



OFFICE OF  
COMPLIANCE, ETHICS  
& EQUAL OPPORTUNITY

CEEO GRIEVANCE PROCEDURE

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## CEEO GRIEVANCE PROCEDURE

### I. OVERVIEW AND INTRODUCTION

The University of New Mexico (“UNM”) is committed to creating and maintaining a community free from all forms of discrimination, including harassment, differential treatment, failure to accommodate, and retaliation for participation in civil rights-protected or related activity. UNM has policies that prohibit discrimination and retaliation, specifically prohibiting all forms of sexual misconduct, a type of sex discrimination that is prohibited by state and federal law.

UNM is committed to providing all individuals equal access to educational and employment opportunities. UNM considers the following as civil rights-protected statuses:<sup>1</sup>

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

In addition, pursuant to the Violence Against Women Act (VAWA) amendments to the Clery Act, UNM will consider complaints of domestic violence and stalking that are not based on a protected status.

The Office of Compliance, Ethics & Equal Opportunity (CEEO) is the independent, impartial, and neutral campus entity designated to ensure compliance with all UNM policies that apply to civil rights, including investigations of alleged civil rights violations and VAWA offenses. CEEO acts as the finder of fact when investigating alleged policy violations and prepares a report after its investigation, as described herein. CEEO has no decision-making or sanctioning authority concerning alleged policy violations except for failure to report claims. Once CEEO finalizes an investigative report, CEEO refers the matter to the appropriate UNM office, which ultimately determines whether a University policy has been violated. CEEO reports directly to the UNM President’s Office to maintain optimal independence and impartiality.

In fulfilling its dual tasks of educating and providing public service, UNM shall demonstrate leadership in remedying discrimination and providing equal opportunities in employment and education. CEEO, acting under the authority of University Policies [2720](#), [2740](#), [2745](#), [2750](#), [2760](#), [2310](#), [2215](#), [3110](#), [3210](#), [3790](#), and Board of Regents [Policy 2.3](#), and [7.2](#) and may take necessary action to prevent, correct, and educate about behavior that violates UNM policies or impacts the academic or work environment. Leadership in CEEO includes the Chief Compliance Officer, the Deputy Chief Compliance Officer, the Director of Equal Opportunity, the Title IX Coordinator, and the Clery Coordinator.

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<sup>1</sup> See University Administrative Policy 2720 for the federal and state laws which designate the protected statuses which UNM observes.

CEEO staff treat all participants and parties respectfully and approach each case impartially and equitably. CEEO's grievance procedures do not restrict rights guaranteed under the First and Fourth Amendments to the U.S. Constitution, nor the Due Process Clause of the Fifth and Fourteenth Amendments to the U.S. Constitution. CEEO complies with the Family Educational Rights and Privacy Act ([FERPA](#)) and other applicable state and federal privacy laws.

This CEEO Grievance Procedure ("CGP") outlines the method CEEO uses when processing complaints alleging UNM civil rights and related misconduct policy violations. Some of the complaints brought under this procedure may also contain allegations that qualify as violations of criminal statutes. As stated above, CEEO only processes alleged policy violations on an administrative level; it does not process alleged crimes. All persons who believe they have been the victim of a crime are encouraged to report such crime to law enforcement at any time, have the right to obtain assistance from University officials to report to law enforcement and have the right to decline law enforcement participation. **CEEO does NOT independently report alleged crimes to law enforcement except in limited circumstances, such as harm to a minor or elder or in the event there is a threat of imminent harm to a person or the UNM community.**

## II. NOTIFICATION AND CORRESPONDENCE WITH CEEO

CEEO generally sends official notifications and other documentation via email to official UNM email addresses; if an individual does not have a UNM email address, it is sent to an email address provided by the individual. Individuals may request that CEEO use an alternative email address or a different contact method. Still, unless and until this request is made, CEEO will send all correspondence using official University email. Requests that CEEO send communications to an email address other than a UNM email address must be made in writing via email to [ceeo@unm.edu](mailto:ceeo@unm.edu).

If an individual prefers to receive correspondence by mail, that preference and the individual's preferred mailing address must be specified in writing and delivered either by email to [ceeo@unm.edu](mailto:ceeo@unm.edu), by mail to CEEO's mailing address at 1 University of New Mexico, MSC05 3150, Albuquerque, NM 87131-0001, or by hand delivery to CEEO during CEEO's regular business hours at 609 Buena Vista Dr. NE, Albuquerque, NM 87106.

All CEEO correspondence sent to an individual by email is deemed received on the date the email is sent. All correspondence sent from CEEO to an individual by mail is deemed received by the recipient **three (3) business days** after the postage date.

