

NEW MEXICO TECH



2019 Annual Security and Fire Safety Report

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NEW MEXICO TECH

Located in small-town Socorro NM in the colorful and historic Rio Grande valley. New Mexico Tech boasts a world-class STEM education with a low professor to student ratio, a championship golf course and over 300 days of sunshine per year! The Socorro area is also known for many outdoor activities such as rock-climbing, mountain biking, hiking, camping, star-gazing, and many more.

New Mexico Tech offers Associate's, bachelor's, masters and doctoral degrees in science and engineering. The student body of 1,333 undergrads and 483 graduate students totals 1,816 students

Annual Campus Crime Report

The compilation and distribution of this report are mandated under the Student Right to Know and Campus Security Act of 1990. This law requires colleges and universities to disclose information about campus safety and security procedures and to provide statistics concerning the occurrence of some criminal offences.

Also, this report must contain statements describing campus law enforcement policies and procedures, campus security education and prevention programs, drug and alcohol policies, sexual assaults and an overview of the campus judicial process. The charts provided regarding criminal offences reflect;

a) All official reports filed for the Uniform Crime Report as reported by those agencies assigned significant responsibility for law enforcement:

b) Anonymous reports from persons who have directly contacted or have been referred by Campus Safety Authorities at the university or by victim assistance programs.

Any difference in the number of official reports as noted through the Uniform Crime Report versus and the total number of incidents reported may be a result of the choice of the victim/complainant to refuse to file an official report or to have the incident handled through the campus internal judicial process.

While all visitors and members of the campus community are encouraged to report a crime promptly it is understood that a small number of crimes may not be reported and therefore may not be included in the published statistics.

Voluntary reporting of criminal activity to any official of this institution who has significant responsibility for student and campus activities is encouraged.

The annual crime report is published every year by October 1 and contains three years of campus crime and fire safety statistics as well as certain campus security policy statements;

A full copy of this annual report is available online at nmt.edu and can also be viewed in print at the NM Tech Police Department, Student Affairs Office, Human Resources Office and Registrar's Office.

A MESSAGE FROM THE CHIEF...

I am pleased to present the 2019 New Mexico Tech Annual Security and Fire Safety Report. This report is prepared by the New Mexico Tech Police Department and is updated and disseminated throughout campus each year by October 1st.

The data contained in this report was collected from the New Mexico Tech Police Department, the Socorro Police Department, the Socorro Sheriff's Department, the New Mexico State Police, and other designated campus officials.

This publication is intended to communicate valuable policy and statistical information to employees, prospective students and their families so informed decisions can be made when reporting a crime or selecting a college or university.

By educating our campus community, prospective students and their families about different types of crime on campus, and providing everyone with information on how to report a crime. We can work to form new partnerships with those that we serve and work together to keep our campus community as safe as possible.

New Mexico Tech makes the safety and well-being of our students, faculty, and staff a top priority. I take great pride in the fact that this university enjoys a long history of being considered a safe campus with a low crime rate.

I look forward to working alongside each member of our wonderful little community to keep up this long-standing tradition.

_Chief Scott Scarborough NMTPD

CAMPUS RESPONSIBILITY

Safety on campus must involve a cooperative effort between the campus police department and the campus community. Everyone utilizing campus facilities must assume some responsibility for the security of their personal belongings and their own personal safety.

- ⇒ Familiarize yourself with important phone numbers and the locations of the ten Code Blue emergency phones on campus.
- ⇒ Walk with friends or use the campus police safety escort service after dark
- ⇒ Protect their valuables such as TV's, computers, and bicycles by engraving these items or recording the serial numbers of each item and storing that information in a safe place.
- ⇒ Lock all vehicles when not attended and remove all valuables from sight or store them in the trunk.
- ⇒ Report all public safety-related incidents and crimes to Campus Police in a timely manner. Prosecutorial decisions or formal witness status can always be decided at a later time, but reporting should be done immediately.
- ⇒ New Mexico Tech has an established Behavior Intervention Team (BIT) to assist in addressing situations where students, faculty, or staff are displaying disruptive or threatening behavior that may impede their own or other's ability to function successfully or safely on campus and this meeting is designed to help identify persons whose behaviours could potentially endanger their own or others' health and safety.



THE NEW MEXICO TECH CAMPUS POLICE DEPARTMENT

The primary responsibility for law enforcement and security on campus belongs to the New Mexico Tech Police Department, a unit of the Administration and Finance division of the university. The police department currently utilizes a dual force concept, employing both sworn police officers and non-sworn security officers. The police department consists of eleven police officers including the Chief, Assistant Chief, two Sergeants, a Detective, six patrol officers, one administrative assistant, four dispatchers and ten security personnel.

The Police Department is located in the Student Activities Center (SAC) on the south-east corner of campus and is accessible 24 hours a day seven days a week. As a condition of employment, all police officers employed by New Mexico Tech must attend and successfully complete the New Mexico Department of Public Safety Basic Police Training Academy within one year of employment as required by law.

All personnel are required to maintain appropriate levels of training in CPR and basic first aid. In addition completing the state-mandated biennium training requirements, firearms training and qualifications are held a minimum of twice per year. The New Mexico Tech Police Department strives to maintain a positive working relationship with all city, county, state, and federal law enforcement agencies.

The New Mexico Tech police department enters Uniform Crime Reports into the FBI database. Information on crimes that may impact or relate to the surrounding community, county and state are shared directly with appropriate law enforcement agencies.

In instances where timely reporting to the campus is warranted, The New Mexico Tech Police Department will utilize the RAVE emergency notification system to notify students and staff of incidents by email, text and phone call.

All reports of criminal activity will be investigated and/or forwarded to the appropriate law enforcement agency with legal jurisdiction over the area in which the crime occurred. All criminal prosecutions for offences taking place on the New Mexico Tech owned property will be initiated by campus police personnel.

In cases where actions are both violations of the law and violations of student code of conduct, and the perpetrator is a student of the university, both internal and external judicial action may be taken. In these cases, the dean or the graduate dean will initiate disciplinary action in accordance with the University Judicial Code.

Any internal judicial action initiated in cases involving violation of state statutes will be in addition to, and not in lieu of, filing of criminal charges before the local courts. Students should be aware that certain information such as on-campus alcohol or drug violations may be shared with their parents. The New Mexico Tech Police Department conducts background checks on all applicants considered for employment with the department. Each background check consists of a New Mexico and FBI criminal records check and personal contact of references at a minimum.

No procedure for checking the criminal record of prospective or current students is currently in use.





Emergencies on Campus

MEDICAL EMERGENCIES - Call 835-5555 or 911

For medical emergencies that appear to be life-threatening such as head, neck or back injuries, excessive bleeding, breathing difficulty, convulsions, loss of consciousness, or chest pains:

- ⇒ Call 911 for an ambulance: be sure to give exact locations and nature of emergency.

NON-EMERGENCY MEDICAL SERVICES

- ⇒ Contact campus health center staff at 835-5094 and a police transport will be arranged, if appropriate.
- ⇒ Members of the campus community should check with the campus health center for hours of operation.

POLICE EMERGENCIES-Call 835-5555 or 911

For situations that require urgent police assistance such as criminal or suspicious activity, disorderly or threatening behavior in progress, or a vehicle or pedestrian accident:

- ⇒ Call Campus Police; be sure to give exact location and nature of the emergency.

FIRE EMERGENCIES

- ⇒ Upon discovery of a fire, activate the nearest pull station and vacate the area.
- ⇒ If a fire is suspected but not observed: Activate the nearest pull station before contacting the police at 835-5555 or 911. Call from a safe location. If you suspect a fire, Do Not remain in the building.
- ⇒ When in doubt regarding a fire emergency (smoke visible but no flames, strong electrical burning odor): Call 835-5555 or 911.
- ⇒ for routine campus police information and assistance dial 835-5434.

Campus Security Authorities

The Campus Right to Know Act mandates that institutions disclose statistics for crimes reported to law enforcement agencies in addition to crimes reported to other members of the campus community.

While everyone on campus is encouraged to report if they have knowledge of a crime, under the Campus Right to Know Act some individuals fall under the designation of Campus Security Authorities. The name campus security authority is somewhat misleading as it is applied to a group of people who by job function are not necessarily engaged in security-related work.

According to the law, any person who has the authority and duty to take action or respond to a particular issue on behalf of the University, or who has significant responsibility for students outside of the classroom would be defined as a Campus Security Authority.

Because job titles and official responsibilities vary from campus to campus, the Campus Right to Know Act does not provide a list of specific titles designated as a Campus Security Authorities.

New Mexico Tech recognizes the following titles as Campus Security Authorities in addition to all sworn and unsworn members of the New Mexico Tech Police Department personnel. They include but are not limited to:

- ◆ Directors of Residential life.
- ◆ Undergrad and Graduate Deans.
- ◆ Title IX Coordinator .
- ◆ Directors of Greek Life.
- ◆ Advisors to any Student Group.

Note: Students may be included in this category if they are employees of the University and have responsibility for student activities (to include residence hall assistants and peer educators). Pastoral and professional licensed counsellors are exempt from disclosing reported offences if they are acting in their role of pastoral and professional counsellors. Counsellors are still encouraged to provide confidential reporting information to crime victims. Such confidential reports are still valuable in enhancing the safety of the greater campus community and in assuring the accuracy of campus crime data. CSA's are notified of their responsibility on a yearly basis and have a tutorial available to them online under the title IX website.

Timely Warnings: Campus Safety Alerts and Crime Alerts

The New Mexico Tech Police Chief or a designee will develop timely warning notices for the University to notify members of the community about serious crimes against people that did occur on campus when determined that the incident poses an ongoing threat to members of the New Mexico Tech community.

Immediate Notifications

New Mexico Tech's Rave [Emergency Alert](#) System will reach students via cell, phone, voice, text and email. Returning and new students are encouraged to "Opted In" to the Rave Emergency Notification System.

[Emergency Notifications](#) will be issued for non-criminal situations that concern campus safety. Emergencies situations such as severe weather, suspicious packages with confirmation of a device, fire, or suspicious death, to name a few, may require the need to provide information to students, staff, and faculty on recommended actions to take and where to proceed. This information will allow students to stay safe and keep them out of harm's way as a situation develops, or to stay clear of an incident scene altogether.

DAILY CRIME AND FIRE LOGS

The Campus Police Department maintains a daily crime and fire log. Criminal acts reported to our office will be entered into the crime log within two business days unless its disclosure is prohibited by law or would jeopardize the confidentiality of the victim. Information that could identify either the victim or the alleged perpetrator is excluded. The logs are available for public inspection during business hours.

EMERGENCY PREPAREDNESS

The Campus Police Department coordinates the University's Emergency Response Team (ERT).

This group is comprised of Public Safety command staff and senior managers from various campus departments, who meet regularly to develop and practice the implementation of emergency plans, including disaster response and evacuation through regularly scheduled drills each year. For more information about emergency preparedness policies, visit www.nmt.edu/office-of-emergency-planning



REPORTING CRIMINAL INCIDENTS

All students, employees, and guests are encouraged to report suspected criminal incidents, accidents, and other emergencies promptly by calling Campus Police at 575-835-5555, reporting directly to any uniformed campus police officer or by visiting our main office located in the S.A.C. building 606 Navajo loop on the South East corner of campus.

A crime victim who does not wish to pursue action within the University system or through the criminal justice system may still file a report describing the details of the incident and depending upon the circumstances of the crime you are reporting, you may be able file a report while maintaining your confidentiality.

