

2024 - 2025



NMJC
New Mexico Junior College

STUDENT
HANDBOOK

NEW MEXICO JUNIOR COLLEGE

Student Handbook

The New Mexico Junior College (NMJC) Student Handbook is intended to supplement the material in the current New Mexico Junior College Catalog. Students are responsible for acquainting themselves with the policies and procedures outlined in the Student Handbook, Catalog, and official emails, as well as other official publications.

The codes and policies within the Student Handbook set forth the rights and responsibilities of NMJC students; outlines the standards for conduct; provides the types of interim measures and sanctions which may be imposed for a violation; provides a prompt and fair fact-finding hearing, as well as an objective review process if students elect to appeal the outcome of the fact-finding hearing.

The authority to enact and to enforce regulations of the College is vested in the Board of Trustees. The responsibility for enforcing regulations and imposing penalties is delegated to the President and any college officials the President may designate. The Office of the Vice President for Student Services is the principal agency for the administration of student discipline.

Questions concerning the policies and procedures in the NMJC Student Handbook should be directed to:

Office of the Dean of Students

Ben Alexander Student Learning Center
New Mexico Junior College
1 Thunderbird Circle
Hobbs, NM 88240



Policies in the NMJC Student Handbook are subject to change.

New Mexico Junior College
1Thunderbird Circle
Hobbs, NM 88240
575.392.4510
www.nmjc.edu

No person shall be excluded from participation in, denied the benefit of, or be subject to discrimination, under any program or activity sponsored or conducted by New Mexico Junior College on any basis prohibited by applicable law, including, but not limited to, race, color, national origin, religion, sex, age, veteran status, or disability.

The following person has been designated to handle inquiries regarding the non-discrimination policies related to students: Vice President for Student Services, New Mexico Junior College, 1 Thunderbird Circle, Hobbs, New Mexico 88240, (575)492-2761

Students who have disabilities and need assistance should contact Student Accessibility Services, Ben Alexander Student Learning Center, 575.492.2577.

Please check the NMJC World Wide Web Home Page at <http://www.nmjc.edu> for periodic updates and most current information.

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Section I

General Information

Attendance/Absences

Attendance Policy

Class attendance is a critical component of learning at NMJC. Students are expected to attend and participate fully in all scheduled class meetings. Students taking an online course are not considered “as attending” an online class until they have actively completed an assignment or activity. Students are responsible for assignments given and due in their absence.

NMJC authorized absences (athletic events or scholastic activities) are considered excused absences and instructors will be notified of those students (NMJC and/or high school dual credit) who will be absent from class. Students should discuss excused absences with the professor/s prior to the excused absence so that expectations for make-up work can be explained. Absences due to late registration are not excused absences.

Excessive absences constitute cause for dropping a student from class; however, do not assume that instructors will drop you. Course syllabi state how absences affect student grades.

Online Course Attendance Policy and Participation Expectation

Students are not considered “as attending” an online class until they have actively completed an initial assignment or survey. It is expected that students log in to Canvas at least three times weekly to check the inbox to keep current with messages and updates. Students are expected to complete discussions, quizzes, tests, and assignments before the deadlines expire.

Military Service

Any student serving as a reservist in the armed forces who is called up for active duty should contact the Vice President for Student Services to explore potential options to continue or terminate his / her current enrollment. The Vice President for Student Services, along with the Academic Deans, will first explore ways to assist the student in completing his / her classes. If this is not feasible or viable, the college will offer the student a tuition waiver for a subsequent semester upon return from active duty. Documentation of the waiver will be maintained with the student’s permanent record. To ensure that NMJC is more than fair in its policies regarding military absences, we will process refunds that go beyond our normal refund schedule on a case-by-case basis. A student called up for active duty should contact the Vice President for Student Services in person or by writing before the end of the enrollment period. The student will need to provide a copy of his / her orders.

Pregnancy and Related Conditions

New Mexico Junior College does not discriminate in its education program or activity against any applicant for admission, student, applicant for employment, or employee on the basis of current, potential, or past pregnancy or related conditions as mandated by Title IX of the Education Amendments of 1972 (Title IX).

NMJC will provide Reasonable Modifications to prevent sex discrimination and ensure equal access to NMJC's education programs and activities. Any student seeking Reasonable Modifications must contact the [Title IX Coordinator](#) or the Coordinator's designee ([Kelly Rueda](#) (575) 492-2576) to discuss appropriate and available Reasonable Modifications based on their individual needs.

Communications to Students

NMJC provides an email address to all registered students and uses email as an official means of sending information to students. NMJC email shall be considered an appropriate delivery method for official communication by NMJC with students unless otherwise prohibited by Family Educational Rights and Privacy Act (FERPA) regulations. Official communications include reminders of important dates such as deadlines to pay tuition and fees, to apply for graduation, disciplinary notices etc.

Student Responsibilities

- Students are responsible for checking their official student e-mail regularly (at least twice a week).
- Students must be aware of mailbox capacity and insure there is sufficient space in their accounts.
- Students must recognize that certain communications may be time-critical.
- Students may forward e-mail from their NMJC account to another e-mail account at their own risk.
- Students will not be held responsible for college e-mail system malfunctions that limit their access to time critical information.

College Responsibilities

- The Computer Services Department is responsible for creating and maintaining e-mail accounts.
- The content of e-mail communications is the responsibility of the originating department.
- The College will not use e-mail to transmit sensitive or confidential information.
- Students should report problems with their student e-mail accounts or Internet to the Computer Services Department by emailing tbirdwebsupport@nmjc.edu or by calling (575) 492-2500.

Related Policies and/or Information

- Student Records Policy (in accordance to confidentiality and privacy of records) can be found in the https://www.nmjc.edu/resource_service/catalog/index.aspx and NMJC Student Handbook www.nmjc.edu/resource_service/student_handbook/index.aspx.
- The Computer Usage Policy & Pannell Library www.nmjc.edu/resource_service/library/Library_policies.aspx.

College Name, Documents, and Records

The use of the College's name by any person or organization in connection with any program or activity or any unauthorized use of College documents, records, or seal is prohibited without the prior written permission from the Office of the President.

Copyright Policy for Students

The unauthorized distribution of copyrighted materials, including unauthorized peer-to-peer file sharing, is against federal copyright laws. Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under Section 106 of the Copyright Act. Violators of civil copyright infringement may be ordered to pay either actual damages or "statutory" damages not less than \$750 or more than \$30,000 per work infringed. "Willful" copyright infringement carries a civil penalty up to \$150,000 per work infringed and a criminal penalty of imprisonment up to five years and fines up to \$250,000 per offense. See Title 17, United States Code, Sections 504, 505. For more information, see the U.S. Copyright Office website at www.copyright.gov, especially their FAQ's at www.copyright.gov/help/faq. Copyright infringement, including illegal downloading or unauthorized distribution of copyrighted materials using the college's information technology system, is a violation of the NMJC Code of Student Conduct. Violators will be subject to appropriate disciplinary action depending on the severity of the violation, including loss of information resource access privileges and suspension from the college.

Disciplinary Authority

The authority to enact and to enforce regulations of the College is vested in the Board of Trustees. The responsibility for enforcing regulations and imposing penalties is delegated by the president and any college officials the president may designate. The Office of the Vice President for Student Services is the principal agency for administration of student discipline.

Emergency Contact Information

In case of an emergency, it is essential that all students have updated emergency contact information on file with NMJC. To assist the college in communicating with students or on their behalf, students should update their contact information through the View Emergency Contacts link in the Student Tab in the T-Bird Web Portal.

Students in residential housing will be asked to complete a medical sheet with emergency contact information during check-in. Please make sure all emergency contact information is current. These forms are valid for one academic year and will then be destroyed.

Personal Address and Telephone Numbers

It is essential that students provide NMJC with current address and telephone information. This can be viewed and updated via the Update Addresses and Phone link in the Student Tab in the T-Bird Web Portal.

Family Educational Rights and Privacy Act (FERPA)

The Registrar's Office is responsible for the maintenance of the educational records at NMJC. This includes, but is not limited to, student transcripts. Note: Proper photo identification (driver's license, NMJC ID card, passport or other state or federal issued identification) is required for all in-person transactions. NMJC's policy for maintaining confidentiality of student academic records is in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA, O.L. 93-380, 512). For more information regarding the policies and procedures for educational records please see page 56 of the [College Catalog](#).

Free Speech

As an institution of higher learning, NMJC is dedicated to maintaining a college community that values and encourages the free exchange of ideas. The college will honor the rights of free speech, expression, petition, and peaceful assembly as set forth by law. Contact the College Relations Office about specific guidelines.

Food and Drinks in the Classroom

Food items and soft drinks may not be consumed in NMJC classrooms. Students are also discouraged from bringing food and drink items into the classroom even though these items remain in sealed packaging. Bottled water is permissible.

Hazing Policy for Students

Any form or participation in hazing is prohibited at NMJC and should be reported to the Dean of Students as a violation of the Student Code of Conduct. Hazing is defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene, having firsthand knowledge of the planning of hazing or of its occurrence and failing to report it to college authorities is a violation of this policy.

Information Technology Acceptable Use Policy

NMJC provides numerous information technology resources for use by the College's students, faculty, and staff. Information technology includes, but is not limited to, all College computing equipment, software, systems and networks. These resources are provided to support the College's mission and institutional goals. The use of these systems is a privilege and all users are expected to act responsibly and to follow the College's policies governing the use of these resources. Violations of this policy could result in disciplinary review. In such a review, the full range of disciplinary sanctions is available including the loss of computer use privileges, dismissal from the College, and legal action. Violations of some

portions of the policy may constitute a criminal offense. The College's Information Technology Acceptable Use Policy requires that each campus user abide by and agree to the following guidelines:

- **Respect security requirements for computer accounts:**
A computer or electronic mail (e-mail) account assigned to an individual, including student accounts, must not be used by others. Faculty, students, and staff are individually responsible for the proper use of these accounts, including password protection and appropriate use of internet resources. Making your password or another person's password or access code available to others or otherwise attempting to evade, disable or "crack" password or other security provisions, or assisting others in doing so, threatens the work, privacy, and well-being of many others and is a serious violation of College policies. Also, faculty, students and staff are responsible for choosing an appropriate password that is difficult for others to guess. If any individual suspects his/her password has been compromised, he/she should change the password immediately.
- **Respect copyright laws:**
Computer software use must conform to copyright laws and licensing agreements. Copyright law protects software whether or not a copyright notice is explicitly stated in the software or its documentation. Software licensed by the College must only be used in accordance with the applicable license. It is illegal to make duplicate copies of software products unless authorized to do so by its author or publisher. Computer users have no right to give or receive duplicates of software without authorization or to install duplicated software onto College computing equipment.
- **Respect the rights of others using the system:**
Computer users shall not use the College's information technology resources to participate in activities that are harassing in nature or prohibited by law. Sending messages, information, or images that are threatening, harassing, or discriminatory in nature is in violation of College policies and may be in violation of the law. Displaying potentially offensive material in a computer laboratory or other campus location is not allowed. Users are absolutely prohibited from utilizing systems to create, access, store, or disseminate materials that may be sexually or racially offensive, or otherwise insulting or derogatory to persons of a certain race, color, religion, sex, sexual orientation, national origin, age, disability, genetic information, or veteran status.
- **Respect electronic mail guidelines:**
In support of the College's mission, the College encourages the use of its electronic mail services to share information, to improve communication, and to exchange ideas. Any electronic mail address or account associated with the College is the property of the College. Those who use the College's electronic mail services are expected to adhere to state and federal laws, the policies and procedures of the College, and should follow normal standards of professional and personal courtesy and conduct. Electronic communication under a false name or designation is prohibited. Sending anonymous communications does not disassociate senders from assuming responsibility for their actions.

Electronic mail services should not be used in ways that strain the College's computing resources or interfere with others' use of the electronic mail system. Prohibitive uses include, but are not limited to, sending or forwarding chain letters, exploiting list-serves by amplifying widespread distribution of electronic mail, and sending the same electronic mail message repeatedly.

Confidentiality of electronic mail cannot be assured. The system administrator, technical managers, or other persons may need to view the contents of computer accounts and electronic mail to perform maintenance or to diagnose and correct problems. When performing maintenance, the College will make reasonable attempts to ensure the privacy of computer accounts and electronic mail, but cannot guarantee total privacy of the accounts. The user, however, acknowledges and consents that the College may monitor e-mail communication and internet usage in order to insure compliance with this agreement. If policy violations are discovered, they will be reported immediately and appropriate action will be taken.

- **Respect the operational guidelines governing the use of the information technology facilities:**

Administrators responsible for computer systems may establish more detailed guidelines governing the use of the College's computing equipment and facilities. These guidelines cover such issues as allowable connect time, disk space allocations, handling of un-retrievable mail, responsibility for account approval and other items related to administering the systems. The downloading of any software onto computing equipment owned or operated by New Mexico Junior College (unless downloaded material is considered a faculty resource) without prior written approval is not permitted. During peak system utilization times, computer users engaged in activities which are not directly related to the business of the College may be asked to relinquish their access to the system. Settings on computers are not to be changed. Computer users, whether on campus or accessing NMJC resources remotely, are expected to abide by these rules and use the College's computing resources in a responsible and professional manner.

The College provides information technology resources for users to engage in activities that support the work of the institution. Use of the College's resources for commercial reasons, fundraising, political campaigns, or illegal purposes is not acceptable. Non-authorized solicitations on behalf of individuals, groups, or organizations are prohibited.

- **Agreement:**

All users of NMJC computing systems must read, understand, and comply with the policies outlined in this document. By using any of the College's information technology resources, users agree to comply with these policies.

Liability

The College is not responsible for damage to or loss of personal property in any building or on the grounds of the College, whether the loss occurs by fire, theft, water, or any other cause.

Notice of Non-discrimination and Equal Opportunity

New Mexico Junior College is dedicated to providing equal opportunities in our employment and learning environments.

NMJC does not discriminate on the basis of race, color, religion, national origin, ancestry, sex (including pregnancy, childbirth, and related medical conditions), sexual orientation (including perceived sexual orientation), gender identity, marital status, spousal affiliation, disability (physical or mental), serious medical condition, age (40 and older), genetic information or veteran status or any other legally protected categories, classes or characteristics. NMJC is committed to ensuring persons of all these protected classes will have access to NMJC's programs, facilities, and employment.

NMJC has designated a Title IX Coordinator who is responsible for ensuring compliance with Title IX and other state and federal laws addressing sexual and gender-based harassment, including sexual assault, sexual exploitation, sexual intimidation, intimate partner abuse, stalking, and other forms of sexual violence based on sex, gender, sexual orientation, or gender identity.

NMJC recognizes that individuals with disabilities are entitled to access, support and, when appropriate, reasonable accommodation. In compliance with Section 504 and other state and federal laws that prohibit discrimination on the basis of disability in admission, treatment and/or access to its programs and activities. NMJC has designated a Section 504 Coordinator.

Complaints or concerns regarding equal opportunity, affirmative action, Title IX, and/or Section 504 should be directed to:

Cathy Mitchell, Vice President of Student Services

Title IX Coordinator and Section 504 Coordinator

Ben Alexander Student Learning Center

(575) 492-2761

cmitchell@nmjc.edu

Complaints may also be filed with the Department of Education Office for Civil Rights, the Equal Employment Opportunity Commission, and/or New Mexico Human Rights Commission.

NMJC Complaint Policy and Process

NMJC is dedicated to a process which provides that all student concerns or complaints will be handled fairly and equally without regard to race, color, sex, age, religion, disability, national origin, marital status, political affiliation, sexual orientation, or other non-merit factors. It is the policy of NMJC to provide fair and orderly procedures to resolve student concerns or complaints. Nothing in this policy prevents a student from discussing a concern or complaint informally with the appropriate college employee. The NMJC Student Complaint Process is adopted by the authority outlined in New Mexico Junior College Board Policy Number 705.

Informal Concern/Complaint Process

An individual with a concern or complaint is encouraged (but is not required) to attempt an informal resolution through discussion with the involved employee, or the employee's direct supervisor or dean. If the matter is not resolved informally, the student may proceed to the formal complaint process.

Formal Concern/Complaint Process

The individual must submit a written concern or complaint to the appropriate campus authority who will typically serve as the grievance officer. The submission of the written concern or complaint may be achieved through a variety of means determined by the nature of the concern or complaint and the preference of the complainant. This includes:

- [Virtual Suggestion Box](#): Anyone who has a concern or suggestion may express that concern via the Virtual Suggestion Box found at the NMJC website under Resources and Services.
- [Online Complaint Form](#): An individual who wishes to make a formal complaint may go to the NMJC website, click on "Resources and Services" on the navigation bar, then click on Complaint Form and enter their concern or complaint. This communication will go to the Director of Communications who will disseminate the information to the appropriate campus authority. If the person making the complaint provides his/her contact information, the appropriate VP will contact him/her with the resolution. This entire procedure will be documented with copies given to the student, the appropriate Vice President, the Director of Communications, and the Vice President for Student Services/Title IX Coordinator.
- **Written Complaints**: Written complaints may be submitted in person, via email, or via mail to the appropriate campus authority. Written complaints should include the following information: (1) Your name and contact information, (2) name of the individual and/or department against whom the concern/complaint is filed (3) a description of your concern/complaint in detail, including date(s) of the occurrence (be as specific as possible), and (4) any other attempts you have made to resolve this situation and the outcome. Send to:

Cathy Mitchell

Title IX Coordinator and Section 504 Coordinator

Vice President for Student Services

Ben Alexander Student Learning Center

(575) 492-2761

cmitchell@nmjc.edu

New Mexico Higher Education Department (NMHED) has the authority to help facilitate the resolution of student complaints, only after the student has utilized all internal complaint procedures at the educational institution. After receiving a Student Complaint Form, NMHED staff will review the form and attachments. If the initial review falls within the purview of NMHED they shall attempt to facilitate a resolution to the complaint by sending a copy of the complaint to the institution against which the complaint has been made. The institution must respond to the complaint within 10 business days of receipt. Please note that in some circumstances the NMHED may permit additional time for a response. All parties will be notified of the outcome of the complaint. **Student complaints about grades or student conduct may not be appealed.**

Go to https://hed.state.nm.us/uploads/documents/NMHED_Student_Complaint_Form_7-2021.pdf to download the NMHED Student Complaint Form. Once complete, the form and supporting attachments should be emailed to the attention of the New Mexico Higher Education Department at: HigherEd.Info@state.nm.us.

Photo/Video Release Form

NMJC uses photographs, photographic images, names and audio/video recordings of employees and students for general publicity in publications, public relations, promotions, publicity, and advertising. Any employees or students (or the parents of such persons, if under age 18) who do NOT want to be photographed or recorded, or to have their names, voices, or biographical materials used in connection with any such recording, must complete a Photo Opt Out Release Form and return it to the Communications office.

Unless a fully executed Photo Opt Out Release Form is on file, your image and/or likeness may at any time be captured by still photography, videography, or other photographic or electronic means. The college reserves the right to use any such image, photograph, video, or the like for any college-related purpose, including, but not limited to, promoting, publicizing, and/or advertising on behalf of the college in print publications, on the Internet, or in other media such as signage and/or presentation. Also, your presence in or around college facilities and/or properties, as well as at off-campus college-sponsored events, constitutes your consent to the capture and/or use of your image and/or voice by NMJC, and waives any claims or rights, whether in law or in equity.

Employees or students who do NOT want to be photographed or recorded, and who submit a completed Photo Opt Out Form, are responsible for removing themselves from the area in which photographing/recording is occurring, or notifying the camera operator of their opt-out status. Failure to do so may result in the employees' or students' inclusion in a photograph or recording; it will be deemed equivalent to a release and will allow the college to use that photograph or recording as it chooses.

Public Information and Advertising

Because the proper handling of publicity is of utmost importance to NMJC, it is imperative that all news releases, PSAs, photographs, ads, and promotional materials are coordinated through NMJC's College Communications Department. Prior to releasing information to off-campus agencies or extending invitations to the media to visit the campus, arrangements should be made through the College Communications Department.

Racial Harassment Policy

NMJC prohibits any act, deed or speech interpreted as racial harassment, by or against, students, employees, and guests of the college. Students or employees engaging in such conduct are subject to disciplinary action ranging from probation or suspension to termination of employment.

Philosophy Statement

NMJC is committed to the principles of free inquiry and free expression. Members of the college community have the right to hold, vigorously defend and promote their ideas and opinions to flourish or wither according to their merits.

Respect for this right requires that students and employees tolerate expression of views that they find offensive. All members of the educational community should however, voluntarily adopt standards of civility and good taste that reflect mutual respect, understanding and sensitivity among its diverse racial, ethnic and cultural groups.

Harassment of students or employees on the basis of race contributes to a hostile work or school environment that makes access to work or education for those subjected to it less than equal. Racist behavior also brings dishonor to the perpetrator, demoralizes and disrupts the academic community as a whole and diminishes the stature of NMJC.

Racist communication and acts demean, ridicule and humiliate the victim and also can cause serious emotional distress, impede the learning process and in the form of “fighting words” may provoke a violent response.

For all these reasons, NMJC unequivocally condemns racist behavior in all of its forms. The Dean of Students or designee has the primary responsibility for responding to an accusation or complaint of racial harassment when dealing with students. The Dean of Students or designee will follow the NMJC Student Code of Conduct procedures if deemed warranted.

[Report an incident of alleged Racial Harassment](#)

Records

The Registrar’s Office is responsible for the maintenance of the educational records at NMJC. This includes, but is not limited to, student transcripts. The following information refers to some of the policies and procedures for educational records. Note: Proper photo identification (driver’s license, NMJC ID card, passport or other state or federal issued identification) is required for all in-person transactions. NMJC’s policy for maintaining confidentiality of student academic records is in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA, O.L. 93-380, 512). For more information about FERPA, refer to the Academic Policies section. Contact Information: Registrar’s Office, 575.492.2546.

Smoking/Use of Tobacco

NMJC is cognizant of the health hazards associated with smoking/use of tobacco for the smoker, as well as the non-smoker. In an effort to provide a healthy environment for students, employees, and others who may frequent the campus, NMJC prohibits smoking/use of tobacco inside any campus building, facility or college-owned vehicle. This also pertains to e-cigarettes, vapor pens, or any similar device not mentioned in this section.

Solicitation on Campus

Solicitors who desire to sell merchandise, insurance, stocks, bonds, and similar items are not permitted to solicit on the campus. Non-college sponsored organizations or religious groups may use the Free Speech area by first completing the application and receiving approval from the Director of

Communications. No solicitation in the Free Speech area is allowed. Exceptions may be made on the sale of merchandise when NMJC serves as a site for events such as trade shows or craft fairs or by special permission from the Vice President for Student Services. Solicitation requests from all approved NMJC organizations must complete a fundraising form available from the Communications Department. All posters or flyers which promote an event must be approved by the Communications Department, located in the Administration Building.

Students with Contagious Diseases

NMJC recognizes that contagious diseases are a serious threat to public health. We are committed to encouraging an informed and educated response to issues concerning infectious diseases. Individuals with HIV or hepatitis will not be discriminated against in admission to academic programs, health care or access to facilities. Students with HIV or hepatitis may attend any function or event if they are physically capable and do not pose health risks to others. All information regarding the medical status of students is confidential.

Voter Registration

NMJC will make a good-faith effort to distribute a voter registration mail-out form, requested and received from the State of New Mexico, to each student enrolled in a degree or certificate program and physically in attendance at the institution, and to make such forms widely available to students (Voter Registration Amendment, section 489 Higher Education Amendment, 1998). Voter registration forms can be picked up at the Student Life Office in the Ben Alexander Student Learning Center.

SECTION II

Campus Safety, Transportation, Traffic, and Parking

Annual Fire Safety Report

Due to NMJC having campus housing units they are required to distribute an annual fire safety report and maintain a fire log. To view the fire log, contact the NMJC Campus Safety employee on duty at 575-399-2033.

[Annual Fire Safety Report](#)

Campus Safety

The College strives to maintain a safe and secure environment in which to work and study. NMJC is concerned about the protection of persons and property. The institution cannot, however, guarantee the absolute safety of any one individual. Personal safety must begin with the individual. NMJC provides

a number of safety services and programs, including twenty-four-hour coverage by Campus Safety employees. To reach Campus Safety, please call (575) 399-2033.

NMJC Campus Safety is responsible for securing buildings and providing campus-wide patrol. They also perform investigations and document incidents that occur on campus. In the event follow-up is necessary, or an incident constitutes a criminal offense, the Hobbs Police Department, Lea County Sheriff's Department or New Mexico State Police may be notified. NMJC may inform the parents or legal guardians of students under age 21 who have violated laws on the use or possession of alcohol or drugs, as allowed by the Higher Education Amendments of 1998.

Preventing crime is a responsibility shared between the College and its constituents, including students, faculty, and staff. One cannot assume someone else has reported criminal activity. Suspicion is the only reason one needs for contacting a Campus Safety. If you are the victim or witness to a crime, contact Campus Safety as soon as possible. It will be helpful to supply Campus Safety with as much information as possible. This will allow a campus search to begin immediately and for neighboring law enforcement agencies to be notified.

To avoid becoming a victim, the following tips are offered for your safety and property security:

- Report strangers to proper authorities.
- Avoid getting into vulnerable, no exit situations.
- Call when confronted by suspicious or threatening people.
- Keep your residence hall room locked.
- Walk in groups of at least two or call (575) 399-2033 for an escort.
- Walk with confidence and avoid walking in dark, unlit areas.
- Engrave valuables with identification numbers.
- Identify your textbooks in several places.
- Familiarize yourself with locations of telephones.
- Lock your vehicles.

Additional information concerning Campus Safety, crime prevention, general safety, and security on and off campus is available through the Campus Safety Office. In compliance with the Campus Crime Awareness and Campus Security Act of 1990, the College distributes descriptions of policies related to campus safety and statistics concerning specific types of crimes to all current students and employees.

Crime Awareness Statistics

In accordance with the Campus Crime Awareness and Campus Security Act of 1990, New Mexico Junior College provides information relating to crime statistics and security measures to prospective students, matriculated students, and employees. Statistics for reported criminal activities for the previous three school years are posted on the NMJC website at [NMJC Campus Crime Report](#). For additional information and/or further breakdown of incidents reported to the Office of Campus Safety, please contact the Chief of Campus Safety.

Missing Student Notification Procedure

NMJC respects and promotes its students' independence and self-sufficiency. At the same time, NMJC seeks to ensure the safety and security of all persons on its campus. If you have a concern or reason to believe that an NMJC student is missing, you are strongly encouraged to make a report of your concerns to Campus Security and Safety.

Notice of Non-discrimination and Equal Opportunity

1. Reporting a Student as Missing

Any person may report any NMJC student as missing. Concerned persons should contact NMJC Campus Safety at 575-399-2033. It is not necessary to wait twenty-four (24) hours before making a report to Campus Safety. A report should be made if a student's whereabouts are unknown and unexplained for a period of time that would be regarded as highly unusual or suspicious by persons familiar with the student's life, habits, routines or plans. If a report to Campus Safety is not possible for some reason, you are encouraged to make a report directly to local law enforcement personnel.

2. What Happens When a Report is Made?

Upon receiving a report that a student's whereabouts are unknown under circumstances indicating the student may be missing, NMJC Campus Safety will immediately notify the Chief of Campus Safety, the Vice President for Student Services and all campus housing staff of the report. Campus Safety will check all campus buildings and make a thorough attempt to locate the student on the campus. Housing staff will assist by checking their area of responsibility, including the student's room. Campus Safety will also try to contact the student using available information and means of communication and may request the assistance of persons who know the student in such efforts. Other campus personnel as authorized by the Chief of Campus Safety or the Vice President for Student Services may pursue additional investigative activities as are reasonable under the circumstances.

3. Further Actions by NMJC

If the initial efforts by NMJC to locate a student are not successful and it is determined either that the student has been missing for twenty-four (24) hours or that the available information and circumstances reasonably suggest that the student may be injured or otherwise in danger, NMJC will notify the following persons/agencies: (a) local law enforcement; (b) any emergency contact for the student on file with NMJC; and (c) the custodial parents or legal guardians of a student under the age of eighteen (18).

NMJC also reserves the right to notify parents, legal guardians and other family members of any student who may be missing, both in the course of trying to locate the student and upon contacting local law enforcement. Once local law enforcement has been notified, NMJC will coordinate and cooperate with law enforcement regarding all additional steps to be taken in trying to locate a student believed to be missing.

4. Emergency Contacts; Confidentiality

All NMJC students (both those living in student housing and those residing off-campus) can designate one or more confidential emergency contacts to be maintained in NMJC's records for such purposes. All students are encouraged to identify at least two emergency contacts and to keep such information current. Students are also encouraged to provide NMJC contact information for the College to use to reach the student in emergencies or when urgent communications need to be sent to the student. See the Emergency Contact policy elsewhere in this handbook for details regarding how to designate and update your emergency contact.

Emergency contact information will be maintained as a confidential student record by NMJC and will be accessible only by authorized college officials and law enforcement as determined appropriate by the Chief of Campus Safety or the Vice President for Student Services.

5. Safety Precautions

All students have an important role to play in keeping themselves, their fellow students and the NMJC campus safe for all. Observing common sense safety precautions can reduce the risks to you and your fellow students.

Housing Safety

- Always keep your housing door locked.
- Do not open your door when you do not know the person knocking.

Vehicle Safety

- Keep vehicle doors locked at all times.
- Always check your back seat prior to entering your car.
- Park in a well-lit area whenever possible.

Personal Safety

- Be aware of your surroundings.
- Take at least one other person with you whenever possible, especially at night. NMJC Campus Security and Safety provides free on-campus security escorts to students upon request. This service is available 24 hours a day/7 day a week by calling Campus Safety.
- Let your friends know where you are, how to reach you and when to expect you back (but be careful about posting such information on social networking sites).
- Put the NMJC Campus Safety phone number in your cellular phone and report all suspicious activity when possible. NMJC Campus Safety can be reached 24 hours a day/7 days a week at 575-399-2033.

Computer and Internet Safety

- Do not post information on social networking sites that you would not want a stranger to know about you or your friends, your plans or your location.
- Protect your computer and data with passwords. Always log out of shared computers.

Safety Technology

In an effort to maintain a safe and positive environment for students, employees and visitors, the NMJC Campus maintains in excess of 300 IP cameras throughout the campus. These cameras

record activity and maintain the activity for approximately 90 days or indefinite if the recording is copied to a CD or flash drive.

The cameras can be viewed from different locations throughout the campus on televisions that are installed in Campus Safety Department offices. NMJC campus security cameras are also, able to closely monitor the parking lots and hallways of all campus housing.

New Mexico Junior College contracts with a company that monitors the weapon detection artificial intelligence contained in security cameras. The monitoring company sends alerts to the Campus Safety Team of confirmed weapons detections here on the campus.

Campus Safety Officers also have access to a hand-held radar for traffic enforcement on the campus. They also have the ability to issue citations to students, employees or visitors for violations of parking laws. Speed limit signs are posted throughout the campus in addition to a variety of speed bumps which are used to limit the speed of drivers. NMJC also has a variety of crosswalks on the campus for pedestrian use.

For additional information about campus traffic and parking please refer below on page 22.

Student Emergency/Critical Incident Information

NMJC is committed to providing a safe environment for all visitors, staff and students. The Emergency/Critical Incident Information sheet is intended to highlight potential areas of risk to campus personnel and facilities. NMJC has identified potential risks and has prepared a plan for emergencies. The plan will not prepare students for all eventualities; however, it is intended to give students a basic awareness of disaster preparedness. Students should familiarize themselves with the information provided and be prepared to act in the event of an emergency. (Students are encouraged to notify faculty and Accessibility Services at (575) 492-2576, of potential medical conditions that may require emergency response.)

Emergency Notification System

NMJC has entered into a multiyear agreement with an Emergency Notification provider. This system allows certain key college personnel to send out emergency text, voice, and emails to individuals who work and attend classes on the campus during any type of emergency.

Building Evacuation

In the event an occupied building of New Mexico Junior College has to be evacuated because of an emergency, the emergency notification system will be activated warning occupants of the building that there is a need to evacuate. The person who activates the emergency notification system will give specific instructions as to the immediate actions that should be taken by occupants of the building or campus. Occupants of the building are requested to evacuate in an orderly manner and proceed to the designated area that is announced on the emergency notification system. If there is an evacuation order for the building that you are in please take personal items such as purses and keys with you as it may be hours before the order is lifted and you are able to re-enter the building.