## III. RETALIATION

It is UNM's policy to foster an environment where faculty, staff, and students may raise civil rights and related claims without fear of retaliation or reprisal. All UNM community members have a right to redress for perceived violations of civil rights and related policies. It is contrary to UNM policies to retaliate against any person for asserting their civil rights, for reporting any perceived civil rights violation, or for reporting other related misconduct, including sexual misconduct. These rights include, but are not limited to notifying UNM (faculty, staff) of their concerns; filing a claim of discrimination or harassment; participating as a witness in an investigation; declining to participate in an investigation; accessing supportive measures; or responding to allegations of civil rights or related policy violations. UNM will not tolerate retaliation or reprisal against any investigation participant. Retaliation or perceived retaliation against a person who seeks assistance from CEEO is grounds for a subsequent claim and investigation.

#### IV. TIME FRAME

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

In cases of sex-based discrimination, including sexual misconduct, the 180-day time limit does not apply. However, CEEO reserves the option of determining the appropriate way to address sex-based discrimination in all cases.

#### V. REPORTING CONCERNS; TYPES OF COMPLAINTS

Any person, including those listed below, may report discrimination or related misconduct to CEEO if they observe, experience, become aware of, or encounter conduct they believe may violate University policy(ies):

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

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

- Complete the online [UNM EthicsPoint Hotline Complaint Form](#) (anonymous reporting option is available);
- Email ([ceeo@unm.edu](mailto:ceeo@unm.edu)), fax (505-277-1356), or mail a written document describing the concerns;
- Make an appointment with a CEEO employee;
- In person at CEEO's office during regular business hours; or
- Call 505-277-5251.

Different types of complaints may be made to CEEO under this CGP, as outlined below.

##### A. Receiving a Report

The University accepts reports from campus and community members. A Complainant may file a [report](#) discrimination, harassment, or related misconduct to seek supportive measures and obtain information regarding their rights and the CEEO grievance procedures as described herein. Once informed of their options, the Complainant may initiate an alternative resolution or investigation. A report by itself, however, will not automatically activate a CEEO investigation or notification of a report to a Respondent.

The report should include:

1. The Complainant's name and preferred contact information, as well as any affiliation with UNM as a student, staff, faculty, applicant, or visitor to UNM;

2. The Respondent's name and contact information, if known, and whether the Respondent has any affiliation with UNM as a student, staff, faculty, contractor, or UNM visitor;
3. The Complainant's protected status (as recognized in [CGP Section I.](#)) under which the alleged misconduct occurred;
4. The civil rights category to which the Complainant believes the allegations belong (e.g., sexual harassment or misconduct, discrimination, harassment, failure to accommodate, retaliation, etc.), if applicable; and
5. Briefly describe the alleged policy violation, including the reasoning for the civil rights category and the Complainant's protected status.

Upon receipt of a report, the following will occur:

1. CEEO will contact the Complainant with campus and community resources. These resources are specific to the Complainant's role at UNM (student, staff, or faculty) and may, if applicable, outline access to groups on and off campus to assist the Complainant with the impacts of the alleged misconduct;
2. CEEO will offer the Complainant an opportunity to meet and request supportive measures; and
3. CEEO will advise the Complainant of their right to pursue an alternative resolution or investigation and provide information regarding the CEEO grievance procedure.

Complainants may provide the required information verbally or in writing. CEEO may contact the reporter to discuss the details of the concerns and obtain additional information.

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

CEEEO receives reports from third-party reporters, responsible employees, or others who have information regarding potential civil rights violations or related misconduct. When a third-party report lacks sufficient detail, CEEEO may contact the individual(s) or other witnesses the third-party reporter identifies for more information. CEEEO will evaluate and accept third-party reports to determine if the report is sufficiently detailed to accept jurisdiction of the matter. In cases where reports are received from third parties, CEEEO will contact the alleged Complainant to discuss the report, determine the alleged Complainant's need for supportive measures, and how they wish to proceed.

##### 1. Failure to Report (FTR)

When CEEEO receives information that a UNM employee with reporting responsibilities, pursuant to University Policies [2720](#), [2740](#), or [2745](#), has failed to report allegations of known or suspected policy violations in a timely fashion, CEEEO will initiate the following process.

Depending upon the nature of the FTR, CEEEO may issue a memorandum or proceed with additional fact-finding processes. If an FTR is a singular occurrence with minimal impact, an FTR memorandum will be sent to the Respondent (the person who failed to report to CEEEO under UNM policies) and their supervisor. This memorandum is a reminder of the employee's duties as outlined in University Policies [2720](#), [2740](#), and/or [2745](#) and is not disciplinary or punitive. No CEEEO investigation is conducted, no finding is made, and no hearing is held.

