

UAP 2740 – APPENDIX B

UNM CONFIDENTIAL RESOURCES AND SEXUAL MISCONDUCT DISCLOSURE OBLIGATIONS

In effect through 07.31.24

REPORTING REQUIREMENTS	RESOURCES
No report is required if a disclosure is received	<ul style="list-style-type: none"> • UNM Student Health and Counseling (SHAC) • UNM Counseling and Referral Services (CARS) • Rape Crisis Center of Central New Mexico • Sexual Assault Nurse Examiner (SANE) • Other licensed medical providers
No report is required if a disclosure is received, but an anonymous record is made for statistical reporting purposes only	<ul style="list-style-type: none"> • LoboRESPECT Advocacy Center • UNM LGBTQ Resource Center • UNM Women’s Resource Center • UNM Vassar House • UNM Ombuds Services • UNM Learning Environment Office (LEO)
Privacy is maintained if a disclosure is received, but a report must be forwarded to the Office of Equal Opportunity (OEO)	<ul style="list-style-type: none"> • All UNM staff and faculty not employed by or associated with the confidential resources and organizations listed above

1. No Disclosure Required: SHAC, CARS, and Off-Campus Resources

At UNM, a student who experiences sexual misconduct can speak in complete confidentiality with a licensed counselor or a medical provider at UNM’s Student Health and Counseling (SHAC). SHAC counselors and medical providers do not report any information² about an incident to the police or any other University entities. Similarly, UNM staff and faculty may speak confidentially with a licensed counselor at UNM Counseling and Referral Services (CARS) and no information will be disclosed to any entity.³ Other licensed medical professionals with UNM affiliation who receive information about instances of sexual misconduct while serving in an established practitioner/patient relationship are not required to disclose information. Outside of UNM, the Rape Crisis Center of Central New Mexico and the Sexual Assault Nurse Examiner (SANE) provide their services to victims of sexual violence on a completely confidential basis. These agencies provide statistical information only to UNM SMART. Additional information about Rape Crisis Center of Central New Mexico, SANE and UNM SMART can be found in this policy, under Section 2 on “Resources Following an Act of Sexual Misconduct.”

2. Confidential/Statistical Reporting Only: Advocacy Centers at UNM

UNM’s LoboRESPECT Advocacy Center, LGBTQ Resource Center, Vassar House, and Women’s Resource Center (WRC) are designated as advocacy and support centers for those who have been impacted by sexual misconduct. UNM may designate other Advocacy Centers on campus from time to time; a complete list of designated Advocacy Centers can be found at loborespect.unm.edu. Individuals who have experienced sexual misconduct may talk with these individuals anonymously; however, Advocacy Centers will report the nature, date, time, and general location of the incident to the Office of Equal Opportunity and UNMPD, but will not provide identifying information without written consent from that individual. These reports to OEO and UNMPD do not launch a University investigation. Rather, the purpose of the report is to meet Clery Act compliance, and to help keep the Title IX

Coordinator informed of the general extent and nature of sexual misconduct on and off campus in an effort to track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses.

3. **Confidential Navigators (Non-advocacy services)**

These identified individuals are not required to report the disclosure to the Office of Equal Opportunity. They are, however, required to report the nature, date, time, and general location of the incident to the Office of Equal Opportunity as well as to the UNMPD but will not provide identifying information without written consent from that individual. These reports to OEO and UNMPD do not launch a University investigation. Rather, the purpose of the report is to meet Clery Act compliance, and to help keep the Title IX Coordinator informed of the general extent and nature of sexual misconduct on and off campus in an effort to track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses.

Confidential Navigators can assist with exploring options and connect people with advocates in the event one is requested. These include the Director of the Learning Environment Office (LEO) and Ombuds Services.

Federal Statistical Reporting Obligations

Campus Security Authorities (CSA) have a duty to report the following for statistical reporting purposes (Clery Act):

- All “primary crimes” which include homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- Hate crimes, which include any bias motivated primary crimes as well as any bias motivated larceny, theft, simple assault, intimidation, or destruction/damage/vandalism of property;
- VAWA crimes, which include sexual assault, domestic violence, dating violence and stalking, and;
- Arrests and referrals for disciplinary action for weapons related law violations, liquor related law violations, and drug abuse related law violations.

Timely Warning

Parties reporting sexual assault, domestic and dating violence, and/or stalking should be aware that under the Clery Act, UNM must issue timely warnings for incidents reported to them that pose a serious or continuing a threat of bodily harm or danger to members of the campus community. UNM will ensure that a Complainant’s name and other identifying information is not disclosed, while providing enough information for community members to make safety decisions in light of the potential danger.