If the campus is not being evacuated, the students will be instructed through the emergency

notification system that they are to report to a pre-determined “assembly area” until emergency can be evaluated and a decision can be made regarding whether to resume or dismiss classes. The “assembly areas” are distributed to students in their course syllabi. The location of the assembly areas in each building is identified by signage hung in the hallways from the ceiling.

If the campus is being evacuated, students are requested to proceed to their vehicles and drive off campus in an orderly manner observing all traffic rules. Residential students or others not having a vehicle will be provided transportation off campus in the event of an evacuation.

Periodic drills will be run by the college Campus Safety to ensure that students, visitors, and employees are aware of the location of the assembly areas in the buildings.

Building Assembly Areas

Staff and students are responsible for knowing the location of assembly areas in each of the NMJC buildings. Directional signs will be posted in each building. The buildings will be utilized in the event of a tornado, inclement weather, or flash flood situations. Staff and students are also requested to familiarize themselves with the locations of fire extinguishers and fire alarms in the buildings.

Specific Emergencies

- **Tornado:** The best protection is in an interior room on the lowest level of the building. Go to an assembly area and stay until the danger has passed. If no building is available, lie in a ditch or low-lying area.
- **Fire:** Know the location of fire extinguishers and fire alarms in buildings. Activate the nearest fire alarm, or call 911. Evacuate the building in a calm, orderly manner. Your personal safety is more important than fighting the fire.
- **Inclement Weather:** From time to time inclement weather can pose problems for students and others using the college central campus and outreach centers. Traveling conditions may vary considerably, depending on the individual’s home location in relation to the central campus or outreach center. No student or staff member is encouraged to travel when conditions are considered dangerous. If conditions appear to warrant closing, postponing, or restricting college activities, the President or his designee will make the decision. When a decision is made to cancel, postpone, or otherwise modify a campus or outreach schedule, the President or his designee will notify the Director of Communications. This person will post the notification on the NMJC Facebook page (www.facebook.com/NewMexicoJC), NMJC Twitter (@NewMexicoJC), and the homepage of the NMJC website (www.nmjc.edu). All broadcast media will be notified including county and regional radio stations: KNMJ (100.9 FM), K00L (95.7 FM)/KEJL (100.9 FM), KLMA (96.5 FM), KYKK (11.10 AM) and (100.5 FM), KZOR (94.1 FM), KIXN (102.9 FM), KPZA (103.7 FM), KBIM-FM (94.9 FM), KTUM (107.1 FM), and KWMW (105.1) and television stations (KOAT, KOBR, KBIM-TV) using a prepared, written statement. The decisions to postpone, cancel, or otherwise restrict college classes/activities will be made by 6:00 a.m. for day activities and by 1:00 p.m. for evening activities. Changes in weather conditions during the day may necessitate campus updates for cancellation. Each supervisor will notify his/her staff of any change in schedule. In the event of an emergency or school closure the Emergency Notification system will be utilized to make timely notification to any student, faculty and/or staff member who has

registered with the system. Messages will be sent via home phones, cell phones, NMJC emails and personal email accounts if a person has registered with the system). New Mexico Junior College normally follows the actions of the Hobbs school district.

- **Prison Escape:** In the event of an escape from the Lea County Correctional Facility, notification will be made to classes in progress and decisions will be made whether to dismiss classes. All persons are requested to be good witnesses and to report suspicious activity to NMJC Campus Safety.

Emergency Preparedness

NMJC has an emergency notification system. This system covers the entire campus, including parking areas. In the event of an actual emergency, a message will be given over the emergency system, which provides employees, students, and visitor's instructions as to the actions that are recommended. In the event of a tornado or other serious incident, on-site shelter locations have also been designated on the campus. The site maps are posted in the hallways of each building on campus.

NMJC has an emergency management plan for critical incidents. This plan is intended to highlight potential areas of risk or vulnerability to campus personnel and facilities. The purpose of the plan is to enable all persons who might be present at NMJC during an emergency to remain calm and aid them in taking action based on known facts. NMJC has made the commitment to identify potential building and equipment areas at risk, to analyze those risks, to eliminate or minimize these risks, to actively plan and prepare to respond to emergencies by training response teams, and to prepare restoration of vital services plans for an emergency.

New Mexico Junior College has partnered with an Emergency Notification provider to provide an emergency alert system capable of delivering messages to your NMJC email account and personal email account, as well as your land line and cell phone. We have enrolled you in the program at no expense to you.

CARE Team

A CARE (Concern, Assessment, Response, and Evaluation) team is a multi-disciplinary group whose purpose is meeting regularly to support its target audience (campus community) via an established protocol. The team tracks behavioral issues over time, detecting patterns, trends, and disturbances in individual or group behavior. The committee may include other college departments or personnel who are deemed to have information pertinent to the student's individual situation.

Any member of the college community who has reason to believe that a student may endanger the health, safety, or welfare of another person may report the concern by contacting the proper authority on campus like Campus Safety or the Dean of Students.

[Report a Concern](#)

[CARE Team](#)

Transportation, Traffic, and Parking

All state and college traffic and parking regulations governing the use of motor vehicles must be complied with on all parts of the college campus throughout all hours of the day or night. Anyone operating a motor vehicle on the NMJC campus found in violation of traffic and/or parking regulations will be subject to various sanctions, which may include temporary vehicle immobilization, payment of fine/fees, vehicle towed from campus at owner/driver expense, and/or suspension of campus driving privileges. NMJC Campus Safety, Hobbs Police Department, Lea County Sheriff's Department, and/or New Mexico State Police Officers have jurisdiction and authority to enforce traffic violations.

All students must register their vehicle(s) with the Student Life office and display their registration stickers at all times from the rearview mirror. Failure to comply will result in possible disciplinary action.

[Vehicle Registration Form](#)

Traffic Regulations

All motor vehicles operating on campus must be registered within 10 days of the beginning of the initial semester of attendance. Vehicle registration can be done in the Student Life Office for free. Students must complete a form providing all necessary information to receive their parking permits.

The maximum speed limits on the College campus are 15 miles per hour. Vehicles may be operated on the circle drive and within designated parking lots only. Vehicle access to inner campus is prohibited unless prior arrangements have been made through NMJC Campus Safety or the NMJC Physical Plant.

Students, faculty, and staff may park in any available parking space except for those spaces designated for handicapped, visitors, reserved for college administrators, or clearly marked parking area reserved for other use.

Only vehicles displaying an official handicap permit may park within spaces identified for handicapped use. According to New Mexico Motor Vehicle Code 66-7-352.2, it is unlawful for any person to park a motor vehicle not displaying a special registration plate or a parking placard in a designated disabled parking space. NMJC Campus Safety employees are permitted to issue handicap violations citations. NMJC's parking citation fines are listed in this section under Vehicle Violations.

According to New Mexico Motor Vehicle Code 66-7-352.2, if the handicap citation is issued by a law enforcement agency or non-NMJC public safety/security employee, the fine shall not be less than \$250 and not more than \$500 for each offense. A vehicle that blocks any part of a curb cut designed for access by persons with severe mobility impairment is also considered a violation of this statute. The statute also permits the towing of vehicles at the expense of the vehicle owner for violators of this statute.

Students, faculty, and staff are required to comply with the direction of individuals representing NMJC in the enforcement of the NMJC Traffic and Parking Regulations. NMJC assumes no liability and no responsibility for losses from fire, theft, or vandalism when cars are parked on the college campus.

Vehicle Violations and Fines

The following fine assessment schedule addresses penalties for vehicular violations. The fines listed are only for citations issued by NMJC Campus Safety and not for citations that might be issued by the Hobbs Police Department, New Mexico State Police, or Lea County Sheriff's Department. All fines shall be payable directly to the Student Life Office. Vehicle owner's failure to find citation on his/her vehicle will not invalidate fine. Failure to pay fine will result in further disciplinary action which may include suspension from NMJC until record is cleared.

Failure to register vehicle	\$10
Failure to stop or yield	\$25
Parking in "No Parking Zone" (yellow curb)	\$10
Parking in fire lane/fire zone	\$25
Parking in handicapped space without proper permits	\$25
Parking outside designated space	\$10
Other (dependent on specific violations)Up to	\$50

Roller Skates, Rollerblades, Scooters, Skateboards, & Other Coasting Devices

The responsible use of alternative transportation methods including skateboards, roller skates, rollerblades, scooters, and other coasting devices (hereafter referred to collectively as "coasting devices") are allowed on the campus of New Mexico Junior College as a way of reducing reliance on motorized transportation and promoting healthy exercise. Persons may coast or ride upon any sidewalk or improved surface used for pedestrian purposes, subject to the following restrictions:

- No lithium-ion-powered, self-balancing scooters or hoverboards may be stored in any College residential housing facility and may only be stored in approved designated areas. (<https://www.cpsc.gov/Safety-Education/Safety-Education-Centers/hoverboards>).
- Users must yield the right-of-way to pedestrians on foot at all times in addition to golf carts that might be used by employees while working on the interior of the campus.
- Coasting devices may not be used in any manner that places pedestrians at risk.
- The speed of the device must not exceed 5 miles per hour and the user must remain in control of their coasting device at all times. Riding coasting devices down hills, including the incline at the Western Heritage Museum, is prohibited.
- Coasting devices are not vehicles, and their use is prohibited on roadways and in all parking lots on the campus.
- The use of the devices for acrobatics, racing or other stunts is strictly prohibited. Riding on any architectural or landscape features other than on a sidewalk is prohibited. All wheels of the device must be in contact with the ground when the operator is using the device.
- The use of coasting devices is prohibited within any building, any covered area and on any artificial turf on the campus.
- Persons using roller skates or rollerblades must remove them before entering all college buildings.

These regulations are effective immediately and will be enforced by the NMJC Campus Safety Department. The failure to abide by the regulations can lead to the operator being removed from the campus and prohibited from coming back on the campus per the discretion of the Vice President for Student Services or designee.

Bicycle Use

Bicycle riders on public roads have the same rights and responsibilities as motorists, and are subject to the same rules and regulations. While on the NMJC campus, bicycle use is also allowed on sidewalks and pathways. Bicycles must always yield to pedestrians and are prohibited inside any building or structure.

Cautionary Note

The use of bicycles and coasting devices on the NMJC campus carries with it responsibility and potential liability. Please ride carefully and with all due consideration for the rights of others. Accidental collisions may seriously injure pedestrians, bicyclists, or other skaters. A person riding a coasting device who strikes anyone could be deemed liable for all medical expenses of that victim and any damage done to the victim's or college property.

Section III

Rights, Privileges, and Responsibilities of Students

Rights and Responsibilities of Students

The College's primary function is to provide education for those persons who enroll within the system. The goal of the College is to provide an educational environment that will include the opportunity for academic, social, and personal growth. Enrollment in a state-supported educational institution of higher learning is not compulsory. As such, the student assumes obligations of performance and behavior reasonably imposed by the institution of choice relevant to its lawful missions, processes, and functions.

Freedom of discussion, inquiry, and expression is protected and nurtured in the classroom as the safeguard of the freedom to learn. Students are expected to exercise their freedom to learn in a manner consistent with the maintenance of civil discourse and orderly conduct. Responsibility for civil discourse and orderly conduct in the classroom is vested in the instructor, and responsibility for maintaining order elsewhere is set forth in the "Student Code of Conduct" and is vested in the Dean of Students.

The College assumes that the student has earnest educational purpose and maturity of reasonable behavior. This assumption continues until the student demonstrates otherwise. Every student is subject to federal, state, and local laws and is expected to be familiar with the requirements of such laws. Any student who violates any provision of those laws is subject to disciplinary action, including expulsion, despite any action taken by civil authorities on account of the violation whether the crime happened on or off campus. The College strives to assure due process and to outline specific ways of appeal in case of disagreement with administered sanctions.

A. Student Rights

Article I – A student shall have the right to participate in a free exchange of ideas, and there shall be no college rule or administrative rule that in any way abridges the rights of freedom of speech, expression, petition, and peaceful assembly as set forth by law.

Article II – Each student shall have the right to participate in all areas and activities of the College, free from any harassment and any form of illegal discrimination and without regard to any subgroup classification or stereotype.

Article III – A student has the right to personal privacy except as otherwise provided by law. This will be observed by students and College authorities alike.

1. Article IV – Each student subject to disciplinary action arising from violations of the Student Code of Conduct shall be assured procedural due process. At all Disciplinary Conferences and Reviews, an accused student shall be assumed innocent until there is a preponderance of evidence (the majority of the evidence would cause a reasonable person to support a conclusion). In all proceedings, the student shall be guaranteed substantive and procedural due process.

B. Student Responsibilities

Article I – A student has the responsibility to respect the rights and property of others, including other students, staff, faculty, and administration.

Article II – A student has the responsibility to be fully acquainted with the published College Student Handbook and to comply with it and with the laws of the land.

Article III – A student has the responsibility to recognize that student actions reflect upon the individuals involved and upon the entire College community.

Article IV – A student has the responsibility to recognize the College's obligation to provide an environment for learning.

Core Values and Behavioral Expectations

NMJC is a tax supported educational institution whose mission is to provide an educational opportunity to all who enroll. The enrollment of a student at NMJC is a voluntary entrance into the academic community. By such entrance, the student voluntarily assumes the obligations of performance and behavior which are imposed by the College relevant to its lawful missions, processes, and functions. These obligations may be much higher than those imposed on all citizens by civil and criminal law.

NMJC is a learning community consisting of students, faculty, and staff. Just as any community has a culture, along with written and unwritten "expectations" for conduct, we too have a culture with associated expectations for behavior. The community's expectation is that conduct is marked by integrity. Any student who chooses to enroll at NMJC also chooses to become part of this community and make constructive contributions to its culture. This choice is attended by an obligation to conduct oneself in such a way as to facilitate the mission of the community which is to "...pursue and share

knowledge...” The following principles are part of the collective expectation of the members of this community relative to personal conduct. We hope they serve to explain and illustrate our position.

- **Civility-** Members of a learning community interact with others in a courteous and polite manner. Members of the community have a responsibility to respect values, opinions, or feelings of others.
- **Ethical Behavior-** The pursuit of a higher education is a privilege. Associated with that privilege is an obligation to aspire to a set of principles and values that demonstrate a commitment to fairness, honesty, empathy, and achievement.
- **Morality-** Members of a learning community commit to ideals of decent human conduct. This is a lifestyle that seeks to harm no one and attempts to be a positive contributor in every interaction.
- **Respect-** Every member of this community should seek to both gain and demonstrate respect. Members should hold one another in high regard. Each individual should conduct himself/herself in a manner worthy of that regard. That regard is gained by decent and correct behavior.

The learning community at NMJC does not intend to be prescriptive regarding the personal beliefs and value systems of its members. However, this community does believe that it has a right to expect its members to demonstrate personal responsibility and integrity in word and deed. When the conduct of any member falls outside the bounds of civil, moral, and ethical behavior, that member can expect the community of NMJC to call such conduct into question. The College reserves the right to discipline students or student organizations for inappropriate actions that occur on or off campus which have a direct detrimental impact on the institution’s educational functions. Students failing to maintain these higher obligations may be asked to leave the academic community. Students are expected to comply with all NMJC policies and procedures, including the Student Code of Conduct.

Student Code of Conduct

Introduction and Overview

The NMJC Student Code of Conduct (Code) is adopted by the authority outlined in New Mexico Junior College Board Policy Number 704. The Code sets forth the rights and responsibilities of NMJC students; outlines the standards for conduct; provides the types of interim measure and sanctions which may be imposed for violation of the code; provides a prompt and fair fact-finding student conference, as well as an objective review process if students elect a formal review by the Student Disciplinary Committee.

The Code shall provide an educational and non-adversarial process designed to resolve matters concerning student conduct. It is not designed to be a legal or judicial process.

Application

1. The Code shall provide an educational and non-adversarial process designed to resolve matters concerning student conduct. It is not designed to be a legal or judicial process.

2. The Code is designed to be reliable, fair, and effective.
3. Individuals who have established a student relationship with the College are subject to the Code.
4. The Code shall operate by preponderance of evidence. (The majority of the evidence would cause a reasonable person to support a conclusion.)
5. Disciplinary records shall be maintained by the Dean of Students or designee in accordance with the College's records and retention policy.
6. The College's disciplinary process shall proceed during the pendency of any related criminal or civil proceedings and shall not be subject to reconsideration even if related charges are dismissed or otherwise resolved.
7. Student clubs/organizations/athletics shall be expected to conduct themselves in a manner consistent with the College's function as an educational institution. Student clubs/organizations/athletics must observe all international, federal, state, or local laws, as well as the College's policies, including the Code, both on-campus and off-campus.

Jurisdiction

1. On-campus: The code applies to conduct which takes place on college premises.
2. Off-Campus: The code generally is not applied to conduct which occurs off campus, but the College retains the right to act in cases where there is a sufficient connection between the off-campus conduct and the College. Disciplinary action imposed by NMJC may proceed, and be in addition to, any penalty that might be imposed by an off-campus authority. Examples of when off-campus conduct will result in action under the Code include but are not limited to the following:
 - a. Conduct at college sponsored events.
 - b. Conduct on college sponsored trips.
 - c. Conduct at locations at which the College has a student use agreement (such as the CORE).
 - d. Conduct which reasonably may present a significant risk of harm to the campus community (health, welfare, and/or safety of the student or others).
 - e. Conduct which significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace or causes social disorder.
 - f. Conduct involving alcohol or drugs.
 - g. Conduct detrimental to the educational mission or interests of the College.
 - h. Conduct at off-campus events while representing the College (such as Intramurals).

Interim Suspension

An interim suspension is a temporary removal of the student by a Vice President or designee based upon the facts which show the student constitutes a danger to property, to self, or to others. A group of professionals usually comprised of the Dean of Students, Chief of Campus Safety, and a Licensed Professional Counselor will do a risk assessment based on the student's behavior to justify an interim

suspension. The student will immediately be given notice of reason(s) for the interim suspension. Such notice shall be given in writing and hand delivered whenever possible. An interim suspension is not based upon the presumption of the student's guilt. It is a measure to provide safety to all parties involved. The student has two (2) working days to appeal in writing to the Vice President of Student Services, who will review the request and render a written decision within two (2) working days of the request for an appeal.

Removal from Campus

At the request of an authorized NMJC official, an individual(s) will be removed from campus by appropriate law enforcement personnel or NMJC Campus Safety, if they present a danger to themselves or others on the campus. At this time, the individual(s) will be notified that further attempts to come onto campus will result in a criminal trespass violation. The student has two (2) working days to appeal in writing to the Vice President of Student Services, who will review the request and render a written decision within two (2) working days of the request for an appeal.

Prohibited Conduct

It is understood that every possible act of misconduct cannot be specifically stated. The following areas of misconduct are a representative list and apply whether they are performed singly, within a group, or as a function of an NMJC organization or team.

Some acts of misconduct may result in arrests and charges being filed under local, state, or federal laws. The College reserves the right to discipline students for acts of misconduct which have a direct detrimental impact on the institution's educational functions, wherever they occur.

The Dean of Students or designee may initiate disciplinary proceedings against a student for violations of the Code. Specific examples of prohibited conduct subject to disciplinary action include, but are not limited to, the following:

1. Abuse of Conduct Process - Abuse or interference with, or failure to comply in, college processes such as conduct and academic integrity hearings:
 - a. Falsification, distortion, or misrepresentation of information.
 - b. Giving false testimony or fraudulent evidence in college disciplinary proceedings.
 - c. Failure to provide, or destroying or concealing, information during an investigation of an alleged policy violation.
 - d. Attempting to discourage an individual's proper participation in, or use of, the campus conduct system.
 - e. Harassment (verbal or physical) or intimidation of a member of a campus conduct body prior to, during, or following a campus conduct proceeding.
 - f. Failure to comply with the sanction(s) imposed by the campus conduct system.
 - g. Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.
 - h. Action or inaction with another or others to violate the code.
 - i. Retaliation of any kind to the complainant, witnesses, administrators, faculty, staff, or student.

2. Alcohol and Drugs

- a. Alcohol: Possession (includes empty alcoholic containers), use, manufacture, distribution, and/or being under the influence of alcoholic beverages, in any form, in or about college grounds, instructional buildings, residence halls, or at any college approved activity, on or off campus.
- b. Drugs: Use, manufacture, distribution or possession of marijuana, illicit drugs, narcotics, synthetic cannabis, and/or chemicals which includes drug paraphernalia. Illegal drugs are prohibited at NMJC and may result in immediate expulsion from the College and/or loss of scholarships or other financial aid. This prohibition applies regardless if student complies with state recreational or medical use laws.
- c. Prescription Medications: Abuse, misuse, sale, or distribution of prescription or over-the-counter medication or the use of prescription drugs other than by the person to whom the drug is prescribed.
- d. Possession of a Medical Marijuana Registry identification card, regardless of state issued, does not authorize a student to possess, use or distribute marijuana or marijuana drug paraphernalia.
- e. Misuse of Legal Substances: Inhaling or ingesting a substance (including but not limited to nitrous oxide, glue, paint, gasoline, solvent, etc.) or using the substance other than for its intended purpose.

3. Assault

- a. Aggravated Assault: An attack by one person upon another, in which the offender uses or displays a weapon in a threatening manner or the victim suffers injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- b. Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- c. Sexual Assault: any physical act that is sexual in nature and which is committed under pressure of force, threat, or coercion, or without the full and informed consent of all persons involved. This includes rape, fondling, incest, and statutory rape.

4. Bystander Behavior

- a. Complicity with or failure of any student to appropriately address known or obvious violations of the code.
- b. Complicity with or failure of any organized group to appropriately address known or obvious violations of the code or law by its members.

5. Damage or Destruction - Intentional, reckless or unauthorized damage, or destruction of, college property or the personal property of another.

6. Discrimination or Harassment

- a. Discrimination: Any act or failure to act that is based upon an individual or group's actual or perceived status related to age, ancestry, color, disability, gender identity, genetic information, national origin, race, religion, serious medical condition, sex, sexual orientation, spousal affiliation, or protected veteran status that is sufficiently severe that it limits or denies the ability to participate in or benefit from the college's educational program or activities.
- b. Harassment: Any unwelcome conduct based on actual or perceived status including: age, ancestry, color, disability, gender identity, genetic information, national origin, race, religion, serious medical condition, sex, sexual orientation, spousal affiliation, or protected veteran status. Any unwelcome conduct should be reported to campus officials, who will act to remedy and resolve reported incidents on behalf of the victim/complainant and community.
- c. Hostile Environment: When harassment is sufficiently severe, pervasive or persistent and objectively offensive that it unreasonably interferes with, limits, or denies the ability to participate in or benefit from NMJC's educational or employment program or activities.
- d. Bullying: When harassment is sufficiently severe, pervasive or persistent and objectively abusive that it unreasonably interferes with, limits, or denies the ability to participate in or benefit from NMJC's educational or employment program or activities.
- e. Retaliatory Discrimination or Harassment: Any intentional, adverse action taken by any responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant (or supporter of a participant) in a civil rights grievance proceeding or other protected activity.

7. Dishonesty

- a. Academic cheating or plagiarism (Section IV, Academic Policy)
- b. Falsification - Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification, or financial instruments.
- c. Misuse of college documents or identification.
- d. Election Tampering - Tampering with the election of any college recognized student organization.

8. Disruptive or Disorderly Behavior

- a. Disorderly Conduct - Conduct, such as but not limited to, acts that interfere with public peace, order, or safety.
- b. Disruptive Behavior - Substantial disruption of college operations including obstruction of teaching, administration, or other college or authorized non-college activities which occur on campus.
- c. Rioting - Causing, inciting, or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or causes damage or destruction of property.

- d. Unbecoming or unprofessional behavior and/or conduct while interacting on campus with any member of the campus community - employees, students, or guests or at any college function on or off campus.
9. Failure to Comply
- a. Failure to comply with directions, written or verbal, of college officials, law enforcement agents, or residence hall staff acting in the performance of their duties.
 - b. Refusing to respond to an official request related to alleged violation of college policy or regulation.
 - c. Failure to properly identify oneself to those persons when requested to do so.
10. Financial Responsibilities - Failure to promptly meet financial responsibilities to the institution, including, but not limited to knowingly passing a worthless check or money order in payment to the institution or to an official of the institution acting in an official capacity.
11. Fire Safety - Violation of local, state, federal or campus fire policies including, but not limited to:
- a. Intentionally or recklessly causing a fire which damages college or personal property or which causes injury.
 - b. Failure to evacuate a college-controlled building during a fire alarm.
 - c. Improper use of college fire safety equipment.
 - d. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on college property.
 - e. The reporting of false fires, bomb threats, or other false emergency alarms.
12. Gambling – Gambling is not permitted as prohibited by the laws of the State of New Mexico.
13. Harm to Persons - Intentionally or recklessly causing physical harm or endangering the health, welfare, or safety of any member of the campus community including self is prohibited.
14. Hazing - An act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene may also violate this policy.
15. Health and Safety - Creation of health or safety hazards including, but not limited to:
- a. Hanging out of or climbing from/on/in windows, balconies, stairwells, roofs, or moving vehicles.
 - b. Unsafe operation of motor vehicles.
 - c. Ingestion of dangerous substances.
16. Interference - Engaging in overt physical acts which interfere with the normal or sponsored activities of the college on or off the campus, including, but not limited to:
- a. The blocking of ingress or egress to the College's facilities.
 - b. Tampering with public utilities.

- c. Prevention of freedom of movement or expression by other students, college officials, law enforcement agents, faculty members, employees and invited guests.
- 17. Intimate Partner/Relationship Violence (This will follow Section VI, Title IX policy.)
 - a. Dating Violence - Violence or abuse committed by a person who is or has been in a social relationship of a romantic/intimate nature with the victim. The existence of such a relationship is based on the reporting party's statement with consideration of the length and the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - b. Domestic Violence – Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of New Mexico, or by 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 state of New Mexico.
- 18. Other Policies - Violation of NMJC policies or rules including but not limited to:
 - a. Residence Hall rules and regulations.
 - b. Information Technology (IT) Acceptable Use
 - c. Trademark - Unauthorized use or misuse of college or organizational names and images.
 - d. Academic Policies
 - e. Copyright Policy
- 19. Personal Transportation Devices (Section II, Campus Safety, Transportation, Traffic, and Parking)
 - a. Skateboards, scooters, hover boards, roller blades, roller skates, bicycles, and similar wheeled devices are not permitted to be ridden inside college buildings, residence halls or on athletic fields or courts.
 - b. Wheeled items may not be ridden on rails, curbs, benches, or any such fixtures that may be damaged by these activities (individuals may be liable for damage to college property caused by these activities).
- 20. Public Exposure - Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.
- 21. Sexual Misconduct - Includes, but is not limited to, sexual harassment, non-consensual sexual conduct, sexual assault, sexual abuse, solicitation, or sexual exploitation. (See Section VI, Title IX for the specific violations that will be handled through that process.)
- 22. Smoking and Tobacco
 - a. Smoking - Smoking (including e-cigarettes and vapor pens) is prohibited in all college buildings, classrooms, residence halls and college vehicles.

- b. Tobacco Products - The use of all tobacco products, including but not limited to cigar, cigarette, pipe, snuff and chewing tobacco, is prohibited in all college buildings, classrooms, residence halls, and college vehicles.
- 23. Theft
 - a. Theft or attempted theft of college property or personal property of another, including goods, services, and other valuables.
 - b. Possession, sale, or barter of stolen items.
- 24. Threatening Behavior
 - a. Threat: Written or verbal conduct that causes a reasonable expectation of injury to the health, welfare, or safety of any person or damage to any property.
 - b. Intimidation: Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.
 - c. Bullying or Cyberbullying: Repeated or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.
 - d. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person's safety or the safety of others (2) or suffer substantial emotional distress.
- 25. Unauthorized Access or Use
 - a. Unauthorized access - Unauthorized access to a building, room, classroom, office, athletic facility, vehicle, or residence hall.
 - b. Misuse of access privileges - This includes propping doors or gates, or unauthorized use of alarmed doors for entry into or exit from college buildings.
 - c. Unauthorized Use - Unauthorized use or possession of college property.
- 27. Violation of Law - Violation of local, state, or federal law, when substantiated through the college's conduct process.
- 28. Weapons and Other Explosive Materials/Devices - Possession, use, or distribution of:
 - a. Explosives (including fireworks and ammunition).
 - b. Firearms loaded or unloaded (including air, BB, paintball, facsimile weapons, and pellet guns).
 - c. Other weapons or dangerous items such as any types of arrows, machetes, nun chucks, throwing stars, daggers, brass knuckles, switchblade knives, bowie knives, poniards, swords, butcher knives, dirk knives and all such weapons with which dangerous cuts can be given, or with which dangerous thrusts can be inflicted, including sword canes, and any kind of sharp pointed canes, also slingshots, slung shots, bludgeons; or any other weapons with which dangerous wounds can be inflicted.
- 29. Engaging in, or use of obscene, lewd, or vulgar language, behavior and display regardless of the medium.

30. Animals on Campus (Section VIII, Service and Assistance Animals on Campus)
With the exception of service and emotional support animals, animals are not allowed on NMJC property, except as permitted by NMJC policy and/or related to official NMJC programs, curriculum, and activities.
- a. Violating applicable local laws relating to the control, care, and owner's handling of animals.
 - b. Violating the NMJC Pet Policy.

Disciplinary Procedures

The Vice President for Student Services (VPSS) or designee is ultimately charged with the administration of the discipline system at the College. The Vice President for Instruction (VPI) or his/her designee is charged with the administration of discipline in all academic matters. Faculty may impose penalties for acts of cheating and plagiarism by students on any graded work or exam. Department heads, in coordination with program sponsors/coaches may impose penalties for violations in cooperation with the VPSS.

The Dean of Students or designee shall assess all suspected and reported violations of the Code. Complaints regarding alleged misconduct must be submitted to the Dean of Students as soon as possible after the alleged violation.

After completing an initial inquiry, the Dean of Students or designee may:

1. Dismiss the allegations as unfounded.
2. Summon the student for a conference.
3. Dismiss, upon completion of the conference, the allegations or impose disciplinary sanctions.
4. Impose immediate interim action if the continued presence of the student poses a danger or perceived risk to harm person(s) or property or a disruption of the academic process of the College.

A risk assessment will be completed by the Dean of Students, Campus Safety, and a Licensed Professional Counselor. The student will have two (2) working days to appeal in writing to the VP President of Student Services who will review the request and render a written decision within two (2) working days of the request for an appeal.

Notice of Complaint

1. The Dean of Students or designee shall deliver a notice summarizing the alleged misconduct either by mail, hand delivery, or electronic means. All students are responsible for maintaining a current physical mailing address with the College. The College uses Maxient software and all communication will first be sent electronically to the student's official NMJC email address.
2. The Dean of Students or designee shall give notification of a date to meet him/her for a disciplinary conference. If the date and time for the conference is not satisfactory for the student, then it is the responsibility of the student to reschedule. The student automatically waives his/her right to a conference if the Dean of Students is not contacted, a conference is not

rescheduled, and the conference is not kept by the student. A decision may be made by the Dean of Students or designee solely on the information at hand.

3. In cases where there is a concern for the health, safety, and health of any individual(s) of the campus community, then a Notice of Complaint does not have to be sent because of the urgency of the matter.
4. If the student shows up prior to the Notice of Complaint letter being sent to the student, then there is also no need to send the Notice of Complaint out to the student.

Notice of Disciplinary Findings

1. If it is determined that the greater weight of evidence or preponderance of evidence indicates that a student engaged in a violation of the Code, then the Dean of Students or designee shall deliver a Notice of Disciplinary Findings.
2. The Notice of Disciplinary Findings shall include information regarding the Review process.
3. This notice shall inform the student of the findings, a rationale for the decision, any imposed sanctions or restrictions, and the student's right to request a review by the Student Disciplinary Committee, if applicable.