In cases where there are multiple instances of FTR or when an FTR could or does result in significant harm to the campus or its community, CEEEO will notify the Respondent (the person who failed to report to CEEEO under

UNM policies) of the information that CEEO has related to the FTR in writing and will provide Respondent **five (5) business days** to respond to the FTR allegations, by either providing a verbal or written statement. CEEO will also provide the Respondent with their rights, responsibilities, and available resources including supportive measures and options.

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

### C. Anonymous Reports

Individuals who report to CEEEO may choose to do so through anonymous means, such as through UNM's [anonymous compliance hotline](#). CEEEO's ability to fully investigate the alleged discrimination may be limited in this circumstance. Similarly, an individual who reports discrimination anonymously may have limited protection from retaliation. Complete anonymity can never be guaranteed, as the specific allegations in a report may make the anonymous reporter identifiable. See [CGP Section XII](#).

As described in [Section X](#) above, responsible employees cannot make anonymous reports and must provide details as described.

### D. Process Initiated by CEEEO

Based on information the Director of Equal Opportunity and/or the Title IX Coordinator, or their designee, receives, they may exercise their authority to initiate an investigation or alternative resolution on behalf of UNM, regardless of the cooperation or involvement of a Complainant or affected party.

### E. False Reports

If CEEEO receives clear and credible information demonstrating that a Complainant or other filing party has submitted a false report, CEEEO will investigate as outlined herein against the party alleged to have filed a false report. A person determined to have filed a false report will be referred to the appropriate UNM office under UNM policies for review and discipline as appropriate.

## VI. JURISDICTION

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

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

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

To make a jurisdictional determination, CEEO may also consider:

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

## VII. PROCESS OPTIONS

When a Complainant determines that they want either an alternative resolution with a Respondent or an investigation into a Respondent's alleged misconduct, CEEO will confirm the Complainant's allegations via a Confirmation of Allegations, which outlines the specific charges being addressed by CEEO. The Complainant is given **two (2) business days** to review and confirm their statement or provide additional information. **Three (3) business days** after the Complainant's review period expires, CEEO will send the Notice of Jurisdiction to both the Complainant and Respondent at the same time. The Notice of Jurisdiction will include the following:

1. Notice that a complaint has been received;
2. The specific charge(s) being addressed and description of Complainant's allegations, including the identities of relevant participants;
3. The specific policy(ies) that Respondent is alleged to have violated;
4. The date and location of the incident, if known;
5. A statement that Respondent is presumed not to have violated policy until a determination is made at the conclusion of the grievance process, if applicable;
6. Inform the parties that they may have an Advisor of their choice during any subsequent hearing, including an attorney at their own expense, as applicable;
7. Inform the parties that they may have a Support Person of their choice to accompany them to any meeting or interview with CEEO;



8. Advise the parties of UNM policies prohibiting false statements. See [UNM Student Code of Conduct](#), Section 2.3; [University Policy 2720](#), Section 12; [University Policy 2740](#).
9. Inform the parties about retaliation as described in University policy;
10. Notify parties that they may pose cross-examination questions to the other party by submitting those questions to the CEEO Compliance Specialist assigned to the investigation, as applicable;
11. Provide notice of any additional allegations that arise after the initial notice to the parties;
12. State the purpose of all meetings with a party, with enough time for the party to prepare for the meeting;
13. Extend an invitation to meet with the Respondent to discuss the allegations; and
14. Notify the parties and witnesses that interviews will be recorded and transcribed for their approval.

Meetings for gathering statements related to an investigation will be recorded and transcribed. This ensures accuracy, offers a reference for review, and allows parties to clarify and confirm their statements to CEEO.

If a party prefers not to be recorded, they should inform the CEEO Compliance Specialist, investigator, or staff member as soon as possible. Instead of the recording and transcript, they may submit a written statement directly to the CEEO investigation that will be summarized appropriately and sent to the party for confirmation.

#### F. Process Options

After a Complainant elects either an alternative resolution or an investigation, and the parties are provided with notice, the following process options are available:

##### 2. Withdrawal of Election Option

A Complainant may withdraw their alternative resolution or investigation at any time after bringing concerns to CEEO. If the Complainant chooses to withdraw their election, they must notify CEEO in writing; an email to CEEO will suffice. A Complainant can still access supportive measures as described in this CGP.

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

If, after a withdrawal by Complainant, CEEO determines it will not proceed with its grievance, it will dismiss the election and notify the parties of the dismissal and justification. See [Section F.4.d.i.](#) herein.

##### 3. Alternative Resolution

An alternative resolution is a path designed to eliminate the alleged misconduct, prevent its recurrence, and remedy its effects to ensure compliance, along with the safety and welfare of the campus community. In an alternative resolution, Respondents may be informed that allegations have been made against them and are made aware of UNM policies and behavioral expectations. This is an alternative process where an investigation

is not conducted, and the allegations in the complaint are, therefore neither corroborated nor contested. An alternative resolution is **NOT** disciplinary.

