THE UNIVERSITY OF NEW MEXICO – GALLUP

ANNUAL CLERY REPORT

2022

Purpose of the Annual Security and Fire Safety Report (ASFSR):

The Clery Act requires all colleges and universities across the country to publish an annual safety report by October 1 of each year. This report informs their respective campus community of Clery reportable crime statistics for the past three years and contains institutional policies and programs that pertain to sexual misconduct, safety and crime prevention. Doing so informs the entire University of New Mexico Gallup community, including current and prospective faculty, staff and students of what safety features UNM-Gallup has to offer and what Clery Crime Statistics have been reported at UNM-Gallup. The Annual Security and Fire Safety Report (ASFSR) is published and distributed by UNM-Gallup via e-mail to all current faculty, staff and students each year, as part of the requirements of the Clery Act. The ASFSR can also be found on the UNM-Gallup Campus Police Web Page, via the campus safety link: https://www.gallup.unm.edu/campuspolice/. The ASFSR is also available in print form from the UNM-Gallup Campus Police Office at 705 Gurley Avenue, Gallup, NM 87301, upon request.

Preparing the ASFSR:

Each year the ASFSR for UNM-Gallup Campus is prepared by the UNM-Gallup Director of Student Affairs with assistance of the UNM-Gallup Police Department. Through the efforts of these individual entities, an annual review of the following is used to put together UNM-Gallup's ASFSR:

- A review of applicable policies that are required as part of the ASFSR;
- An inventory of crime prevention and educational programming efforts that are offered by UNM-Gallup for the campus community;
- A review of the reporting avenues for the UNM-Gallup Community to report crimes to at UNM-Gallup.
- A reconciliation and review of the Crime Statistics that are required to be entered as part of the ASFSR;

Additionally, the UNM Clery Act Compliance Officer will keep updated with any new initiatives or compliance information to be placed in the ASFSR, as stated by the U.S. Department of Education.

Compiling Crime Statistics and Crime Reporting

The Crime Statistics that are included in this report are reported through one of the following areas for UNM-Gallup Campus:

- UNM-Gallup Police Department
- Campus Security Authorities (CSAs) who handle the majority of conduct referrals at UNM-Gallup
- Campus Surveys are sent on an annual basis to all CSAs and law enforcement officials (according to UNM's Clery Geography), as determined by the Clery Act Compliance Officer, UNMGPD and the Clery Committee. CSAs generally would include the following:
    - Any individual or individuals who have responsibility for campus security, but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
    - Any individual or organization specified in an institution's statement of campus security policy

as an individual or organization to which students and employees should report criminal offenses.

• An official of an institution who has significant responsibility for student and campus activities, such as:

- Dean of Students/Director of Student Affairs
- Director of Business Operations
- Dean of Instruction

The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many people, students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals.

Examples of individuals who DO NOT meet the criteria for being campus security authorities include a faculty member who does not have any responsibility for student and campus activities beyond the classroom, clerical staff, custodians and maintenance personnel and cafeteria staff.

Where should UNM-Gallup Community Members Report Clery Crimes?

It is preferred that UNM-Gallup students who are the victim of, or witness to, any crime on the UNM-Gallup campus accurately and promptly report incidents to UNM-Gallup Campus Police (505-863-7620). You can also report to one of our Anonymous/Statistical Reporting Sites, which include:

LoboRespect Advocacy Center, the LGBTQ Resource Center and the Women's Resource Center (WRC) – These centers are designated advocacy and support sites for those students who have experienced all types of crimes or violence including sexual misconduct. Students who utilize these centers may talk with anonymity to individuals employed at these centers. However, these centers will report the nature, date of report and general location of the incident to the Clery Act Compliance Officer in the Office of Equal Opportunity. These centers are housed on the UNM main campus in Albuquerque.

It is preferred that UNM-Gallup faculty and staff who are the victim of, or witness to, any crime on the UNM-Gallup Campus to accurately and promptly report incidents to UNM-Gallup Campus Police (505-863-7620). UNM –Gallup faculty or staff can also report an incident to the:

- Office of Equal Opportunity (OEO) (505-277-5251) - All members of the UNM community including faculty, staff, students and visitors can report hate crimes, sexual misconduct, stalking, domestic violence, dating violence and other discrimination-based incidents to any professional staff member with OEO.

However, UNM-Gallup also encourages all faculty, staff and students who are the victim of, or witness to, any crime on the UNM-Gallup Campus to accurately and promptly report incidents to:

- UNM-Gallup PD (505-863-7620) – All members of the UNM community including faculty, staff, students and visitors can report crimes to the UNM-Gallup PD.
- To your local police department if you are not located on the UNM-Gallup Campus.
- Office of Equal Opportunity (OEO) (505-277-5251) - All members of the UNM-Gallup community including faculty, staff, students and visitors can report hate crimes, sexual misconduct, stalking, domestic violence, dating violence and other discrimination-based incidents to any professional staff member with OEO.

- Dean of Students Office (505-863-7522) All members of the UNM-Gallup community including faculty, staff, students and visitors can report crimes to the Student Conduct Officer or Dean of Students.
- Faculty/Staff Advisor of a Student Group – Students can report crimes to their faculty advisor to their student group.

Anonymous, Confidential and Voluntary Reporting:

We encourage all individuals to report crimes, however, when the victim or witness of a crime on the UNM-Gallup campus elects to or is unable to make such a report to the UNM-Gallup PD or their respective law enforcement agency, but wants it included as a statistic in the ASFSR can voluntarily make a confidential report by using one of the following reporting avenues below:

Anonymous, Confidential and Voluntary Reporting Sites

A person who reports a Clery crime to a counselor will not have that information shared beyond the counselor, unless there is a health and safety issue that legally permits sharing beyond a counselor:

- Student Health and Counseling (SHAC) - Professional counselors with UNM's SHAC are not CSAs, so that crime reports made to counselors by UNM-Gallup students are not disclosed by the counselor to the UNM-Gallup PD or the Clery Act Compliance Office for inclusion in the annual disclosure of crime statistics. Professional counselors with SHAC are required, when informed about crimes involving students, to inform the student being counseled of the procedures for reporting crimes to law enforcement or for reporting crimes voluntarily and confidentially to a campus security authority office or to the Office of Equal Opportunity (OEO).
  Phone Number: (505)277-3136 Website: (http://shac.unm.edu)

- Counseling and Referral Services (CARS) – Professional counselors with UNM's CARS are not CSAs, so that crime reports made to counselors by staff or faculty are not disclosed to the UNM-Gallup PD for inclusion in the annual disclosure of crime statistics.
  Phone Number: (505)272-6868 Website (https://cars.unm.edu)

Anonymous, Confidential and Voluntary Statistical Reporting Only Sites

A person who voluntarily reports Clery crimes to one of the following areas will only have de-identified information shared with the Clery Act Compliance Officer-meaning your name will not be reported unless you would like it reported:

The following centers are designated advocacy and support sites for those students who have experienced all types of crimes or violence including sexual misconduct. Students who utilize these centers may talk with anonymity to individuals employed at these centers. However, these centers will report the nature, date of report and general location of the incident to the Clery Act Compliance Officer in the UNM Compliance Office.

- **LGBTQ Resource Center –** Phone Number: (505)277-5428 Website: https://lgbtqrc.unm.edu
- **LoboRESPECT Advocacy Center –** Phone Number: (505)277-2911 Website: https://loborespect.unm.edu/
- **Women's Resource Center –** Phone Number (505)277-3716 Website: https://women.unm.edu

The following department is designated for faculty and staff who have experienced all types of crimes or violence, including sexual misconduct. Faculty and staff who utilize this department may talk with anonymity to individuals employed in this department. However, these centers will report the nature, date of report and general location of the incident to the Clery Act Compliance Officer.

- UNM Ombuds Office – Ombuds Services supplements existing compliance and formal reporting channels by offering a place where faculty and staff can talk privately about building communication and collaboration. They provide a variety of informal services to assist employees in preventing and/or resolving any workplace conflicts efficiently and effectively. They work with faculty and staff and their supervisors or coworkers. They listen respectfully and emphasize collaboration and fair consideration of all sides of an issue. Phone Number: (505)277-2993 Website http://ombudsforstaff.unm.edu/index.html

Confidential and Voluntary On-Line or Telephone Reporting Sites

Should the information from one of the three online or telephone reporting sites have enough detail that it is a Clery reportable crime, then this de-identified information will be shared with the Clery Act Compliance Officer by UNMPD or via one of the investigative agencies that handles EthicsPoint reports.

- UNMPD's Anonymous Tip or Incident Form by going to the following website: https://police.unm.edu/default.aspx?MenuItemID=155&%20MenuGroup=Public+Home
- EthicsPoint by calling 1-888-899-6092 or by going to the UNM Compliance Hotline website at https://secure.ethicspoint.com/domain/media/en/gui/42682/index.html

Not Reporting Crimes:

- Victims of crimes have the right not to report crimes to the local authorities or other departments, however UNM-Gallup encourages all victims of crimes to accurately and promptly report the incident to one of the Advocacy Centers or to either SHAC if you are a student or to CARS if you are an employee of UNM. We encourage the UNM community to reach out to one of these areas, so that you can get the assistance you need, find out about the UNM resources and to understand more about the investigative process, should you elect to have the incident investigated.

Crimes that must be reported are:

- Murder and Non-negligent Manslaughter
- Negligent Manslaughter
- Sex Offenses (Rape, Fondling, Incest, Statutory Rape)
- Robbery
- Aggravated assault
- Burglary
- Motor Vehicle Theft
- Arson
- Liquor Law Arrests
- Liquor Law Referrals for Disciplinary Action
- Drug Law Arrests
- Drug Law Referrals for Disciplinary Action

- Weapons Violations
- Dating Violence
- Domestic Violence
- Stalking

All Hate Crimes noted by category of bias (race, gender identity, religion, sexual orientation, ethnicity, national origin or disability), which include the following:

- Murder and Non-negligent Manslaughter
- Negligent Manslaughter
- Sex Offenses (Rape, Fondling, Incest, Statutory Rape)
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Larceny – Theft
- Simple Assault
- Intimidation
- Destruction, Damage or Vandalism to Property

Reporting to and Overview of the UNM-Gallup Police Department

All UNM-Gallup police officers are required to meet state certification standards mandated by the New Mexico Department of Public Safety. UNM-Gallup police officers are commissioned by the UNM Board of Regents (Section 29-5-2 NMSA 1978). They have full power of peace officers on campus, including the authority to enforce all applicable laws, ordinances and campus traffic regulations, and the authority to arrest.

The UNM-Gallup Police Department investigates complaints of on-campus criminal activity, working closely with the McKinley County Judicial District Attorney's Office to ensure effective prosecution. By statute, New Mexico State Police already has jurisdiction to enforce state laws within the entire state of New Mexico, which includes the UNM-Gallup.

In an emergency, you may dial 911 or 505-722-2002 (McKinley County Metro Dispatch). The 911 system automatically traces the location of all calls, which enables officers to respond even when a caller cannot provide the location. If you dial 911 from a campus telephone, the call will be received by McKinley County Dispatch Authority. Outside of the Gallup area, you will reach the appropriate law enforcement agency where the 911 system is utilized.

UNM-Gallup Police Department encourages faculty, staff and students who are the victim of, or witness to, any crime on the UNM-Gallup Campus to accurately and promptly report the incident to the UNM-Gallup Police by calling 505-863-7620. Crimes committed off the UNM –Gallup Campus should be reported to the appropriate police agency (Gallup Police Department, McKinley County Sheriff's Department, etc.). Under New Mexico law, the original entry police report must be made available for review upon request by a member of the public. Supplemental police reports detailing the investigation, and including the names of the accused, and witnesses are not available for public inspection during the course of the police investigation. Following the closure of the police investigation, the UNM-Gallup PD maintains confidentiality of the information in the supplemental police reports to the extent allowed by law.

Daily Crime Log:

UNM-Gallup PD maintains a Daily Crime Log of all crimes reported on the UNM-Gallup campus; this log includes:

- Date/Time Crime was Reported
- Date/Time Crime Occurred
- Incident Type
- Location of Incident
- Disposition

The information in this daily log will not include any personal identifying information about the victim.

This information is public and can be found on the following webpage:
https://www.gallup.unm.edu/campuspolice/

Off Campus Students and Student Organization Reporting of Crimes

There are a number of recognized student groups at UNM-Gallup. At some point during the year, virtually all of the recognized student groups hold some type of meeting or event at an off-campus venue. Off-campus law enforcement, should it be needed, would fall to the police agency that has primary jurisdiction.

When a UNM-Gallup student is involved in an off-campus offense, the law enforcement agency that has primary jurisdiction handles the case. UNM-Gallup PD may assist with an off-campus investigation if asked to do so by the local, county, state or federal agency that has primary jurisdiction. The Gallup Police Department does not routinely notify UNM-Gallup PD of incidents that involve students who live within Gallup Police Department's jurisdiction.

UNM-Gallup PD routinely works and communicates with the Gallup Police Department, the McKinley County Sheriff's Office, The New Mexico State Police, and a variety of federal agencies, both on-campus and in areas within close proximity to the campus.

UNM-Gallup does not operate off-campus housing or off-campus student organization facilities. Many UNM-Gallup students live in off-campus apartments that are within close proximity to the campus. Gallup Police Department has primary jurisdiction in these areas. UNM-Gallup PD responds to incidents that are close to the campus when requested to do so by the Gallup Police Department.

Emergency Notification Processes

UNM-Gallup is required, as appropriate, to issue Emergency Notifications (Alerts) or Timely Warnings (Advisories) to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 (Clery Act). For more information, see UAP 2745 ("Clery Act Compliance").

Emergency Notification (Lobo Alert)

Emergency Notifications (Alerts) notify the campus community of any significant emergency or dangerous situation occurring on campus that involves an immediate threat to the health or safety of students or employees. If the UNM-Gallup PD determines and verifies that a situation is an immediate threat to the health and safety of students or employees, it will notify the Chancellor (or designee) for the campus. The UNM-Gallup Police Sergeant (or designee) and the Chancellor will without delay decide if an emergency notification is warranted and will craft a message that takes into the account the safety of the UNM-Gallup community and determine the content of the notification. This message will include safety precautions to take, where the problem exists and what areas to avoid to keep themselves safe. UNM-Gallup PD, in collaboration with first responders, will make an assessment if only a segment of the campus needs to act and that information will be included within the e-mail notification sent out to all individuals with unm.edu e-mail address. Once the message is determined, the UNM-Gallup Police Sergeant (or designee) and the Chancellor will inform the Communications Director to initiate the Lobo Alert System. The UNM-Gallup Communications Director will notify, as appropriate, the local news media and inform the local community via UNM-Gallup's social media accounts.

UNM-Gallup provides Emergency Notifications (Alerts) to the campus community via text messaging, email and UNM-Gallup's website.

Some examples of Emergency Notifications (Alerts) are:

- Approaching extreme weather
- Armed intruder
- Bomb threat
- Explosion, fire, or gas leak
- Serious health-related outbreak
- Riot
- Terrorist incident

In instances where issuing a notification would compromise efforts to assist a victim, contain the emergency, respond to the emergency, or mitigate the emergency are not subject to the emergency notification requirement.