The purpose of a confidential report is to comply with your wish to keep your personally identifying information confidential, while taking steps to ensure your safety and the safety of others. The confidential reports allow the University to compile accurate records on the number and types of incidents occurring on campus. Reports filed in this manner are counted and disclosed in the Annual Security Report. In limited circumstances, the Department may not be able to assure confidentiality and we will inform you in those cases.

The Campus Police Department will vigorously investigate all reports of crimes. This includes confidential (where the reporting parties' names are known but not released) reports. Information from crime reports is then analyzed to identify emerging crime trends and allocate resources more efficiently

MISSING PERSONS

Missing Student Notification & Response Policy: Effective January 10, 2015 New Mexico Tech defines a "missing student" as any registered student currently living in Missing Student Notification & Response Policy: Effective January 10, 2015 .

New Mexico Tech defines a "missing student" as any registered student currently living in University housing who has not been seen by friends, family, staff, faculty or associates for a reasonable length of time, and whose absence has been brought to the attention of Campus Police. This policy is provided to all New Mexico Tech residential students in compliance with the federal Clery Act as amended by the Higher Education Opportunity Act of 2008.

Missing student reports on campus often result from a resident changing his or her routine without informing roommates and/or friends and family of the change. The primary objective of New Mexico Tech when responding to a report of a missing student is to establish contact with the individual, to ensure his/her well-being, and to offer appropriate support and assistance. If an absence has occurred under circumstances that are suspicious or cause concern for safety, efforts will be made immediately to contact the student to determine his or her state of health and well-being.



Missing Persons continued...

Registering confidential contact information:

Residential Life provides forms to all residential students to register contact information for themselves; contact information to be used in cases of emergency; and confidential contact information to be used specifically in the event they are determined by Campus Police to be missing. This form, known as a "Resident Registration Card" is generally provided to a residential student upon his/her initial check-in to University Housing. Additionally, Residential Life distributes blank resident registration cards to all new and returning residents at least once per academic year in order to have the most current contact information on file for residents. During any period of their residency, students may also update any of their registered contact information on file by visiting Residential Life in the Fidel Center during normal business hours. Resident Registration Cards are only accessible by Residential Life staff and authorized University officials who may share the information with law enforcement or other emergency personnel as appropriate.

If a resident may be missing: Anyone who has reason to believe a student is missing should immediately notify Campus Police at 575-835-5555. When a report of a missing residential student is received by Campus Police, a preliminary investigation will be initiated. In most cases, Campus Police and/or Residential Life will initially attempt to locate a student by sending staff to check the student's University residence and/or trying to reach the student using any contact information they provided for themselves in their Resident Registration Card.

If the student's absence is verified, the University will notify any contact person(s) designated by the student not later than 24 hours after Campus Police determines the student to be missing. If the student is under 18 years of age and not an emancipated individual, the University will notify the custodial parent or guardian of the student and the contact person(s) designated by the student (if different from the student's custodial parent or guardian) not later than 24 hours after the student is determined to be missing.

New Mexico Institute of Mining and Technology Missing Student Notification & Response Policy Page 2 of 2 When Campus Police determines a residential student to be missing, additional response may be taken including, but not limited to:

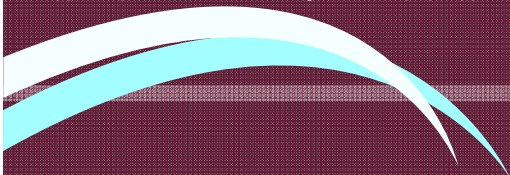
- 1 Notify other local law enforcement agencies
- 2 Attempt to reach the student via phone, e-mail, social media or other means of electronic communication
- 3 Contact roommates, friends, teachers and acquaintances for any additional information that might help locate the missing student
- 4 Conduct a search of the missing student's room or apartment, coordinated by Residential Life and/or Campus Police
- 5 Conduct a general campus search, coordinated by Campus Police

If a missing student is located or returns to campus at any time after the matter has been reported, Campus Police and Residential Life will attempt to ensure other parties involved have been notified of the student's status.

Option for non-student residents to register contact information: The University provides some family housing for enrolled students who request to have their partners and/or dependents live with them on campus. During the summer and under special circumstances during other times of the year, the University also provides housing to persons affiliated with the University who are not enrolled in classes. Any person living in University housing, but who is not considered a registered student, will be allowed to submit emergency contact and in-case-of-considered contact missing information to be kept on file with Residential Life, i.e. students in family housing can submit contact information for their children. Residential Life will use or share with Campus Police this information when a non-student resident is reported missing and on a case-by-case basis in other circumstances.

Procedures for reporting any missing person ON campus: A New Mexico Tech employee, student or other member of the college community receiving information regarding any alleged missing person should immediately report it to Campus Police by calling 575-835-5555 or by contacting the department in person at the Student Activities Center (SAC). Any person reported as missing to New Mexico Tech Police will be reported to the National Crime Information Center (NCIC) within two hours of a police officer deeming the person to be missing.

Procedures for reporting any missing student/person OFF campus: Please Call: 911 Socorro City Police: 575-835-4222; or 575-835-1883 Socorro County Sheriff: 575-835-0941/575-835-0741; or New Mexico State Police: District 11-Socorro 575-835-0741





CRIME PREVENTION

- ⇒ Useful tips on crime prevention are available from Campus Police via informal lectures that can be scheduled for any size group and through the dissemination of information packets on personal and residential safety.
- ⇒ Inter-campus police / security escorts are available to students and staff after hours
- ⇒ Personal Property registration and engraving available
- ⇒ Anti theft / anti burglary programs are encouraged (i.e. neighborhood watch programs, operation ID)
- ⇒ Bicycle registration
- ⇒ Classes on identifying behaviors of concern and best practices on surviving dangerous situations from the center for personal protection and safety available to any size group.

FIRE SAFETY

Every University student residence hall has:

- ⇒ an interior fire alarm system with detection throughout the building, including detectors in every sleeping room;
- ⇒ Quarterly testing of fire detection, suppression, and notification equipment (all test records are maintained within Campus police and residential life);
- ⇒ an interior fire alarm panel that triggers a full alarm response from both the Socorro Fire Department and Campus Police upon activation

Please see Appendix for a list of all on-campus student residence halls, their fire suppression and detection systems, and fire drills conducted.

Fire Evacuation Plan and Procedures

The following procedures will be used in emergency evacuation of a NMT building due to a fire or smoke, and a notice of these procedures will be kept in a prominent place in each administrative unit and work area.

- ⇒ Familiarize yourself with an escape plan.
- ⇒ Familiarize yourself with emergency equipment: fire extinguisher, alarm, ladders, etc. All faculty, students, and staff should know the location of fire extinguishers, fire exits, and alarm systems in your area and know how to use them.

Building Evacuation

When an alarm sounds, you **MUST LEAVE** the building. It is a violation of New Mexico State Law to fail to leave a building when the fire alarm is sounding, pursuant to NMSA § 30-7-22.

Always assume it is a real emergency and leave the building.

Evacuate all rooms, closing all doors to confine the fire and reduce oxygen.

Assist the handicapped in exiting the building.

DO NOT USE THE ELEVATORS.

Once outside, proceed to the nearest available parking area. Keep streets, fire lanes, hydrant areas and walkways clear for emergency vehicles and personnel.

DO NOT RETURN TO THE BUILDING UNLESS TOLD TO DO SO.

See evacuation plans on each residential hall room door or visit the Campus Police web site for evacuation plans for all on campus dorms and on and off campus apartments.

Residential life Fire Safety Policies and procedures

Fire safety awareness, education and compliance are essential for maintaining a safe and comfortable environment to live and learn. Regardless of the frequency of alarms, participation in evacuation procedures is mandatory.

Failure to comply may result in dismissal from the residence halls. Unannounced fire drills will be conducted in all residences at least five times per year, except in family housing apartments where there will be at least one drill each semester. Evacuation procedures are posted conspicuously in each residential area. Residential Life or Campus Police staff may open rooms during drills to verify evacuation.

The following items are considered fire hazards and are prohibited inside all University residences:

Barbecues

Candles (including candle warmers)

Combustion engines

Flammable materials such as paint thinner, gasoline or motor oil

Gasoline or electrical powered vehicles

Halogen lamps

Holiday/string lights (unless low wattage, less than 12 watts)

Hookahs

Hot plates

Hot pots

Incense

Lava lamps

Microwaves over 700 watt usage

Neon signs

Space heaters (with the exception of those which may be temporarily issued by University staff)

Stoves (wood, charcoal or gas)

The number of occupants at any time in a double-occupancy bedroom may not exceed 8.

The number of occupants at any time in a double-occupancy bedroom may not exceed 8.

The number of occupants at any time in any single-occupancy bedroom may not exceed 4.

The number of occupants at any time in any apartment may not exceed the number of residents assigned to that living unit, plus two guests

each. In special circumstances, exceptions may be made as allowed by Residential Life if permitted by fire safety officials.

Residents are encouraged to confront individuals disregarding the Fire Safety Policy and bring violations to Residential Life Staff promptly.



Current NMIMT Res-Life Community Standards

All students and guests are prohibited from: intentionally setting fires; falsely reporting a fire; removing or discharging fire extinguishers without cause; tampering with safety or fire-fighting equipment; failing to immediately vacate a building at the sound of a fire alarm; hampering fire evacuation or investigation procedures; fastening stair doors, exit doors, or other safety doors in an open position; failing to keep corridors, stairwells, and public areas free of obstacles; using or possessing candles, incense or other items that produce burning embers or flames; using or possessing space heaters or halogen bulbs/lamps; using or possessing electrical appliances or tools with an open or exposed heating element other than those listed as authorized or provided by the University in apartment residences; installing portable air conditioners; using any electrical devices lacking a UL (Underwriters Laboratories, Inc.) rating; using electrical equipment in a manner other than the designed use; hanging items such as decorations from doors, windows or their frames in a manner that may impede exit; covering greater than 25% of any wall or ceiling within a bedroom or common area; covering fire system equipment, bringing "live cut trees or shrubs (such as Christmas trees) or combustible decorations into residential facilities. For more information visit <https://www.nmt.edu/.../COMMUNITY%20STANDARDS%208.10.19.pdf>

Curtains must be flame resistant (per NFPA 701). Upholstered furniture must be flame resistant (labeled CAL 133). Extension cords, multi-plug adapters and plugging one power strip into another one (piggy-backing) are prohibited.

Power strips must be UL approved, grounded, 3-prong, 12 or 14-gauge, and equipped with an over current surge protector.

Residents are permitted to have personal refrigerators in their bedrooms, provided the appliance is in good working condition with: a capacity of 6 cubic feet or less and using 3 amperes or below.

Residents are permitted to have personal microwaves in their bedrooms, provided the appliance is in good working condition and uses no more than 700 watts.

Residents may keep coffee makers as well as irons (for garments or hair) in their bedrooms as long as the devices are attended when in use and unplugged when unattended.

Besides the few devices aforementioned in this section, any other small appliance or device that produces heat is not allowed in student bedrooms.

Cooking is prohibited in all student rooms/common areas other than in designated kitchen areas in some halls and in apartments where cooking is only permitted under the following conditions:

All general appliances provided by the University and any smaller appliances brought in by residents are only to be used for their intended purposes. Stove, ovens and microwaves should NEVER be used when unattended.