Possible Sanctions

1. Admonition – Oral or written reprimand.
2. Discretionary sanctions – These include work assignments, service to the College, etc.
3. Disciplinary probation – Probation indicates that the student has engaged in unacceptable behavior and that a period of observation is needed to substantiate that behavior has improved. Additional conditions may be imposed during the probationary period, such as counseling, educational seminars/courses, etc. An additional violation may result in more severe action.
4. Withholding of grades, official transcript, certificate of completion, or degree.
5. Suspension of rights and privileges – This type of suspension includes, but is not limited to, participation in intramurals/recreation center, participation in extracurricular activities, election to office, restrictive building or area access, revocation of housing or visitation privileges, etc.
6. Administrative withdrawal from course(s).
7. Bar against readmission – This action is for a specific period of time and/or may involve the student's drop from current enrollment entirely or from enrollment in one or more courses.
8. Restitution – This action requires reimbursement for damages to property or for misappropriation of property. Restitution may be achieved either monetarily or by specific duties.
9. Failing grade or other academic penalty.
10. Denial of degree – A denial shall become part of the student's permanent record.

11. Revocation of a degree, grade, or certification – A revocation shall become part of the student's permanent record.
12. Probated Housing Suspension – Any other violation of College policy may result in removal from on-campus housing privileges.
13. Suspension – A suspension shall result in the student's removal from the College for a specified period of time. A suspended student shall be administratively withdrawn from NMJC, prohibited from entering the College's premises, and blocked from future registration until approval is granted by the Conduct Officer or his/her designee. Suspension shall become a part of the student's permanent record and may be removed at the completion of the sanction, at the student's request.
14. Expulsion – This action results in permanent removal from the College. An expelled student shall be administratively withdrawn from NMJC and prohibited from entering the College's premises. Expulsion shall become part of the student's permanent record.
15. Other penalties as seen fit by the appropriate administrator at the College.

Review Process

1. Only sanctions that include restrictions, loss of privileges, withholding/revocation of grades or degrees, suspension, or expulsion shall be reviewed by the Student Disciplinary Committee. All Title IX (Section VI, Title IX) and Academic Dishonesty (Section IV, Academic Policies) cases will follow the proper policies and procedures pertaining to the review.
2. A student shall have five (5) working days to request a review from the date of the Notice of Disciplinary Findings letter to request a review to the Dean of Students. The request must be made in legible writing and contain the reason for the request and possible alternative sanctions or resolutions.
3. The student shall be notified within five (5) working days of the time, date, and location of the review by the Dean of Students or designee if the request was made within the timeframe. Any delays due to extenuating circumstances shall be documented and all parties shall be notified accordingly.
4. At least two (2) working days prior to the review, a list of witnesses and documentation must be provided to the Chair of the Student Disciplinary Committee.
5. The Dean of Students or designee shall present the College's case followed by the student's presentation. Each Party shall have the opportunity to present testimony and evidence in support of their position. There is no cross examination between the student or the College. The Student Disciplinary Committee shall be allowed to question both parties, witnesses, and request additional information or clarification.
6. Review procedures shall be confidential and closed to the public.

Student Disciplinary Committee

1. The Student Disciplinary Committee consists of three (3) members of the campus community including a Chairperson, a faculty member and a staff member. All members shall be approved by the President.
2. The Chairperson shall direct proceedings of the review and participate fully in all reviews to include voting.
3. The objective of the Student Disciplinary Committee is to review the findings and sanctions originally imposed by the Dean of Students or designee. The Committee may not impose more severe penalties.
4. At the conclusion of the presentation of information, the Student Disciplinary Committee will render a decision on the matter. The decision shall be made by majority vote. The decision will consist of one of the following:
 - a. Uphold disciplinary decision in its entirety.
 - b. Reverse disciplinary decision.
 - c. Modify disciplinary decision in part or in its entirety.
5. The findings and conclusions of the Student Disciplinary Committee shall be final.
6. The Chairperson will have three (3) working days to provide written results of the review to both parties. The letter shall include a rationale for their decision when the decision of the Dean of Student's is not upheld.

General Rules for Reviews

1. Reviews are informal proceedings, and traditional rules of the courtroom evidence shall not apply. However, the Dean of Students or his/her designee must show preponderance of evidence and that the sanction imposed was reasonable based upon the circumstances.
2. An advisor, attorney, or support person for the student may be present for the review; however, the advisor, attorney, or support person may not make statements, represent the accused, or question witnesses.
3. If an attorney accompanies a student for the review, the attorney shall not be permitted to present evidence before the Student Disciplinary Committee. The College reserves the right to counsel in the event it is deemed necessary. The time frame for scheduling a review may be extended if the College elects to retain counsel.

Section IV

Academic Policy

Academic Integrity

As a college of higher learning, NMJC is concerned that all participants in the learning environment conduct themselves with a high level of academic honesty and integrity. As much as it is the students' responsibility to conduct themselves according to accepted values of honesty and integrity, so too is it the institution's responsibility to provide a fair and equitable process for addressing behavior that falls outside of what has been deemed as acceptable.

The course syllabus is an agreement between the professor and the student. Students should read the course syllabus carefully. The Vice President for Instruction (VPI) is the final authority for academic policy and discipline in the academic arena.

Academic Dishonesty

Academic dishonesty (commonly known as cheating) is any behavior on the part of a student that results in that student or any other students giving or receiving unauthorized assistance in an academic exercise or receiving credit for work which is not their own. Such acts include, but are not limited to:

1. Unauthorized aids – Use of material, information, wearable technology, generative artificial intelligence models, or study aids not explicitly permitted by the professor during tests, quizzes, writing, or other graded activities. This includes intentional sharing of information or working together on a graded academic exercise when such collaboration is not approved by the professor. The cheating might be premeditated as in the case of preparing “cheat sheets” or securing a copy of the test beforehand or opportunistic as in the case of looking at another student's test. It might also include using a smartwatch or other device during a proctored assessment or receiving unauthorized assistance from an artificial intelligence model on any assignment.
2. Plagiarism – Use of words or ideas from any source without clearly acknowledging the source of that information, resulting in the false representation as one's individual work. Students must educate themselves about plagiarism. Ignorance is not a legitimate defense against a charge of plagiarism. To avoid plagiarism, students must give credit when they:
 - Quote from any source.
 - Paraphrase from any source.
 - Use a unique idea from any source.
 - Use images, creative work, solutions, data, or calculations without citation from any source.

****Students must educate themselves about plagiarism. Ignorance is not a legitimate defense against a charge of plagiarism.***

3. Falsification/Fabrication – Intentional and unacknowledged invention or alteration of any data, incident, quotations, or citations in an academic exercise.
4. Facilitating Academic Dishonesty – Intentionally or knowingly helping or attempting to help another student to violate any aspect of academic dishonesty.

Academic Sanctions

In all cases of academic dishonesty, the professor should document the suspected event, meet with the student(s) in question and impose an academic sanction at the professor's discretion. The Vice President for Instruction (VPI) will maintain a centralized report of all cases of academic dishonesty.

Appeal Process

The student may appeal any academic dishonesty determination or sanction by submitting a written request within one week of receipt of the notification of sanction. The three-stage appeal consists of professor, dean, and Vice President for Instruction and the written appeal must include the following:

1. The name of the professor who imposed the academic sanction.
2. The name of the student requesting the appeal.
3. The course number, course name, and section.
4. A description of the imposed sanction.
5. The grounds for the appeal.

After reviewing the appeal, the professor, dean, and Vice President for Instruction will take one of the following actions:

1. Deny the appeal request.
2. Grant the appeal request and refer the matter back to the professor to amend the original decision and sanction.

The student submitting the appeal is notified in writing of the decision by the professor, dean, and Vice President for Instruction regarding the outcome of each stage of the appeal.

In cases of repeat offenders or students on probationary status, the student will be summoned to the office of the VPI for a disciplinary hearing and a determination will be made if additional sanctions, including an, "F" in the course or removal from the course of instruction is warranted. The student, professor, and dean are notified of any further academic sanctions rendered by the VPI.

Grade Appeals

If a student has reason to believe that a final grade he / she has received is incorrect, the student must first contact the professor and informally attempt to resolve the issue before beginning a formal, written grade appeal. If no satisfactory resolution is reached, the student may then proceed with the formal, written, grade appeal process, as noted below.

A formal, written grade appeal must be started no later than the last day of classes of the first long (regular) semester which follows receipt of the disputed grade. For example, to appeal a grade received for a class completed during the fall semester, the student has until the last day of the following spring semester to begin the written appeal.

The only grounds for a student to appeal a final, semester grade are:

1. The grade is allegedly based on an error in calculation.
2. The grade allegedly did not follow the grading criteria as stated in the course syllabus.

It shall be the responsibility of the student to prove that the grade is incorrect or unjustified. Students may not appeal disagreements based on teaching methodologies, attendance policies, or grade weighting methods. During the term of the course it is the student's responsibility to communicate any concerns he/she may have about the course or grade to the Professor.

An appeal will not be heard at any level unless the proper appeal steps have been followed. Academic Dishonesty issues go through the Academic Dishonesty process, not through the Grade Appeal Process.

Process for a formal, written Grade Appeal

I. Written Appeal to Professor

- The student is to obtain the Formal Grade Appeal Form from the Academic Division in which the course was offered.
- The student is to contact the Professor and provide the Formal Grade Appeal Form with the top section already completed by the student. This is to allow written documentation of reasons for the appeal. This contact with the Professor may be by any method including person-to-person, letter or e-mail. If the Professor is not available, the student should submit the Formal Grade Appeal Form to the Dean who supervises the Professor.
- The Professor will complete his/her part of the Form within 10 business days (Monday – Friday) following receipt of the form from the student. If the Professor agrees with the student request for grade change, within 5 business days of that decision, a Grade Change Form will be initiated by the Professor and submitted to the Registrar. If the Professor does not agree with the student, the grade remains unchanged.
- The student may either accept the Professor's decision or advance the appeal to the appropriate Academic Dean no later than 20 business days following receipt of the Professor's decision.

II. Written Appeal to the Academic Dean

- The student makes a formal, written appeal to the Academic Dean by submitting a copy of the Grade Appeal Form as completed at the previous level, to the appropriate Dean.
- The Dean will complete his / her part of the Form within 10 business days of receiving the formal, written request for appeal from the student.
- If the Academic Dean agrees with the student request for a grade change, within 5 business days of that decision, the Dean will have a Grade Change Form initiated. If the Dean does not agree with the student, the grade remains unchanged.
- The Student may either accept the Dean's decision or advance the appeal to the Vice President for Instruction no later than 20 business days following receipt of the Dean's decision.

III. Written Appeal to the Vice President for Instruction

- The student requests a formal, written appeal to the Vice President for Instruction by submitting a copy of the Form, as completed at the previous levels, to the Vice President for Instruction.
- The Vice President will complete his / her review of the grade appeal request within 10 business days of receiving the formal, written request for appeal from the student.
- If the Vice President agrees with the student request for a grade change, within 5 business days of that decision, the Vice President for Instruction will have a Grade Change Form initiated. If the Vice President does not agree with the student, the grade remains unchanged.
- The decision of the Vice President for Instruction is final. No further appeals of this grade may take place.

Section V Alcohol and Drug Policy

Drug Free Schools and Communities Act

Information regarding the use/abuse of drugs and alcohol by employees and students is provided pursuant to public law 101-226, The Drug Free Schools and Communities Act Amendments of 1989.

NMJC students and their health and welfare are of serious concern. NMJC recognizes that the use of illicit drugs and/or the abuse of alcohol is a persistent health problem of major proportion affecting our society physically, mentally, and socially. Illicit drug use and/or alcohol abuse can adversely affect an individual's personal life, safety, health, and mental or physical performance.

It is the intent of NMJC to provide students with pertinent information related to illicit drug use and/or alcohol abuse in an effort to prevent such abuse.

As a recipient of federal funds, the College is obligated to inform all students that the possession, use or distribution of illicit drugs and alcohol on its property or as part of any of its activities is prohibited, and is a violation of policy. Students who violate the policy will be subject to appropriate disciplinary action. It is also a federal requirement and a College policy that, as a condition of employment, any student worker will notify his or her immediate supervisor within five (5) days of conviction of a criminal drug

offense occurring in the workplace. NMJC is committed to promoting and maintaining a work and academic environment that is free from illegal alcohol and drug use and abuse, in accordance with all federal, state, and local laws.

NMJC Alcohol and Drug Policy

Students, employees and visitors are prohibited from possessing, consuming, manufacturing, dispensing, or being under the influence of alcohol/illegal drugs / synthetic cannabis/spice or engaging in improper self-medication while on College property or conducting College business. Any member of the College community who violates this policy is subject to both prosecution and punishment under federal, state, and local laws and to disciplinary proceedings by the College.

This alcohol/drug policy is not designed to punish people for seeking rehabilitation. All information about those individuals who voluntarily avail themselves of drug or alcohol counseling or rehabilitation services will remain confidential. Seeking counseling or rehabilitation will not be used as a basis of disciplinary action or be used against an individual in any way.

College employees and students who violate the alcohol/drug policy may be informed about and referred to services to assist them in determining whether they are abusing drugs and alcohol or are chemically dependent. If a problem is found to exist, the individual may be referred to resources to assist him / her in overcoming the drug or alcohol abuse pattern.

The College will review its Alcohol and Drug Abuse Prevention Program every 2 years to determine its effectiveness and implement changes to the program as needed, and to ensure that the disciplinary sanctions applied by the College are consistently enforced.

Alcohol and Drug Use

Drug and alcohol use, misuse, and abuse are complex behaviors with many outcomes at both the cultural and the individual levels. Awareness of the dangerous effects of drug/alcohol use is imperative for an individual's well-being or survival. Negative consequences of drug/alcohol may be exhibited through: physical dependence (the body's learned requirement of a drug for functioning) or psychological dependence (the experiencing of persistent craving for the drug and/or a feeling the drug/alcohol is a requirement for functioning).

Abuse of any drug/alcohol whether licit or illicit may result in marginal to marked, temporary to permanent physical and/or psychological damage, even death. Since many of the illicit drugs are manufactured and sold illegally, their content varies and may contain especially harmful ingredients or amounts. Regardless of the types of drug/alcohol utilized, a perceived need for the continued use is likely to ensue, resulting in dependence. Dependence on drugs and/or alcohol alters the user's psychological functioning. The acquisition of drugs and alcohol becomes the primary focus of the drug dependent individual and often results in reduced job performance and jeopardized family and other interpersonal relationships. Criminal behavior is frequently the means for financing a drug habit. Behavior patterns often include violence and assault as the individual becomes increasingly drug/alcohol dependent. Social and psychological alienation and medical problems increase as the abuser becomes entrapped in drug/alcohol dependence. For more information on drug/alcohol counseling and referrals, please contact the Counseling Office at your campus.

Student Violations

The Dean of Students has authority to sanction as seen fit for any violation of the Student Code of Conduct involving Drugs and Alcohol. For more information on the disciplinary process, go to the Code of Student Conduct.

The Family Educational Rights and Privacy Act (FERPA), permits colleges and universities to inform the parents/guardians of students less than 21 years of age when their son/daughter has been found in violation of college alcohol and drug regulations.

Students exhibiting signs of excessive drug/alcohol consumption may be transported via Emergency Medical Services (EMS) at the student's expense for medical attention. Refusal to cooperate with EMS personnel may result in arrest in order to ensure the student's health and safety.

NMJC SANCTIONS

NMJC will impose sanctions for failure to maintain standards of conduct regarding illicit drug use and/or alcohol abuse as may apply to students and/or employees consistent with local, state and federal law, up to and including expulsion from school or termination of employment and referral of violations of the standards of conduct.

Possible College Sanctions

- Educational assignments
- Oral or written Reprimand
- Restrictions
- Restitution
- Disciplinary Probation
- Loss of College Housing privileges
- Suspension
- Expulsion
- Notification of Law Enforcement

New Mexico Legal Sanctions for Possession/Consumption of Alcohol by a Minor

Possession/consumption of alcohol by persons not 21 years of age violates New Mexico law, and can be punishable by up to six (6) months in the county jail and a \$500 fine.

New Mexico Legal Sanctions for Driving Under the Influence

Alcohol abuse is subject to penalties specified by the Liquor Control Act. A DWI (Driving While Under the Influence) conviction can result in a fine up to \$1,500 and/or imprisonment up to 364 days for a 1st offense, prosecution for vehicular homicide, and/or license revocation and vehicle impoundment.

New Mexico Legal Sanctions for Controlled Substances

The New Mexico Legislature has enacted numerous laws concerning possession and trafficking of controlled substances. The most abused controlled substances are marijuana, cocaine, heroin, LSD, and methamphetamines. Fines and prison sentences vary according to the quantity of drugs involved and whether first or repeat offense.

Fines for possession of marijuana range from not less than \$50 to \$5,000. Prison sentences range from fifteen (15) days to eighteen (18) months. The fine for trafficking marijuana is \$5,000; prison sentences for trafficking range from eighteen (18) months to three (3) years.

The fine for possession of cocaine and heroin is \$5,000, and the prison sentence is eighteen (18) months. Fines for trafficking cocaine and heroin range from \$10,000 to \$15,000. Prison sentences for trafficking are nine (9) years for a first offense and eighteen (18) years for a repeat offense.

The fine for possession of LSD and amphetamines is \$1,000 and the prison sentence is up to one (1) year. Trafficking LSD and amphetamines carry a fine of \$5,000 and a prison sentence of three (3) years.

Federal Legal Sanctions

Federal trafficking penalties for methamphetamine, heroin, cocaine, PCP, LSD, Fentanyl, and Fentanyl Analogue vary depending on the quantity of drugs involved and whether the offense is the first or a repeat offense. Prison sentences range from five (5) years to life. Fines for trafficking in these drugs range from \$2 million to \$8 million. Federal trafficking penalties for marijuana range from ten (10) years to life. Fines for trafficking in these drugs range from \$2 million to \$8 million.

Medical Marijuana

Possession of a Medical Marijuana Registry identification card, regardless of state issued, does not authorize a student to possess, use or distribute marijuana in any on campus housing or NMJC property.

Health Risks Associated with Alcohol Abuse

- Increased risk of liver cancer.
- Increased risk of cirrhosis of the liver.
- Increased risk of heart disease.
- Adverse reactions when combined with many medications, including over-the-counter drugs.
- Overdose resulting in respiratory failure.
- Impaired concentration.
- Impaired coordination.
- Risk of permanent nerve damage from long-term abuse.

Health Risks Associated with Marijuana Use

- Lowered sperm counts in men.
- Decreased testosterone levels in men.
- Increased testosterone levels in women.
- Enhanced cancer risk.
- Impaired short-term memory.
- Psychological dependence.

Health Risks Associated with the Use of Cocaine and Crack

- Addiction.
- Heart attack.
- Stroke.
- Respiratory failure.

- Brain seizures.
- Hepatitis or AIDS through sharing needles.
- Decreased ability to combat infections.
- Violent, erratic or paranoid behavior.
- Anxiety, depression.
- Cocaine psychosis.

Health Risks Associated with the Use of Hallucinogens

- Sleeplessness and tremors.
- Convulsions.
- Heart and lung failure.
- Depression, anxiety and paranoia.
- Violent behavior.

Amnesty for Alcohol and Drug Emergencies

Alcohol poisoning and drug overdose are serious and life-threatening medical emergencies. Students may encounter this type of emergency during their time at NMJC. Sometimes students are afraid to seek emergency medical care when alcohol poisoning or drug overdose is suspected because they do not want to get themselves or others in trouble. In order to encourage students to seek emergency medical care, NMJC has instituted the Student Amnesty for Alcohol and Drug Emergencies.

Amnesty means current NMJC students can avoid formal college disciplinary action and the creation of a formal disciplinary record when they call for help for an alcohol or drug-related medical emergency.

Student Amnesty for Alcohol and Drug Emergencies applies in the case of the following:

1. Possession of alcohol or drugs by a minor (minor in possession).
2. Unauthorized possession or use of alcohol or drugs on campus.
3. Consumption of alcohol by a minor (minor in consumption).
4. Use of drugs.
5. Intoxication as the result of using alcohol (including public intoxication).

The Dean of Students deems students appropriate for amnesty when they are referred for alcohol and drug related incidents. There are limitations to this program and inclusion is not automatic.

Procedure

1. Call 911 when alcohol poisoning or drug overdose is present or suspected.
2. Stay with the person under the influence.
3. Cooperate with all emergency personnel.

After the Incident

1. Student(s) will be referred to the Dean of Students office and will be evaluated for amnesty.

2. Student(s) eligible for amnesty will still be required to participate in an educational component and may be referred for an individual consultation, however they will not face formal disciplinary action.
3. Student(s) who decline or fail to attend the educational component or fail to comply will become subject to formal disciplinary action.

Consequences of Abuse Associated with the Use of Drugs and Alcohol

TYPES & MOST COMMON DRUGS OF ABUSE	GENERAL CONSEQUENCE OF ABUSE DRUGS OF ABUSE
<u>STIMULANTS</u>	
Caffeine Nicotine Products	Moderate dosages cause increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, and dietary loss of appetite.
Cocaine	Overdose can cause agitation, increase in body temperatures, hallucinations, convulsions, and possible death. Sudden withdrawal can cause apathy, long periods of sleep, irritability, depression, disorientation, hallucinations, convulsions, and possible death.
Methamphetamine	Symptoms include a false sense of well-being and energy causing the user to tend to push his/her body faster and further than it is meant to go. Users can experience a severe “crash” or physical and mental breakdown after the drugs wear off. Overdose symptoms include restlessness, tremor, muscle twitches, rapid breathing, confusion, hallucinations, panic, aggressiveness, muscle pain or weakness, and dark- colored urine. Other symptoms include nausea, vomiting, diarrhea, stomach pain, uneven heartbeats, light-headedness, fainting, seizures (convulsions), or coma. Continued use decreases natural feelings of hunger causing extreme weight loss. Negative effects can include disturbed sleep patterns, hyperactivity, delusions of power, irritability, insomnia, anxiety, and paranoia. In some cases, convulsions have led to death.
<u>MARIJUANA</u>	
Hashish	Symptoms include euphoria, relaxed inhibitions, increased appetite, and disoriented behavior. Marijuana impairs judgment, reduces reaction time and coordination. Overdoses can cause fatigue, paranoia, and possible psychosis. Withdrawal can cause insomnia, hyperactivity, and decreased appetite.
<u>SYNTHETIC CANNABIS</u>	
Spice Amazing J's Game Over Herbal Incense	Moderate dosages can cause negative effects that are not noted in marijuana users such as agitation and vomiting. Use can also cause psychosis in a higher manner than with use of cannabis. Adverse health effects associated with its use include seizures, hallucinations, paranoid behavior, agitation, anxiety, nausea, vomiting, racing heartbeat and elevated blood pressure. Users can also suffer from effects of withdrawal symptoms similar to those associated with withdrawing from the use of narcotics.

DEPRESSANTS, NARCOTICS, &
OPIATES

Codeine
Heroin
Opium
Morphine
Methadone

PSYCHEDELIC DRUGS

LSD (lysergic acid)
Mescaline
PCP (phencyclidine)

INHALENTS

Gasoline & Kerosene
Glues & Organic Cements
Aerosol Propellants
Lighter Fluids
Lacquer & Varnish
Thinners

ALCOHOL

Beer
Wine
Liquor

HUMAN GROWTH HORMONE

HGH & Other Steroids

Moderate dosages cause euphoria, drowsiness, respiratory depression, constricted pupils and nausea. Overdose can cause slow and shallow breathing, clammy skin, convulsions, coma, and possible death. Sudden withdrawal results in watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, chills and sweating, cramps, and nausea.

NOTE: Depressants combined with alcohol can result in magnified negative effects.

Moderate dosages can result in illusions, hallucinations, and poor perception of time and distance. Overdose can result in longer, more intense "trip" episodes, psychosis and possible death.

Moderate dosages cause excitement, euphoria, giddiness, loss of inhibitions, aggressiveness, delusions, depression, drowsiness, headache, and nausea. Overdose can cause loss of memory, confusion, unsteady gait, and an erratic heartbeat and pulse are possible. Sudden withdrawal results in insomnia, decreased appetite, depression, irritability, and headache. Death can result from suffocation.

Alcohol depresses the central nervous system. Initial effect may relax and gives a mild feeling of euphoria. It also impairs judgment, while reducing reaction time and coordination. Prolonged abuse may produce brain atrophy and dysfunction. Very large quantities and/or prolonged abuse may result in death. Sudden withdrawal by an alcoholic may produce serious problems such as delirium tremors.

NOTE: Alcohol in combination with other depressants can result in magnified negative effects.

Prolonged use of HGH for achieving weight loss, increasing mass, and reversing the signs of aging, often leads to side effect that involve muscle and joint pain, abnormal bone growth, tissue edema, and altered glucose metabolism. Other side effects include Carpal tunnel syndrome, swelling in arms and legs, excess body hair, and enlargement of breast tissue in men. There is also an increased risk for diabetes, heart enlargement, liver damage, hardening of the arteries, and hypothyroidism.

**Sef-Assessment:
An Alcohol and Drug Abuse Questionnaire***

The following list of questions is important to consider in assessing your own use of alcohol and other drugs. If you answer YES to more than three of these questions (or are concerned about someone you know), you should seek help.

Yes	No		
___	___	1.	Have you ever cut classes in order to drink or use drugs or because of the after effects?
___	___	2.	Do you drink or use drugs while studying?
___	___	3.	Have you ever done poorly on an exam or assignment because of drinking or using drugs?
___	___	4.	Have friends or family ever told you that you drink too much or complained about your drug use?
___	___	5.	Have you ever lost a friend or has a relationship suffered from your drinking or drug use?
___	___	6.	Have you ever done or said anything while drinking or using drugs that you later regretted?
___	___	7.	Do you urge friends to drink or use drugs so that you won't stand out?
___	___	8.	Have you begun to associate with a heavier drinking group of friends or a group that uses drugs?
___	___	9.	Have you ever been hurt while drinking or using drugs?
___	___	10.	Have you ever awakened after drinking or using drugs and wondered what happened the night before?
___	___	11.	Do you ever feel guilty about your use of alcohol or other drugs?
___	___	12.	Do you drink or use drugs to forget your problems?
___	___	13.	Do you drink or use drugs to feel more confident?
___	___	14.	Have you ever been broke or gone into debt because you spent money on alcohol or other drugs?
___	___	15.	Have you ever destroyed or damaged property while drinking?
___	___	16.	Do you ever drive while drinking or using drugs?
___	___	17.	Have you ever been in trouble with College authorities because of alcohol /drug use or because of something you did while under the influence?
___	___	18.	Do you use more than you planned?
___	___	19.	Do you ever have difficulty stopping once you've started drinking or using drugs?
___	___	20.	Do you find yourself drinking or using drugs when you first wake up?
___	___	21.	Do you drink or use drugs while alone?

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Drug and Alcohol Addiction Resources

Pannell Library

HV 5278 .M55 2005

Controlling your drinking, Miller, William R. & Munoz, Ricardo F.

HV 5292 .A3932004

Altering American consciousness: the history of alcohol and drug use in the United States, 1800-2000, Acker, Caroline Jean

HV 5825 .B87 2011

Drug Abuse: Its Natural History and Clinical Treatment, Burt, Marvin R.

HV 5825 .D7793 2008

Drugs and justice: seeking a consistent, coherent, comprehensive view, Battin, M. Pabst

HV 5825 .R484 2012

Blowing Smoke: Rethinking the War on Drugs, Reznicek, Michael J.

HV 5831 .C2 S54

Beautiful boy: a father's journey through his son's meth addiction, Sheff, David.

RC 564.5 .W65 W66 2006

Women under the influence, Columbia University. National Center on Addiction and Substance Abuse.

RC 564.68 .D365 2006

Addiction and mood disorders: a guide for clients and families, Daley, Dennis C.

eBooks

HV 4998 .H54 2002 EB

High anxieties [electronic resource]: cultural studies in addiction Brodie, Janet Farrell.

HV 4998.G73 1999 EB

Coming clean [electronic resource]: overcoming addiction without treatment, Granfield, Robert

HV 5000 .C2 R48 2003 EB

Responding to the oppression of addiction [electronic resource]: Canadian social work perspectives, Csiernik, Rick.

HV 5053 .A436 2002 EB

Alcohol and violence [electronic resource]: epidemiology, neurobiology, psychology, and family issues, Galanter, Marc.

HV5068.D781999EB

Drunkard's progress [electronic resource]: narratives of addiction, despair, and recovery, Crowley, John William

HV 5068 .M36 2004 EB

Goodbye, Mr. Wonderful [electronic resource]: alcoholism, addiction and early recovery, McCully, C. B.

HV 5132 .C47 2000 EB

Children of addiction [electronic resource]: research, health, and public policy issues, Fitzgerald, Hiram E.

HV 5801 .S733 2002 EB

Stages and pathways of drug involvement [electronic resource]: examining the gateway hypothesis, Kandel, Denise B.

RC 552 .R44 E53 2000 EB

Loving him without losing you [electronic resource]: how to stop disappearing and start being yourself, Engel, Beverly.

RC 563.4 .D78 2003 EB

Drug addiction [electronic resource]: a medical dictionary, bibliography, and annotated research guide to Internet references, Parker, Philip M.

RC 564 .G384 2001 EB

The orchestration of joy and suffering [electronic resource]: understanding chronic addiction, Gerwe, Corinne F.

RC 564 .P784 2002 EB

The psychodynamics of addiction [electronic resource], Weegmann, Martin.

RC 564 .P855 2004 EB

Psychosocial treatments [electronic resource], McCance-Katz, Elinore F.

RC 565 .R43 2003 EB

Recent developments in alcoholism. Vol. 16, Research on alcoholism treatment: methodology, psychosocial treatment, selected treatment topics, research priorities [electronic resource], Galanter, Marc.

RC 568 .O58 B37 2003 EB

Basic and clinical science of opioid addiction [electronic resource], Kuntze, Marcus F.

RM 315 .C66 2003 EB

Comite de Expertos de la OMS en Farmacodependencia [electronic resource] WHO Expert Committee on Addiction-Producing Drugs

Community Resources

The following programs or organizations are currently providing information and/or services for individuals needing assistance as a result of the use of illicit drugs and/or the abuse of alcohol:

Alcoholics Anonymous (575) 397-7009

Alcoholics Anonymous is a support group for recovering alcoholics, and is also adaptable to persons recovering from other forms of dependencies. Al-A-Teen is a group for teenagers of relatives who drink; and Al-A- Non is a group for family members of those who drink. Spanish-speaking and non-smoking AA meetings are available. Call any time for information regarding place and time of meetings and/or assistance. There is no charge for participation in AA.

Community Drug Coalition (575) 391-1301, P.O. Box 5403, Hobbs, NM 88240

The Community Drug Coalition of Lea County is a 501c 3, non-profit organization established by local community leaders and private citizens to combat the growing drug problem in Hobbs and Lea County, New Mexico. The CDC began as a grass roots effort to combat drugs, and is comprised of a broad spectrum of community leaders, private citizens and volunteers.

Guidance Center of Lea Co., Inc. (575) 393-3168, 24-hour (575) 393-6633, 920 W. Broadway, Hobbs, NM 88240

The Guidance Center provides 24-hour crisis intervention services, which include marriage, family, child, individual, and alcohol/drug counseling, as well as psychological testing and assessment. Narcotics Anonymous meeting information is also available. The cost is based on individual's ability to pay.

Lea Regional Mental Health Services, (575) 492-5000, Box 3000, 5419 Lovington Highway, Hobbs, NM 88240

Lea Regional Mental Health Services treat acute mentally ill patients and drug/alcohol abuse when secondary to mental illness. Patients are referred to appropriate facilities for additional rehabilitation. Payment may be made through appropriate insurance.

Palmer Drug Abuse Program, 397-6333 or (575) 397-6237, 200 E. Snyder, Hobbs, NM 88240

The Palmer Drug Abuse Program provides substance abuse counseling for individuals twelve (12) years through twenty-five (25) years of age. Family counseling is also available. PDAP counselors are available and on call. There is no charge for the service.

[Start Your Recovery](#) SAMHSA Hotline 1-800-662-4357

Support for overcoming your recovery.

[REHABSPOT](#) (833) 925-1685

[Timely Care](#) (833) 4-TIMELY

Section VI

Student Life

Campus Housing

At NMJC, residence halls are not just a place to eat and sleep; they are an integral part of college life. NMJC provides full-time students, carrying 12 or more semester hours, with modern, comfortable and affordable housing. Living in a residence hall provides the opportunity to meet new friends and associate with other students from diverse backgrounds. In the process, students grow and develop as people, capable of taking on the responsibilities of living with others.