Enrollment for Lobo Alerts:

All faculty, staff and students are automatically opted into Lobo Alerts. If a student did not provide a cell phone number on their application or changes their cell phone number and would like to receive the text message alerts, they can update their information by going to https://loboalerts.unm.edu/

Community members can sign up for Lobo Alerts by going to https://www.getrave.com/login/unmcommunity

Timely Warning Processes

When a Clery Act crime is committed within UNM-Gallup Clery geography, and the situation poses a serious or continuing threat, the Communications Director, via directive from the UNM-Gallup Police Sergeant (or designee) or the UNM-Gallup Chancellor (or designee) will issue a Timely Warning (Advisory) to promote safety and aid in the prevention of similar crimes on campus. The Timely Warning (Advisory) should include appropriate information as soon as it becomes available, such as location, crime, description of subject (if known), and any other pertinent details. Additional updates may be issued as the situation evolves.

To require a Clery Act Timely Warning (Advisory), an incident must:

- Involve a Clery Act crime;
- Occur within the Clery Geography, which includes:
  - On-campus (buildings on the UNM –Gallup Campus);
  - Non-campus (buildings not reasonably contiguous to the UNM-Gallup Campus, but are leased or owned by UNM-Gallup); and,
  - Public property (public property that is immediately adjacent to the UNM-Gallup Campus).
- Be reported to a campus security authority or local police authority; and,
- Represent a serious or continuing threat to the students and employees on campus. An example would be that the alleged suspect(s) of a Clery related a crime who may still be on campus and
  has not been apprehended, could potentially pose a serious and continued threat to UNM-Gallup.

Once it has been determined that requirements above have been met the UNM-Gallup Police Sergeant (or designee) will notify the Communications Director (or designee) to initiate the Timely Warning Process. Ideally, the determination of a "serious or continuing threat" and the content of the message

is made between the Chancellor, Communications Director, Campus PD and Clery Act Compliance Officer. However, each has the ability to make that determination unilaterally so as not to cause additional delay.

The Timely Warning will be sent out via the UNM Lobo Alert system, which includes an initial text alert sent out to all members of campus, who have not opted out of receiving the text, followed up by an e-mail notification to all individuals who have a unm.edu e-mail address or members of the community who have signed up through the community site. The UNM-Gallup Communications Director will notify, as appropriate, the local news media and social media to inform the community outside of UNM-Gallup.

A Timely Warning (Advisory) might not be issued if it could compromise the apprehension of a suspect.

Emergency and Timely Warning Communication Avenues

UNM-Gallup will utilize the following avenues to convey Emergency Notifications and/or Timely Warning notices:

- UNM E-Mail Alerts – UNM-Gallup will utilize the unm.edu e-mail as an avenue to distribute information to all faculty, staff and students regarding emergency information.
- UNM-Gallup Web Page – UNM-Gallup will also utilize the institution's website as an avenue to distribute information.
- Lobo Alerts – Is the UNM emergency texting system, where information about Emergencies or Timely Warnings will be distributed. All employees and students are automatically enrolled into this system.

Security and Access to the UNM-Gallup Campus:

We strive to make our campus safe by limiting access to buildings after hours. Classroom and other buildings on campus are generally open during regular business hours, when class is in session and for special events. Access to these buildings after hours is only granted to those with key or card access to the respective building. Persons authorized to remain in the building after closing time are required to have proper identification at all times. Police personnel conduct frequent internal and external checks of all buildings on campus.

UNM-Gallup is concerned about the safety/security considerations and maintenance of their campus facilities. Each semester UNM-Gallup performs a Safety Walk, where students, faculty and staff members evaluate the lighting and other safety hazards around the campus. Results of this walk are submitted to the appropriate offices on our campus, so that these offices can work to rectify the issue.

Key UNM personnel, including UNM-Gallup PD are represented on committees that plan new buildings and the security utilized in the planning of those buildings. The UNM-Gallup Physical Plant will respond to safety and security hazards, such as broken windows or lighting concerns. The UNM-Gallup Physical Plant provides building maintenance with work orders being submitted through an online process.

Procedures to follow if a crime of sexual assault, Domestic Violence, dating violence or stalking (sexual misconduct) has occurred

The following information can be obtained in writing from the LoboRESPECT Advocacy Center and through the UNM Sexual Misconduct and Assault Response Team (SMART) Brochure. Additionally, the LoboRESPECT Advocacy Center will assist students through these processes, should they wish to have the assistance.

First Steps to Consider:

- **Get to a safe place**
- **Preserve all physical evidence of the assault, even if you are unsure whether you want to report the crime.**
  - Don't shower or wash clothing
  - Save all text messages, emails, social media postings (taking screenshots can be helpful) or anything else that might relate to the assault, or that might be helpful later in reconstructing a timeline of events.
  - Write down the names of people who might have seen you immediately before or after, as it's easy to forget names or locations.
  - Even if you do not want to participate in the investigative process now, you might later change your mind, so it's helpful to preserve as much information as possible. This also may be helpful in obtaining a restraining order.
- **Obtain a forensic exam**
  - UNM-Gallup PD or the local police authority can provide transportation-even if you do not want to file a police report!
- **Go to a nearby hospital or medical center for medical attention**
- **Call a trusted friend, family member or someone else who can provide emotional support.**
- **Contact a resource center to help you navigate your options**
- **Contact a University Survivor Advocate**

For help 24 hours a day, contact the LoboRESPECT Advocacy Center | (505) 277-2911

Getting Medical Attention:

Gallup Sexual Assault Nurse Examiner (SANE)

- Off Campus. SANE located at Gallup Indian Medical Center or Rehoboth McKinley Christian Hospital
- GIMC: 505.722.1000; RMCH: 505.863.7000
- 24-hour free medical and forensic exams by trained nurses; emergency contraception; treatment for sexually transmitted infection; evidence collection; forensic photography; follow-up services. UNMPD can provide transportation-even if you do not want to file a police report! ***SANE may be able to collect evidence within 5 days of an assault.***

Reporting the Sexual Misconduct (Including Dating Violence, Domestic Violence and Stalking)

Although the university strongly encourages all members of the community (faculty, staff and students) to immediately report sexual misconduct to law enforcement, you have a choice to make such a report, or you can decline to involve the police. Whether or not anonymity is requested, information about sexual violence and misconduct will be treated privately and ***only*** be shared on a need-to-know basis, and as authorized under University policy and applicable federal and state law. However, should you wish to report an incident of Sexual Misconduct, you can review the following chart.

REPORTING INCIDENTS OF CRIMES OF VIOLENCE INCLUDING SEXUAL MISCONDUCT	
Criminal Reporting Options (Should you wish to pursue this incident criminally) If the incident occurred on the UNM Gallup Campus, contact the UNM-Gallup PD – • UNM-Gallup PD can be reached by calling (505) 863-7620 • You may decline to notify law enforcement authorities	**Administrative/Disciplinary Reporting Option** (Should you wish to pursue administrative/ disciplinary complaint) Contact the Office of Equal Opportunity (OEO) at (505)277-5251 or by e-mail at oeounm.edu • OEO only investigates incidents and does not sanction • You may decline to notify OEO
Anonymous Reporting and Advocacy Options (If you are unsure you would like to pursue this administratively or criminally and want to find out your options)**. These resources can help you to do the following:** • LoboRESPECT Advocacy Center: (505) 277-2911 (All UNM Students) • LGBTQ Resource Center: (505) 277-5428 (All UNM Students) • Women's Resource Center (WRC): (505) 277-3716 (All UNM Students) • UNM Ombuds Services: (505) 277-2993 (All UNM Faculty and Staff)	**Counseling and Medical Reporting Options** (For medical assistance, counseling and examinations): • Counseling and Referral Services (CARS) (505)272-6868 (Counseling for Faculty and Staff) • Sexual Assault Nurse Examiner: (505)884-7263 (Examinations for cases of Sexual Violence for the entire UNM Community) • Student Health and Counseling: (505) 277-3136 (Counseling for Students)

Student, Faculty, and Staff Supportive Measures

Supportive measures will be provided in writing to the complainant (victim), regardless of whether the complainant (victim) chooses to report the crime to UNM-Gallup or local law enforcement or otherwise make a report to the University (CEEO or Director of Student Affairs). Accommodations are provided if requested and reasonably available regardless of a report to law enforcement. The information provided in writing to victims of sexual misconduct, whether the offense occurred on or off campus, can be found in the addendum at the end of this report and includes the following:

Importance of preserving evidence	Confidentiality and confidential reporting
Seeking medical attention	Police reporting options
Reporting options	Rights of parties
Investigative process	How to Request Supportive Measures

Supportive measures may include advocacy, counseling, medical services, academic adjustments, legal and immigration resources, and no contact directives. UNM-Gallup will also maintain as confidential as law permits, any accommodations or supportive measures provided to the complainant, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide accommodations or supportive measures. As a matter of practice, the advocacy centers or Office of Compliance, Ethics, and Equal Opportunity will provide written notification via e-mail to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available to parties bringing forward a concern and to respondents, both within and outside the UNM community.

The LoboRESPECT Advocacy Center, with the assistance of the Director of Student Affairs and guidance from the Title IX Coordinator, has the authority to implement interim safety measures for students, as an administrative investigation is underway to ensure the safety of the campus community as a whole. The Title IX Coordinator, LoboRESPECT Advocacy Center, and the Dean of Students Office will determine the necessity for and scope of any Interim Safety Measure prior to the completion of the University's investigation. During Interim Safety Measures, the University will do its best to continue to allow involved students to obtain access to their education with as minimal interference as possible. Supportive measures are designed to protect the educational experience and safety of all involved, as well as the greater UNM Community. UNM will maintain the confidentiality of these supportive measures, as required by law. Protective and supportive measures may be temporary or permanent in nature.

Student Supportive Measures

Students have options for a number of agencies that can assist them with Supportive Measures, which will be provided to them in writing. Additionally, students can seek supportive measures at any point after an allegation, by contacting the following:

- Dean of Students: (505) 277-3361
- UNM-Gallup Director of Student Affairs: (505) 863-7522
- LGBTQ Resource Center: (505) 277-5428
- LoboRESPECT Advocacy Center: (505) 277-2911
- Office of Compliance, Ethics, and Equal Opportunity/Title IX Coordinator: (505) 277-5251
- Women's Resource Center (505) 277-3716

The above resources and office can assist students as follows:

• Assistance in communicating with law enforcement and/or administrative investigative resources on campus
• Assistance in accessing counseling or health care resources both on and off the UNM-Gallup campus
• Academic accommodations, which may include working with professors regarding absences and completion of coursework
• Course accommodations, which may include changing course sections or a complete withdrawal should a student wish to separate from UNM
• Assistance with the Financial Aid and Scholarships Office to help the student continue their financial assistance at UNM-Gallup
• Assistance communicating with supervisors for on-campus jobs, regarding work schedules and absences
• Assistance creating safety strategies for the student
• Assistance with visa or immigration status, should there be a potential for impact on those status
• Assistance in modifying parking on campus
• Potential to impose interim suspensions on students or employees who are Respondents
• Assistance with no contact directives. Students can request that another person not contact them directly or through other channels. Students may also work with UNM-Gallup PD or an advocacy center should they elect to pursue a restraining order, in addition to a no contact directive. Violations of no-contact directives are handled by the Director of Student Affairs, while violations are restraining orders are handled by UNM-Gallup PD.
• The involvement of CSAs or law enforcement is the discretion of the victim. Victims are informed of their option to notify on campus and/or local police, to be assisted by CSAs in the notification of law enforcement, and to obtain an order of protection, no contact order, restraining order, or similar order issued by a criminal, civil, tribal court, or UNM-Gallup.

Employee Supportive Measures:

Employees can work through several agencies that are provided to all victims of Sexual Misconduct, and specifically can work with the following areas:

Counseling and Referral Services (CARS), (505) 272-6868

- Provides safe and confidential setting in which clients may freely discuss concerns to promote emotional healing
- Will assist in developing safety plan options for staff and faculty
- Offers assistance in identify specific resources, University offices, and/or policies for guidance in addressing client's situation
- Offers assistance in developing options for reporting alleged violation of law or policy to appropriate personnel

UNM Ombuds for Staff Services (505) 277-2993

- Offers confidential, neutral, informal, and independent assistance in the form of one-on-one visits in which an ombudsperson listens, without judgment, in order to help a visitor gain deeper understanding to a situation and their options. While an ombudsperson may listen and provide a visitor with information, the visitor is solely responsible for deciding what actions to take.

- Offers assistance in identify specific resources, University offices, and/or policies for guidance in addressing the visitor's situation. This includes direction on how to obtain a no contact directive.
- Offers assistance in developing options for reporting alleged violations of law or policy to appropriate personnel.

Office of Compliance, Ethics, and Equal Opportunity

- Non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to parties before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to education programs, activities, or employment opportunities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or UNM's educational environment, or deter harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and 34 monitoring of certain areas of the campus, and other similar measures. UNM will maintain as confidential any supportive measures provided to parties, to the extent that maintaining such confidentiality does not impair UNM's ability to provide the supportive measures. The Title IX Coordinator and/or Director of Equal Opportunity is responsible for coordinating the effective implementation of supportive measures, as appropriate.

The above resources and offices can assist employees as follows:

• Assistance in communicating with law enforcement and/or administrative investigative resources on campus.
• Assistance in accessing counseling or health care resources both on and off the UNM campus.
• Work accommodations, which may include working with managers for the completion of essential work functions.
• Assistance in communicating with supervisors for on-campus jobs, regarding work schedules and absences.
• Assistance with creating safety strategies for the employee.
• Assistance with visa or immigration status, should there be a potential for impact on those status.
• Assistance in modifying parking on campus.
• Assistance with no contact directives. Employees can request that another person not contact them directly or through other channels. Employees may also work with UNM-Gallup PD or an advocacy center should they elect to pursue a restraining order, in addition to a no contact directive. Violations of no-contact directives are handled by the Dean of Students Office, while violations are restraining orders are handled by UNM-Gallup PD. The involvement of CSAs or law enforcement is the discretion of the victim. Victims are informed of their option to notify on campus and local police, to be assisted by CSAs in the notification of law enforcement, and victims are informed of their option to obtain an order of protection, a no contact order, restraining order, or similar order issued by a criminal, civil, tribal court, or by UNM-Gallup.