Residents who don't use appliances in an appropriate manner may lose the use of University-furnished appliances or they may be directed to remove certain appliances. If a Residential Life staff member deems any appliance or other item in a building to present a danger, residents may be asked to remove it immediately.

Access to Campus Facilities

Most campus buildings and facilities are accessible to members of the campus community during normal business hours, Monday through Friday. Authorization to use facilities when the university is not in normal operation must come from the facility staff or staff responsible for the specific area. Proper identification, such as a university issued identification card, is required when using any campus building or facility.





Disability Access

New Mexico Tech is committed to fostering a campus that is accessible to people with disabilities. It regularly reviews access needs and makes every effort to remove physical barriers to make significant accessibility improvements. For questions or concerns regarding access, please send an e-mail to facilities management at facmgmt@admin.nmt.edu

HOW TO SIGN UP FOR RAVE ALERT EMERGENCY NOTIFICATIONS

Go to getrave.com

Type in "New Mexico Institute of Mining and Technology" and hit "Continue"

Click "Register"

Enter your name, your NMT email address, and cell phone number and then create a password

Check the box indicating that you have read the Terms of Use

Click "Proceed to Next Step"

You will be asked to confirm your cell phone service provider and click "Proceed"

You will receive a confirmation email with a link to confirm your cell number

AND you will receive a confirmation text message that will contain a 4-digit code, which you will enter on the website.

Click "Finish"

Once you are registered, you will receive emergency notifications, including class cancellations, weather alerts, utility outages and other critical and timely emergency notifications.

You will not receive spam or non-urgent messages via the RAVE Emergency Alert System

UNIVERSITY POLICY ON ALCOHOL AND DRUGS

The Tech Student Alcohol and Drug Policy is intended to comply with the letter and the spirit of the provisions of the 1998 Congressional amendments to the Higher Education Act titled, "Collegiate Initiative to Reduce Binge Drinking and Illegal Alcohol Consumption" on college campuses.

All Tech students should read this policy to become familiar with its provisions and the possible consequences of violating Institute rules and New Mexico State laws.

Tech is concerned with both the welfare of the Institute community as a whole, and with the academic and personal development of each student. The Institute strives to create a healthy environment, one in which alcohol use will not interfere with learning, performance, or development. Alcohol abuse disrupts this environment and places at risk the lives and well being of the members of the Institute community, as well as the potential of students for contributing to society. All members of the Institute community are responsible for preventing the illegal or high-risk use of alcohol or other drugs.

As members of the Institute community, students are expected to comply with and abide by the policies and guidelines as stated, as well as the laws of the State of New Mexico.

No college campus is immune to alcohol abuse and students need to understand the health risks of alcohol consumption.

Tech's Policies and Procedures on the Consumption of Alcohol Students who have attained the legal drinking age (21 years) do have a right to consume alcohol under certain circumstances. Tech acknowledges this right by allowing alcohol consumption when the use is within New Mexico's law, as well as within campus rules. However, the Institute strongly discourages the abuse of alcoholic beverages. Tech has established this policy governing the possession, sale, and consumption of alcoholic beverages on the campus to encourage responsible behavior. This policy is subject to change in order to comply with new local, state, or federal laws, or changes in Institute operating procedures pertaining to the possession and consumption of alcoholic beverages.

The following guidelines and rules shall apply to all student functions held on the Tech campus, or officially sanctioned by the Institute:

- ⇒ No alcoholic beverages will be dispensed or served at Institute-sanctioned student functions. An exception may be made for a function, but only with the recommendation of the Dean of Students and approval of the President of the Institute.
- ⇒ Tech students who are 21 years of age or older may only consume alcohol Tech students who are 21 years of age or older may consume alcohol in some student residences when permitted in accordance with Residential Life Community Standards, or in licensed facilities. New Mexico law specifically prohibits open containers in public, which includes all common areas on campus. Kegs (party kegs, pony kegs, party balls, etc.) are expressly prohibited.
- ⇒ All students attending an activity where alcoholic beverages are served, consumed, or present must maintain on their person a clear means of picture identification as appropriate proof of age. Students and other individuals who alter their ID cards to falsify their age are in violation of Institute regulations and are subject to its disciplinary proceedings and sanctions.

Residential Life Alcohol Policy NMIMT Residential Life|| Community Standards Page 15 of 29

Persons of legal age (21 or older) are permitted to possess and consume alcoholic beverages inside University apartments and residence halls (except Baca Hall which is a substance-free residence) under the following conditions:

- ⇒ The door and blinds to the bedroom/apartment are closed whenever alcohol is visible.
- ⇒ Residents or guests may not cause any disturbance or concern to others in the community.
- ⇒ All persons present must have on their person a legitimate means of picture and age identification.
- ⇒ The number of people in the bedroom/apartment may never violate Fire Safety or Guest policies.
- ⇒ Everyone present in the bedroom or apartment where alcohol is available must be at least 21 years of age (regardless of who may or may not be consuming).

*Residents living in family housing with children under their legal guardianship are permitted to keep alcoholic beverages in their apartments and may consume alcohol at their discretion as long as they are abiding by all other State laws and University policies and do not serve or provide access to alcohol for anyone under 21 years of age regardless of relation.

Students and guests must always abide by all New Mexico State laws and all University policies & guidelines regarding the purchase, possession, transportation and consumption of controlled alcohol- containing beverages.

Devices designed for rapid consumption of alcohol are prohibited and subject to confiscation regardless of the age of the owner

Other Prohibited items or behavior include:

Kegs ◊ Binge drinking ◊ energy substance while drinking alcohol ◊ Drinking games ◊ Alcohol paraphernalia ◊ beer signs, lamp shades, etc ◊ open containers ◊ public intoxication

Students and guests who refuse to recognize and obey the authority of Residential Life Staff or Campus Police Officers risk criminal charges and campus judicial action. If off-campus guests are in violation of Residential Life policies, they may be

- ⇒ Students or other individuals who alter government agency documents (driver's license, birth certificate, etc.) may also be in violation of the laws of the state of New Mexico and subject to its proceedings and sanctions.
- ⇒ Non-alcoholic beverages must be available during approved campus functions at the same place as the alcoholic beverages and featured as prominently as the alcoholic beverages. Food must also be available in appropriate quantities.
- ⇒ A means of readily identifying students who have attained the legal drinking age must be provided by the sponsoring group(s) involved.
- ⇒ The consumption of alcoholic beverages must not result in a disturbance to a social event or to the educational environment. Intoxication may result in disciplinary action as defined in the Student Discipline Policy.
- ⇒ All Tech-sponsored activities for students are alcohol-free. The Student Activities Board (SAB) is a Student Government Association programming committee that sponsors events and activities such as concerts, ski trips, comedy shows, movies, and dances. Consistent with its educational mission, Tech also assists its members in finding alternatives to alcoholic beverages for promoting social interaction and stress reduction.
- ⇒ Tech has a responsibility to ensure that an environment exists in which students can pursue their academic and personal development. However, in general, the Institute cannot monitor the environment external to the university campus. Student organizations are registered or recognized to function only on the Tech campus unless otherwise contracted or agreed to by standard written Institute procedures. Tech is not responsible for the activities of individual students or student organizations when those off-campus activities occur, unless this activity is formally recognized and approved by the Institute.

NEW MEXICO TECH DRUG AND ALCOHOL POLICY

I. Purpose

New Mexico Institute of Mining and Technology (NMIMT), referred to as New Mexico Tech (NMT) is required to comply with local, state and federal regulations, including Part 86 of the 1989 amendments to the Drug-Free Schools and Communities Act (DFSCA). The Department of Defense and the Drug Free Schools and Communities Act promulgated the Drug Free- Workforce rules. The President of the university has directed administrators to institute and maintain programs that meet the requirements of federal drug and alcohol regulations.

Drug-Free Schools and Communities Act (DFSCA), Part 86

Part 86 of the 1989 amendments to the Drug-Free Schools and Communities Act as articulated in the Education Department General Administrative Regulations (EDGAR) lays out several requirements for institutions of higher education (IHEs) receiving any form of federal funding. Regulations requirements states that IHEs must:

- 1) Develop and implement an alcohol and other drug abuse (AOD) program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees;
- 2) Annually, notify all students and employees in writing of (1) standards of conduct; (2) possible legal sanctions and penalties; (3) health risks associated with alcohol and other drug abuse; (4) AOD programs available to students, staff and faculty; and (5) disciplinary sanctions for violating the standards of conduct;
- 3) Every two years, conduct a review of its AOD program for effectiveness and consistency, identify and implement any necessary changes and prepare a report.

Failure to comply with the regulations listed above may result in the Secretary of the U.S. Department of Education terminating all forms of federal financial assistance.

II. Policy

A. Illicit Drugs and Alcohol

It is the goal of New Mexico Tech (NMT) to provide a drug-free environment for all University students and employees. To achieve this goal and to comply with federal law, NMT prohibits the unlawful sale, manufacture, distribution, dispensation, possession,



New Mexico Tech

Drug and Alcohol Policy Continued...

and use of controlled substances, including marijuana and unauthorized use of prescription drugs, on its property. NMT prohibits the unlawful sale, manufacture, distribution, possession, and consumption of alcohol, on its property except by permit. Every NMT student and employee must abide by the terms of this statement, abide by all applicable policies of NMT and abide by local, state and federal laws regarding the unlawful possession or distribution of illicit drugs and alcohol. Due to federal law, cannabis is not allowed on University property with or without a medical marijuana card. As long as New Mexico Tech accepts federal funds, we must abide by federal law. Alleged violations of published drug and alcohol policies will be resolved using procedures outlined in the Student Handbook, Community Standards or Employee Handbook.

B. Sanctions

Sanctions will be imposed on an employee who violates NMT drug and alcohol policy. These sanctions may include termination, demotion or suspension, and the employee may be required to report to the Employee Assistance Program (EAP) for a clinical assessment and participate in a recommended rehabilitation program. Sanctions will be imposed on a student who violates NMT drug and alcohol policy. These sanctions may include up to suspension or expulsion and may also include Drug and Alcohol training, and/or community service, as well as include a rehabilitation program.

C. Health Risks

All persons should be aware of the health risks caused by the use of alcohol, and by the illegal use of controlled substances (drugs).

- Consumption of more than two average servings of alcohol in several hours can impair coordination and reasoning to make driving unsafe.
- Consumption of alcohol by a pregnant woman can damage the unborn child. A pregnant woman should consult her physician about this risk.
- Regular and heavy alcohol consumption can cause serious damage to liver, nervous and circulatory system, mental disorders and other health problems.
- Drinking large amounts of alcohol in a short time may quickly produce unconsciousness, coma, and even death.

Use of controlled substances (drugs) can result in damage to health and impairment of physical condition, including:

- Impaired short term memory or comprehension
- Anxiety, delusions, hallucinations
- Loss of appetite resulting in a general damage to the user's health, over a long term
- A drug-dependent newborn if the mother is a drug user during pregnancy. Pregnant women who use alcohol, drugs, or who smoke should consult their physicians
- AIDS, as a result of "needle-sharing" among drug users
- Death from overdose

The health risks associated with drugs or excessive use of alcohol are many and are different for different drugs, but all non-prescription use of drugs and excessive use of alcohol endanger your health. There are no good reasons for using a drug not prescribed by your doctor or drinking to excess.