NMJC has 4 residential housing facilities, including both traditional dormitories as well as apartments, with a total capacity of housing 385 students. Residence halls are furnished and air-conditioned, providing a comfortable living environment. Each residence hall features Wi-Fi access, computer access, basic cable, vending machines and access to on-site laundry facilities. In addition, multiple spaces are set aside for socializing and studying. All buildings at NMJC, including residence halls, are smoke-free. Residential staff reside in the facility and help students adjust to college life.

NMJC provides trained campus security 24 hours a day, 7 days a week. The housing complex is a gated community with key card access. In addition, each room is secured with key card locks.

Glen & Rosemary Houston Thunderbird Hall and Harold Runnels Hall

These halls offer traditional residence hall living. Each room consists of 2 beds, 2 desks, closet space for storage, local phone service, wireless Internet service, and cable TV. Living in the residence halls does require that you select either the 15 or 19-meal plan option.

John Watson Apartments or Carroll Leavell Student Apartments

These apartments offer a bit more privacy. Your private, carpeted bedroom, fully equipped with Internet, phone and cable TV access, will be furnished with an extra-long twin bed, a desk, shelving, and closet space. Bathrooms are shared with one other person. The full kitchen and living area will be shared by four people. Students in apartments are not required to purchase a meal plan; however, a 7-meal-per-week plan is available to apartment residents only, as well as the 15 and 19 meal plans if so desired.

Campus Housing Requirement

- All full-time students are expected to live in student housing with the following exceptions:
- The student's permanent residence is in Lea County;
- The student is married;
- The student is a veteran;
- The student is 21 years of age or older or will turn 21 during that school term;
- Campus housing is at 100% occupancy; or
- The student has permission from the Vice President for Student Services to live off campus.

On-campus housing for married couples or individuals with children is not provided. Additionally, NMJC has no co-ed housing options.

The NMJC Residence Hall communities strive to incorporate the following:

- Education - To ensure that teaching and learning take place beyond the classroom.
- Openness - So that ideas and thoughts can be discussed freely.
- Respect - To ensure that individuality is honored so diversity can be pursued.
- Caring - To ensure that the individual's well-being is supported and that service to the community is encouraged.
- Involvement - So that all individuals have a voice in decisions concerning their community.
- Ownership - To ensure that all individuals care for their building facilities and adjacent property.
- Celebration - So that NMJC history and culture are promoted through social and academic endeavors.

Student Responsibilities (while in NMJC Student Housing)

1. Consider the needs of other residents and balance them with your own needs;
2. Promote the care of the physical facilities, equipment, and services;
3. Communicate with other residents and staff members in order to build the type of relationships in which even complaints can be conveyed in a fair and mature way.

Student Rights (while in NMJC Student Housing)

1. To socialize in your room;
2. To sleep and study without disturbance;
3. To live in a supportive and stimulating community and be treated with dignity and respect;
4. To live in a safe, secure, healthy, and clean environment;
5. To enjoy access to a variety of programs, services, and facilities; and
6. To involve yourself and others in promoting an educational, open, respectful, responsible, caring, and celebrative community.

Application and Payment

- Residence halls and apartments require a \$25 non-refundable application fee prior to assignment.
- Single Rooms are based on availability. Students will be provided a 30-day grace period to make full payment or set a payment plan. After this period, the single room will be forfeited and resident will be moved to a shared room if there is not full payment or a payment plan in place.
- Students who cancel their room before August 1 (Fall Semester) will receive no penalty.
- Students who cancel after the above date will be subject to our cancellation policy.
- Students will not have an apartment or dorm reserved without submission of paperwork required by NMJC Housing and making proper payment arrangements to the NMJC Business Office or through the [Nelnet payment plan](#).

Payment Policy

Payment in full may be made at the NMJC Business Office or Cashier. A payment plan may be set up through [NELNET](#) located on the T-Bird web portal.

Rates

Runnels Hall & Burke Hall	Single Rate (per semester)	\$1,300.00
	Double Rate (per semester)	\$925.00
Student Apartments (per semester)		\$1,800.00

Cancellation Policy

The student may cancel the agreement without penalty on or before August 1 (Fall term). Students who cancel their agreement after the above date will be charged according to the schedule below. For cancellation after the applicable deadline but before the beginning of the semester, the student may be charged a \$250 fee for breach of the agreement. Room cancellations made after the beginning of the semester will receive a refund based on the following schedule:

- 80% during the first and second week of term
- 70% during the third fourth week of term
- 60% during the fifth and sixth week of term
- 50% during the seventh and eighth week of term
- 0% during & after the eighth week of term

Students with extenuating circumstances that may justify canceling the lease must submit a written request for a waiver to the Student Life Office. Such requests may or may not result in waiver of the fee for breach of the agreement, at the discretion of the College.

If a student is removed from campus housing due to violation(s) of the Housing Handbook/Student Code of Conduct, the student will not receive a refund for room cancellation. Students will not receive a refund for amount of room if the student is removed for violations of the NMJC Drug and Alcohol Policy pursuant to public law 101-226, SECTION 22, The Drug Free Schools and Communities Act Amendments of 1989.

Forms to be completed prior to check-in:

[NMJC Room & Board Application](#)

[NMJC Vehicle Registration](#)

[Orientation Video](#)

Background Checks

New Mexico Junior College (NMJC) performs criminal background checks on all individuals who apply to live in on-campus student housing (Glen & Rosemary Houston Thunderbird Hall, Harold Runnels Hall, John Watson Apartments or Carroll Leavell Student Apartments).

[NMJC Background Check Procedure](#)

Schedule of Housing Opening/Closing Dates & Residence Fees

Refer to the Official Calendar for housing opening and closing dates. Housing dates schedule and rates can be found on the NMJC website:

Residential Life Rates & Dates

Students unable to check-in within this period must call to make an appointment. Housing move-in/move-out days are set for the academic year.

Check-In

Student Housing will open (the Wednesday before classes begin) Wednesday - Friday 10:00 a.m. – 6:00 p.m. and Saturday and 1:00 p.m. – 6:00 p.m. Upon arrival at NMJC, you will need to check-in at the Residence Life Office located at the Carroll Leavell Apartments to receive a key card for your room and have the opportunity to speak with staff regarding your assignment.

Check-Out Process

Housing reserves the right to charge or fine the student per day if not vacated within the time allowed. The check-out process is as follows:

- Pack your belongings and move them out.
- Clean your room and bathroom. Please vacuum, dust, rearrange furniture and make sure all drawers and closets are empty.
- Close blinds; close and lock all windows.
- Have a housing supervisor inspect the room.
- Sign any paperwork and turn in key to supervisor.
- Improper check out results in a fine.
- Student belongings left behind will be discarded or donated to a local charity.

General Policies

Signing and returning the “Room and Board” agreement or submitting the “Room and Board” agreement online constitutes acceptance of the agreement by the student. Submission of application will not be valid or processed without a \$25 housing application fee paid by check, money order or credit card. Payments should be made to:

**New Mexico Junior College
Attn: Student Housing
3 Thunderbird Circle
Hobbs, NM 88240**

As a general rule, only full-time (minimum 12 credit hours/semester) students are allowed to live in the dorms. Should a student drop below the 12-credit minimum enrollment during the course of a semester, he/she may continue to live in the residence halls only with the approval of the Dean of Students or designee.

Part-time living arrangements may be made only with the approval of the Dean of Students or designee. The student may move from campus housing at the end of a semester or upon withdrawal from college. Release, however, from the “Room and Board” agreement is not automatic. Established check-out procedures must be followed.

The Housing Office makes room assignments. Efforts will be made to assign roommates having designated mutual requests. Please note that the date of receipt of the “Room and Board” contract and the availability of space will also be considered in making room assignments. NMJC reserves the right to make, change, or cancel room assignments in the interest of health, safety, or other reasons deemed valid by the College.

For information on Assistance/Service Animals in Campus Housing, please refer to Section VIII, Service and Assistance Animals on Campus of this handbook.

Students may request room changes and single dorm rooms, which will be granted on a space-available basis. Students must retain their original room and roommate assignment during the first two (2) weeks of each term. At the end of the two (2) weeks, room change requests should be submitted to the Assistant Housing Coordinator. Changing rooms without permission will result in a fine and can lead to eviction.

Students living in campus housing **must** supply:

- Personal hygiene items – soap, shampoo, toilet paper, etc.
- Cleaning and laundry supplies.
- Towels, washcloths, and shower curtain (70”x72”).
- Pillow, sheets (extra-long, 36” X 84”), and blankets/comforter.

Students are **not** permitted to bring or use:

- Hot plates, toaster ovens, space heaters, grills, air conditioning units, mattresses, couches, chairs, etc.
- Candles, incense burners or any open flames are also prohibited.
- Pets.
- Alcohol or illegal drugs.
- Explosives (including fireworks and ammunition).
- Weapons - firearms loaded or unloaded (including air, BB, paintball, facsimile weapons, and pellet guns), arrows, machetes, nun chucks, throwing stars, daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives, swords, sword canes, and any kind of sharp pointed canes, slingshots, slung shots, bludgeons; or any other weapons with which dangerous wounds can be inflicted.
- NMJC utilizes an AI detection software that flags any firearm on campus. This includes any item in resemblance of a firearm, so for this reason airsoft, BB, paintball, splatter ball, nerf, water, or anything similar to a gun is not permitted.

Any in-room cooking violations will result in confiscation of the cooking appliance and a fine per resident per occurrence.

Room keys are the student’s responsibility. If a key is lost or stolen, the student occupant responsible will be charged a \$10.00 replacement cost, including any charges necessary to replace locking devices.

The student is responsible for reasonable cleanliness of his/her room. NMJC will assist with general housekeeping in the public areas of the campus housing facilities. When a repair is needed in a room, the student must notify the residence hall supervisor immediately. The residence hall supervisor will

notify the maintenance department. Regular maintenance inspections will be made of the housing facilities, including the rooms. Repairs for damage by other than normal wear and tear will be charged to the responsible student's account as a fine. If a resident is found tampering with equipment or fixtures, they will be assessed fines per occurrence.

Students found propping the gates open will be disciplined through the Dean of Students office in accordance with the Student Code of Conduct. Keeping the gates locked at all times aids in unwelcome entry into the housing complex.

General Courtesies

The foundation behind successful group living is being generally courteous to those you are around. Activities which prove disturbing to persons desiring study or sleep must be suspended regardless of the hour in which they occur. All residents are expected to observe the following courtesies and considerations to one another:

- Visitor Curfew in all dorm rooms or apartments is 12:00 a.m. Sunday-Thursday nights. Weekend Visitor Curfew in all dorm rooms or apartments is 1:00 a.m., Friday and Saturday nights. Students are allowed in the courtyard until 1:00 a.m. but must be cognizant of other students' rights and keep the noise level down. Visitor Curfew is mandatory for all guest and residents. Guests should never be left unattended.
- Quiet Hours in all dorm rooms or apartments is 10:00 p.m. Sunday-Thursday nights. Weekend Quiet Hours in all dorm rooms or apartments is 12:00 a.m., Friday and Saturday nights. Courtesy hours are observed 24-hours a day throughout residence halls. When asked by another resident or staff member to reduce noise level, residents are expected to immediately comply as a courtesy to fellow community members.
- Radio, television, or stereo volumes must be kept at a reasonable level. If asked to turn the volume down, a student is expected to comply. Continued disturbance will result in confiscation of the equipment. Stereos may not be played through open windows or in hallways. No apparatus (including air conditioning units) can be hung out of the windows or affixed to the outside of any building.
- Activities such as football, soccer, broom hockey, wrestling, basketball, skate boarding, bicycling, golf, etc., are not to be played or ridden inside residence halls or breezeways. Absolutely no dart boards are allowed. A fine per occurrence, per student will be assessed and the dart board will be confiscated.

Persistent violators of housing rules and regulations are making a statement that they cannot live cooperatively in a group setting. Eviction or relocation may be the best alternative. This decision will be at the discretion of the Dean of Students.

Resident complaints will be reviewed by the appropriate Housing Staff member or Dean of Students for necessary action. Additional restrictions may be imposed with financial sanctions during peak testing periods such as finals week. Generally, noise levels within the room should be audible only within the same room. Complaints regarding noise level should be referred to the on-call phone and/or the Residence Life Staff only after you have spoken to the party involved and attempted to work out the differences.

Campus housing facilities will be secured each evening. For safety reasons, door propping at exits is strictly prohibited at any time. Students are reminded to always keep their doors and windows locked and not to prop doors open for any reason. Residents or guests found propping locked doors open will be assessed a fine.

NMJC assumes no liability concerning legal obligation for injury to person (including death) or loss or damage to personal property, which occurs in its buildings or on its grounds prior to, during, or subsequent to the period of any College contract. Students living in campus housing are encouraged to carry appropriate insurance should any loss occur.

Students living in campus housing will be assigned boxes for the receipt of mail. The mail boxes are located in the office area of the Carroll Leavell Student Apartments. A student's mailing address will be as follows:

Student Name
Attn: Student Housing
3 Thunderbird Circle
NMJC, Box #
Hobbs, NM 88240

Housing Rules and Regulations

Students living in campus housing do not give up their rights as students as a result of being Housing residents. However, problems that arise in campus housing or violations of Campus Housing regulations are usually taken care of immediately by the residence hall supervisor. Compliance with college housing rules and regulations is a condition of living on campus, as set forth in the Housing Handbook. Violations of the housing rules and regulations may also be violations of the Student Code of Conduct and will be referred to the Dean of Students.

Generally, when a problem exists that adversely affects a student's life in campus housing, the problem should be discussed/presented to the hall supervisor for resolutions. If the resolution of the problem is not satisfactory or if the magnitude and/or nature of the problem is extraordinary, the student is encouraged to discuss the problem with the Housing Supervisor.

For additional information concerning housing regulations please refer to the following:

[NMJC Housing Rules and Regulations](#)

Drugs and Alcohol

The possession, use, sale, manufacture or distribution of marijuana and other drugs and their paraphernalia is not permitted on campus and violates federal law, regardless of age and in compliance with the Drug-Free Schools and Colleges Act. This prohibition applies regardless of whether the resident complies with state recreational use laws.

Medical Marijuana

Possession of a Medical Marijuana Registry identification card, regardless of state issued, does not authorize a resident to possess, use or distribute marijuana in any on-campus housing facility or NMJC

property. Residents who receive Medical Marijuana Registry identification may submit a petition to be released from their contract to the Dean of Students or designee.

Misuse of Legal Substances

Various substances, even if legal, can have a dangerous or negative impact on an individual and the community in regards to health and academic success. Inhaling or ingesting a substance (including but not limited to nitrous oxide, glue, paint, gasoline, solvent, etc.) or using the substance other than for its intended purpose is a violation of the Student Code of Conduct and is prohibited. Use of prescription drugs other than by the person to whom the drug is prescribed and/or not in accordance with the prescription is prohibited.

Health and Safety

In order to assure that no potential health, fire, or safety hazards are present, NMJC Housing staff will conduct health/safety checks of each residence hall/apartment, once a month, throughout each semester. Residents are responsible for sharing in the cleanliness and regular upkeep of the common areas such as kitchens, bathrooms, and living areas. It is each resident's responsibility to maintain his/her room within reasonable standards of room cleanliness.

Residents are not to adjust, obscure, or tamper with, in any way, alarm systems and/or any security system or device installed within campus housing facilities. During these health/safety checks, any policy violations will be documented and referred for disciplinary action. All housing units have a wet water sprinkler system and fire alarms in each living quarters and bedrooms. NMJC has one fire drill each semester to make sure occupants are aware of the evacuation plans and locations to which they are to assemble when an alarm sounds. Occupants are not permitted to use tobacco, including e-cigarettes, in any campus building including campus housing.

In Case of Illness

Any illness of students living in campus housing should be reported by the student to the hall supervisor. If necessary, arrangements can be made to provide meals to a student confined to his / her room due to illness if he / she is on the meal plan. Students are encouraged to seek medical attention from a doctor.

Interim Housing During Breaks

Residents must complete an online interim housing application to reside in on-campus housing over scheduled breaks. Only extenuating circumstances will be considered and accepted to stay on campus over break. These include but not limited to:

- In-season athlete required to stay for practices or games.
- Foreign students and some out of state students may qualify.
- Unsafe home environment.
- Student holds a job in Hobbs, students will be required to submit a schedule of days working with signature of employer.

A student may have to pay a prorated cost per day to stay in on-campus housing (\$15.25/day) and obey all rules and regulations of the College and Housing.

[Interim Housing Application](#)

Food Service

General Foods provides food services on campus, which include a snack bar, cafeteria dining, and catering services. The facilities are located in the Ben Alexander Student Learning Center. The catering service is available for both on and off campus activities. In addition, the cafeteria dining program provides up to nineteen nutritious meals weekly for students participating in the various meal program options. Serving hours and dates for cafeteria dining are determined prior to the beginning of each semester. Individual meal prices are as follows:

Individual Meal Prices

Breakfast	\$6.75 + tax
Lunch	\$7.75 + tax
Dinner	\$8.75 + tax
Weekend Brunch	\$7.75 + tax

Meal Plans

7-Meal Plan	\$896 per semester	\$8.00 per meal
15-Meal Plan	\$1,680 per semester	\$7.00 per meal
19-Meal Plan	\$1,824 per semester	\$6.00 per meal

[Meal Plans](#)

Intramural Activities

The Student Life Office provides opportunities for students to compete in a variety of Intramural Activities. A schedule is published at the beginning of each semester and will be distributed to students. Typical events include, but are not limited to, volleyball, basketball, dodge ball, flag football, racquetball, pool, table tennis, and other sports and activities as student demand dictates. NMJC strives to provide positive activities and programs to meet student needs.

Assumption of Risk

When participating in any athletic activity there is an assumption of risk that comes with the activity by the student. NMJC is not responsible for any injuries at NMJC outdoor or indoor facilities, at off-campus partnering facilities (Example: The CORE), or any Intramural Sporting events. It is your responsibility to obtain insurance and to be responsible regarding your personal safety. Please make sure you are physically fit to participate in any strenuous activity and get a doctor's check-up annually. By voluntarily utilizing fitness equipment and facilities, and/or participating in Intramural sports, you are releasing NMJC of any responsibility in case of injury. NMJC is not responsible for injuries or lost/stolen items.

Student Clubs & Organizations

Various clubs and organizations on the NMJC campus allow students opportunities to explore the various fields of professional and academic life, and in our quest to address student needs, new clubs

are encouraged and welcomed. Students interested in starting a new club or organization are encouraged to visit with the Student Life Office for further guidance.

The following clubs are recognized by NMJC as active, productive groups, which have a positive impact throughout the campus community:

Band Club
Christian Challenge
Creatives Club
Film Club
Greenhouse Club
Mu Alpha Theta, Math Honor Society
Nutrix Cras, Student Nurse Association
Phi Theta Kappa, Scholastic Honor Society
Residential Housing Association
Student Ambassadors
Student Government Association
Skills USA
Theatre Club
Zeta Eta Chapter, of Alpha Delta Nu, Nursing Honor Society

For a description of the purpose and function of any of the above listed clubs, please contact the Student Life Office.

[New Club Application](#)

Student Organization Guidelines

As a pre-requisite to operation on campus, all clubs will be recognized by the College and will agree to abide by regulations of the Board and club rules issued by the administration. No club shall be established or allowed to operate which discriminates against employees or students in violation of state or federal law. Student clubs and organizations are required to designate a full-time staff or faculty member, as a sponsor.

Club Procedures

1. Clubs and organizations must meet a minimum of three times each semester. The times and dates of these regular meetings must be determined at the beginning of each semester.
2. Clubs are required to participate in two community service events per academic year, one per semester, with documentation provided to Student Life Office.
3. Clubs and organizations must provide a list of officers to the Student Life Office at the beginning of each academic year, and notify the office immediately if any change in officers occurs.
4. Faculty/Staff advisors must attend all regularly scheduled club and organization meetings and events.
5. Special events such as guest speakers, club or organization dinners, fundraisers, etc. must be scheduled at least one (1) month in advance. Requests for special events must be submitted to the Student Life Office one month prior to the event. The request form must have the signature of the Sponsor/Advisor.

6. All events must have administrative approval prior to scheduling the activity or event.
7. Meeting Space is available in the Ben Alexander Center Room 153. These should be coordinated with the Student Life Office. Special events (with authorization) may be held off-campus or in other areas of the campus and may count as one of your meetings.
8. Student club and organization members are expected to adhere to the NMJC Student Code of Conduct and abide by all regulations found in the current student handbook.
9. Club presidents are required to attend meetings/events and submit a written club report, including a list of students who attended, to the Student Life office after each meeting/event. If a club president cannot attend a meeting, a proxy from his/her club, preferably an officer must attend in his/her absence.

NOTE: If any club fails to comply with one or more of the aforementioned requirements, the Student Life office reserves the right to review and consider the revocation of club status for the next semester. No stipends will be paid for that semester.

Revocation of club status is defined as not being sanctioned by NMJC Student Life Office. At the end of the probation semester, the club status will be reconsidered and possibly reinstated.

Seven Hundred (\$700) is allotted for club sponsors at the end of the Fall and Spring semesters. Clubs with two sponsors may have to share the stipend. A club must maintain a minimum average of five (5) student members in order to receive stipends.

All officially recognized student organizations sponsoring social functions, fundraisers, and/or volunteer activities, either on or off campus, MUST coordinate and register such functions with the Student Life Office. Student organizations and their sponsors are responsible for compliance with NMJC policies and regulations and all applicable state and federal laws. NMJC is judged by the actions of its students, on and off campus. Therefore, students will be responsible to College authorities for any questionable acts, regardless of where they are committed.

Fundraisers

Clubs may raise money for their Agency Account by doing fundraisers. All fundraisers must follow the following guidelines:

- All fundraisers must be approved by the Dean of Students by filling out a [Special Events Form](#) found online. The Dean of Students may consult with Legal, Advancement, Business Office or other involved departments when necessary.
- All raffles will be vetted through Advancement for approval because of the New Mexico Bingo and Raffle Act, N.M. STAT. ANN. § 60-2F-26 (1978) by the Dean of Students.
- Prizes for raffles must also be approved by the Dean of Students.
- Food sales as part of fundraising effort must adhere to all state and local laws. With regards to food sales, clubs should be aware that:
 - Shelf stable foods (packaged candy, water, sodas, chips, etc.) are ideal for food sales; other items can be sold but may require additional permits and approvals.

- Clubs seeking to prepare and sell any food that is not shelf stable must obtain a Temporary Food Permit. (The concession stands on campus are ran through a separate permit.)

Student Government Association

The Student Government Association (SGA) is comprised of representatives elected annually by the student body. The SGA serves as the voice for students for many activities and policies. SGA members serve on committees and gain the opportunity to meet people seeking improvements for NMJC's academic, social and cultural environment. The SGA discusses and studies issues pursuing the best interests of students that do not conflict with NMJC policies and regulations. The SGA may also represent NMJC at annual regional and national student government conventions. Your voice is important. Participation is open to any student enrolled at NMJC.

Student Travel

Official student travel is defined as involving one or more students traveling to an event or activity that is organized or sponsored by NMJC or in which a student is representing NMJC as a competitor.

1. The faculty/staff member or student club sponsor is responsible for ensuring that all NMJC rules and regulations are followed.
2. The sponsoring faculty or staff member must complete and submit a Travel Request and Reimbursement form.
3. At times staying overnight is required or preferred because of the distance or length of the event or the time of day that the travel will occur.
4. Students in good standing, with at least a 2.0 GPA, and without disciplinary holds on their account, are eligible to travel.
5. The sponsoring faculty/staff member must collect a General Consent, Waiver, and Release Form (Attachment A) from each student before the trip.
6. Sponsors or coaches must perform and submit an Online Roster Check (Attachment E) each time they load the vehicle.
7. No students are allowed to travel in an employee's personal vehicle.
8. Students traveling to participate in NMJC events, activities, or competitions are required to travel in NMJC-owned or contracted vehicles to and from the event (with the exception of rodeo student-athletes).
9. Rodeo Student Athletes
 - a. Rodeo Student Athletes must provide proof of driver's license and vehicle insurance each semester upon arrival on campus.
 - b. Rodeo students driving or traveling in personal vehicles to participate in NMJC-sanctioned events or competitions must sign a General Consent, Waiver, and Release Form (Attachment A).
 - c. Rodeo students must annually complete an NMJC behind-the-wheel safety course.
 - d. Instructors and Coaches will assist rodeo students to examine vehicles for safe operation during the safety course.

- e. Vehicles and/or trailers deemed unsafe shall not be driven to NMJC-sanctioned events or competitions.
- f. It is the responsibility of the rodeo student to maintain their vehicle and trailer and to complete necessary repairs prior to travel.
- g. Rodeo students shall examine their vehicle and trailer (including tires) for safe operation, as taught in the annual safety course, using the provided Student Safety Precheck Form (Attachment C) before leaving campus to participate in each competition or other NMJC-sanctioned event.

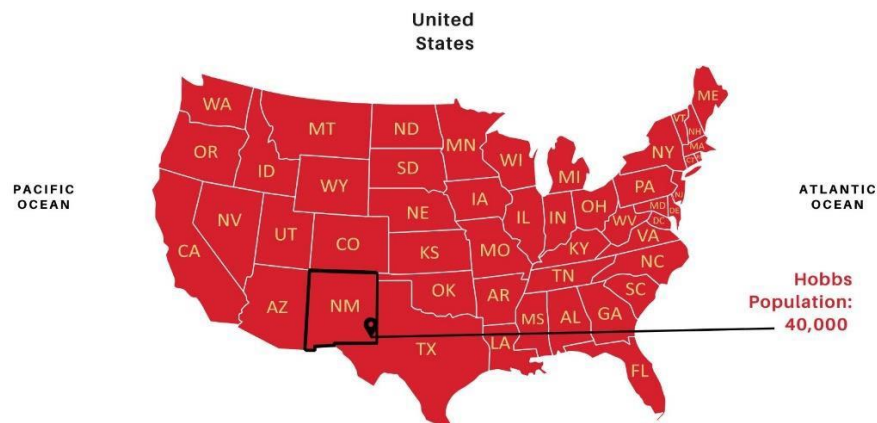
Section VII

Intercultural Services and Resources

Welcome to New Mexico Junior College (NMJC)! We are glad you chose us to start your academic career.



Annually, NMJC enrolls student from around the globe representing six of the seven continents: Africa, Asia, Australia/Oceania, Europe, and North and South America. Additionally, NMJC is a Hispanic Serving Institution and has a significant African American student population.



Hobbs, NM is probably not like any place you have been before. The buildings look different, clothing is different, and trees and plants are different. People speak a different language, have different values, traditions, and religious practices, and eat different foods. It will take time to adjust. But you are not alone, NMJC has many resources to help you!

Where to Find Help

NMJC is a warm and caring place. From the President to the support staff and everywhere in between, you will find friendly and helpful faculty and staff who care about students and are here to help you be successful. Useful resources on campus:

Academic Success Center

The Academic Success Center is your FREE tutoring center for all of your classes. Whether you have an appointment or just walking in, the Academic Success Center is aimed at empowering students to build higher levels of success by providing both individualized and group instructions to help strengthen your academic skills.

Contact Information:

Email: successcenter@nmjc.edu

Phone: 575-492-2622

Fall Hours: Monday through Friday 8am to 5pm

Location: Mansur Hall Room 124

You can also borrow a laptop to use for academics while you are at NMJC. Come check one out.

Academic Success Coach

Academic Advising is important to Student Success! All students are required to meet with an Academic Success Coach prior to registration. Enrollment services offers academic advising for new

students. Continuing students are assigned to advisors based on major area of study or participation in specific programs. If you are an athlete, your coach will be your advisor.

Accessibility Services

Student Accessibility Services (SAS) provides academic accommodations to NMJC students who are eligible as outlined in the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973. Any student who anticipates a need for accommodations due to a disability should visit the Student Accessibility Services Office in the Ben Alexander Building or call 575-492-2576.

Career Services

It is never too early to start working on and looking into career exploration. Stop by the Career Center located in Room 140 in the Ben Alexander Center (BAC). In-Person Services include:

- Career Exploration
- Major Exploration
- Job Searches
- Resume and Cover Letter Assistance
- Interview Preparation
- Informational Interviews
- Workshops
- Job Shadowing

CORE

The CORE is a state-of-the-art recreational facility. NMJC full-time students are provided free access to the CORE. Click the image below to learn more about what the CORE has to offer.



Counseling Services

During regular business hours (M-F 8:00-5:00), stop by the Ben Alexander Center and speak with a Counselor. Please call Kelly Rueda at 575-492-2576 or email krueda@nmjc.edu or Cyndi Stephenson at 575-492-2574 or cstephenson@nmjc.edu to schedule an appointment. NMJC Counselors will provide referral for students in need of ongoing counseling services.

Students are also able to access [TimelyCare](#) 24/7 via their T-Bird web portal or Canvas. TimelyCare is a student and faculty centered platform. It offers FREE virtual mental health services that includes scheduled counseling, TalkNow support line, Health Coaching, and Peer Support.

Financial Aid

- International students can apply for NMJC Foundation scholarships [Foundation Scholarships \(nmjc.edu\)](https://www.nmjc.edu/foundation-scholarships). The priority application deadline is March 15th each year for the upcoming academic year.
- International students may apply for the NMJC work-study program [Work Study \(nmjc.edu\)](https://www.nmjc.edu/work-study). Funding for work-study jobs is very limited. Not all students will receive student work jobs. Employment is limited to working on the college campus.

You can pay your tuition here: [Pay My Tuition for International Students \(nmjc.edu\)](https://www.nmjc.edu/pay-my-tuition)

Food Pantry

FREE Food & Hygiene products for **ALL** registered students!

Pantry Hours:

Monday-Thursday 9:00am-5:00pm

Friday 1:30pm-3:30pm

For after-hours assistance, please schedule an appointment.

Library

The Pannell Library provides a diverse collection of print and electronic resources designed to meet the information resource requirements of New Mexico Junior College students, faculty, staff, and community patrons in support of curriculum and the College mission.

Registrar Office

General Information & Policies Affecting All F-1 Visa Holders

- Full Course Load: Holders of F-1 student visas must register for and complete at least 12 credit hours each semester, of which only three hours can be in an Internet course.
- Tuition payment: Payment of tuition, fees and on-campus housing is due at the time of registration.
- Employment Restrictions: Government regulations require international students to certify that they have finances deemed sufficient by the College while pursuing their degree without employment. International students should not expect to support themselves through employment while attending NMJC.
- CPT and OPT: Contact the NMJC SEVP Designated School Official regarding curricular and optional training opportunities for international students at NMJC.
- Check in: Students must check in with the International office at the beginning of each semester.
- Travel: If you plan to leave the United States, you must bring your I-20 to the international office for endorsement before you leave. If you fail to do so, you will not be allowed to return to the United States.

Questions regarding an International student's immigration status should be directed to the Registrar and/or designee in charge of international student issues at 575-492-2578. It is the student's responsibility to obtain the correct visa and to maintain the appropriate immigration status while in the United States.

Residence Life

NMJC Housing and Residence Life is your "NMJC Home" away from home! We believe on-campus living provides both an enjoyable and rewarding experience in community living as well as the necessary support for academic success.

Residence halls are not just a place to eat and sleep; they are an integral part of college life. NMJC provides full-time students, carrying 12 or more semester hours, with modern, comfortable and affordable housing. Living in a residence hall provides the opportunity to meet new friends and associate with other students from diverse backgrounds. In the process, students grow and develop as people, capable of taking on the responsibilities of living with others.

Please consider joining the Residential Housing Association (RHA) to make on-campus housing a better a place to live and learn.

Student Activities

Want to get more involved with what's happening on campus? You have come to the right place! We know how important it is to attend classes, do the work, and get that degree! However, there is a lot more to the college experience than just taking classes! Student Activities offer a variety of campus activities that every student can enjoy. It is a well-known fact that students who are more involved on campus are more likely to earn better grades, make friends, and discover different opportunities. You already made the jump to attend college, so check out some of the ways you can **Get Involved** on campus through Intramurals, Clubs/Organization, Student Government, Student Leadership Academy, and all the activities that Student Life has to offer!