Investigative and Disciplinary Procedures

The UNM Office of Compliance, Ethics, and Equal Opportunity (CEEO) has the responsibility of investigating all matters of sexual misconduct, (sexual harassment, domestic violence, dating violence, and stalking) for faculty, staff and students. CEEO's new Discrimination Grievance Procedure (effective August 14, 2020) documents how the investigative process works. Additionally, this process describes the addition of a hearing process for determining whether a UNM policy violation occurred, as well as the sanctioning process if a policy violation is determined. The Hearing Officer will coordinate with Human Resources (for staff), the Office of the Provost (for faculty), and the Dean of Students Office (for students and visitors) to provide sanctions that are appropriate and consistent with the findings. Sanctions can include the following: • Faculty: warning, censure, suspension without pay, dismissal (NOTE: as of publication date, the Faculty Disciplinary Process for sexual misconduct has not been finalized and will use the CEEO Discrimination Claims Procedure in place prior to August 14, 2020 and is documented in further detail on subsequent pages of this report.
• Staff: letter for improvement, written warning, probation, suspension, termination
• Students: verbal warning, written warning, probation, suspension, expulsion, dismissal, ban from campus
• Visitor: probation, ban from certain areas of campus, ban from campus

CEEO and the Hearing Officer will assure the following:
• Their actions will be prompt, fair, and neutral throughout the investigation and hearing process.
• A prompt, fair, and impartial process from the initial investigation to the final result, to include those involved with the responsibility to determine appropriate discipline/sanctioning.
• Will offer resources for supportive measures throughout the process (as described in the Resource Guide noted earlier in this report).
• Will notify both parties simultaneously in writing of the results of any determination, which includes appeal rights, changes to the results, and once the results become final.

Investigative and disciplinary procedures will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, as well as how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

CEEO Discrimination Grievance Procedure

The University of New Mexico ("UNM") is committed to creating and maintaining a community that is free from all forms of discrimination, including harassment, differential treatment, failure to accommodate, and retaliation for participation in civil rights protected activity. UNM has policies that prohibit all forms of discrimination and retaliation, and specifically prohibiting all forms of sexual harassment, a form of gender discrimination that is prohibited by state and federal law. The prohibition includes sexual violence, which is considered a severe form of sexual harassment. UNM is committed to providing equal access to educational and employment opportunities for all individuals. UNM considers the following as protected statuses:[1]

- Age
- Gender
- National origin
- Sex
- Ancestry
- Gender identity
- Pregnancy
- Sexual orientation
- Color
- Genetic information
- Race
- Spousal affiliation
- Disability
- Medical condition
- Religion
- Veteran status
- Ethnicity

The Office of Equal Opportunity (CEEO) is the independent, impartial, and neutral campus entity designated to ensure compliance with all UNM policies that apply to civil rights, including investigations of any allegations of civil rights violations. When investigating an allegation of civil rights violations, CEEO acts as the finder of fact and will prepare a report at the conclusion of its investigation, as described herein. CEEO has no decision making or sanctioning authority. Once CEEO finalizes a report after an investigation into civil rights violations, CEEO refers the matter to the appropriate UNM office, which will ultimately determine whether a University policy has been violated. CEEO reports directly to the UNM President's Office to maintain optimal independence and impartiality.

CEEO staff treats all parties with respect and approaches each case impartially and equitably. In fulfilling its dual tasks of educating and providing public service, UNM shall demonstrate leadership in remedying discrimination and providing equal opportunities in employment and education. CEEO, acting under the authority of University Policies 2720, 2740, 2750, 2310, 2215, 3110, 3210, 3790, and Board of Regents Policy 2.3, may take necessary action to prevent, correct, and educate in relation to behavior that violates UNM policies or impacts the academic or work environment. Leadership in CEEO includes the Director of CEEO (who is also the ADA Coordinator), the Associate Director, and the Title IX Coordinator.

CEEO's grievance procedures do not restrict rights guaranteed under the First and Fourth Amendments to the U.S. Constitution nor the Due Process Clause of Fifth and Fourteenth Amendments to the U.S. Constitution. CEEO shall comply with the Family Educational Rights and Privacy Act ("FERPA").

This CEEO Discrimination Grievance Procedure ("DGP") outlines the method CEEO uses when processing complaints alleging violations of UNM policy. Some of the complaints brought under this procedure may also contain allegations that qualify as violations of criminal statutes. As stated above, CEEO only processes alleged policy violations; it does not process alleged crimes. All persons who believe they have been the victim of a crime may report such crime to law enforcement at any time. **CEEO does NOT independently report alleged crimes to law enforcement except in limited circumstances, such as harm to a minor.**

[1] Title VII of the Civil Rights Act of 1964 ("Title VII") prohibits discrimination on the basis of race, religion, sex (gender), color, or national origin. The Pregnancy Discrimination Act (PDA) is an amendment to Title VII. Discrimination on the basis of pregnancy, childbirth, or related medical conditions constitutes unlawful sex discrimination under Title VII. Title IX of the Education Amendments of 1972 ("Title IX") prohibits discrimination on the basis of sex (gender) in any educational program or activity receiving federal financial assistance. Both the Rehabilitation Act of 1973 at Sections 503 and 504 and the Americans with Disabilities Act of 1990 prohibit discrimination against qualified individuals with disabilities. Title IV of the Civil Rights Act of 1964 prohibits discrimination on the basis of sex in public schools and colleges. The New Mexico Human Rights Act of 1978 and its amendments prohibit discrimination in employment on the basis of race, age, religion, national origin, sexual orientation, gender identity, spousal affiliation, ancestry, sex, physical or mental disability, and serious medical condition. The Age Discrimination in Employment Act of 1974 (as amended in 1986) abolished mandatory retirement based on age and prohibits discrimination in employment against individuals age 40 and over. Title VI of the Civil Rights Act of 1964 prohibits discrimination in student programs on the basis of race, color, and national origin. The Equal Pay Act of 1983 prohibits discrimination in salary and wages on the basis of sex (gender). The Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA") is a federal law that establishes rights and responsibilities for uniformed service members and their civilian employers. Vietnam Era Veterans' Readjustment Assistance Act, as amended ("VEVRAA") prohibits federal contractors and subcontractors from discriminating in employment against protected veterans, and requires employers to take affirmative action to recruit, hire, promote, and retain these veterans.

DGP DEFINITIONS

Actual Knowledge	Notice of sexual harassment or allegations received by CEEO or the Title IX Coordinator regarding discrimination, including sexual harassment.
Advisor	A person chosen by a party or provided by UNM who acts as an advocate for the party during a UNM administrative hearing, if applicable. An Advisor acts as a party's representative during a hearing for the purpose of conducting cross examination of witnesses and the opposing party.
COA	Confirmation of Allegations. A Complainant's written statement of the allegations they are making against a Respondent or Respondents.
Complainant	The person or persons filing a complaint with CEEO.
COR	Confirmation of Response. A Respondent's written statement in response to a Complainant's COA.
Differential Treatment	Occurs when a protected class of people – whether an individual or a group – are treated differently than similarly situated individuals who are not in the protected class, due to their membership in the protected class.
Discrimination	Conduct based on protected class that excludes a person(s) from participation in, denial of benefits of, treats the person(s) differently than similarly situated individuals who are not in the protected class, or otherwise adversely affects the terms of condition of the person(s)'s employment, education, living environment, or participation in a UNM program or activity. Harassment (including hostile environment and quid pro quo) and differential treatment are forms of discrimination.
Education Program and Activity	Locations, events, or circumstances where UNM exercises substantial control over both the Respondent and the context in which harassment or discrimination occurs, and also includes any building owned or controlled by a student organization that is officially recognized by UNM.
Evidence	Evidence consists of, but is not limited to: eyewitness documents, records, statements, photos, video, security footage, audio recordings, social media, emails, text messages, cellular records, police reports, and any other information that would assist the investigator in finalizing a report.

Exculpatory Evidence	Evidence which tends to show that a Respondent is not responsible for an alleged policy violation.
Failure to Report	Responsible employees under University Policy 2740 are required to report allegations of known or suspected violations of University Policy 2740 or of gender discrimination to CEEO and/or the Title IX Coordinator with 24 hours or as soon as reasonably practicable. Per University Policy 2720, supervisors are required to report allegations of known or suspected violations of UNM's civil rights policies to CEEO. Failure to report to CEEO within a reasonable timeframe could be considered a failure to report and a violation of University policy.
Final Determination	The Hearing Officer's conclusion by a preponderance of the evidence deciding whether alleged conduct occurred and whether that conduct violates UNM policy.
Formal Complaint	A document filed by a Complainant or signed by the Title IX Coordinator or CEEO alleging discrimination, including sexual harassment against a Respondent pursuant to University Policy 2740, and requesting that CEEO investigate the allegations of discrimination or harassment.
Hearing	The adjudicatory process that takes place after CEEO has concluded its investigation of an alleged civil rights policy violation.
Hearing Coordinator	The individual responsible for coordinating a hearing among the parties, Advisors, witnesses, and other hearing participants.
Hearing Officer	The individual responsible for evaluating the evidence presented by the parties at a hearing and issuing a subsequent determination as to whether a civil rights policy violation occurred.
Hostile Environment	Conduct sufficiently serious (severe/pervasive) and objectively offensive so as to deny or limit a person's ability to participate in or benefit from UNM's programs, services, opportunities, or activities, or conduct that has the purpose or effect of unreasonably interfering with a person's employment or education.
Inculpatory Evidence	Evidence which tends to show that a Respondent is responsible for an alleged policy violation.

Informal Resolution	An informal process where CEEO does not conduct an investigation, and the allegations in the complaint are therefore neither corroborated nor contested. An informal resolution is not disciplinary in nature and must be agreed to by both parties before proceeding. In cases where a violation of Policy 2740 is alleged to have occurred, two conditions must exist: 1) both parties must agree to an informal resolution; and 2) the alleged conduct must not have been committed by a UNM employee against a student.
Investigative Report	The final report issued at the conclusion of a formal investigation, which includes: Complainant's statement(s), Respondent's statement(s), witness statements, documentary evidence, and threshold record to be used in an evidentiary hearing.
Jurisdiction	Occurs when the circumstances of a complaint are such that CEEO is authorized by UNM Policy to investigate or remedy those circumstances or allegations.
Post-Closure Action	Informal action that may be taken after the closure of an investigation that does not proceed to a live hearing which is designed to stop alleged conduct and prevent its recurrence.
Preponderance of the Evidence	The relevant evidence gathered during an administrative investigation that demonstrates it is more likely than not that a policy violation occurred.
Protected Class or Status	A trait or association recognized by law or policy as protected against unlawful discrimination. UNM recognizes the following as protected statuses: age, ancestry, color, ethnicity, gender identity, gender, sex, genetic information, medical condition, national origin, physical or mental disability, pregnancy, race, religion, sexual preference, spousal affiliation, and veteran status.
Remedies	To be provided to a Complainant when a Respondent is found to have violated UNM policy. Remedies are designed to maintain the Complainant's equal access to education and may include the same individualized services described as supportive measures herein. Remedies for a Complainant are not, however, required to be non-disciplinary or non-punitive for the Respondent and need not avoid burdening the Respondent.
Respondent	The person or persons responding to a complaint filed with CEEO.

Retaliation	Any action taken in order to seek an adverse academic or employment result against any individual or group of individuals opposing discrimination, filing a complaint, reporting alleged discrimination, participating in a civil rights investigation, or filing an external civil rights complaint.
Support Person	A support person is any person of a Complainant or Respondent's choosing who attends CEEO interviews and helps to guide the party through the CEEO process. A support person cannot participate in CEEO interviews; rather, they act as a second set of ears for the Complainant and Respondent. A support person CANNOT be a potential witness in the CEEO investigation that the Complainant or Respondent is involved in, nor can they be someone in the Respondent's supervisory chain. A support person cannot participate in an evidentiary hearing, if applicable.
Supportive Measures	Non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or UNM's educational environment, or deter harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. UNM will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality does not impair UNM's ability to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.
Third-Party Report	A report filed by someone other than the party affected by civil rights violations, including a responsible employee, witness, or other individuals with knowledge or information regarding potential civil rights violations.

Title IX	Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex or gender in any educational program or activity receiving federal financial assistance. Title IX violations include: sex/gender discrimination, sexual harassment, stalking, dating violence, domestic violence, and intimate partner violence, or any other form of sexual violence.
Unaffiliated	When a party is referred to as "unaffiliated," it means that they do not have a direct relationship to UNM as a student, faculty, staff member, or contractor.
Union Representative	A union representative is a person from a party's employment/labor union who may attend CEEO interviews and help guide the party through the CEEO process. A union representative cannot participate in CEEO interviews; rather, they act as a second set of ears for the party.
Witness	Any person who may have knowledge of the evidence in an investigation or complaint.

I. NOTIFICATION AND CORRESPONDENCE WITH CEEO

CEEO generally sends official notifications and other documentation to individuals via email to official UNM email addresses; if the individual does not have a UNM email address, it is sent to an email address provided by the individual. Individuals may request that CEEO use an alternative email address or a different method of contact, but unless and until this request is made, CEEO will send all correspondence using this method. Requests that CEEO send communications to an email address other than a UNM email address must be made in writing via email to CEEOunm@unm.edu. If an individual prefers to receive correspondence by mail, that preference and the individual's preferred mailing address must be specified in writing and delivered either by email to CEEOunm@unm.edu, by mail to CEEO's mailing address at 1 University of New Mexico, MSC05 3150, Albuquerque, NM 87131-0001, or by hand delivery to CEEO during CEEO's regular business hours at 609 Buena Vista Dr. NE, Albuquerque, NM 87106. All CEEO correspondence sent to an individual by email is deemed received on the date the email is sent. All correspondence sent from CEEO to an individual by mail is deemed received by the recipient three (3) business days after the postage date.

II. RETALIATION

It is the policy of UNM to foster an environment where faculty, staff, and students may raise civil rights claims without fear of retaliation or reprisal. All members of the UNM community have a right to redress for perceived violations of their civil rights. It is contrary to UNM policies (under 2720(13) and 2740(4)) to retaliate against any person for asserting his or her civil rights or for reporting civil rights related misconduct, including sexual misconduct. These rights include, but are not limited to: notifying UNM (faculty, staff) of civil rights concerns; filing a claim of discrimination; participating as a witness in an investigation; declining to participate in an investigation; or responding to allegations of civil rights violations. Retaliation or reprisal against any participant in an investigation will not be tolerated by UNM. Retaliation against a person who seeks assistance from CEEO is grounds for a subsequent civil rights claim.

III. TIME FRAME

Individuals who believe their civil rights have been violated at UNM or in a UNM program should file a complaint within 180 calendar days from the most recent alleged discriminatory incident. This time frame may be extended due to the severity and/or pervasiveness of the allegations (such as sexual violence), allegations of a continuing pattern of conduct, or as determined by CEEO.

IV. REPORTING CONCERNS; TYPES OF COMPLAINTS

Any person may report discrimination, including those below, to contact CEEO if they observe, experience, become aware of, or encounter conduct they believe may be related to civil rights violations:

- UNM Students
- UNM Student Employees
- UNM Staff
- UNM Faculty
- UNM Applicants
- Visitors to UNM
- Former UNM Employees or Students
- Parents and Guardians of Applicants or Students

Reports of potential civil rights violations can be made through any of the following means:

- Complete and submit an online CEEO complaint form;
- Email (CEEOunm@unm.edu), fax (505-277-1356), or mail a written document describing the concerns;
- Complete the online UNM EthicsPoint Hotline Complaint Form;
- Make an appointment with a CEEO employee;
- Walk-in at CEEO's office during regular business hours; or
- Call 505-277-5251.

There are different types of complaints that may be made to CEEO under this DGP, as outlined below.