D. Medical Amnesty

Medical amnesty shall mean that a student is not subject to Student Code of Conduct disciplinary sanctions for unauthorized possession and consumption of drugs and alcohol if the student contacts a 911 operator to report that the student or another student is in need of medical assistance for an immediate health or safety concern. To be eligible for medical amnesty, the student who initiates contact must be the first person to make such a report, must provide a name and contact information, must remain on the scene until assistance arrives, and must cooperate with the authorities at the scene. The student who receives medical assistance and up to two students acting in concert with the student initiating contact with a 911 operator may also be immune from disciplinary sanctions as stated above.

New Mexico Tech

Drug and Alcohol Policy Continued...

Campus law enforcement supports the efforts to seek emergency medical assistance and will many times overlook the age of the reporter and the individual needing the assistance. New Mexico Controlled Substance Act (911 Good Samaritan [Stat. Ann. § 30-31-27.1 {2007} Effective Date: June 15, 2007]) also states “a person who, in good faith, seeks medical assistance for someone experiencing a drug-related overdose or a person who experiences a drug-related overdose and is in need of medical assistance shall not be charged or prosecuted for possession of a controlled substance... if the evidence for the charge of possession of a controlled substance was gained as a result of the seeking of medical assistance.” However, students should understand that any violation of state or federal criminal law involving the use or possession of drugs or alcohol may result in prosecution, and New Mexico Tech cannot grant amnesty from proceedings in the criminal justice system.

E. Resources

For Employees

Employee Assistance Program (EAP)

www.corporatehealthresources.com

1(800)348-3232

For Students

New Mexico Tech Office of Counseling and Disability Services

www.nmt.edu/cds/

575-835-6619

New Mexico Tech Student Health Center

575-835-6619

Alcohol Safety and Awareness Program (ASAP)

<https://nmt.edu/asap/>

575- 835-5093

For All

Socorro Mental Health

www.pmsnm.org/locations/socorro-mental-health

575-835-2444

Alcoholics Anonymous National

www.aa.org/

Alcoholics Anonymous New Mexico

nm-aa.org/

SAMHSA Substance Abuse Treatment

1-877-726-4727

Socorro General Hospital Emergency Department

1-575- 835-1140

Socorro General Medical Group

1-575-835-4690

Presbyterian Medical Services

1-575-835- 4444

New Mexico Tech

Sexual Misconduct & Title IX Offenses Policy

The federal gender equity law, Title IX of the Education Amendments Act of 1972, protects people from discrimination based on sex in education programs and activities that receive federal financial assistance, including New Mexico Institute of Mining and Technology. The law states: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” Examples of the types of discrimination that are prohibited under Title IX include sexual harassment, sexual assault, stalking, the failure to provide equal opportunity in academics, athletics & other programs, and discrimination based on pregnancy. Title IX is enforced by the U.S. Department of Education’s Office for Civil Rights. New Mexico Institute of Mining and Technology is currently reviewing its Title IX procedures and is in the process of developing updated policies and protocols to address sexual misconduct and discrimination all its forms.

During this period of review, the University has established the following temporary Sexual Misconduct & Title IX Offenses Policy

New Mexico Institute of Mining and Technology (New Mexico Tech or the “University”) is committed to a healthy and safe learning, living, and working environment which promotes responsibility, dignity, and respect for all persons. New Mexico Tech prohibits all forms of discrimination, however this policy specifically relates to discrimination on the basis of sex (including gender, sex stereotyping, gender expression, and gender identity). Sexual harassment, which includes acts of sexual violence, is a form of sex discrimination. Sex discrimination is a violation of Title VII of the Civil Rights Act of 1964; Title IX of the Educational Amendments of 1972; and the New Mexico Human Rights Act, NMSA 1978, Sections 28-1-1 to 28-1-7, 28-1-7.2, 28-1-9 to 28-1-14. Sexual harassment, sexual violence/assault, intimate partner violence, stalking, and all forms of sex/gender-based discrimination as defined below in Sections III. are strictly prohibited and will not be tolerated.

In this policy and its associated procedures, the University utilizes the term sexual misconduct to collectively apply to all forms of sexual harassment, sexual assault, sexual violence, intimate partner violence, stalking, and any Title IX offenses, as well as the other terms and violations defined below in Section III.

All University members are prohibited from engaging in, or assisting or abetting another’s engagement in sexual misconduct, intimate partner violence, stalking, and related retaliation (collectively “prohibited conduct”).

This policy applies to University members, who include:

- 1) University students, whether enrolled full time or part time, for credit or non-credit courses;
- 2) University employees and
- 3) Third parties who are engaged in any University activity or program, or who are otherwise interacting with the University, including, but not limited to, volunteers, contractors, vendors, visitors, and guests.

This policy applies to all forms of gender-based discrimination/sexual misconduct as well as stalking, intimate partner violence, and related retaliation committed by or against students, employees, and third parties when:

- 1) The conduct occurs on University property;
- 2) The conduct occurs in the context of a University employment or an education program or activity, including, but not limited to, University-sponsored academic, extracurricular (e.g. athletics/club sports), study abroad, research, on-line or internship programs or activities;
- 3) The conduct occurs off University property and outside the context of a University employment or education program or activity, but has a continuing adverse effect on or creates a hostile environment for students, employees, or third parties while on University property or in any University employment or education program or activity; This policy is applicable regardless of the sexual orientation and/or gender identity of individuals engaging in sexual activity.

Sexual Misconduct & Title IX Offenses Policy

Continued...

4) The conduct indicates that the respondent (accused) may present a danger or threat to the health or safety of University members.

This policy is applicable regardless of the sexual orientation and/or gender identity of individuals engaging in sexual activity.

This policy also includes information for students and employees on resources available following an act of sexual misconduct, New Mexico Tech responses, prevention and interim measures, the disciplinary process, possible disciplinary sanctions, and the University's requirement to collect and report general associate statistics in accordance to the Clery Act. Any individual who believes that they have been subjected to sexual misconduct or gender-based discrimination, is strongly encouraged to report the incident(s) to the police department; victim survivor assistance; and/or internally with New Mexico Tech. New Mexico Tech officials can help stop the unwelcome behavior, remedy/resolve the situation with discipline, preventative, and interim measures, and recommend other related support services.

University employees must report incidents of assault or abuse of a child (i.e. under age 18) that they know about or have reason to believe is occurring or occurred to the police. Those incidents that occurred on University property or at University-sponsored activities must be reported to the Title IX Coordinator and the New Mexico Tech Campus Police.

Almost all New Mexico Tech employees have been designated "Responsible Employees" as defined by the U.S. Department of Education's Office of Civil Rights. These responsible employees (University administrators, supervisors, faculty, teaching assistants, and other professional staff, including resident assistants) are therefore obligated to report any known or perceived sexual misconduct or sexual/gender-based discrimination to our designated Title IX Coordinator even if little information is known (see FREQUENTLY ASKED QUESTIONS section for more details). To the extent possible, information reported to a responsible employee will be communicated with the Title IX Coordinator within 24-hours. These responsible employees and the Title IX Coordinator will not share personally identifiable information with New Mexico Tech Campus Police or other law enforcement without the

victim's consent or unless the victim has also reported the incident to law enforcement. Supervisors and Human Resources representatives must report sexual harassment or other forms of sexual misconduct directed at University employees or third parties to the campus Title IX office.

Other University employees are encouraged to report sexual harassment directed at University employees or third parties to the campus Title IX office, or their supervisor or a Human Resources representative. However, this reporting is not required.

The New Mexico Tech campus has counseling and medical staff (see Section IX.A. below) who can maintain confidentiality except in incidents involving minors. In addition to providing needed care, these confidential employees can review options with the victim/survivor (i.e. complainants) regarding their rights, support mechanisms, accommodations/ interim protective measures, and legal and campus disciplinary steps.

Concurrently, the University complies with all related local, state, and federal laws including the Campus Sexual Violence Elimination Act ("Campus SaVE Act") amending the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), which is a federal law that requires colleges and universities to have procedures in place to respond to incidents. As mentioned above, New Mexico Tech also complies with Title IX of the Education Amendments of 1972 (Title IX), which is a federal civil rights law that prohibits discrimination on the basis of sex (including gender, sex stereotyping, and gender identity) in federally funded education programs and activities. Sexual harassment, sexual assault, and intimate partner violence are forms of sex and gender-based discrimination prohibited by Title IX and New Mexico Tech.

It is a violation of Title IX and University policy to retaliate against any person who makes a complaint or report of sexual misconduct or testifies, assists, or participates in an investigation or proceeding regarding an allegation of sexual violence or sexual misconduct. Concerns that a student or employee has threatened to retaliate or has retaliated against another student or employee should be reported promptly to the Title IX Coordinator or Affirmative Action/Equal Employment Opportunity

Sexual Misconduct & Title IX Offenses Policy

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Commission (AA/EEOC) director. An employee or student who retaliates against a person who makes a complaint of sexual misconduct, testifies, assists, or participates in an investigation or proceeding regarding an allegation of sexual misconduct, or seeks assistance from the Title IX Coordinator or AA/EEOC director may be subject to disciplinary action. Reports of retaliation will be reviewed and investigated in the same manner in which other allegations of misconduct are handled.

I Policy Statements

New Mexico Tech is dedicated to preventing and resolving sexual misconduct and Title IX offenses by providing:

- 1) Awareness and prevention programming
- 2) Assistance and support for students and employees affected by violence and other forms of discrimination or harm.
- 3) Prompt attention so complaints of sexual harassment, sexual misconduct, and any form of discrimination will be taken seriously and dealt with promptly and equitably.
- 4) Processes for reliable and impartial investigation and adjudication that includes appropriate disciplinary sanctions for those who commit Title IX offenses or sexual misconduct, including limiting access to campus facilities, suspension, and dismissal.
- 5) Support and guidance from the campus Title IX Coordinator who can also be a resource to help students and/or employees better understand complainant rights and respondent rights.
- 6) Where offenses are found to have occurred, New Mexico Tech will act to stop the reported conduct, prevent its reoccurrence, remedy its effects, and discipline those found responsible.

Use of alcohol or other drugs will never function to excuse any behavior that violates this policy.

II Terms (Alphabetized)

Affirmative Consent: Affirmative consent is 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 his or her willingness to continue at each progression of the sexual interaction. This definition of consent does not vary based upon an individual's sex, sexual orientation, gender identity, or gender expression. The following factors will be considered when determining whether affirmative consent was given:

- 1) Each individual who wishes to engage in sexual contact is responsible for obtaining consent from the other individual or individuals who intend to be involved in the sexual contact.
- 2) A lack of protest, the absence of resistance, and silence do not by themselves indicate consent.
- 3) The existence of a present or past sexual, dating, or other romantic relationship between the individuals involved does not by itself imply consent to sexual contact.
- 4) Consent must be present throughout the sexual contact and may be given and withdrawn at any time.
- 5) When consent is withdrawn, all sexual contact must stop. Where there is confusion about the state of consent, sexual contact must stop until the individuals have verified the affirmative consent of all individuals involved.
- 6) Consent to one form of sexual contact does not by itself constitute consent to another form of sexual contact.

Consent is not obtained where:

- 1) An individual is compelled to engage in unwanted sexual contact through the use of coercion. Coercion may consist of physical force, intimidation, threats, or severe or persistent pressure that would reasonably cause an individual to fear significant consequences if they refuse to engage in sexual contact.
- 2) An individual involved in sexual contact is incapacitated due to the influence of drugs or alcohol, and a reasonable person would know of this incapacitation. Incapacitation due to the influence of drugs or alcohol is a state beyond mere intoxication or impaired judgment. Some indicators of incapacitation due to the influence of drugs or alcohol may include:

Sexual Misconduct & Title IX Offenses Policy

Continued...