The parties must agree with this option to proceed with an alternative resolution in cases involving alleged Policy 2740 violations. If the parties do not agree, CEEO will proceed as appropriate under the specific circumstances.

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

- Meet with Respondent to discuss the allegations and UNM policies;
- Meet with Respondent and Respondent's supervisor separately if the allegations regard a work environment;
- Meet with Respondent and supervisor or other authority figure together;
- Provide training or engage in other collaborative processes as CEEO deems appropriate;
- Initiate an accommodation process in cases where a failure to accommodate has been alleged;
- Facilitate dialogue about the issues to improve the environment or remedy the effects of the alleged conduct;
- or
- Refer the parties to a supervisor or other appropriate party for remedial action and monitoring of the work and/or academic environment. The supervisor will notify CEEO of the actions taken to address the work and/or academic environment.

After an alternative resolution, CEEO sends follow-up correspondence to Respondent and/or to Respondent's supervisor or another authority figure (if applicable), documenting what action was taken by CEEO. CEEO notifies Complainant of the action taken and, when appropriate, may impose a monitoring period to ensure the conduct has stopped. After the monitoring period, CEEO will close the case. CEEO may modify monitoring periods on a case-by-case basis.

Alternative resolutions may not be appropriate for all forms of conduct prohibited by UNM policies. In those instances, CEEO may proceed with an investigation, which can lead to an evidentiary hearing before a Hearing Officer, as described herein.

#### 4. Investigation

An investigation is initiated at Complainant's or CEEO's election. The investigation is a neutral process during which CEEO gathers evidence related to the allegations CEEO receives. This evidence is gathered from the parties, any witnesses they identify, any witnesses CEEO identifies, and from any other source willing to provide information to CEEO. The parties are encouraged to provide evidence and witnesses relevant to their case and should submit evidence that is described in the Definitions section of this CGP. As described in greater detail below, each party will have the following opportunities during a CEEO investigation:

- Be provided an overview of the CEEO process;
- Submit a written or verbal statement to the investigator;
- Provide evidence to the investigator;

- Suggest witnesses to be interviewed by the investigator;<sup>2</sup>
- Review the evidence gathered and organized into an Investigative Report and provide new relevant information; and
- Propose questions to be asked of witnesses and parties.

If additional allegations are identified during the investigation, the investigator shall provide an amended notice to the parties. The Respondent will have the opportunity to provide additional information in response to new allegations.

a. *Complainant Meeting*

Upon receiving a report, CEEO will reach out to the Complainant to schedule a process meeting. During the meeting, CEEO will describe process options, the rights and responsibilities of the parties, and UNM's policies prohibiting retaliation.

Included in the initial outreach, CEEO will provide Complainant with an election form, which allows Complainant to outline the specific process with which they would like to proceed. The Complainant has **ten (10) business days** from the initial CEEO outreach to meet with CEEO or make their election. If, at the end of the 10 days, Complainant has not made an election, CEEO will close the report. However, the Complainant may reinstate the CEEO process in the future.

After receiving the Complainant's election, CEEO will assign an investigator to the report, if applicable. CEEO will request to meet with the Complainant within **five (5) business days** of having received Complainant's process election. At this meeting, the CEEO investigator will interview the Complainant to determine the specific facts underlying the Complainant's allegations. The interview will be audio-recorded and transcribed. **Two (2) business days** after the interview, the CEEO investigator will send the Complainant the interview transcript and a Confirmation of Allegations (COA) outlining the specific concerns CEEO will address. The Complainant has **two (2) business days** to review the information and confirm its contents. After the two-day time period, CEEO will proceed with issuing a Notice of Jurisdiction, which describes the allegations it will investigate, to both the Complainant and Respondent simultaneously.

If a Complainant does not want their statement to be recorded, they will submit a written statement outlining their allegations to the CEEO investigator in the time frame specified. The CEEO investigator may ask follow-up questions in writing to clarify the written statement.

If a Complainant does not return a COA for the allegations, they have raised within the timeline specified above, CEEO may, at its option, close the complaint without further action, or take any action it determines necessary based on the information it has.

b. *Respondent Meeting*

After a Notice of Jurisdiction (NOJ) is issued to the parties, CEEO will schedule a process meeting with Respondent. The NOJ will solicit questions each party would like the investigator to ask of the other party during

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<sup>2</sup> Witness statements which attest to a party's character are limited and are considered on a case-by-case basis. Any witnesses suggested by the parties should provide relevant evidence specific to the allegations in the complaint.

the investigation. These answers will be included in the evidence of the Investigative Report. CEEO will determine the format and exact content of questions asked of the parties to elicit relevant information and maximize the impartiality of the question content.

