


## NMT Sexual Misconduct Reporting Options & Procedures

**If you or someone you know is a victim of sexual misconduct, including sexual harassment, sexual assault, intimate partner violence, stalking or other forms of gender-based discrimination, please consider telling someone what happened and obtaining available resources:**

- Notify New Mexico Tech Campus Police at (575) 835-5555; Campus Police Department is located in the Student Activities Center (SAC).
- Notify Tech's **Title IX Coordinator (T9C)** at (575) 835-5953 or (575) 322-0001; Fidel Student Center 238.
- Notify Tech's Dean of Students (DOS) at 575-835-5548: Fidel 241.
- Notify Tech's Dean of Graduate Studies (DGS) at (575) 835-5513; Fidel 280.
- Notify Tech's Human Resources Director (HRD) for employees and work-related incidents at (575) 835-5955; Brown Hall 118D.
- Notify Tech's Affirmative Action/Equal Employment Opportunity Commission (AA/EEOC) at (575) 835-5005; Cramer Hall, Room 115.
- Notify a Residential Life staff member (575) 835-5900, a Resident Assistant (RA), or talk to a trusted professor or administrator.
- **Talk Confidentially** to one of Tech's Counselors or Health Care Providers at the Student Health Center (575-835-5094) or Counseling Center (575-835-6619); both located together in a suite on the 1<sup>st</sup> floor of Fidel Student Center, Suite 151.
- Complete and submit Tech's online [Title IX & Sexual Misconduct Reporting Form](https://cm.maxient.com/reportingform.php?NewMexicoTech&layout_id=1) by clicking the URL below or by cutting and pasting this URL into your browser [https://cm.maxient.com/reportingform.php?NewMexicoTech&layout\\_id=1](https://cm.maxient.com/reportingform.php?NewMexicoTech&layout_id=1) 
- Contact the NM Sexual Assault Program 505-883-8020.



**Please note-** In order for New Mexico Tech to officially respond to a report or complaint, the Title IX Coordinator (T9C) must be informed of the incident. Names and specific details of a report to the T9C will remain confidential and only disclosed with the permission of the complainant/victim, except when the laws pertaining to minors and vulnerable adults apply. **Confidential Support Staff** are located in the NMT Student Health Center and Counseling Center in the Fidel Student Center. Other Tech employees are considered Responsible Employees/Mandatory Reports that are obligated to report known incidents to Tech's Title IX Coordinator [[titleixcoordinator@nmt.edu](mailto:titleixcoordinator@nmt.edu), (575) 835-5953 or (575) 322-0001; Fidel 238].

### Students and Employees Options and Procedures

**Option #1- Pursue internal (University) disciplinary action.**

- Reporting options, support, and [Complainant Right's](#) will be explained by the T9C.
- Legal options can be explained in detail by NMT's T9C or Campus Police.
- The T9C can explain NMT's student conduct process, options and support.
- The T9C, HRD, and AA/EEOC can explain NMT's employee conduct process, options and support.
- Federally mandated notice may be sent to campus community by Campus Police. \* *Name(s) of complainant(s)/victim(s) won't be disclosed.*
- Physical evidence can be collected by police.
- All relevant witnesses can be interviewed by police, Title IX Investigator or AA/EEOC.
- Investigation can take several days to several weeks, based on circumstances. Parties will be updated.
- Upon completion of the investigation, reports are forwarded to an Administrative Adjudicator for an informal resolution or to a Hearing Panel for a formal resolution of the matter.
- Victims, suspects, and witnesses are notified of any University adjudication.
- Complainants and respondents are equally entitled to have one (1) advisor/advocate present to

support them during any University interviews or disciplinary proceeding.

- Both the complainant and the respondent shall be informed of the outcome of any institutional disciplinary proceeding alleging sexual misconduct or gender-based discrimination.
- If either party disagrees with the finding of the initial informal process, they have a right to a formal hearing and request an appeal if needed.
- Either party has the right to request a formal hearing and bypass the informal process.
- The T9C can help establish a “No Contact Order” or other interim preventative measures or accommodations until the matter is resulted.

#### **Option #2- Pursue criminal charges**

- Investigation is conducted by NMT Campus Police.
- Upon completion of the investigation, a report is forwarded to the Socorro County District Attorney for possible prosecution.

#### **Option #3- Pursue both internal and criminal charges**

- The process outlined in Option 1 & 2 occur simultaneously. Tech may be asked to temporarily delay its investigation until some initial work can be completed by the police.
- Internal University judicial and criminal adjudication processes occur independently.

#### **Option #4- Report incident/assault, but choose not to pursue charges at present time**

- Reporting options and support will still be explained by the Title IX Coordinator.
- Complainants can change their mind and pursue charges at a later day. Please be aware if you delay to pursue the case internally, some of your options may be reduced.
- A campus “No Contact Order” may be issued between the complainant and respondent/suspect.
- Housing, classroom and other accommodations can be provided.
- Federally mandated notice may be sent to campus community by NMT Campus Police. *Name(s) of complainant(s) won't be disclosed.*
- The stated time, date and location of the assault and any additional related crimes will be reported in Tech's crime log and statistic records as mandated by The Clery Act\*. *Complainant's name will remain anonymous.*

### **Important Considerations**

- Counseling is strongly encouraged in all cases.
- Medical treatment is recommended as appropriate.
- Complainants may elect to continue with the process, stop at the current time or initiate the process at any time.
- Complainants may choose not to participate in the process and instead decide to approach a counselor.
- Contact Tech's T9C or review [Tech's Title IX Website \(https://www.nmt.edu/titleix/index.php\)](https://www.nmt.edu/titleix/index.php) for additional details.
- Contact the New Mexico Crime Victims Reparations Board at 1-800-306-6262 to determine if you are eligible for assistance with financial losses due to the crime.

\* **The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**, commonly referred to as the Clery Act, requires higher education institutions to collect, report and disseminate crime data to the campus community and U.S. Department of Education; to provide warnings of reported crimes that represent a threat to the safety of students or employees "in a manner that is timely and will aid in the prevention of similar crimes"; and to make public their campus security policies and procedures.