A. Informal Complaint from Complainant

A Complainant may file an informal complaint of discrimination or harassment in order to seek supportive measures and as a means of obtaining information regarding their rights and the CEEO formal grievance procedure as described in Section VI.

Once informed, the Complainant may decide to initiate the formal grievance process. An informal complaint, however, will not activate the formal grievance process.

The informal complaint should include:

1. The Complainant's name and preferred contact information, as well as their affiliation with UNM (student, staff, faculty, applicant, or visitor to UNM);
2. The Respondent's name and contact information, and whether the Respondent is a student, staff, faculty, or UNM visitor;
3. The Complainant's protected status under which the alleged discrimination or harassment has occurred;
4. The civil rights category to which the Complainant believes the allegations belongs (i.e., sexual harassment or misconduct, discrimination, harassment, failure to accommodate, retaliation, etc.); and
5. The reasoning for the civil rights category identified and the Complainant's protected status (as defined on page 1).

Upon receipt of the informal complaint, the following will occur:

1. CEEO will reach out to the Complainant with resources to address their concerns. These resources are specific to the Complainant's role at UNM (student, staff, or faculty) and outline access to groups on and off campus to assist the Complainant with the impacts that alleged discrimination has had on them;

2. CEEO will offer the Complainant opportunity to request supportive measures;
3. CEEO will advise the Complainant of their right to file a formal complaint and information regarding the formal grievance procedure.

Complainants may provide the required information orally or in writing. CEEO may contact persons who submit complaints in order to discuss the details of the concerns and obtain additional factual information.

B. Formal Complaint from Complainant

A Complainant may file a formal complaint of discrimination and/or sexual harassment that triggers the formal grievance procedure set forth in Section VI. See Section VI(A) for more information regarding formal complaints.
The formal complaint shall:
1. Be filed utilizing the CEEO formal complaint form (if the complaint is received verbally or via a third-party report, the Complainant electing a formal complaint process shall utilize the CEEO form);
2. Be signed and dated by the Complainant;
3. Include Respondent's name and contact information (if known), and whether the Respondent is a student, staff, faculty, or UNM visitor;
4. Include Complainant's protected status, which they claim as the basis for the alleged discrimination or harassment;
5. Include the civil rights category to which the Complainant believes the allegations belong (i.e., sexual harassment, violence, or misconduct, discrimination, harassment, failure to accommodate, retaliation, etc.);
6. Include the reasoning for the civil rights category identified and the Complainant's protected status (as defined on page 1 herein);
7. Identify the UNM program, activity, or location where the alleged conduct occurred; and
8. Indicate whether the alleged conduct occurred in the United States.

A Complainant who files a formal complaint with CEEO will have the opportunity to seek supportive measures.

C. Third-Party Reports and Reports from Responsible Employees; Failure to Report

CEEO receives reports from third-party reporters, responsible employees, or others who have information regarding potential civil rights violations. In these cases, the third-party report may lack the detail present in a Complainant's direct report. In such cases, CEEO may reach out to the individual(s) the third-party reporter identifies as having experienced the civil rights violation or other witnesses the third-party reporter identifies for more information. CEEO will evaluate and accept third-party reports to determine if the report is sufficiently detailed to accept jurisdiction and constitute actual knowledge of a complaint. In all cases where reports are received from third parties, CEEO will reach out to the alleged Complainant to discuss the report, determine the alleged Complainant's need for supportive measures, and how they wish to proceed.

1. Failure to Report

When CEEO receives information that a UNM employee with reporting responsibilities, pursuant to University Policies 2720 and 2740, has failed to report allegations of known or suspected policy violations in a timely fashion, CEEO will initiate the following process.

Depending upon the nature of the FTR, CEEO may issue a memorandum or proceed with additional fact-finding processes. If an FTR is a singular occurrence, an FTR memorandum will be sent to the Respondent (the person who failed to report to CEEO under UNM Policies) and their supervisor. This memorandum serves as a reminder of the responsible employee's duties as outlined in University Policies 2720 and 2740,

and is not disciplinary or punitive. No CEEO investigation is conducted and no hearing is held.

In cases where there are multiple instances of FTR or when an FTR could result in significant harm to the campus or member(s) of the campus community, CEEO will notify the Respondent (the person who failed to report to CEEO under UNM Policies) of the information that CEEO has related to the FTR in writing, and will provide Respondent **five (5) business days** to respond to the FTR allegations, by either providing a verbal or written statement. See Section VI(C)(3)(b).

CEEO will review all relevant documents and interview any witnesses, if available and necessary, to determine if Respondent failed to report in relation to their duties, position, and responsibility under UNM policy. This information will be gathered into a Draft Investigative Report and provided to Respondent for review. Respondent will have **five (5) business days** from the date of the Draft Investigative Report to provide additional, factual, relevant information. CEEO will then prepare a memorandum stating whether the information gathered demonstrates a violation of policy (POLICY VIOLATION or NO POLICY VIOLATION) and will provide the memorandum to Respondent. **There is no live hearing associated with an FTR investigation**; the determination of a policy violation is made by the CEEO investigator. Respondent will have the same opportunity to appeal per the process outlined in Section X herein. After the appeal window closes, CEEO will provide the FTR memorandum to Respondent's supervisor and the appropriate sanctioning authority on campus.

D. Anonymous Reports

Individuals who report to CEEO may choose to do so through anonymous means, such as through UNM's anonymous compliance hotline. CEEO's ability to conduct a full investigation into the alleged discrimination may be limited in this circumstance. Similarly, an individual who reports discrimination anonymously may have only limited protection from retaliation. Additionally, complete anonymity can never be guaranteed, as the specific allegations in a complaint may make the anonymous reporter identifiable. See Section XI.

E. Report Filed by the Title IX Coordinator or CEEO

Based on information CEEO and/or the Title IX Coordinator receives, the Title IX Coordinator or CEEO may exercise their authority to initiate a formal complaint and investigation on behalf of UNM, regardless of the cooperation or involvement of a Complainant or affected party.

F. False Reports

In the event CEEO receives clear and credible information demonstrating that a Complainant or other filing party has submitted a false report, CEEO will investigate as outlined herein against the party alleged to have filed a false report. A person who is determined to have filed a false report is subject to the sanctions and discipline outlined in Section VIII.RISDICTION

G. Jurisdiction Generally

CEEO reviews discrimination complaints to determine whether it is authorized to address them. CEEO's jurisdiction is generally limited to conduct that occurs on UNM property or within UNM education activities, programs, sponsored events, or functions. In some cases, however, CEEO may assert jurisdiction when the complaints are alleged to impact the campus environment or a staff, faculty, or student's work or academic environment.

CEEO will take no action on any complaint filed with CEEO unless it has jurisdiction over one of the parties involved and the subject matter as described in greater detail below:

1. The parties involved. CEEO investigates policy violations. Therefore, the policy alleged to have been violated must apply to at least one of the persons involved in the issue raised with CEEO.

2. The subject matter of the allegations underlying the complaint. CEEO has jurisdiction to investigate alleged policy violations regarding civil rights. For CEEO to have jurisdiction to investigate a complaint, the allegations must state facts that, taken in the light most favorable to the Complainant, qualify as an alleged violation of one or more of UNM's policies. If the allegations in the complaint do not allege sufficient facts demonstrating that one of UNM's civil rights policies have been violated, then CEEO may not be able to accept jurisdiction. As noted above, CEEO may take informal action related to allegations that do not, as alleged, violate UNM policy; therefore, UNM and CEEO encourage anyone who has any concerns related to civil rights at UNM to bring their concerns to CEEO.

To make a jurisdictional determination, CEEO may also consider:
1. Previous and contemporaneous reports or violations against Respondent;
2. Pattern of behavior;
3. Severity of the allegations;
4. Use of weapons, drugs, or coercion;
5. Physical threats or violence;
6. The power dynamic between the parties involved;
7. Where the incident(s) took place;
8. The impact on the parties;
9. Whether multiple parties were impacted.

H. Jurisdiction of Complaints Subject to University Policy 2740
In order to accept jurisdiction in cases of alleged sexual harassment as defined in University Policy 2740, the alleged incident must have occurred in UNM's education program or activity, which includes physical locations and events over which UNM exercises substantial control, over both the Respondent and the context in which the sexual harassment occurs. This includes any building owned or controlled by a student organization that is officially recognized by UNM. Additionally, at the time of the alleged conduct, the Complainant must be participating or attempting to participate in UNM's educational programs or activities. Complaints filed under University Policy 2740 must have occurred in the United States.

I. Formal Complaint
A Complainant may file a formal complaint of discrimination and/or sexual harassment to initiate the formal grievance procedure outlined in this section.

The Complainant shall use the CEEO formal complaint form to file a formal complaint and shall sign and date the same. A Complainant who files a formal complaint will have the opportunity to seek supportive measures.

J. Notice
Upon receipt of a formal complaint of discrimination as described in Section VI(A), CEEO will notify the parties of the following:
1. A formal complaint has been received;
2. The ability to informally resolve the complaint if the parties agree (except in cases where a UNM employee is alleged to have sexually harassed a student);
3. A notice of the allegations including the identities of relevant participants;
4. The specific policy or policies that Respondent is alleged to have violated;
5. The date and location of the incident, if known;
6. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
7. Inform the parties that they may have an Advisor of their choice during any subsequent hearing, including an attorney at their own expense, if they choose;
8. Advise the parties of UNM policies prohibiting false statements. See UNM Student Code of Conduct,

Section 2.3; University Policy 2720, Section 12; University Policy 2740.
9. Inform the parties about retaliation as described in University Policies 2720(13) and 2740(4);
10. Provide notice of any additional allegations that arise after the initial notice to the parties; and
11. State the purpose of all investigative interviews with a party, with enough time for the party to prepare for the interview.

K. Process Options

After a Complainant files a formal complaint as outlined in Section IV(B) and the parties are provided with notice, the following process options are available:

1. Withdraw the Complaint

A Complainant may elect to withdraw their complaint at any time after bringing concerns to CEEO. If Complainant chooses to withdraw the complaint, Complainant will be required to sign a form verifying this decision; a written request by the Complainant will meet this requirement. A Complainant is still allowed to seek supportive measures as described in the Definitions section of this DGP.

Even if a Complainant withdraws their complaint, CEEO reserves the right to continue its inquiry into the concerns in order to ensure compliance with UNM policy and related state and federal regulations. Within five (5) business days of either receiving Complainant's notice of withdrawal or CEEO's final attempt at communication with Complainant, CEEO will notify Complainant if any further action will be taken regarding their complaint. CEEO may act as deemed appropriate to ensure a working and learning environment free from harassment and discrimination.

If, after a withdrawal by Complainant, CEEO determines it will not proceed with the formal process and investigation, it will dismiss the complaint and notify the parties of the dismissal and justification. See Section VI(C)(3)(e)(i).

2. Informal Resolution

An informal resolution is a path designed to eliminate the alleged discriminatory or harassing conduct, prevent its recurrence, and remedy its effects in a manner that ensures compliance, along with the safety and welfare of the campus community. The purpose of an informal resolution is to inform Respondents that allegations have been made against them and to make them aware of UNM policies and behavioral expectations. This is an informal process where an investigation is not conducted and the allegations in the complaint are therefore neither corroborated nor contested. An informal resolution is NOT disciplinary in nature. **An informal resolution will not be offered to facilitate a resolution for allegations that a staff or faculty member sexually harassed a student.**

A Complainant may elect to proceed with an informal resolution after filing a formal complaint in all cases. In order for an informal resolution to proceed in cases involving allegations of Policy 2740 violations, the parties must both agree with this option. If the parties do not agree, CEEO will proceed to a formal investigation as outlined in Section VI(C)(3).

An informal resolution does not follow a pre-determined process. Rather, CEEO consults with the parties and then proceeds with a solution that prevents recurrence of the alleged conduct. Examples of informal resolutions include, but are not limited to:

- Meet with Respondent to discuss the allegations and UNM policies;
- Meet with Respondent and Respondent's supervisor separately if the allegations regard a work environment;
- Meet with Respondent and supervisor or other authority figure together;

• Provide training or engage in other collaborative processes as deemed appropriate by CEEO;
• Initiate the ADA reasonable accommodation process in cases where a failure to accommodate has been alleged;
• Provide information and discuss reasonable accommodations for pregnancy/lactation;
• Dialogue about the issues to improve the environment or remedy the effects of the alleged conduct; or
• Refer the parties back to a supervisor or other appropriate party for remedial action and monitoring of the work and/or academic environment. The supervisor will notify CEEO of the actions taken to address the work and/or academic environment.

After an informal resolution occurs, CEEO sends follow-up correspondence to Respondent and/or to Respondent's supervisor or other authority figure (if applicable), documenting what action was taken by CEEO. CEEO notifies Complainant of the action taken and, when appropriate, follows up with the parties regarding Complainant's initial concerns for sixty (60) days, to ensure the conduct at issue has stopped. At the conclusion of the sixty (60) day period, CEEO will close the case. CEEO may modify monitoring periods on a case by case basis.

Informal resolutions may not be appropriate for all forms of conduct prohibited by UNM policies. **Informal resolutions may not be an available procedural option when CEEO determines that an informal process is not appropriate based on the severity or pervasiveness of allegations.** In those instances, CEEO may proceed with a formal investigation, which can lead to an evidentiary hearing before a Hearing Officer. See Section VI(C)(3)(f).

3. Formal Investigation

The investigation is a neutral process during which CEEO gathers evidence directly related to the allegations in the formal complaint from the parties, any witnesses they identify, any witnesses CEEO identifies, and from any other source. The parties are encouraged to provide any and all evidence and witnesses they deem relevant to their case and should consider submitting evidence that is described in the Definitions section of this document.

As described in greater detail in the subsections below, each party will have the following opportunities during a CEEO investigation:
• Be interviewed by the investigator;
• Review their own statements prior to the statement being included in an Investigative Report and distributed to the other party.
• Provide evidence to the investigator;
• Suggest witnesses to be interviewed by the investigator;[2] and
• Propose questions to be asked of witnesses and parties.

If additional allegations are identified during the investigation, the investigator shall provide additional notice to the Respondent pursuant to Section VI(B) above. The Respondent will have the opportunity to provide additional information in response to any new allegations.

[2] Neither OEO nor the Hearing Officer consider statements by witnesses which attest to a party's character. Any witnesses suggested by the parties should provide relevant evidence specific to the allegations in the complaint

a. Complainant Meeting
Typically, as part of the formal investigation, CEEO engages in an interview process with Complainant to determine the specific allegations Complainant requests CEEO to investigate. This interview process may consist of multiple meetings, if needed.

During the interview, CEEO will describe the investigative process, the rights and responsibilities of the parties, and UNM's policy prohibiting retaliation. Complainant will provide a statement to the investigator – whether verbal or written – outlining the specific allegations they are making against Respondent(s). If Complainant provides a verbal statement, CEEO will draft a written Confirmation of Allegations (COA) and provide it to Complainant within **two (2) business days** of the initial Complainant meeting.