At the process meeting, CEEO reviews the NOJ with Respondent, advises them of the CEEO process, and makes them aware of their rights and responsibilities under this CGP. CEEO will provide Respondent with the ability to make a verbal response to the allegations, which is audio-recorded and transcribed. **Two (2) business days** after the interview, the CEEO investigator will submit the interview transcription and an overview of Respondent's responses to the allegations. Respondent has **two (2) business days** to review the information and confirm its contents. After the two-day time period, CEEO will proceed with the investigation.

If a Respondent does not want their statement to be recorded, they will submit a written statement outlining their response to the CEEO investigator in the time frame specified. The CEEO investigator may ask follow-up questions in writing to clarify the written response.

### *c. Evidence Gathering*

As part of its investigation, CEEO gathers information it deems relevant to the allegations. The parties may submit documentation they believe should be considered, as well as identify witnesses they believe should be interviewed. Witnesses are given the opportunity to review a transcript and summary of their statement, referred to as the Confirmation of Witness Statement (COWS), before the statement is included in the Investigative Report. The parties should submit any evidentiary items that are listed in the Definitions section herein, including electronic evidence such as social media posts, audio, text, and phone records. The parties should notify CEEO as soon as possible of any electronic evidence, such as recordings and social media, for CEEO to request and preserve the evidence.

CEEEO shall also identify evidence independent of the parties if CEEEO determines that such evidence may be relevant to its investigation. CEEEO may also receive information from other UNM offices as appropriate or review public sources, such as social media or public records.

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

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

### *d. Post-Investigation Steps*

At any point during an investigation, CEEEO may dismiss some or all of the allegations, or continue the investigatory process for further action if a dismissal is not warranted.

#### *i. Dismissal Memorandum*

If the evidence gathered during an investigation indicates that there is insufficient information for a decision maker to make a determination, or does not fall within the jurisdiction of CEEEO, it will issue a Dismissal

Memorandum to the parties, summarizing its investigative findings and justification for dismissing the complaint.

CEEO will consider a dismissal as follows:

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

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

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

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

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

## ii. Investigative Report

If it does not dismiss all allegations raised, CEEO will create an Investigative Report. The Investigative Report will offer no opinion as to whether a policy violation occurred.

The Investigative Report will include:

- a citation to the policies alleged to have been violated;
- Complainant's statement;
- Respondent's statement;
- Witness statements; all relevant and irrelevant evidence gathered in the investigation;
- The investigative steps taken;
- Credibility factors to be considered by the Hearing Officer or other appropriate decision-maker; and
- A statement outlining the reason for any delay in an investigation.

The Investigative Report shall:

- Objectively state all relevant evidence, including both inculpatory and exculpatory evidence; and

- Start from the premise that the Respondent did not engage in the alleged conduct until a determination of responsibility is made at the conclusion of the grievance process by a preponderance of the evidence.

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

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

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

In order to protect the integrity of a CEEO investigation, no documents or records are released to the parties until the Investigative Report is issued. The Investigative Report includes the evidence – or a description thereof – that CEEO gathered during its investigation and which the Hearing Officer may use to determine whether UNM policy was violated.

After the Investigative Report is issued, the parties will have **five (5) business days** to submit any new, relevant, factual information to be included in the Investigative Report. The response may include corrections or clarifications to the party’s own statement, questions for the other party or witnesses, along with any additional evidence or witnesses **not reasonably available to the parties prior to issuing the Investigative Report**. This new information will be included as part of the record in the Investigative Report, which will be issued to the parties and the Hearing Office within **five (5) business days** of having received the parties’ responses to the Investigative Report. At this point, CEEO closes the investigative file and turns the rest of the grievance procedure over to the Hearing Office.

e. *Grievance Hearing Process*

A live hearing presided over by a Hearing Officer will be held to adjudicate the allegations and CEEO investigation. The hearing process is determined by the [UNM Hearing Office](#), and parties should refer to its [procedures](#) for more information.

## VIII. OTHER MATTERS RELEVANT TO THE GRIEVANCE PROCESS

### A. General Statement of Investigation Timelines

CEEEO attempts to complete investigations in a timely manner, generally concluding within **sixty (60) calendar days** of notifying the parties that CEEEO is initiating an investigation; however, some investigations may take additional time depending upon the complexity of the claim(s) and other extenuating circumstances. When there are factors that extend the normal time frame, the parties are notified of the extension and CEEEO

documents the reasons for the extension. Similarly, when circumstances dictate that any of the timelines specifically identified herein be extended, CEEO notifies the parties and documents the reasons for the extension.