Thunderbird Cafeteria / Student Lounge & Grill

Genuine Foods provides food services on campus, which includes a lounge and grill, cafeteria dining, and catering services. The facilities are located in the Ben Alexander Student Learning Center. Please let us know if you have ideas about incorporating flavors and menus from your country.

CLASS EXPECTATIONS

Attendance

In some countries, all that matters in university courses is passing the exams at the end of the semester and you may skip as many classes as you want. In the U.S., the process of learning is valued as highly as the outcomes, so some professors may consider your class attendance in your grade. Most professors will have an attendance policy outlined in their syllabus.

Assignments

You will have homework. Some will be reading and preparing for discussion, some will be written assignments you turn in at certain deadlines. Expect homework!

Plagiarism

In the United States, plagiarism is taken very seriously, especially in academic and professional settings. It involves using someone else's work, ideas, or expressions without proper acknowledgement,

which can be considered a form of intellectual theft. Even unintentional failure to cite sources correctly can be seen as plagiarism. This is why it's crucial to understand the nuances of quoting, paraphrasing, and citing sources to avoid any form of plagiarism.

In academic writing, plagiarism can include:

- Copying text word-for-word without quotation marks and citation.
- Paraphrasing without proper acknowledgment.
- Providing incorrect citation details.
- Overusing quotations even with citations.
- Submitting work previously presented for another assignment without citation.
- Using a paper written by someone else

While plagiarism is not illegal under federal law, it is considered an ethical violation and can lead to serious consequences such as disciplinary action from educational institutions or workplaces.

Studying Effectively

To maintain a high-grade point average, you must study effectively. This does not mean you must spend every waking moment bent over a desk; it means you must make the most of the time you set aside for study. Use the syllabus you receive from each professor to plan your study time. Most of your study will be reading assignments from the textbook for the next day's lecture. Do not wait until the last minute or fall behind! Remember, it's not just about the hours you put in, but how effectively you use them.

It's all about quality over quantity. Here are some tips to enhance your study sessions:

- **Plan Ahead:** Use your syllabus to create a study schedule, allocating specific times for each subject.
- **Active Reading:** Engage with the material by taking notes, highlighting key points, and summarizing sections in your own words.
- **Regular Review:** Regularly go over your notes to reinforce the material and aid retention.
- **Study Groups:** Join or form study groups to discuss concepts and learn from peers.
- **Healthy Balance:** Ensure you take breaks, exercise, and get enough sleep to keep your mind fresh.

Taking Notes

Most professors use the lecture form of instruction. You need to learn to take notes effectively. As the professor speaks on a topic, write down the important points he or she makes. If you have a professor who talks too fast, don't be afraid to ask for clarification! Professors want you to succeed in their courses.

Here are some tips to enhance your note-taking abilities:

- **Listen actively** and identify the main ideas and supporting details.
- Develop a **shorthand system** to keep up with fast speakers.
- Use **visual aids** like diagrams or concept maps to capture complex information.
- Review and **revise your notes** soon after the lecture to reinforce learning.
- Don't hesitate to **ask questions** if you need clarification.

Remember, professors appreciate engaged and proactive students, so never shy away from seeking a better understanding of the material.

Testing

Exams are much more frequent in the U.S. than in many universities around the world. You may have classes which give an exam every week. Most of the tests you take and virtually all the quizzes are “objective.” They measure your knowledge of a topic by asking questions which have specific answers. Many of you will also face “subjective” tests. These exams provide you a question (or choice of questions) to which you respond with a short answer or an essay.

Textbooks

When you arrive at NMJC and enroll in classes, you will need to get books for your classes. Your textbooks can be purchased at the Bookstore found in the Ben Alexander Center (BAC).

Tutoring

If you feel like you are not understanding or falling behind in classes, don’t wait too long before you go to tutoring. The sooner you get help with your studies, the faster you can get back on track. Tutoring can be found in the Academic Success Center in Mansur Hall Room 124 for FREE!

Talking to Your Professors

In many educational systems around the world, the role of the student is simple: memorize the information given by the teacher. Your professors will expect you to attend class, ask questions, and be an active participant inside and outside of the classroom.

Some intercultural students come from educational systems where speaking to the professor during or after class is not acceptable. In the U.S., most professors want you to talk. There is more interaction in classrooms in the U.S. than in most classrooms worldwide. Many instructors include class participation when determining grades and will reduce your grade if you do not participate in class. Ask questions and participate in class discussions. Professors often think silence from a student means that she is not interested or does not care about the course.

Professors also have “office hours,” a regular time when they are available in their offices to talk with students. You should take advantage of these times to visit your professors even if you are doing well in class. Most teachers enjoy talking with students in a relaxed atmosphere, and they will know from your visit that you are interested in their course. If you are having trouble in a class, talk with the professor; most are willing to help you in any way they can.

HEALTH & SAFETY

Home Sickness

To cope effectively with home sickness, first realize that you are not alone; it happens to everyone. Every intercultural student experiences a range of emotions upon arrival in the U.S. Talk with other students about your feelings or if applicable your coach. If you experience feelings of despair and dislocation that last more than a few weeks, contact Counseling Services to schedule an appointment with a counselor. The staff members are trained to help students cope with a variety of problems, and

adjustment to Hobbs, NM is one of them. Their services are free and confidential. Do not hesitate to call them and please know that it doesn't mean you are "weird" or "failing," it's normal and healthy to talk through challenges.

We understand that in many cultures people only talk to mental health counselors when they face emergencies, but in the U.S., it's widely understood almost anyone can benefit from them.

Thunderbird Health Center

Thunderbird Health Center is operated by Nor-Lea Hospital District and serves NMJC students suffering from minor illnesses, minor wounds and minor injuries. Examples of what can be treated at Thunderbird Health Center:

Most Commonly Treat

- Sprains
- Cold & Flu Symptoms
- Ear Infections
- Sore Throats
- Nausea, Vomiting & Diarrhea
- Urinary Tract Infections
- Cuts & Lacerations

Services Provide

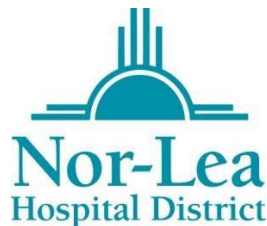
- Initial Broken Bone Assessments (Not including face, skull & pelvis)
- Foreign Body Assessments (i.e. eye, ear, skin)
- Abscess Incisions & Drainage

All visits to the clinic are at no charge to the patient. Should you need other services such as labs and imaging there will be some fees associate with these services.

Location: Caster Annex

Hours of Operation: Monday - Friday 8:00 a.m. - 4:00 p.m.

Main Number: (575) 492 - 4888



Campus Safety

Major crimes are rare on campus at NMJC and we have 24/7 Campus Safety officers patrolling campus to keep us safe. Be smart and lock your bedroom door when you leave your room and keep valuables in a safe spot. Don't walk around town or workout at night by yourself. Always keep

your passport and other documents in a safe place. You may report an incident at: [Incident Report](#).

Cleaning

Standards of cleanliness vary from culture to culture. NMJC Custodial will clean the lobby areas and public bathrooms, but you are expected to clean your room and bathroom regularly. Residence Life will do room inspections on a regular bases and fines will be assessed if your room and bathroom are not clean.

Emergency Notification

NMJC has partnered with an Emergency Notification provider to provide an emergency alert system capable of delivering messages to your NMJC email account, personal email account, your land line and cell phone. We have enrolled you in the program at no expense to you. Make sure your phone number and address are always up to date in the Registrar's office.

Hygiene

Compared to some of the world, the U.S. may seem obsessed with cleanliness. Television commercials for soap, perfume, cologne, deodorant, antiperspirant, toothpaste, mouthwash, breath mints, etc., are shown very frequently, and this is an accurate indication of what individuals are expected to do with and to their bodies. People in the U.S. believe it is important to control the smells a body naturally produces.

Bad breath and natural body odor are considered quite offensive in the U.S., but the topic of these odors is so offensive that most people from the U.S. will not tell another person he or she has bad breath or body odor. You do not have to cover yourself with perfumes and chew gum constantly; a shower and deodorant each day and good dental care is acceptable hygiene.

Laundry

Some Americans often wash their clothes after one wearing, while in other countries this is not common. There are free washing machines and dryers in each residence hall and on 2nd floor of the apartments and you should expect to launder your clothes, sheets and towels regularly.

Weather

Hobbs, NM weather in the summer is frequently over 100 degrees. On these days stay out of the sun for long periods of time, wear sunscreen, and find shade when possible if you have to be outside. The winters here also get rather cold. Make sure to wear winter clothing that protect your extremities so you do not get frostbite.

CULTURAL DIFFERENCES

American Culture

NMJC is extremely lucky to have forty-two (42) countries represented here and making up our diverse college community. Our goal is to create a cultural awareness that speaks to the entire campus by engaging in cultural experiences that celebrate and cultivate a climate awareness, understanding and

learning environment. Students and employees can learn by sharing their unique cultural experiences. Below is a bit about the U.S.



Because of its history, the U.S. is a society with many different classes, groups, races, and lifestyles. Within each of these segments, individual members are also quite different from one another. No one behaves exactly like anyone else. There are, however, several general characteristics which most Americans have in common. Remember, these are general characteristics; many people you meet will not fit these patterns.

All people are equal and deserve an equal opportunity in life. They should all be treated fairly and with the same level of respect. This is one of the most basic principles of American philosophy. This can be seen in such common practices as “waiting in line.” When you go to the doctor’s office, to a store, or to another type of office, you will be asked to wait in line. This same equality can also be seen in the classroom where all students are the same in the eyes of the professors.

American’s Love

- **Their country.** Americans are very patriotic. They are very proud of their country and their way of life. They also have great respect for those who serve or have served in the armed forces.
- **Their free time.** Americans may not have more or less free time compared to people in some countries, but they value what they have. They will spend that time doing something for themselves, their family, or their community. Weekends and vacations are always full of activities.
- **The outdoors.** The U.S. government protects large sections of land from development and preserves them for the enjoyment of all. Americans enjoy outdoor activities all year round. Depending on the region, popular activities include sailing, hiking, cycling, camping, and fishing.
- **Sports.** The U.S. probably has more professional athletes participating in a greater number of professional sports than any other country. Americans love to watch sports, either live or on television. They also love to participate in sports, and there are countless leagues for players of all ages and skill levels.

Religion and Politics

Religion plays the same role in America as it plays in many countries. There is no government supported religion, and many religions coexist. The U.S. government is based on the “separation of church and state,” and the vast majority of people in the U.S. adhere to this doctrine. Also, in general, people in the U.S. are private about their religious and political views. Typically, in conversation between strangers, religion and politics are issues that are avoided in order not to offend others who may not agree.

Sexuality

Like every college in the U.S., NMJC has some students who identify as members of the LGBTQ (Lesbian, Gay, Bisexual, Transgender, Queer) community. In recent years, American young people have become more willing to openly acknowledge their sexual orientation and public opinion has shifted towards acceptance. LGBTQ students are accepted and respected on campus.

Punctuality

People in the U.S. tend to organize their activities around schedules, and many people place a great deal of emphasis on punctuality. In the U.S., it is important to be on time; being late is considered rude. If you cannot be on time to an appointment, let the person(s) involved know in advance. Classes at NMJC begin at exactly the time they are listed on the schedule.

SOCIAL CUSTOMS

While Americans will vary in their customs, here are some common social customs you can expect.

Greeting People

When meeting someone for the first time, it is customary to shake hands, both for men and for women. Hugs are only exchanged between close friends. Kissing on the cheek is not a common greeting.

Americans will usually introduce themselves by their first name and last name (such as “Hello, I’m John Smith”), or, if the setting is very casual, by their first name only (“Hi, I’m John”). The common response when someone is introduced to you is “Pleased to meet you.” Unless someone is introduced to you with their title and last name (such as Mister Smith or Miss Johnson), you may address them by their first name. However, you should always address your college professors by their title and last name (such as Dr. Adams or Professor Jones), unless they ask you to do otherwise.

Conversing with People

Most people in the U.S. like their conversations to be moderate in volume with few and restrained hand gestures. Do not speak too loudly or too quietly, and keep your hands under control.

Depth of Conversation

Most people in the U.S. prefer not to become too involved with the personal lives of their conversation partners. This emotional distance does not mean people dislike one another; it is simply the way things are done here. Personal lives are generally discussed only with close friends and family.

Topics of Conversation

In casual conversation, people in the U.S. prefer “small talk”—topics such as sports, weather, jobs, people they both know, or past experiences. These topics offer common ground, because everyone experiences the weather. Most Americans feel uncomfortable talking about religion, politics, or personal feelings with people they do not know well.

Nonverbal Communication

When people talk about communication difficulties for international students, they are usually referring to spoken and written language. However, many of the most significant communication differences between people from the U.S. and intercultural students are in nonverbal communication or your body language.

Eye Contact

During a conversation, an American speaker often looks briefly into the listener’s eyes, then briefly away, and then back at the listener’s eyes again. An American listener looks at the speaker’s eyes constantly. If you do not look into the eyes of your conversation partner, you will give the impression you are not listening. If you lower your eyes when a professor makes eye contact with you in class, the professor will think you did not prepare your assignment.

Touching

People in the U.S. expect others to stand or sit at least an arm’s length away from them. If you get closer than this, you may notice people from the U.S. moving away from you. They do not necessarily dislike you; you are just in “their space.” In addition, you will frequently hear people say, “Excuse me,” though

they have not actually touched anyone. No matter where you are, give people from the U.S. plenty of space.

Email

Email is the official form of communication at NMJC. It is crucial that you check your NMJC email at least once a day. It is considered extremely rude to ignore or not reply to email messages that ask for your reply, and you may miss critical information about scholarships or academics if you do not check it.

Speaking on the Phone

Americans normally answer the telephone by simply saying “Hello.” If you are calling a business, the person answering the phone will give the name of the business and usually their own name as well. If the person you would like to speak to has answered the phone, you should say hello and state your name. If not, you should ask for that person politely. The majority of Americans have voice mail on their phones. Also, the majority of businesses have voice mail accounts for their employees. When leaving a message, state your name clearly, and leave a telephone number where you can be reached. Telephone messages should be brief and to the point.

Other Helpful Guidelines

- Americans have no taboo associated with the left hand; they are as likely to touch you or to hand you objects with the left hand as with the right hand.
- Americans have no negative association with the soles of the feet or the bottom of the shoes.
- A common way to greet children is to pat them on their heads.
- People often point with their index finger to make a point during conversation.
- Americans show respect for someone by looking him or her in the face, not by looking down.
- Relaxed postures, whether sitting or standing are very common in America.
- Americans are often uncomfortable with silence.

Cross-Cultural Adjustments

Here are some suggestions to make your experience a happier one:

Listen and observe. Since there are new rules, norms, and cues that may be unfamiliar, you need to listen to words and to observe nonverbal communication carefully, trying to put them into proper context.

Ask questions. You cannot assume that you always know what is going on, or that you always understand a particular communication. Most Americans will be very helpful if you need an explanation of something. You may need to rephrase a question, check the meaning of something, or repeat what you have said in order to be clearly understood.

Try not to judge. You will see many things that are different from your own culture. Do not label anything as “good” or “bad” in comparison to your own culture. Most customs, habits, and ideas are simply different from the ones you are familiar with. You may also misunderstand some things; do not make judgments until you have more complete information.

Try to empathize. Try to put yourself in the other person's place, and look at the situation from his or her perspective. Cultural perspectives can cause very different interpretations of the same situation.

Be open and curious. Try new things, and try and try to find out how and why certain things are done. The more you explore, the more you will learn.

Do not be afraid to laugh at yourself. It is likely that you will make mistakes as you explore a new culture. Laughing at your mistakes will encourage others to respond to you in a friendly manner and help you learn from them.

Try to accept frustration. Learning to function in a new culture is not easy, and it is natural to feel anxious and frustrated at times. These feelings are a normal part of the experience.

Get involved. The more you put into the experience, the more you will learn from it. Make an effort to meet people, form friendships, get involved in activities, and learn about the people and their culture.

Section VIII

Service and Assistance Animals on Campus

Service and Assistance Animals

NMJC is committed to compliance with state and federal laws regarding individuals with disabilities. All questions regarding service animals should be directed to the Accessibility Services office located on the first floor of the Ben Alexander Student Learning Center or via phone at (575-492-2576), fax (575-492-2559), or e-mail (krueda@nmjc.edu). No documentation will be required to bring service animals into academic buildings on campus. However, in the case of assistance animals residing in campus housing, the College will require that documentation be provided by the treating physician or mental health provider, which permits the College to determine:

1. That the individual has a disability for which the animal is needed.
2. How the animal assists the individual, including whether the animal has undergone any training.
3. The relationship between the disability and the assistance that the animal provides.

Procedures & Forms

1. Campus Housing Reasonable Accommodation Procedures
2. Acknowledgment & Release of Information Form
3. Accessibility Accommodation Request Form for Campus Housing

Service Animals Permitted on Campus

Individuals with disabilities may be accompanied by their service animals in all NMJC buildings where members of the public or participants in services, programs or activities are allowed to go. By law, a service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service

animals. In some cases, the College may permit miniature horses on campus on a case-by-case basis, consistent with applicable law.

The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of such tasks include, but are not limited to: assisting an individual with low vision with navigation, alerting individuals who are hard of hearing to the presence of people or objects; pulling a person's wheelchair; or aiding with stability or balance to an individual with a mobility disability.

Federal law does not require the individual to provide documentation that an animal has been trained as a service animal. The College may, however, ask if the animal is required because of a disability, as well as what work or task the animal has been trained to perform.

Exceptions

The College may exclude a service animal from campus if its behavior poses a direct threat to the health or safety of others or when its presence fundamentally alters the nature of a program or activity. Furthermore, the College may ask an individual with a disability to remove a service animal from campus if the animal is out of control and the individual does not take effective action to control it; or if the animal is not housebroken. The service animal is considered an extension of the student and thus, is subject to the same code of conduct as a student would follow. Disruptive behavior by a service animal will be grounds for removal from an academic setting in the same manner that a disruptive student will be removed from the same environment.

Responsibilities of Individuals with Service Animals

The College is not responsible for the care or supervision of a service animal. Individuals with disabilities are responsible for the control of their service animals at all times and must comply with all applicable laws and regulations, including vaccinations, licensure, animal health and leash laws. A service animal shall be restrained with a harness, leash, or other tether, unless an individual's disability precludes the use of a restraint or if the restraint would interfere with the service animal's safe, effective performance of work or tasks. If a service animal is not tethered, it must be otherwise under the individual's control, whether by voice control, signals, or other effective means.

Individuals are responsible for ensuring the immediate clean-up and proper disposal of all animal waste. Although the College may not charge an individual with a disability a service animal surcharge, it may impose charges for damages caused by a service animal in the same manner the College imposes charges for damages caused by students.

Assistance Animal Policy and Agreement for Campus Housing

General Policy Statement and Purpose

New Mexico Junior College ("NMJC" or "College") recognizes the importance of "Service Animals" as defined by the Americans with Disabilities Act Amendments Act (ADAAA) and the broader category of "Assistance Animals" under the Fair Housing Act that provide physical and/or emotional support to individuals with disabilities. NMJC is committed to allowing individuals with disabilities the use of a Service Animal on campus to facilitate their full-participation and equal access to the College's programs and activities. NMJC is also committed to allowing Assistance Animals necessary to provide

individuals with disabilities an equal opportunity to use and enjoy College housing. This Policy explains the specific requirements applicable to an individual's use of an Assistance Animal in College housing. NMJC reserves the right to amend this Policy as circumstances require. This policy applies solely to "Assistance Animals" which may be necessary in College housing. It does not apply to "Service Animals" as defined by the ADAAA.

Although it is the policy of NMJC that individuals are generally prohibited from having animals of any type in College housing, NMJC will consider a request by an individual with a disability for reasonable accommodation from this prohibition to allow an Assistance Animal that is necessary because of a disability and reasonable. However, no Assistance Animal may be kept in College housing at any time prior to the individual receiving approval as a reasonable accommodation pursuant to this Policy.

The question in determining if an Assistance Animal will be allowed in College housing is whether or not the Assistance Animal is necessary because of the individual's disability to afford the individual an equal opportunity to use and enjoy College housing and its presence in College housing is reasonable. However, even if the individual with a disability establishes necessity for an Assistance Animal and it is allowed in College housing, an Assistance Animal is not permitted in any other areas of the College (e.g. dining facilities, libraries, academic buildings, athletic buildings and facilities, classrooms, labs, individual centers, etc.).

Definitions

1. Assistance Animal: "Assistance Animals" are a category of animals that may work, aid, or perform physical tasks for an individual with a disability and/or provide necessary emotional support to an individual with a mental or psychiatric disability that alleviates one or more identified symptoms of an individual's disability, but which are not considered Service Animals under the ADAAA and NMJC's Service Animal Policy. Some Assistance Animals are professionally trained, but in other cases Assistance Animals provide the necessary support to individuals with disabilities without any formal training or certification. Dogs are commonly used as Assistance Animals, but any animal may serve a person with a disability as an Assistance Animal. It is important to note that animals that may be needed because of a disability may be identified by various names. For example, an individual may identify the animal as a companion animal, therapy animal, or emotional support animal.
2. Owner: The individual who has requested the accommodation and has received approval to bring an Assistance Animal into College Housing.
3. Accessibility Services: Collaborates with individuals, faculty, and staff to ensure that individuals with disabilities have equal access to all NMJC programs and activities.

Procedures for Requesting Assistance Animals in College Housing

The procedure for requesting that an Assistance Animal be allowed in College Housing follows the general procedures set forth in the Reasonable Accommodation Policy for College Housing ("Reasonable Accommodation Policy") and the requirements set forth below. However, to the extent the requirements and procedures in this policy conflict with the Reasonable Accommodation Policy, this policy shall control.

Criteria for Determining If Presence of the Assistance Animal is Reasonable

1. College housing is unique in several aspects including the mandatory assignment of roommates for many individuals and the mandate that individuals must share a room or suite in certain residence halls. To ensure that the presence of Assistance Animals is not an undue administrative burden or fundamental alteration of College housing, NMJC reserves the right to assign an individual with an Assistance Animal to a single room without a roommate.
2. However, for all requests for Assistance Animals, Accessibility Services shall nonetheless consult with Campus Housing in deciding on a case-by-case basis of whether the presence of an Assistance Animal is reasonable. A request for an Assistance Animal may be denied as unreasonable if the presence of the animal: (1) imposes an undue financial and/or administrative burden; (2) fundamentally alters College housing policies; and/or (3) poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including College property.
3. NMJC may consider the following factors, among others, as evidence in determining whether the presence of the animal is reasonable or in the making of housing assignments for individuals with Assistance Animals:
 - a. The size of the animal is too large for available assigned housing space;
 - b. The animal's presence would force another individual from individual housing (e.g. serious allergies);
 - c. The animal's presence otherwise violates individuals' right to peace and quiet enjoyment;
 - d. The animal is not housebroken or is unable to live with others in a reasonable manner;
 - e. The animal's vaccinations are not up-to-date;
 - f. The animal poses or has posed in the past a direct threat to the individual or others such as aggressive behavior towards or injuring the individual or others; or
 - g. The animal causes or has caused excessive damage to housing beyond reasonable wear and tear.

NMJC will not limit room assignments for individuals with Assistance Animals to any particular building or buildings because the individual needs an Assistance Animal due to a disability.

Access to College Facilities by Assistance Animals

- Assistance Animals

An Assistance Animal must be contained within the Owner's privately assigned individual living accommodations (e.g., room, suite, apartment) except to the extent the individual is taking the animal out for natural relief. When an Assistance Animal is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness. Assistance Animals are not allowed in any College facilities other than College residence halls (e.g. dormitories, suites, apartments, etc.) to which the individual is assigned.

- Dominion and Control

Notwithstanding the restrictions set forth herein, the Assistance Animal must be properly housed and restrained or otherwise under the dominion and control of the Owner at all times. No Owner shall permit the animal to go loose or run at large. If an animal is found running at large, the animal is subject to capture and confinement and immediate removal from College housing.

Owner's Responsibilities for Assistance Animal

If the College grants an Owner's request to have an Assistance Animal live with the Owner, the Owner is solely responsible for the custody and care of the Assistance Animal and must meet the following requirements:

General Responsibilities

1. The Owner must abide by current county and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the Owner's responsibility to know and understand these ordinances, laws, and regulations. The College has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which will include a vaccination certificate. The College reserves the right to request documentation showing that the animal has been licensed.

Dogs (Service and Assistance Animals)

- All required immunizations must be up-to-date and a copy of the immunizations must be on file with the Accessibility Services.
- Dogs must be licensed and a copy of the license must be on file with Accessibility Services.
- Dogs must be spayed or neutered. A copy of the veterinarian's report must be on file with Accessibility Services.
- A Certificate of Health signed by a veterinarian certifying the dog is healthy and free from any signs of infectious or contagious diseases, parasites, etc. must be on file with the Accessibility Services.
- Collars and tags must be worn at all times. The dog must be kept on a leash at all times when outside the residence hall or apartment. Dogs must never be allowed to run freely.
- Dogs must possess friendly and sociable characteristics. A specific dog can be restricted from the premises by the Director of Student Life or designee based on any confirmed threatening or territorial behavior.
- Dog obedience and training programs are highly recommended.

Domestic Cats (Assistance Animals Only)

- All required immunizations must be up-to-date and a copy of the immunizations must be on file with Accessibility Services.
- Cats must be licensed and a copy of the license must be on file with Accessibility Services.
- Cats must be spayed or neutered. A copy of the veterinarian's report must be on file

with Accessibility Services.

- A Certificate of Health signed by a veterinarian certifying the cat is healthy and free from Any signs of infectious or contagious diseases, parasites, etc. must be on file with Accessibility Services.
- Collars and tags must be worn at all times. The cat must be kept on a leash at all time when outside the residence hall or apartment. Cats must never be allowed to run freely.

Any Other Animal

- To be considered on a case by case basis by Accessibility Services or designee. Dangerous wild animals (big cats, apes, bears, hybrids of these animals), primates, high rabies risk animals (bats, fox, raccoon, coyote) venomous animals, or domestic animals with unknown health history are not allowed.

2. The Owner is required to clean up after and properly dispose of the animal's waste promptly in a safe and sanitary manner and, when provided, must use animal relief areas designated by NMJC.

Standards of Behavior by Animal and Animal Owner

- Animals require daily food and attention, as well as a daily assessment of their general health, behavior and overall welfare.
- Animals cannot be left unattended overnight at any time. If the Owner must be away, they must either take the animal with them, or make arrangements for them to be cared for elsewhere, which does not include other residence hall or apartment spaces.
- Emotional support animals must not be taken into the residence hall or apartment offices, administrative offices, common space or student living areas.
- Animal feces, defined as cat litter box contents and any solid animal waste, must be disposed of properly. It is the Owner's responsibility to remove feces from NMJC grounds, dispose of it in a plastic bag, and then place that bag in the garbage dumpsters outside. Cleanup must occur IMMEDIATELY. Animal feces may not be disposed of in any trash receptacle or through the sewer system inside any building on the NMJC campus. Waste MUST be taken to any residence hall or apartment dumpster for disposal.
- Residents with cats must properly maintain litter boxes. In consideration of the health of the cat and occupants of the apartment or the residence hall room, cat litter box contents must be disposed of properly and regularly. The litter box must be changed with new cat litter regularly as outlined by the manufacturer.
- Animal-accidents within the residence hall room or apartment must be promptly cleaned up using appropriate cleaning products.
- Regular and routine cleaning of floors, kennels, cages, and litter boxes must occur. The odor of an animal emanating from the residence hall room or apartment is not acceptable. (see Cleaning Section below)
- Any flea infestation must be attended to promptly by the NMJC contracted professional extermination company at Owner's expense. Owners are expected to promptly notify the Campus Housing office and arrange for extermination when a flea problem is noted. Animal Owners may take some precautionary measures such as: flea medications prescribed by veterinarians, flea and tick collars, taking your animal to the veterinarian

for flea and tick baths. However, Campus Housing staff may not use chemical agents and insecticides to exterminate fleas and ticks. Because not all of the precautions listed above can prevent flea and tick infestations, the Owner is responsible for extermination costs after vacating the residence hall room or apartment. The College shall have the right to bill the Owner's account for unmet obligations under this provision.

- Animals must not be allowed to disrupt others (e.g., barking continuously, growling, yowling, howling, etc.). Animals which constitute a threat or nuisance to staff, residents or property, as determined by the Student Housing Coordinator or designee, must be removed within seven (7) calendar days (1 week) of notification. If NMJC Public Safety personnel determine an animal poses an immediate threat, animal control may be summoned to remove the animal. If the behavior of an animal can be addressed by the Owner and the Owner can change the behavior of an animal so the pet does not have to be removed, then a written action plan must be submitted by the Owner. The action plan must outline the action to take place to alleviate the problems, and must give a deadline as to length of time the plan will take to complete. Any action plan must meet the approval of the Student Housing Coordinator or designee. The day after the deadline for removal from the apartment, Campus Housing Staff will do a residence hall room or apartment inspection to check damages and infestation and then the mandatory cleaning and extermination will be scheduled. Any animal Owner found not adhering to the removal directive will be subject to disciplinary action, which could include contract cancellation.
 - An animal must not be involved in an incident where a person experiences either the threat of or an actual injury as a result of the animal's behavior. The animal Owner will take all reasonable precautions to protect College staff and residents, as well as the property of the College and of the residents.
 - The Owner will notify Campus Housing staff via the hall office if the animal has escaped its confines and is unable to be located within eight (8) hours.
 - All liability for the actions of the animal (bites, scratches, etc.) is the responsibility of the Owner. Violations concerning any of the aforementioned may result in the resident having to find alternative housing off-campus for the animal and, as warranted, may also result in a resident being in breach of their housing contract.
3. The Owner is required to ensure the animal is well cared for at all times. Any evidence of mistreatment or abuse may result in immediate removal of the Assistance Animal and/or discipline for the responsible individual.
 4. NMJC will not ask for or require an individual with a disability to pay a fee or surcharge for an approved Assistance Animal.
 5. An individual with a disability may be charged for any damage caused by his or her Assistance Animal beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear. The Owner's living accommodations may also be inspected for fleas, ticks or other pests if necessary as part of the College's standard or routine inspections. Whenever College personnel enter the Owner's living accommodations to perform any inspections or work orders, the Owner shall remove the Assistance Animal to

another room and shall secure the Assistance Animal in a kennel or other similar restraint. The College shall have the right to bill the Owner's account for unmet obligations under this Provision.

6. The Owner must fully cooperate with College personnel in regard to meeting the terms of this Policy and developing procedures for care of the animal (e.g., cleaning the animal, feeding/watering the animal, designating an outdoor relief area, disposing of feces, etc.).
7. Assistance Animals may not be left overnight in College Housing to be cared for by any individual other than the Owner. If the Owner is to be absent from his/her residence hall overnight or longer, the animal must accompany the Owner. The Owner is responsible for ensuring that the Assistance Animal is contained, as appropriate, when the Owner is not present during the day while attending classes or other activities.
8. The Owner agrees to abide by all equally applicable residential policies that are unrelated to the individual's disability such as assuring that the animal does not unduly interfere with the routine activities of the residence or cause difficulties for individuals who reside there.
9. The animal is allowed in College housing only as long as it is necessary because of the Owner's disability. The Owner must notify Accessibility Services in writing if the Assistance Animal is no longer needed or is no longer in residence. To replace an Assistance Animal, the new animal must be necessary because of the Owner's disability and the Owner must follow the procedures in this Policy and the Reasonable Accommodation Policy when requesting a different animal.

Cleaning and Damages

- When the resident moves out of his/her apartment or residence hall room, or no longer owns the animal, the apartment or residence hall room will be assessed to determine if damage to department property can be attributed to the animal. Campus Housing maintains the right to conduct apartment or residence hall room inspections for the purpose of assessing damage caused by the animal or otherwise determine the resident's compliance with this procedure.
 - The animal Owner has an obligation to make sure that the apartment or residence hall room is as clean as the original standard. If the apartment or room has carpeting, this also includes regular vacuuming and spot cleaning. Damages and extraordinary cleaning caused by the animal are the responsibility of the resident. Replacement or repair of damaged items will be the financial responsibility of the Owner and assessed by members of the Campus Housing staff.
10. NMJC personnel shall not be required to provide care or food for any Assistance Animal including, but not limited to, removing the animal during emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal.
 11. The individual must provide written consent for Accessibility Services to disclose information regarding the request for and presence of the Assistance Animal to those individuals who may be impacted by the presence of the animal including, but not limited to, Campus Housing

personnel and potential and/or actual roommate(s)/neighbor(s). Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.

