#), which means that UNMPD officers have jurisdiction both on and off campus and throughout the entire Bernalillo County area.

Uniformed UNMPD Police Officers can be recognized by their dark navy-blue shirts, pants, and outerwear, UNMPD patch, UNMPD shield, name tag, and duty belt.

WORKING RELATIONSHIP OF CAMPUS POLICE WITH STATE AND LOCAL POLICE

UNMPD and the [Albuquerque Police Department \(APD\)](#) have a written Memorandum of Understanding (MOU) in place that stipulates who has primary jurisdiction to make arrests, enforce laws, and investigate crimes within the city. UNMPD's primary jurisdiction is all UNM-owned or -leased property located on UNM's Albuquerque Campus and within the City of Albuquerque. APD retains primary jurisdiction over properties within City limits that the University does not own or lease, including off-campus apartments that are within proximity to campus.

By statute and in accordance with UNMPD's Joint Powers Agreement with the [New Mexico State Police \(NMSP\)](#), NMSP Officers have the authority to make arrests, enforce laws, and investigate crimes within the entire state of New Mexico, which includes the entirety of UNM property. UNMPD may request mutual aid from APD, NMSP, and BCSO under their respective agreements to handle any investigative or other law enforcement-related situation, event, or alleged criminal activity occurring on or off campus.

The Department utilizes interoperable radio communications and communicates with other police agencies, fire and rescue personnel, and UNM Hospital during emergencies and while providing or receiving mutual aid. UNMPD also routinely collaborates with other local, state, and federal agencies both on campus and in areas within proximity to campus to provide police presence at special events such as football games, student graduations, and public speaking engagements.



3 | CAMPUS SECURITY SERVICES

3.1 UNMPD CAMPUS SECURITY

In addition to sworn Police Officers, UNMPD also employs approximately eight Campus Security Officers. They can be distinguished from sworn UNMPD Police Officers by their cherry red shirts, black pants, and UNM Security patch.

AUTHORITY & JURISDICTION

Campus Security Officers are in constant contact with the public, providing escort services for visitors, students, staff, and faculty as needed along with other public assistance, such as lockout services, jump-starts, and information requests on Main Campus. Security personnel are also responsible for securing buildings and facilities, performing periodic checks of safety equipment such as lights and blue light emergency phones, and patrolling on foot and in marked Security vehicles. They perform security surveys and monitor closed buildings for unauthorized persons or suspicious activities.



UNM Campus Security Officers are nonsworn and do not have the authority to arrest or conduct other police activities UNMPD Police Officers are certified to carry out.

WORKING RELATIONSHIP OF CAMPUS SECURITY PERSONNEL WITH STATE AND LOCAL POLICE

Campus Security Officers rely on UNMPD's sworn staff to collaborate with external state and local police agencies with arrest authority and jurisdiction.

3.2 UNM HOSPITALS SECURITY

UNM Hospitals (UNMH) maintains a proprietary Security Department that

- monitors and responds to security systems,
- patrols the Hospital buildings and property on a consistent basis, patrols all security-sensitive areas as defined by security assessment,
- identifies and documents potential or actual problems,
- takes appropriate and timely action to prevent crime, injury, or property loss,
- provides timely response to emergencies and requests for assistance, and
- helps restrain violent or aggressive patients or visitors.

UNMH Security Officers also provide timely response to reports of violent activity or requests for assistance from members of UNMH and the Health Sciences Center community and can be distinguished by their black uniforms and Hospital Security patches.

UNM Hospitals Security

2211 Lomas Blvd

Albuquerque, NM 87106

(Located within the Administration Offices on the 1st floor in the EAST building. The UNMH Security Operations Center is at UNMH Proper next to ER.)
505-272-2160

AUTHORITY & JURISDICTION

UNMH Security Officers are not sworn peace officers and do not hold special privileges under the law. UNMH does recognize that Security Officers in the course of their duties may have the need to detain an individual for law enforcement prior to their arrival. UNM Hospital Security Officers may act as private citizens holding that a private citizen may arrest another person for breach of peace or a felony committed in the citizen's presence. UNMH Security's jurisdiction includes all properties that UNM Hospitals leases or owns.

3 | CAMPUS SECURITY SERVICES, CONT.



WORKING RELATIONSHIP OF CAMPUS SECURITY PERSONNEL WITH STATE AND LOCAL POLICE

UNMH Security notifies and reports all appropriate incidents to the appropriate law enforcement agency, in most cases UNMPD. Off-site clinics are responsible for calling 9-1-1 or the appropriate law enforcement agency at their respective locations.

UNMH Security Officers do not carry firearms or investigate crimes. UNMPD is responsible for preparing and filing all police incident reports on any criminal offenses that occur at UNMH.

3.3 THIRD-PARTY SECURITY SERVICES

UNM contracts with external, third-party security companies to provide additional support at large events and specific buildings. These individuals are nonsworn and do not have the authority to arrest or conduct other police activities law enforcement officers are certified to carry out.

4 | REPORTING EMERGENCIES & CRIMINAL ACTIVITY

4.1 IN AN EMERGENCY

Individuals who encounter an emergency situation should take immediate steps to protect themselves, notify nearby endangered people, and contact the [University of New Mexico Police Department \(UNMPD\)](#). UNMPD Officers are available to respond to emergencies 24 hours a day, seven days a week, 365 days a year.

To reach UNMPD in an emergency, dial 9-1-1 from a landline on campus or 505-277-2241. 9-1-1 calls made from a cell phone go straight to the Bernalillo County Emergency Communications Department and are quickly transferred to UNMPD Dispatch if they learn the incident is occurring on UNM property. The 911 system automatically traces the location of all incoming calls, which enables officers to respond even when a caller cannot provide their location.

Special telephones that provide emergency services for individuals who are deaf or hard of hearing are placed at various locations on the UNM campus. UNMPD receives training on how to operate and handle calls they receive through the Telephone Device for the Deaf (TDD). The TDD service is available 24 hours a day, seven days a week by calling 505-277-0888.

UNM encourages all members of the campus community to store UNMPD's and local agencies' phone numbers as contacts in their mobile phones to have them readily available in the event of an emergency. UNMPD's direct phone number is also provided on the back of all LoboCards.

UNM Police Department (UNMPD)

505-277-2241

Hokona Hall (Bldg 58) (west side)

400 Cornell Dr NE

Albuquerque, NM 87131

police.unm.edu

LOBOGUARDIAN APP

The [Rave LoboGuardian app](#) allows users to make direct emergency calls to UNMPD in Albuquerque. Calls made from the app automatically deliver the user's Smart911 profile to the police response team.

BLUE LIGHT EMERGENCY PHONES

The University has emergency blue light phones situated in various locations around campus. These blue light phones directly connect with UNM Police Dispatch. Community members may use the emergency tower by opening the telephone box and pressing the button, which directly connects with UNMPD Dispatch. A UNMPD Dispatcher will answer the telephone promptly and communicate with the individual through the telephone's speaker. The blue light over the top of the telephone will flash for the duration of the call to help emergency personnel locate the caller.

Blue light emergency phones can only place calls to UNMPD Dispatch and are not capable of making other calls. They are designated for emergency use only and labeled accordingly.



4 | REPORTING EMERGENCIES & CRIMINAL ACTIVITY, CONT.

4.2 REPORTING CRIMINAL ACTIVITY

UNM encourages accurate and prompt reporting of all crimes to the UNM Police Department and other local, state, and tribal police agencies when the victim of a crime elects to, or is unable to, make such a report.

The following is a list of officers and individuals to whom students and employees should report crimes for the purposes of timely warning reports, daily crime log entries, and UNM's annual statistical disclosure.

OFFICIALLY DESIGNATED REPORTING SITES

The following offices have been officially designated by the University as places students and employees can and should report crimes or obtain assistance in reporting to law enforcement.

UNM Hospitals (UNMH) Security

2211 Lomas Blvd NE
Albuquerque, NM 87106
505-272-2160

Office of Compliance, Ethics & Equal Opportunity (CEEEO)

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

Residence Life & Student Housing (RLSH)

505-277-2606 (24/7) | housing@unm.edu
Student Residence Center Commons (Bldg 89)
2700 Campus Blvd NE
Albuquerque, NM 87106

Located across from La Posada Dining Hall.

American Campus Communities (ACC)

505-925-5575 | lobovillage@americancampus.com
Lobo Village (South Campus)
1200 Avenida César Chávez
Albuquerque, NM 87106

Dean of Students Office (DOSO)

505-277-3361 | doso@unm.edu
University Advisement & Enrichment Center (Bldg 85)
400 Cornell Dr NW, Rm 281
Albuquerque, NM 87106

Human Resources (HR)

505-277-6947 | clientsv@unm.edu
John and June Perovich Business Center (Bldg 183)
1700 Lomas Blvd NE
Albuquerque, NM 87106

Global Education Office (GEO)

505-277-4032
Mesa Vista Hall (Bldg 56)
301 Cornell Dr NW, Rm 2120
Albuquerque, NM 87106

CAMPUS SECURITY AUTHORITIES (CSAS) AT UNM

As required by the Clery Act, UNM designates certain employees as "[Campus Security Authorities](#)", or "CSAs". CSAs have an obligation to report any crimes that are reported directly to them or that they personally witness to the UNM Police Department (UNMPD) and/or the Clery Coordinator in a manner that is accurate and prompt. Timely CSA reports help the University meet our obligations under the Clery Act as well as other areas of compliance, such as Title IX.

The CSA's role is never to investigate crimes, detain subjects, or substantiate a report of a crime.

CSAs fall into one or more of four categories:

1. Members of UNMPD and Security
2. Individuals responsible for security functions on campus but that are not members of UNMPD or Security. This includes parking attendants, Student Safety, and employees monitoring access into a UNM events.
3. Individuals and organizations specified in this section as places to which students and employees should report crimes
4. University officials who have significant responsibility for student and campus activities including, but not limited to, student housing, student discipline, and campus judicial proceedings

As a general rule, faculty members are not considered CSAs. However, CEEEO does designate faculty members who lead student trips or sponsor student groups as CSAs.

4 | REPORTING EMERGENCIES & CRIMINAL ACTIVITY, CONT.



Individuals acting in a pastoral and clinical counselor capacity are exempt from CSA designation. Currently, UNM does not have any specific procedures in place to encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. However, these individuals receive training on how to provide victims of sexual assault, domestic violence, dating violence, and stalking with the [Survivor's Guide to Rights & Options at UNM](#) which outlines various options for reporting.

4.3 REPORTING CRIMES ON A VOLUNTARY, CONFIDENTIAL BASIS

CONFIDENTIAL REPORTING SITES

UNM recognizes that some individuals may want to speak with someone anonymously about their reporting options and access to support before deciding whether to report the incident. As outlined in Section 3 of [UAP 2740: Sexual Harassment Including Sexual Assault](#), the UNM Title IX Coordinator designates UNM's Title IX Coordinator addresses this need by designating certain offices on campus as confidential and exempt from mandatory reporting obligations. However, staff in these centers are designated CSAs and must promptly report the nature, date, and general location of any Clery-related incident to the Clery Coordinator for timely warning and statistical reporting purposes. However, staff members at these sites

are not required to provide any identifying information of an individual who utilizes their services.

LoboRESPECT Advocacy Center (LRAC)

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

Women's Resource Center (WRC)

Mesa Vista Hall (Bldg 56)
301 Cornell Dr NW, Rm 1160
Albuquerque, NM 87106
505-277-3716 | women@unm.edu
✓ *Undergraduate students* ✓ *Graduate students*

LGBTQ Resource Center

919 Las Lomas NE (Bldg 168)
Albuquerque, NM 87131
505-277-5428 | lgbtqrc@unm.edu
✓ *Undergraduate students* ✓ *Graduate students*
✓ *Employees*

Vassar House *(serving North Campus)*

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

Learning Environment Office (LEO) *(serving 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
✓ *Undergraduate students* ✓ *Graduate students*

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
✓ *Graduate students* ✓ *Employees*

Counseling, Assistance & Referral Services (CARS)

1800 Mesa Vista Rd NE (Bldg 184)
Albuquerque, NM 87106
505-277-3136 | cars@unm.edu
✓ *Employees*

4 | REPORTING EMERGENCIES & CRIMINAL ACTIVITY, CONT.

ONLINE & TELEPHONE OPTIONS

The following list contains information for sites where someone can make a report of a crime or other misconduct anonymously. Once information involving any Clery Act crime is received through these avenues, the Clery Coordinator is made aware and uses the information a reporter provides to determine whether UNM needs to disclose the report in its annual statistics or in a timely warning.

UNMPD

- [Anonymous Tip or Incident Form](#)
- Dispatch: 505-277-2241 (Individuals can make anonymous calls to this phone number, to report any type of crime.

LoboGuardian App

Any member of the UNM community may also report an anonymous tip to UNMPD through the [LoboGuardian application](#) on their smart phone. To access the application, search and download the Rave Guardian application in the Apple App Store or the Google Play app store. Users can find more assistance for downloading this application through UNM [FastInfo](#).

EthicsPoint Online Report Form

- [Online Report Form](#)
- 24/7 Compliance hotline: 1-888-899-6092



5 | ANNUAL CLERY ACT CRIME STATISTICS

5.1 CLERY-ACT REPORTABLE INCIDENTS

Not all reports of crime that are made to the University or local law enforcement are reflected in the annual disclosure of crime statistics. The Clery Coordinator and UNMPD evaluate each report of crime to determine whether it meets three criteria. Only reports that

1. meet the definition of a Clery Act offense,
2. occurred within UNM's Clery Act geography, and
3. were reported to a CSA

get classified as Clery Act crime statistics and are included in the ASFSR.

5.2 CLERY ACT OFFENSES

Clery Act offenses are organized into five main categories: "primary" offenses, hate crimes, Violence Against Women Act (VAWA) offenses, arrests and referrals for disciplinary action, and unfounded crimes. The definitions of Clery Act crimes are derived from federal sources and do not always align with New Mexico state law. Attempts for all crimes listed are included, and one incident may involve multiple offenses.

"PRIMARY OFFENSES"

The definitions of primary offenses come from the FBI's [Uniform Crime Reporting \(UCR\) Program Summary Reporting System \(SRS\) User Manual](#).

- **Murder/Non-negligent Manslaughter.** The willful (non-negligent) killing of one human being by another.
- **Manslaughter by Negligence.** The killing of another person through gross negligence.
- **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.*
- **Robbery.** 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.** 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.** The unlawful entry of a structure to commit a felony or a theft.
- **Motor Vehicle Theft.** The theft or attempted theft of a motor vehicle. For the purposes of this definition, a "motor vehicle" is any self-propelled vehicle that runs on land surface and not on rails, for example, sport utility vehicles, automobiles, trucks, buses, motorcycles, mopeds, electric scooters, electric bikes, all-terrain vehicles, and snowmobiles. This category does not include farm equipment, bulldozers, airplanes, construction equipment, or water craft (motorboats, sailboats, houseboats, or jet skis).
- **Arson.** 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.

HATE CRIMES

The definitions of hate crimes come from the FBI's [Uniform Crime Reporting \(UCR\) Program Hate Crime Data Collection Guidelines and Training Manual](#).*

- **Any of the offenses listed in the primary offenses category above.**
- **Larceny-theft.** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

5 | ANNUAL CLERY ACT CRIME STATISTICS, CONT.

- **Intimidation.** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Simple Assault.** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Destruction/Damage/Vandalism to Property.** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES

The definitions of VAWA offenses come from the [Violence Against Women Act \(VAWA\) of 1994](#).

- **Domestic Violence.** A felony or misdemeanor crime of violence committed —
 - ❑ By a current or former spouse or intimate partner of the victim;
 - ❑ By a person with whom the victim shares a child in common;
 - ❑ By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - ❑ 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;
 - ❑ 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.
- **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.

- **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.

For the purposes of this definition—

- ❑ "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.

ARRESTS & REFERRALS FOR DISCIPLINARY ACTION

The definitions of arrests and referrals come from the FBI's [Uniform Crime Reporting \(UCR\) Program Summary Reporting System \(SRS\) User Manual](#).

An "**arrest**" for Clery Act purposes is defined as persons processed by arrest, citation, or summons for violating any of the weapons, drugs, or liquor laws defined below.

A "**referral for disciplinary action**" is defined for Clery Act purposes as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction as a result of violating any of the weapons, drugs, or liquor laws defined below. A finding of responsibility is

5 | ANNUAL CLERY ACT CRIME STATISTICS, CONT.

not required for a report to be classified as a referral for disciplinary action.

- **Weapons Law Violation.** The violation of laws or ordinances prohibiting the manufacture, sale, purchasing, transportation, possession, concealment, or use of firearms, or deadly weapons; cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Include in this classification: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.
- **Drug Abuse Violation.** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and or/use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics— manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).
- **Liquor Law Violation.** The violation of State or local laws or ordinances prohibiting: the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. Include in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public

conveyance; and attempts to commit any of the above.

UNFOUNDED CRIMES

An unfounded crime is a reported crime that, upon investigation by law enforcement authorities, is found to be false or baseless. Only sworn or commissioned law enforcement personnel may unfound a crime. The recovery of stolen property, the low value of stolen property, the refusal of a victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner.

5.3 CLERY ACT GEOGRAPHY

ON CAMPUS

On Campus geography includes any property or building that is

- owned or controlled by UNM within the same reasonably contiguous geographic area and used in direct support of, or in a manner related to, educational purposes, or
- within or reasonably contiguous to the area of campus, that is UNM-owned but controlled by another person, is frequently used by students, and supports institutional purposes (such as retail or food establishments).

Examples of on campus locations include lecture halls, the Student Union Building, recreational and athletics facilities such as The Pit and the Johnson Center, UNM Hospital, and administrative offices on campus.

On-campus Student Housing

On-campus student housing is a subcategory of the on-campus property category. In addition to showing which Clery Act crimes took place on campus, UNM’s annual crime statistics also indicate which on-campus reports

5 | ANNUAL CLERY ACT CRIME STATISTICS, CONT.

originated inside one of UNM’s on-campus student housing facilities. UNM’s Main Campus in Albuquerque controls 41 on-campus student housing buildings across 12 different sites:

Student Housing Site	# of Buildings
Lobo Rainforest	1
Laguna-DeVargas Hall	2
Hokona Hall	1
Santa Clara Hall	1
Coronado Hall	1
Redondo Village Apartments	1
Alvarado Hall	1
Student Residence Center Apartments	9
Lobo Village	18
Casas del Rio	4
Kappa Kappa Gamma	1
Pi Beta Phi	1

NONCAMPUS

Noncampus geography comprises those properties and buildings that are

- owned or controlled by a student organization officially recognized by UNM or owned or controlled by UNM and is used in direct support of, or in relation to, the institution’s educational purposes,
- frequently used by students, and
- not within the same reasonably contiguous geographic area of campus.

Examples of noncampus locations include places where UNM regularly offers off-campus courses, certain Greek houses, off-campus research facilities, UNM-owned housing for medical students attending off-campus programs, and off-site venues where UNM students stay or study for more than one night or on a recurring basis.

PUBLIC PROPERTY

For the purposes of Clery Act crime reporting, public property is considered any property that is situated within the same reasonably contiguous geographic area of, within, or adjacent to the UNM campus that is

- publicly and not privately owned,
- adjacent to a facility owned or controlled by UNM if the facility is used by UNM in direct support of, or in a manner related to, UNM’s educational purposes, AND
- accessible from campus (that is, unrestricted by a barrier such as a fence or roadway).

