URGE Complaints and Reporting Policy for New Mexico Tech

This is what was found by the URGE Pod at New Mexico Tech on policies for handling complaints, the reporting process, resources, and possible outcomes. Some information was public; answers that were only found through follow up with contacts are noted.

General NMT policies page: https://www.nmt.edu/policies/
Harassment policy that new employees sign: https://www.nmt.edu/hr/Harassment%20Policy.pdf

- The link(s) to the reporting policy at our organization are here:
  - Notice of Non-Discrimination : New Mexico Tech (nmt.edu) -
    - Department, EES does not have a department-specific notice
    - Lab, individual labs but not widely posted
  - Are reporting policies regularly reviewed? - unclear if policies are regularly reviewed
  - What is the process for changing policy? - unclear or no readily available information on the process for changing policies.
    - Inquiries regarding compliance may be directed to: Randy Saavedra, Director Affirmative Action and Compliance/EEOC
      - The following links are to an email address for Randy Saavedra. This is quite misleading, especially calling it a whistleblower link. It's certainly not anonymous.
      - TO REPORT ANY AFFIRMATIVE ACTION, OR EEOC, COMPLAINTS
      - WHISTLEBLOWERS AND GRIEVENCES[sic] ONLINE REPORTING LINK
    - The following person has been designated to serve as the overall coordinator for purposes of Title IX compliance at New Mexico Tech: Peter Phaiah, Title IX Coordinator/Assistant Vice President for Student and University Relations
    - Most recent Affirmative Action Plan is from 2019 (nmt.edu/studentlife/docs/aac2019/nmtplan2019.pdf)
  - Are the rates of reporting made publicly available (e.g. # of reports each year)?
    - No information on reporting rates for complaints were found. Only crimes required to be reported under the Clery Act are regularly reported in the annual safety and security report. The latest report for 2019 is available at https://www.nmt.edu/police/docs/2019-Annual-Safety-and-Security-report.pdf
What mechanisms are available for reporting complaints, bias, microaggressions, harassment, and overt racism?

- The links for Sexual Misconduct Reporting Options and Procedures (Word DOC Download) and Notice of Non-Discrimination are not working on the Title IX page: https://www.nmt.edu/titleix/
- Information on confidential resources is near the bottom of the page
- Who are the designated individuals/positions for reporting incidents? https://www.nmt.edu/academicaffairs/Where_to_go.php (note that racial and discrimination concerns are LAST on this list of items, and sexual assault concerns are also located towards the bottom of the page; top items are all academic in nature).
- Can reports be made online? Where? No, the only available we-based form is for Title IX reporting. Anonymously? No - you have to call or email a phone number (for racial or non-Title IX discrimination concerns)
- Who do in-person and online reports go to? Who has access to see reports? Randy Saavedra, Director Affirmative Action and Compliance/EEOC. It is not clear who has access to these reports, what happens to them after they are filed.
- Are police included in the process? When and how? Are individuals accompanied by an advocate or someone from the organization?
- Currently there is no online reporting system with campus police although there is an email available for dispatch (dispatcher@nmt.edu) - however this is not anonymous, and no anonymous reporting (for all safety concerns, not just racial/microaggression/discrimination concerns). This relates specifically to potentially unwanted interactions with campus police. The issue was once brought to the campus-wide DEI committee using search and rescue protocols as an example but to date nothing has been done to rectify this system with campus security reporting. Potential actionable items could be including more POC at higher admin levels and student pressure on the administration and practices. Implementing an online anonymous tip line for campus police should require minimal effort.
- There is no information about what the process is if you were to report through either campus police or Randy Saavedra’s office, so it’s very unclear what process you’re starting if you go to report (can you bring someone/advocate, can an advocate be provided (like ombuds), is there an interview process, when do police become involved if reporting to non-police, are there multiple rounds of reporting, how is progress and resolution communicated, when are updates available through the resolution process)

What are the outcomes or consequences for reported individuals?

- Follow-up by supervisor, training (bias, etc.), disciplinary action, termination.
- Note here that most available information and focus is specific to academic issues like cheating and plagiarism. Unfortunately this reinforces a power dynamic in reporting and outcomes. There is no readily available information on reporting and outcomes/consequences for students or subordinate staff reporting.
Who decides the outcomes/consequences? What is the process?
- Readily available information only deals with academic misconduct.
- Academic Honesty and Research Misconduct Resource Page link is broken.
- https://www.nmt.edu/academicaffairs/avpaa/academic_honesty.php

Are reports tracked? Yes, if they are handled by the Associate Vice President for Academic Affairs, Dean of Graduate Studies or a higher level individual.

Source: Interim Academic Grievance Policy

How are they tracked? By whom?
- The source is not specific as to how the reports are tracked.
- In the case of a problem student, the behavior intervention team will track the report.
- Depending on what kind of offense, the report may be tracked in Title IX or academic honesty. (Do not have a source).

Are repeated complaints escalated to a disciplinary board? What is the process?

What resources are available for individuals reporting?
- Counselors or advocates, especially those of the same race, ethnicity, and gender.
- Behavioral Intervention Team (BIT) https://www.nmt.edu/bit/index.php
  **note discussion with the director of student affairs, this can be used to self-report but it isn't common and not really designed in this way.
- Mental health counseling center: https://www.nmt.edu/cds/
- Angela Gautier and Laura Barker (and counseling office) email: counseling@nmt.edu
- Director of student affairs noted difficulty in providing diverse counselors for a small, rural campus, and that other options have run into barriers in terms of licensing across state lines. However this is something we would like to revisit.
- From the website: “Eligibility: Currently enrolled NMT graduate or undergraduate students registered for a minimum of 6 credit hours are eligible for our services. The initial appointment is an opportunity for your counselor to determine if the services we offer are appropriate for your needs and for you to decide if our services are a good fit for you.” -- we would suggest rephrasing this to include the person requesting service as a part of the decision making process regarding appropriateness and fit, and also provide at least language on options if neither NMT counselor is a good fit.
- Automatic or requested investigation of potential impact on grades or evaluations.
  - If reported to Title IX will be automatically initiated.
  - Randy Saavedra for reporting descrimination - unknown about automatic reporting.
  - Telephone (575) 835-5005
- E-mail: randy.saavedra@nmt.edu
  - Protection against retaliation or repercussions, accommodations for continuing work/courses, option for pass/fail or outside assessment.
  - Within Title IX there is protection against retaliation; no set policy currently to protect against retaliation for other reporting (e.g. biases)

**What resources are available to groups raising issues or proposing changes?**
Most effective route is to contact Michael Voegerl directly (Director of Student Affairs)

*What we found*
- Randy Saveedra - Director of Affirmative Action
- Title IX office exists but it only addresses sexual misconduct
  - There is no clear form or mechanism to report non-Title IX discrimination, just contact for Randy Saveedra
  - Unclear what the outcomes of reporting are
- No obvious process or courses of action to meet with leadership/trigger a town hall
- Leadership does do surveys, but in the opinion of two students the student responses do not receive adequate consideration, or at least this isn't apparent to students
  - Policies or available resources are all distributed reactively and not proactively

**Objectives**
- Petitions of # signatures trigger a town hall, meeting with organizational leadership, or policy change. What is the follow-up process for town halls and meetings?
- Working groups or committees with power to change or propose changes to policy.
- Cultural surveys, regular or only after wide-spread reports or high-profile incidents.
- Leadership proactively asks students and/or staff for input on how to improve.