Removal of Assistance Animal

The College may require the individual to remove the animal from College housing if:

1. The animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others.
2. The animal's presence results in a fundamental alteration of a College program.
3. The Owner does not comply with the Owner's Responsibilities set forth above.
4. The animal or its presence creates an unmanageable disturbance or interference with the College community.

The Owner shall report to Accessibility Services any instances in which the Assistance Animal has acted in an aggressive manner towards others, bitten or injured any person within 24 hours of any such occurrence. The College will base such determinations upon the consideration of the behavior of the particular animal at issue, and not on speculation or fear about the harm or damages an animal may cause. Any removal of the animal will be done in consultation with Accessibility Services and may be appealed to the College's Director of Administrative Services following the procedure set forth in Paragraph five (5) of the Reasonable Accommodation Policy. The Owner will be afforded all rights of due process and appeal as outlined in that process.

Should the Assistance Animal be removed from the premises for any reason, the Owner is expected to fulfill his/her housing obligations for the remainder of the housing contract.

Non-retaliation Provision

NMJC will not retaliate against any person because that individual has requested or received a reasonable accommodation in College housing, including a request for an Assistance Animal.

Reasonable Accommodation Procedures for Campus Housing

Introduction and Background

NMJC recognizes the importance of providing reasonable accommodations in its housing policies and practices where necessary for individuals with disabilities to use and enjoy Campus housing. These procedures explain the specific requirements and guidelines which govern requests for reasonable accommodations in Campus housing. NMJC reserves the right to amend these procedures at any time as circumstances require.

Procedure for Requesting Reasonable Accommodations (Excluding Requests for Service Animals under the Americans with Disabilities Act Amendments Act)

The Office of Student Accessibility Services is responsible for evaluating whether to grant or deny requests for reasonable accommodation in Campus housing. In evaluating the request, Accessibility Services will consult with the Director of Residence Life, as necessary, to determine whether the

requested accommodation is necessary and reasonable. Individuals with a disability who reside or intend to reside in Campus housing who believe they need a reasonable accommodation must contact the Student Disability Services Counselor.

Requests for reasonable accommodations in Campus housing policies and practices are governed by the following requirements:

1. Requesting a Housing Accommodation

- An individual with a disability must complete the “Disability Accommodation Request Form for Campus Housing” (the “Request Form”) to request a reasonable accommodation. Copies of the Request Form are available from Accessibility Services. If the individual requires assistance in completing the Request Form because of his/her disability, the Accessibility Services will provide assistance in completing the form.
- NMJC will accept and consider requests for reasonable accommodation in Campus housing at any time. The individual making the request for accommodation should complete and provide the Request Form to Student Disability Services as soon as practicably possible before moving into Campus housing.
- If the need for the accommodation arises when an individual already resides in Campus housing, he/she should contact Accessibility Services and complete the Request Form as soon as practicably possible. NMJC cannot guarantee that it will be able to meet the accommodation needs during the semester or term in which the request is received.
- Absent exceptional circumstances, the College will attempt to provide a written response to a reasonable accommodation request within seven (7) calendar days (1 week) of receiving the information described in paragraph two (2) below.

2. Information that may be requested for Housing-Related Reasonable Accommodation Requests, Accessibility Services shall limit its requests for information to only the information necessary to verify whether the individual making the request has a disability and/or to evaluate if the reasonable accommodation is necessary to provide the individual an equal opportunity to use and enjoy Campus housing.

- Obvious Disability: If the individual's disability and the necessity for the accommodation are obvious (e.g. an individual with a physical disability using a wheelchair needs an accessible room), the individual need only explain what type of accommodation he/she is requesting. No verification of disability and/or necessity is required under these circumstances.
- Non-Obvious Disability/Necessity: If the disability is obvious but the need for the accommodation is not obvious, the Campus may require the individual to complete the Reasonable Accommodation Verification Form for Campus Housing (“Verification Form”) and designate a reliable third party who can verify that the requested accommodation is necessary to provide the individual an equal opportunity to use and enjoy Campus housing, but may not seek information about the individual's disability.
- If the disability and necessity for the accommodation are not obvious, Accessibility Services will require the individual to complete the Verification Form and designate a reliable third party who can verify that the individual has a disability and that the

requested accommodation is necessary to provide the individual an equal opportunity to use and enjoy Campus housing.

- A reliable third party is someone who is familiar with the individual's disability and the necessity for the requested accommodation (may not be a family member). A reliable third-party includes, but is not limited to, a doctor or other medical professional or a non-medical service agency (e.g., National Association of the Deaf).
- Absent exceptional circumstances, within seven (7) calendar days (1 week) of receiving the completed Verification Form from the third-party, the Student Disability Services Counselor, after consultation with the Student Housing Coordinator, will determine if the accommodation is necessary because of a disability to provide the individual an equal opportunity to use and enjoy Campus housing.
- If the third party returns the Verification Form without sufficient information for Accessibility Services to determine whether an accommodation is necessary, the Accessibility Services will inform the individual in writing of the verification's insufficiency and may request additional information, including speaking directly with the individual supplying the third-party verification, within seven (7) calendar days (1 week) of receiving the verification.
- The individual making the request for accommodation must cooperate with Accessibility Services in a timely manner in providing all information needed to determine whether the requested accommodation is necessary.

3. Determination of Reasonableness

- Accessibility Services may deny the requested accommodation if it is unreasonable. Accessibility Services shall consult with the Director of Residence Life to determine if implementing the requested accommodation is reasonable.
- An accommodation is unreasonable if it: (1) imposes an undue financial and/or administrative burden; (2) fundamentally alters Campus housing policies; (3) poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including Campus property; and/or (4) is otherwise unreasonable to the operation of the Campus.

4. Approval of Accommodation

- If Accessibility Services determines a requested accommodation is necessary and is not unreasonable, it will verbally contact the individual to arrange a meeting to discuss the implementation of the accommodation

5. Denial of Accommodation/Appeal

- If Accessibility Services determines a requested accommodation is necessary but unreasonable, Student Disability Services will contact the individual, in writing, within seven (7) calendar days (1 week) of its determination and engage in an interactive process with the individual to determine if there are alternative accommodations that might effectively meet the individual's disability-related needs.
- If the individual is unwilling to accept any alternative accommodation offered by

Accessibility Services or there are no alternative accommodations available, the Accessibility Services will provide a verbal explanation and written notification to the individual of the denial, the reasons for the denial, the right to appeal the decision, and the procedures for the appeals process. The appeal shall be in writing and made within seven (7) calendar days (1 week) of the notification from the individual of his/her unwillingness to accept any of the alternative accommodations offered or the determination that there are no alternative accommodations available.

- All appeals are reviewed by the New Mexico Junior College Vice President for Student Services. If the appeal is denied, the Vice President for Student Services shall provide written notification of the denial to the individual and a written explanation with all of the reasons for the denial.
- An individual may also use the grievance procedure provided under the general campus Student Complaint Process. This process can be found in the NMJC Student Handbook under the Formal Complaints section. (Section I)

6. Confidentiality and Recordkeeping

In processing requests for reasonable accommodations, the College will take all steps required by federal, state, and/or local law to protect the confidentiality of any information or documentation disclosed in connection with the requests. Such measures may include limiting access to such information to individuals specifically designated to determine and implement requests for reasonable accommodations, who will disclose the information only to the extent necessary to determine whether to grant the request, determine if the request is unreasonable, and implement any request granted, keeping all written requests and accompanying documentation in a secure area to which only those designated individuals have access, except as otherwise required by law.

7. Non-retaliation Provision

NMJC will not retaliate against any individual because that individual has requested or received a reasonable accommodation in Campus housing.

Section IX

Title IX Nondiscrimination Policy and Notice of Nondiscrimination

New Mexico Junior College ("NMJC") does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment.

Inquiries about Title IX may be referred to:

- (i) NMJC's Title IX Coordinator:
Cathy Mitchell Title IX Coordinator
Ben Alexander Student Learning Center
1 Thunderbird Circle Hobbs, New Mexico 88240

Telephone: (575)631-6999
Email: cmitchell@nmjc.edu

or

- (ii) U.S. Department of Education's Office for Civil Rights:
U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue, SW
Washington, DC 20202-1100
Telephone: 800-421-3481
FAX: 202-453-6012; TDD: 800-877-8339
Email: OCR@ed.gov

NMJC's nondiscrimination policy and grievance procedures can be located at [NMJC Title IX Policy.pdf](#).

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to the link on the NMJC website [Sexual Harassment / Assault Reporting Form \(may be anonymous\) \(maxient.com\)](#) or contact NMJC's Title IX Coordinator as set forth above.

Mandated Reporting and Confidential Employees

All NMJC faculty and employees (including student-employees), other than those deemed Confidential Employees, are Mandated Reporters and are expected to promptly report all known details of actual or suspected discrimination, harassment, and/or retaliation to appropriate officials immediately, although there are some limited exceptions. Supportive measures may be offered as the result of such disclosures without formal NMJC action.

Complainants may want to carefully consider whether they share personally identifiable details with Mandated Reporters, as those details must be shared with the Title IX Coordinator.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report alleged crimes and/or Policy violations, and these employees will immediately pass Notice to the Title IX Coordinator (and/or police, if desired by the Complainant or required by law), who will act when an incident is reported to them.

The following sections describe NMJC's reporting options for a Complainant or third party (including parents/guardians when appropriate):

Confidential Employees

To enable Complainants to access support and resources without filing a Complaint, NMJC has designated specific employees as Confidential Resources. Those designated by NMJC as Confidential

Resources are not required to report actual or suspected discrimination, harassment, or retaliation in a way that identifies the Parties. They will, however, provide the Complainant with the Title IX Coordinator's contact information and offer options and resources without any obligation to inform an outside agency or NMJC official unless a Complainant has requested the information be shared.

There are three categories of Confidential Employees: 1) Those with confidentiality bestowed by law or professional ethics, such as lawyers, medical professionals, clergy, and counselors; 2) Those whom NMJC has specifically designated as confidential for purposes of providing support and resources to the Complainant; and 3) Those conducting human subjects research as part of a study approved by NMJC's Institutional Review Board (IRB). For those in category 1), above, to be able to respect confidentiality, they must be in a confidential relationship with the person reporting, such that they are within the scope of their licensure, professional ethics, or confidential role at the time of receiving the Notice. These individuals will maintain confidentiality except in extreme cases of immediacy of threat or danger or abuse of a minor, elder, or individual with a disability, or when required to disclose by law or court order.

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with the following Confidential Employees:

Confidential Employees

Kelly Rueda- Dean of Student Outreach, Advancement, and Resources (SOAR)
Ben Alexander Student Center Room 115
New Mexico Junior College
1 Thunderbird Circle
Hobbs, New Mexico 88240
krueda@nmjc.edu
(575)492-2576

Cyndi Stephenson-Counselor
Ben Alexander Student Center Room 111
New Mexico Junior College
1 Thunderbird Circle
Hobbs, New Mexico 88240
cstephenson@nmjc.edu
(575)492-2574

Employees who have confidentiality as described above, and who receive Notice within the scope of their confidential roles will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, or patient.

Failure of a Mandated Reporter, as described above in this section, to report an incident of discrimination, harassment, or retaliation of which they become aware is a violation of NMJC Policy and can be subject to disciplinary action for failure to comply/failure to report. This also includes situations

when a harasser is a Mandated Reporter. Such individuals are obligated to report their own misconduct, and failure to do so is a chargeable offense under this Policy.

A Mandated Reporter who is themselves a target of harassment or other misconduct under this Policy is not required to report their own experience, though they are, of course, encouraged to do so.

In addition, Complainants may speak with individuals unaffiliated with NMJC without concern that Policy will require them to disclose information to the institution without permission:

- Licensed professional counselors and other medical providers
- Local rape crisis counselors
- Domestic violence resources
- Local or state assistance agencies
- Clergy/Chaplains
- Attorneys

Jurisdiction

This Policy applies to NMJC's education programs and activities (defined as including locations, events, or circumstances in which NMJC exercises substantial control over both the Respondent and the context in which the conduct occurred), circumstances where NMJC has disciplinary authority, and to misconduct occurring within any building owned or controlled by a NMJC-recognized student organization.

This Policy may also apply to the effects of off-campus misconduct that limit or deny a person's access to NMJC's education program or activities.

For disciplinary action to be issued under this Policy, the Respondent must be a NMJC faculty member, student, or employee at the time of the alleged incident. If the Respondent is unknown or is not a member of NMJC community, the Title IX Coordinator will offer to assist the Complainant in identifying appropriate institutional and local resources and support options and will implement appropriate supportive measures and/or remedial actions (e.g., trespassing a person from campus). NMJC can also assist in contacting local or institutional law enforcement if the individual would like to file a police report about criminal conduct.

All vendors serving NMJC through third-party contracts are subject to the policies and procedures of their employers and/or to these Policies and procedures if their employer has agreed to be bound by their contracts.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in contacting the appropriate individual at that institution, as it may be possible to pursue action under that institution's policies.

Similarly, the Title IX Coordinator may be able to assist and support a student or employee Complainant who experiences sex discrimination in an externship, study abroad program, or other environment

external to NMJC where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give the Complainant recourse. If there are effects of that external conduct that impact a student or employee's work or educational environment, those effects can often be addressed remedially by the Title IX Coordinator if brought to their attention.

Supportive Measures

NMJC will offer and implement appropriate and reasonable supportive measures to the Parties upon Notice of alleged discrimination, harassment, and/or retaliation. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and reasonably available. They are offered, without fee or charge to the Parties, to restore or preserve access to NMJC's education program or activity, including measures designed to protect the safety of all Parties and/or NMJC's educational environment and/or to deter discrimination, harassment, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the Parties upon receiving Notice/Knowledge or a Complaint. At the time that supportive measures are offered, if a Complaint has not been filed, NMJC will inform the Complainant, in writing, that they may file a Complaint with NMJC either at that time or in the future. The Title IX Coordinator will work with a party to ensure that their wishes are considered with respect to any planned and implemented supportive measures.

NMJC will maintain the confidentiality of the supportive measures, provided that confidentiality does not impair NMJC's ability to provide those supportive measures. NMJC will act to ensure as minimal an academic/occupational impact on the Parties as possible. NMJC will implement measures in a way that does not unreasonably burden any party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the institutional community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation assistance
- Implementing contact limitations (no contact orders) between the Parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass, Persona Non Grata (PNG), or Be-On-the-Lookout (BOLO) orders
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence

- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of no contact orders or other restrictions may be referred to appropriate student or employee conduct processes for enforcement or added as collateral misconduct allegations to an ongoing Complaint under this Policy.

The Parties are provided with a timely opportunity to seek modification or reversal of NMJC's decision to provide, deny, modify, or terminate supportive measures applicable to them. A request to do so should be made in writing to the Title IX Coordinator. An impartial employee other than the employee who implemented the supportive measures, who has authority to modify or reverse the decision, will determine whether to provide, deny, modify, or terminate the supportive measures if they are inconsistent with the definition of supportive measures in the Federal Title IX Regulations. NMJC will also provide the Parties with the opportunity to seek additional modification or termination of supportive measures applicable to them if circumstances change materially. NMJC typically renders decisions on supportive measures within seven (7) business days of receiving a request and provides a written determination to the impacted party(ies) and the Title IX Coordinator.

Standard of Proof

NMJC uses the preponderance of the evidence standard of proof when determining whether a Policy violation occurred. This means that NMJC will decide whether it is more likely than not, based upon the available information at the time of the decision, that the Respondent is in violation of the alleged Policy violation(s).

Reports/Complaints of Sex Discrimination, Sex-based harassment, and/or Retaliation

A Report provides notice to NMJC of an allegation or concern about sex discrimination, sex-based harassment, or retaliation and provides an opportunity for the Title IX Coordinator to provide information, resources, and supportive measures. A Complaint provides notice to NMJC that the Complainant would like to initiate an investigation or other appropriate resolution procedures. A Complainant or individual may initially make a report and may decide at a later time to make a Complaint. Reports or Complaints of discrimination, sex-based harassment, and/or retaliation may be made by filing Complaint with, or giving verbal Notice directly to, the Title IX Coordinator. Such a Complaint may be made at any time (including during non-business hours) by using the telephone number, email address, or by mail to the office of the Title IX Coordinator or by reporting online at [Sexual Harassment / Assault Reporting Form \(may be anonymous\) \(maxient.com\)](#)

Reporting carries no obligation to initiate a Complaint, and in most situations, NMJC can respect a Complainant's request to not initiate a resolution process. However, there may be circumstances, such as pattern behavior, allegations of severe misconduct, or a compelling threat to health and/or safety, where NMJC may need to initiate a resolution process. If a Complainant does not wish to file a Complaint, NMJC will maintain the privacy of information to the extent possible. The Complainant

should not fear a loss of confidentiality by giving Notice that allows NMJC to discuss and/or provide supportive measures, in most circumstances.

Time Limits on Reporting

There is no time limitation on providing Notice/Complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to NMJC's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or provide remedies may be more limited or impossible.

Acting on Notice/Complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of Policy) is at the Title IX Coordinator's discretion; they may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

False Allegations and Evidence

Deliberately false and/or malicious accusations under this Policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a determination of a Policy violation.

Additionally, witnesses and Parties who knowingly provide false evidence, tamper with or destroy evidence, or deliberately mislead an official investigating or resolution process can be subject to discipline under appropriate NMJC policies.

Confidentiality/Privacy

NMJC makes every effort to preserve the Parties' privacy. NMJC will not share the identity of any individual who has made a Complaint of sex-based harassment, discrimination, or retaliation; any Complainant; any individual who has been reported to be the perpetrator of discrimination, sex-based harassment, or retaliation; any Respondent; or any witness, except as permitted by, or to fulfill the purposes, of applicable laws and regulations (e.g., Title IX), Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, or as required by law; including any investigation, or resolution proceeding arising under these policies and procedures.

Unauthorized Disclosure of Information

Parties and Advisors are prohibited from unauthorized disclosure of information obtained by NMJC through the Resolution Process, to the extent that information is the work product of NMJC (meaning it has been produced, compiled, or written by NMJC for purposes of its investigation and resolution of a Complaint). It is also a violation of NMJC Policy to publicly disclose work product or a party's personally identifiable information without authorization or consent. Violation of this Policy is subject to significant sanctions.

Emergency Removal/Interim Actions/Leaves

NMJC can act to remove a student Respondent accused of Sex discrimination or Sex-based Harassment from its education program or activities, partially or entirely, on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator and may be done in conjunction with the CARE Team, and/or Campus Safety and/or Counseling and/or the Dean of Students and/or Human Resources, if the alleged incident involves and employee using standard objective violence risk assessment procedures. Employees are subject to existing procedures for interim actions and leaves.

Independence and Conflicts of Interest

The Title IX Coordinator acts with independence and authority, free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this Policy and these procedures. The members of the Resolution Pool are vetted and trained to ensure they are not biased for or against any party in a specific Complaint, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias, conflict of interest, misconduct, or sex discrimination by the Title IX Coordinator, contact the NMJC President. Concerns of bias, misconduct, discrimination, or a potential conflict of interest by any other Resolution Pool member should be raised with the Title IX Coordinator.

Revision of this Policy and Procedures

This Policy succeeds previous policies addressing Title IX sex discrimination, sex-based harassment, and/or retaliation, though previous policies and procedures remain in force for incidents occurring before August 1, 2024. The Title IX Coordinator reviews and updates these policies and procedures regularly. NMJC reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

If government laws or regulations change or court decisions alter the requirements in a way that impacts this document, this document will be construed to comply with the most recent government laws, regulations, or court holdings.

This Policy and the accompanying procedures do not create legally enforceable protections beyond the protections of the background state and federal laws that frame such policies and codes, generally.

RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF TITLE IX POLICY (Hereinafter the “Resolution Process”)

Overview

NMJC will act on any Notice, Complaint, or Knowledge of a potential violation of the Policy that is received by the Title IX Coordinator or any other Mandated Reporter by applying the Resolution Process below.

Notice/Complaint

Upon receipt of Notice, a Complaint, or Knowledge of an alleged Policy violation, the Title IX Coordinator, or the Title IX Coordinator's designee will initiate a prompt initial evaluation to determine NMJC's next steps. The Title IX Coordinator will contact the Complainant/source of the Notice to offer supportive measures, provide information regarding resolution options, and determine how they wish to proceed.

Collateral Misconduct

Collateral misconduct is defined to include potential violations of other NMJC policies not incorporated into the Policy that occur in conjunction with alleged violations of the Policy, or that arise through the course of the investigation, for which it makes sense to provide one resolution for all charges. Thus, the collateral allegations may be charged along with potential violations of the Policy, to be resolved jointly under these Procedures. In such circumstances, the Title IX Coordinator may consult with NMJC officials who typically oversee such conduct (e.g., human resources, student conduct, academic affairs) to solicit their input as needed on what charges should be filed, but the exercise of collateral charges under these procedures is within the discretion of Title IX Coordinator. All other allegations of misconduct unrelated to incidents covered by the Policy will typically be addressed separately through procedures described in the student, faculty, and staff handbooks.

Initial Evaluation

The Title IX Coordinator conducts an initial evaluation typically within seven (7) business days of receiving Notice/Complaint/Knowledge of alleged misconduct.¹ The initial evaluation typically includes:

- Assessing whether the reported conduct may reasonably constitute a violation of the Policy.
 - If the conduct may not reasonably constitute a violation of the Policy, the matter is typically dismissed from this process, consistent with the dismissal provision in these procedures. It may then be referred to another process, if applicable.
- Determining whether NMJC has jurisdiction over the reported conduct, as defined in the Policy.
 - If the conduct is not within NMJC jurisdiction, the matter is typically dismissed from this process, consistent with the dismissal provision in these procedures. If applicable, the conduct will be referred to the appropriate NMJC office for resolution.
- Offering and coordinating supportive measures for the Complainant.
- Offering and coordinating supportive measures for the Respondent, as applicable.
- Notifying the Complainant, or the person who reported the allegation(s), of the resolution processes, including a supportive and remedial response, an Informal Resolution option, or the Resolution Process described below.

¹ If circumstances require, the President of NMJC or Title IX Coordinator will designate another person to oversee the Resolution Process should an allegation be made about the Title IX Coordinator or the Title IX Coordinator be otherwise unavailable, unable to fulfill their duties, or have a conflict of interest.

- Determining whether the Complainant wishes to make a Complaint.
- Notifying the Respondent of the resolution processes, including a supportive and remedial response, an Informal Resolution option, or the Resolution Process described below, if a Complaint is made.

Helping a Complainant to Understand Options

If the Complainant indicates they wish to initiate a Complaint (in a manner that can reasonably be construed as reflecting intent to make a Complaint), the Title IX Coordinator will help to facilitate the Complaint, which will include:

- Working with the Complainant to determine whether the Complainant wishes to pursue one of three resolution options:
 - a supportive and remedial response, and/or
 - Informal Resolution, or
 - the Resolution Process described below.

The Title IX Coordinator will seek to abide by the wishes of the Complainant but may have to take an alternative approach depending on their analysis of the situation.

If the Complainant elects for the Resolution Process below, and the Title IX Coordinator has determined the Policy applies and that NMJC has jurisdiction, they will route the matter to the appropriate Resolution Process, will provide the Parties with a Notice of Investigation and Allegation(s), and will initiate an investigation consistent with these Procedures.

If any Party indicates (either verbally or in writing) that they want to pursue an Informal Resolution option, the Title IX Coordinator will assess whether the matter is suitable for Informal Resolution and refer the matter, accordingly.

If the Complainant indicates (either verbally or in writing) that they do not want any action taken, no Resolution Process will be initiated (unless deemed necessary by the Title IX Coordinator), though the Complainant can elect to initiate one later, if desired.

Title IX Coordinator Authority to Initiate a Complaint

If the Complainant does not wish to file a Complaint, the Title IX Coordinator, who has ultimate discretion as to whether a Complaint is initiated, will offer supportive measures and determine whether to initiate a Complaint themselves. To make this determination, the Title IX Coordinator will evaluate that request to determine if there is a serious and imminent threat to someone's safety or if NMJC cannot ensure equal access without initiating a Complaint. The Title IX Coordinator will consider the following non-exhaustive factors to determine whether to file a Complaint:

- The Complainant's request not to proceed with initiation of a Complaint;
- The Complainant's reasonable safety concerns regarding initiation of a Complaint;

- The risk that additional acts of sex discrimination would occur if a Complaint is not initiated;
- The severity of the alleged discrimination, including whether the discrimination, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the sex discrimination and prevent its recurrence;
- The age and relationship of the Parties, including whether the Respondent is a NMJC employee;
- The scope of the alleged discrimination, including information suggesting a pattern, ongoing discrimination, or sex discrimination alleged to have impacted multiple individuals;
- The availability of evidence to assist a Decision-maker in determining whether sex discrimination occurred;
- Whether NMJC could end the alleged sex discrimination and prevent its recurrence without initiating its resolution process.

If deemed necessary, the Title IX Coordinator may consult with appropriate NMJC employees, and/or conduct a violence risk assessment to aid their determination whether to initiate a Complaint.

When the Title IX Coordinator initiates a Complaint, they do not become the Complainant. The Complainant is the person who experienced the alleged conduct that could constitute a violation of this Policy.

Dismissal

NMJC **may** dismiss a Complaint if, at any time during the investigation or Resolution Process, one or more of the following grounds are met:

- 1) NMJC is unable to identify the Respondent after taking reasonable steps to do so
- 2) NMJC no longer enrolls or employs the Respondent
- 3) A Complainant voluntarily withdraws any or all of the allegations in the Complaint, and the Title IX Coordinator declines to initiate a Complaint
- 4) NMJC determines the conduct alleged in the Complaint would not constitute a Policy violation, if proven

A Decision-maker can recommend dismissal to the Title IX Coordinator, if they believe the grounds are met. A Complainant who decides to withdraw a Complaint may later request to reinstate or refile it.

Upon any dismissal, NMJC will promptly send the Complainant written notification of the dismissal and the rationale for doing so. If the dismissal occurs after the Respondent has been made aware of the allegations, NMJC will also notify the Respondent of the dismissal.

This dismissal decision is appealable by any party.

Appeal of Dismissal

The Complainant may appeal a dismissal of their Complaint. The Respondent may also appeal the dismissal of the Complaint if dismissal occurs after the Respondent has been made aware of the

allegations. All dismissal appeal requests must be filed within three (3) business days of the notification of the dismissal.

The Title IX Coordinator will notify the Parties of any appeal of the dismissal. If, however, the Complainant appeals, but the Respondent was not notified of the Complaint, the Title IX Coordinator must then provide the Respondent with a NOIA and will notify the Respondent of the Complainant's appeal with an opportunity to respond.

Throughout the dismissal appeal process, NMJC will:

- Implement dismissal appeal procedures equally for the Parties;
- Assign a trained Dismissal Appeal Officer who did not take part in an investigation of the allegations or dismissal of the Complaint;
- Provide the Parties a reasonable and equal opportunity to make a statement in support of, or challenging, the dismissal; and
- Notify the Parties of the result of the appeal and the rationale for the result.

The grounds for dismissal appeals are limited to:

- 1) Procedural irregularity that would change the outcome;
- 2) New evidence that would change the outcome and that was not reasonably available when the dismissal was decided;
- 3) The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent that would change the outcome.
- 4) The dismissal was erroneously granted or denied.

Upon receipt of a dismissal appeal in writing from one or more Parties, the Title IX Coordinator will share the petition with the other party and provide three (3) business days for other Parties to respond to the request. The appeal should specify at least one of the grounds above and provide any reasons or supporting evidence for why the ground is met. This appeal will be provided in writing to the other Parties, and the Title IX Coordinator, who will be invited to respond in writing. At the conclusion of the response period, the Title IX Coordinator will forward the appeal, as well as any response provided by the other Parties to the Dismissal Appeal Officer for consideration.

If the Request for Appeal does not provide information that meets the grounds in this Policy, the request will be denied by the Dismissal Appeal Officer, and the Parties, their Advisors, and the Title IX Coordinator will be notified in writing of the denial and the rationale.

If any of the asserted grounds in the appeal satisfy the grounds described in this Policy, then the Dismissal Appeal Officer will notify all Parties and their Advisors, and the Title IX Coordinator, of their decision and rationale in writing. The effect will be to reinstate the Complaint.

In most cases, appeals are confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The Dismissal Appeal Officer has seven (7) business days to review and decide on the appeal, though extensions can be granted at the discretion of the Title IX Coordinator, and the Parties will be notified of any extension.

Appeal decisions are deferential to the original determination, making changes only if there is a compelling justification to do so.

The Dismissal Appeal Officer may consult with the Title IX Coordinator and/or legal counsel on questions of procedure or rationale for clarification, if needed. The Title IX Coordinator will maintain documentation of all such consultation.

Emergency Removal/Interim Suspension of a Student

NMJC may emergency remove a student accused of Sex discrimination or Sex-based Harassment upon receipt of Notice/Knowledge, a Complaint, or at any time during the resolution process. Prior to an emergency removal, NMJC will conduct an individualized risk assessment and may remove the student if that assessment determines that an imminent and serious threat to the health or safety of a Complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies such action.

When an emergency removal or interim suspension is imposed, wholly or partially, the affected student will be notified of the action, which will include a written rationale, and the option to challenge the emergency removal or interim suspension within two (2) business days of the notification. Upon receipt of a challenge, the Title IX Coordinator will meet with the student (and their Advisor, if desired) as soon as reasonably possible thereafter to allow them to show cause why the removal/action should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal or interim suspension is appropriate, should be modified, or lifted. When this meeting is not requested within two (2) business days, objections to the emergency removal or interim suspension will be deemed waived. A student can later request a meeting to show why they are no longer an imminent and serious threat because conditions related to imminence or seriousness have changed. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so.

The Respondent may provide information, including expert reports, witness statements, communications, or other documentation for consideration prior to or during the meeting. When applicable, a Complainant may provide information to the Title IX Coordinator for review.

An emergency removal or interim suspension may be affirmed, modified, or lifted as a result of a requested review or as new information becomes available. The Title IX Coordinator will communicate the final decision in writing, typically within three (3) business days of the review meeting.

Placing an Employee on Leave

When the Respondent is an employee, or a student employee accused of misconduct in the course of their employment, existing provisions contained in the NMJC Employee Handbook for interim action are typically applicable instead of the above emergency removal process.

Counter-Complaints

NMJC is obligated to ensure that the resolution process is not abused for retaliatory purposes. Although NMJC permits the filing of Counter-Complaints, the Title IX Coordinator will use an initial evaluation, described above, to assess whether the allegations in the Counter-Complaint are made in good faith. When Counter-Complaints are not made in good faith, they will not be permitted. They will be considered potentially retaliatory and may constitute a violation of the Policy.

Counter-Complaints determined to have been reported in good faith will be processed using the Resolution Process below. At the Title IX Coordinator's discretion, investigation of such claims may take place concurrently or after resolution of the underlying initial Complaint.

Advisors in the Resolution Process

The Parties may each have an Advisor (friend, mentor, family member, attorney, or any other individual a party chooses) present with them for all meetings and interviews within the Resolution Process, including intake. The Parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available.

The Title IX Coordinator will offer to assign a trained Advisor to any party if the party chooses. If the Parties choose an Advisor from the pool available from NMJC, NMJC will have trained the Advisor and familiarized them with NMJC's Resolution Process.

NMJC cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not, or cannot afford an attorney, NMJC is not obligated to provide an attorney to advise that party.

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. Parties are expected to provide the Title IX Coordinator with timely notification if they change Advisors. If a party changes Advisors, consent to share information with the previous Advisor is assumed to be terminated, and a release for the new Advisor must be submitted.

NMJC may permit Parties to have more than one Advisor, or an Advisor and a support person, upon special request to the Title IX Coordinator. The decision to grant this request is at the Title IX Coordinator's sole discretion and will be granted equitably to all Parties.

If a party requests that all communication be made through their attorney Advisor instead of to the party, NMJC will agree to copy both the party and their Advisor on all communications.