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

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

#### B. Responsibilities of the Parties

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

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

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

#### C. Modification of the Investigation Process

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

1. Unaffiliated Respondents. If the Respondent is unaffiliated with UNM or becomes unaffiliated with UNM, CEEEO may continue the investigation and issue an Investigative Report.
2. Hiring Challenges. CEEEO may accept a hiring challenge based on protected status, where the complaint demonstrates a potentially disparate impact on Complainant. In these situations, CEEEO may name a department, division, unit, or office as Respondent and review the hiring process, procedure, candidate pool, or hiring outcome. CEEEO may not name a specific Respondent in these situations and will issue only a Final Report.
3. Failure to Report. See [CGP Section V.B.1](#).

#### D. Advisors, Support Persons, and Union Representation

Complainants and Respondents are encouraged to bring a support person of their choice to guide the CEEO process, including the investigatory stage. A support person may be any person who is **NOT** a party, a potential witness in the case, or a supervisor of one of the parties; their role is to assist the party in navigating UNM's and CEEO's administrative processes.

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

In the event a CEEO investigation advances to a hearing, the parties are required to have an Advisor of their choice at the hearing stage. The Advisor assists the party during the hearing stage, including conducting direct examination of their party and witnesses and creating cross-examination questions to pose to the Hearing Officer to ask of the opposing party and witnesses. Parties to a hearing should read the [UNM Hearing Office procedure](#) regarding an Advisor's role in a hearing.

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

The union representative's role is similar to a support person's, in that they are permitted to ask questions regarding CEEO's process but are **not** allowed to answer questions posed to the parties, present arguments or evidence, or otherwise participate directly in the investigation. A union representative shall make themselves reasonably available for all aspects of the CEEO grievance process. CEEO will review and grant good cause extensions as it deems necessary and, on a case-by-case basis; scheduling conflicts alone generally do not constitute good cause.

CEEEO will communicate directly with the parties. If a party wishes CEEEO to communicate directly with a support person or union representative, the party must sign a release and describe the parameters of CEEEO's communication with the support person or union representative. If the party is a student, the student must sign a FERPA waiver provided by CEEEO.

Advisors, support persons, and/or union representatives shall not share [FERPA](#)-protected or other confidential information learned through the CEEEO process, nor engage in harassment or retaliation of any person or party. Support persons and union representatives known to CEEEO will be asked to sign a Confidentiality Agreement to protect the integrity of the CEEEO grievance process and investigation.

## **IX. SANCTIONS AND REMEDIES**

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



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

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

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

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

## **X. DEPARTMENTAL INVESTIGATIONS; CONSOLIDATED COMPLAINTS; HIRING CHALLENGES**

### **E. Consolidated Complaints; Cross-Claims**

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

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

### **F. Departmental Investigation**

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

When CEEO determines that a departmental investigation is the appropriate procedural option, it will follow the investigative process as outlined in this CGP, as applicable.

### G. Hearings with Multiple Complaints against One Respondent

In instances where there are multiple complaints involving the same Respondent are not consolidated by CEEEO, the cases may be adjudicated in one hearing at the discretion of the Hearing Officer.

### H. Hiring Challenges

If an applicant for a University employment position or a current University employee alleges, they were not interviewed, hired, or promoted as a result of discrimination due to a protected status, CEEEO will accept the complaint as a hiring challenge. If the applicant or employee identifies a specific Respondent(s), CEEEO will follow the grievance procedure process set forth in this CGP.

If the applicant or employee does not name a specific Respondent(s), CEEEO will review documentation from the specific Human Resource or Faculty Contract area and ask that Human Resources, Faculty Contracts, and/or the hiring official provide a response regarding the hiring challenge. Relevant documentation may include, but is not limited to: position posting, recruitment efforts, ranking documents, resumes, applicant pool information, interview notes, interview committee composition, and hiring justification.

If the response and applicable documents do not appear to constitute a violation of UNM policy, CEEEO will dismiss the challenge and notify the parties. Parties may appeal the dismissal as outlined herein.

If there is evidence that UNM process and policy were not followed during the hiring or promotion process, CEEEO will continue its investigation and grievance procedure set forth in this CGP.

## XI. APPEALS

Parties may appeal a CEEEO dismissal, as well as a Final Determination and/or sanction as follows:

### A. Appeals to the President

Either party may appeal a dismissal, final determination, and/or sanction to the President of the University of New Mexico within **seven (7) business days** of the date of issuance of a dismissal, final determination, and/or applicable sanction. Exceptions to this time limit will be considered on a case-by-case basis with sufficient justification provided by the individual seeking the exception. Appeals that are not received by the stated deadline will be denied unless an exception to the appeal time limit is granted by the President.

