

Sanctioning Guidelines and Matrix for Sexual Misconduct/Title IX Violations

When a Title IX investigation leads to a finding of responsibility for violating the Student Code of Conduct, the following guidelines can be used in determining sanctions. The purpose of administering a sanction is to hold students accountable for their actions, ensure the safety and well-being of the members of the university community, and to facilitate learning.

Consider the following questions when determining an appropriate sanction:

1. Was force used?
2. Was the reporting party incapacitated due to drugs or alcohol?
3. Was consent obtained throughout the interaction?
4. Does the accused student accept responsibility for their actions?
5. What is the supporting evidence in the case?
6. Have witnesses corroborated the evidence?

Please keep in mind that the factors surrounding each case are unique and the facts/findings may yield different results.

Below you will find examples of sanctions for students found responsible for violating the New Mexico Tech Student Code of Conduct in sexual misconduct cases. Additional sanctions (e.g. required compliance, educational sanctions) or a combination of sanctions may also be assigned. Refer to the Student Code of Conduct Policy in the Student Handbook for more information regarding sanctions.

Category	Actions	Warning	Probation	Suspension (< 2 yrs.)	Suspension (2-4 years)	Suspension (5+ years)	Expulsion
Sexual Harassment	Verbal sexual comments	[Red]					
	Stalking		[Red]				
	Relationship violence		[Red]				
Non-Consensual Sexual Contact	Touching over clothes	[Red]					
	Kissing (above shoulders)	[Red]					
	Light contact with hands under clothes		[Red]				
	Sexual touching, fondling and/or groping		[Red]				
Non-Consensual Intercourse	Oral sex			[Red]			
	Penetration of orifice with an object or body part				[Red]		
Sexual Exploitation	Distributing naked photographs		[Red]				
	Invasion of Sexual Privacy (taking photos, video, voyeurism) without knowledge or permission			[Red]			
	Unlawfully obtaining and distributing private sexual photos or videos			[Red]			
	Knowingly transmitting sexual infections or disease			[Red]			