- a) A lack of control over one's physical movement (for example, an inability to walk or stand without stumbling or assistance).
- b) An inability to effectively communicate (for example, where one's speech is heavily slurred, incomprehensible, or nonsensical).
- c) A lack of awareness of one's circumstances or surroundings (for example, a lack of awareness of where one is, how one got there, who one is with, and how or why one became engaged in sexual contact).

Intoxication alone, however, does not mean a person is incapable of consenting to sexual activity. The University examines the record for other behavior like stumbling or otherwise exhibiting loss of equilibrium; slurred speech or word confusion; bloodshot, glassy or unfocused eyes; vomiting, especially repeatedly; being disoriented, or confused as to time or place; or loss of consciousness. Should the evidence in the record demonstrate that one or more such behaviors were objectively apparent at the time the alleged unconsented-to or unwelcomed sexual activity occurred, then the evidence may demonstrate that the respondent knew or should have known that the complainant was incapable of giving meaningful consent to sexual activity due to incapacitation (e.g. intoxication). If the person initiating the sexual activity is also under the influence of alcohol or drugs, that does not diminish their responsibility to obtain affirmative consent, and is not a defense to charges of violation of this policy. Because it may be difficult to discern whether a sexual partner is incapacitated, it is better to err on the side of caution and assume that your partner is incapacitated and unable to give consent to the sexual activity.

- 3) An individual involved in sexual contact is unable to communicate or understand the nature or extent of the sexual situation because of a physical or mental condition.
- 4) An individual involved in sexual contact is asleep, unconscious or involuntarily physically restrained.
- 5) An individual involved in sexual contact is not of legal age to give consent pursuant to New Mexico state law.

Please note, under state law children who are less than 13 years of age are incapable of consent under all circumstances. Sexual activities with someone who is at least 13 years of age and less than 16 years of age are only legal if the defendant is less than 18 years of age and less than 4 years older than the victim.

*See Appendices: Determining Consent for further guidance.

B) Complainant: Complainant shall mean the individual who was allegedly subjected to the sexual misconduct. Throughout this policy, its related documents, and in other New Mexico Tech policies, the complainant may be referred to as the reporting party or impacted individual. Some advocates and other entities may also refer to the complainant as the victim or survivor.

C) Incapacitation: Incapacitation is the physical and/or mental inability to make informed rational judgments. States of incapacitation include, without limitation, sleep, blackouts, and flashbacks. Where an intoxicant is involved, incapacitation is a state of intoxication where the intoxicant consumed impairs a person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments.

D) Intimate Partner Violence: Intimate Partner Violence shall mean the University's term that encompasses relationship violence, domestic violence, domestic abuse, and date violence that includes physical, sexual, or psychological harm as defined below in Sections III. below, as well as under the Student Code of Conduct within Student Handbook and Employee Handbook.

E) Prohibited Conduct: Prohibited Conduct is the collective term utilized by the University referring to behaviors that all University employees and students are prohibited from engaging in, or assisting or abetting another's engagement in, such as sexual misconduct, intimate partner violence, stalking, harassment, discrimination, and related retaliation.

F) Respondent: Respondent shall mean the individual reported to have allegedly committed the sexual violence or sexual misconduct. Throughout this policy, its related documents, and in other New Mexico Tech policies, the respondent may also be referred to as the accused or perpetrator.

Sexual Misconduct & Title IX Offenses Policy

Continued...

G) Retaliation: Retaliation is any form of intimidation, reprisal or harassment against an individual because the individual has made a report of sexual misconduct or has participated in an investigation of sexual misconduct by or of an University community member including:

- 1) Firing , refusing to hire, or refusing to promote the individual;
- 2) Departing from any customary employment or academic practice regarding the individual;
- 3) Transferring or assigning the individual to a lesser position in terms of wages, hours, job classification, job security, employment or academic status;
- 4) Informing another student, staff or faculty member who does not have a need to know that the individual has made a complaint or participated in an investigation of a complaint of sexual misconduct; and
- 5) Impeding the individual's academic advancement in any University activity or program. In order for a behavior to be retaliation, the negative action must have been taken because of the report or participation in the investigation.

H) Sexual Misconduct: Sexual misconduct shall mean the University's comprehensive term for any form of sexual harassment, sexual violence/assault, stalking, and intimate partner violence as defined in this section and violations outlined in Section IV. below. This can be any Title IX offense or any other conduct of a sexual nature that is nonconsensual, or has the purpose or effect of threatening, intimidating, or coercing a person. It can also be actual, attempted or threatened sexual contact with another person without that person's consent.

I) Standard of Evidence: Standard of evidence is the degree of certainty required to establish a violation has occurred. New Mexico Tech utilizes the clear and convincing standard of evidence for resolving complaints under this policy. In the clear and convincing evidence standard the degree of certainty is that it is substantially more likely to be true than untrue; highly probable. This is a more stringent standard than a preponderance of the evidences standard but less stringent than a beyond a reasonable doubt standards.

J) Title IX: Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 et. Seq., with implementing regulations, 34 C.F.R. Part 10, is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Sexual harassment, sexual assault and other forms of sexual misconduct are considered sexual discrimination under federal law, all of which interfere with a student's right to receive an education free from discrimination or an employee's right to a discrimination-free work environment. According to Title IX, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

K) University Property: University property shall mean all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University, either solely or in conjunction with another entity.

L) University-Sponsored Activities: University-sponsored activities shall mean any program or event sponsored by the University, including but not limited to those sponsored by student groups.

III Sexual Misconduct Violations (but not limited to):

A) 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. Under the Violence Against Women Act of 2013 (42 USC § 13925) dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

Sexual Misconduct & Title IX Offenses Policy

Continued...

- 1) The length of the relationship.
- 2) The type of relationship.
- 3) The frequency of interaction between the persons involved in the relationship.

B) Domestic abuse: under the Family Violence Protection Act, “domestic abuse” is defined as “an incident of stalking or sexual assault whether committed by a household member or not” resulting in physical harm, severe emotional distress, bodily injury or assault, a threat causing imminent fear or bodily injury by any household member, criminal trespass, criminal damage to property, repeatedly driving by a residence or work place, telephone harassment, harassment, or harm or threatened harm to children. Under the Family Violence Protection Act, “household

members” include a spouse, former spouse, parent, present or former stepparent, present or former parent in-law, grandparent, grandparent-in-law, child, stepchild, grandchild, co-parent of a child, or a person with whom the petitioner has had a continuing personal relationship.

Cohabitation is not necessary to be deemed a household member under the Act. Violation of any provision of an order of protection issued under the Family Violence Protection Act is a misdemeanor crime and constitutes contempt of court and may result in a fine or imprisonment or both.

C) Domestic violence: under state law, domestic violence is defined as felony and misdemeanor crimes under the New Mexico Crimes Against Household Members Act. Crimes included under the New Mexico Crimes Against Household Members Act are assault, aggravated assault, assault with intent to commit a violent felony, battery, and aggravated battery. A “household member” is a spouse, former spouse, parent, present or former stepparent, present or former parent-in-law, grandparent, grandparent-in-law, a co-parent of a child, or person with whom someone has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member. In addition, under the New Mexico Family Violence Protection Act, violation of a court-issued order of protection granted to protect an individual who has experienced sexual violence or misconduct or domestic abuse is a misdemeanor crime.

D) Intimate partner violence: is the general term the University will utilize to encompass domestic violence, domestic abuse, and dating violence that includes physical, sexual, or psychological harm (e.g. emotional abuse) as defined above.

E) Non-consensual oral sex: non-consensual contact between one person’s mouth and the genitals or anus of another person.

F) Rape: non-consensual sexual intercourse (either vaginal or anal) with a penis, vagina, tongue, finger, or any object.

G) Sexual assault*: actual or attempted sexual contact without affirmative consent; or a threat to engage in contact that would be, if the threat were carried out, sexual contact without affirmative consent.

Some forms of sexual assault include:

- 1) Penetration of the victim’s body, also known as rape
- 2) Attempted rape
- 3) Forcing a victim to perform sexual acts, such as oral sex or penetrating the perpetrator’s body
- 4) Fondling or unwanted sexual touching

Source: The Rape Abuse and Incest National Network (RAINN)

H) Sexual contact/battery: non-consensual touching, kissing, or fondling of another person in a sexual way, whether the person is clothed or unclothed; or forcing someone to touch another in a sexual way.

I) Sexual exploitation: taking sexual advantage of another person without consent, including, without limitation, indecent exposure; voyeurism; non-consensual recording, photographing, or transmitting identifiable images of private sexual activity and/or the intimate parts of another person; and/or allowing third parties to observe private sexual acts. The use of technology, electronic mail or computer dissemination of gender-based communications or sexually explicit images; and the posting of pornography or other sexually explicit materials in University offices, classrooms or any other public area owned or controlled by the University.

Sexual Misconduct & Title IX Offenses Policy

Continued...

J) Sexual harassment: Sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment covered by this policy generally falls into one of two categories: quid pro quo and hostile environment. Conduct of a sexual nature becomes a violation of this policy when:

- 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement (quid pro quo);
- 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual (quid pro quo); or
- 3) unwanted conduct of a sexual nature is sufficiently serious (i.e., severe, pervasive, or persistent) and objectively offensive as to deny or limit a person's ability to participate in or benefit from the University's programs, services, opportunities, or activities; or when such conduct has the purpose or effect of unreasonably interfering with an individual's employment (hostile environment).

Mere offensiveness is not enough to create a hostile environment. Although repeated incidents increase the likelihood that harassment has created a hostile environment, a serious incident such as a sexual assault, even if isolated, can be sufficient.

In determining whether harassment has created a hostile environment, consideration will be made not only as to whether the conduct was unwelcome to the person who feels harassed, but also whether a reasonable person in a similar situation would have perceived the conduct as objectively offensive. Also, the following factors will be considered:

- 1) The degree to which the conduct affected one or more student's education or individual's employment.
- 2) The nature, scope, frequency, duration, and location of incident or incidents.
- 3) The identity, number, and relationships of persons involved.
- 4) The nature of higher education, such as inherent power differentials.

Listed below are behaviors that may constitute sexual harassment (either quid pro quo or hostile environment sexual harassment, as defined above), depending on the particular circumstances of the situation:

- 1) Suggestive or obscene letters, notes, invitations
- 2) Electronic communications, such as e-mail, text messaging, and Internet or network use, that are sexual in nature
- 3) Unwelcome sexual jokes or comments (including favorable comments about someone's gender, body, or appearance)
- 4) Impeding or blocking movements, touching, or any physical interference or stalking
- 5) Sexually oriented gestures; or displaying sexually suggestive or derogatory objects, pictures, cartoons, or posters
- 6) Threats or insinuations that refusal to provide sexual favors will result in reprisals; withholding support for appointments, recommendations, promotions, or transfers; or change of assignments or poor performance reviews or grades
- 7) Sexual or gender-based violence, including, but not limited to, rape, sexual assault, sexual battery, and sexual coercion

While sexual harassment often takes place under circumstances where a power differential between the persons involved exists, this policy recognizes that sexual harassment also may occur between persons of the same University status: student-student, faculty-faculty, and staff-staff, or between peers. Additionally, the prohibition against sexual harassment applies regardless of the genders of the parties. Sometimes harassers target a person who has authority over them. Harassers can also be persons who are not members of the University community, such as contractors or visitors. Regardless of the source, the University does not tolerate this kind of behavior and the University is committed to maintaining an environment free from sexual harassment.