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

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

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

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

#### 1. Appeals Regarding a Hearing Office Final Determination

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

#### 2. Appeals Regarding a CEEO Dismissal

If a party files an appeal of a CEEO Dismissal, CEEO will be informed of the appeal. The President's Office will notify the other interested parties that an appeal has been filed. The party who is not filing an appeal will be given **five (5) business days** to submit an impact statement to the President's Office for review in consideration of the appeal. If an appeal alleges that CEEO has not followed proper procedures, CEEO will be given the opportunity to respond to the allegation.

Best efforts shall be made by the President to issue a decision within **twenty (20) business days** after the appeal is received. If the appeal is considered, the President may decide to uphold the decision in its entirety or may remand all or part of the appealed CEEO dismissal or Hearing Office determination to the Hearing Officer or CEEO for additional proceedings or investigation. Written notice of the President's decision will be provided to the appealing party, the non-appealing party, the Hearing Officer, and CEEO.

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

#### B. Appeals to the Board of Regents

Under [Regents Policy Manual, Section 1.5: Appeals to the Board of Regents](#), the Board of Regents has the discretion to review the President's decision on an appeal of the Final Determination or CEEO dismissal. The Board of Regents does not review appeal requests that have not been previously reviewed by the President. Appeals to the Board of Regents must be received within **ten (10) calendar days** from the date of the President's decision. The Board of Regents has sole discretion to determine whether the appeal will be considered.

## XII. PRIVACY

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

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

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

CEEEO cannot grant anonymity to a person pursuing either a investigation, as these cases may result in a live hearing before a Hearing Officer to determine if policy has been violated. For more information about the rights of individuals participating in processes related to alleged sex discrimination, please refer to [University Policy 2740](#).

CEEEO cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in that capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of medical treatment to the party, unless the party provides voluntary, written consent to do so as part of this grievance process.

## APPENDIX 1: DEFINITIONS

Actual Knowledge	Notice of sexual harassment or allegations received by CEEO or the Title IX Coordinator regarding discrimination, including sexual harassment.
Advisor	A person chosen by a party or provided by UNM who acts as an advocate for the party during a UNM administrative hearing, if applicable. An Advisor acts as a party's representative during a hearing for the purpose of conducting cross-examination of witnesses and the opposing party. An Advisor may be obtained independently by the Respondent or Complainant to assist in CEEO investigations, but cannot participate in CEEO interviews; rather, they act as a second observer for the Complainant or Respondent.
Affected Party	When multiple Complainants are party to a Departmental Investigation as outlined herein, they are referred to as Affected Parties.
Alternative Resolution	An informal process where CEEO does not investigate, and the allegations in the complaint are neither corroborated nor contested. An alternative resolution is not disciplinary in nature. In cases where a violation of <a href="#">Policy 2740</a> is alleged to have occurred. Both parties must agree to an alternative resolution.
COA	Confirmation of Allegations. A Complainant's written statement of the allegations they are making against the Respondent(s).
Complainant	The person(s) identified as being the target of alleged discrimination or harassment.
Confidential(ity)	Entrusted with private or restricted information that is intended to remain private or confidential to the extent allowed by law.
COR	Confirmation of Response. A Respondent's written statement in response to a Complainant's allegations.
Cross Examination	The act of posing questions to an opposing party as part of the CEEO investigative process and/or the administrative hearing process.
Differential Treatment	Occurs when a protected class of people – whether an individual or a group – are treated differently than similarly-situated individuals who are not in the protected class, due to their membership in the protected class.
Discrimination	Conduct based on protected class that excludes a person(s) from participation in, denial of benefits of, treats the person(s) differently than similarly situated individuals who are not in the protected class, or otherwise adversely affects the terms of condition of the person(s)'s employment, education, living environment, or participation in a UNM program or activity. Harassment, including hostile environment and quid pro quo, and differential treatment are forms of discrimination.
Education Program and Activity	Locations, events, or circumstances where UNM exercises substantial control over both the Respondent and the context in which harassment or discrimination occurs, and also includes any building owned or controlled by a student organization officially recognized by UNM.
Evidence	Evidence consists of, but is not limited to: eyewitness documents, records, statements, photos, video, security footage, audio recordings, social media, emails, text messages, cellular records, police reports, and any other information that would assist the investigator in finalizing a report and assist the Hearing Officer in reaching a determination.

