

Sexual Misconduct Proceedings

Complainants and respondents (accused) can expect the following in connection with reports submitted to Tech under our Sexual Misconduct policy:

- 1) Prompt and fair resolution of prohibited conduct reports.
- 2) Privacy in accordance with this policy and law.
- 3) Information about applicable support and advocacy resources.
- 4) Protection from retaliation (see next panel) as defined in this policy.
- 5) Timely notice of any meeting or proceeding.
- 6) Timely and equal access to information that will be used after the investigation and during disciplinary meetings and hearings, where available.
- 7) Receipt of periodic updates, and updates upon request, on the status of the investigation and adjudication procedures.
- 8) An explanation of the timeline for completion of the investigation and adjudication procedures, and an explanation of any delays.
- 9) Contact from the University after the investigation is concluded to determine whether additional supportive measures are needed.
- 10) Proceedings that are conducted by individuals who:
 - a) do not have a conflict of interest or bias;
 - b) receive annual training that protect the safety of the parties; and
 - c) treat all participants with dignity
- 11) To not be required to resolve prohibited conduct concerns directly through mediation.
- 12) A written explanation of applicable resources for complainant, and the opportunity to discuss those resources.

Complainant's Rights Quick Guide

You have a right to:

- Seek medical treatment
- Request accommodations or protective measures
- Report an incident confidentially
- Report an incident to the University or law enforcement
- Decline to report an incident to the University or law enforcement
- An adequate, reliable and impartial investigation
- Have an advisor of your choice present throughout any University proceedings
- Receive updates on your case periodically and by request
- Be protected from retaliation
- Receive information on resources for personal support

Title IX Coordinator, Peter Phaiah

Brown Hall, Room 21A

575-835-5187 titleixcoordinator@nmt.edu.

More information on New Mexico Tech's Sexual Misconduct Policy and Complainant's rights can be found here on **Tech's Title IX website**: <http://www.nmt.edu/titleix/index.php>



Complainant's Rights for Gender-based Discrimination/Sexual Misconduct, Stalking, Relationship Violence, and Retaliation Cases



Reporting Options

In an emergency call 911

CONFIDENTIAL REPORT

Office of Counseling and Disabilities
1st floor in Fidel, enter through NW side of building
575-835-6619

REPORT TO THE UNIVERSITY

Title IX Coordinator, Peter Phaiah
Brown Hall, Room 21A
575-835-5187

titleixcoordinator@nmt.edu

TECH'S ONLINE SEXUAL MISCONDUCT REPORTING FORM

[https://cm.maxient.com/
reportingform.phpNewMexicoTech&layout_id=1](https://cm.maxient.com/reportingform.phpNewMexicoTech&layout_id=1)



REPORT TO LAW ENFORCEMENT

[New Mexico Tech Police](#)

**Emergency Number: Extension 5555 or 911 (on campus phones)
575-835-5555 (off campus or cell)**

Non-emergency: 575-835-5011
(Off Campus or by Cell) or Extension 5434 or "0" (on campus)

[Socorro Police](#)

**Emergency Number: 9- 911 (on campus phones)
911 (off campus or cell)**

Non-emergency: 575-835-4222

Individuals may request assistance in making a report and may participate in a criminal process, a university process, both, or neither. Individuals can decline to notify law enforcement and are not required to participate in any legal or university process, even in situations where the University may need to proceed without the individual's participation.

Preserving Evidence

Please take care to preserve evidence that may assist in showing that the reported misconduct occurred or obtaining a protective order. For example, preserve relevant e-mails, texts, photos, and other types of evidence. You have up to 120 hours (5 days) to get a free medical forensic exam for evidence collection at any hospital emergency department or Sexual Assault Nurse Examiners (SANE). If you are considering making a police report or getting a forensic exam, save your clothes and sheets in a paper bag and do not shower.

Accommodations or Protective Measures

You have the right to request accommodations or interim protective measures, such as changes to your academic, living, transportation and working situations. To obtain accommodations or protective measures, contact the Title IX Coordinator or the appropriate departments or individuals.

Resources for Personal Support

[Employee Assistance Program](#) (confidential professional consultation and referral services to address employees' personal or work concerns)
800-348-3232 or 505-816-6790

[Student Health Center](#) (confidential),
1st floor Fidel: 575-835-5094 (x-5094 on-campus)

[Counseling & Disability Services](#) (confidential),
1st floor Fidel: 575-835-6619 (x-6619 on-campus)

[The National Domestic Violence Hotline](#) 800-799-7233

[National Sexual Assault Hotline](#) 800-656-4673 Emergency SANE
Contact: 505-884-7263, <http://abqsane.org/>

[New Mexico Coalition of Sexual Assault Programs, Inc.](#) 505-883-8020,
email: nmcsaas@swcp.com

[Albuquerque Rape Crisis](#), 1025 Hermosa Dr. SE, Albuquerque, NM
87108, 505-266-7711, email: www.rape-crisis.org

[Sexual Assault Nurse Examiners \(SANE\)](#), 625 Silver, SW - 2nd Floor,
ABQ, NM 87102, 505-883-8720,
Emergency SANE Contact: 505-884-7263, <http://abqsane.org/>

[Socorro Mental Health](#): 575-835-2444

[Socorro General Hospital](#) : 575- 835-1140
Emergency Room: 575-835-8370

[Learn to Live](#) (confidential online service to help students with issues related to stress, depression and anxiety)
<https://www.learnolive.com/>

Complainants and respondents have the following opportunities in connection with reports submitted under this policy:

- To express concerns about the proceedings or processes under this policy.
- To offer information, submit evidence, and identify witnesses during an investigation.

Complainants and respondents have the following obligations in connection with reports submitted under this policy:

- To not retaliate against any person as defined in this policy.
- To provide truthful information in connection with any report, investigation, proceeding or resolution under this policy.

Confidentiality

The University will honor requests for confidentiality except where reporting is required by law (e.g. child abuse and neglect). Any report of gender-based discrimination, which includes sexual harassment, sexual misconduct, and sexual violence made to a faculty member, administrator, professional staff, supervisor, TA, or RA must be reported to NMT's Title IX Coordinator. **To speak with a counselor confidentially, contact the Office of Counseling and Disabilities in Fidel (575-835-6619).** Please be aware that if you choose to pursue charges through the University, maintaining confidentiality may limit the effectiveness of the investigation and adjudication processes.

Retaliation

The University prohibits retaliation. Retaliation occurs when someone engages in intimidation, harassment, reprisal or other harmful action against another for making a report, participating in an investigation, or expressing opposition to misconduct. As a complainant, you are both responsible for not retaliating against others for their participation in the investigation and protected from someone retaliating against you because you have made a report and participated in an investigation. To prevent retaliation, we advise that you be cautious about sharing information about the investigation with others. We also advise you to not contact the respondent unless such contact is necessary to complete your normal employment or academic work. We know that many complainants worry that they will experience retaliation. If you experience possible retaliation, please inform the Title IX Coordinator (575-835-5187 or titleixcoordinator@nmt.edu) right away so that we can address the situation appropriately.