Complainant will have **two (2) business days** after receiving the COA to confirm its accuracy and then sign and return to CEEO. When the interview process is complete, Complainant has returned the COA, and the specific allegations of policy violation(s) have been identified for investigation, CEEO will simultaneously notify Complainant and Respondent within **two (2) business days** which allegations have been accepted for investigation, which type of discrimination the Complainant has identified, and which University policies the Respondent is alleged to have violated.

b. Respondent Meeting
If a formal investigation is elected, CEEO schedules a meeting with Respondent. Prior to meeting with Respondent, CEEO will provide Respondent with written notice and information that constitutes the complaint, including the protected status, the type of discrimination, and a summary of allegations raised by the Complainant. During this meeting, CEEO describes the investigation process, the rights and responsibilities of all parties, and UNM's policy prohibiting retaliation.

At the initial meeting, CEEO notifies Respondent of the nature and scope of Complainant's allegations and the UNM policy(ies) Complainant alleges Respondent violated. During the meeting, Respondent may provide a statement to the investigator – whether verbal or written – in which Respondent addresses the allegations raised by Complainant and answers questions posed by the investigator. If Respondent provides a verbal statement, CEEO will draft a written Confirmation of Response (COR) and provide it to Respondent within **two (2) business days** of the initial Respondent meeting. Respondent will have **two (2) business days** after receiving the COR to confirm its accuracy and then sign and return to CEEO.

c. Evidence Gathering
As part of its investigation, CEEO gathers information it deems relevant to the allegations and any defenses. The parties may submit any documentation they believe should be considered, as well as identify any witnesses they believe should be interviewed. Witnesses are given the opportunity to review a draft of their statement before the statement is included in the Investigative Report. The parties should submit any evidentiary items that are listed in the Definitions section herein, including electronic evidence such as social media posts, audio, text, and phone records. The parties should notify CEEO as soon as possible of any electronic evidence, such as recordings and social media, in order for CEEO to request and preserve the evidence. CEEO shall also identify evidence independently of the parties if CEEO determines that such evidence may be relevant to its investigation. CEEO may also receive information from other UNM offices as appropriate or review public sources, such as social media or public records.

CEEO has sole discretion to determine which allegations it will investigate and the way it will conduct an investigation. As such, CEEO has sole discretion to determine the relevance of information to the investigation.

CEEO does not have subpoena power or other authority to compel document production or witness participation. Document production and witness participation is therefore voluntary; however, UNM strongly encourages all members of the UNM community to participate in CEEO investigations and provide information when CEEO requests it pursuant to its role as investigator.

d. Inspection and Review Process

The parties will be provided an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

Prior to issuing a final Investigative Report, CEEO will send to each party and the party's support person, if any, the evidence subject to inspection and review in an electronic format. The parties will have **ten (10) business days** to submit a written response, including any **new, factual information which was not reasonably available to the parties prior to issuing the Investigative Report**, which the investigator will consider prior to completion. See Section VI(C)(3)(e)(ii) herein.

e. Post-Investigation Steps

At the conclusion of an investigation, CEEO will either dismiss the formal complaint or continue the investigatory process for further action if a dismissal is not warranted.

i. Dismissal Memorandum

If the evidence gathered during an investigation indicates that no discriminatory or harassing behavior took place, the conduct described is not civil rights related, or does not fall within the jurisdiction of CEEO, it will issue a Dismissal Memorandum to the parties, summarizing its findings and justification for closing the complaint.

CEEO will issue a Mandatory Dismissal, as required by Title IX of the Education Amendments of 1972, in cases that allege violation of University Policy 2740 when:

• Alleged conduct does not meet the definition of sexual harassment under University Policy 2740;
• The alleged conduct did not occur within UNM's education program or activity; or
• The alleged conduct occurred outside of the United States.

If CEEO issues a Mandatory Dismissal for an alleged violation of University Policy 2740, it may still proceed with a formal investigation under other applicable University policies.

Discretionary Dismissal in all cases as follows:

- Where a Complainant notifies CEEO or the Title IX Coordinator in writing that they want to withdraw the formal complaint or any allegations therein;
- Where the Respondent is no longer enrolled in or employed by UNM;
- Where specific circumstances prevent CEEO from gathering evidence sufficient for a decision-maker to reach a determination (e.g., alleged misconduct is not targeted at a specific individual; there is no nexus between alleged misconduct and a protected status).

Parties may appeal[3] a CEEO dismissal for one or more of the following reasons:

- Procedural irregularity that affected the outcome;

[3] See Section X for the appeal filing process

- New evidence that was not reasonably available when the determination of responsibility was made that could affect the outcome; or
- The Title IX Coordinator, investigator, or decision-maker had a general or specific conflict of interest or bias against the Complainant or Respondent that affected the outcome.

Even when it issues a Dismissal Memorandum, CEEO may determine that the academic and/or work environment requires some informal action, such as training or education for the parties or a department. In cases where post-investigative action is deemed appropriate, parties who need to know will be notified. This informal action may include:

- Referring the issue to a department/division or unit to address climate issues (CEEO will require the department to provide CEEO with information outlining the remedial action that was taken);
- An educational or other training opportunity conducted by CEEO or other entity;
- Referral to another department on campus with authority to address the issues including the UNM Police Department, Dean of Students, Academic Affairs, or Human Resources.

ii. Investigative Report

If dismissal of a formal complaint is not warranted, CEEO will create an Investigative Report. The Investigative Report will offer no opinion as to whether a policy violation occurred.

The Investigative Report will include: a citation to the policies alleged to have been violated; Complainant's statement; Respondent's statement; witness statements; all relevant evidence gathered in the investigation; the investigative steps taken; and a statement outlining the reason for any delay in an investigation.

The Investigative Report shall:

- Objectively state all relevant evidence, including both inculpatory and exculpatory evidence;
- Start from a premise that the Respondent did not engage in the discriminatory conduct until a determination of responsibility is made at the conclusion of the grievance process by a preponderance of the evidence;
- Outline disputed and undisputed facts uncovered during the investigation, including any evidentiary anomalies or discrepancies.

At the request of a party or witness, or at its discretion, CEEO will exclude and redact from the report content falling into one of the following categories:

- Prior Sexual History. Generally, an individual may exclude evidence of their own prior sexual history with anyone other than a party;
- Mental Health Treatment and/or Diagnosis. Generally, an individual may exclude evidence of their own mental health diagnosis and/or treatment;
- Sensitive Personal Identifying Information and Medical Records. Sensitive personal identifying information, such as Social Security numbers and irrelevant information contained in medical records, will be excluded;
- Irrelevant Information. Information that is not relevant to the investigation or the policy violations alleged will not be included in the Investigative Report.

The investigator will also exclude and redact content that is impermissible under applicable law. Exclusions and redactions will be noted and thereby become part of the investigative record.

In order to protect the integrity of the CEEO investigation, no documents or records are released to the Complainant or Respondent until the Investigative Report is issued. The Investigative Report contains a description of the documents and records CEEO gathers during its investigation and which the Hearing Officer may use to determine whether UNM policy was violated.

After the Investigative Report is issued, the parties will have **ten (10) business days** to submit any new, relevant, factual information to be included in the Investigative Report. The response may include corrections or clarifications to the party's own statement, questions for the other party or witnesses, along with any additional evidence or witnesses not reasonably available to the parties prior to issuing the Investigative Report. This new information will be included as part of the record in the Investigative Report, which will be issued to the parties within **five (5) business days** of having received the parties' responses to the Investigative Report.

The Investigative Report will then be compiled and forwarded to the UNM Hearing Coordinator to begin the grievance hearing process. Thereafter, CEEO will close the investigative file and provide notice to the parties of the same.

Mandatory Dismissals for an alleged violation of University Policy 2740 that are investigated under other applicable University policies that adjudicate incidents of dating violence, domestic violence, sexual assault, and stalking involve the same steps, timeliness, and decision-making processes as investigations involving University policy 2740 as described in the Office of Compliance, Ethics, and Equal Opportunity's Discrimination Grievance Procedure.

f. Grievance Hearing Process

A live hearing presided over by a Hearing Officer will be held to adjudicate the formal complaint and CEEO investigation. Upon the request of either party, the hearing may be conducted by videoconference with the parties in separate rooms. At all times, however, all participants – including the parties, Advisors, witnesses, and decision-maker – must be able to see and hear each other.

The Hearing Officer has extensive training in Title IX procedures as well as all applicable evidentiary requirements, standards of proof, and relevant state and local laws. The Hearing Officer is tasked with reaching a determination by applying a preponderance of the evidence standard, which is the standard utilized in all UNM hearing processes.

The hearing process is determined by the Hearing Officer.

V. OTHER MATTERS RELEVANT TO THE FORMAL GRIEVANCE PROCESS

A. General Statement of Investigation Timelines

CEEO attempts to complete investigations in a timely manner, generally concluding within **sixty (60) calendar days** of notifying the parties that CEEO is initiating a formal investigation; however, some investigations may take additional time depending upon the complexity of the claim(s) and other extenuating circumstances. When there are factors that extend the normal time frame, the parties are notified of the extension and CEEO documents the reasons for the extension. Similarly, when circumstances dictate that any of the timelines specifically identified herein be extended, CEEO notifies the parties and documents the reasons for the extension.

If a party requires an extension of any time limits applying to them as stated herein, they should submit a request to the investigator as soon as they learn of the need for an extension and state the reason for the request. If good cause for an extension is provided, CEEO may grant the request. If a request is granted, CEEO will notify the parties of the length of the extension and the reason provided for the extension.

In investigations where there is also a criminal investigation by a law enforcement agency, the CEEO process will run concurrently with such an investigation. CEEO may grant temporary delays reasonably requested by law enforcement for evidence gathering and preservation.

B. Responsibilities of the Parties

All persons involved in a CEEO investigation are encouraged, and all UNM employees are required, to preserve all information and tangible material relating to alleged discriminatory or harassing conduct. Examples of evidence include, but are not limited to: electronic communications, photographs, video and/or audio recordings, clothing, and medical information.

At all stages of a CEEO investigative and hearing process, UNM students and employees are expected to provide truthful information to investigators, hearing coordinators, and hearing officers. Making false representations to the University is prohibited under policy and applies to all UNM community members. See UNM Student Code of Conduct, Section 2.3; University Policy 2720; University Policy 2740.

All UNM students, staff, and faculty who participate in a CEEO investigation and any subsequent hearing are encouraged to keep investigation and hearing information confidential during the investigation and hearing in order to maintain the integrity of the process.

C. Modification of the Formal Investigation Process

CEEO may elect to deviate from standard process when facts or situations require it. Any deviation from standard reports will be described in detail in the Investigative Report and will include the reasoning for this deviation. Examples include, but are not limited to:

1. Unaffiliated Respondents. If the Respondent is unaffiliated with UNM or becomes unaffiliated with UNM, CEEO may continue the formal investigation and issue an Investigative Report.

2. Hiring Challenges. CEEO may accept a hiring challenge based on protected status, where the complaint demonstrates a potentially disparate impact on Complainant. In these situations, CEEO may elect to name a department, division, unit, or office as Respondent and review the hiring process, procedure, candidate pool, or hiring outcome. In these situations, CEEO may not name a specific Respondent and will issue only a Final Report, similar to a climate investigation described herein. See Section IX.

3. Failure to Report. See Section IV(C)(1).

D. Advisors, Support Persons, and Union Representation

Complainants and Respondents are encouraged to bring a support person of their choice to provide guidance during the CEEO process, including the investigatory stage. A support person may be any person who is not a party or potential witness in the case or a supervisor of one of the parties; their role is to assist the party in navigating UNM's administrative processes. Support person roles may vary based upon the

specific needs of the party.

In the event a CEEO investigation advances to a hearing, the parties are required to have an Advisor of their choice. The Advisor assists the party during the hearing stage, including conducting cross-examination of the opposing party and witnesses.

If the party has union representation, the party has a right to request that a union representative be present at any meeting with CEEO. If the party feels it is necessary to have a union representative during the interview, the party may ask to stop the interview at any time. The party will be given **three (3) business days** to obtain a union representative and reschedule the interview.

The parties may be accompanied by their respective support person to any CEEO meeting or interview. The support person is allowed to ask questions regarding CEEO's process but is not allowed to answer questions posed to the parties, to present arguments or evidence, or otherwise participate directly in the investigation. A support person shall make themselves reasonably available for all aspects of the CEEO grievance process. CEEO will review and grant good cause extensions as it deems necessary and on a case-by-case basis; scheduling conflicts alone generally do not constitute good cause. Parties are encouraged to utilize UNM's on-campus resources.

CEEO will communicate directly with the parties unless the parties indicate otherwise in writing. If a party wishes CEEO to communicate directly with a support person, the party must sign a release and describe the parameters of CEEO's communication with the support person. If the party is a student, the student must sign a FERPA waiver provided by CEEO.

Advisors and/or support persons shall not share FERPA-protected or other confidential information learned through the CEEO process. Advisors and/or support persons shall not engage in harassment or retaliation of any person or party. Support persons will be asked to sign a Confidentiality Agreement to protect the integrity of the CEEO grievance process and investigation.

VI. SANCTIONS AND REMEDIES

CEEO does not have sanctioning or disciplinary authority. If the Hearing Officer's final determination is that a policy violation has occurred, the Hearing Coordinator will send a copy of the Investigative Report and the Hearing Officer's Final Determination to the parties, their Advisors, and CEEO as outlined in the hearing procedure.

Investigative Reports and Final Determinations may also be shared with others who have a legitimate business reason to be advised of the determination, including but not limited to: National Institutes of Health (NIH), National Science Foundation (NSF), UNMPD, Student Conduct, Residence Life, the Clery Compliance Officer, Greek Life, and Athletics. CEEO will determine what information and what officials must be advised of the Hearing Officer's findings in order to remedy the effects of discriminatory conduct and to prevent its recurrence.

The Title IX Coordinator or Student Conduct Officer may submit a written statement regarding aggravating and mitigating factors to the sanctioning authority, including whether the Respondent was previously found to have violated University policy.

Sanctions can range from a verbal warning to expulsion or termination of employment.

If the Respondent is determined to have violated University Policy 2740, the Title IX Coordinator may provide the Complainant with remedies that are separate from the Respondent's sanction. Remedies are designed to maintain the Complainant's equal access to the academic and/or work environment. Remedies may include extending supportive measures as defined in this DGP. Remedies are not required to be non-disciplinary or non-punitive for the Respondent and need not avoid burdening the Respondent. Remedies are confidential and are not shared with the Respondent except to ensure the remedy is carried out.

VII. CLIMATE ASSESSMENTS; DEPARTMENTAL INVESTIGATIONS; CONSOLIDATED COMPLAINTS

A. Climate Assessment

As an equal opportunity employer and an equal educational opportunity institution, UNM is legally obligated to provide and maintain an atmosphere free from discrimination. UNM must respond appropriately to all reports of discrimination. Such response may include investigating claims and taking appropriate corrective action even when there are no individuals standing in the roles of Complainant and/or Respondent as described herein.

If CEEO receives reports of alleged violation(s) of UNM policy, including but not limited to, alleged discriminatory actions, and those reports include allegations of violations that may affect multiple individuals within one department, CEEO may exercise its authority to conduct a civil rights-related climate assessment to address any actual or potential harm, and remedy any effects of that harm.

