NMT Sexual Misconduct Reporting Options & Procedures

**If you or someone you know is a victim of sexual misconduct, including sexual harassment, 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) 835-5187; the Coordinator is located on the lower level of Brown Hall, Room 21A.
* Notify Tech’s Vice President for Student University Relations (VPSUR) at (575) 835-5880; office located on the 2nd floor of Brown Hall.
* Notify Tech’s Dean of Graduate Studies (DGS) at (575) 835-5513; office located on the 2nd floor of Fidel, Room 280.
* Notify Tech’s Human Resources Director (HRD) for employees and work-related incidents at (575) 835-5955; 1st floor of Brown Hall.
* Notify Tech’s Affirmative Action/Equal Employment Opportunity Commission (AA/EEOC) at (575) 835-5005; 2nd floor of Fitch Hall.
* Notify Tech’s Student Conduct Coordinator (SCC) and Title IX Investigator at (575-835-5357).
* Notify a Residential Life staff member, 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 & Disability Services Center (575-835-6619); both located together in a suite on the 1st floor of Fidel Center.
* Completed 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>
* Contact the NM Sexual Assault Program 505-883-8020.

***Please note-*** *NMT administrators, supervisors, faculty, and other professional staff, including Resident Assistants, and Teaching Assistants have been designated “responsible employees” as defined by the U.S. Department of Education’s Office of Civil Rights. NMT's responsible employees are therefore obligated to report any known information regarding sexual misconduct or other forms of sexual or gender-based discrimination to our Title IX Coordinator (T9C). 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*** *can be found in the NMT Student Health Center and Counseling & Disability Services Center.*

**Students and Employees Options and Procedures**

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

* Reporting options, support, and [Complainant Right’s](http://www.nmt.edu/titleix/docs/Complainant%20Rights%20-%20Information%20and%20data%20privacy%20notice.docx)  will be explained by the T9C.
* Legal options can be explained in detail by NMT’s T9C or Campus Police.
* The T9C, VPSUR, DGS, and SCC 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 the VPSUR or DGS for students or HRD for staff or AVP for Academic Affairs for faculty for follow-up and possible adjudication.
* Victims, suspects, and witnesses are notified of any University adjudication.
* Complainants and respondents are equally entitled to have one (1) advisor present 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**

* Process outline 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](http://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 A**ct, 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.