Examples of public property are sidewalks, streets, bus stops, and parks along the campus perimeter where physical access from campus is unrestricted (or in cases where students or employees regularly circumvent restrictions in place).

5.4 HOW UNM COLLECTS CRIME STATISTICS

UNM POLICE & SECURITY REPORTS

UNMPD and UNM Hospitals Security provide reports they receive directly to the Clery Coordinator on a rolling and annual basis.

REPORTS FROM EXTERNAL LAW ENFORCEMENT AGENCIES

To gather information on incidents occurring on noncampus Clery geography properties within the City of Albuquerque and elsewhere, UNM conducts direct outreach to the local law enforcement agencies that have jurisdiction over the locations where the University controls space by some sort of written agreement. The Clery Coordinator and UNMPD make a good-faith effort to obtain the statistics by requesting them, in writing, from such law enforcement agencies. The Clery Coordinator relies on the information obtained from these sources but is not responsible if the information provided is inaccurate or omitted altogether.

The Clery Coordinator and UNMPD also make a good-faith effort to gather information about crime reports made at properties within UNM’s public property Clery geography from the [Albuquerque Police Department \(APD\)](#). The Clery Coordinator relies on the information obtained from APD but is not responsible if the information provided is inaccurate or omitted altogether.

5 | ANNUAL CLERY ACT CRIME STATISTICS, CONT.

CAMPUS SECURITY AUTHORITY (CSA) REPORTS

UNM's Campus Security Authorities (CSAs) are responsible for providing information to the Clery Coordinator about Clery Act crimes reported to them or that they personally witness within a timely and accurate manner for the purposes of annual crime statistics disclosures, the daily crime log, and timely warnings. In addition to receiving their reports on a rolling basis, the Clery Coordinator surveys CSAs on an annual basis prior to finalizing the annual crime statistics to give them an additional opportunity to submit any Clery Act crimes that were reported to them during the previous calendar year. CSAs must complete and return the survey form as directed.

• Hate Crime Bias Categories

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics, such as color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (for example: Asians, blacks or African Americans, whites).

Gender: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender (for example: male or female).

Gender Identity: A performed negative opinion or attitude towards a person or group of persons based on their actual or perceive gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society (for example: a woman dressed in traditionally male clothing or a man wearing makeup). A gender non-conforming person may or may not be a lesbian, gay bisexual, or transgender person but may be perceived as such.

Religion: A performed negative opinion or attitude towards a person or group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (for example: Catholics, Jews, Protestants, atheists).

Sexual Orientation: A performed negative opinion or attitude towards a person or group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

Ethnicity: A performed negative opinion or attitude towards a person or group of people whose members identify with each other through a common heritage, often consisting of a common language, common culture (often including a shared religion), and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

National Origin: A performed negative opinion or attitude towards a person or group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

Disability: A performed negative opinion or attitude towards a person or group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.



5 | ANNUAL CLERY ACT CRIME STATISTICS, CONT.

5.5 ANNUAL CLERY ACT CRIME STATISTICS: CALENDAR YEAR (CY) 2023

Primary Offenses (CY 2023)	On Campus	On-campus Student Housing	Noncampus	Public Property	Total
Murder/Non-negligent Manslaughter	0	0	0	1	1
Manslaughter by Negligence	0	0	0	0	0
Rape	14	4	0	0	14
Fondling	36	1	0	2	38
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Robbery	1	0	0	2	3
Aggravated Assault	55	5	0	7	62
Burglary	33	8	2	0	35
Motor Vehicle Theft	92	0	1	0	93
Arson	5	0	0	0	5

Violence Against Women (VAWA) Offenses (CY 2023)	On Campus	On-campus Student Housing	Noncampus	Public Property	Total
Domestic Violence	47	18	0	1	48
Dating Violence	0	0	0	0	0
Stalking	55	25	0	0	55

Arrests and Referrals for Disciplinary Referrals (CY 2023)	On Campus	On-campus Student Housing	Noncampus	Public Property	Total
Arrests for Weapons Law Violations	7	2	0	1	8
Arrests for Drug Abuse Violations	9	1	0	2	11
Arrests for Liquor Law Violations	4	0	0	0	4
Disciplinary Referrals for Weapons Law Violations	7	3	0	0	7
Disciplinary Referrals for Drug Abuse Violations	3	1	0	0	3
Disciplinary Referrals for Liquor Law Violations	111	107	0	0	111

Hate Crimes

During Calendar Year 2023, there were:

- one report of intimidation based on a race bias made on campus,
- two reports of destruction/damage/vandalism of property based on a religion bias made on campus,
- one report of destruction/damage/vandalism of property based on a gender bias made on campus,
- one report of destruction/damage/vandalism of property based on a national origin bias made on campus,
- one report of simple assault based on an ethnicity bias made on campus,
- one report of simple assault based on a sexual orientation bias made on campus, and
- one report of simple assault based on a religion bias made on campus.

Unfounded Crimes

There were three crimes unfounded in Calendar Year 2023.

5 | ANNUAL CLERY ACT CRIME STATISTICS, CONT.

5.6 ANNUAL CLERY ACT CRIME STATISTICS: CALENDAR YEAR (CY) 2022

Primary Offenses (CY 2022)	On Campus	On-campus Student Housing	Noncampus	Public Property	Total
Murder/Non-negligent Manslaughter	1	0	0	0	1
Manslaughter by Negligence	0	0	0	0	0
Rape	26	15	0	1	27
Fondling	23	3	0	0	23
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Robbery	7	0	0	0	7
Aggravated Assault	55	5	1	4	60
Burglary	43	12	2	0	45
Motor Vehicle Theft	118	0	6	4	128
Arson	2	0	0	0	2

Violence Against Women (VAWA) Offenses (CY 2022)	On Campus	On-campus Student Housing	Noncampus	Public Property	Total
Domestic Violence	36	11	0	0	36
Dating Violence	0	0	0	0	0
Stalking	61	30	0	1	62

Arrests and Referrals for Disciplinary Referrals (CY 2022)	On Campus	On-campus Student Housing	Noncampus	Public Property	Total
Arrests for Weapons Law Violations	6	0	0	5	11
Arrests for Drug Abuse Violations	7	1	0	2	9
Arrests for Liquor Law Violations	4	0	0	1	5
Disciplinary Referrals for Weapons Law Violations	8	6	0	0	8
Disciplinary Referrals for Drug Abuse Violations	3	3	0	0	3
Disciplinary Referrals for Liquor Law Violations	148	148	0	0	148

Hate Crimes

During Calendar Year 2022, there were:

- two reports of intimidation driven by a religion bias made on campus,
- two reports of intimidation driven by a religion bias made in on-campus student housing,
- two reports of simple assault based on a race bias made on campus,
- one report of destruction/damage/vandalism to property driven by a race bias made on campus,
- twenty-three (23) reports of larceny-theft driven by a sexual orientation bias made on campus,
- six reports of destruction/damage/vandalism to property driven by a sexual orientation bias made on campus, and
- one report of destruction/damage/vandalism to property driven by a sexual orientation bias made in on-campus student housing.

Unfounded Crimes

There was one crime unfounded in Calendar Year 2022.

5 | ANNUAL CLERY ACT CRIME STATISTICS, CONT.

5.7 ANNUAL CLERY ACT CRIME STATISTICS: CALENDAR YEAR (CY) 2021

Primary Offenses (CY 2021)	On Campus	On-campus Student Housing	Noncampus	Public Property	Total
Murder/Non-negligent Manslaughter	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0
Rape	11	9	0	0	11
Fondling	13	5	0	0	13
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Robbery	4	1	0	0	4
Aggravated Assault	26	8	0	2	28
Burglary	35	15	0	0	35
Motor Vehicle Theft	82	0	0	0	82
Arson	1	0	0	0	1

Violence Against Women (VAWA) Offenses (CY 2021)	On Campus	On-campus Student Housing	Noncampus	Public Property	Total
Domestic Violence	23	11	0	0	23
Dating Violence	0	0	0	0	0
Stalking	32	12	1	0	33

Arrests and Referrals for Disciplinary Referrals (CY 2021)	On Campus	On-campus Student Housing	Noncampus	Public Property	Total
Arrests for Weapons Law Violations	5	0	0	0	5
Arrests for Drug Abuse Violations	12	1	0	0	12
Arrests for Liquor Law Violations	1	0	0	0	1
Disciplinary Referrals for Weapons Law Violations	3	0	0	0	3
Disciplinary Referrals for Drug Abuse Violations	1	1	0	0	1
Disciplinary Referrals for Liquor Law Violations	75	72	0	0	75

Hate Crimes

During Calendar Year 2021, there was:

- one simple assault driven by an ethnicity bias reported on campus,
- one simple assault driven by a religion bias on campus,
- one simple assault driven by a religion bias in on-campus student housing, and
- one destruction/damage/vandalism of property driven by a religion bias reported on campus.

Unfounded Crimes

There were 12 crimes unfounded in Calendar Year 2021.

6 | SECURITY OF & ACCESS TO CAMPUS FACILITIES

6.1 ACADEMIC & OTHER CAMPUS BUILDINGS

Classrooms and other nonresidential buildings on the Main Campus in Albuquerque are generally open during regular business hours, when classes are in session, and for special events. However, as part of our safe campus initiatives, building access is limited after hours. Access to these buildings after regular business hours is only granted to those with key or card access to the respective building. Persons authorized to remain in the building after hours must always have proper identification on them. Between two access control platforms, UNM restricts access to 67 buildings to only those who have a need to be in the building. Each building has at least one person who is responsible for authorizing and removing access to their building. Buildings that are not under access control are locked and unlocked by UNM Security Officers on a schedule that suits the uses of each building.



Looking to the future, UNM plans to automate building access for students, which will allow them to key into campus buildings based on their current registration information using their LoboCards. UNM is also in the process of installing keycard access at various buildings on campus that are currently secured by mechanical locks.

UNMPD Police and Security Officers conduct frequent internal and external checks of all buildings on campus and regularly conduct foot, bicycle, Segway, and vehicle

patrols. UNM also operates a computerized intrusion and fire alarm system to monitor most facilities and to enhance personal, property, and building safety and security throughout the year. UNM Security Operations and UNMPD utilize closed-circuit television (CCTV) to monitor various buildings and areas on campus, and staff members within various departments have access to strategically located duress buttons to request direct assistance from UNMPD or UNMH Security.

6.2 STUDENT HOUSING FACILITIES

RESIDENCE LIFE & STUDENT HOUSING FACILITIES

During Calendar Year 2023, UNM [Residence Life and Student Housing \(RLSH\)](#) housed approximately 2,400 students in its ten residence hall complexes on campus. UNM considers the safety and security of these facilities a priority for the wellbeing of residents, their guests, and the larger campus community.

Residence hall perimeter doors are secured at all times. LoboCard access is utilized for entry into Alvarado Hall, Coronado Hall, Hokona Hall, Laguna Hall, DeVargas Hall, Santa Clara Hall, Lobo Rainforest, and Redondo Village Apartments. Entry into Student Residence Center Apartments is controlled entirely by mechanical key access.

Further information about safety and security measures and policies in place at RLSH housing facilities can be found in the [2024-2025 Residence Hall Handbook](#).

AMERICAN CAMPUS COMMUNITY FACILITIES

Access to Lobo Village, [American Campus Communities' \(ACC's\)](#) residence hall located on South Campus, is restricted to residents and their guests by a vehicle access gate and fob-access pedestrian gates. Individual apartments are also secured with fob access.

ACC contracts security out to a third-party company for Lobo Village and stations officers at the property's gates, checking IDs at the main vehicle gate. Security officers

6 | SECURITY OF & ACCESS TO CAMPUS FACILITIES, CONT.

also patrol the property after dark and are accompanied by UNMPD during weekends or other nights as needed. Student housing staff also conduct routine rounds on foot to inspect properties, identify security, safety, and maintenance problems, and follow up with work orders to rectify gaps in security and safety.

All four Casas Del Rio buildings located within the student housing section on Central Campus—Chama, Jemez, Gila, and Pecos—are controlled by fob access or mechanical keys.

Further information about safety and security measures and policies in place at ACC housing facilities can be found in residents' leases and in the ACC Resident Handbook, which is available through the ACC Resident Portal.

GREEK-LETTER ORGANIZATION HOUSING FACILITIES

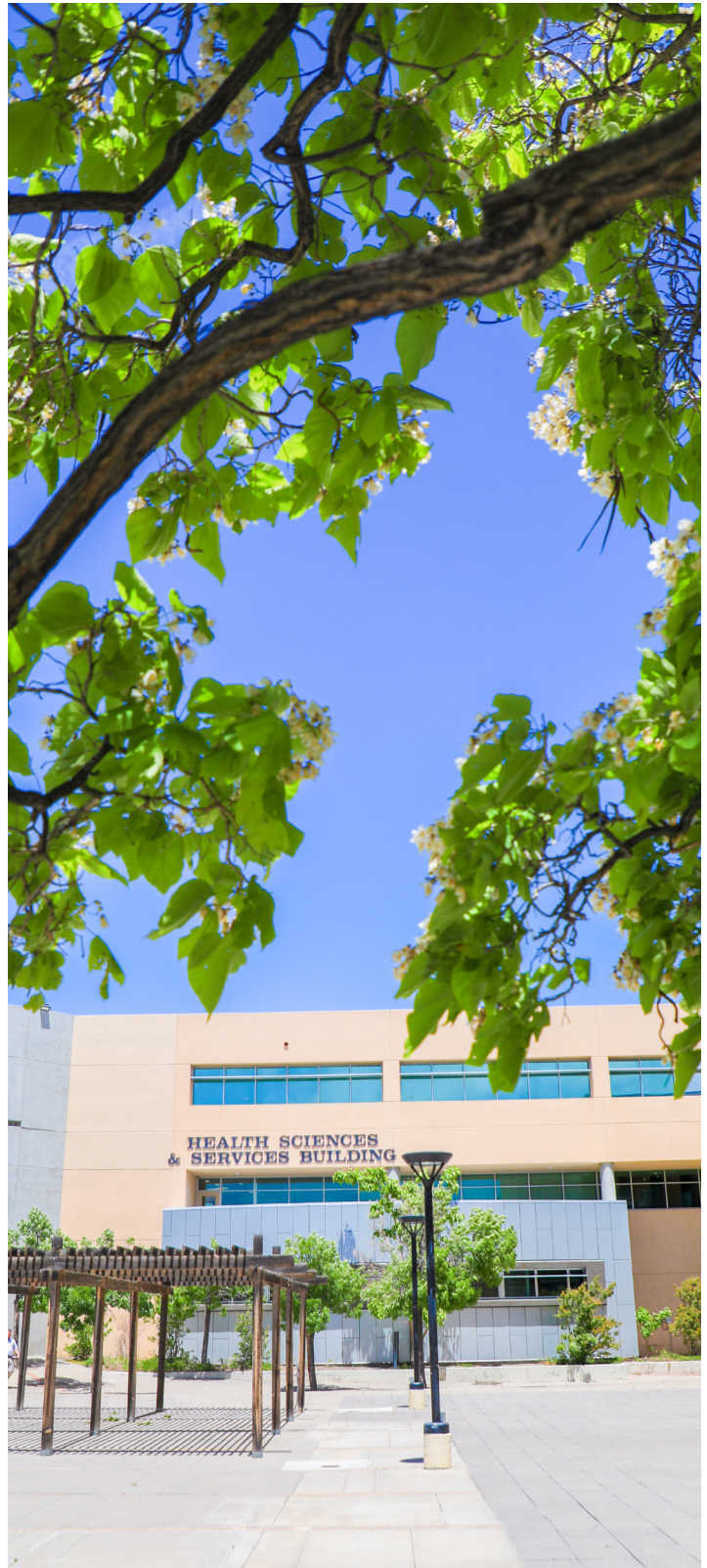
Two of UNM's [Greek-letter Organization \(GLO\)](#) houses that are situated on UNM-owned land are classified as "on-campus student housing": Kappa Kappa Gamma and Pi Beta Phi. Security at these housing facilities is handled by each house's administrative staff and supported by UNMPD.

6.3 UNM HOSPITALS FACILITIES

UNM Hospital limits physical access into buildings and onto property for patients who need care, visitors, and workforce members. UNM Hospital controls access to its facilities, ground, parking lots, patient care areas, and sensitive areas. In addition to access control systems, UNMH uses CCTV/OCTV, personal panic alarms, intrusion detection, identification badging, infant and child protection, and secured key and lock systems to help create a secure environment for all patients, visitors, students, staff, and licensed practitioners.

All UNM Hospitals workforce members, all UNM/Health Sciences Center workforce members, students, and other persons authorized to possess a UNM Hospital identification badge are required to wear their badges when at UNM Hospital facilities.

All visitors and packages are subject to search upon entry into any UNM Hospital facility based on conditions, circumstances, and individual department practices to provide a secure and safe environment.



6 | SECURITY OF & ACCESS TO CAMPUS FACILITIES, CONT.

6.4 SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES

Key UNM personnel, including members of UNMPD to include the Security Operations Director, provide input on new buildings and other campus projects involving security and safety considerations on campus.

Students also play a large role in the ongoing maintenance of campus property. Each year in the fall, CEEO hosts Campus Safety Walks through campus as part of UNM's [Campus Safety Week](#). The Safety Walk offers a unique opportunity for students, faculty, staff, and others to get to know the campus and each other. During the Walk, participants help identify areas in need of better lighting, pruning, accessibility, maintenance, and other safety and security considerations. The Safety Walk facilitator collects participants' input and submits the results to the appropriate offices on campus so they can work to rectify issues the participants identified.

UNM Facilities Management (FM) is a key player in this annual process. In addition to their routine evaluation of maintenance, security, and safety of UNM facilities throughout the year, FM accepts many of the findings as work orders which they complete in the days and weeks following the Walk as resources permit. Members of the University community can also submit work order requests year-round by using FM's online [Work Order Request Form](#).

UNM's Security Operations Director within UNMPD and the Director of Crisis Management and Preparedness (CMP) also collaborate during this process by providing guidance and technical expertise on UNM's security systems, operations, and technologies and emergency management protocols.

6.5 MONITORING & REPORTING OF CRIMINAL ACTIVITY AT NONCAMPUS LOCATIONS OF OFFICIALLY RECOGNIZED STUDENT ORGANIZATIONS

Four Greek-letter organizations (GLOs) officially recognized by UNM offer student housing on properties that are neither owned nor controlled by the University: Chi Omega, Pi Kappa Alpha, Sigma Alpha Epsilon, and Sigma Chi. These four GLO houses are categorized as "noncampus" properties for Clery Act reporting. UNMPD relies on APD to monitor, respond to, and investigate criminal activity at these locations through their standing agreement. On-site staff at these locations provide general security and reporting avenues for students.

7 | PROHIBITED WEAPONS

7.1 WEAPONS PROHIBITED ON CAMPUS

[University Administrative Policy \(UAP\) 2210: Campus Violence](#) dictates which weapons are prohibited and allowable on campus. For the purpose of this policy, “weapons” include firearms, ammunitions, or other implements that are designed or used to inflict bodily harm or physical threats or damage.

Other than the limited exceptions noted below, carrying weapons on University premises is prohibited. Note that providers of certain services on campus, such as Residence Life and Housing (RLSH) and UNM Hospitals, may have more restrictive policies on allowing weapons on their premises.