Exculpatory Evidence	Evidence which tends to show that a Respondent is not responsible for an alleged policy violation.
Failure to Report	All responsible employees under <a href="#">University Policy 2740</a> are required to report allegations of known or suspected violations of <a href="#">University Policy 2740</a> or of gender discrimination to CEEO and/or the Title IX Coordinator within 24 hours or as soon as reasonably practicable. Per <a href="#">University Policy 2720</a> , supervisors are required to report allegations of known or suspected violations of UNM's civil rights policies to CEEO when the impacted party is a student or subordinate employee. Failure to report to CEEO within a reasonable timeframe could be considered a failure to report and a violation of University policy.
Final Determination	The Hearing Officer's conclusion by a preponderance of the evidence deciding whether alleged conduct occurred and whether that conduct violates UNM policy.
Hearing	The adjudicatory process that takes place after CEEO has concluded its investigation of an alleged civil rights policy violation.
Hearing Coordinator	The individual responsible for coordinating a hearing among the parties, Advisors, witnesses, and other hearing participants.
Hearing Officer	The individual responsible for evaluating the evidence presented by the parties at a hearing and issuing a subsequent determination as to whether a civil rights or related policy violation occurred.
Hostile Environment	Conduct sufficiently serious (severe/pervasive) and objectively offensive so as to deny or limit a person's ability to participate in or benefit from UNM's programs, services, opportunities, or activities, or conduct that has the purpose or effect of unreasonably interfering with a person's employment or education.
Inculpatory Evidence	Evidence which tends to show that a Respondent is responsible for an alleged policy violation.
Investigative Report	The final report issued at the conclusion of an investigation, which includes: Complainant's statement(s), Respondent's statement(s), witness statements, documentary evidence, and threshold record to be used in an evidentiary hearing.
Jurisdiction	Occurs when the circumstances of a complaint are such that CEEO is authorized by UNM policy to investigate or remedy those circumstances or allegations.
Notice of Jurisdiction	A formal notice sent to the parties informing them of an investigation into a matter reported to CEEO. See Section F.3 herein.
Post-Closure or Post-Dismissal Action	Informal action that may be taken after the closure of an investigation that does not proceed to a live hearing which is designed to address alleged conduct and prevent its recurrence.
Preponderance of the Evidence	The relevant evidence gathered during an administrative investigation demonstrates it is more likely than not that a policy violation occurred.
Protected Class or Status	A trait or association recognized by law or policy as protected against unlawful discrimination. UNM recognizes the following as protected statuses: age, ancestry, color, ethnicity, gender identity, gender, sex, genetic information, medical condition, national origin, physical or mental disability, pregnancy, race, religion, sexual preference, spousal affiliation, immigration status, and veteran status.
Remedies	To be provided to a Complainant when a Respondent is found to have violated UNM policy. Remedies are designed to maintain the Complainant's equal access to education and may include the same individualized services described as supportive measures herein. Remedies for a Complainant are not, however, required to be non-

	disciplinary or non-punitive for the Respondent and need not avoid burdening the Respondent.
Respondent	The person responding to a complaint filed with CEEO, who is alleged to have engaged in discrimination or harassment.
Retaliation	Any action taken to seek an adverse academic or employment result against any individual or group of individuals opposing discrimination, filing a complaint, reporting alleged discrimination, participating in a civil rights investigation, filing an external civil rights complaint, or otherwise participating in a civil rights protected activity.
Support Person	A support person is any person of a Complainant or Respondent's choosing who attends CEEO interviews and helps to guide the party through the CEEO process. A support person cannot participate in CEEO interviews; rather, they attend CEEO meetings and receive information provided to the Complainant and Respondent. A support person <b>CANNOT</b> be a potential witness in the CEEO investigation that the Complainant or Respondent is involved in, nor can they be someone in the Respondent's supervisory chain. A support person cannot participate in an evidentiary hearing, if applicable.
Supportive Measures	<p>Non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a complaint or where no complaint has been filed. Such measures are designed to restore or preserve equal access to education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or UNM's educational environment, or deter harassment.</p> <p>Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.</p> <p>UNM will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality does not impair UNM's ability to provide the supportive measures.</p> <p>The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.</p>
Third-Party Report	A report filed by someone other than the party affected by civil rights violations, including a responsible employee, witness, or other individuals with knowledge or information regarding potential civil rights violations.
Title IX	Title IX of the Education Amendments of 1972 prohibits discrimination based on sex or gender in any educational program or activity receiving federal financial assistance. Title IX violations include: sex/gender, sexual orientation, gender identity and expression discrimination, sexual harassment, stalking, dating violence, domestic violence, and intimate partner violence, or any other form of sexual violence.
Unaffiliated	When a party is referred to as "unaffiliated," it means that they do not have a direct relationship to UNM as a student, faculty, staff member, or contractor.
Union Representative	A union representative is a person from a party's employment/labor union who may attend CEEO interviews and help guide the party through the CEEO process. A union

	representative cannot participate in CEEO interviews; rather, they act as a second set of eyes and ears for the party.
VAWA	The Violence Against Women Act (VAWA), a federal law, originally passed in 1994 and reauthorized several times by Congress, most recently in 2022.
Witness	Any person who may have knowledge of or evidence relevant to an investigation or complaint.