Sexual Misconduct & Title IX Offenses Policy

Continued...

Sexual harassment is especially serious when it threatens relationships between students and teachers, or relationships between supervisors and their subordinates. Through grades, wage increases, recommendations for graduate study, promotion, and the like, a teacher or supervisor can have a decisive influence on a student's or employee's success and future career at the University and beyond.

The University prohibits all forms of sexual or gender-based harassment, including sexual violence and other forms of sexual misconduct.

K) Sexual violence: refers to physical sexual acts perpetrated with force or coercion against a person's will; or where a person has not given consent as defined in this policy or is unable to consent due to their use of alcohol or drugs, or disability, or age.

L) Stalking: is a course of conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause a reasonable person to feel fear. This can be in a physical form or electronically. Under New Mexico law, "stalking" is defined as knowingly pursuing a pattern of conduct, without lawful authority, directed at a specific individual when the person intends that the pattern of conduct would place the individual in reasonable apprehension of death, bodily harm, sexual assault, or restraint of the individual or another individual. "Aggravated stalking" consists of stalking perpetrated by a person who knowingly violates a court order, including an order of protection, or when the person possesses a deadly weapon or when the victim is under sixteen years of age.

IV Sanctions

The following sanctions may be imposed upon any member of the community found to have violated this Sexual Misconduct Policy. Factors considered in sanctioning are defined in New Mexico Tech's Academic Honesty Policy and Guide to Conduct and Citizenship for Student found in the Student Handbook and Employee Handbook. The following are the typical sanctions that may be imposed upon campus community members, singly or in combination:

A) Student Sanctions (listed below and defined in the Student Code)

- 1) Warning
- 2) Probation
- 3) Suspension
- 4) Expulsion
- 5) Withholding Diploma or Degree
- 6) Revocation of Admission or Degree
- 7) Transcript Notation
- 8) Organizational Sanctions
- 9) Other actions as outlined in Section V. of the Student Code of Conduct.

B) Employee Sanctions (listed below and defined in Employee Handbook)

- 1) Warning – Written or Verbal
- 2) Performance Improvement Plan
- 3) Required Counseling
- 4) Required Training or Education

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- 5) Demotion
- 6) Loss of Annual Pay Increase
- 7) Suspension without Pay
- 8) Suspension with Pay
- 9) Revocation of Tenure
- 10) Termination

There are many factors considered when determining appropriate sanctions. NEW MEXICO TECH utilized Sanctioning Guidelines for Sexual Misconduct/Title IX Violations when establishing student sanctions.

V. Jurisdiction

A) The Dean of Students Office (DOSO), Office of Graduate Studies (OGS), and AA/EEOC are not law enforcement agencies. As such, while they are charged with investigating allegations of sexual violence and misconduct as provided in this policy, they do not enforce criminal statutes. Enforcement of criminal statutes is the sole jurisdiction of law enforcement agencies. Similarly, while they generally have jurisdiction to administratively investigate claims of sexual misconduct, depending on the allegations made, the DOSO, OGS, and AA/EEOC may not have jurisdiction to investigate all alleged sexual misconduct. The information received from an individual reporter/s or complainant/s will be reviewed and a determination will be made as to whether the DOSO, OGS or AA/EEOC has jurisdiction over the concerns.

B) Conduct occurring off-campus can be the subject of a complaint or report and will be evaluated to determine whether it implicates this policy or the Student Code of Conduct. If off-campus sexual misconduct has continuing effects that create a hostile environment on campus for an individual who has experienced sexual misconduct, the University may take interim measures and depending on the circumstances, will investigate the conduct.

VI. Amnesty From Disciplinary Action

One of New Mexico Tech's primary concerns is the safety of its students and employees. To facilitate reports and thorough investigations of prohibited conduct or sexual misconduct, individuals who report information about possible sexual misconduct violations to the University, and individuals who participate in an investigation under this policy, will not be disciplined by the University for violations of its drug and alcohol policies that occurred in connection with the reported prohibited conduct and were discovered as a result of a prohibited conduct report or investigation. This amnesty provision applies to complainants, respondents, and other individuals who participate in an investigation under this policy. However, this amnesty provision does not apply to a person who has given another person alcohol or drugs without their knowledge and with the intent of causing them to become incapacitated and therefore vulnerable to experiencing prohibited conduct.

Moreover, the University may offer leniency with respect to other violations that emerge as a result of a prohibited conduct report or investigation, depending on the circumstances involved.

However, students and employees should understand that any violation of state or federal criminal law involving the use or possession of alcohol or illegal drugs may result in prosecution, and New Mexico Tech cannot grant amnesty from proceedings in the criminal justice system. Decisions about prosecution are made by the District Attorney's Office in the state criminal justice system and by the U.S. Attorney's Office in the federal criminal justice system.

VII. Privacy and Confidentiality

The University is committed to protecting the privacy of all individuals involved in the investigation and resolution of a report under this policy to the greatest extent possible. The University will maintain the privacy of student records in accordance with applicable state

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state and federal law, including the Family Educational Rights and Privacy Act (FERPA). The University will maintain the privacy of employee records in accordance with applicable state and federal law. In accordance with these legal requirements, the University will make reasonable efforts to protect the privacy of individuals while also fulfilling the need to gather information to assess the report, to take steps to eliminate prohibited conduct, prevent its recurrence, and remedy its effects, and to satisfy the due process rights of the parties.

The University has a compelling interest in protecting the integrity of its investigations, protecting the privacy of parties and witnesses, and protecting parties and witnesses from harassment, intimidation, or retaliation as a result of their participation in an investigation. To further these goals, witnesses and parties are asked to keep confidential the information that they learn about an investigation (including the allegations, the identities of the parties, witnesses and the questions asked in interviews). In particular, witnesses and parties are advised not to discuss the investigation or allegations with anyone who they believe could be a witness.

In some circumstances, the University may find it necessary to require that parties and witnesses keep confidential all information related to the investigation to prevent harm to individuals or the work or academic environment. For example, University members may be required to maintain confidentiality to protect University members from harassment, intimidation, and retaliation; to keep evidence from being destroyed; to ensure that testimony is not fabricated or contaminated by others; to prevent a cover-up; or to prevent serious disruption of the work environment.

On the New Mexico Tech campus, the University's Student Health Center and Counseling & Disabilities Office in the Fidel Center are the only locations on campus where disclosures of sexual misconduct may be made confidentially. A victim can seek assistance and support from the medical personnel and support staff in the Student Health Center without triggering a University investigation. Individuals working or volunteering in those offices can confide in the Title IX Coordinator without revealing any personally identifiable information regarding the incident. New Mexico Tech's Employee Assistance Program (EAP) can also provide confidential resources to New Mexico Tech employees. Individuals can change their minds and make a report to the Title IX Coordinator or law enforcement at any time.

VIII. Rights of the Parties

A) During the investigation following a report of sexual misconduct to New Mexico Tech, and prior to a final determination being made, the reporting party ("complainant") and responding party ("respondent") have equal rights. Below is a sample of the rights to which both parties are entitled:

- 1) To be treated with respect, dignity, and sensitivity throughout the process.
- 2) To written notification about their right to change academic, living, transportation, or work situations even if they do not formally report or participate in the University's investigatory or disciplinary process.
- 3) To written notification of a student or employee's rights and options, regardless of whether the crime took place on campus or off campus.
- 4) To be provided information on how the University will protect the confidentiality of the parties.
- 5) To notification of available services for mental health/counseling, advocacy, legal assistance, and other available community resources.
- 6) To be informed of the University's sexual misconduct policies and procedures.
- 7) To a timely and thorough investigation of the allegations.
- 8) To participate or decline to participate in the investigation or disciplinary process. However, these processes may still occur and decisions made based on the information available.
- 9) To the opportunity to have one (1) advisor/advocate present at any meeting or hearing with University officials for support and/or

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or consultation.

10) To the opportunity to be present and have others (e.g. witnesses) provide evidence about alleged violations in disciplinary proceedings (informal or formal).

11) To be notified, in writing of the outcome of any investigative, disciplinary, or appeals proceeding (both parties are free to share the outcome with anyone they wish).

12) To disagree with the decision and/or sanctions determined by the informal/investigative proceedings.

13) To request an appeal of the decision and/or sanctions determined by the formal disciplinary proceedings.

14) To be protected from retaliation for their involvement in University's investigatory and disciplinary proceedings.

15) To information on obtaining orders of protection and no contact orders.

B) Respondents are only required to meet with the campus authority (e.g. Title IX office, AA/EEOC) to hear the allegations and learn about the prohibited conduct investigative and adjudicative processes.

1) Student Respondents who fail to attend this initial meeting with the campus authority in sexual misconduct cases will have a hold placed on their student account and in some situations will also receive an Interim Suspension until the time of the initial meeting occurs.

2) Respondents are not required to respond to the allegations or provide other information to the campus Title IX office.

3) However, if the respondent does not provide information, the investigation will proceed based on the information available.

C) Individuals experiencing sexual or gender-based harassment or discrimination also have the right to file a formal grievance with government authorities:

U.S. Department of Education Office for Civil Rights

Denver Office for Civil Rights, U.S. Department of Education Cesar E. Chavez Memorial Building

1244 Speer Boulevard, Suite 310

Denver, CO 80204-3582

Telephone: (303) 844-5695

FAX: (303) 844-4303; TDD: (800) 877-8339

Email: OCR.Denver@ed.gov

D) Victims, complainants, or reporters of sexual misconduct should review "New Mexico Tech's Procedures to Follow if You are a Victim or Complainant of Sexual Harassment or Another Forms of Sexual Misconduct" in the Procedures Section of this policy.

E) Respondents or the accused should review "New Mexico Tech's Procedures to Follow if You are the Respondent or Accused of Committing Sexual Harassment or Another Form of Sexual Misconduct" in the Procedures Section of this policy.

IX. Resources Following an Act of Sexual Harassment or Other Forms of Sexual Misconduct

While the University encourages an individual who has experienced sexual misconduct to make an official report, whether the person chooses to do so, they are urged to seek appropriate help. There are numerous resources for students and employees on campus at New Mexico Tech or externally in the community or region. Specific resources, either on or off campus for medical treatment, legal evidence collection, obtaining information, support, counseling, and officially reporting an incident of sexual misconduct can be found on New Mexico Tech's Title IX website from the Title IX office, Counseling office and Health Center.

Those resources can assist a person to access the full range of services available. Students and employees accused (respondent) of committing an act of sexual misconduct may obtain confidential and anonymous support and counseling at New Mexico Tech's Counseling & Disabilities Office in the Fidel Center. Employees can receive support and advice from the Office of Human Resources or Office of AA/EEOC.

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X) Interim Protective Measures

The Vice President of Student and University Relations office or designee has the authority to implement interim measures which stay in place until the end of any review or appeal process. The Vice President of Student and University Relations office can impose a “no contact” order, which typically directs the complainant and respondent not to have contact with each other, either in-person or through electronic communication, pending the investigation and resolution of a complaint. The Vice President of Student and University Relations office can work collaboratively with the Academic Affairs office and the Office of the Registrar to arrange for changes in academic and/or on-campus living situations, as needed. Other interim measures, as appropriate, can be implemented by the Vice President of Student and University Relations office before the final outcome of the investigation and afterwards as needed. Employee complainants are encouraged to communicate with their supervisor, the Office of Human Resources, and AA/EEOC, for interim preventative measures as needed.

