

NMT Sexual Misconduct Reporting Options & Procedures

If you or someone you know is a victim of sexual misconduct, including sex-base harassment (e.g. sexual assault, intimate partner violence, stalking), or other forms of sex discrimination, please consider telling someone what happened and obtaining available resources and support:

- Notify New Mexico Tech Campus Police at (575) 835-5555; Campus Police Department is located in the Student Activities Center (SAC).
- Notify Tech's **Title IX Coordinator (T9C)** at (575) 835-5953 or (575) 322-0001; Fidel Student Center 238 (titleixcoordinator@nmt.edu)
- Notify Tech's Dean of Students (DOS) at 575-835-5548: Fidel 241.
- Notify Tech's Dean of Graduate Studies (DGS) at (575) 835-5513; Fidel 280.
- Notify Tech's Human Resources Director (HRD) for employees and work-related incidents at (575) 835-5955; Brown Hall 118D.
- Notify Tech's Affirmative Action/Equal Employment Opportunity Commission (AA/EEOC) at (575) 835-5005; Cramer Hall, Room 115.
- Notify a Residential Life staff member (575) 835-5900, or Resident Assistant (RA).
- Notify an instructor, teaching assistant, advisor, supervisor or any Tech employee.
- Complete and submit Tech's online [Sexual Misconduct & Title IX Reporting Form](https://cm.maxient.com/reportingform.php?NewMexicoTech&layout_id=1) (https://cm.maxient.com/reportingform.php?NewMexicoTech&layout_id=1)
- Contact the NM Sexual Assault Program 505-883-8020.
- **Talk Confidentially** to one of Tech's Confidential Employees such as an Ombudsman, a Counselor at the NMT Counseling Center (575-835-6619) or Health Care Providers at the NMT Student Health Center (575-835-5094). Both centers are located together in a suite on the 1st floor of Fidel Student Center, Suite 151. The suite entrance is on the exterior NW corner of the building.

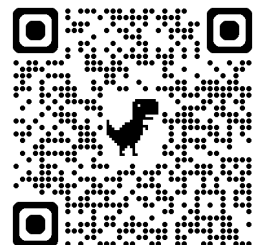


***Please note-** In order for New Mexico Tech to officially respond to a report or complaint of Sexual Misconduct, the Title IX Coordinator (T9C) or campus police must be informed of the incident. All employees, except for Confidential Employees listed above are considered Mandatory Reporters who are obligated to report any known or perceived sexual misconduct or sex discrimination to the University's T9C even if little information is known. Names and specific details of a report to the T9C will remain private and only disclosed with the permission of the complainant/victim, except as a need to know basis or when the laws pertaining to minors and vulnerable adults apply.*

Students and Employees Options and Procedures

Option #1- Pursue internal (University) grievance process.

- Tech has one [Sexual Misconduct Policy](#) and a few different procedures to resolve related situations depending the alleged behavior and the status of parties involved. Some incidents may not fall under federal Title IX jurisdiction, however, the University has other processes in place to resolve incidents of alleged prohibited conduct. The T9C, HRD, and AA/EEOC can explain those procedures.
- Reporting options, support, and [Complainant's Rights](#) will be explained by the T9C.
- The T9C can explain NMT's resolution process, parties' rights, options, resources, and support.
- Physical evidence can be collected by police.
- All relevant witnesses can be interviewed by trained Title IX staff, AA/EEOC or a police officer.
- An investigation can take several days to several weeks, based on circumstances. Parties will be updated.
- Upon completion of the investigation, a report will be shared with the parties and reviewed by an Administrative Adjudicator, or a Hearing Panel for a formal resolution or the matter can handle by an



informal resolution process if agreed upon by the parties.

- Parties are notified of any University allegations, investigations, needed meetings, hearings, resolution decisions, appeals, resources, and support.
- Tech refers to the party impacted (i.e. victim) by the incident/behavior as the Complainant and the alleged party (i.e. perpetrator) as the Respondent. Here are the [Respondent's Rights](#).
- Complainants and Respondents are equally entitled to have one (1) advisor/advocate present to support them during any University interviews or disciplinary proceeding.
- Both the Complainant and the Respondent shall be informed of the outcome of any institutional disciplinary proceeding alleging sexual misconduct.
- If either party disagrees with the finding of the formal grievance process, they have a right to request an appeal.
- Parties may also agree to have the matter resolved through an informal grievance process.
- The T9C can help establish a “No Contact Order” or other interim preventative measures or accommodations until the matter is resolved.

Option #2- Pursue criminal charges

- In some incidents a Complainant does not want the incident resolved by the University, but prefers NMT campus Police or law enforcement handle the case.
- Legal options can be explained in detail by NMT's T9C or Campus Police.
- These investigations are conducted by NMT Campus Police or in conjunction Socorro PD.
- Upon completion of the investigation, a report is forwarded to the Socorro County District Attorney for possible prosecution for criminal charges.

Option #3- Pursue both internal and criminal charges

- The process outlined in Option 1 & 2 occur simultaneously. Tech may be asked to temporarily delay its investigation until some initial work can be completed by the police.
- Internal University judicial and criminal adjudication processes occur independently.

Option #4- Report incident/assault, but choose not to pursue charges at present time

- Reporting options and support will still be explained by the Title IX Coordinator.
- Complainants can change their mind and pursue charges at a later day. Please be aware if you delay to pursue the case internally, some of your options may be reduced.
- Some protective measures (e.g. campus “No Contact Order”) may be issued between the complainant and respondent/suspect.
- Some work, housing, classroom, and other accommodations can be provided.
- Depending on the report, the related crime will be reported in Tech's crime log and statistic records as mandated by the federal Clery Act. *Name will remain anonymous.*

Important Considerations

- Counseling is strongly encouraged in all cases. Employees have access to EAP.
- Medical treatment is recommended as appropriate.
- Complainants may elect to continue with the process, stop at the current time, or initiate the process at any time as long as the Respondent is still associated with Tech at the time.
- Complainants may choose not to participate in the process and instead decide to approach a counselor.
- Contact Tech's T9C or review [Tech's Title IX Website](https://www.nmt.edu/titleix/index.php) (<https://www.nmt.edu/titleix/index.php>) for additional details.
- Contact the New Mexico Crime Victims Reparations Board at 1-800-306-6262 to determine if you are eligible for assistance with financial losses due to the crime.