Climate assessments may be initiated at CEEO's or the Title IX Coordinator's sole discretion when the totality of allegations in one or multiple reports or claims of discrimination indicates that a discriminatory environment may exist within a department. Under such circumstances, UNM stands as the Complainant in the matter. A Dean of an academic area or Director of a unit may also request that CEEO conduct a climate assessment. Under such circumstances, the Department stands as the Complainant in the matter. In all such cases, CEEO, defines the scope of the assessment if one is to occur. Climate assessments will generally not be conducted when there are active investigations or inquiries into alleged misconduct by a particular Respondent or Respondents, but may be pursued after those active investigations are resolved. If CEEO determines that a climate assessment should be initiated while a separate investigation is ongoing, it will conduct the assessment so as not to interfere with the active investigation.

Once CEEO determines jurisdiction of a climate assessment, CEEO notifies the department Director or Chair that jurisdiction has been accepted, indicates the investigator assigned, and seeks to schedule a meeting with the department Director or Chair to discuss the process, the rights and responsibilities of the parties, UNM's prohibition against retaliation, and provide an overview of the allegations of civil rights violation(s) that have been raised.

At the conclusion of its assessment, CEEO issues an Climate Report that contains information on the allegations, witness statements, and all relevant evidence gathered during the investigation. CEEO provides the Climate Report to the appropriate Chair or Director. Those who receive the Climate Report have **ten (10) business days** to provide comment, response, or new, factual information.

After CEEO has received new, factual information, or when the deadline has passed with no response, CEEO writes a Final Climate Report which includes the information from the Climate Report, and any new information submitted. The Final Climate Report does not result in the issuance of a finding of

responsibility; rather, the investigator will indicate whether the assessment revealed that there is a climate of discrimination or harassment in the department.

A copy of the Final Climate Report is forwarded to the Chair or Director and their supervisor, as well as higher level departments if deemed appropriate, such as the Office of the Provost or Human Resources. A meeting is then scheduled between the Chair or Director, their supervisor, the CEEO Director and/or Title IX Coordinator to determine a solution for stopping the harassment or discrimination if any is determined to exist, addressing the harm the discrimination and harassment has caused, and preventing its recurrence. CEEO and the department may collaborate with other campus departments or community resources to effectuate remedial action. Because there is no finding of responsibility in a climate assessment, there is no opportunity for either a hearing or appeal by the Chair or Director of the department in which the climate assessment is conducted.

B. Consolidated Complaints; Cross-Claims

Where there are several complaints against a Respondent by more than one Complainant, CEEO will consolidate those complaints into one investigation when possible. In order to consolidate multiple complaints into one investigation, the complaints must arise out of the same set of facts or circumstances.

In instances where parties to an investigation each have a claim against the other – a cross-claim – that is jurisdictional to CEEO, the investigator assigned to the first report will also investigate the second report simultaneously. The cross-claims will be consolidated into one investigation. This is done to ensure a timely investigation, as well as save time for parties and witnesses to the investigation. In addition, this allows for the ultimate live hearing following an investigation to address both parties' claims, preventing the need for an additional hearing.

C. Departmental Investigation

A departmental investigation is one in which CEEO or the Title IX Coordinator stand in as the Complainant in a formal investigation in which there are multiple complaints against one Respondent.

Unlike the consolidated complaint process outlined in Section IX(B), a departmental investigation is held where there are multiple complaints against one Respondent, but the complaints **do not** arise from the same set of facts or circumstances. In this type of case, the occurrence of multiple complaints may be sufficient to indicate a pattern of acts that, in the aggregate, could violate UNM policy. Under such circumstances, CEEO may determine that a departmental investigation is warranted even though the individual complaints giving rise to the departmental investigation are not accepted as jurisdictional.

When CEEO determines that a departmental investigation is the appropriate procedural option, it will follow the investigative process as outlined in Section VI(C)(3), as applicable.

D. Hearings with Multiple Complaints against One Respondent

In instances where there are multiple complaints involving the same Respondent but which CEEO cannot consolidate the complaints, the cases may be adjudicated in one hearing at the discretion of the Hearing Officer.

VIII. APPEALS OF HEARING OFFICER FINDINGS

Parties may appeal a determination issued by the Hearing Officer as follows:

A. Appeals to the President

A party may appeal a Hearing Officer's Final Determination to the President of the University of New Mexico within **seven (7) business days** of the date of the Final Determination's issuance.

The President will consider an appeal only if it alleges one or more of the following extraordinary circumstances:

1. Procedural irregularity that affected the outcome
2. New evidence that was not reasonably available when the determination of responsibility was made that could affect the outcome; or
3. The Title IX Coordinator, investigator, or decision-maker had a general or specific conflict of interest or bias against the Complainant or Respondent that affected the outcome.

The appeal must clearly state which one (or more) of these grounds for appeal is alleged. No other grounds for appeal will be considered.

Appeals to the President must be received by the Office of the President within **seven (7) business days** of the date the Final Determination was issued. Exceptions to this time limit will only be considered on a case by case basis with sufficient justification provided by the individual seeking the exception. Appeals that are not received by the stated deadline will be denied unless an exception to the appeal time limit is granted by the President.

Appeals may be submitted electronically through an online form or via email to unmpres@unm.edu; by mail to MSC05 3300, Scholes Hall, Suite 144, 1 University of New Mexico, Albuquerque, NM 87131; or by hand-delivery to the Office of the President at Scholes Hall, Suite 144. Emailed appeals will be considered received by the Office of the President on the date and time they are sent. Appeals sent by mail will be considered received by the Office of the President as of the date of postmark on the document. Hand-delivered appeals will be considered received by the Office of the President when a representative of the Office physically accepts delivery of the document and notes the date and time of receipt thereon. Appeals that are not submitted as outlined in this paragraph may be denied without consideration.

If an individual files an appeal of a Final Determination, CEEO and the Hearing Officer will be informed of the appeal. The Hearing Coordinator will notify the other interested parties that an appeal has been filed. The party who is not filing an appeal will be given **five (5) business days** to submit an impact statement to the Hearing Coordinator for consideration. If an appeal alleges that CEEO or the Hearing Officer have not followed proper procedures, those parties will be given the opportunity to respond to the allegation.

Best efforts shall be made to issue a decision with **twenty (20) business days** after the appeal is received. If the appeal is considered, the President may decide to uphold the Final Determination in its entirety or may remand all or part of the appealed determination to the Hearing Officer or CEEO for additional proceedings or investigation. Written notice of the President decision will be provided to the appealing party, the Hearing Officer, and CEEO. All other parties will be simultaneously notified of the decision by the Hearing Coordinator.

If the President denies an appeal of the Final Determination or upholds that Final Determination without change, the Hearing Officer and Coordinator may take whatever further action they deem is warranted on the matter, including but not limited to forwarding its Final Determination to appropriate disciplinary bodies or administratively closing the matter.

B. Appeals to the Board of Regents

Under Regents Policy Manual, Section 1.5: Appeals to the Board of Regents, the Board of Regents has the

discretion to review the President's decision on an appeal of the Final Determination. An appeal may be submitted to the Board of Regents ONLY AFTER the President's review and decision are completed. A person wishing to appeal a decision to the Board must submit a written petition to the Board through the President of the University. The petition must be filed with **thirty (30) days** from the date the decision being appealed was rendered. The petition must describe the decision being appealed and the basis for the appeal. The Board of Regents has sole discretion to determine whether the appeal will be considered. The Board shall render its final decision in writing to the Complainant and Respondent within **ninety (90) days** from the date the appeal was filed unless a delay is requested by one of the parties and approved by the President of the Board. Additional information on appeals to the Board of Regents can be found at https://policy.unm.edu/regents-policies/section-1/1-5.html.

IX. CONFIDENTIALITY

UNM strives to respect individuals' privacy and requests for confidentiality to the extent permitted by state and federal laws. However, UNM has an obligation to investigate and resolve civil rights claims. To meet this obligation, UNM may be required to share information with persons who have a legitimate need to know that information. For example, those who are responsible for determining whether UNM policies have been violated or those sanctioning individuals found to have violated UNM policy have a legitimate need to know the factual findings made by the Hearing Officer. Those who manage the processes for appeals of the Hearing Officer's factual findings have a legitimate need to know the details of CEEO's investigation and/or need to review the evidence underlying a finding.

Upon request, the institution will disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense to:

a. The alleged victim;
b. or next of kin, if the victim is deceased

While UNM strives to respect the confidentiality and privacy of all parties involved in the process, UNM **cannot under any circumstances** guarantee confidentiality unless required to do so by law. Examples of situations in which confidentiality cannot be maintained include, but are not limited to:

1. Parties (Complainant and Respondent) have a right to examine and respond to all the evidence gathered by CEEO. While CEEO maintains information protected by FERPA, parties may be able to view FERPA-protected information;
2. When UNM is required by law to disclose information (such as in response to a legal process or a request for information under the New Mexico Inspection of Public Records Act);
3. When disclosure of information – such as the identity of witnesses, sources of information – is necessary for conducting an effective and fair investigation, such as allowing for cross examination questions or providing facts and documentation to parties;
4. Communicating with managers, supervisors, deans, chairs, and HR agents on a need to know basis, in order for them to effectively manage the work and/or academic environment;
5. For the purpose of implementing supportive measures pursuant to Title IX; or
6. When confidentiality concerns are outweighed by UNM's obligation to protect the safety or rights of others.

CEEO cannot grant anonymity to a person pursuing a formal investigation, as these cases may result in a live hearing before a Hearing Officer to determine if policy has been violated. For more information about the rights of individuals participating in processes related to alleged gender discrimination, please refer to University Policy 2740. CEEO cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in that capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the party provides voluntary, written consent to do so as part of this grievance process.

Faculty Disciplinary Process

(This process if for all faculty misconduct, including allegations of Sexual Misconduct, including Sexual Assault, Dating/Domestic Violence, and Stalking) Faculty who are found to be in violation of this policy may be subject to disciplinary action as provided in the Faculty Handbook Policy C07 ("Faculty Disciplinary Policy"), which states:

1. The university encourages a supportive problem-solving approach to workplace problems, but the university recognizes that misconduct may require disciplinary action. The university normally uses progressive discipline to address possible misconduct. Progressive discipline is intended to be corrective, not punitive in nature. It is designed to provide faculty with notice of deficiencies and an opportunity to improve. However, some violations of policies and procedures, or continued negative behavior, may be of such serious nature that suspension without pay or discharge pursuant to Faculty Handbook policies may be appropriate.

2. Any member of the faculty, including any serving as an academic administrator, who violates a published university policy may be subject to warning, censure, suspension without pay, or dismissal. Teaching or research assistants in their faculty capacity are considered faculty members for purposes of this Policy.

a) **"Warning"** means an oral reprimand or expression of disapproval.

b) **"Censure"** means a written reprimand or expression of disapproval, which should include an explanation of the nature of the misconduct, and the specific action to be taken by the faculty member and/or chair to correct the problem, including mentoring, if appropriate, and a statement that further disciplinary action could occur should the problem persists.

c) **"Suspension without pay"** means disciplinary suspension without regular salary for a stated period of time.

d) **"Dismissal"** means termination of employment (see Faculty Handbook Sections B.5.3, B.6.4.3, and B.5.4).

3. The procedures specified in this policy provide for the consideration and determination of proposed disciplinary actions against faculty members short of dismissal. Consideration and determination of disciplinary actions that may result in a proposed dismissal of a tenured faculty member, or dismissal of an untenured faculty member prior to expiration of his or her contract term, are governed by sections B.5.3, B.6.4.3, or B.5.4, respectively, of the Faculty Handbook and are not covered by these procedures.

4. In the case of allegations against a faculty member that appear to be within the scope of another specific University policy involving discrimination, sexual harassment, sexual assault, dating violence, domestic violence or stalking, the same investigative procedure will apply as described in the CEEO's Discrimination Grievance Procedure. If the chair of the faculty member is required to make a disciplinary determination after an investigation and finding from another University body (CEEO/Hearing Officer), this faculty disciplinary process will be followed in determining the appropriate discipline.

5. References to the department chair in this policy also include the program director or associate or vice dean in a non-departmentalized school or college. If allegations are made against a department chair or other administrator, the next higher academic authority shall perform the functions assigned in this Policy to the chair, and the provisions shall be modified as appropriate. Any individual(s) bringing an allegation of faculty misconduct to the chair's attention is protected by, and subject to, the University's policy on reporting misconduct (UBPPM section 2200, Whistleblower Protection and Reporting Suspected Misconduct and Retaliation).

6. In all cases other than those set forth in paragraphs 3 and 4 above, if a member of the faculty is alleged to have violated a policy of the university, the department chair shall provide the faculty member a written notice explaining the nature and specific content of the alleged violation, together with a copy of this policy, and shall discuss the alleged violation with the faculty member. The written notice shall be given to the faculty member within ninety (90) days of the chair learning of the apparent violation of policy. The faculty member may be accompanied by one person in meeting with the chair. The faculty member and the chair shall notify each other at least two working days prior to the scheduled meeting who, if anyone, will be accompanying them at the meeting. The chair should issue a written report within five (5) working days after the meeting summarizing the discussion with the faculty member, keep a copy in the faculty member's file, and send a signed copy to the faculty member. Before, during or after the meeting, the chair may ask

the faculty member to respond in writing to the notice and present any relevant written material within a reasonable time specified by the chair. Likewise, the faculty member shall be free to submit any materials reasonably desired on his/her own volition, no later than five (5) working days after meeting with the chair unless the chair grants additional time in writing. The matter may be concluded at this point by the mutual consent of all parties.

7. The department chair or the faculty member may initiate conciliation proceedings at any time prior to the chair's decision by contacting the Ombuds Dispute Resolution Services for Faculty program as provided in Section C345 with notice to the other parties. Conciliation may be undertaken if both parties agree.

8. If a mutually agreeable resolution (with or without conciliation) is not achieved, the department chair shall make a decision in the matter and communicate it to the faculty member in writing within ten (10) working days after meeting with the faculty member or the termination of conciliation efforts if they are unsuccessful, whichever is later. The faculty member shall have ten (10) working days from receipt of the written decision to submit a written request for review by the appropriate dean, who will issue a written decision concerning whether the chair's decision is upheld, modified or reversed. Prior to making a decision, the dean shall meet with the department chair and the faculty member, and their representatives if desired, together or separately, and shall receive and consider any documents the parties wish to submit. Documents shall be submitted within five (5) working days of the faculty member's request for review. If formal conciliation has not been attempted previously, the dean may refer the matter to Ombuds Dispute Resolution Services for Faculty. The dean will communicate his/her decision to the parties in writing within ten (10) working days after meeting with the faculty member or the termination of conciliation efforts if they are unsuccessful, whichever is later.