Advisors appointed by the institution cannot be confidential employees, and although they will not be asked to disclose details of their interactions with their advisees to institutional officials or Decision-makers absent an emergency, they are still reminded of their Mandated Reporter responsibilities.

Advisor's Role in the Resolution Process

Advisors should help the Parties to prepare for each meeting and are expected to advise ethically, with integrity, and in good faith. Advisors may not provide testimony or speak on behalf of their advisee unless given specific permission to do so.

The Parties are expected to ask and respond to questions on their own behalf throughout the Resolution Process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any Resolution Process meeting or interview. For longer or more involved discussions, the Parties and their Advisors should ask for breaks to allow for private consultation.

Records Shared with Advisors

Advisors are entitled to the same opportunity as their advisee to access relevant evidence, and/or the same written investigation report that accurately summarizes this evidence.

Advisors are expected to maintain the confidentiality of the records NMJC shares with them, as set forth in this Policy and as required by applicable law. Advisors may not disclose any NMJC work product or evidence NMJC obtained solely through the Resolution Process for any purpose not explicitly authorized by NMJC.

Accordingly, Advisors will be asked to sign Non-Disclosure Agreements (NDAs). NMJC may decline to share materials with any Advisor who has not executed the NDA. NMJC may restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by NMJC's confidentiality expectations.

Advisor Expectations

NMJC generally expects an Advisor to adjust their schedule to allow them to attend NMJC meetings/interviews when planned, but NMJC may change scheduled meetings/interviews to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

NMJC may also make reasonable provisions to allow an Advisor who cannot be present in person to attend a meeting/interview by telephone, video conferencing, or other similar technologies.

All Advisors are subject to the same NMJC policies and procedures, whether they are attorneys or not, and whether they are selected by a party or appointed by NMJC. Advisors are expected to advise their advisees without disrupting proceedings.

Advisor Policy Violations

Any Advisor who oversteps their role as defined by the Policy, who shares information or evidence in a manner inconsistent with the Policy, or who refuses to comply with NMJC's established rules of decorum, will be warned. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting/interview may be ended, or other appropriate measures implemented, including NMJC requiring the party to use a different Advisor or providing a different NMJC-appointed Advisor. Subsequently, the Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.

Resolution Option Overview

This Resolution Process, consisting of Informal Resolution or Administrative Resolution, is NMJC's chosen approach to addressing all forms of sex discrimination, sex-based harassment, and retaliation. The process considers the Parties' preferences but is ultimately determined at the Title IX Coordinator's discretion.

Resolution proceedings are confidential. All individuals present at any time during the Resolution Process are expected to maintain the confidentiality of the proceedings in accordance with NMJC Policy.

Informal Resolution

To initiate Informal Resolution, a Complainant or Respondent may make such a request to the Title IX Coordinator at any time prior to a final determination, or the Title IX Coordinator may offer the option to the Parties, in writing. NMJC will obtain voluntary, written confirmation that all Parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the Parties to participate in Informal Resolution.

Before initiation of an Informal Resolution process, NMJC will provide the Parties with a NOIA that explains:

- The allegations;
- The requirements of the Informal Resolution process;
- That, prior to agreeing to a resolution, any party has the right to withdraw from the Informal Resolution process and to initiate or resume NMJC's Resolution Process;
- That the Parties' agreement to a resolution at the conclusion of the Informal Resolution process will preclude the Parties from initiating or resuming the resolution process arising from the same allegations;
- The potential terms that may be requested or offered in an Informal Resolution agreement, including notification that an Informal Resolution agreement is binding only on the Parties; and
- What information NMJC will maintain, and whether and how it could disclose such information for use in its Resolution Process.

NMJC offers four categories of Informal Resolution:

- 1) **Supportive Resolution.** When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) designed to remedy the situation.
- 2) **Educational Conversation.** When the Title IX Coordinator can resolve the matter informally by having a conversation with the Respondent to discuss the Complainant's concerns and institutional expectations or can accompany the Complainant in their desire to confront the conduct.
- 3) **Accepted Responsibility.** When the Respondent is willing to accept responsibility for violating Policy and is willing to agree to actions that will be enforced similarly to sanctions, and the Complainant(s) and NMJC are agreeable to the resolution terms.
- 4) **Alternative Resolution.** When the Parties agree to resolve the matter through an alternative resolution mechanism (which could include, but is not limited to, mediation, shuttle negotiation, restorative practices, facilitated dialogue, etc.), as described below.

The individual facilitating an Informal Resolution must be trained and cannot be the Investigator, Decision-maker, or Appeal Decision-maker.

It is not necessary to pursue Informal Resolution first in order to pursue an Administrative Resolution Process. Any party participating in Informal Resolution can withdraw from the Informal Resolution Process at any time and initiate or resume the Administrative Resolution Process.

The Parties may agree, as a condition of engaging in Informal Resolution, on what statements made or evidence shared during the Informal Resolution process will not be considered in the Administrative Resolution Process, should Informal Resolution not be successful, unless agreed to by all Parties.

If an investigation is already underway, the Title IX Coordinator has discretion to determine if an investigation will be paused, if it will be limited, or if it will continue during the Informal Resolution process.

Categories of Informal Resolution

Supportive Resolution

The Title IX Coordinator will meet with the Complainant to determine reasonable supportive measures that are designed to restore or preserve the Complainant's access to NMJC's education program and activity. Such measures can be modified as the Complainant's needs evolve over time or circumstances change. If the Respondent has received the NOIA, the Title IX Coordinator may also provide reasonable supportive measures for the Respondent as deemed appropriate. This option is available when the Complainant does not want to engage the other resolution options, and the Title IX Coordinator does not initiate a Complaint.

Educational Conversation

The Complainant(s) may request that the Title IX Coordinator address their allegations by meeting (with or without the Complainant) with the Respondent(s) to discuss concerning behavior and institutional policies and expectations. Such a conversation is non-disciplinary and non-punitive. Respondent(s) are not required to attend such meetings, nor are they compelled to provide any information if they attend. The conversation will be documented as the Informal Resolution for the matter, if it takes place. In light of this conversation, or the Respondent's decision not to attend, the Title IX Coordinator may also implement remedial actions to ensure that policies and expectations are clear and to minimize the risk of recurrence of any behaviors that may not align with Policy.

Accepted Responsibility

The Respondent may accept responsibility for any or all of the alleged Policy violations at any point during the Resolution Process. If the Respondent indicates an intent to accept responsibility for **all** alleged Policy violations, the ongoing process will be paused, and the Title IX Coordinator will determine whether Informal Resolution is an option.

If Informal Resolution is available, the Title IX Coordinator will determine whether all Parties and NMJC are able to agree on responsibility, restrictions, sanctions, restorative measures, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of NMJC Policy, implements agreed-upon restrictions and remedies, and determines the appropriate responses in coordination with other appropriate Title IX Coordinator(s), as necessary.

This resolution is not subject to appeal once all Parties indicate their written agreement to all resolution terms. When the Parties cannot agree on all terms of resolution, the Resolution Process will either continue or resume.

When a resolution is reached, the appropriate sanction(s) or responsive actions are promptly implemented to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

Alternative Resolution

The institution offers a variety of Alternative Resolution mechanisms to best meet the specific needs of the Parties and the nature of the allegations. Alternative Resolution may involve agreement to pursue individual or community remedies, including targeted or broad-based educational programming or training; supported direct conversation or interaction with the Respondent(s); indirect action by the Title IX Coordinator or other appropriate NMJC officials; and other forms of resolution that can be tailored to the needs of the Parties. Some Alternative Resolution mechanisms will result in an agreed-upon outcome, while others are resolved through dialogue. All Parties must consent to the use of an Alternative Resolution approach, and the Parties may, but are not required to, have direct or indirect contact during an Alternative Resolution process.

The Title IX Coordinator may consider the following factors to assess whether Alternative Resolution is appropriate, or which form of Alternative Resolution may be most successful for the Parties:

- The Parties' amenability to Alternative Resolution
- Likelihood of potential resolution, considering any power dynamics between the Parties
- The nature and severity of the alleged misconduct
- The Parties' motivation to participate
- Civility of the Parties
- Results of a violence risk assessment/ongoing risk analysis
- Respondent's disciplinary history
- Whether an emergency removal or other interim action is needed
- Skill of the Alternative Resolution facilitator with this type of Complaint
- Complaint complexity
- Emotional investment/capability of the Parties
- Rationality of the Parties
- Goals of the Parties
- Adequate resources to invest in Alternative Resolution (e.g., time, staff, etc.)

The Title IX Coordinator has the authority to determine whether Alternative Resolution is available or successful, to facilitate a resolution that is acceptable to all Parties, and/or to accept the Parties' proposed resolution, usually through their Advisors, often including terms of confidentiality, release, and non-disparagement.

Parties do not have the authority to stipulate restrictions or obligations for individuals or groups that are not involved in the Alternative Resolution process. The Title IX Coordinator will determine whether additional individual or community remedies are necessary to meet the institution's compliance obligations in addition to the Alternative Resolution.

The Title IX Coordinator maintains records of any resolution that is reached and will provide notification to the Parties of what information is maintained. Failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (e.g., dissolution of the Agreement and resumption of the Resolution Process, referral to the conduct process for failure to comply, application of the enforcement terms of the Agreement, etc.). The results of Complaints resolved by Alternative Resolution are not appealable.

If an Informal Resolution option is not available or selected, NMJC will initiate or continue an investigation and subsequent Resolution Process to determine whether the Policy has been violated.

Resolution Process Pool

The Resolution Process relies on a pool of Title IX trained parties, which may include external trained parties ("the Pool") to carry out the process.

Pool Member Roles

Members of the Pool are trained annually, and can serve in the following roles, at the discretion of the Title IX Coordinator:

- Appropriate intake of and initial guidance pertaining to Complaints
- Advisor to Parties
- Informal Resolution Facilitator
- Perform or assist with initial evaluation
- Investigator
- Hearing Facilitator
- Decision-maker for challenges to emergency removal and supportive measures
- Decision-maker
- Appeal of Dismissal Decision-maker
- Appeal Decision-maker

Pool Member Appointment

The Title IX Coordinator appoints the Pool, which acts with independence and impartiality. Although members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different Complaints, NMJC can also designate permanent roles for individuals in the Pool.

Notice of Investigation and Allegations

Prior to an investigation, the Title IX Coordinator will provide the Parties with a detailed written Notice of Investigation and Allegations (“NOIA”). Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various allegations. For climate/culture investigations that do not have an identifiable Respondent, the NOIA will be sent to the department/office/program head for the area/program being investigated.

The NOIA typically includes:

- A meaningful summary of all allegations
- The identity of the involved Parties (if known)
- The precise misconduct being alleged
- The date and location of the alleged incident(s) (if known)
- The specific policies/offenses implicated
- A description of, link to, or copy of the applicable procedures
- A statement that the Parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence

- The name(s) of the Investigator(s), along with a process to identify to the Title IX Coordinator, in advance of the interview process, any conflict of interest that the Investigator(s) may have
- A statement that NMJC presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination
- A statement that determinations of responsibility are made at the conclusion of the process and that the Parties will be given an opportunity during the review and comment period to inspect and review all relevant evidence
- A statement that retaliation is prohibited
- Information about the confidentiality of the process, including that the Parties and their Advisors (if applicable) may not share NMJC work product obtained through the Resolution Process
- A statement that the Parties may have an Advisor of their choice who may accompany them through all steps of the Resolution Process
- A statement informing the Parties that NMJC's Policy prohibits knowingly making false statements, including knowingly submitting false information during the Resolution Process
- Detail on how a party may request disability accommodations during the Resolution Process
- A link to NMJC's VAWA Brochure
- An instruction to preserve any evidence that is directly related to the allegations

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the Parties as indicated in official NMJC records, or emailed to the Parties' NMJC-issued email or designated accounts. Once mailed, emailed, and/or received in person, the notification will be presumptively delivered.

Resolution Timeline

NMJC will make a good faith effort to complete the Resolution Process within sixty to ninety (60-90) business days, including any appeals, which can be extended as necessary for appropriate cause by the Title IX Coordinator. The Parties will receive regular updates on the progress of the Resolution Process, as well as notification and a rationale for any extensions or delays, and an estimate of how much additional time will be needed to complete the process.

Investigations are completed expeditiously, normally within sixty (60) business days, though some investigations may take longer, depending on issues such as the nature, extent, and complexity of the allegations, witness availability, law enforcement involvement, and other factors.

If a party or witness chooses not to participate in the Resolution Process or becomes unresponsive, NMJC reserves the right to continue it without their participation to ensure a prompt resolution. Non-participatory or unresponsive Parties retain the rights outlined in this Policy and the opportunity to participate in the Resolution Process.

NMJC may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to a request from law enforcement to delay the

investigation temporarily, NMJC breaks or holiday breaks, the need for language assistance, the absence of Parties and/or witnesses, and/or health conditions. NMJC will promptly resume its Resolution Process as soon as feasible. During such a delay, NMJC will implement and maintain supportive measures for the Parties as deemed appropriate.

NMJC action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

NMJC will make a good faith effort to complete the Resolution Process as promptly as circumstances permit and will communicate regularly with the Parties to update them on the progress and timing of the process.

Ensuring Impartiality

Any individual materially involved in the administration of the Resolution Process, including the Title IX Coordinator, Investigator(s), and Decision-maker(s), may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s), Decision-maker(s), and Appeals officers for impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. At any time during the Resolution Process, the Parties may raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned, and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the President of NMJC.

The Resolution Process involves an objective evaluation of all available relevant and not otherwise impermissible evidence, including evidence that supports that the Respondent engaged in a Policy violation and evidence that supports that the Respondent did not engage in a Policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness. All Parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence, and to receive a written investigation report that accurately summarizes this evidence.

Investigator Appointment

Once an investigation is initiated, the Title IX Coordinator appoints an Investigator(s) to conduct it. These Investigators may be members of the Resolution Process Pool, or any other properly trained Investigator, whether internal or external to NMJC's community.

Witness Role and Participation in the Investigation

Employees (not including Complainant and Respondent) are required to cooperate with and participate in NMJC's investigation and Resolution Process. Student witnesses and witnesses from outside NMJC community cannot be required to participate but are encouraged to cooperate with NMJC investigations and to share what they know about a Complaint.

Interviews may be conducted in person, via online video platforms (e.g., Zoom, Microsoft Teams, FaceTime, WebEx, etc.), or, in limited circumstances, by telephone. NMJC will take appropriate steps to ensure the security/privacy of remote interviews.

Parties and witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred.

Interview Recording

It is standard practice for Investigators to create record of all interviews pertaining to the Resolution Process (other than Informal Resolution meetings). The Parties may review copies of their own interviews, upon request. No unauthorized audio or video recording of any kind is permitted during investigation meetings. If an Investigator(s) elects to audio and/or video record interviews, all involved individuals should be made aware of audio and/or video recording.

All interviews are recorded. The recording and/or transcript of those meetings will be provided to the Parties for their review, after which the Parties may pose additional questions to each other. Those subsequent meetings or interviews are also recorded and/or transcribed and shared with the Parties.

Evidentiary Considerations

The Investigator(s) and the Decision-maker(s) will only consider evidence that is deemed relevant and not otherwise impermissible.

Relevant evidence is that which may aid in determining whether the allegation occurred, or whether the behavior constitutes a violation of Policy.

Impermissible evidence is defined as evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless 1) evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct, or 2) is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove consent.

The fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's consent or preclude a determination that sex-based harassment occurred.

Previous disciplinary action of any kind involving the Respondent may not be considered unless there is an allegation of a pattern of misconduct. Such information may also be considered in determining an appropriate sanction upon a determination of responsibility. Barring a pattern allegation, this information is only considered at the sanction stage of the process and is not shared until then.

Within the limitations stated above, the investigation and determination can consider character evidence, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

Respondent Admits Responsibility

At any point in the proceedings, if a Respondent elects to admit to the charged violations and waive further process, the Decision-maker is authorized to accept that admission, adopt it as their finding/final determination, and administer sanctions. This would also waive all rights to appeal for the Respondent. If the Respondent rejects the finding/final determination/sanctions, or does not admit to all conduct charged, the Resolution Process continues to its conclusion.

Investigation

All investigations are adequate, thorough, reliable, impartial, prompt, and fair. They involve interviews with all relevant Parties and witnesses, obtaining relevant evidence, and identifying sources of expert information, as necessary.

After an interview, Parties and witnesses will be asked to verify the accuracy of the recording, transcript, or summary of their interview. They may submit changes, edits, or clarifications. If the Parties or witnesses do not respond within five (5) business days or any alternate time period designated for verification, objections to the accuracy of the recording, transcript, or summary will be deemed to have been waived, and no changes will be permitted.

NMJC may consolidate Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, when the allegations arise from the same facts or circumstances or implicate a pattern, collusion, and/or other shared or similar actions.

The Investigator(s) typically take(s) the following steps, if not already completed and not necessarily in this order:

- Determine the identity and contact information of the Complainant and Respondent.
- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all specific policies implicated.
- Assist the Title IX Coordinator, if needed, with conducting a prompt initial evaluation to determine if the allegations indicate a potential Policy violation.
- Work with the Title IX Coordinator, as necessary, to prepare the initial NOIA. The NOIA may be amended with any additional or dismissed allegations.

- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation time frame, and order of interviews for the Parties and witnesses.
- When participation of a party is expected, provide that party with written notification of the date, time, and location of the meeting, as well as the expected participants and purpose.
- Make good faith efforts to notify each party of any meeting or interview involving another party, in advance when possible.
- Interview the Complainant and the Respondent and conduct follow-up interviews with each, as necessary.
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary.
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript or recording) of the relevant evidence/testimony from their respective interviews and meetings.
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of another party and/or witnesses. Document in the investigation report which questions were asked, with a rationale for any changes or omissions.
- Where possible, complete the investigation promptly and without unreasonable deviation from the intended timeline.
- Provide the Parties with regular status updates throughout the investigation.
- Prior to the conclusion of the investigation, provide the Parties and their respective Advisors with a list of witnesses whose information will be used to render a finding.
- Ask the Parties to provide a list of questions they would like asked of the other party or any witnesses. The Investigator will ask those questions deemed relevant, and for any question deemed not relevant, will provide a rationale for not asking the question.
- Write a draft investigation report that gathers, assesses, and synthesizes the evidence, accurately summarizes the investigation, and party and witness interviews, and provides all relevant evidence.
- Provide the Parties and their respective Advisors an electronic copy of the draft investigation report as well as an opportunity to inspect and review all relevant evidence obtained as part of the investigation for a review and comment period of ten (10) business days so that each party may meaningfully respond to the evidence. The Parties may elect to waive all or part of the review period.
- The Investigator may share the investigation report with the Title IX Coordinator and/or legal counsel for their review and feedback.

Administrative Resolution Process

The Administrative Resolution Process is used for all Complaints of sex discrimination on the basis of protected characteristics, harassment, retaliation, and Other Prohibited Behaviors (as defined in Policy) or when Informal Resolution is either not elected or is unsuccessful.

The Administrative Resolution Process consists of a hand-off of the investigation report and all relevant evidence to the Decision-maker to make a finding and determine sanctions (if applicable).

At the discretion of Title IX Coordinator, the assigned Decision-maker will be an individual or a panel drawn from the Resolution Process Pool, or other trained individuals either internal or external to the institution. Once the Decision-maker receives and reviews the file, they can recommend dismissal to the Title IX Coordinator, if they believe the grounds are met.

The Administrative Resolution Process typically takes approximately thirty (30) business days to complete, beginning with the Decision-maker's receipt of the Draft Investigation Report. The Parties will be updated regularly on the timing and any significant deviation from this typical timeline.

Investigator-led Questioning Meetings

- The Title IX Coordinator provides the Draft Investigation Report to the Decision-maker and the Parties simultaneously for review. The Decision-maker can then provide the Investigator with a list of relevant questions to ask the Parties or any witnesses.
 - To the extent credibility is in dispute and relevant to one or more of the allegations, the questions provided by the Decision-maker may also explore credibility.
- The Investigator will also ask each of the Parties to provide a proposed list of questions to ask the other Parties and any witnesses.
 - To the extent credibility is in dispute and relevant to one or more of the allegations, questions proposed by the Parties may also explore credibility.
 - All party questions must be posed during this phase of the process and cannot be posed later unless authorized by the Decision-maker.
 - The Investigator will share all party-proposed questions with the Decision-maker, who will finalize the list with the Investigator to ensure all questions are both relevant and permissible.
- The Investigator will then hold individual meetings with the Parties and witnesses to ask the questions posed by the Decision-maker, as well as the questions proposed by the Parties that have been deemed relevant and not duplicative, including questions intended to assess credibility. These meetings will be recorded and transcribed.
 - For any question deemed not relevant or duplicative, the Investigator will provide a rationale for not asking the question, either during the recorded meeting, or in writing (typically as an Appendix to the report).
- Typically, within five (5) business days of the last of these meetings, the recordings or transcripts of them will be provided to the Parties for their review. The Parties will then have five (5) business days to review these recordings or transcripts and propose follow-up questions to be asked by the Investigator.
- The Investigator will review the proposed questions with the Decision-maker, to determine relevance and permissibility. If deemed necessary, the Investigator will then meet individually with the Parties or witnesses for whom there are relevant, and not duplicative, follow-up questions. These follow-up meetings will also be recorded, and the Parties will receive the recordings or transcripts of these meetings. This final round of questioning is the last such round permitted, unless leave is granted to extend, by the Decision-maker.

- The Investigator will then incorporate any new, relevant evidence and information obtained through the Parties' review of the Draft Investigation Report, the questioning, and follow-up meetings into a Final Investigation Report.
- The Investigator will also respond in writing (typically within the Final Investigation Report) to the relevant elements of the Parties' responses to the Draft Investigation Report and incorporate relevant elements of the Parties' written responses, additional relevant evidence, and any necessary revisions into the Final Investigation Report.
- The Investigator will then share the investigation report with the Title IX Coordinator and/or legal counsel for their review and feedback.
- The Final Investigation Report (FIR) and investigation file will then be provided to the Title IX Coordinator.

The Decision-maker's Determination

- The Title IX Coordinator will provide the Decision-maker with the FIR and investigation file, including the evidence and information obtained through the Investigator-led Questioning meetings.
- The Decision-maker will review the FIR, all appendices, and the investigation file.
- If the record is incomplete, the Decision-maker may direct a re-opening of the investigation, or may direct or conduct any additional inquiry necessary, including informally meeting with the Parties or any witnesses, if needed.
- Upon reviewing the relevant evidence, the Decision-maker may also choose to pose additional questions:
 - To the extent credibility is in dispute and relevant to one or more of the allegations, the Decision-maker may meet individually with the Parties and witnesses to question them in order to assess their credibility. These meetings will be recorded and shared with the Parties.
 - At their discretion, the Decision-maker may also meet with any party or witness to ask additional relevant questions that will aid the Decision-maker in making their findings. These meetings will be recorded and shared with the Parties.
- The Decision-maker will then apply the preponderance of the evidence standard to make a determination on each of the allegations and, if applicable, any attendant sanctions.
- **Timeline.** The Decision-maker's determination process typically takes approximately ten (10) business days, but this timeframe can vary based on a number of factors and variables. The Parties will be notified of any delays.
- **Impact Statements.** Prior to a determination, the Title IX Coordinator will also provide the Parties an opportunity to submit a written impact and/or mitigation statement. The Title IX Coordinator will review these statements upon receipt to determine whether there are any immediate needs, issues, or concerns, but will otherwise hold them until after the Decision-maker has made determinations on the allegations. If there are any findings of a Policy violation, the Decision-maker will request the Impact Statements from the Title IX Coordinator and review them prior to determining sanctions. They will also be exchanged between the Parties at that time.

- If it is later determined that a party or witness intentionally provided false or misleading information, that action could be grounds for re-opening a Resolution Process at any time, and/or referring that information to another process for resolution.

Sanctions

Factors considered by the Decision-maker when determining sanctions and responsive actions may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the Parties
- Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as it is feasible once a determination is final, either upon the outcome of any appeal or the expiration of the window to appeal, without an appeal being requested.

The sanctions described in this Policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed, by external authorities.

Student Sanctions

The following are the common sanctions that may be imposed upon students singly or in combination:

- *Reprimand*: A formal statement that the conduct was unacceptable and a warning that further violation of any NMJC Policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Required Counseling*: A mandate to meet with and engage in either NMJC-sponsored or external counseling to better comprehend the misconduct and its effects.
- *Restrictions*: A student may be restricted in their activities, including, but not limited to, being restricted from locations, programs, participation in certain activities or extracurriculars, study abroad, or from holding leadership in student organizations.
- *Probation*: An official sanction for violation of institutional Policy, providing for more severe disciplinary sanctions in the event that the student is found in violation of any institutional Policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges,

exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.

- *Suspension*: Separation from the institution, or one or more of its facilities, for a definite period of time, typically not to exceed two years, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension, on successfully applying for readmission, or upon a general condition that the student is eligible to return if the institution determines it is appropriate to re-enroll/readmit the student. The student is typically required to vacate institutional property within 24 hours of notification of the action, though this deadline may be extended at the discretion of the Title IX Coordinator or other appropriate official. During an institution-wide suspension, the student is banned from institutional property, functions, events, and activities unless they receive prior written approval from an appropriate institutional official. This sanction may be enforced with a trespass action, as necessary. This sanction may be noted as a Disciplinary Suspension on the student's official academic transcript, per institutional policy and/or state law.
- *Expulsion*: Permanent separation from the institution. The student is banned from institutional property, and the student's presence at any institution-sponsored activity or event is prohibited. This action may be enforced with a trespass action, as necessary. This sanction may be noted as Disciplinary Expulsion on the student's official academic transcript, per institutional policy and/or state law.
- *Withholding Diploma*: NMJC may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities as a sanction if the student is found responsible for violating Policy.
- *Revocation of Degree*: While very rarely employed, NMJC reserves the right to revoke a degree previously awarded from NMJC for fraud, misrepresentation, and/or other violation of NMJC policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Other Actions*: In addition to, or in place of, the above sanctions, NMJC may assign any other sanctions as deemed appropriate.

Student Group and Organization Sanctions

The following are the common sanctions that may be imposed upon student organizations singly or in combination:

- *Warning*: A formal statement that the conduct was unacceptable and a warning that further violation of any NMJC Policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Probation*: An official sanction for violation of institutional Policy, providing for more severe disciplinary sanctions in the event that the group or organization is found in violation of any institutional Policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social and event privileges, denial of NMJC funds, ineligibility for honors and awards,

restrictions on new member recruitment, no-contact orders, and/or other measures deemed appropriate.

- *Suspension*: Termination of student group or organization recognition and/or institutional support for a definite period of time not to exceed two years and/or until specific criteria are met. During the suspension period, a student group or organization may not conduct any formal or informal business or participate in NMJC-related activities, whether they occur on- or off-campus. Re-recognition is possible but not guaranteed and will only be considered after the end of the suspension period and based on meeting all re-recognition criteria and obtaining clearance from NMJC.
- *Expulsion*: Permanent termination of student group organization recognition and revocation of the privilege to congregate and conduct business on campus as an organization for any reason.
- *Loss of Privileges*: Restricted from accessing specific NMJC privileges for a specified period of time.
- *Other Actions*: In addition to or in place of the above sanctions, NMJC may assign any other sanctions as deemed appropriate.

Employee Sanctions/Responsive/Corrective Actions

Responsive actions for an employee who has engaged in sex harassment, sex-based discrimination, and/or retaliation include:

- *Verbal or Written Warning*
- *Performance Improvement Plan/Management Process*
- *Enhanced Supervision, Observation, or Review*
- *Required Counseling*
- *Required Training or Education*
- *Probation*
- *Denial of Pay Increase/Pay Grade*
- *Loss of Oversight or Supervisory Responsibility*
- *Demotion*
- *Transfer*
- *Shift or schedule adjustments*
- *Reassignment*
- *Suspension/Administrative Leave with Pay*
- *Suspension/Administrative Leave without Pay*
- *Termination*
- *Other Actions*: In addition to or in place of the above sanctions/responsive actions, NMJC may assign any other responsive actions as deemed appropriate.

Notice of Outcome

Within ten (10) business days of the conclusion of the Resolution Process, the Title IX Coordinator provides the Parties with a written outcome notification. The outcome notification will specify the finding for each alleged Policy violation, any applicable sanctions that NMJC is permitted to share pursuant to state or federal law, and a detailed rationale, written by the Decision-maker, supporting the findings to the extent NMJC is permitted to share under federal or state law.

The notification will also detail the Parties' equal rights to appeal, the grounds for appeal, the steps to take to request an appeal, and when the determination is considered final if neither party appeals.

The Title IX Coordinator will provide the Parties with the outcome notification simultaneously, or without significant time delay between notifications. The written outcome notification may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the Parties as indicated in official NMJC records, or emailed to the Parties' NMJC-issued or designated email account. Once mailed, emailed, and/or received in person, the outcome notification is presumptively delivered.

Withdrawal or Resignation Before Complaint Resolution

Students

Should a student Respondent decide not to participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. If a student Respondent withdraws from NMJC, the Resolution Process may continue, or Title IX Coordinator may exercise their discretion to dismiss the Complaint. If the Complaint is dismissed, NMJC will still provide reasonable supportive or remedial measures as deemed necessary to address safety and/or remedy any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

Regardless of whether the Complaint is dismissed or pursued to completion of the Resolution Process, NMJC will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s), and any ongoing effects of the alleged discrimination, harassment, and/or retaliation.

When a student withdraws or leaves while the process is pending, the student may not return to NMJC in any capacity until the Complaint is resolved and any sanctions imposed are satisfied. If the student indicates they will not return, the Title IX Coordinator has discretion to dismiss the Complaint. The Registrar and Office of Admissions will be notified, accordingly.

If the student Respondent takes a leave for a specified period of time (e.g., one semester or term), the Resolution Process may continue remotely. If found in violation, that student is not permitted to return to NMJC unless and until all sanctions, if any, have been satisfied.

Employees

Should an employee Respondent decide not to participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. If an employee Respondent withdraws from NMJC with unresolved allegations pending, the Resolution Process may continue, or Title IX Coordinator may exercise their discretion to dismiss the Complaint. If the Complaint is dismissed, NMJC may still provide reasonable supportive or remedial measures as deemed necessary to address safety and/or remedy any ongoing effects of the alleged discrimination, harassment, and/or retaliation.

When an employee resigns and the Complaint is dismissed, the employee may not return to NMJC in any capacity. Human resources, the registrar, and admissions will be notified, accordingly, and a note will be placed in the employee's file that they resigned with allegations pending and are not eligible for academic admission or rehire with NMJC. The records retained by the Title IX Coordinator will reflect that status.

Appeal of the Determination

The Title IX Coordinator will designate a three-member Appeal Panel, or a single Appeal Decision-maker chosen from the Pool, or other trained internal or external individuals, to hear the appeal. No Appeal Decision-maker(s) will have been previously involved in the Resolution Process for the Complaint, including in any supportive measure or dismissal appeal that may have been heard earlier in the process. If a panel is used, a voting Chair of the Appeal Panel will be designated by the Title IX Coordinator.

Appeal Grounds

Appeals are limited to the following grounds:

- 1) A procedural irregularity that would change the outcome
- 2) New evidence that would change the outcome and that was not reasonably available at the time the determination regarding responsibility or dismissal was made
- 3) The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that would change the outcome
- 4) The final determination by the Decision-maker is substantially contrary to the weight of the evidence in the record (applicable to sanctions of suspension, expulsion, or termination, only)
- 5) The sanctions fall outside the range of sanctions designated for this offense, considering the cumulative conduct/disciplinary record of the Respondent (applicable to sanctions of suspension, expulsion, or termination, only)

Request for Appeal

Any party may submit a written request for appeal (“Request for Appeal”) to the Title IX Coordinator within five (5) business days of the delivery of the Notice of Outcome.

The Request for Appeal will be forwarded to the Appeal Panel or Appeal Decision-maker for consideration to determine if the request meets the grounds for appeal (a Review for Standing). This is not a review of the merits of the appeal, but solely a determination as to whether the request could reasonably be construed to meet the grounds and is timely filed.