7.2 LIMITED EXCEPTIONS

The limited exceptions to the prohibition on carrying weapons on University premises are for:

- Law enforcement officers and UNM Hospitals Security Officers, who may carry weapons in the performance of their authorized duties.
- ROTC students, who may carry inoperable weapons for the limited purpose of conducting required and supervised drills during ROTC activities.
- Members of the campus community who carry ordinary, small pocket knives that have a folded metal blade for self-defense or utility purposes.
- Members of the campus community who carry stun guns with a maximum amperage of five (5) milliamps and pepper spray (a/k/a oleoresin capsicum) in containers no larger than 2.5 ounces, with a concentration of oleoresin capsicum of no more than 10 percent, for self-defense purposes. The University encourages anyone who carries a stun gun or pepper spray to learn how to use it, be aware of its limitations, and realize that it can be used against you in a physical confrontation. No other electro-shock weapons, such as TASERs, are authorized, except by law enforcement officers and UNM Hospitals Security Officers.
- Times at which, on a case-by-case basis, UNMPD may authorize the use of weapons for art projects

or exhibitions, research, or other University business purposes.

With the foregoing exceptions, no person may carry or use a prohibited weapon on any University premises. If any person does carry weapons on campus, the person may be subject to appropriate disciplinary and/or criminal action.

7.3 FIREARMS

Under [Section 30-7-2.4, NMSA 1978](#), it is illegal to carry a firearm on University premises. Firearms include any weapon that can expel a projectile by the action of an explosion, such as handguns, rifles, and shotguns.

7.4 CONCEALED HANDGUN LICENSES

Persons holding a valid concealed handgun license under the [New Mexico Concealed Handgun Carry Act](#), Section 29-19-1 et seq., NMSA 1978, or a valid comparable license under the law of any other state, are prohibited from carrying their handguns on University premises.

8 | ALCOHOL & ILLICIT DRUGS

8.1 UNM'S POLICY ON ALCOHOL & ILLICIT DRUGS

As outlined in [UNM's Regents' Policy Manual Section 2.6: Drug Free Environment](#), the University is committed to fostering an environment for the pursuit of its mission that is free of drugs and the illegal or inappropriate use of alcohol. Drug and alcohol abuse at the University pose a serious threat to the health and welfare of faculty, staff, and students; impair performance; jeopardize the safety and well-being of other members of the University community and of the general public; and conflict with the responsibility of the University to foster a healthy atmosphere for the pursuit of education, research, and public service.

The unlawful manufacture, distribution, dispensing, possession, or use of controlled substances or alcohol on University property or as part of any University activities by any member of the University community is strictly prohibited.

As a condition of employment, all employees of the University of New Mexico shall abide by the terms of this policy. Violation of this policy shall result in disciplinary action, up to and including dismissal. For more detailed information, faculty should refer to the [Faculty Handbook](#). Staff may refer to the [University Business Policies and Procedures Manual](#) and/or contact the [Human Resources Department](#).

As a condition of continued registration and enrollment, any student of the University of New Mexico 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 and/or contact the [Dean of Students Office](#).

UNM'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 their supervisor if they are convicted of a criminal drug statute violation occurring in the workplace within five days of such conviction. The supervisor shall notify the Office of University Counsel. Failure of the employee to notify the supervisor shall be grounds for disciplinary action.

8.2 ENFORCEMENT OF & LEGAL SANCTIONS FOR THE UNLAWFUL POSSESSION, USE OR DISTRIBUTION OF ILLICIT DRUGS & ALCOHOL

Violations of law pertaining to the unlawful possession, use, or distribution of illicit drugs or alcohol are strictly enforced by UNMPD.

The penalties for even the most minor of violations of the [New Mexico Liquor Control Act](#) can include fines starting at \$500, confiscation of property, and imprisonment for up to eighteen months. More serious violations carry greater penalties, with larger fines and longer imprisonment.

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

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

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

8 | ALCOHOL & ILLICIT DRUGS, CONT.

foreign national may result in deportation.

8.3 IMPACTS OF ALCOHOL & ILLICIT DRUGS

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, and family and dating 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 and work problems.

For more information about the possible effects and health risks associated with the use of illicit drugs and alcohol, contact the [Student Health, Counseling and Health Education Program](#) (505-277-7947) or the [Campus Office of Substance & Alcohol Prevention \(COSAP\)](#) (505-277-2795).

8.4 DRUG PREVENTION EFFORTS AT UNM

UNM's [Campus Office of Substance & Alcohol Prevention \(COSAP\)](#) was established in 1992 and has been part of the [UNM Center on Alcohol, Substance use, And Addictions \(CASAA\)](#). The COSAP mission is to prevent the misuse of alcohol and other drugs (AOD) through programs and practices that inform UNM students, faculty, and staff and promote safe and moderate behaviors and contest positive perceptions of alcohol and other drug use.

In addition to campus-based programming, COSAP is committed to cooperating with and encouraging similar efforts in the surrounding communities and in other institutions of higher education.

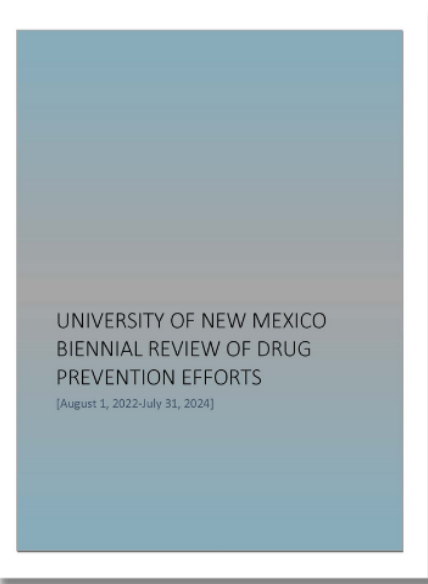
For students, COSAP promotes prevention programming and provides information on substance-free activities as options for students to enjoy their time at UNM without alcohol and other drugs. COSAP programming is designed

to promote realistic estimates of student peers' alcohol use, to increase student success and health, to reduce alcohol and other drug related risks, and to help students live by healthy norms.

Pursuant to the Drug-Free Schools and Communities Act Amendments of 1989, COSAP also prepares [UNM's Biennial Review of Drug Prevention Efforts](#) which contains:

- Annual distribution to each employee and to each credit-earning student detailed information about the IHE's policy prohibiting any unlawful activity on campus related to illegal drugs and alcohol; a description of applicable sanctions under state and federal law; a description of health risks associated with illegal drug use and the abuse of alcohol; a description of available alcohol and other drug counseling or treatment resources; and a clear statement that the IHE will impose sanctions on students, faculty, and staff members for alcohol/drug violations committed on campus.
- A biennial review of its drug prevention programs to determine the effectiveness of the programs and to ensure that disciplinary sanctions described above are consistently enforced. (A complete description of these regulations is contained in [CFR 86.100](#)).

For more information about UNM's prevention efforts, see the [Biennial Review of Drug Prevention Efforts](#).



8 | ALCOHOL & ILLICIT DRUGS, CONT.

8.5 CAMPUS RESOURCES FOR SUBSTANCE ABUSE PROBLEMS

CAMPUS RESOURCES FOR STUDENTS

If you are concerned about the alcohol or other drug use by yourself or someone you know, please contact the [Student Health and Counseling](#) or [COSAP](#). Confidential consultants, individual assessments and education are available.

Student Health & Counseling (SHAC)
505-277-3136

Campus Office of Substance Abuse Prevention (COSAP)
505-277-2795



CAMPUS RESOURCES FOR EMPLOYEEES

If you are concerned about your own, an employee's or a colleague's alcohol or drug use, contact [Counseling, Assistance & Referral Services \(CARS\)](#) or [Human Resources \(HR\)](#). 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. In addition to the Employee Assistance Program (EAP) facilitated through CARS, HR offers a comprehensive Employee Wellness plan focused on adult fitness, nutrition, health counseling, physiological assessment, and health education classes.

Counseling, Assistance & Referral Services (CARS)
505-272-6868

Human Resources
505-272-0942

OTHER CAMPUS & COMMUNITY RESOURCES

AGORA Crisis Center
505-277-3013

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

Suicide Prevention Emergency Service
505-247-1121 (24/7)

University Hospital Emergency Department
505-272-2411

UNM Center on Alcoholism, Substance Use 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

Additional assistance and treatment options are available in the [Resources section of COSAP's webpage](#).

9 | SECURITY, AWARENESS & CRIME PREVENTION PROGRAMS

9.1 SECURITY & AWARENESS PROGRAMS

UNM offers programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others. UNM encourages everyone in good faith to take advantage of the many programs and courses that are available to all. More information about campus safety programs is available on the UNM [Campus Safety](#) page.

New Student Orientation

To help new Lobos get acquainted with UNM, all incoming students complete the [New Student Orientation \(NSO\)](#) program in their first year. NSO provides the opportunity to learn about campus resources, make connections with faculty and staff, and register for courses. During NSO, students participate in virtual and in-person presentations before their first semester of enrollment about a variety of safety and security topics, enrolling in the LoboAlerts system, using the LoboGuardian app, how to use blue light emergency phones, and taking advantage of UNM's campus escort service.

Family Connection

The [Family Connection \(FC\)](#) orientation program, which runs concurrently with NSO, is for parents, grandparents, guardians, and other family members who have a traditional freshman student starting at UNM. Students' family members who participate in the online and in-person FC sessions over the summer receive information about security on campus and ways their students can protect themselves and their belongings during their time at UNM.

New Employee Experience

New employees are required to complete the online ["Your Lobo Journey"](#) orientation training during the onboarding process, which contains modules related to discrimination, gender-based violence, conflict resolution, and crisis management. Onboarding employees must also attend a virtual New Employee Information Session in which they view presentations from various departments and are resourced with information about campus safety and

security, sexual misconduct, campus violence, reporting crimes, enrolling in the LoboAlerts system, using the LoboGuardian app, how to use blue light emergency phones, and how to take advantage of UNM's campus escort service.

New FSL Member Summit

The [Fraternity and Sorority Life \(FSL\)](#) staff in the [Student Activities Center \(SAC\)](#) is committed to building a community that values learning. As such, there are essential programs and educational events that are designed to help members acclimate to Greek Life. During the [New Member Summit](#) and over the course of the year, many important topics are covered such as alcohol education, hazing identification, reporting, and prevention, and sexual assault reporting and prevention. This program is available to both incoming and current students who are new to FSL.

The Barrier Necessities Program

To decrease the transmission rate of sexually transmitted infections (STIs) among sexually active UNM students and to ensure all students have the option to protect themselves and others, UNM [Student Health & Counseling \(SHAC\)](#) facilitates The Barrier Necessities (<https://shac.unm.edu/wellness/health-promotion/barrier-necessities.html>). This program is an expanded condom distribution initiative to ensure UNM students have access to free condoms and dental dams without obstacles year-round. SHAC also provides resources and materials online and at the center, such as Safer Sex (<https://shac.unm.edu/assets/img/lets-talk-about-safer-sex.png>) tips.

Information Privacy and Security Awareness

This mandatory and on-demand training for new employees provides participants with strategies for keeping information online private and helping prevent cybercrimes.

UNM Hospitals Programming

Each new staff member of UNM Hospitals participates in a general orientation program that includes information related to the Security Program and all staff members of UNM Hospitals participate, at least once each year, in a

9 | SECURITY, AWARENESS & CRIME PREVENTION PROGRAMS, CONT.

continuing education program.

In-service Training for Housing Staff

Each semester, staff from various departments train incoming and returning staff in Residence Life & Student Housing and American Campus Communities on ways they can enhance security at on-campus housing facilities, such as supporting safe activities that enhance natural surveillance of common areas, inspecting lighting and other elements in the built environment that can enhance or hinder security, removing objects used to prop building doors, and educating residents on the importance of the University's safety and security protocols.

Who to Call

UNM has numerous systems in place to keep its community members safe, and who to call depends on the type and location of the emergency. The Who to Call initiative kickstarted in 2024 and takes on a One University approach by providing a comprehensive list of the best phone numbers to call for each specific building, whether someone needs help with a medical emergency, crime in progress, fire, patient incident, facility maintenance, lockout, or safety escort. The Who to Call phone list is available year-round on UNM's [Campus Safety](#) page and on the [UNM Police Department](#) homepage.

Culture of Safety initiative

UNM's leadership is committed to the health and safety of all University members. The main goal of this commitment is to reduce injuries among University members on campus. Achieving this requires a culture in which each member of the campus community takes responsibility for the health and safety of themselves and those around them. Instilling a strong "Culture of Health and Safety" supports the UNM 2040 Goal 4 Objective 1 of having a high-quality and sustainable workforce. Through diligent use of the four core elements listed below, UNM works to improve its culture of health and safety and in turn, reduce injuries, through this initiative by promoting **ACTing Safely**:

- Avoid hazards

- Care for others

- Train

More information about this rolling initiative is available on

UNM's [Campus Safety](#) page.

9.2 CRIME PREVENTION PROGRAMS

In addition to empowering community members with tools to keep themselves and others secure, UNM offers several programs designed to inform students and employees about the prevention of crimes.

Bicycle Registration & Security

UNMPD encourages everyone within the UNM community to choose carefully when and how to park their bicycle, secure their bicycle with a high-quality lock, and to register their bicycle with the Police Department. Registration is free, available during Campus Safety Week or anytime throughout the year at UNMPD, and valid for four years. Visit the UNMPD [Bike Registration & Security](#) page or stop by the UNMPD station located on the west side of Hokona Hall for more information.



Campus Watch

UNM's [Campus Watch](#) program is a year-round safety initiative inspired by the National Sheriffs' Association's [National Neighborhood Watch](#) program. The purpose of Campus Watch is to enhance safety and security across the UNM campus, with a special focus on enhancing communication and awareness. Sharing information is essential to heighten awareness, problem solve, and identify the most appropriate resources for addressing various situations.

9 | SECURITY, AWARENESS & CRIME PREVENTION PROGRAMS, CONT.

UNM's Campus Watch program capitalizes on the University's [Building Coordinator Program](#), which helps to facilitate communications, support facility minor capital planning and renewal, and represent user needs within UNM facilities. More information about Campus Watch is available on UNM's [Campus Safety](#) page.

Curriculum Infusion

Throughout the academic year, UNM's [Campus Office of Substance & Alcohol Prevention \(COSAP\)](#) offers alcohol and other drug prevention presentations and class content for various departments to incorporate into their courses.

Crime Prevention Tips

UNMPD, along with other departments of the University, provide tips on a rolling basis to students and employees on topics such as [pedestrian, skateboarding, and bicycling safety](#), [safety in social settings](#), [sexual exploitation survival](#), bystander intervention, sexual assault prevention, and [responsible drinking](#). Paper brochures, flyers, and other literature are distributed across various locations on campus and several departments post crime prevention tips on their websites and social media pages throughout the year. Residence Life & Student Housing (RLSH) and American Campus Communities (ACC) also provide campus residents with safety tips in the residence halls during monthly meetings and via flyers, bulletin boards, email, and social media.

Tabling

During New Student Orientation, Campus Safety Week, resource fairs, and other select times of year, offices from across campus set up tabling displays to share information about crime reduction and prevention, healthy relationships, consent, and general safety topics.



Crime Prevention Through Environmental Design (CPTED)

UNM offices work collaboratively to conduct security assessments and develop solutions for deterring criminal activity on campus properties throughout the year. CPTED practitioners within CEEO and UNMPD provide technical expertise to various departments on campus upon request.

Active Shooter on Campus: Run, Hide, Fight.

This training module is included in UNM's mandatory training for new employees and is available on demand. [“Run, Hide, Fight.”](#) demonstrates techniques for reducing harm and risk during an active shooter incident for individuals and those around them. Like other crime prevention programs on campus, “Run, Hide, Fight.” empowers employees and others to take responsibility for their own safety to the greatest extent possible.

Campus Safety Escorts

UNMPD offers escort services to anyone needing an escort from an on-campus location to another on-campus location 24 hours a day, seven days a week, 365 days a year at no charge to students or employees. Any member of the public can call 505-277-2241 for more information or to request an escort.

UNM Hospitals (UNMH) and Health Sciences Center employees may request an escort from UNMH Security at any time of the day, if needed, to any parking lot not serviced by UNMH Shuttle Buses. UNMH Security Officers also provide escorts to any patient or visitor that requests an escort to their vehicle. Escorts can be requested by calling UNMH Security at 505-272-2160.

Safety Talks

Each fall, officers from UNMPD conduct outreach and respond to requests for presentations on various crime prevention topics hosted by student groups and campus departments.

9 | SECURITY, AWARENESS & CRIME PREVENTION PROGRAMS, CONT.

LoboGuardian App

[LoboGuardian](#) is a mobile app that increases user safety by creating a virtual safety network of friends and family 24 hours a day, seven days a week, 365 days a year. With this app, students and employees can:

- Set a Safety Timer and Status—Designate friends, family, and others as personal “Guardians” and establish Safety Timer Sessions with your Guardians. During the timer session Guardians can check your status and location. If the timer is not deactivated before it expires, your Guardians will be notified, and your phone’s last location and status will be displayed.
- Get Help—Make a direct emergency call to UNMPD in Albuquerque that automatically delivers your Smart911 profile to the police response team. You can also call 9-1-1.
- Report a Tip—Send a tip anonymously to UNMPD in Albuquerque.



For more information about [LoboGuardian](#) to include ways to download it to your phone, visit UNM’s [LoboGuardian](#) webpage.



Campus Safety Week

In observance of National Campus Safety Awareness Month (NCSAM) each September, UNM hosts an annual [Campus Safety Week](#) to engage students, employees, and the larger community. In addition to UNM’s Annual Campus Safety Walks, events during Campus Safety Week include various workshops, trainings, presentations, tabling, VIN etchings, Coffee with a Cop, live demonstrations, and more.

Annual Campus Safety Summit

UNM moderates an Annual Campus Security Summit during [Campus Safety Week](#) each September. The Summit provides a platform for representatives from various safety and security initiatives across campus to present their work to each other and to stakeholders from virtually every sector of the University and the larger community. Past topics include auto theft prevention, crime trends, [Campus Watch](#), threat assessment, physical security, UNM’s [Campus Safety Plan](#), [Coordinated Community Response Team \(CCRT\)](#) efforts.



10 | EMERGENCY RESPONSE & EVACUATION PROCEDURES

10.1 EMERGENCY OPERATIONS PLAN

To minimize the adverse effects of an incident, the University has developed an Emergency Operations Plan (EOP) to serve as the framework for incident response.

The EOP is implemented when the University or the surrounding community has been subjected to an incident that exceeds, or has a negative impact on, the resources normally available.

UNM's Emergency Manager within UNM's Crisis Management & Preparedness (CMP) coordinates, maintains, and exercises the EOP. Any University department that identifies a need for a plan specific to its operation must work with the UNM Emergency Manager to assure that its plan is coordinated and updated with the University's EOP.

If an incident is declared, the Senior Vice President for Finance and Administration will notify the University President and the EOP will be implemented. Depending on the nature of the incident, the Chief of Police or designee will notify the appropriate individuals listed in the EOP. In the event of a substantiated serious safety concern, either on campus property or in the near vicinity of the campus, UNM makes numerous and diligent efforts to advise campus community members as well as the larger community. The University takes its duty seriously and makes diligent efforts to advise campus community members of threatening situations and how they can best protect themselves from harm.