9. If the faculty member does not agree with the dean's action, he/she may submit a written request for review by the Provost or Chancellor within five (5) working days of receipt of the dean's decision. The Provost/Chancellor will decide the matter on the record unless he/she determines that it would be helpful to meet with the parties, together or separately. Within ten (10) working days after receipt of the complete record or after meeting with the parties, whichever is later, the Provost/Chancellor shall uphold, modify or reverse the dean's decision by written notice to the parties. The Provost/Chancellor may seek an advisory investigation and opinion from the Faculty Ethics Committee. The decision of the Provost/Chancellor is subject to discretionary review by the President or Board of Regents if requested by the faculty member.

10. If the chair, after meeting with the faculty member and considering all materials submitted pursuant to section 6, proposes to suspend the faculty member without pay, the chair shall meet with the dean to review the matter. If the proposal is supported by the dean after meeting with the chair and the faculty member, the faculty member is entitled to a faculty peer hearing. The faculty member shall send such a request to the Provost/Chancellor within five (5) working days of receipt of the dean's determination.
11. If a faculty peer hearing is requested as provided in this Policy, the chair of the Faculty Ethics Committee will arrange for a hearing before two members of that committee from outside the faculty member's department, chosen by the Faculty Ethics Committee, and one uninvolved department chair from a different school or college chosen by the Provost/Chancellor. The hearing will be held as soon as reasonably possible and shall be conducted according to the university's Dispute Resolution Hearing Procedures. The University Secretary's office shall make arrangements for the hearing. Hearings shall be recorded and shall be private unless both parties agree that the hearing be open. The hearing panel may uphold or reverse the proposal to suspend the faculty member without pay. If the panel's decision is to reverse the proposal, the panel may direct the chair and dean to impose a lesser disciplinary measure. The panel's decision may be reviewed on the record by the Provost/Chancellor, but the panel's decision shall not be reversed or modified except in the case of clear error, which shall be detailed in writing by the Provost/Chancellor. The decision of the Provost/Chancellor is subject to discretionary review by the President or Board of Regents if requested by the faculty member.

12. The faculty member may bring a complaint before the Committee on Academic Freedom and Tenure (AF&T) if he/she believes the matter or its handling is within the jurisdiction of the Committee. The Committee will determine whether the matter is within its jurisdiction and, if so, shall handle the matter under the Policy on Academic Freedom and Tenure. Normally, review by the AF&T Committee should be sought after the determination by the Provost/Chancellor. If the faculty member pursues the matter before the AF&T Committee, AF&T shall accept the facts as determined by the faculty peer hearing, if one was held.

13. If the final determination is that no misconduct occurred, efforts shall be undertaken to the extent possible and appropriate to fully protect, restore, or maintain the reputation of the faculty member.

14. These procedures do not supersede Appendix VIII to Part B of the Faculty Handbook, concerning the

Faculty Ethics Committee, and a faculty member who believes that he/she has been improperly accused of unethical behavior may bring the matter to the attention of the Ethics Committee under Appendix VIII after determination by the Provost/Chancellor.

UNM Weapons Policy

With very few exceptions, employees, students and visitors are not permitted to use or possess weapons on any part of the campus. A weapon includes, but is not limited to: firearms; ammunition and other dangerous weapons, substances, or materials; and bombs, explosives, or incendiary devices.

Any person failing to comply will become subject to appropriate disciplinary and/or criminal action. The UNM Weapons Policy is printed in its entirety in The UNM Pathfinder, which is available on-line at http://pathfinder.unm.edu/.

There are certain items that are allowed on the UNM Campuses for self-defense purposes, which include:

Allowable Self-Defense Items
• Pepper Spray – Members of the UNM campus community may carry pepper spray (A/K/A) oleoresin capsicum) in container no larger than 2.5 ounces, with a concentration of oleoresin capsicum of no more than ten (10) percent, for self-defense purposes • Stun Guns – with a maximum amperage of five (5) milliamps for self-defense purposes

Policy on Illegal Drugs and Alcohol

The Drug-Free Schools and Communities Act Amendments of 1989 (amends original law passed in 1986)

This law requires institutions receiving federal financial assistance to establish drug and alcohol abuse prevention programs for students and employees. This includes, at minimum, the following:

A. Create/have a campus alcohol and other drug policy that contains information on:

- Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by employees and students on its property or as part of its activities;
- A description of applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- A description of health risks associated with the use of illicit drugs and the abuse of alcohol;
- A description of available drug or alcohol counseling, treatment, or rehabilitation or re-entry programs
- A clear statement of the disciplinary sanctions that the institution will impose on employees and students and a description of termination of employment and referral for prosecution for the unlawful possession, use, or distribution of illicit drugs and alcohol. Disciplinary sanctions may also include completing an appropriate rehabilitation program.

B. The institution must distribute this policy to all students, faculty, and staff annually. NOTE: Until recently, the U.S. Department of Education interpreted this to require the policy be sent via

printed documents through campus mail. The use of electronic distribution is now considered appropriate given:

- The email is distributed to all students, staff, and faculty, and,
- The policy appears in the text of the email and not as an attachment

C. The institution has adopted and implemented an alcohol and other drug prevention program

D. The institution must conduct a biennial report review of the program's effectiveness, implement changes, if needed, and ensure that the disciplinary sanctions are consistently enforced.

II. The University of New Mexico Drug Free Campus Policy

This Policy on Illegal Drugs and Alcohol is adopted pursuant to federal laws and because of UNM's commitment to an environment for the pursuit of its educational mission free of drugs and the illegal use of alcohol. Drug and alcohol abuse on campus poses a serious threat to the health and welfare of faculty, staff and students; impairs work and academic performance; jeopardizes the safety and wellbeing of other employees, students and members of the general public; and conflicts with the responsibility of UNM to foster a healthy atmosphere for the pursuit of education, research and service. Federal and State laws relating to controlled substances and alcohol are enforced by UNMPD. The university enforces the state of New Mexico underage drinking laws and therefore does not permit the possession or consumption of alcoholic beverages by people under the age of twenty-one. Illegal uses of alcohol include, but are not limited to: serving, buying or drinking alcohol by a minor; assisting a minor or an intoxicated person to get alcohol; selling alcohol without a license and driving while under the influence.

This policy covers all property owned, used, leased or controlled by UNM, or any other site where official University business is being conducted. "Controlled substances" means those substances in Schedules I through V of section 202 of the Controlled Substances Act,21 U.S.C. 812, and implementing regulations, 21 CFR 1308.11-1308.15. Controlled substances include, but are not limited to, marijuana, cocaine (including "crack"), amphetamines, heroin, PCP, hallucinogens, and certain prescription drugs. Illegal uses of alcohol include, but are not limited to, serving, buying, or drinking alcohol by a minor; assisting a minor or an intoxicated person to get alcohol; selling alcohol without a license and driving while under the influence. This policy is not intended to supersede or negate any existing policies on substance abuse, student or employee discipline, or any additional requirements imposed on The University of New Mexico or its students, faculty or staff by federal or state law.

III. Policy Statement

The unlawful manufacture, distribution, dispensing, possession or use of controlled substances or alcohol on UNM property or as part of any of its activities by any member of the UNM community faculty, staff or students strictly prohibited.

As a condition of continued registration and enrollment, any student of UNM shall abide by this policy. Violation of this policy shall result in disciplinary action, up to and including expulsion. Sanctions shall be set based upon numerous factors, including but not limited to the severity of the offense, the amount of harm created, the Student's prior disciplinary record, and sanctions imposed in recent years for similar offenses. In determining sanctions, the Student Conduct Officer should assess each case individually and use professional judgment when weighing facts as well as aggravating or mitigating factors that may exist to determine the most appropriate sanctioning for the development of the Student and the common good and safety of the University community.

Sanctions for Code of Conduct violations shall not be implemented until the conclusion of the President-level appeal. Sanctions for violations of University Administrative 2720 or University Administrative

Policy 2740 shall not be implemented until the exhaustion of the appellate process, including the Regents-level discretionary appeal.

For more detailed information, students should refer to the Student Code of Conduct and related policies printed in *The UNM Pathfinder* (http://pathfinder.unm.edu) and/or contact the Dean of Students Office.

UNM's response to any violation of this policy may include, as a total or partial alternative to disciplinary action, a requirement that the employee or student participate satisfactorily in an approved substance abuse treatment or rehabilitation program as a condition of continued employment or registration/enrollment. Any employee engaged in the performance of work under a federal contract or grant is required, as a condition of employment, to notify his/her supervisor if he or she is convicted of a criminal drug statute violation occurring in the workplace within five days of such conviction. The supervisor shall notify the University Counsel's Office. Failure of the employee to notify the supervisor shall be grounds for disciplinary action.

In recognition of the dangers of substance abuse in the workplace, UNM shall maintain alcohol and drug free awareness programs to inform members of the University community about the issues and risks of substance abuse, and about counseling and treatment resources. The university shall assign responsibility for such awareness programs to specific administrative entities, which shall be provided sufficient resources to develop and maintain the programs. As a matter of policy, any referral, treatment, awareness or primary prevention programs established by the University shall play no role in enforcing or instituting possible disciplinary action.

I. Legal Sanctions for the Unlawful Possession or Distribution of Illicit Drugs and Alcohol

The penalties for even the most minor of violations of the Liquor Control Act can include fines of up to $300, confiscation of property and imprisonment for up to seven months. More serious violations carry greater penalties, with larger fines and longer imprisonment.

Driving, using machinery after drinking, or using drugs creates the risk that the user may injure or kill someone. This can result in homicide charges. License revocation and vehicle impoundment are also possible results of driving while under the influence of liquor or drugs. The minimum blood alcohol levels at which drivers' licenses are revoked in New Mexico are .02% for those under 21 and .08% for those 21 and over. All drivers in New Mexico are presumed to be intoxicated at the .08% level.

In drug-related cases, a court can permanently suspend eligibility for federal benefits, including financial aid. A criminal record can seriously hurt educational and career opportunities.

Penalties for illegal drug use can include significant fines and imprisonment. Penalties for the illegal sale of drugs are greater, and may include property confiscation. Alternative penalties for illegal drug or alcohol use may also include mandatory community service. Violation of laws by a foreign national may result in deportation.

As required by federal regulations, the following charts (figures 1 and 2 are included in the appendix of this report) detail federal and state sanctions for the unlawful possession or distribution of illicit drugs.

II. Health Risks Associated with Use of Illicit Drugs and the Abuse of Alcohol

Excessive alcohol consumption and abuse of illicit drugs can lead to certain types of cancer, pathological changes in the liver, brain, heart and muscle, which can lead to disability and death, addiction, birth defects, shortened life span, stomach ulcers phlebitis, varicose veins, and other health problems. Alcohol and drugs are also a major factor in homicides, assaults, rapes, suicide, family and date violence. Alcohol is significantly involved in all types of accidents - motor vehicle, home, industrial, and recreational. Unintended pregnancies and sexually transmitted diseases are often associated with alcohol or other drug abuse, as well as relationship, academic or work problems.

For more information on the possible effects and health risks associated with the use of illicit drugs and alcohol, contact the Student Health Center Health Education Program at (505) 277-1074 or the UNM

Campus Office of Substance Abuse Prevention at (505) 277-2795. Information on the possible effects and health risks associated with the use of illicit drugs and controlled substances is also contained in the Policy on Illegal Drugs and Alcohol that appears on page 53 of the 2007-2008 UNM Pathfinder.

Campus Resources for Faculty and Staff:

If you are concerned about your own, an employee's or a colleague's alcohol or drug use, contact the CARS program. The intent of CARS is not to intrude into the private lives of university employees, but rather to provide services for those who choose to request help with their problems. Your contact with CARS is confidential within the limits of applicable law and ethical guidelines. Individual assessments, short-term counseling, consultation and referrals are available. CARS also offers presentations on a variety of topics, voluntary mediation services, group crisis intervention, and team building.

C.A.R.S. (Counseling, Assistance & Referral Service) 505-272-6868.

University Hospital employees may contact C.A.R.S. directly (505-272-6868) or call Human Resources (272-0942) for information about available counseling & referral resources.

Campus Resources for Students:

If you are concerned about the alcohol or other drug use of yourself or another, please contact the Student Health Center or the Campus Office of Substance Abuse Prevention. Confidential consultants, individual assessments and education are available.

Student Health and Counseling (Counseling Services) - 277-3136

Campus Office of Substance Abuse Prevention - 277-2795

Other Campus and Community Resources:

AGORA Crisis Center	**505-277-3013**
NM Council on Alcoholism and Drug Dependence	**505- 256-8300** (For intervention services and information on community treatment resources and recovery groups, e.g. AA, ACOA, Al-Anon, Rational Recovery, Women for Sobriety)
Suicide Prevention Emergency Service (24 hours)	**505-247-1121**
University Hospital Emergency Dept.	**505-272-2411**
UNM Center on Alcoholism, Substance Abuse and Addictions (CASAA)	**505-925-2300**
UNM Department of Psychology Clinic	**505-277-5164**
UNM Employee Health Promotion Program	**505-272-4460**
UNM Employee Occupational Health Services	**505-272-2517**
UNM Mental Health Center, Crisis Unit	**505-272-2800**
UNM Women's Resource Center	**505-277-3716**

IV. SEX OFFENDER REGISTRATION

In accordance with the Campus Sex Crimes Prevention Act of 2000 (CSPA), UNM-G PD is providing a link to the New Mexico Department of Public Safety for law enforcement agency information concerning

registered sex offenders. The CSPA requires institutions of higher education to inform the campus community where law enforcement information about registered sex offenders may be obtained. It also mandates that sex offenders who are required to register in a State must also give notice of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student. Additionally, the New Mexico Sex Offender Registration and Notification Act requires a convicted sex offender who is employed by, enrolled at, volunteering with or carrying on a vocation at an institution of higher education to register with the university's law enforcement department, the university registrar, the county sheriff for the county in which the higher education institution is located as well as the county sheriff for the county in which the sex offender resides.

Registration at UNM-G is administered by UNM-G PD (Gurley Hall, 705 Gurley Avenue) or the Registrar's Office (Student Services and Technology Center, 705 Gurley Avenue) via an online registration form. A list of registered sex offenders is available online from the New Mexico Department of Public Safety or by calling the McKinley County Sheriff's Office at (505) 863-1410.

Educational Programs and Campaigns for Alcohol/Drug Use, Dating Violence, Domestic Violence, Healthy Relationships, Sexual Violence and Stalking:

UNM Gallup is committed to educating members of its campus community through a number of ongoing campaigns, educational and awareness programs. UNM prohibits all acts of violence on our campus, including Dating Violence, Domestic Violence, Sexual Violence and Stalking. Our campaign and programmatic efforts reflect that we are an affirmative consent campus, as defined in our institutional policy #2740. All incoming students receive the following mandatory training, which is the primary prevention and awareness program for students:

I. Grey Area Training

This training module is an in-person and interactive training for students that is approximately 1.5 hours in length annually during new student orientation, which includes:

• Covers sexual misconduct prevention risk reduction with dating violence, domestic violence, sexual assault and stalking. It accomplishes this by aiding the student to be empowered about their safety on the UNM Campus.

• States that sexual discrimination, which includes dating violence, domestic violence, sexual assault and stalking are prohibited acts.