XI) Investigations

The University will not officially conduct an investigation without first informing the complainant to get consent, however there are some cases where the University will investigate related tips while maintaining your confidentiality. A support person may be present (e.g. advisor, advocate, parent, attorney, etc.) during any questioning related to this incident. The University will follow the direction of law enforcement authorities in obtaining, securing, and maintaining evidence relating to the sexual misconduct incident. University authorities will also assist in preserving materials which are relevant to a University disciplinary proceeding. The University will not wait for the conclusion of a criminal investigation before beginning a Title IX investigation. More details regarding the investigative process can be found in the URLs below in the PROCEDURE section of this policy.

XII. Conduct Proceedings

New Mexico Tech’s conduct procedures for resolving allegation of sexual misconduct against students is slightly different from those used to for employees. In these University conduct proceedings, both parties are allowed a support person present, such as an advisor, advocate or an attorney. The University utilizes the clear and convincing as the evidentiary standard for resolving a complaint of this policy. The due process followed by New Mexico Tech allows for an informal proceeding, a formal hearing, and an appeal process, if needed. The standard procedures are impartial and provide the opportunity for both the complainant and respondent to make statements, present witnesses, and evidence. Each party has the right to be notified of the outcome of any University disciplinary or conduct proceeding concerning a complaint, subject to the limitations of the New Mexico Government Data Practices Act, as well as be informed of any appeal procedures. Both parties have the right to disagree with the informal proceedings and request a formal hearing, and request an appeal of the formal hearing’s decision regarding the violation and/or any associated sanctions. Any other potential violation of the University’s Student Code of Conduct or Employee Handbook will be addressed separately from the sexual misconduct allegation.

XIII. FERPA

The Family Educational Rights and Privacy Act (FERPA) protect students’ educational records, including reports made to the Title IX Coordinator and disciplinary complaints. FERPA prohibits the University from releasing these records to persons outside the institution without the student’s consent except in response to a lawful subpoena or other special circumstances as required by law. As required by law and in compliance with the Department of Education, New Mexico Tech will notify both the complainant and respondent of sexual misconduct cases of University disciplinary proceedings and any sanctions imposed to either party. Details of some sanctions (e.g. private mature) may not be completely disclosed.

XIV. Timely Warning Alerts/Emergency Notification

If a report of a sexual misconduct or Title IX offense reveals there is an immediate threat to the health or safety of students or employees on campus or that an on-going serious or continuing threat to the campus community exists, an Emergency

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Notification or a Timely Warning will be issued. The purpose of a Timely Warning is to enable persons to protect themselves, heighten safety awareness, and seek information that will lead to an arrest and conviction of the perpetrator/s. The victim's name and other personally identifying information will NOT be included in any Emergency Notification or Timely Warning.

As required by law, all cases of sexual assault, sexual harassment, intimate partner violence, and stalking will be included in the University's Annual Security and Fire Safety Report/Crime Statistics.

XV. Title IX Coordinator

The New Mexico Tech's Title IX Coordinator [(575) 835-5187 or titleixcoordinator@nmt.edu], oversees compliance with all aspects of the sexual or gender-based harassment, sexual discrimination, and this sexual misconduct policy. The Title IX Coordinator reports directly to President of New Mexico Tech. Questions about this policy should be directed to the Title IX Coordinator. Anyone wishing to make a report relating to sexual or gender-based harassment, sexual discrimination, and sexual misconduct policy may do so by reporting the concern to the University's Title IX Coordinator.

In the event that an incident involves alleged misconduct by the Title IX Coordinator, reports should be made directly to the Office of the President (575) 835-5600.

Additionally, anonymous reports can be made by victims and/or third parties using the online reporting form or the reporting hotline at (575) 835-5005. Note that these anonymous reports may prompt a need for the institution to investigate and not having all the needed information may make it difficult to effectively protect to victim from further harm and adjudicate a disciplinary case.

XVI. Providing False Information

Because of the nature of discrimination, harassment, or retaliation complaints, allegations often cannot be substantiated by direct evidence other than the complaining individual's own statement. Lack of corroborating evidence should not discourage individuals from seeking relief under this policy. No adverse

action will be taken against an individual who makes a good faith allegation of sexual misconduct under this policy, even if an investigation fails to substantiate the allegation.

Notwithstanding this provision, the University may discipline employees or students when it has been determined that they brought an accusation of sexual misconduct in bad faith or with reckless disregard of the truth or falsity of the claim. Additionally, anyone participating in an investigation who intentionally misdirects an investigation, whether by falsehood or omission, may be subject to disciplinary action.

REASON FOR POLICY

The Student Code of Conduct Policy and employee policies in the Employee Handbook prohibit conduct covered by this administrative policy. Further, this policy in part establishes and communicates associated procedures for responding to incidents involving sexual misconduct. The commitment of the entire Tech community to this policy contributes to our goal of creating a campus free from sexual harassment, sexual misconduct, and other forms of gender-based discrimination that may occur within a personal or intimate relationship, as well as prevent a hostile environment.

Peter Phaiah, Ph.D.

Asst. V.P.S.U.R. & Title IX Coord.

New Mexico Tech

21A Brown Hall 575-835-5187 Off. 575-322-0001 Cell. peter.phaiah@nmt.edu titleixcoordinator@nmt.edu

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The Title IX Coordinator can help victims (students and/or employees):

- ⇒ Access medical and mental health treatment.
- ⇒ Report offenses to police.
- ⇒ Report offenses to the Dean of Students/Vice President of University Relations for disciplinary action.
- ⇒ Access victim support resources.
- ⇒ Assist persons in obtaining a University no contact order, a court-issued restraining order, or other lawful order of protection.]

New Mexico Tech encourages anyone who has been the victim of a Title IX Offense to report the incident and report the identities of the person or persons they believe to have committed the offense. The University will conduct an investigation and/or file a disciplinary complaint regardless if criminal charges are made. A criminal investigation and a University investigation may be pursued at the same time. A person charged with sexual misconduct, including acquaintance or date rape, can be prosecuted under New Mexico criminal statutes. Even if the law enforcement authorities choose not to prosecute, the University can pursue disciplinary action. Victim/survivor support and resources are available regardless of criminal charges, University investigations or University disciplinary action.

New Mexico Tech encourages victims of sexual violence to seek support and obtain medical attention. The University will make every effort to be responsive and sensitive to victims of crimes. Protection of victims and prevention of continued trauma is a priority. If a victim of and an accused student live in the same University residence, the option of altering living arrangements will be offered to both parties. Upon request, assistance with any academic concerns will be reviewed and options provided by the Vice President of Academic Affairs or his/her designee. During the disciplinary process, all involved individuals have the right to have an advisor of their choice accompany them throughout the hearing process.

Confidentiality New Mexico Tech encourages victims of sexual violence to talk to somebody about what happened so victims can get the support they need and so the University can respond appropriately. The University recognizes that confidentiality is important. However, complete confidentiality cannot be guaranteed. According to guidance from the Federal Office of Civil Rights, a “responsible employee” has an obligation to report Title IX violations to the University’s Title IX Coordinator. At New Mexico Tech, a “responsible employee” is anyone working directly for the University who has the authority to take action to address sexual violence or whom a student or employee could reasonably believe has the authority or duty of reporting or responding to incidents of sexual misconduct. Therefore, University faculty, administrators and other professional staff who receive information involving known or perceived sexual misconduct must report it to our designated Title IX Coordinator, even if little information is known. To the extent possible, information reported to a responsible employee will be shared only with the Title IX Coordinator. The responsible employee will not share personally identifiable information with Campus Police or other law enforcement without the victim’s consent or unless the victim has also reported the incident to law enforcement.

While the University will make every reasonable effort to protect the privacy of any and all victims, it is important for all New Mexico Tech students and employees to understand that currently the University’s Counseling & Disabilities Office in Fidel is the only location on campus where disclosures of sexual assault may be made confidentially to Interim Director Angela Gautier or her designee. Other individuals who work or volunteer in the Student Health Center/Office of Counseling & Disabilities can generally talk to a victim without revealing any personally identifiable information about an incident to the Title IX Coordinator. A victim can seek assistance and support from the medical personnel and support staff in the Student Health Center/Office of Counseling & Disabilities without triggering a University investigation.

Victims who chose to disclose information related to sexual assault or harassment to Ms. Gautier or her designee may be asked if they would consent to their information to being shared with the Title IX Coordinator and/or Campus Police through normal reporting procedures or anonymously. The purpose for sharing such information is to better protect the community and promote a healthy and respectful culture on campus. Other off-campus resources are available for victims who wish to disclose confidentially, including the Socorro Mental Health clinic. Additional area resources are listed below. A victim who speaks to a professional or non-professional counselor or advocate must understand that, if the victim wants to maintain confidentiality, the University will be unable to conduct an investigation into the particular incident or pursue disciplinary action.

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CONTACTS

Title IX Coordinator 575-835-5187 titleixcoordinator@nmt.edu

AA/EEOC Director 575-835-5005 affirmative-action@nmt.edu

Director of Counseling & Disability Services 575-835-5780 counseling@nmt.edu

NMT Police Department 575-835-5434 dispatcher@nmt.edu

COMMUNITY RESOURCES (This is not an exhaustive list)

Socorro Fire/Ambulance	911	
New Mexico Tech Campus Police	575-835-5434	
NMT Student Health Center	575-835-5094	
NMT Counseling & Disabilities Office	575-835-6619	
Socorro General Hospital	575-835-1140	Emergency Room: 575-835-8370
Socorro Mental Health Clinic, 1200 US Route 60	575-835-2444	
NMT Title IX Coordinator	575-835-5187/	titleixcoordinator@nmt.edu
Socorro County Sheriff	575-835-0941	
Employee Assistance Program	800-348-3232	
New Mexico State Police: District 11-Socorro	575-835-0741	
The National Domestic Violence Hotline	800-799-7233	
National Sexual Assault Hotline	800-656-4673	
New Mexico Coalition of Sexual Assault Programs, Inc. E-mail: nmcsaas@swcp.com	505-883-8020	
Albuquerque Rape Crisis 1025 Hermosa Dr. SE Albuquerque, NM 87108 E-mail: www.rape-crisis.org	505-266-7711	
Sexual Assault Nurse Examiners (SANE) 625 Silver, SW - 2nd Floor, ABQ, NM 87102	505.883.8720	
Emergency SANE Contact: http://abqsane.org/	505.884.7263	

Free Services Provided:

- ⇒ Protect sexual assault or domestic violence survivor from further harm
- ⇒ Treatment for sexually transmitted infections • Evaluate pregnancy risk and offer prevention
- ⇒ Assess, document and provide care for injuries • Appropriate referral for immediate and follow-up counseling and medical care
- ⇒ Timely, thorough and professional forensic evidence collection, documentation & preservation
- ⇒ Photo document injuries
- ⇒ Testimony in court of law if needed
- ⇒ Follow-up care, education & resource referral

Sexual Misconduct Reporting Procedures

If you or someone you know has been sexually assaulted or harassed, please consider telling someone what happened:

- Notify New Mexico Tech Campus Police at: 575.835.5555; CamPo is located in the Student Activities Center (SAC).
- Notify Tech's Vice President for Student University Relations at: 575.835.5880, office located on the 2nd floor of Brown Hall.
- Notify Tech's Dean of Graduate Studies at 575.835.5513; office located on the 2nd floor of Fidel, Room 280.
- Notify Tech's Human Resources Director (work-related incidents) at: 575.835.5955; 1st floor of Brown Hall.
- Notify Tech's Interim Title IX Coordinator _____ Office of Residential Life.
- Notify a Residential Life Coordinator, a Resident Assistant (RA), or talk to a trusted professor or administrator.
- Talk with a Provider or Counselor at the Student Health and Counseling & Disability Services Center, 1st floor Fidel: 575.835.5094 (health center) /575.835.6619 (counseling and disability services). *Please note, almost all NMT employees have been designated "responsible employees" as defined by the U.S. Department of Education's Office of Civil Rights. NMT faculty and most staff (including RAs) are therefore obligated to report any known information regarding sexual assault or discrimination to our Title IX Coordinator. Confidential support services are available at the Student Health and Counseling & Disability Services Center.*

NMT's PROCESS & OPTIONS FOR STUDENTS

Option 1.