10.2 EMERGENCY RESPONSE PLANS & SYSTEMS TESTING

All emergency response plans and systems are tested on an annual basis at a minimum. UNM conducts these tests via drills (single procedural operation) or exercises (coordinated effort events). Functional exercises are conducted once every four years at alternating locations across campus. These exercises include first responders who would typically respond to emergencies such as UNMPD, the [Albuquerque Police Department](#), [New Mexico](#)

[Department of Public Safety](#), and the [Albuquerque Fire Department](#). Tabletop exercises are conducted annually and include the same personnel, except the year that the functional exercise is conducted.

All exercises have an evaluation component built in and are designed with measurable goals to assess the plans and capabilities. Plans are subsequently updated with lessons learned. These drills and exercises are announced in advance due to scheduling; however, the nature of the exercise may be a surprise to the participants.

10.3 WARNING SIREN SYSTEM

UNM's Warning Siren System is a multifaceted system that uses an outdoor siren, email alerts, text alerts, RSS feeds, and webpages to notify the campus community and surrounding areas of an incident. The siren can be heard within the surrounding neighborhoods and businesses. The general public can sign up for email and text alerts via the [LoboAlerts Community System](#). Local news media are registered to receive these alerts and have pledged to rebroadcast them in the event of an emergency.

Every semester, CMP tests the functionality of the System's email, text, and UNM webpage notifications. Each semesterly exercise begins with a prompt from the UNMPD Command Staff to UNMPD Dispatch that an incident has occurred, and they are required to activate the Warning Siren System (as an exercise).

Additionally, University Communications and Marketing (UCAM) uses these tests as an opportunity to test the scheduling system of the Rave LoboAlerts platform. UCAM creates a message and schedules it for 17 minutes prior to the sirens sounding drill. These tests exercise the coordination of effort between UNMPD and UCAM. After these exercises, UNMPD, UCAM, and CMP discuss the success of the exercise. If any issues were encountered, the group develops a way to address them as soon as possible. These exercises are advertised in advance, as they tend to affect the surrounding community.

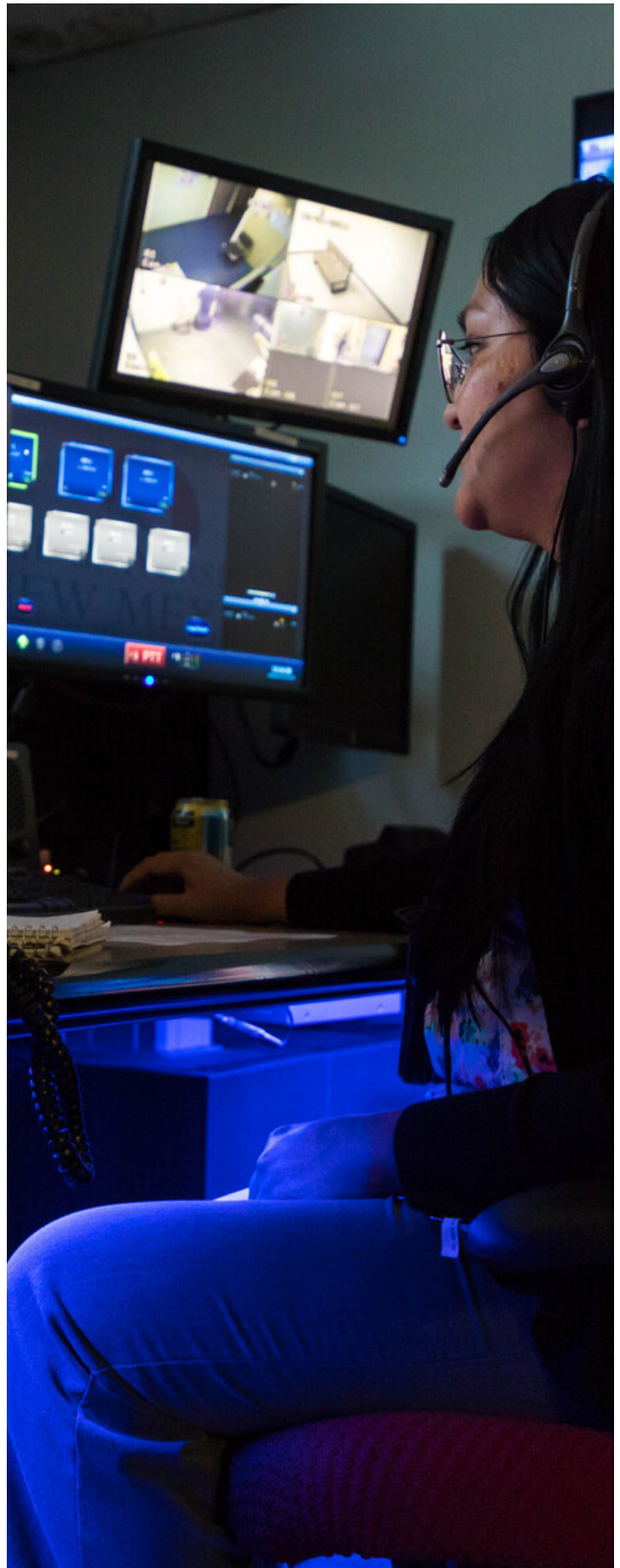
10 | EMERGENCY RESPONSE & EVACUATION PROCEDURES, CONT.

10.4 DOCUMENTATION

The Rave LoboAlerts platform maintains documentation for each semesterly test, which includes the date and time of the exercise and how many individuals were reached. Other exercises are documented through CMP and include a description of the exercise, the date, the time, and whether it was announced or unannounced.

Emergency response and evacuation drills occur three times a year in conjunction with the semesterly tests described above and include a email notification to students and employees.

Additional information about UNM's response in the event of an emergency and UNM's efforts to prevent and mitigate emergencies can be found in [University Administrative Policy \(UAP\) 6130: Emergency Control](#).



11 | MISSING STUDENT INFORMATION

11.1 UNM'S MISSING RESIDENT STUDENT NOTIFICATION POLICY & PROCEDURE

UNM students, employees, or other individuals who have reason to believe that a residential student is missing should immediately report their concerns to the [UNM Police Department](#) within 24 hours of determining that the student is missing. If the Residence Life and Student Housing Office (RLSH), Greek Life Office, or other department receives a report of a missing student, they should immediately notify UNMPD. UNMPD will, as appropriate, engage staff from RLSH and other UNM departments in immediate efforts to locate the student. These efforts may include but are not limited to:

- Contacting the student via their telephone and/or email,
- Checking the student's residence,
- Determining if the student has been in class or used their UNM ID card, and
- Checking with roommates, friends and others who may have relevant information.

If these efforts are unsuccessful in locating the student, UNMPD will inform the [Dean of Students](#) that the student is missing and the following will occur.

The Dean of Students, or designee, will notify the student's designated missing person contact within 24 hours of being informed by UNMPD that the student is missing. If the missing student is under the age of 18 and is not emancipated, the Dean of Students, or designee, will notify the student's custodial parent or legal guardian within 24 hours of being informed by UNMPD that the student is missing.

UNMPD will notify any other law enforcement agencies, within 24 hours, as appropriate, for purposes of coordinating the investigation and continuing efforts to locate the student.

The Dean of Students will initiate actions deemed appropriate under the circumstances in the best interest of the missing student. For example, contacting the student's

instructors may occur if necessary or beneficial in the situation to the student and/or instructors.



11.2 STUDENT CONTACT INFORMATION

Residential students have the opportunity to identify an individual who will be contacted by UNM not later than 24 hours after the time that the student is determined to be missing. The contact person may be a parent, legal guardian, or other person of the student's choosing. If the student is under 18 years of age and is not emancipated, UNM must also notify a parent or legal guardian not later than 24 hours after the time that the student is determined to be missing. Student contact information is held confidential and is accessible only to authorized UNM officials and law enforcement involved in a missing person investigation.

Students living in UNM residence halls can register their confidential contact information, or make any changes to previously registered information, through RLSH. Students living in the American Campus Communities (ACC) properties (Casas del Rio or Lobo Village) can register their confidential contact information, or make changes to previously registered information, through their respective residence hall front desk. Students residing in Greek housing can register their confidential contact information through the Greek Life Office of UNM Student Activities Center. Students are responsible for ensuring that their contact information is up-to-date and accurate.

11 | MISSING STUDENT INFORMATION, CONT,

For purposes of UNM's policy, a residential student of this section, a student who is currently enrolled and resides in on-campus housing or in privately owned Greek housing on campus.

**University of New Mexico Police Department
(UNMPD)**

505-277-2241

Dean of Students Office (DOSO)

505-277-3361

Residence Life & Student Housing (RLSH)

505-277-2606

American Campus Communities (ACC)

Lobo Village: 505-925-5575

Casas del Rio: 505-277-1619

Fraternity & Sorority Life (FSL)

505-277-4706



12 | TIMELY WARNING & EMERGENCY NOTIFICATION

12.1 TIMELY WARNINGS (LOBO ADVISORIES)

UNM will, in a manner that is timely and that withholds as confidential the names and other identifying information of victims, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)), and that will aid in the prevention of similar crimes, report to the campus community on crimes that—

- meet the definition of a Clery Act offense,
- occur within UNM's Clery Act geography,
- are reported to a Campus Security Authority or local police agency, and
- are considered to represent a serious or ongoing threat to students and employees.

The Lobo Advisory includes appropriate information as soon as it becomes available, such as location, crime, description of subject (if known), and any other pertinent details that will promote safety and aid in the prevention of similar crimes. Additional updates may be issued as the situation evolves.

The determination of a “serious or continuing threat” is made by the on-call Command Staff individual at the UNM Police Department. Once the determination of a serious and continued threat has been made, the on-call Command Staff individual will create the content of issue the Lobo Advisory and issue it to the entire campus community. The issuer may use the assistance of other individuals or offices in crafting the wording of the message.

A decision as to whether to issue a Lobo Advisory is made on a case-by-case basis in light of all the facts surrounding a crime, and one might not be issued if it could compromise the apprehension of a suspect.

UNM is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

METHODS OF LOBO ADVISORY DISTRIBUTION

UNM uses UNM email and the UNM webpage to distribute Lobo Advisories to the campus community.

12.2 EMERGENCY NOTIFICATIONS (LOBO ALERTS)

If there is an immediate threat to the health or safety of students or employees occurring on campus, UNM will follow its emergency notification procedures.

When UNMPD receives information about an imminent threat or dangerous situation occurring on or near campus, they will, without delay, and taking into account the safety of the 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. Any member of the UNM community may contact UNMPD to request an emergency notification with information they receive about an imminent threat or dangerous situation occurring on or near campus and initiate the emergency notification system by calling UNMPD Dispatch at 505-277-2241 or 9-1-1.

Once an emergency has been reported to UNMPD, the Officer of Dispatcher receiving the report will initiate the notification system by notifying the on-call UNMPD Command Staff individual who will make the determination to issue an Lobo Alert. The on-call Command Staff individual will determine the appropriate segment or segments of the campus community to receive the notification, create the content of issue the Lobo Alert, and



12 | TIMELY WARNING & EMERGENCY NOTIFICATION, CONT.



issue it utilizing the UNM's LoboAlerts (Rave) emergency messaging system. The issuer may use the assistance of other individuals or offices in crafting the wording of the message.

Examples of situations requiring a Lobo Alert include:

- Approaching extreme weather
- Armed intruder
- Bomb threat
- Explosion, fire, or gas leak
- Serious health-related outbreak
- Riot
- Terrorist incident

METHODS OF LOBO ALERT DISTRIBUTION

UNM uses the Rave LoboAlerts text messaging system, the LoboGuardian app, UNM email, and the UNM webpage to distribute Lobo Alerts to the campus community. The University also employs Really Simple Syndication (RSS) to keep the larger community informed.

13 | PROGRAMS TO PREVENT DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT & STALKING

As part of its responsibilities under the VAWA amendments to the Clery Act and the State of [New Mexico House Bill 151](#), UNM provides primary and ongoing prevention and awareness programs to prevent sexual assault, domestic violence, dating violence, and stalking for students and employees.

“Programs to prevent sexual assault, domestic violence, dating violence, and stalking” means comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end sexual assault, domestic violence, dating violence, and stalking that—

- are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome and
- consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Programs to prevent sexual assault, domestic violence, dating violence, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at current students and employees and include, at a minimum:

- A statement that UNM prohibits the crimes of sexual assault, domestic violence, dating violence, and stalking,
- The definitions of sexual assault, domestic violence, dating violence, stalking, and consent in reference to sexual activity under New Mexico law and University policy,
- Safe and positive options for bystander intervention,
- Information on risk reduction, and
- Procedures UNM follows and the rights parties have through disciplinary proceedings when one of these crimes is reported.

13.1 PRIMARY PREVENTION PROGRAMS TO PREVENT DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT & STALKING

PROGRAMS FOR INCOMING STUDENTS

The Grey Area Training

On October 17, 2016, the University of New Mexico entered into an agreement with the U.S. Department of Justice to refine UNM’s policies regarding sexual harassment and misconduct on campus. As a part of this agreement, UNM provides a mandatory sexual misconduct prevention and bystander intervention training, The Grey Area, to all qualified UNM students. The Grey Area is a one-time, in-person or virtual session that is required of all UNM students currently enrolled in a degree-granting program with a regular presence on campus. This includes students that are enrolled at the Health Sciences Center and UNM Law School.

ONGOING PROGRAMS FOR STUDENTS

Lobos Intervene

This 45-minute workshop offered by the [LoboRESPECT Advocacy Center \(LRAC\)](#) was developed as a follow-up bystander intervention workshop. The module, which is based in interactive role play, can be fitted for general use or tailored to fit scenarios specific to different student populations. Attendees identify various moments and modes for intervening in a variety of circumstances that could otherwise have negative consequences.

All-In: Action in Our Community

This one-hour LRAC workshop was developed in order to increase active bystander tendencies among peers. This interactive, fast-paced module can be fitted for general use or tailored to fit scenarios specific to different student populations. Attendees are challenged to consider common barriers to bystander intervention, helpful bystander strategies, as well as resources available at UNM.

Prevention Workshops and Trainings

Throughout the year and each September during Campus Safety Week, various offices host workshops, trainings,

13 | PROGRAMS TO PREVENT DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT & STALKING, CONT.

social media posts, tabling, and movie screenings to promote the prevention of sex-based and interpersonal violence. Topics include dating violence prevention, safety planning, and personal safety. Various offices on campus such as the [Office of Compliance, Ethics & Equal Opportunity \(CEEEO\)](#), UNM [Women's Resource Center \(WRC\)](#), the [LGBTQ Resource Center](#), and LRAC can also customize unique training for different student groups on campus. Examples of topics include healthy relationships, consent, and active bystandership.

Finding the Line: Clear Boundaries. Healthy Relationships.

LRAC's one-hour workshop on healthy relationships aims to raise awareness about the frequency of intimate partner and relationship violence, while emphasizing skill-building. Attendees are given the opportunity to practice recognizing healthy, unhealthy, and abusive behaviors, to learn more about what healthy and unhealthy boundaries look like, and to identify strategies for supporting a friend who may be in an unhealthy partnership.

Safe Zone Training

This four-hour training offered by the LGBTQ Resource Center covers topics for students such as intersections of Identity, microaggressions, the coming out process, creating equitable spaces for transgender individuals, violence prevention, and more. Specialized trainings in the medical community and mental health providers are forthcoming.

Weekly Advocacy Events

The hosts events like Manicure Mondays and Crafternoons on a weekly basis, as well as support group meetings for students who have experienced eating disorders and interpersonal violence. WRC Advocates also facilitate anonymous live chat sessions for survivors of crime. For more information, contact the WRC directly at 505-277-3716, view their online [WRC events calendar](#), or visit them in person on the southeast side of Mesa Vista Hall.

PROGRAMS FOR NEW EMPLOYEES

Prevention of Sexual Harassment and Discrimination: Gateway

This mandatory, online course prepares faculty and staff to cultivate and maintain a workplace culture resistant to discrimination, harassment, and retaliation. It equips employees with the information and skills that promote intervention, empathy, and allyship.

ONGOING PROGRAMS FOR EMPLOYEES

Prevention of Sexual Harassment and Discrimination: Gateway

This online course prepares faculty and staff to cultivate and maintain a workplace culture resistant to discrimination, harassment, and retaliation. It equips employees with the information and skills that promote intervention, empathy, and allyship. It is mandatory for all employees on an annual basis.

Safe Zone Training

This four-hour training offered by the LGBTQ Resource Center covers topics for employees such as intersections of Identity, microaggressions, the coming out process, creating equitable spaces for transgender individuals, violence prevention, and more. Specialized trainings in the medical community and mental health providers are forthcoming.

13.2 AWARENESS CAMPAIGNS TO PREVENT DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT & STALKING

CAMPAIGNS FOR INCOMING STUDENTS

Red Zone Awareness

Though UNM Newsroom, UNM students are encouraged to take a stand against The Red Zone and create a cultural shift against sexual misconduct on campus and in the community between the months of August and November when more than half of college sexual assaults occur.

ONGOING CAMPAIGNS FOR STUDENTS

Title IX ASUNM Virtual Meeting

UNM's Title IX Coordinator attends the Associated Students at the University of New Mexico (ASUNM) to discuss and questions answer students and their

13 | PROGRAMS TO PREVENT DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT & STALKING, CONT.

representations have about Title IX regulations.

Red Zone Awareness

Though UNM Newsroom, UNM students are encouraged to take a stand against The Red Zone and create a cultural shift against sexual misconduct on campus and in the community between the months of August and November when more than half of college sexual assaults occur.

"Can I talk to you?": Holding Tough Conversations

In this 1-hour workshop, we discuss major touchstones of skillful listening including how to ask open-ended questions, how to affirm strengths, and how to employ reflection. Attendees are given the opportunity to practice these skills as well as learning how and when to pass the conversation to a professional staff person.

Social Media Campaigns

Various offices and centers across campus promote awareness campaign like those listed below on their departmental social media accounts to enhance awareness about sexual assault, domestic violence, dating violence, and stalking among students.

- January: Stalking Awareness Month
- April: Sexual Assault Awareness Month
- September: National Campus Security Awareness Month
- October: Domestic Violence Awareness Month

Fundraisers and Awareness Events

Certain departments on campus such as the Women's Resource Center host fundraisers to raise awareness about issues like sexual violence, domestic violence, dating violence, and stalking. Funds go toward a victim or victim's family of the hosting department's choosing.

Consent Fair

Campus Advocates, Title IX staff, and other proponents of safe and healthy relationships participate in a Consent Fair at the Student Union Building that UNM hosts every year.

Sports Games

Each year during a UNM Lobos Football home game, the Title IX Coordinator, in collaboration with Lobo Athletics, broadcasts information about Domestic Violence Awareness Month and ways to find help on the Lobos jumptron.



CAMPAIGNS FOR NEW EMPLOYEES

Prevention of Sexual Harassment and Discrimination: Gateway

This mandatory, online course prepares faculty and staff to cultivate and maintain a workplace culture resistant to discrimination, harassment, and retaliation. It raises awareness among employees about common issues that arise in the academic and work settings related to sexual and other types of interpersonal misconduct.

ONGOING CAMPAIGNS FOR EMPLOYEES

Social Media Campaigns

Various offices and centers across campus promote awareness campaign like those listed below on their departmental social media accounts to enhance awareness about sexual assault, domestic violence, dating violence, and stalking among employees.

