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NMT Grievance Procedures Summary to Resolve Sexual Misconduct and Title IX Prohibited Conduct

Grievance, disputes, and complaints arise in every community and the University community is no exception. When there is a complaint of a student or employee violation of the University's Sexual Misconduct Policy or Title IX prohibited conduct, the University will take steps to help stop the prohibited conduct, prevent its recurrence, implement supportive measures, and remedy the issues at hand.

Depending on the type of prohibited conduct reported, its location, who was involve, and a few other variable will determine which grievance procedure and pathway it will follow to resolve the complaint. If the complaint does not fall under Title IX jurisdiction, the University will refer the case to the appropriate grievance process within the University (e.g., Employee Handbook, Student Code of Conduct, etc.).

Regardless of the grievance procedure utilized, New Mexico Tech follows due process that provides a neutral and unbiased investigation, a Support Person for each Party, an informal resolution option, a formal hearing, and an appeal process if needed. The grievance procedures are designed to be prompt and equitable to resolve the complaints The University utilizes the Preponderance of the Evidence Standard for resolving a complaint of this policy. The standard procedures are impartial and provide the opportunity for both the Complainant and Respondent to make statements, call witnesses, and present evidence. Each party has the right to be notified of all of their meetings, the outcome of any University disciplinary or grievance proceeding concerning a complaint.

For more details of this related grievance process see the NMT Title IX Resolution Procedures. Below is an outline of the various steps of this grievance procedure:

I. Reporting Title IX Prohibited Conduct
   A. What to Report
   B. Where to Report
   C. Mandatory Reporters
   D. Confidential Resources
   E. When to Report
   F. How to Report

II. Resolution Procedures
   A. Receipt of an Initial Report of Title IX Prohibited Conduct
   B. University's Response to a Report or Complaint of Title IX Prohibited Conduct or Consent to Investigate
   C. Rights and Responsibilities of the Parties and Witnesses
   D. Informal Resolution Option
   E. Investigation
   F. Post-Investigation Options
   G. Pre-Hearing Process

H. Hearing
I. Appeals of the Hearing Panel's Decision

III. Additional Information
A. Retaliation and Intimidation
B. Process for Evaluating Requests for Disability Accommodations
C. Appendix A: Definitions
D. Appendix B: Remedies and Sanctioning Guidelines
E. Appendix C: Timeframes for Title IX Procedure
F. Appendix D: Reporting Findings to National Science Foundation (NSF)

Additional Resources:

NMT Sexual Misconduct Policy

Tech's Title IX Website

Sexual Misconduct Reporting Options and Procedures

Sexual Misconduct Reporting Options and Procedures (Spanish Version)

Title IX & Sexual Misconduct Reporting Form