Pursue internal (University) disciplinary action.

- Reporting options and support will be explained by the Title IX Coordinator.
- Legal options can be explained in detail by NMT Campus Police.
- The Vice President for Student University Relations or Dean of Graduate Studies and the Title IX Coordinator will explain NMT's student conduct process, options and support.
- Federally mandated notice may be sent to campus community by Campus Police. * *Name(s) of complainant(s) won't be disclosed.*
- Physical evidence can be collected by police.
- All relevant witnesses can be interviewed by police and Title IX Coordinator.
- Investigation can take several days to several weeks, based on circumstances.
- Upon completion of the investigation, reports are forwarded to the Vice President for Student University Relations or Dean of Graduate Studies for follow-up and possible adjudication.
- Vice President for Student University Relations or Dean of Graduate Studies receives investigation reports and witness testimony in regards to the charges pending.
- Victims, suspects, and witnesses are notified of any University adjudication.
- Complainants and respondents are equally entitled to have others present during any University disciplinary proceeding.
- Both the complainant and the respondent shall be informed of the outcome of any institutional disciplinary proceeding brought alleging sexual misconduct or gender discrimination.

Option 2.

Pursue criminal charges

- Investigation is conducted by NMT Campus Police.
- Upon completion of the investigation, 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.
- Internal University judicial and criminal adjudication processes occur independently.

Option 4.

Report assault, but choose not to pursue charges at present time

- Reporting options and support will still be explained by the Title IX Coordinator.
- A "no contact order" may be issued between complainants and suspect (if known).
- 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.
- ✚ Complainant may elect to continue with the process or stop at any time.
- ✚ Complainant may choose not to participate in the formal process and instead decide to approach a counselor.

*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.

Crime Alerts are usually posted for the following crimes: arson, aggravated assault, homicide, robbery, and sex offenses. Crime alerts may also be posted for other classifications as deemed necessary. Crime Alerts are posted through electronic mail and the posting of bulletins at various locations on campus when a crime has occurred and there is a possibility that an outstanding suspect could pose a danger to the campus community.

Preventing and Responding to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Dating violence, domestic violence, sexual assault, and stalking are serious concerns on college campuses throughout the country. To address these issues, the University provides orientation to incoming students and new employees with information intended to prevent rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking before it occurs through the changing of social norms and other approaches. The information comprises definitions and a clear statement that the University prohibits such acts. Additionally, training and materials are provided defining consent, options for bystander intervention, risk reduction, and our policies and procedures for responding to these incidents. Ongoing prevention and awareness campaigns are offered throughout the year. These programs include the New Student Orientation Program, "It's On us" campaign, Make Your Move! End sexual violence Posters distributed throughout the campus, consent descriptions, bystander and CSA training.

In addition, the University also provides services for individuals who have been impacted by dating violence, domestic violence, sexual assault, and stalking and accessible, prompt, and equitable methods of investigation and resolution for those students who report instances of dating violence, domestic violence, sexual assault, and stalking.

Workplace Violence

New Mexico Tech expects and requires all employees to use common courtesy and engage in safe and appropriate behavior at all times while on the job, on New Mexico Tech property, or representing New Mexico Tech away from the job. Any involvement in physical violence, threats or provocative remarks that are intended to incite violence are unacceptable. Employees engaging in such activities are subject to immediate and severe disciplinary action up to and including termination.

An employee's actions may indicate signs of losing control that could lead to impending violence. Employees who are targets of workplace violence or who observe violent acts should follow these procedures:

- ⇒ Notify your supervisor immediately. All acts of violence, physical and verbal, should be reported. Your supervisor will contact campus police if the situation dictates that such action is necessary.
- ⇒ If your supervisor is not available, call campus police at x5434. Explain the situation to the dispatcher who will determine if further emergency care is required.

Campus Sex Crimes Prevention Act

The Campus Sex Crimes Prevention Act (section 1601 of Public Law 106-386) is a federal law enacted on October 28, 2000, that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus.

The Act amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act to require sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

It also mandates that state procedures ensure that this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and that it is entered into appropriate state records or data systems.

A listing of all registered sex offenders in the state of New Mexico is maintained by the New Mexico Department of Public Safety

This information is available online at <http://www.dps.state.nm.us/index.php/lerb/>

Explanation of How Crime Statistics Are Compiled

The statistics contained in this report include crimes on campus and crimes in adjacent public areas, are collected by the New Mexico Tech Campus Police Department and are based on crimes reported directly to Campus Police and other local police agencies.

In preparation for annual reporting, persons with significant responsibility for student and campus affairs, including disciplinary affairs (known as Campus Security Authorities), are surveyed for knowledge of crimes that may not have been reported to law enforcement. These individuals include Deans of Students, Residence Life Coordinators, administrative heads of student groups, and Student Affairs personnel.

Crimes that are reported to law enforcement and included in the statistical report are classified by what is referred to as "Clery Geography." The three distinct classifications are "on campus," "non-campus," and "public property." The following are definitions for each classification

- ⇒ On Campus: (1) Any building or property owned or controlled by an institution within the core campus (same reasonably contiguous geographic area) and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as food or retail vendor).
- ⇒ Non-campus: (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- ⇒ Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Crimes that occurred in residence halls are reported both in the "On Campus" category and in the "Residence Hall" category. Thus, "Residence Hall" is a subset of "On Campus."



Definitions of Clery Reportable Offenses

The following definitions of reportable crimes are taken from the FBI UCR Handbook and the National Incident Based Reporting System (NIBRS), which may differ from the definition of comparable crimes under the New Mexico State Statute or University discipline policies.

The Clery Act also requires reporting of hate crimes incidents in the defined categories where the evidence suggests the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, gender identity, national origin, or disability.

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 a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

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.

Burglary: The unlawful entry of a structure to commit a felony or theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or felony, breaking and entering with intent to commit a larceny, house-breaking, safecracking, and all attempts to commit any of the aforementioned acts.

Clery Geography: See p. 17.

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 the relationship is determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence: Felony or misdemeanor crimes 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 a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the applicable domestic or family violence laws, or by any other person against an adult or youth victim who is protected from that person's acts under the applicable domestic or family violence laws.

Drug Abuse Violations: Violations of state and local laws 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 (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, benzedrine).

FBI Uniform Crime Reporting Program: The FBI's UCR program serves as the basis for the definitions of crimes that are reportable under the Clery Act.

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.

Hate Crimes: Any crime that manifests evidence that the victim was intentionally selected because of the victim's actual or perceived race; religion; gender; sexual orientation; national origin; ethnicity; religion, gender identity, or disability.

This includes murder and non-negligent manslaughter, negligent manslaughter, rape, statutory rape, incest, fondling, robbery, aggravated assault, burglary, motor vehicle theft, arson, and also larceny-theft, simple assault, intimidation, and destruction/damage/vandalism.

Hierarchy Rule: The requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense is committed during a single incident, only the most serious offense is to be included in the institution's

Clery Act statistics. An exception to the rule would apply only in cases where a sexual assault and a murder occur in the same incident.

Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Liquor Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person;

Definitions of Clery Reportable Offenses

using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition.)

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joy-riding.)

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter: The killing of another person through gross negligence.

Programs to Prevent Dating Violence, Domestic

Violence, Sexual Assault, and Stalking: A comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, 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 which consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels. These programs to prevent dating violence, domestic violence, sexual assault, and stalking also include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

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.

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.

Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned acts.

In addition to any of the crimes above, the following acts are now reportable as Hate Crimes under the Clery Act, when the evidence suggests the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

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.

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.

Destruction/Damage/Vandalism of Property (Except

"Arson"): 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.



Fire Safety Definitions

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

Fire Drill: A supervised practice of a mandatory evacuation of a building for a fire.

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, faculty, staff, visitors, fire-fighters, or any other individuals.

Fire-related Death: Any instance in which a person 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 who dies within one year of injuries sustained as a result of the fire.

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, including:

- ⇒ sprinkler 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
- ⇒ fire doors and walls that reduce the spread of a 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, including:

- ⇒ contents damaged by fire
- ⇒ related damages caused by smoke, water, and overhaul
- ⇒ but not including indirect loss, such as business interruption



Crime	On-Campus			On-Campus Residence**			Non-campus			Public			Unfounded Cases		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Aggravated Assault	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary : Total	2	2	4	1	1	0	0	0	0	0	0	0	0	0	0
⇒ Forcible	2	2	4	1	1	0	0	0	0	0	0	0	0	0	0
⇒ Non-Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
⇒ Attempted	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses: Total	0	1	1	0	0	1	0	0	0	0	0	0	1	0	0
⇒ Rape	0	0	1	0	0	1	0	0	0	0	0	0	1	0	0
⇒ Fondling	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
⇒ Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
⇒ Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS															
Liquor Law Violations	2	0	3	1	0	3	1	0	0	0	0	0	0	0	0
Drug Violations	4	3	3	2	1	1	2	0	1	1	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-ARREST															
CAMPUS REFERALLS															
Liquor Law Violations	26	10	6	24	10	6	0	0	0	0	0	0	0	0	0
Drug Violations	15	16	5	10	16	5	0	0	0	0	0	0	0	0	0
Weapons Violations	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0

There were no hate crimes reported in 2016,2017, or 2018

**On-Campus Residence crimes are included in the On-Campus numbers.

Fire Systems in Off-Campus Housing

Building	Fire Alarm	Room	Pull Stations	Connected to Operations Center	Sprinkler	Fire	Fire Rated	Fire Drills
		Detection				Extinguisher	Doors	Conducted
MOUNTAIN	Y	Y	Y	Y	N	Y	Y	5
SPRINGS APTS								

Statistics and Related information Regarding Fires in Off-Campus Residential Facilities

[illegible]

Fire Systems in Off-Campus Housing

Building	Fire Alarm	Room	Pull Stations	Connected to Operations Center	Sprinkler	Fire	Fire Rated	Fire Drills
		Detection				Extinguisher	Doors	Conducted
MOUNTAIN SPRINGS APTS	Y	Y	Y	Y	N	Y	Y	5
MRO	Y	Y	Y	Y	Y	Y	Y	0

Statistics and Related information Regarding Fires in Off-Campus Residential Facilities

[illegible]