- January: Stalking Awareness Month
- April: Sexual Assault Awareness Month
- September: National Campus Security Awareness Month
- October: Domestic Violence Awareness Month

Prevention of Sexual Harassment and Discrimination: Gateway

This mandatory, online course prepares faculty and staff

13 | PROGRAMS TO PREVENT DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT & STALKING, CONT.

to cultivate and maintain a workplace culture resistant to discrimination, harassment, and retaliation. It raises awareness among employees about common issues that arise in the academic and work settings related to sexual and other types of interpersonal misconduct. It is mandatory for all employees on an annual basis.

Digital Assets

Various departments spearheading awareness campaigns across campus make Zoom/Teams backgrounds, email signatures, and other digital graphics available to download and incorporate into employees' daily online communications.

13.3 RISK REDUCTION STRATEGIES

REDUCING YOUR RISK OF BECOMING A VICTIM OF SEXUAL VIOLENCE & OTHER CRIMES

The following tips from the **Rape, Abuse & Incest National Network (RAINN)** may reduce your risk for many different types of crimes, including sexual violence.

Know your resources. Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus health center, campus police station, and a local sexual assault service provider. Notice where emergency phones are located on campus, and program the campus security number into your cell phone for easy access. Make sure your cell phone is with you and charged and that you have an account with a ride share service.

Stay alert. When you're moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus security for an escort. If you're alone, only use headphones in one ear to stay aware of your surroundings.

Be careful about posting your location. Many social media sites, like Facebook and Foursquare, use geolocation to publicly share your location. Consider disabling this function and reviewing other social media settings. Make others earn your trust. A college environment can

foster a false sense of security. They may feel like fast friends, but give people time to earn your trust before relying on them.

Think about Plan B. Spend some time thinking about back-up plans for potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can't use a credit card? Do you have the address to your dorm or college memorized? If you drive, is there a spare key hidden, gas in your car, and a set of jumper cables?

Be secure. Lock your door and windows when you're asleep and when you leave the room. If people constantly prop open the main door to the dorm or apartment, tell security or a trusted authority figure.

Safety in Social Settings

It's possible to relax and have a good time while still making safety a priority. Consider these tips for staying safe and looking out for your friends in social settings.

Make a plan. If you're going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to touch base with the other people in your group. Don't leave someone stranded in an unfamiliar or unsafe situation.

Protect your drink. Don't leave your drink unattended, and watch out for your friends' drinks if you can. If you go to the bathroom or step outside, take the drink with you or toss it out. Drink from unopened containers or drinks you watched being made and poured, and carry your own. It's not always possible to know if something has been added to someone's drink. In drug-facilitated sexual assault, a perpetrator could use a substance that has no color, taste, or odor.

Know your limits. Keep track of how many drinks you've had, and be aware of your friends' behavior. If one of you feels extremely tired or more drunk than you should, you may have been drugged. Leave the party or situation and find help immediately. Watch out for your friends and vice

13 | PROGRAMS TO PREVENT DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT & STALKING, CONT.

versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get them to a safe place immediately. If you suspect you or a friend has been drugged, call 9-1-1. Be straightforward with doctors so they can give the right tests.

It's okay to lie. If you want to exit a situation immediately and are concerned about frightening or upsetting someone, it's okay to lie. You are never obligated to remain in a situation that makes you feel uncomfortable, pressured, or threatened. You can also lie to help a friend leave a situation that you think may be dangerous. Some excuses you could use are needing to take care of another friend or family member, an urgent phone call, not feeling well, and having to be somewhere else by a certain time.

Stay with your group. Don't allow yourself to be isolated with someone you don't trust or know, and try to avoid isolated areas. It is more difficult to get help if no one is around. Walk with purpose. Even if you don't know where you are going, act like you do.

Be a good friend. Trust your instincts. If you notice something that doesn't feel right, it probably isn't. Learn more about how to keep your friends safe in social settings.

Feeling Safe After an Assault

If you have experienced sexual assault, there are steps you can take to feel safer.

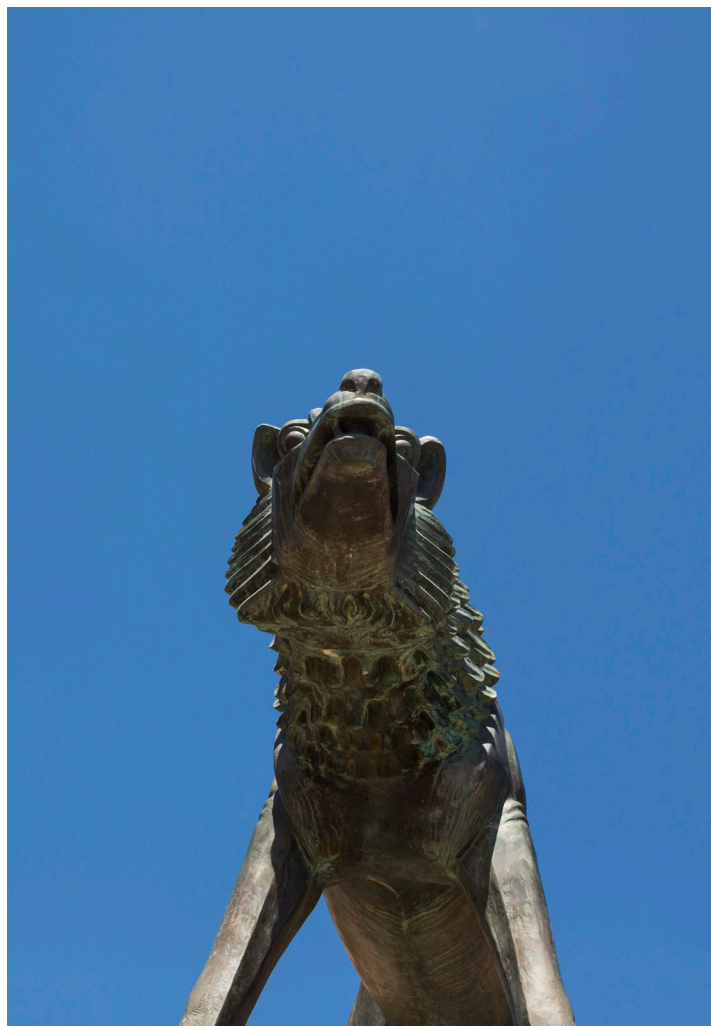
Make use of on-campus resources. Colleges often provide a host of services to students for free, including security escorts, health centers, psychological services, and sexual assault services.

Request a schedule or housing change. If you have classes with the perpetrator or live in the same building, you can request a change from your college administration. Federal laws, such as the Campus SaVE Act, require colleges to honor these requests.

Access off-campus support services. If you are concerned about anonymity, you can seek out resources located off campus in the community, like a local sexual assault service provider or domestic violence shelter.

Seek a civil protection order (CPO). A CPO, sometimes also referred to as a temporary restraining order (TPO), is a legal document that bars an individual from certain types of contact with the person who is awarded the order. An individual who violates the terms of the restraining order can face criminal charges. Each state has its own rules and regulations for Sexual Assault CPOs that you can learn more about through the American Bar Association.

Create a safety plan. If you are concerned for your ongoing safety, it can be worthwhile to create a safety plan. Safety planning is about finding ways to be safe in the present while planning for your future safety as well.



13 | PROGRAMS TO PREVENT DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT & STALKING, CONT.

STALKING AWARENESS & PREVENTION

It can be helpful to think of the following strategies Stalking Prevention, Awareness, & Resource Center (SPARC) to help keep yourself and loved ones safe from stalking. You may want to:

Call 9-1-1 if you're in imminent danger or have been threatened.

Trust your instincts. If you think that you're in danger, you probably are.

Connect with campus resources who can help you explore options and make a detailed safety plan, like the Agora Crisis Center, advocacy services like UNM's Women's Resource Center (WRC), LoboRESPECT Advocacy Center (LRAC), or LGBTQ Resource Center, or the UNM Police Department (UNMPD).

Document everything that happens – keep a record or log. See stalkingawareness.org/what-to-do-if-you-are-being-stalked/ for a sample log.

Tell people you trust about the situation. Consider asking family, friends, classmates, and/or roommate(s) to help with your safety plans.

Consider getting a court order to keep the stalker away from you. Campus support services can help you contact a local domestic violence/sexual assault agency or family court for more information.

The stalking is not your fault and you cannot control the stalker's behaviors. Learn more safety strategies at stalkingawareness.org.

13.4 SAFE & POSITIVE OPTIONS FOR BYSTANDER INTERVENTION: PROTECT THE PACK!

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 who observes but does not intervene in any way, or become an active bystander.

STEPS TO BECOMING AN ACTIVE BYSTANDER

- Notice a situation that is out of the ordinary. Does your “gut” tell you something is wrong?
- Ask yourself, “Could I play a role here?”
 - ❑ If no one intervenes, what will likely happen?
 - ❑ Is someone else better equipped to respond?
 - ❑ What would be my purpose in responding?
- Assess your options for providing help. Use your words; don't use violence to end violence.
- Determine the potential risk(s) of taking action.
 - ❑ Are there risks to myself and/or others?
 - ❑ Is there a low-risk option?
 - ❑ How could I reduce risks?
- Determine how to implement your choice(s) safely.

ADDITIONAL RESOURCES FOR STUDENTS

Learn ways to get involved on your campus and share important information about sexual violence.

The laws about consent vary by state and situation. It can make the topic confusing, but you don't have to be a legal expert to understand how consent plays out in real life. Learn about ways to protect your friends and take steps to prevent sexual assault.

If you're planning a trip—or semester—abroad, be sure to think about safety as part of your travel preparations. Did you experience sexual violence while studying abroad? Watch [this video](#) to learn more about help when you return home.

14 | INFORMATION ABOUT SEX OFFENDERS

In accordance with the [Campus Sex Crimes Prevention Act of 2000 \(CSPA\)](#), the [UNM Police Department \(UNMPD\)](#) provides a website link to the [New Mexico Department of Public Safety \(NMDPS\)](#) 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 to 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, and the county sheriff for the county in which the higher education institution is located, in addition to registering with the county sheriff for the county in which the sex offender resides.

Sex offender registration at UNM is administered by UNMPD via an online [Sex Offender Registration Form](#).

14.1 HOW TO ACCESS THE SEX OFFENDER REGISTRY

The NMDPS, Bernalillo County Sheriff's Office, and City of Albuquerque Police Department all use [OffenderWatch®](#) to organize and publicize data about sex offenders in the State of New Mexico.

The NMDPS provides a statewide list of registered sex offenders at https://sheriffalerts.com/cap_office_disclaimer.php?office=55290&fwd=aHR0cDovL2NvbW11bml0eW5vdGlmaWNhdGlvbi5jb20vY2FwX21haW4ucGhwP29mZmljZT01NTI5MA==

Members of the public can also use the [OffenderWatch](#) app to find and receive alerts about sex offenders in their area or in the area of loved ones: <https://offenderwatch.com/offenderwatch-family-safety-app/>.



15 | A SURVIVOR'S GUIDE TO RIGHTS & OPTIONS AT UNM

This section provides information about the rights of students and employees after they have experienced an incident involving dating violence, domestic violence, sexual assault, or stalking. It is also available in pdf and ebook formats on the Office of Compliance, Ethics & Equal Opportunity's webpage as [A Survivor's Guide to Rights & Options at UNM](#).



15.1 WRITTEN NOTIFICATION OF RIGHTS & OPTIONS

When a student or employee reports to a University official that they have been a victim of sexual assault, domestic violence, dating violence, or stalking, whether the offense occurred on or off campus, UNM will provide the student or employee with a written explanation of their rights and options, to include:

- Procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred, including written information about—
 - ❑ The importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order;
 - ❑ How and to whom the alleged offense should be reported;
 - ❑ Options about the involvement of law enforcement and campus authorities, including notification of the victim's option to—
 - Notify proper law enforcement authorities, including on-campus and local police;
 - Be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
 - Decline to notify such authorities; and
- The rights of victims and the University's responsibilities for orders of protection, “no-contact” orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or by the institution;
- Information about how the University will protect the confidentiality of victims and other necessary parties, including how it 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)); and
 - ❑ Maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of UNM to provide the accommodations or protective measures;
- A statement that the University will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community;
- A statement that the University will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. UNM makes such accommodations and provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement;
- Each type of disciplinary proceeding used by the University; the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding;
- How to file a disciplinary complaint;
- How UNM determines which type of proceeding to use based on the circumstances of an allegation of

15 | A SURVIVOR'S GUIDE TO RIGHTS & OPTIONS AT UNM, CONT.

dating violence, domestic violence, sexual assault, or stalking;

- A description of the standard of evidence that will be used during any institutional disciplinary proceeding arising from an allegation of dating violence, domestic violence, sexual assault, or stalking;
- A list all of the possible sanctions that the University may impose following the results of any institutional disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault, or stalking;
- A description of the range of protective measures that the institution may offer to the victim following an allegation of dating violence, domestic violence, sexual assault, or stalking;
- An explanation that the proceedings will—
 - ❑ Include a prompt, fair, and impartial process from the initial investigation to the final result;
 - ❑ Be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
 - ❑ Provide the accuser and the accused with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice;
 - ❑ Not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding; however, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties; and
 - ❑ Require simultaneous notification, in writing, to both the accuser and the accused, of—
 - The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking;

- The institution's procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding, if such procedures are available;
- Any change to the result; and
- When such results become final.

A prompt, fair, and impartial proceeding includes a proceeding that is—

- Completed within reasonably prompt timeframes designated by an institution's 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;
- Conducted in a manner that—
 - ❑ Is consistent with the institution's policies and transparent to the accuser and accused;
 - ❑ Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 - ❑ Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and
- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

"Advisor" means any individual who provides the accuser or accused support, guidance, or advice.

"Proceeding" means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, factfinding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

"Result" means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act

15 | A SURVIVOR'S GUIDE TO RIGHTS & OPTIONS AT UNM, CONT.

(20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.

15.2 DISCLOSURE OF THE RESULTS OF DISCIPLINARY PROCEEDINGS

UNM will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

15.3 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.

15.4 FIRST STEPS TO CONSIDER FOLLOWING AN ACT OF INTERPERSONAL VIOLENCE

MEDICAL ASSISTANCE

If you need medical assistance, don't wait. The following are medical centers in the Albuquerque metro area that are equipped to handle urgent and emergency medical needs.

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

Sexual Assault Nurse Examiner (SANE) Services

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

15 | A SURVIVOR'S GUIDE TO RIGHTS & OPTIONS AT UNM, CONT.

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.

15.5 RESTRAINING ORDERS

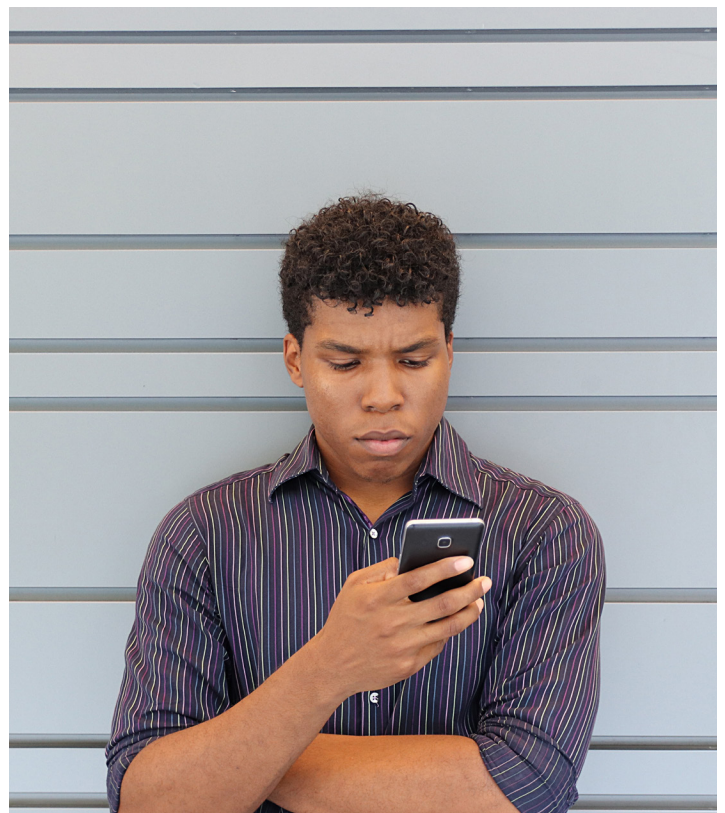
A Restraining Order is a court order that restricts someone from threatening, harassing, contacting, or going near you or your family, or even from having a gun. They are put in

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 of 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.



15 | A SURVIVOR'S GUIDE TO RIGHTS & OPTIONS AT UNM, CONT.

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).

15.6 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.

HOW TO REQUEST AN NCD

Students can request an NCD from DOSO directly (505-277-3361 or doso@unm.edu). Both students and employees can also request an NCD as a supportive measure from the Office of Compliance, Ethics & Equal Opportunity (CEEEO) (505-277-5251 or ceeo@unm.edu). To report a violation of an NCD, contact the office issuing the directive.

To request an NCD through a confidential resource, contact:

LoboRESPECT Advocacy Center

505-277-2911 |

LGBTQ Resource Center

505-277-5428 | lgbtqrc@unm.edu

Women's Resource Center

505-277-3716 | women@unm.edu



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15.7 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 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.

University of New Mexico Police Department
505-277-2241
2500 Campus Blvd NE
Albuquerque, NM 87131
(west end of Hokona Hall)

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.

LOCAL POLICE AGENCIES

Albuquerque Police Department
University Area Command
505-242-2677
1009 Bradbury Dr SE
Albuquerque, NM 87106

Bernalillo County Sheriff's Office
505-468-7100
400 Roma Ave NW
Albuquerque, NM 87102
sheriff@berco.gov

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15.8 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](#)
- [UAP 2745: Clery Act Compliance](#)
- [UAP 2740: Sexual Harassment Including Sexual Assault](#)
- [Student Code of Conduct](#) (Section 2)

UNM's CEEEO Grievance Procedure (CGP), available in full in **Appendix A**, 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.

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.

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.
- 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.
- 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 CEEEO's jurisdictional scope, a party may choose to resolve the report or concern through an alternative resolution or investigation.

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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. UNM's HO Procedures are available in full in **Appendix B**.

DISMISSALS & WITHDRAWALS

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

RIGHT TO APPEAL

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

GENERAL TIMELINES

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

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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

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15.9 KNOW YOUR RIGHTS

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

1. 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.[^]
2. Timely and equal access to any information that will be used during informal and formal disciplinary meetings and hearings.[^]
3. Receive timely notice of meetings at which the accuser or accused, or both, may be present.[^]
4. Examine and respond to all evidence gathered by CEEO.[^]
5. 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.^{*,^}
6. Supportive measures throughout the administrative resolution process.[^]
7. 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.[^]

8. 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



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15.10 UNM REPORTING SITES

REPORTING 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 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 (Interim)

Marquita Booker, Ed.D., LL.M., J.D.: titleix@unm.edu

✓ Supportive Measures

REPORTING 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 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

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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

Marquita Booker, Ed.D., LL.M., J.D.: titleix@unm.edu

✓ Supportive Measures

15.11 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

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

15.12 ON-CAMPUS RESOURCES

KEY

Available to UNM students: **S**

Available to UNM employees: **E**

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 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

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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

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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

LoboRESPECT Advocacy Center (LRAC Housing/Shelter Services) - S E

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

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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



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

UNM Police Department - 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

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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

ASSISTANCE FOR PEOPLE WITH DISABILITIES

UNM Accessibility Resource Center (ARC) - S

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 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 | ce eo@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 - S

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 - 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

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

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UNM Hospitals 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 Student Safety - S E

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

15.13 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.