If the Request for Appeal does not provide information that meets the grounds in this Policy, the request will be denied by the Appeal Panel Chair or Appeal Decision-maker, and the Parties and their Advisors will be simultaneously notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this Policy, then the Appeal Panel Chair or Appeal Decision-maker will notify all Parties and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigator(s) and/or the original Decision-maker.

All other Parties and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigator(s) and/or the Decision-maker will be provided a copy of the Request for Appeal with the approved grounds and then be given five (5) business days to submit a response to the portion of the appeal that was approved and involves them. The Appeal Panel Chair or Appeal Decision-maker will forward all responses, if any, to all Parties for review and comment.

The non-appealing party (if any) may also choose to appeal at this time. If so, that Request for Appeal will be reviewed by the Appeal Panel Chair or Appeal Decision-maker to determine if it meets the grounds in this Policy and will either be approved or denied. If approved, it will be forwarded to the party who initially requested an appeal, the Title IX Coordinator, and the Investigator(s) and/or original Decision-maker, as necessary, who will submit their responses, if any, within five (5) business days. Any such responses will be circulated for review and comment by all Parties. If denied, the Parties will be notified accordingly, in writing.

No party may submit any new Requests for Appeal after this time period. The Appeal Panel Chair or Appeal Decision-maker will collect any additional information needed and all documentation regarding the approved appeal grounds, and the subsequent responses will be shared with the Appeal Panel or Appeal Decision-maker, who will promptly render a decision.

Appeal Determination Process

In most cases, appeals are confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The Appeals Panel or Appeal Decision-maker will deliberate as soon as is practicable and discuss the merits of the appeal.

Appeal decisions are to be deferential to the original determination, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so. All decisions are made by majority vote and apply the preponderance of the evidence.

An appeal is not an opportunity for the Appeal Panel or Appeal Decision-makers to substitute their judgment for that of the original Decision-maker merely because they disagree with the finding and/or sanction(s).

The Appeal Panel or Appeal Decision-maker may consult with the Title IX Coordinator and/or legal counsel on questions of procedure or rationale, for clarification, if needed. The Title IX Coordinator will maintain documentation of all such consultation.

Appeal Outcome

An appeal may be granted or denied. Appeals that are granted should normally be remanded (or partially remanded) to the original Investigator(s) and/or Decision-maker with corrective instructions for reconsideration. In rare circumstances where an error cannot be cured by the original Investigator(s) and/or Decision-maker or the Title IX Coordinator (as in cases of bias), the Appeal Panel or Appeal Decision-maker may order a new investigation and/or a new determination with new Pool members serving in the Investigator and Decision-maker roles.

A Notice of Appeal Outcome letter will be sent to all Parties simultaneously, or without significant time delay between notifications. The Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanction(s) that may result which NMJC is permitted to share according to federal or state law, and the rationale supporting the essential findings to the extent NMJC is permitted to share under federal or state law.

Written notification may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the Parties as indicated in official institutional records, or emailed to the Parties' NMJC-issued email or otherwise approved account. Once mailed, emailed, and/or received in person, the Appeal Outcome will be presumptively delivered.

Once an appeal is decided, the outcome is final and constitutes the Final Determination; further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new determination). When appeals result in no change to the finding or sanction, that decision is final. When an appeal results in a new finding or sanction, that finding or sanction can be appealed one final time on the grounds listed above and in accordance with these procedures.

If a remand results in a new determination that is different from the appealed determination, that new determination can be appealed, once, on any of the five available appeal grounds.

Sanction Status During the Appeal

Any sanctions imposed as a result of the determination are stayed (i.e., not implemented) during the appeal process, and supportive measures may be maintained or reinstated until the appeal determination is made.

If any of the sanctions are to be implemented immediately post-determination, but pre-appeal, then the emergency removal procedures (detailed above) for a “show cause” meeting on the justification for doing so must be permitted within two (2) business days of implementation.

Long-Term Remedies/Other Actions

Following the conclusion of the Resolution Process, and in addition to any sanctions implemented or Informal Resolution terms, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the Parties and/or NMJC community that are intended to stop the discrimination, harassment, and/or retaliation, remedy the effects, and prevent recurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Course and registration adjustments, such as retroactive withdrawals
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation assistance
- Implementation of long-term contact limitations between the Parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term supportive measures may also be provided to the Parties even if no Policy violation is found.

When no Policy violation is found, the Title IX Coordinator will address any remedies NMJC owes the Respondent to ensure no effective denial of educational access.

NMJC will maintain the confidentiality of any long-term remedies/actions/measures, provided confidentiality does not impair NMJC’s ability to provide these services.

Failure to Comply with Sanctions, Responsive Actions, and/or Informal Resolution Terms

All Respondents are expected to comply with the assigned sanctions, responsive actions, corrective actions, and/or Informal Resolution terms within the timeframe specified by the final Decision-maker(s), including the Appeal Panel or Appeal Decision-maker or the Informal Resolution agreement.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from NMJC.

Supervisors are expected to enforce the completion of sanctions/responsive actions for their employees.

A suspension imposed for non-compliance with sanctions will only be lifted when compliance is achieved to the Title IX Coordinator's satisfaction.

Recordkeeping

For a period of at least seven (7) years following the conclusion of the Resolution Process, NMJC will maintain records of:

- 1) Each discrimination, harassment, and retaliation resolution process, including any Final Determination regarding responsibility or appeal, and any audio or audiovisual recording or transcript required under federal regulation
- 2) Any disciplinary sanctions imposed on the Respondent
- 3) Any supportive measures provided to the Parties and any remedies provided to the Complainant or the community designed to restore or preserve equal access to NMJC's education program or activity
- 4) Any appeal and the result therefrom
- 5) Any Informal Resolution and the result therefrom
- 6) All materials used to provide training to the Title IX Coordinator, Title IX Coordinator and designees, Investigators, Decision-makers, Appeal Decision-makers, Informal Resolution Facilitator, and any person who is responsible for implementing NMJC's Resolution Process, or who has the authority to modify or terminate supportive measures. NMJC will make these training materials available for review upon request.
- 7) All materials used to train all employees consistent with the requirements in the Title IX Regulations.

NMJC will also maintain any and all records in accordance with state and federal laws.

Accommodations and Support During the Resolution Process

Disability Accommodations

NMJC is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to NMJC's Resolution Process.

Anyone needing such accommodations or support should contact the Title IX Coordinator, who will work with disability support colleagues as appropriate to review the request and, in consultation with the person requesting the accommodation, determine which accommodations are appropriate and necessary for full process participation.

Other Support

NMJC will also address reasonable requests for support for the Parties and witnesses, including:

- Language services/Interpreters
- Access and training regarding use of technology throughout the Resolution Process
- Other support as deemed reasonable and necessary to facilitate participation in the Resolution Process

BASED ON THE ATIXA 2024 ONE POLICY, ONE PROCEDURE (1P1P) MODEL.

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APPENDIX A: DEFINITIONS

The following definitions apply to the Title IX Nondiscrimination Policy and Procedures

- **Advisor.** Any person chosen by a party, or appointed by the institution, who may accompany the party to all meetings related to the Resolution Process and advise the party on that process.
- **Appeal Decision-maker.** The person or panel who accepts or rejects a submitted appeal request, determines whether any of the grounds for appeal are met, and directs responsive action(s), accordingly.
- **Complainant.** A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination, sex-based harassment, or retaliation under the Policy; or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination or sex-based harassment or under the Policy and who was participating or attempting to participate in NMJC's education program or activity at the time of the alleged discrimination, harassment or retaliation.
- **Complaint.** An oral or written request to NMJC that can objectively be understood as a request for NMJC to investigate and make a determination about the alleged Policy violation(s).
- **Confidential Employee.**
 - An employee whose communications are privileged or confidential under federal or state law. The employee's confidential status, for purposes of this definition, is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies; or
 - An employee whom NMJC has designated as confidential under this Policy for the purpose of providing services to persons related to discrimination, harassment, or retaliation. If the employee also has a duty not associated with providing those services, the employee's confidential status only applies with respect to information received

- about discrimination, harassment, or retaliation in connection with providing those services; or
 - An employee who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about discrimination, harassment, or retaliation. The employee's confidential status only applies with respect to information received while conducting the study.
- **Day.** A business day when NMJC is in normal operation. All references in the Policy to days refer to business days unless specifically noted as calendar days.
- **Decision-maker.** The person or panel who hears evidence, determines relevance, and makes the Final Determination of whether Policy has been violated and/or assigns sanctions.
- **Education Program or Activity.** Locations, events, or circumstances where NMJC exercises substantial control over the context in which the discrimination, harassment, and/or retaliation occurs and also includes any building owned or controlled by a student organization that NMJC officially recognizes.
- **Employee.** A person employed by NMJC either full- or part-time, including student employees when acting within the scope of their employment.
- **Final Determination.** A conclusion by the standard of proof that the alleged conduct did or did not violate Policy.
- **Finding.** A conclusion by the standard of proof that the conduct did or did not occur as alleged (as in a "finding of fact").
- **Informal Resolution.** A resolution agreed to by the Parties and approved by the Title IX Coordinator that occurs prior to a Final Determination in the Resolution Process.
- **Investigation Report.** The Investigator's summary of all relevant evidence gathered during the investigation. Variations include the Draft Investigation Report and the Final Investigation Report.
- **Investigator.** The person(s) authorized by NMJC to gather facts about an alleged violation of this Policy, assess relevance and credibility, synthesize the evidence, and compile this information into an Investigation Report.
- **Knowledge.** When NMJC receives Notice of conduct that reasonably may constitute harassment, discrimination, or retaliation in its Education Program or Activity.
- **Mandated Reporter.** A NMJC employee who is obligated by Policy to share Knowledge, Notice, and/or reports of discrimination, harassment, and/or retaliation with the Title IX Coordinator.
- **Notice.** When an employee, student, or third party informs the Title IX Coordinator of the alleged occurrence of discriminatory, harassing, and/or retaliatory conduct.
- **Parties.** The Complainant(s) and Respondent(s), collectively.
- **Policy.** This Title IX Nondiscrimination Policy and Notice of Nondiscrimination.
- **Relevant Evidence.** Evidence that may aid a Decision-maker in determining whether the alleged discrimination, harassment, or retaliation occurred, or in determining the credibility of the Parties or witnesses.
- **Remedies.** Typically, post-resolution actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore or preserve equal access to NMJC's Education Program and Activity.

- **Resolution Process.** The investigation and resolution of allegations of prohibited conduct under this Policy, including Informal Resolution and/or Administrative Resolution.
 - **Respondent.** A person who is alleged to have engaged in conduct that could constitute sex discrimination, sex-based harassment, or retaliation.
 - **Retaliation** means intimidation, threats, coercion, or discrimination against any person by the recipient, a student, or an employee or other person authorized by the recipient to provide aid, benefit, or service under the recipient's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.
 - **Sanction.** A consequence imposed on a Respondent who is found to have violated this Policy.
 - **Sex-based harassment** is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:
 - (1) *Quid pro quo harassment.* An employee, agent, or other person authorized by the recipient to provide an aid, benefit, or service under the recipient's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
 - (2) *Hostile environment harassment.* Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (*i.e.*, creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - (i) The degree to which the conduct affected the complainant's ability to access the recipient's education program or activity;
 - (ii) The type, frequency, and duration of the conduct;
 - (iii) The parties' ages, roles within the recipient's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - (iv) The location of the conduct and the context in which the conduct occurred; and
 - (v) Other sex-based harassment in the recipient's education program or activity.
- (3) *Specific offenses.*
- (i) Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
 - (ii) Dating violence meaning violence committed by a person:
 - A. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - B. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 1. The length of the relationship;
 2. The type of relationship; and
 3. The frequency of interaction between the persons involved in the relationship;
 - (iii) Domestic violence meaning felony or misdemeanor crimes committed by a person who:

- A. Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a person similarly situated to a spouse of the victim;
 - B. Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - C. Shares a child in common with the victim; or
 - D. Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.
- (iv) Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- A. Fear for the person's safety or the safety of others; or
 - B. Suffer substantial emotional distress.
- **Sex.** Sex assigned at birth, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.
 - **Student.** Any person who has gained admission.
 - **Title IX Coordinator.** The official designated by NMJC to ensure ultimate oversight of compliance with Title IX and NMJC's Title IX program. The Title IX Coordinator has the primary responsibility for overseeing and enforcing the Policy. As used in these policies and procedures, the "Title IX Coordinator" also includes their designee(s).

APPENDIX B: STATEMENT OF THE PARTIES' RIGHTS

Under this Policy and procedures, the Parties have the right to:

- An equitable investigation and resolution of all credible allegations of prohibited discrimination, harassment, retaliation, and Other Prohibited Behaviors, when reported in good faith to NMJC officials.
- Timely written notice of all alleged violations, including the identity of the Parties involved (if known), the specific misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated Policies and procedures, and possible sanctions.
- Timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants) by updating the Notice of Investigation and Allegation(s) (NOIA) as needed to clarify potentially implicated Policy violations.
- Be informed in advance of any NMJC public release of information regarding the allegation(s) or underlying incident(s), whenever possible.
- Have all personally identifiable information protected from NMJC's release to the public without consent, except to the extent permitted by law.
- Be treated with respect by NMJC officials.
- Have NMJC Policy and these procedures followed without material deviation.
- Voluntarily agree to resolve allegations under this Policy through Informal Resolution without NMJC pressure, if Informal Resolution is approved by the Title IX Coordinator.
- Not be discouraged by NMJC officials from reporting discrimination, harassment, retaliation, and Other Prohibited Behavior to both on-campus and off-campus authorities.

- Be informed of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by NMJC in notifying such authorities, if the party chooses. This also includes the right to not be pressured to report.
- Have allegations of violations of this Policy responded to promptly and with sensitivity by NMJC law enforcement and/or other NMJC officials.
- Be informed of available supportive measures, such as counseling, advocacy, health care, student financial aid, visa and immigration assistance, and/or other services, both on-campus and in the community.
- A NMJC-implemented no-contact order or a no-trespass order against a non-affiliated third party when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- Be informed of available assistance in changing academic, living, and/or employment situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either institutional or criminal, needs to occur for this option to be available. Such actions may include, but are not limited to:
 - Relocating an on-campus student's housing to a different on-campus location
 - Assistance from NMJC staff in completing the relocation
 - Changing an employee's work environment (e.g., reporting structure, office/workspace relocation)
 - Transportation assistance
 - Visa/immigration assistance
 - Arranging to dissolve a housing contract and provide a pro-rated refund
 - Rescheduling or adjusting an exam, paper, and/or assignment
 - Receiving an incomplete in, or a withdrawal from, a class (may be retroactive)
 - Transferring class sections
 - Temporary withdrawal/leave of absence (may be retroactive)
 - Campus safety escorts
 - Alternative course completion options
- Have NMJC maintain supportive measures for as long as necessary and for supportive measures to remain confidential, provided confidentiality does not impair NMJC's ability to provide the supportive measures.
- Receive sufficiently advanced written notice of any NMJC meetings or interviews involving another party, when possible.
- Identify and have the Investigator(s) and/or Decision-maker question relevant available witnesses, including expert witnesses.
- Provide the Investigator(s)/Decision-maker with a list of questions that, if deemed relevant and permissible by the Investigator(s)/Decision-maker, may be asked of any party or witness.
- Have Complainant's inadmissible sexual interests/prior sexual history or any Party's irrelevant character evidence excluded by the Decision-maker.
- Access the relevant evidence obtained and respond to that evidence.
- A fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.

- Receive a copy of all relevant and permissible evidence obtained during the investigation, subject to privacy limitations imposed by federal and state law and be given ten (10) business days to review and comment on the evidence.
- The right to receive a copy of the Final Investigation Report, including all factual, Policy, and/or credibility analyses performed, and to have at least seven (7) business days to review the report prior to the determination.
- Be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- Regular status updates on the investigation and/or Resolution Process.
- Have reports of alleged Policy violations addressed by Resolution Process Pool members who have received relevant annual training as required by law.
- A Decision-making panel that is not single-sex in its composition, if a panel is used.
- Preservation of confidentiality/privacy, to the extent possible and permitted by law.
- Meetings, interviews, and/or hearings that are closed to the public.
- Petition that any NMJC representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- Be able to select an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the Resolution Process.
- Apply the appropriate standard of proof, preponderance of the evidence, to make a Finding and Final Determination after an objective evaluation of all relevant and permissible evidence.
- Be present, including presence via remote technology, during all testimony given and evidence presented during any hearing.
- Have an impact and/or mitigation statement considered by the Decision-maker following a determination of responsibility for any allegation, but prior to sanctioning.
- Be promptly informed of the Resolution Process finding(s) and sanction(s) (if any) and be given a detailed rationale of the decision (including an explanation of how credibility was assessed) in a written outcome letter delivered to the Parties simultaneously (without undue delay).
- Be informed in writing of when a NMJC decision is considered final and any changes to the Final Determination or sanction(s) that occur post outcome letter delivery.
- Be informed of the opportunity to appeal the Resolution Process finding(s) and sanction(s), and the procedures for doing so in accordance with NMJC's grounds for appeal.
- A fundamentally fair resolution as defined in these procedures.

What Can You Do About Sexual Violence?

NMJC is committed to maintaining a positive learning, working and living environment and will not tolerate acts of sexual harassment or sexual violence or related retaliation against or by any employee or student. When sexual harassment or sexual violence has occurred and is brought to the attention of a Title IX official, NMJC will take steps to end the harassment or violence, prevent its re-occurrence and address its effects.

[NMJC Title IX Booklet](#)

Prevention

College is a space for personal growth, learning, and new opportunity, but it is not absent from certain dangers. You don't need to be overly concerned, but you should do your best to remain alert to your surroundings and anything that is out-of-the-ordinary.

What can I do to help protect others?

If you see or hear these things, tell someone in authority immediately:

- Harassment, threats, or bullying, online or in-person
- "Hate speech" or threats made online or in-person
- Domestic or intimate partner abuse or violence
- Comments from a student about harming self or others
- Someone acting suspiciously or carrying a weapon

Don't be a bystander! Students are often the first to become aware of problems on campus. However, due to a social phenomenon called the "bystander effect", sometimes problems are not addressed. The bystander effect happens when the presence of others (being in a group) discourages an individual from intervening in a situation in which there is an emergency. Researchers Bibb Latane and John Darley argued that it is the result of the belief that someone else will act so I don't need to, that is compounded by social influence (the fact that our behaviors are influenced by those around us).

What can I do to help protect myself?

- Stay alert – Don't wear earbuds or headphones while walking! You may not hear someone behind you.
- Walk in high-traffic, well-lit areas at night.
- Request an escort when feeling unsafe.
- Keep your car and dorm apartments and windows closed and locked.
- Don't let strangers into housing facilities and do not prop doors.
- Don't lend out your ID.
- Take self-defense classes.
- In the event of a crisis, don't panic. Run if possible, hide if you can't run, and fight if you can't hide.

Reduce your risk: most sexual assaults involve people who know each other – and are using alcohol and/or other drugs. Staying sober is your best defense against sexual assault.

What to do if you have been sexually assaulted.

It's hard to know what to do, how to feel, or what your options are after a sexual assault. Please know that you're not alone. Below are some things to keep in mind. If you are in immediate danger or seriously injured, call 911.

Get to a safe place. Get to a location where you can call for help, preferably a safe place where you are not alone. Consider reaching out to someone you trust or call 911.

Call the crisis hotline at (575)226-7263 to speak to a trained victim's advocate. An advocate will be able to walk you through the next steps and help you make an informed decision based on your wishes and consent for care.

Seek medical attention. Even if you do not want to report the assault immediately, still consider having a physical exam. Survivors may or may not have physical injuries and it is best to be seen by a trained medical professional for evaluation. It is important to determine the risks of STIs and pregnancy and have the option of preventive medications. Forensic evidence can be collected and stored in case you decide to report at a later date.

Seek free, confidential counseling. NMJC counselors are here to help you. They are located in the Ben Alexander building or you can call (575)492-2577 to speak an NMJC counselor on the phone or to make an appointment. They are here to help, and can refer you to additional resources if needed. It's never too late to call; many survivors do not realize they need counseling help until months or years later.

Report to campus authorities. Even if you do not wish to file a formal complaint, campus authorities can provide assistance and guidance related to interim measures for your safety and well-being. Survivors are not required to file a crime report, but are encouraged to do so and will be assisted by campus authorities in notifying law enforcement, if they choose. Regardless of whether a survivor opts to file a crime report, interim or protective measures will be provided if the survivor requests them and if they are reasonably available.

On-campus resources:

- Public Safety 24-hour Line (575)399-2033
- Title IX Coordinator (575)492-2761
- Housing 24-hour on-call line (575)399-4681
- Counseling (575)492-2577
- Financial Aid (575) 492-2561
- Veteran's and international students (575) 392-5112

Off-campus resources:

- Police/Emergency – 911
- Guidance Center of Lea County (575)393-3168
- ARISE 24/7 Crisis Hotline (575)226-7263
- RAINN 24/7 Get Help Line (800)656-4673

State/National Resources

[New Mexico Legal Aid](#)

[You're Not Alone](#)

[Crime Victim's Institute](#)

[National Hopeline Network \(Suicide\)](#)

[National Suicide Prevention Lifeline](#)

[Veterans Crisis Line](#)

[National Domestic Violence Hotline](#)

[National Sexual Violence Resource Center](#)

[RAINN – Rape Abuse and Incest National Network](#)

[Office of Violence Against Women](#)

What should I do if I witnessed a crime of sexual assault?

If you are a witness to a crime of sexual violence you should report the incident to campus security or local police or speak to the Vice President for Student Services (the Title IX Coordinator) who can assist you with further reporting as appropriate.

What rights do I have if I am accused of sexual harassment or assault?

In all cases, both complainant and respondent are afforded prompt, fair and impartial due process, including the opportunity to have an advisor/support person present during any hearings and access to free, confidential counseling services.

How friends and family can help the survivor?

Say something. Lend a listening ear. Show that you care and are willing to listen.

Do not force the issue but allow the individual to confide in you at his/her own pace. Never blame the person for what is happening or underestimate his/her fear of potential danger. Focus on supporting the individual's right to make his/her own decisions.

Guide survivors to campus and community resources. Let him/her know they are not alone and people are available to help. Encourage him/her to seek sexual violence advocates and assure them that information will be kept confidential in most cases.

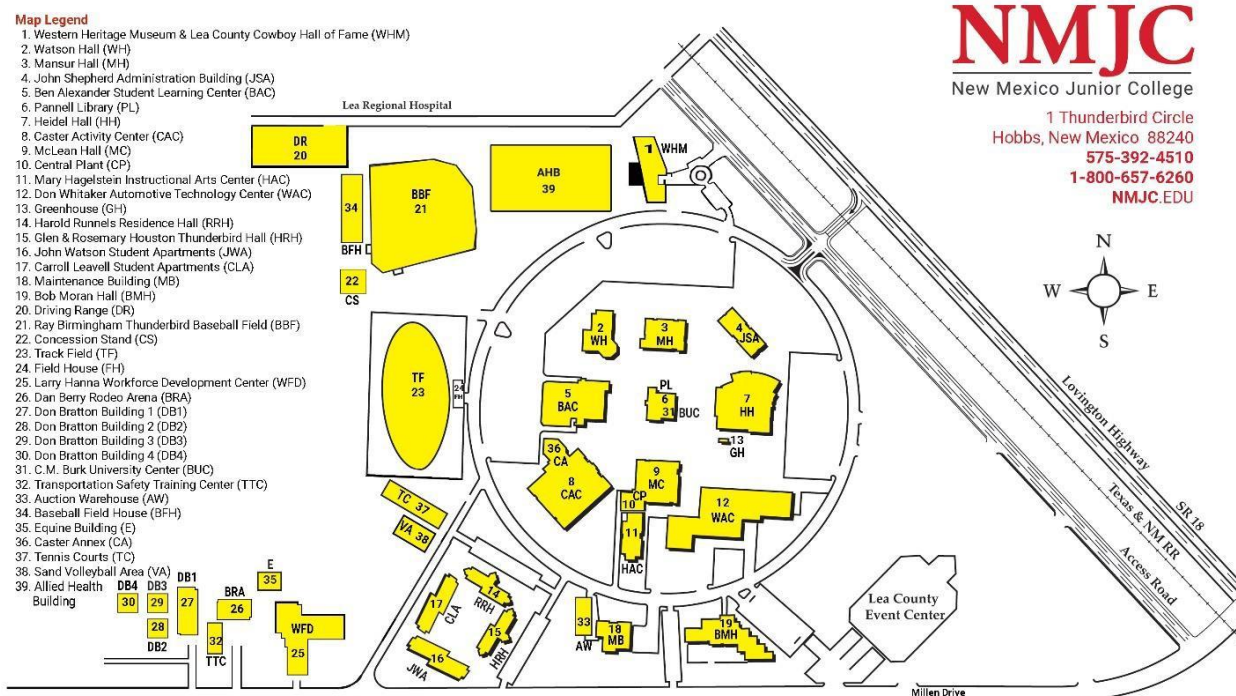
Do not judge victims. Tell the person that you are sorry that they have been hurt. No matter his/her behavior prior to the assault, no one deserves to be assaulted.

Find your own support. You cannot support someone else if you are not supported, however do not try to receive that support from the survivor.

1 in 3 women—and 1 in 4 men—have been in abusive relationships. Women between the ages of 18 - 24 are most commonly abused by an intimate partner - NCADV.

Section IX

New Mexico Junior College Map



The main campus of New Mexico Junior College is composed of several building complexes that contain the primary services and departments of the College. Within these buildings are faculty offices, classrooms, laboratories, and other facilities.

1. **Western Heritage Museum Complex & Lea County Cowboy Hall of Fame** - In addition to offering world-class exhibits throughout the year that exemplify the diversity, beauty, and rich cultural traditions that have shaped the American Southwest, the Museum also serves as home to the renowned Lea County Cowboy Hall of Fame.
2. **Watson Hall** – Watson Hall houses the Music programs at NMJC and features a performance space as well as classroom and lab spaces for instruction of instrumental, vocal, and theory courses in music.
3. **Mansur Hall** – This facility serves as the primary residence for the Division of Arts, and Humanities. English, German, Spanish, Education, and Interpersonal and Speech Communications are taught in Mansur Hall. It is also home to the NMJC Academic Success Center.
4. **John Shepherd Administrative Building** – The Administrative Center houses the offices of the NMJC President, the Vice President for Finance, and the Vice President for Instruction, as well as the Business Office, the Human Resources Office, the NMJC Foundation Office, Public Relations and Marketing Department, and the Office of Institutional Effectiveness.
5. **Ben Alexander Student Learning Center** – The Ben Alexander Student Learning Center was designed to offer a convenient “one-stop shopping” experience for students by providing recruiting, registration, counseling, and financial aid services, as well as a bookstore, SOAR, classrooms, and labs. The second floor of the student center houses the TRIO Programs, testing, and Institutional Effectiveness. The office of the Vice President for Student Services, the Dean of Students, and the Student Life Office are also housed in the BAC. The previously existing area was remodeled to provide additional student space, including an

Internet café, lounge area, game room, and outdoor seating. The Security Office, which houses campus security officers available for 24-hour response to campus situations, is also located here.

6. **Pannell Library** – NMJC’s research collections, microforms, media materials, and active serials (periodicals, newspapers, indexes, and abstracts) are housed in this centrally located facility on campus. Other library resources include current university and college catalogs, career materials, telephone directories, annual corporation reports, indexes, pamphlets, an extensive business library, and access to FirstSearch databases. Interlibrary loan service is also available. Services include reference and research assistance, library instruction, bibliographic instructions, information literacy, library tours, reserve reading, photocopying, and bibliography preparation. The building is also home to the Office of the Dean of Arts, Sciences & Learning Support and the Dean of Applied Sciences and Learning Technology.
7. **Heidel Hall** – Heidel Hall houses most of the science and mathematics instructional classrooms, laboratories, and faculty offices.
8. **Caster Activity Center** – This structure houses athletic facilities for students. The CAC also houses the Athletic Department offices. The Activity Center combines some of the finest equipment and conveniences with an active calendar of intercollegiate and other athletic events. Just west of the CAC are outdoor tennis courts and an all-weather track facility.
9. **McLean Hall** – This building complex houses facilities for the campus Computer Center. This facility also houses the Cosmetology lab and classrooms.
10. **Central Mechanical** – This building houses the central plant, which contains the main mechanical infrastructure for the entire campus.
11. **Mary Hagelstein Instructional Arts Center** – This facility contains the Fine Arts classrooms as well as the Document Center.
12. **Don Whitaker Automotive Technology Center** - Located in this building are NMJC’s state-of-the-art automotive and welding laboratories and classrooms.
13. **Greenhouse** – This area is utilized by grounds personnel to grow in-house plants for campus landscapes.
14. **Harold Runnels Residence Hall** — Harold Runnels Residence Hall provides comfortable, convenient dormitory living for NMJC students.
15. **Glen & Rosemary Houston Thunderbird Hall** — Glen & Rosemary Houston Thunderbird Hall provides comfortable, convenient dormitory living for NMJC students.
16. **John Watson Student Apartments**— The John Watson Student Apartments provide furnished apartment living for NMJC students. A student apartment includes a kitchen, living room, four bedrooms, and two full bathrooms. Each bedroom has Internet access and cable TV connections. A local phone connection is provided in the kitchen area of each apartment. Also available is a 24/7 laundry facility located on the second floor. The complete area comprising the dorms and apartments is known as Thunderbird Village.
17. **Carroll Leavell Student Apartments**— The Carroll Leavell Student Apartments provide furnished apartment living for NMJC students. A student apartment includes a kitchen, living room, four bedrooms, and two full bathrooms. Each bedroom has Internet access and cable TV connections. A local phone connection is provided in the kitchen area of each apartment. Also available is a 24/7 laundry facility located on the second floor.
18. **Warehouse / Maintenance (WM)**—This building houses the maintenance department and houses the motor vehicles utilized for company travel.
19. **Bob Moran Hall** – This facility houses instructional classrooms and laboratories for Entertainment and Music Technology and public safety.
20. **Driving Range**—Students enrolled in a golf class and / or the members of the NMJC Golf team have access to the on-campus driving range. (The driving range is not open to the public).
21. **Ray Birmingham Thunderbird Baseball Field**—NMJC’s collegiate baseball field for practice and games was named for the legendary coach who, among other honors, led the T-Birds to a national championship in 2005. The facility has a seating capacity of 700.
22. **Concession Stand for Baseball Field**

23. **Ross Black Field of Champions**—This facility is primarily utilized by Cross Country / Track & Field teams but is open to the public year-round.
24. **Field House**
25. **Larry Hanna Workforce Development Center**—The Larry Hanna Workforce Development Center is a full-service training and education conference center uniquely designed to facilitate training seminars, continuing education programs, conferences, business meetings, sales meetings, marketing presentations, and networking meetings.
26. **Dan Berry Rodeo Arena** — NMJC’s intercollegiate rodeo practice facilities are located here.
27. **Don Bratton Building I**—This is one of the training facilities included in the Don Bratton Energy Technology Center. The Don Bratton Energy Technology Center is an innovative partnership with the oil and gas / alternative industries to meet the needs of both oil and gas producers and potential alternative energy workers in the Permian Basin. It houses both corporate and traditional classrooms and outdoor labs.
28. **Don Bratton Building 2**—This is one of the training facilities included in the Don Bratton Energy Technology Center.
29. **Don Bratton Building 3**—This is one of the training facilities included in the Don Bratton Energy Technology Center.
30. **Don Bratton Building 4**— This is one of the training facilities included in the Don Bratton Energy Technology Center.
31. **C. M. Burk University Center**—The University Center houses the offices of Distance Learning whose staff works with students and faculty in a support role for online and ITV classes.
32. **Transportation Safety Training Center**—This building houses the Transportation Safety staff and registration services for CDL programs, Defensive Driving, DWI, and Driver’s Education
33. **Auction Warehouse**
34. **Baseball Fieldhouse (BF)**—The Baseball Fieldhouse has an enclosed practice area, locker rooms, referee’s locker rooms / shower area and will house the Baseball Hall of Fame.
35. **Equine Building**—This newly constructed Equine Building has an arena and classrooms.
36. **Caster Annex** – The annex houses Thunderbird Health Center where minor medical services are provided.
37. **Tennis Courts**
38. **Sand Volleyball Area**
39. **Allied Health Building** – The Allied Health Building provides state-of-the-art facilities for nursing and other related areas.