• Reporting Options – including areas that are anonymous and those individuals that are mandatory reporters. • Discusses the importance of "consent" and how it is defined, which is:

- Consent requires a clear affirmative act or statement by each participant to each sexual act in a sexual interaction. Relying solely on non-verbal communication can lead to miscommunications 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.

• Discusses positive/safe bystander information such as:

- Using Humor
- Group Intervention
- Distraction
- Using "I" Statements

• Defines Sexual Violence terms, such as sexual assault, stalking and relationship violence.

II. Intersections: Preventing Discrimination and Harassment

UNM is committed to educating members of its campus community through a number of ongoing educational and awareness programs. All employees must complete this mandatory training on an annual basis, which is the primary prevention and awareness programs for faculty and staff. The module raises awareness on the various topics of discrimination, harassment and sexual violence. Intersections includes animated scenarios, skill practices, UNM policies and resources, sound and closed caption (CC) capability. The training is one hour in length for both faculty and staff, which includes:

• Covers sexual misconduct prevention and risk reduction with dating violence, domestic violence, sexual assault and stalking. It accomplishes this by aiding the employee to be empowered about their safety on the UNM Campus.

• States that sexual discrimination, which includes dating violence, domestic violence, sexual assault and stalking are prohibited acts

• Reporting Options – including areas that are anonymous and those individuals that are mandatory reporters

• Discusses the importance and meaning of "consent" Discusses bystander information such as:

- Using Humor
- Group Intervention
- Distraction
- Using I Statements

• Defines Sexual Violence terms, such as sexual assault, stalking and relationship violence

General Campus Crime Prevention and Security Awareness Programs

In addition to the Grey Area and Intersections trainings that specifically address incidents of sexual misconduct (including dating violence, domestic violence, sexual assault and stalking), UNM-Gallup offers information about safety and security awareness/prevention programs that are available to the UNM-Gallup campus community, as well as crime prevention services and tips. This information is designed to keep faculty, staff and students safe at UNM-Gallup. Information about these ongoing no cost services is given out to new students at their incoming orientation. Employees (faculty and staff) of UNM must complete the Annual Basic Safety Training each year, via an on-line platform through Learning Central and receive safety information at new employee orientation.

I. Protect the Pack

This is UNM's campaign to promote a number of safety related items, including being a good bystander and protecting fellow students by "Protecting the Pack" – a play on protecting other students (Lobos).

II. Campus Safety Week

Campus Safety Week is a week of programming that occurs annually during Campus Safety Awareness Month (September), which includes programs for our entire UNM Community like:

• Sexual Assault Awareness Programs, that include prevention and bystander information

• Campus Safety Walk – where students evaluate the safety of UNM's Campus at night

• Coffee with a Cop – an opportunity to have all UNM Community members have coffee with our UNMPD and ask questions of UNMPD.

UNMPD informs our community during these events about our:

• Primary Crime Prevention programs on Campus

• Answers safety related questions that are applicable to our campus community

• Safe Zone Training – where UNM Community members can understand how to be an ally, what terminology is appropriate, understanding different types of hate, negativity and phobias.

III. Campus Office of Substance Abuse Prevention

Program (Risk Reduction)	Target Audience	Frequency
E-Chug	Students at Risk with Alcohol Use	Annually
Diary of a Lady Lobo (Healthier Alternative to Drinking While Partying)	UNM Women Students	Annually
Campaign (Prevention and Awareness)	**Target Audience**	**Frequency**
Social Norms (Educating students about social drinking and partying)	All UNM Students	Annually

IV. LoboRESPECT Advocacy Center

Campaign (Prevention and Awareness)	Target Audience	Frequency
Not on My Campus (Promoting Sexual Assault Response and Education)	UNM Community	Annually
Consent. Get It. (Promoting importance of getting Consent)	UNM Community	Annually
Protect the Pack (Promoting Safe Bystander Intervention)	UNM Community	Annually

V. Office of Compliance, Ethics, and Equal Opportunity

Campaign (Prevention and Awareness)	Target Audience	Frequency
Know Your Title IX (Tabling)	UNM Community (Faculty, Staff and Students, including prospective students)	During New Student Orientation each Summer

VI. Student Health Center

Campaign (Prevention and Awareness)	Target Audience	Frequency
Workshops and Presentations Workshops and presentations on a variety of topics are held for students during the Fall/Spring semesters. Additional workshops can be done as requested. Topics can include but are not limited to, Healthy Relationships, Stress Management, etc.	UNM Students, Faculty and Staff	Workshops Throughout the Fall/Spring semesters and as requested Presentations- New Student Orientations, New Faculty Orientations, etc. and as requested.

VII. Active Bystander Intervention

A bystander is a person who observes a conflict or unacceptable behavior. The observed behavior may be serious or minor, one-time or repeated, but the bystander knows that the behavior is harmful or likely to make a situation worse. This person may be in a position to discourage, prevent, or interrupt unacceptable behavior. The bystander has two options: to remain a passive bystander or become an active bystander. A passive bystander is one who observes but does not intervene in any way.

Steps to becoming an Active Bystander:
1. Notice a situation that is out of the ordinary. Does your "gut" tell you something is wrong?
2. Ask yourself if I could play a role here?
    a. If nobody intervenes, what will likely happen?
    b. Is someone else better equipped to respond?
    c. What would be my purpose of responding?
3. Assess your options for providing help. Use your words; do not use violence to end violence.
4. Determine the potential risk(s) of acting
    a. Are there risks to myself and/or others?
    b. Is there a low-risk option?
    c. How could I reduce risks?
5. Determine how to implement your choice(s) safely.

Examples of safe bystander interventions:
• Come up with an excuse to separate your friend from the situation
• Ask friends to assist when a situation seems to be going poorly
• Come up with some distraction if a situation is not going well

The aforementioned educational programs, trainings, and strategies are designed to reduce the risk associated with dating violence, domestic violence, sexual assault, and stalking for students, staff, and faculty.

VIII. Definitions

Awareness/Education Programs: These are programs designed by UNM to create more awareness and education about sexual misconduct, domestic violence, dating violence and stalking.

Bystander Intervention: These are programs or campaigns, which inform our UNM campus community of ways to intervene safely and positively in situations that may have potential for becoming unsafe situations.

Consent: Is an affirmative informed decision to willingly engage in mutually agreed upon sexual activity.

Ongoing Prevention and Awareness Campaigns: These are marketing pushes to make our UNM Campus Community more aware about sexual misconduct, domestic violence, dating violence and stalking.

Primary Prevention Programs: These are programs designed to educate our campus community about preventing sexual misconduct, domestic violence, dating violence and stalking.

Risk Reduction: Provides options to decrease perpetration and bystander inaction, while increasing empowerment for victims in order to promote safety and to help individuals and community members address conditions that facilitate violence and can help reduce the risk of being assaulted.

Crime Prevention Services and Risk Reduction Tips
Keeping You Safe at UNM

The following is a list of services UNM provides for the entire UNM community. These services are talked about at New Student Orientation and New Employee Orientation.

Campus Escort Service: UNM-G PD offers escort services to anyone needing an escort from an on-campus location to another on campus location 24 hours, 7 days a week. We do not give off campus escorts. For escort service, call (505) 863-7620.

Campus Police Website: The Campus Police Website has a myriad of safety tips and features for our UNM community, including a link to Campus Safety 101 https://gallup.unm.edu/campuspolice/

Crime Prevention Materials: Free brochures and other documents regarding crime prevention are available at UNM-G PD.

Lost and Found: UNM-G PD operates the main lost and found service for the University.

Note: Preventing Harassment and Discrimination include the ongoing programs for students listed above.

Reducing Your Risk at UNM

The UNM Community is encouraged to be responsible for their own security and to potentially assist with the security of others. Risk reduction choices are not presented in a way to victim blame, but to assist in empowering an individual so that they can be safe, lessen the potential to be a victim of a crime, and promote the safety of others.

The following is a list of suggestions that will help to reduce your risk on the UNM-Gallup Campus:

- We want all individuals to feel empowered to say something if you see something on campus that makes you feel uneasy or feeling unsafe, by making sure you let someone know about it (such as the UNM-G Campus Police or Director of Student Affairs Office), so UNM can take action to address these unsafe conditions
- Walk with others at night or use the Campus Escort Service
- Should you bring a bike to campus, lock your bike with a U-Lock and take any easily removable items from your bike with you
- Do not leave your valuables unattended
- Should you bring a vehicle to campus, use some sort of theft deterrent device and do not leave items in plain sight of others who may be walking by your car
- Should you wear headphones or earbuds, please keep the volume low enough so that you can be aware of your surroundings
- Do not give your personal information to untrusted sources, either in person or online
- Always report suspicious activity to the UNM-Gallup Campus Police by calling 505-863-7620

As Lobos, you should remember to "Protect the Pack"

University of New Mexico-Gallup Campus Crimes

The following tables contain statistics for Clery reportable crimes that have occurred within UNM-Gallup Campus Clery reportable geography and has been gathered from the UNM-G PD, Campus Security Authorities (CSAs) and Surveys sent to local law enforcement agencies. The data encompasses the following information within UNM's Clery Geography, as defined by the Clery Handbook unless otherwise noted.

I. Clery Reportable Crimes

Murder/Non-Negligent Manslaughter – is defined as the willful (non-negligent) killing of one human being by another.

Negligent Manslaughter – is defined as the killing of another person through gross negligence.

Rape – is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ or another person, without the consent of the victim. This offense includes the rape of both males and females. Include the crime as Rape, regardless of the age of the victim, if the victim did not consent or if the victim was incapable of giving consent. If the victim consented, the offender did not force or threaten the victim, and the victim was under the statutory age of consent, include the crime as Statutory Rape.

Fondling - is 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 youth or because of his/her temporary or permanent mental incapacity.

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

Statutory Rape – is sexual intercourse with a person who is under the statutory age of consent.

Robbery - is 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.

Aggravated Assault – is an unlawful attack by one person upon another for inflicting sever or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary – is the unlawful entry of a structure to commit a felony or a theft. This category does include thefts from automobiles.

Motor Vehicle Theft – is the theft or attempted theft of a motor vehicle.

Arson – is 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.

II. Violence against Women's Act (VAWA) Definitions for Domestic Violence, Dating Violence and Stalking

Domestic Violence:

A felony or misdemeanor crime of violence committed by:
• A current or former spouse or intimate partner of the victim or
• A person with whom the victim shares a child in common
• A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner
• A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred
• Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred

Dating Violence:
Is defined as 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 such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Stalking:
Is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
• Fear for the person's safety or the safety of others; or
• Suffer substantial emotional distress.
For the purpose of this definition –
Course of conduct means – two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
Reasonable person means – a reasonable person under similar circumstances and with similar identities to the victim.
Substantial emotional distress means – significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

III. Unfounded Crimes

Crimes that UNM-G PD have found to be baseless or false through investigation by their department. Only UNM-G PD can unfound a crime. Other Clery Reported incidents may have been found not to occur through other investigatory agencies, but still must be classified as a Clery Reported Crime on our UNM Crime Statistics

IV. New Mexico State Law Definitions of Domestic Violence, Dating Violence, Sexual Violence (Sexual Assault) and Stalking

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 or a child, or a person with whom someone has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member under the Act. In addition, under the New Mexico Family Violence Protection Act, violation of a court-issued order or protection granted to protect an individual who has experienced sexual violence or misconduct or domestic abuse is a misdemeanor crime.

Dating Violence – Under New Mexico 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.

Sexual Violence - 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 the use of alcohol or drugs, disability, or age. It may include sexual assault, forcible fondling, or any other conduct of a sexual nature that is nonconsensual. Sexual violence is a crime.

- Rape/sexual assault: non-consensual sexual intercourse (either vaginal or anal) with a penis, vagina, tongue, finger, or any object.
- Non-consensual oral sex: non-consensual contact between one person's mouth and the genitals or anus of another person.
- 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.
- Sexual coercion: the act of using pressure, alcohol or drugs, or force to have sexual contact with someone against the individual's will and includes persistent attempts to have sexual contact with someone who has already refused.

Stalking – 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.

V. UNM Campus Geography includes the following areas as defined below:

On Campus Property - Any building or property owned or controlled by an institution within the 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 Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor). This would include most buildings on UNM-Gallup's Main and North campuses.

Non-Campus Property – Any building or property not part of the Gallup campus nor a separate campus and is: owned or controlled by the institution; used in support of or in relation to the institution's educational purposes; and frequently used by students.

Public Property - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus, or immediately adjacent to and accessible from the campus. Public property for UNM-Gallup is the surrounding streets like College and Boardman Drives, and the sidewalks right on the other side of these streets.

UNM Gallup Campus – Clery Crime Statistics (2021, 2020 and 2019)					
Crime Classification		**On Campus Property**	**Non Campus**	**Public**	**Total**
Murder/Non-Neglect Manslaughter	**2021**	**0**	**0**	**0**	**0**
	2020	**0**	**0**	**0**	**0**
	2019	**0**	**0**	**0**	**0**
Negligent Manslaughter	**2021**	**0**	**0**	**0**	**0**
	2020	**0**	**0**	**0**	**0**
	2019	**0**	**0**	**0**	**0**
Rape	**2021**	**0**	**0**	**0**	**0**
	2020	**0**	**0**	**0**	**0**
	2019	**0**	**0**	**0**	**0**
Fondling	**2021**	**0**	**0**	**0**	**0**
	2020	**0**	**0**	**0**	**0**
	2019	**0**	**0**	**0**	**0**
Incest	**2021**	**0**	**0**	**0**	**0**
	2020	**0**	**0**	**0**	**0**
	2019	**0**	**0**	**0**	**0**
Statutory Rape	**2021**	**0**	**0**	**0**	**0**
	2020	**0**	**0**	**0**	**0**
	2019	**0**	**0**	**0**	**0**
Robbery	**2021**	**0**	**0**	**0**	**0**
	2020	**0**	**0**	**0**	**0**
	2019	**0**	**0**	**0**	**0**
Aggravated Assault	**2021**	**0**	**1**	**0**	**1**
	2020	**0**	**0**	**0**	**0**
	2019	**0**	**0**	**0**	**0**
Motor Vehicle Theft	**2021**	**0**	**0**	**0**	**0**
	2020	**0**	**0**	**0**	**0**
	2019	**0**	**0**	**0**	**0**
Arson	**2021**	**0**	**0**	**0**	**0**

	2020	0	0	0	0
	2019	0	0	0	0
Burglary	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Liquor Arrest	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Drug Arrest	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Illegal Weapons Arrest	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
VAWA Clery Crimes					
Dating Violence	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Domestic Violence	2021	0	1	0	1
	2020	0	0	0	0
	2019	0	0	0	0
Stalking	2021	0	1	0	1
	2020	0	0	0	0
	2019	0	0	0	0
Referrals for Disciplinary Action					
Liquor Law Referrals	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Drug Law Referrals	2021	0	0	0	0

	2020	**0**	**0**	**0**	**0**
	2019	**0**	**0**	**0**	**0**
Weapons Law Referrals	**2021**	**0**	**0**	**0**	**0**
	2020	**0**	**0**	**0**	**0**
	2019	**0**	**0**	**0**	**0**

Unfounded Crimes:

There were no unfounded crimes during the reporting period.

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