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)

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

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Teambuilders Behavioral Health - Bernalillo

Serves adults, children, adolescents, and families.

301 South Camino del Pueblo

Bernalillo, NM 87004

505-404-6907

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

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

اگر شما هر سؤالی دارید: 4345-934-505



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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

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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

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

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Catholic Charities VAWW 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

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

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

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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

Albuquerque Housing Authority

Provides quality housing for those with limited incomes.

1840 University Blvd SE

Albuquerque, NM 87106

505-764-3920

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.

Greater Albuquerque HFH

505-265-0057 | info@habitatbq.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

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

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15.14 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 ASSAULT

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

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



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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.

DOMESTIC VIOLENCE

University of New Mexico Definition of Domestic Violence

Domestic violence.

A felony or misdemeanor crime of violence committed—

- By a current or former spouse or intimate partner of the victim
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- 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
- 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

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

“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

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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.

“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.

“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.

“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.

DATING VIOLENCE

University of New Mexico 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—

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- 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.

“Domestic violence” consists of assault or battery of:

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- 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.

STALKING

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

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

"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.

CONSENT

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

Consent: HB 151: Affirmative Consent.

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

16 | ANNUAL FIRE SAFETY REPORT

UNM remains committed to providing students with a safe living and learning environment that is free of fires and other hazards and provides this Fire Safety Report to the campus community in compliance with the Higher Education Opportunity Act (HEOA) of 2008.

16.1 FIRE SAFETY SYSTEMS IN UNM STUDENT HOUSING

All of UNM's student housing facilities provided through [Residence Life & Student Housing \(RLSH\)](#), [American Campus Communities \(ACC\)](#), and [Greek-Letter Organizations \(GLOs\)](#) are equipped with fire safety and prevention systems. They include:

- Local smoke alarms in dormitory rooms, manual pull stations at all exit doors, and system smoke detectors in common areas. Activation of pull station or system detector sends an alert signal to the 24/7 Student Residence Center (SRC) desk and UNMPD. There are no fire sprinklers. **(3)**
- Local smoke alarms in dormitory rooms; manual pull stations at all exit doors; system smoke detectors in common areas. Activation of pull station or system detector reports to the Student Residence Commons and notifies UNM Police Department. Fire sprinklers in basement only. **(4)**
- Full fire alarm system in dormitory rooms. Detectors ring locally signaling only SRC. Common areas have full detection systems with pull stations that will activate a general alarm along with sending an alert signal to the 24/7 SRC and UNMPD. There are partial sprinklers in the basement tied to the fire alarm system. The fire sprinkler system is in the basement only. **(5)**
- Smoke detection in common areas activate a general alarm. Alarms is activated by sprinklers activation or when SRC notifies UNMPD. Common areas have a fire sprinkler system. Apartments are fully sprinkled. **(6)**
- System smoke/heat detectors in unoccupied rooms and local smoke detectors in rooms, common areas, and corridors within apartments only. Apartment fire sprinkler systems. Redondo Village Apartments (RVA) are fully sprinkled. Detectors or sprinklers activate the general alarm, or SRC notifies UNMPD. The alarm notifies both UNMPD and the City of Albuquerque Emergency 911 Dispatch Center. **(7)**

- Local smoke detectors in apartments only. System smoke/heat detectors in unoccupied rooms and in common areas and corridors. General alarm activation by common area smoke/heat detectors, sprinkler activation fire alarm pull station. Fully sprinkled. Fire Alarm notifies both UNM Campus Police Dispatch and the City of Albuquerque Emergency 911 Dispatch Center. **(8)**
- Centralized smoke detector system in common areas as well as bedrooms. Fire Suppression system is also in place throughout the house. Pull stations in main hallways and common areas. **(10)**
- Centralized smoke detector system in common areas as well as bedrooms. **(11)**

16.2 FIRE SAFETY & PREVENTION: TIPS, POLICIES & RULES

FIRE PREVENTION AND SAFETY TIPS

The [National Fire Protection Association*](#) and the [Center for Campus Fire Safety*](#) provide useful information to students on ways they can prevent fires in residential halls. Click on the following links for their joint campaign's Safety Tip Sheet and Fire Safety Checklist.

- [Campus Fire Safety Tip Sheet](#)
- [Campus Fire Safety Checklist for Student](#)

In addition to helping prevent fires, students are expected to follow all polices, rules, and procedures for the student housing facility(s) in which they reside during their time at UNM.

FIRE PREVENTION & SAFETY POLICIES & RULES

Residence Life & Student Housing Residence Halls

Students who live in UNM's Residence Life & Student Housing (RLSH) residence halls and apartments are part of an academic community that has community standards to promote the safety and wellbeing of all residents. The community standards include rules for fire safety, some of which are explained below, and described in more detail in the complete [2024-2025 UNM Residence Hall Handbook](#).

UNM expects RLSH residents to practice effective fire safety at all times by exercising prudent judgment and following fire safety guidelines established or revised for residence halls/apartments. UNM expects residents to not perform or condone anything that damages, misuses, or interferes with the ready and proper operation of any fire safety equipment or signs. This includes, but is not

ANNUAL FIRE SAFETY REPORT, CONT.



limited to, sprinklers, detectors, extinguishers, horns, pull stations, and exit signs. Do not prop open or otherwise interfere with the proper operation of intended smoke and heat barrier purposes of fire doors (typically corridor and stairwell doors), and do not block or otherwise obstruct hallways or building exits. Do not activate a false fire alarm or make any false report that may cause building evacuation (e.g., bomb threat).

Students who live in UNM residence halls and apartments and participate in such an action may be subject to a monetary fine (up to \$500) and the cancellation of their housing contract, as well as possible suspension or expulsion from the University and criminal prosecution.

Residents should also follow all of the subsequent fire safety regulations:

- In the case of alarm, evacuate any/all buildings according to established procedures.
- Do not remove or alter electrical fixtures or hardware.
- Use UL approved electric cords and products and follow manufacturer directions.
- Ensure that equipment or electrical appliance used in the building are in excellent working condition at all times.
- Do not overload any electrical outlets. Only power

strips with surge protective/circuit breakers are permitted.

- Do not decorate ceilings with hangings or other flammable items (including holiday decorations). Do not affix anything to or on any lamp or light fixture.
- Do not hang any objects in front of your closet.
- Do not burn or possess candles, incense, kerosene lamps, lighter fluid, propane, or charcoal.
- Do not store or possess materials hazardous to the health and safety of residents in residence halls including, but not limited to: chemicals, gasoline, kerosene, charcoal, lighter fluid, and containers which have been used for storing gasoline.
- Halogen lamps are strictly prohibited in the residence halls and apartments as they are a fire hazard.
- UNM residence halls and campus are smoke-free environments. Smoking is permitted ONLY in University-designated smoking areas. The use of electronic or simulated smoking materials (e.g., cigarettes, pipes, cigars, and hookahs) is also prohibited. Smoking areas are located between Coronado Hall and Redondo Village Apartments (RVA), on the west side of DeVargas Hall, and one location each at Lobo Rainforest.

Cooking & Appliances

In non-apartment halls: Residents may bring and use a microwave (800 watts or less), hot pot, coffee maker, rice cooker, and hot air popcorn popper. Appliances that have a visible heating element or use hot oil (e.g., toasters, toaster ovens, George Foreman grills) are not allowed. Possession of unauthorized cooking or heating appliances may result in the assessment of a \$50 fine for each occasion.

In apartment halls: Small kitchen appliances are approved for use in the apartment-style residence halls, within the designated kitchen area of the apartment. Large appliances are not permitted. Residents are not to operate washing machines, dishwashers, dryers, freezers, electric heaters, electric air conditioners, and other heavy-duty applications. No electrical circuits, gas outlets, or facet adapters may be added or installed.

ANNUAL FIRE SAFETY REPORT, CONT.

American Campus Communities Residence Halls

Lobo Village and Casas del Rio are owned and managed by American Campus Communities (ACC), in partnership with Residence Life & Student Housing. Students residing in either of these complexes can look to ACC's lease and resident handbook for information on rules and policies about fire prevention and safety. Additionally, these properties send safety information to their residents electronically at move-in to inform students of all safety expectations and procedures during their stay in these residence halls. Most of ACC's fire safety and prevention rules mirror those of RLSH. For example:

Electrical appliances, open flames, and smoking. Space heaters and other similar appliances are prohibited in both ACC Properties. Appliances that use excessive amounts of electricity and/or create excessive heat are prohibited. The use of candles or other burning or smoking devices (including hookahs and shishas) are prohibited in both complexes.

Lobo Village permits smoking inside designated apartments and in designated outside areas. Casas del Rio does not permit smoking anywhere on property. Neither Lobo Village nor Casas del Rio permits smoking inside its respective clubhouse, office areas, or amenities. Residents with questions about fire prevention and safety at ACC properties are encouraged to contact the Lobo Village or Casas del Rio office directly. Fire safety and prevention rules are also outlined in residents' leases and in the ACC Resident Handbook, which is available through the Resident Portal.

Greek Letter Organization Houses

UNM's Greek Letter Organizations (GLO) comprises 22 fraternity and sorority chapters. Of these 22 chapters, six chapters own and manage chapter houses where members of the fraternity or sorority may reside. These facilities provide rooms for an estimated 220 students and students may move in as soon as their second semester. Three of these facilities have commercial kitchens and offer complete meal plans to their members. Kitchens are annually inspected as required by law.

All Fraternities and Sororities at the University are affiliates of (inter)national organizations, as required by the University's [Chartered Student Organization Policy](#). While all facilities owned by these chapters are governed by their organization's rules and policies, UNM's non-campus GLO student housing facilities are required to abide by the University's [Fraternity & Sorority Risk Management Policy](#). Additionally, while specific policies may vary, the following are required for recognition by the University:

- Fire safety systems
- Fire extinguishers
- A no-smoking rule
- A no-alcohol rule
- Restrictions on live-flame candle use
- Restrictions on certain electric appliances

Two GLO houses are controlled by UNM and considered **on-campus student housing** for the purposes of Clery geography and reporting. None of the remaining four GLO houses or the properties upon which they are situated are owned or managed by the University. For this reason, they are considered **noncampus** properties for the purposes of Clery geography and reporting. Under the direction of the Department of Education, the fire systems and statistics provided in this Fire Safety Report are only for those properties UNM categorized as on-campus student housing.

The [Albuquerque Fire Department](#) inspects all chapter houses annually, and each house must conduct one fire drill every semester.

TRAINING & FUTURE IMPROVEMENTS FOR FIRE SAFETY

UNM strives to educate residential students about fire safety. Resident Advisors, professional staff members, and housing maintenance staff attend training provided by UNM [Environmental Health and Safety \(EHS\)](#) on responding to emergencies, including fires (e.g., fire extinguisher training). The training includes how to evacuate the halls and use the fire extinguishers located in residence halls and apartments. All students living in residence halls and apartments attend mandatory

ANNUAL FIRE SAFETY REPORT, CONT.



Smoke detection in common areas activate a general alarm. Alarms is activated by sprinklers activation or when SRC notifies UNMPD. Common areas have a fire sprinkler system. Apartments are fully sprinkled. (type

7)

System smoke/heat detectors in unoccupied rooms and local smoke detectors in rooms, common areas, and corridors within apartments only. Apartment fire sprinkler systems. Regondo Village Apartments (RVA) are fully sprinkled. Detectors or sprinklers activate the general alarm, or SRC notifies UNMPD. The alarm notifies both UNMPD and the City of Albuquerque Emergency 911 Dispatch Center. (type 8)

meetings each semester with their Resident Advisors to review fire safety materials and Resident Advisors discuss fire evacuation plans for their specific residence halls.

EHS continually evaluates the need for improvements with regard to all aspects of UNM's campus fire safety program. Fire safety and prevention are a community-wide responsibility. It is the intent of EHS to provide an environment that addresses the issues of fire and life safety for students, visitors, volunteers, faculty and staff. To that end, EHS plans to implement the following fire safety initiatives:

- Providing timely, consistent and effective inspections and testing of building Fire Alarm and Fire Suppression Systems by establishing procedures for conducting and documenting the required inspections and testing in TMA
- Distributing fire safety information at [Welcome Back Days](#)
- Actively reviewing remodel and new construction plans to ensure compliance with current fire and life safety code

16.3 FIRE DRILLS & EVACUATION PROCEDURES

Residence halls conduct four fire drills each academic year (typically one per semester). When a fire alarm sounds in the event of a fire drill or an actual fire, residents in all UNM residence halls to include ACC and Fraternity and Sorority Life properties must follow the established building evacuation procedures:

- Follow all instructions given by RLSH staff, ACC staff, Building Coordinators, UNMPD, and other emergency personnel or first responders.
- Close all room windows and open draperies.
- Grab a blanket or towel to place over your mouth to prevent smoke inhalation.
- Leave ceiling lights on in your room.
- Leave as quickly as possible and proceed to nearest designated exit.
- Lock your room door and take your room key with you.
- Use emergency exits only if it is truly an emergency or fire.
- Exit the building.

ANNUAL FIRE SAFETY REPORT, CONT.

FIRE SAFETY SYSTEMS, FIRE EXTINGUISHERS & FIRE DRILLS IN RLSH FACILITIES: CALENDAR YEAR 2023

Residence Hall	Fire Safety Systems	Fire Extinguishers	Fire Drills
Alvarado Hall	3	24	4
Laguna Hall	5	18	4
DeVargas Hall	5	17	4
Hokona Hall	5	108	4
Santa Clara Hall	3	17	4
Coronado Hall	4	46	4
Redondo Village Apartments Buildings A, B, C & D	7	133	4
Student Residence Center (SRC) Apartments Building A	6	10	4
SRC Building B	6	6	4
SRC Building C	6	6	4
SRC Building D	6	9	4
SRC Buildings E & F	6	12	4
SRC Building G	6	9	4
SRC Buildings H, I & J	6	17	4
SRC Building K	6	10	4
SRC Building L	6	7	4
Lobo Rainforest	7	217	4

FIRE SAFETY SYSTEMS, FIRE EXTINGUISHERS & FIRE DRILLS IN ACC FACILITIES: CALENDAR YEAR 2023

Residence Hall	Fire Safety Systems	Fire Extinguishers	Fire Drills
Casas del Rio Jemez	8	16	2
Casas del Rio Gila	8	16	2
Casas del Rio Pecos	8	16	2
Casas del Rio Chama	8	16	2
Lobo Village Building 1	8	15	4
Lobo Village Building 2	8	15	4
Lobo Village Building 3	8	15	4
Lobo Village Building 4	8	15	4
Lobo Village Building 5	8	15	4
Lobo Village Building 6	8	15	4
Lobo Village Building 7	8	15	4
Lobo Village Building 8	8	15	4
Lobo Village Building 9	8	15	4
Lobo Village Building 10	8	15	4
Lobo Village Building 11	8	15	4
Lobo Village Building 12	8	15	4
Lobo Village Building 13	8	15	4
Lobo Village Building 14	8	15	4
Lobo Village Building 15	8	15	4
Lobo Village Building 16	8	15	4
Lobo Village Building 17	8	15	4
Lobo Village Building 18	8	15	4

FIRE SAFETY SYSTEMS, FIRE EXTINGUISHERS & FIRE DRILLS IN GLO HOUSES: CALENDAR YEAR 2023

Residence	Fire Safety Systems	Fire Extinguishers	Fire Drills
Kappa Kappa Gamma	10	12	2
Pi Beta Phi	11	12	2

ANNUAL FIRE SAFETY REPORT, CONT.

16.4 REPORTING FIRES

Should a fire occur, residents should evacuate the building immediately and report the fire to UNMPD by calling 505-277-2241. Residents may also report fires directly to the City of Albuquerque Fire Department by calling 9-1-1 or to the 24/7 UNM Student Residence Center desk by calling 505-277-2606. In the event a fire has already occurred, individuals—once they are safe—must report the fire to the following corresponding area, depending on where the fire occurred.

Residence Life & Student Housing (RLSH)

505-277-2606

- Megan Chibanga, Director: mjc28@unm.edu
- Daniel “Dee” Goines, Assistant Director for Facilities & Maintenance: dgoines@unm.edu

American Campus Communities (ACC)

- Jessika Griego, Area Manager (Lobo Village): jegriego@americancampus.com, 505-925-5575
- Marcos Romero, Resident Director (Casas del Rio): mromero@americancampus.com, 505-277-1619

Fraternity & Sorority Life (FSL)

505-277-4706

Chris Brooks, Greek Life Advisor: brooksc@unm.edu

Environmental Health & Safety (EHS)

505-277-0652

Zachary Peterson, Manager of Safety: zpeterson@unm.edu

16.5 HOW UNM COLLECTS FIRE STATISTICS & SAFETY INFORMATION

UNM EHS, RLSH, ACC, and the Students Activities Center all provide the Clery Coordinator with fire statistics and safety information related to on-campus student housing facilities.

USEFUL DEFINITIONS

Fire

Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Cause of Fire

The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

Fire-related Injury

Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, or any other individuals.

Fire-related Death

Any instance in which a person (1) is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) dies within one year of injuries sustained as a result of the fire.

Value of Property Damage

The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

Fire Safety System

Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

Fire Drill

A supervised practice of a mandatory evacuation of a building for a fire

ANNUAL FIRE SAFETY REPORT, CONT.

16.6 ON-CAMPUS STUDENT HOUSING FIRE STATISTICS: CALENDAR YEARS (CY) 2021 - 2023

Residence Hall	Fires in CY 2021	Fires in CY 2022	Fires in CY 2023	Location	Cause	Injuries	Deaths	Value of Property
Alvarado Hall	0	0	0	N/A	N/A	N/A	N/A	N/A
Laguna Hall	0	0	0	N/A	N/A	N/A	N/A	N/A
DeVargas Hall	0	0	0	N/A	N/A	N/A	N/A	N/A
Hokona Hall	0	0	1	B3 Bathroom	Burnt trash and trash can, cause unknown	0	0	\$10
Santa Clara Hall	0	0	0	N/A	N/A	N/A	N/A	N/A
Coronado Hall	0	0	0	N/A	N/A	N/A	N/A	N/A
Redondo Village Apartments Buildings A, B, C & D	2	0	0	1) North staircase 2) Dumpster outside	1) Fire started while someone used power tools to demo staircase during a remodel 2) Cause unknown	0	0	1) \$99,023 2) \$0
Student Residence Center (SRC) Apartments	1	0	0	A Lot	Believed to have started after an unknown individual attempted to steal the catalytic converter out of a vehicle	0	0	\$88,484
SRC Building A	0	0	0	N/A	N/A	N/A	N/A	N/A
SRC Building B	0	0	0	N/A	N/A	N/A	N/A	N/A
SRC Building C	0	0	1	Apt C	Resident(s) left food unattended on stovetop	0	0	\$0
SRC Building D	1	0	0	Apt D	Resident(s) left food unattended on stovetop	0	0	\$0
SRC Buildings E & F	0	0	0	N/A	N/A	N/A	N/A	N/A
SRC Building G	0	0	0	N/A	N/A	N/A	N/A	N/A
SRC Buildings H, I & J	0	0	0	N/A	N/A	N/A	N/A	N/A
SRC Building K	0	0	0	N/A	N/A	N/A	N/A	N/A
SRC Building L	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Rainforest	0	0	1	N/A	N/A	N/A	N/A	N/A

ANNUAL FIRE SAFETY REPORT, CONT.

