

URGE

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THE UNIVERSITY OF
NEW MEXICO.

URGE at UNM

Complaints and Reporting Policy for Earth and Planetary Sciences at University of New Mexico

This is what was found by URGE at UNM in the Department of Earth and Planetary Sciences at University of New Mexico on policies for handling complaints, the reporting process, resources, and possible outcomes.

- **Link(s) to the reporting policy at our organization are here:**

- [Office of Equal Opportunity at UNM](#) - University Policies and Grievance Procedure
- [Respectful Campus policy](#) - Overarching links to a variety of policies, reporting information, addresses bias and microaggressions
- The EPS department currently has no specific policies and we adhere to University-wide policies for Equal Opportunity and Respectful Campus.
- **Are reporting policies regularly reviewed? What is the process for changing policy?**
- The OEO annual report (link) shows rates of reporting. Complaints have been up every year except 2020. In 2020 UNM did see an increase in hate/bias reports.

- **What mechanisms are available for reporting complaints, bias, microaggressions, harassment, and overt racism?**

The Respectful Campus policy Section 5.4 states: “All members of the University community may report destructive actions (not addressed by other policies) by referring to the following policies or offices, or by contacting the UNM Compliance Hotline, anonymously if preferred, at 1-888-899-6092 or on-line at: unm.ethicspoint.com”

Reports can be made online through the UNM Office of Equal Opportunity ([Link](#)) or through Lobo Respect ([link](#)). Reports can be made anonymously. Not all reports are formal. Informal reports can also be made to a supervisor, to an ombudsperson, counselor, or to the dean of students office.

If a faculty member or supervisor receives a report from a student or subordinate employee, they should pass that on to OEO immediately or as soon as practically possible (usually within 24 hours). This can be done through several means:

- [EthicsPoint hotline](#)



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- [Online form](#)
- Email: oeounm@unm.edu
- Phone: (505) 277-5251
- In-person at our office (though this is quite limited due to COVID restrictions and should be made by appointment)

If a complaint is made through the EthicsPoint hotline, it is reviewed by UNM employees who are EthicsPoint administrators. They review the report to assign to the appropriate UNM office to address. There are three such employees at UNM. If a report names someone who works in the appropriate UNM office to which the complaint belongs, it is screened out for conflict and assigned to another office.

If a report comes directly to OEO, our office reviews the report to ensure it is appropriate for our office (i.e., alleges discrimination/harassment based on a protected status, sexual misconduct). If it is, we keep it and conduct outreach to the affected party. If it is not in our office's purview, we forward it to the appropriate office on campus.

Police are not involved in the OEO process and OEO does not report discrimination or harassment to the police. The exception to this is if there is alleged harm to a minor child or if there is an immediate threat to the campus community. We advise parties that they may file a police report if there is alleged criminal activity. In the past, Hate/Bias reports were filed through UNMPD, but OEO is now the sole recipient of those reports. The [Hate/Bias Complaint](#) form is on our website. As a caveat, allegations of [Clery crimes](#) are reported to the Clery Compliance Officer for statistical purposes and inclusion in the Annual Safety and Fire Report. The information is de-identified for reporting to the federal government.

- **What resources are available for individuals reporting?**

There are different resources for those who report versus those who are the reporter AND the target of discrimination/harassment. For persons who are reporting pursuant to [University Policy 2720, Section 11](#), they may not receive any follow-up or additional information from OEO, as our process is confidential and we communicate only with the involved parties and other individuals who may have a need to know in order to monitor the academic/work environment, effectuate supportive measures, or otherwise carry out the grievance process. Sometimes a reporter falls into one of those groups and sometimes not. We recommend that folks consider contacting CARS or Ombuds as confidential resources if they need support.



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For the person who is a target and who has also reported, there are several different types of resources:

In our process, any Complainant can select a support person to accompany them at meetings with investigators, as long as that person isn't a witness to the allegations or serves in the person's supervisory chain.

The **confidential** resources available to students are:

- LoboRESPECT Advocacy Center
- LGBTQ Resource Center
- Women's Resource Center
- Vassar House (for North Campus students)
- Learning Environment Office (for HSC students)
- SHAC (no advocacy, only counseling and medical services)

The confidential centers are exempt from mandatory reporting under Policies 2720 and 2740. Although they are geared toward student services, LoboRESPECT, LGBTQ Resource Center, and Women's Resource Center sometimes work with faculty and staff Complainants on a case-by-case basis and if they have the capacity to do so.

There are other resource centers that are not confidential and they do not necessarily provide the level of advocacy as the other confidential centers. They are resources that students may feel more comfortable speaking with, though, depending on their circumstances:

- Accessibility Resource Center
- African American Student Services
- El Centro de la Raza
- Native American Student Services
- Veteran's Resource Center

Initiating an OEO report does NOT automatically lead to an academic grievance or performance evaluation process. Any time a Complainant's OEO report is tied to academic or workplace performance, they are advised that they must go through those appropriate processes simultaneously. OEO frequently works with those departments in tandem to ensure the respective investigations/inquiries do not interfere with one another and we are seeking out ways to synthesize these processes a bit better in the future. In particular, we have been talking with Jesse Aleman about how the academic grievance process can be addressed when there are discriminatory claims tied in with such a grievance.

UNM has several policies against retaliation, including UAP 2200, 2720, and 2740. Policies 2720 and 2740 specifically prohibit retaliation for reporting pursuant to those policies, as well as for participating in an OEO investigation or process. While we cannot prevent retaliation, if a



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Complainant chooses to proceed with a formal complaint in our office and there is potential for retaliation that would adversely impact the academic or work environment, OEO can work with the appropriate parties to effectuate an anti-retaliation plan. Retaliation is also a separate, stand-alone claim that OEO would investigate in addition to any claims of discrimination or harassment.

When a report is made to our office, we reach out to the affected party within 24 hours advising them of our process and the resources available to them. One of the process options is to visit with an investigator and elect to file an Informal Complaint. An Informal Complaint by itself does not initiate an OEO investigation and the Respondent is not informed of any report or allegations. Rather, the Complainant is able to access “supportive measures” to ameliorate the effects of alleged discrimination and harassment. Sometimes a specific supportive measure cannot be enacted (e.g., it would be burdensome/punitive to the Respondent, it violates UNM policy, etc.), but OEO will still work with the Complainant to effectuate some supportive measure tailored to the specific concerns.

- **What resources are available to groups raising issues or proposing changes?**

UNM is less hierarchical than most universities – single faculty or small groups can meet with Provost, SVP, or AP or President or A&S Dean or Assoc Deans. From Section A51 of the Faculty Handbook (<https://handbook.unm.edu/a51/>): Special meetings of the University Faculty may be called (1) by the presiding officer at his or her discretion, (2) by the Committee on Governance, (3) by no fewer than five percent of the Voting Faculty on active duty at the beginning of the academic year whenever a request is made in writing, or (4) by a majority vote of any college faculty.

Faculty, through the Faculty Senate, have a lot of control of academic and faculty issues through various faculty senate committees. Anyone can attend and speak at DEI’s Diversity Council. There is public comment at Board of Regents meetings (both of the full board and committees). Departments have a fair amount of control over some aspects and several have worked constructively with grad students to begin work on changes within department structures and curriculum this year. Faculty Senate, Committee on Governance, and Diversity Council are all working groups or committees with power to change or propose changes to policy.

ADVANCE at UNM conducts biennial climate surveys for faculty. Office of Diversity and Inclusion is starting a once-every-four years climate survey of faculty, staff, and students. Office of Equity and Inclusion is currently planning a racialized microaggressions climate survey among students this spring.