Residence Hall	Fires in CY 2021	Fires in CY 2022	Fires in CY 2023	Location	Cause	Injuries	Deaths	Value of Property
Casas del Rio Jemez	0	0	0	N/A	N/A	N/A	N/A	N/A
Casas del Rio Pecos	0	0	0	N/A	N/A	N/A	N/A	N/A
Casas del Rio Gila	0	0	0	N/A	N/A	N/A	N/A	N/A
Casas del Rio Chama	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 1	1	0	0	Lot just west of the complex	Unknown person started a small brush fire	0	0	\$500.00
Lobo Village Building 2	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 3	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 4	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 5	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 6	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 7	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 8	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 9	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 10	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 11	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 12	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 13	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 14	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 15	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 16	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 17	0	0	0	N/A	N/A	N/A	N/A	N/A
Lobo Village Building 18	0	0	0	N/A	N/A	N/A	N/A	N/A
Kappa Kappa Gamma	0	0	0	N/A	N/A	N/A	N/A	N/A
Pi Beta Phi	0	0	0	N/A	N/A	N/A	N/A	N/A



OFFICE OF
COMPLIANCE, ETHICS
& EQUAL OPPORTUNITY

DISCRIMINATION GRIEVANCE
PROCEDURE

FEBRUARY 4, 2021

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CEEO DISCRIMINATION GRIEVANCE PROCEDURE

The University of New Mexico (“UNM”) is committed to creating and maintaining a community that is free from all forms of discrimination, including harassment, differential treatment, failure to accommodate, and retaliation for participation in civil rights protected activity. UNM has policies that prohibit all forms of discrimination and retaliation, and specifically prohibiting all forms of sexual harassment, a form of gender discrimination that is prohibited by state and federal law. The prohibition includes sexual violence, which is considered a severe form of sexual harassment.

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

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

The Office of Compliance, Ethics and 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 any allegations of civil rights violations. When investigating an allegation of civil rights violations, CEEO acts as the finder of fact and will prepare a report at the conclusion of its investigation, as described herein. CEEO has no decision making or sanctioning authority. Once CEEO finalizes a report after an investigation into civil rights violations, CEEO refers the matter to the appropriate UNM office, which will ultimately determine whether a University policy has been violated or otherwise resolve the issue. CEEO reports directly to the UNM President’s Office to maintain optimal independence and impartiality.

CEEO staff treats all parties with respect and approaches each case impartially and equitably. In fulfilling its dual tasks of educating and providing public service, UNM shall demonstrate leadership in remedying discrimination

¹ Title VII of the Civil Rights Act of 1964 (“Title VII”) prohibits discrimination on the basis of race, religion, sex (gender), color, or national origin. The Pregnancy Discrimination Act (PDA) is an amendment to Title VII. Discrimination on the basis of pregnancy, childbirth, or related medical conditions constitutes unlawful sex discrimination under Title VII. Title IX of the Education Amendments of 1972 (“Title IX”) prohibits discrimination on the basis of sex (gender) in any educational program or activity receiving federal financial assistance. Both the Rehabilitation Act of 1973 at Sections 503 and 504 and the Americans with Disabilities Act of 1990 prohibit discrimination against qualified individuals with disabilities. Title IV of the Civil Rights Act of 1964 prohibits discrimination on the basis of sex in public schools and colleges. The New Mexico Human Rights Act of 1978 and its amendments prohibit discrimination in employment on the basis of race, age, religion, national origin, sexual orientation, gender identity, spousal affiliation, ancestry, sex, physical or mental disability, and serious medical condition. The Age Discrimination in Employment Act of 1974 (as amended in 1986) abolished mandatory retirement based on age and prohibits discrimination in employment against individuals age 40 and over. Title VI of the Civil Rights Act of 1964 prohibits discrimination in student programs on the basis of race, color, and national origin. The Equal Pay Act of 1983 prohibits discrimination in salary and wages on the basis of sex (gender). The Uniformed Services Employment and Reemployment Rights Act of 1994 (“USERRA”) is a federal law that establishes rights and responsibilities for uniformed service members and their civilian employers. Vietnam Era Veterans’ Readjustment Assistance Act, as amended (“VEVRAA”) prohibits federal contractors and subcontractors from discriminating in employment against protected veterans, and requires employers to take affirmative action to recruit, hire, promote, and retain these veterans.

and providing equal opportunities in employment and education. CEEO, acting under the authority of University Policies [2720](#), [2740](#), [2750](#), [2310](#), [2215](#), [3110](#), [3210](#), [3790](#), and Board of Regents [Policy 2.3](#), may take necessary action to prevent, correct, and educate in relation to behavior that violates UNM policies or impacts the academic or work environment. Leadership in CEEO includes the Chief Compliance Officer, the Compliance Coordinator, Director of Equal Opportunity, and the Title IX Coordinator.

CEEEO’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. CEEEO shall comply with the Family Educational Rights and Privacy Act (“[FERPA](#)”).

This CEEEO Discrimination Grievance Procedure (“DGP”) outlines the method CEEEO uses when processing complaints alleging violations of UNM policy. Some of the complaints brought under this procedure may also contain allegations that qualify as violations of criminal statutes. As stated above, CEEEO only processes alleged policy violations; it does not process alleged crimes. All persons who believe they have been the victim of a crime may report such crime to law enforcement at any time. **CEEEO does NOT independently report alleged crimes to law enforcement except in limited circumstances, such as harm to a minor.**

DGP DEFINITIONS

Actual Knowledge	Notice of sexual harassment or allegations received by CEEEO 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.
COA	Confirmation of Allegations. A Complainant’s written statement of the allegations they are making against a Respondent or Respondents.
Complainant	The person or persons filing a complaint with CEEEO.
COR	Confirmation of Response. A Respondent’s written statement in response to a Complainant’s COA.
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 that is 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.

Exculpatory Evidence	Evidence which tends to show that a Respondent is not responsible for an alleged policy violation.
Failure to Report	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 with 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. 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.
Formal Complaint	A document filed by a Complainant or signed by the Title IX Coordinator or CEEO alleging discrimination, including sexual harassment against a Respondent pursuant to University Policy 2740 , and requesting that CEEO investigate the allegations of discrimination or harassment.
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 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.
Informal Resolution	An informal process where CEEO does not conduct an investigation, and the allegations in the complaint are therefore neither corroborated nor contested. An informal resolution is not disciplinary in nature. In cases where a violation of Policy 2740 is alleged to have occurred, two conditions must exist: 1) both parties must agree to an informal resolution; and 2) the alleged conduct must not have been committed by a UNM employee against a student.
Investigative Report	The final report issued at the conclusion of a formal 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.
Post-Closure 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 stop alleged conduct and prevent its recurrence.
Preponderance of the Evidence	The relevant evidence gathered during an administrative investigation that 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 orientation, spousal affiliation, 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 or persons responding to a complaint filed with CEEO.
Retaliation	Any action taken in order 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, or filing an external civil rights complaint.
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 act as a second set of ears for 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 formal complaint or where no formal 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 and/or Director of Equal Opportunity is responsible for coordinating the effective implementation of supportive measures, as appropriate.</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 on the basis of sex or gender in any educational program or activity receiving federal financial assistance. Title IX violations include: sex/gender 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 an observer for the party.
Witness	Any person who may have knowledge of the evidence in an investigation or complaint.

I. NOTIFICATION AND CORRESPONDENCE WITH CEEO

CEEEO generally sends official notifications and other documentation to individuals via email to official UNM email addresses; if the individual does not have a UNM email address, it is sent to an email address provided by the individual. Individuals may request that CEEEO use an alternative email address or a different method of contact, but unless and until this request is made, CEEEO will send all correspondence using this method. Requests that CEEEO send communications to an email address other than a UNM email address must be made in writing via email to oeounm@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 oeounm@unm.edu, by mail to CEEEO's mailing address at 1 University of New Mexico, MSC05 3150, Albuquerque, NM 87131-0001, or by hand delivery to CEEEO during CEEEO's regular business hours at 609 Buena Vista Dr. NE, Albuquerque, NM 87106.

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

II. RETALIATION

It is the policy of UNM to foster an environment where faculty, staff, and students may raise civil rights claims without fear of retaliation or reprisal. All members of the UNM community have a right to redress for perceived violations of their civil rights. It is contrary to UNM policies (under [2720\(13\)](#) and [2740\(4\)](#)) to retaliate against any person for asserting his or her civil rights or for reporting civil rights related misconduct, including sexual misconduct. These rights include, but are not limited to: notifying UNM (faculty, staff) of civil rights concerns; filing a claim of discrimination; participating as a witness in an investigation; declining to participate in an investigation; or responding to allegations of civil rights violations. Retaliation or reprisal against any participant in an investigation will not be tolerated by UNM. Retaliation against a person who seeks assistance from CEEEO is grounds for a subsequent civil rights claim.

III. 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 CEEEO.

IV. REPORTING CONCERNS; TYPES OF COMPLAINTS

Any person may report discrimination, including those below, to contact CEEEO if they observe, experience, become aware of, or encounter conduct they believe may be related to civil rights violations:

- 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 can be made through any of the following means:

- Complete and submit an [online CEEO complaint form](#);
- Email (oeounm@unm.edu), fax (505-277-1356), or mail a written document describing the concerns;
- Complete the online [UNM EthicsPoint Hotline Complaint Form](#);
- Make an appointment with a CEEO employee;
- Walk-in at CEEO's office during regular business hours; or
- Call 505-277-5251.

Inquiries may be made outside of UNM to:

Office for Civil Rights (OCR)
 U.S. Department of Education
 400 Maryland Avenue SW
 Washington, D.C. 20202-1100
 Customer Service Hotline #: (800) 421-3481
 Facsimile: (202) 453-6012
 TDD#: (877) 521-2172
 Email: OCR@ed.gov
 Web: <http://www.ed.gov/ocr>

There are different types of complaints that may be made to CEEO under this DGP, as outlined below.

A. Informal Complaint from Complainant

A Complainant may file an [informal complaint](#) of discrimination or harassment in order to seek supportive measures and as a means of obtaining information regarding their rights and the CEEO formal grievance procedure, as described in Section VI. Once informed, the Complainant may decide to initiate the formal grievance process. An informal complaint by itself, however, will not activate the formal grievance process. A report from a third party reporter is considered an informal complaint.

The informal complaint should include:

1. The Complainant's name and preferred contact information, as well as their affiliation with UNM (student, staff, faculty, applicant, or visitor to UNM);
2. The Respondent's name and contact information, and whether the Respondent is a student, staff, faculty, or UNM visitor;
3. The Complainant's protected status under which the alleged discrimination or harassment has occurred;
4. The civil rights category to which the Complainant believes the allegations belongs (i.e., sexual harassment or misconduct, discrimination, harassment, failure to accommodate, retaliation, etc.); and
5. A description of the alleged discriminatory conduct and the Complainant's protected status (as defined on page 1).

Upon receipt of the informal complaint, the following will occur:

1. CEEO will reach out to the Complainant with resources to address their concerns. These resources are specific to the Complainant's role at UNM (student, staff, or faculty) and outline access to groups on and off campus to assist the Complainant with the impacts that alleged discrimination has had on them;
2. CEEO will offer the Complainant the opportunity to request supportive measures;
3. CEEO will advise the Complainant of their right to file a formal complaint and information regarding the formal grievance procedure.

Complainants may provide the required information orally or in writing. CEEO may contact persons who submit complaints in order to discuss the details of the concerns and obtain additional factual information.

B. Formal Complaint from Complainant

A Complainant may file a [formal complaint](#) of discrimination and/or sexual harassment that triggers the formal grievance procedure set forth in Section VI. See Section VI(A) for more information regarding formal complaints.

The formal complaint shall:

1. Be filed utilizing the CEEO [formal complaint form](#) (if the complaint is received verbally or via a third-party report, the Complainant electing a formal complaint process shall utilize the CEEO form);
2. Be signed and dated by the Complainant;
3. Include Respondent's name and contact information (if known), and whether the Respondent is a student, staff, faculty, or UNM visitor;
4. Include Complainant's protected status, which they claim as the basis for the alleged discrimination or harassment;
5. Include the civil rights category to which the Complainant believes the allegations belong (i.e., sexual harassment, violence, or misconduct, discrimination, harassment, failure to accommodate, retaliation, etc.);
6. Include a description of the alleged discriminatory conduct and the Complainant's protected status (as defined on page 1 herein);
7. Identify the UNM program, activity, or location where the alleged conduct occurred; and
8. Indicate whether the alleged conduct occurred in the United States.

A Complainant who files a formal complaint with CEEO will have the opportunity to seek supportive measures.

C. 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. In these cases, the third-party report may lack the detail present in a Complainant's direct report. In such cases, CEEEO may reach out to the individual(s) the third-party reporter identifies as having experienced the civil rights violation 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 and constitute actual knowledge of a complaint. In all cases where reports are received from third parties, CEEEO will reach out to 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

When CEEEO receives information that a UNM employee with reporting responsibilities, pursuant to University Policies [2720](#) and [2740](#), 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, 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 serves as a reminder of the responsible employee's duties as outlined in University Policies [2720](#) and [2740](#), and is not disciplinary or punitive. No CEEEO investigation is conducted and no hearing is held.

In cases where there are multiple instances of FTR or when an FTR could result in significant harm to the campus or member(s) of the campus community, CEEEO will notify the Respondent (the person who failed to report to CEEEO under UNM Policies) of the information that CEEEO 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. See Section VI(C)(3)(b).

CEEEO will review all relevant documents and interview any witnesses, if available and necessary, to determine if Respondent failed to report in relation to their duties, position, and responsibility under UNM policy. This information will be gathered into a Draft Investigative Report and provided to Respondent for review. Respondent will have **five (5) business days** from the date of the Draft Investigative Report to provide additional, factual, 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 determination of a policy violation is made by the CEEEO investigator. Respondent will have the same opportunity to appeal per the process outlined in Section X herein. After the appeal window closes, CEEEO will provide the FTR memorandum to Respondent's supervisor and the appropriate sanctioning authority on campus.

D. 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 conduct a full investigation into the alleged discrimination may be limited in this circumstance. Similarly, an individual who reports discrimination anonymously may have only limited protection from retaliation. Additionally, complete anonymity can never be guaranteed, as the specific allegations in a complaint may make the anonymous reporter identifiable. See Section XI.

E. Report Filed by the Title IX Coordinator or CEEEO

Based on information CEEEO and/or the Title IX Coordinator receives, the Title IX Coordinator or CEEEO may exercise their authority to initiate a formal complaint and investigation on behalf of UNM, regardless of the cooperation or involvement of a Complainant or affected party.

F. False Reports

In the event 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 who is determined to have filed a false report is subject to the sanctions and discipline outlined in Section VIII.

V. JURISDICTION

A. Jurisdiction Generally

CEEEO reviews discrimination complaints 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 the complaints are alleged to impact the campus environment or a staff, faculty, or student's work or academic environment.

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

1. The parties involved. CEEEO investigates policy violations. Therefore, the policy alleged to have been violated must apply to at least one of the persons involved in the report.
2. The subject matter of the allegations underlying the complaint. CEEEO has jurisdiction to investigate alleged policy violations regarding civil rights. For CEEEO 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 complaint do not allege sufficient facts demonstrating that one of UNM's civil rights policies have been violated, then CEEEO may not be able to accept jurisdiction and/or may dismiss the matter as outlined in Section VI(C)(3)(b). As noted above, CEEEO may take informal action related to allegations that do not, as alleged, violate UNM policy; therefore, UNM and CEEEO encourage anyone who has any concerns related to civil rights at UNM to bring their concerns to CEEEO.

To make a jurisdictional determination, CEEEO 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;
9. Whether multiple parties were impacted.

B. Jurisdiction of Complaints Subject to University Policy 2740

In order to accept jurisdiction in cases of alleged sexual harassment as defined in [University Policy 2740](#), the alleged incident must have occurred in UNM's education program or activity, which includes physical locations and events over which UNM exercises substantial control, over both the Respondent and the context in which the sexual harassment occurs. This includes any building owned or controlled by a student organization that is officially recognized by UNM. Additionally, at the time of the alleged conduct, the Complainant must be participating or attempting to participate in UNM's educational programs or activities. Complaints filed under [University Policy 2740](#) must have occurred in the United States.

VI. FORMAL GRIEVANCE PROCEDURE

A. Formal Complaint

A Complainant may file a [formal complaint](#) of discrimination and/or sexual harassment to initiate the formal grievance procedure outlined in this section.

The Complainant shall file a formal complaint by either signing and dating the CEEO [formal complaint form](#) or by signing a Confirmation of Allegations after providing a verbal statement of their complaint to an investigator. A Complainant who files a formal complaint will have the opportunity to seek supportive measures.

B. Notice

Upon receipt of a formal complaint of discrimination as described in Section VI(A), CEEO will notify the parties of the following:

1. A formal complaint has been received;
2. The ability to informally resolve the complaint. The parties must agree to an informal resolution in cases alleging violation of University Policy 2740. Informal resolutions are unavailable in cases where a UNM employee is alleged to have sexually harassed a student;
3. A notice of the allegations, including the identities of relevant participants;
4. The specific policy or policies that Respondent is alleged to have violated;
5. The date and location of the incident, if known;
6. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
7. Inform the parties that they may have an Advisor of their choice during any subsequent hearing, including an attorney at their own expense, if they choose;
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 Policies [2720\(13\)](#) and [2740\(4\)](#);
10. Provide notice of any additional allegations that arise after the initial notice to the parties; and
11. State the purpose of all investigative interviews with a party, with enough time for the party to prepare for the interview.

C. Process Options

After a Complainant files a formal complaint as outlined in Section IV(B) and the parties are provided with notice, the following process options are available:

1. Withdraw the Complaint

A Complainant may elect to withdraw their complaint at any time after bringing concerns to CEEO. If Complainant chooses to withdraw the complaint, Complainant will be required to sign a form verifying this decision; a written request by the Complainant will meet this requirement. A Complainant is still allowed to seek supportive measures as described in the Definitions section of this DGP.

Even if a Complainant withdraws their complaint, CEEO reserves the right to continue its inquiry into the concerns in order 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 any further action will be taken regarding their complaint. CEEO may act 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 the formal process and investigation, it will dismiss the complaint and notify the parties of the dismissal and justification. See Section VI(C)(3)(b).

2. Informal Resolution

An informal resolution 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. The purpose of an informal resolution is to inform Respondents that allegations have been made against them and to make them aware of UNM policies and behavioral expectations. This is an informal process where an investigation is not conducted and the allegations in the complaint are therefore neither corroborated nor contested. An informal resolution is NOT disciplinary in nature. **An informal resolution will not be offered to facilitate a resolution for allegations that a staff or faculty member sexually harassed a student.**

A Complainant may elect to proceed with an informal resolution after filing a formal complaint in all cases. In order for an informal resolution to proceed in cases involving allegations of [Policy 2740](#) violations, the parties must both agree with this option. If the parties do not agree, CEEO will afford the Complainant an opportunity to either withdraw the complaint or proceed to a formal investigation as outlined in Section VI(C)(3). As outlined in Section VI(C)(1), however, CEEO reserves the right to continue the investigation in order to ensure compliance with UNM policy and related state and federal regulations.

An informal resolution does not follow a pre-determined process. Rather, CEEO consults with the parties and then proceeds with a solution that prevents recurrence of the alleged conduct. Examples of informal 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 deemed appropriate by CEEO;
- Initiate the ADA reasonable accommodation process in cases where a failure to accommodate has been alleged;
- Provide information and discuss reasonable accommodations for pregnancy/lactation;
- Dialogue about the issues to improve the environment or remedy the effects of the alleged conduct; or
- Refer the parties back 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 informal resolution occurs, CEEO sends follow-up correspondence to Respondent and/or to Respondent's supervisor or other authority figure (if applicable), documenting what action was taken by CEEO.

CEEO notifies Complainant of the action taken and, when appropriate, follows up with the parties regarding Complainant's initial concerns for **sixty (60) days**, to ensure the conduct at issue has stopped. At the conclusion of the sixty (60) day period, CEEO will close the case. CEEO may modify monitoring periods on a case by case basis.

Informal resolutions may not be appropriate for all forms of conduct prohibited by UNM policies. **Informal resolutions may not be an available procedural option when CEEO determines that an informal process is not appropriate based on the severity or pervasiveness of allegations.** In those instances, CEEO may proceed with a formal investigation, which can lead to an evidentiary hearing before a Hearing Officer. See Section VI(C)(3)(h).

3. Formal Investigation

The investigation is a neutral process during which CEEO gathers evidence directly related to the allegations in the formal complaint from the parties, any witnesses they identify, any witnesses CEEO identifies, and from any other source. The parties are encouraged to provide any and all evidence and witnesses they deem relevant to their case and should consider submitting evidence that is described in the Definitions section of this document. As described in greater detail in the subsections below, each party will have the following opportunities during a full CEEO investigation:

- Be interviewed by the investigator;
- Review their own statements prior to the statement being included in an Investigative Report and distributed to the other party.
- Provide evidence to the investigator;
- Suggest witnesses to be interviewed by the investigator; and
- Propose questions to be asked of witnesses and parties.

If additional allegations are identified during the investigation, the investigator shall provide additional notice to the Respondent pursuant to Section VI(B) above. The Respondent will have the opportunity to provide additional information in response to any new allegations.

a. *Initial Assessment*

Following receipt of a formal complaint, CEEO will engage in an initial assessment, which is meant to determine sufficiency of the complaint. During the initial assessment, the CEEO investigator will meet with the reporter to outline the CEEO formal grievance process and gather relevant information to make a jurisdiction determination. If, during the initial assessment, the available evidence shows that the matter is not within the scope of CEEO, the formal complaint will be dismissed. The parties will receive a dismissal letter outlining the justification and appeals information as outlined in the following section. A dismissal can happen at any point throughout the investigative process. If the matter falls within the scope of CEEO, notice will be sent to both parties as described in Section VI(B) and the complaint will proceed with the grievance process outlined herein.

b. *Dismissal Letter*

If at any point in the investigative process the evidence gathered indicates that no discriminatory or harassing behavior took place, the conduct described is not civil rights related, or does not fall within the jurisdiction of CEEO, CEEO will issue a Dismissal Letter to the parties, summarizing the evidence and its justification for dismissing the complaint. A Dismissal Letter can be issued at the beginning of the formal complaint being filed if the alleged conduct does not fall within CEEO's jurisdiction (e.g., academic dishonesty, bullying).

CEEEO will issue a dismissal in cases where the complaint is not jurisdictional to CEEEO. CEEEO will issue a Dismissal Letter, as required by Title IX of the Education Amendments of 1972, in cases that allege violation of [University Policy 2740](#) when:

- Alleged conduct does not meet the definition of sexual harassment under [University Policy 2740](#);
- The alleged conduct did not occur within UNM's education program or activity; or
- The alleged conduct occurred outside of the United States.

If CEEEO issues a Mandatory Dismissal for an alleged violation of University Policy 2740, it may still proceed with a formal investigation under other applicable University policies.

CEEEO will consider a Discretionary Dismissal in all cases as follows:

- Where a Complainant notifies CEEEO or the Title IX Coordinator in writing that they want to withdraw the formal complaint or any allegations therein;
- Where the Respondent is no longer enrolled in or employed by UNM;
- Where specific circumstances prevent CEEEO 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 CEEEO dismissal pursuant to Section X herein.

Even when it issues a Dismissal Letter, CEEEO 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-closure action is deemed appropriate, parties who need to know will be notified. This informal action may include:

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

c. Complainant Meeting

Typically, as part of the formal investigation, CEEEO engages in an interview process with Complainant to determine the specific allegations Complainant requests CEEEO to investigate. This interview process may consist of multiple meetings, if needed. For example, the Initial Assessment meeting described in Section VI(C)(3)(a) may yield sufficient information to proceed, but that is not always the case.

During the interview, CEEEO will describe the investigative process, the rights and responsibilities of the parties, and UNM's policy prohibiting retaliation. Complainant will provide a statement to the investigator – whether verbal or written – outlining the specific allegations they are making against Respondent(s). If Complainant provides a verbal statement, CEEEO will draft a written Confirmation of Allegations (COA) and provide it to Complainant within **two (2) business days** of the initial Complainant meeting in which they disclose the allegations. Complainant will have **two (2) business days** after receiving the COA to confirm its accuracy and then sign and return to CEEEO. When the interview process is complete, Complainant has returned the COA, and the specific allegations of policy violation(s) have been identified for investigation, CEEEO will simultaneously notify Complainant and Respondent within **two (2) business days** which allegations have been accepted for

investigation, which type of discrimination the Complainant has identified, and which University policies the Respondent is alleged to have violated.

d. *Respondent Meeting*

If a formal investigation is elected, CEEO schedules a meeting with Respondent. Prior to meeting with Respondent, CEEO will provide Respondent with written notice and information that constitutes the complaint, including the protected status, the type of discrimination, and a summary of allegations raised by the Complainant. During this meeting, CEEO describes the investigation process, the rights and responsibilities of all parties, and UNM's policy prohibiting retaliation.

At the initial meeting, CEEO notifies Respondent of the nature and scope of Complainant's allegations and the UNM policy(ies) Complainant alleges Respondent violated. During the meeting, Respondent may provide a statement to the investigator – whether verbal or written – in which Respondent addresses the allegations raised by Complainant and answers questions posed by the investigator. If Respondent provides a verbal statement, CEEO will draft a written Confirmation of Response (COR) and provide it to Respondent within **two (2) business days** of the initial Respondent meeting. Respondent will have **two (2) business days** after receiving the COR to confirm its accuracy and then sign and return to CEEO.

e. *Evidence Gathering*

As part of its investigation, CEEO gathers information it deems relevant to the allegations and any defenses. The parties may submit any documentation they believe should be considered, as well as identify any witnesses they believe should be interviewed. Witnesses are given the opportunity to review a draft of their statement 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, in order for CEEO to request and preserve the evidence.

CEEEO shall also identify evidence independently 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. Any evidence that CEEEO finds irrelevant to the investigation will be documented in the Investigative Report for purposes of final review by the Hearing Officer.

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.

f. *Inspection and Review Process*

The parties will be provided an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including inculpatory

or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

Prior to issuing a final Investigative Report, CEEO will send to each party and the party's support person, if any, the evidence subject to inspection and review in an electronic format. The parties will have **ten (10) business days** to submit a written response, including any **new, factual information which was not reasonably available to the parties prior to issuing the Investigative Report**, which the investigator will consider prior to completion. See Section VI(C)(3)(h) herein.

g. Post-Investigation Steps

At the conclusion of an investigation, CEEO will either dismiss the formal complaint pursuant to Section (VI)(C)(3)(b) or continue the investigatory process for further action if a dismissal is not warranted.

h. Investigative Report

If dismissal of a formal complaint is not warranted, 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 evidence gathered in the investigation; a citation of evidence gathered that the investigator finds irrelevant; the investigative steps taken; 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;
- Start from a premise that the Respondent did not engage in the discriminatory conduct until a determination of responsibility is made at the conclusion of the grievance process by a preponderance of the evidence;
- Outline disputed and undisputed facts uncovered during the investigation, including any evidentiary anomalies or discrepancies.

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;

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 the CEEO investigation, no documents or records are released to the Complainant or Respondent until the Investigative Report is issued. The Investigative Report contains a

description of the documents and records CEEO gathers 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 **ten (10) business days** to submit any new, relevant, factual information to be included in the final 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 final Investigative Report, which will be issued to the parties within **five (5) business days** of having received the parties' responses to the Investigative Report.

The final Investigative Report will then be compiled and forwarded to the UNM Hearing Coordinator to begin the grievance [hearing process](#). Thereafter, CEEO will close the investigative file and provide notice to the parties of the same.

i. *Grievance Hearing Process*

A live hearing presided over by a Hearing Officer will be held to adjudicate the formal complaint and CEEO investigation. Upon the request of either party, the hearing may be conducted by videoconference with the parties in separate rooms, pursuant to the [University Hearing Procedure](#). At all times, however, all participants – including the parties, Advisors, witnesses, and decision-maker – must be able to see and hear each other.

The Hearing Officer has extensive training in Title IX procedures as well as all applicable evidentiary requirements, standards of proof, and relevant state and local laws. The Hearing Officer is tasked with reaching a determination by applying a preponderance of the evidence standard, which is the standard utilized in all UNM hearing processes.

The [hearing process](#) is determined by the Hearing Officer.

VII. OTHER MATTERS RELEVANT TO THE FORMAL 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 accepting a formal investigation (see Section VI(B)); 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). 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, CEEEO 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, CEEEO may grant the request. If a request is granted, CEEEO will notify the parties of the length of the extension and the reason provided for the extension.

In investigations where there is also a criminal investigation by a law enforcement agency, the CEEEO process will run concurrently with such an investigation. CEEEO 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 relating to alleged discriminatory or harassing conduct. 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 Formal Investigation Process

CEEEO may elect to deviate from standard process when facts or situations require it. Any deviation from standard reports will be described in detail in the Investigative Report and 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 formal investigation and issue an Investigative Report.
2. Hiring or Policy Challenges. CEEEO may accept a hiring or policy challenge based on protected status, where the complaint demonstrates a potentially disparate impact on Complainant. In these situations, CEEEO may elect to name a department, division, unit, or office as Respondent and review the hiring process, procedure, candidate pool, or hiring outcome. In these situations, CEEEO may not name a specific Respondent and will issue only a Final Report, similar to a climate assessment described herein. See Section IX.
3. Failure to Report. See Section IV(C)(1).

D. Advisors, Support Persons, and Union Representation

Complainants and Respondents are encouraged to bring a support person of their choice to provide guidance during the CEEEO process, including the investigatory stage. A support person may be any person who is not a party or potential witness in the case or a supervisor of one of the parties; their 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 CEEEO 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.

If the party has union representation, the party has a right to request that a union representative be present at any meeting with CEEEO. 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 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 is **not** allowed to answer questions posed to the parties, to 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.

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

Advisors and/or support persons shall not share [FERPA](#)-protected or other confidential information learned through the CEEEO process. Advisors and/or support persons shall not engage in harassment or retaliation of any person or party. Support persons will be asked to sign a Confidentiality Agreement to protect the integrity of the CEEEO grievance process and investigation.

E. Conflict of Interest and Bias

When a party alleges that there is a conflict of interest or bias that would prevent CEEEO from conducting a fair, impartial, and neutral investigation, CEEEO will conduct an assessment to determine whether an actual conflict or bias exists. A party's perception of a conflict or bias do not create an actual conflict or bias. An actual conflict exists where it is demonstrated that:

- The investigator has or has had a personal relationship with a party; or
- The named parties include – in good faith – the President of the University or the President's Chief of Staff, as CEEEO reports directly to these individuals.

Each CEEEO staff member is trained to disclose to CEEEO leadership an instance in which they have a conflict or potential bias in a complaint assigned to them. An investigator is not presumed to have a particular bias based on any of their own protected statuses, prior affiliations, or prior investigation outcomes.

The Title IX Coordinator's or CEEEO's direction to proceed with a formal complaint does not create an actual conflict of interest or bias for or against a party involved in the complaint. Such a direction does not endorse or accept as true the allegations in a complaint; rather, the direction is made to ensure UNM meets its obligations under the law and/or University policy.

If a party believes that a conflict of interest or bias affected the outcome of an OEO investigation, they may appeal any CEEEO or Hearing Officer determination on that basis. See Section X.

VIII. **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 Investigative Report and the

Hearing Officer's Final Determination to the parties, their Advisors, and CEEO 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: National Institutes of Health (NIH), National Science Foundation (NSF), UNMPD, Student Conduct, Residence Life, the Clery Compliance Officer, 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 conduct and to prevent its recurrence.

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 DGP. 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.

IX. CLIMATE ASSESSMENTS; DEPARTMENTAL INVESTIGATIONS; CONSOLIDATED COMPLAINTS

A. Climate Assessment

As an equal opportunity employer and an equal educational opportunity institution, UNM is legally obligated to provide and maintain an atmosphere free from discrimination. UNM must respond appropriately to all reports of discrimination. Such response may include investigating claims and taking appropriate corrective action even when there are no individuals standing in the roles of Complainant and/or Respondent as described herein.

If CEEO receives reports of alleged violation(s) of UNM policy, including but not limited to, alleged discriminatory actions, and those reports include allegations that may affect multiple individuals in one department, CEEO may exercise its authority to conduct a civil rights-related climate assessment to address any actual or potential harm, and remedy any effects of that harm.

Climate assessments may be initiated at CEEO's or the Title IX Coordinator's sole discretion when the totality of allegations in one or multiple reports indicates that a discriminatory environment may exist within a department. Under such circumstances, UNM stands as the Complainant in the matter. A Dean of an academic area or Director of a unit may also request that CEEO conduct a climate assessment. Under such circumstances, the Department stands as the Complainant in the matter. In all such cases, CEEO, defines the scope of the assessment if one is to occur. Climate assessments will generally not be conducted when there are active investigations or inquiries into alleged misconduct by a particular Respondent or Respondents, but may be pursued after those active investigations are resolved. If CEEO determines that a climate assessment should be initiated while a separate investigation is ongoing, it will conduct the assessment so as not to interfere with the active investigation.

Once CEEO determines jurisdiction of a climate assessment, CEEO notifies the department Director or Chair that jurisdiction has been accepted, indicates the investigator assigned, and seeks to schedule a meeting with the department Director or Chair to discuss the process, the rights and responsibilities of the parties, UNM's prohibition against retaliation, and provide an overview of the allegations of civil rights violation(s) that have been raised. CEEO will also notify the Dean, Office of the Provost or Human Resources, or other party, as appropriate.

At the conclusion of its assessment, CEEO issues a Climate Report that contains information on the allegations, witness statements, and all relevant evidence gathered during the investigation. CEEO provides the Climate Report to the appropriate Chair or Director. Those who receive the Climate Report have **ten (10) business days** to provide comment, response, or new, factual information.

After CEEO has received new, factual information, or when the deadline has passed with no response, CEEO writes a Final Climate Report which includes the information from the Climate Report, and any new information submitted. The Final Climate Report does not result in the issuance of a finding of responsibility; rather, the investigator will indicate whether the assessment revealed that there is a climate of discrimination or harassment in the department.

A copy of the Final Climate Report is forwarded to the Chair or Director and their supervisor, as well as higher level departments if deemed appropriate, such as the Office of the Provost or Human Resources. A meeting is then scheduled between the Chair or Director, their supervisor, the CEEO Director and/or Title IX Coordinator to determine a solution for stopping the harassment or discrimination if any is determined to exist, addressing the harm the discrimination and harassment has caused, and preventing its recurrence. CEEO and the department may collaborate with other campus departments or community resources to effectuate remedial action.

Because there is no finding of responsibility in a climate assessment, there is no opportunity for either a hearing or appeal by the Chair or Director of the department in which the climate assessment is conducted.

B. Consolidated Complaints; Cross-Claims

Where there are several complaints against a Respondent by more than one Complainant, CEEO may consolidate those complaints into one investigation when possible. In order to consolidate multiple complaints into one investigation, the complaints 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.

C. Departmental Investigation

A departmental investigation is one in which CEEO or the Title IX Coordinator stand in as the Complainant in a formal investigation in which there are multiple complaints against one Respondent.

Unlike the consolidated complaint process outlined in Section IX(B), a departmental investigation is held where 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, CEEEO may determine that a departmental investigation is warranted even though the individual complaints giving rise to the departmental investigation are not accepted as jurisdictional.

When CEEEO determines that a departmental investigation is the appropriate procedural option, it will follow the investigative process as outlined in Section VI(C)(3), as applicable.

D. Hearings with Multiple Complaints against One Respondent

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

X. **APPEALS**

Parties may appeal a CEEEO dismissal, the determination issued by the Hearing Officer, and accompanying sanction for findings of responsibility as follows:

A. Appeals to the President/Health Sciences Center (HSC) Executive Vice President (EVP)

A party may appeal CEEEO's dismissal, the Hearing Officer's Final Determination, and accompanying sanction to the President of the University of New Mexico within **seven (7) business days** of the date of the Final Determination's issuance.

UNM HSC students may appeal to the EVP with a discretionary appeal to the President of the University of New Mexico. The President Appeal Form should be used for appeals sent to the President of the University of New Mexico.

The President or EVP 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 must be received by the Office of the President within **seven (7) business days** of the date the Final Determination was issued. Exceptions to this time limit will only 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 or HSC Executive Vice President.

Appeals may be submitted electronically through an [online form](#) or 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.

If an individual files an appeal of a Final Determination, CEEO and the Hearing Officer will be informed of the appeal. The Hearing Coordinator 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 Hearing Coordinator 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.

Best efforts shall be made to issue a decision with **twenty (20) business days** after the appeal is received. If the appeal is considered, the President may decide to uphold the Final Determination in its entirety or may remand all or part of the appealed determination to the Hearing Officer or CEEO for additional proceedings or investigation. Written notice of the President decision will be provided to the appealing party, the Hearing Officer, and CEEO. All other parties will be simultaneously notified of the decision by the Hearing Coordinator.

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. An appeal may be submitted to the Board of Regents **ONLY AFTER** the President's review and decision are completed. The Board of Regents has sole discretion to determine whether the appeal will be considered. Additional information on appeals to the Board of Regents can be found at <https://policy.unm.edu/regents-policies/section-1/1-5.html>.

XI. **CONFIDENTIALITY**

UNM strives to respect individuals' privacy and requests for confidentiality 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 whether UNM policies have been violated or those sanctioning individuals found to have violated UNM policy have a legitimate need to know the factual findings made by CEEO. Those who manage the processes for appeals 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 confidentiality and privacy of all parties involved in the process, UNM **cannot under any circumstances** guarantee confidentiality unless required to do so by law. Examples of situations in which confidentiality 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 confidentiality concerns are outweighed by UNM’s obligation to protect the safety or rights of others.

CEEEO cannot grant anonymity to a person pursuing a formal 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 gender 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 treatment to the party, unless the party provides voluntary, written consent to do so as part of this grievance process.

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.
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- **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
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- 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.



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