

Sanctioning Guidelines and Matrix for Sexual Misconduct/Title IX Violations

When a Title IX Investigation and Adjudication leads to a finding of responsibility for violating the Student Code of Conduct and the Sexual Misconduct Policy, the following guidelines can be used in determining sanctions. The purpose of administering a sanction is to hold students accountable for their actions, ensure the safety and well-being of the members of the university community, and to facilitate learning.

Consider the following questions when determining an appropriate sanction:

1. Was force or a weapon used?
2. Was the reporting party incapacitated due to drugs or alcohol?
3. Was Affirmative Consent obtained throughout the interaction?
4. Does the accused student accept responsibility for their actions?
5. What is the supporting evidence in the case?
6. Have witnesses corroborated the evidence?

Please keep in mind that the factors surrounding each case are unique and the facts/findings may yield different results.

Below you will find examples of sanctions for students found responsible for violating the New Mexico Tech Sexual Misconduct Policy. Additional sanctions (e.g. required compliance, educational sanctions) or a combination of sanctions may also be assigned. Refer to the Student Code of Conduct Policy for more information regarding sanctions.

Category	Actions	Warning	Probation	Suspension (< 2 yrs.)	Suspension (2-4 years)	Suspension (5+ years)	Expulsion
Sexual Harassment	Verbal sexual comments	Warning					
	Stalking		Probation				
	Relationship violence		Probation				
Non-Consensual Sexual Contact	Touching over clothes	Warning					
	Kissing (above shoulders)	Warning					
	Light contact with hands under clothes		Warning				
	Sexual touching, fondling and/or groping		Warning				
Non-Consensual Intercourse	Oral sex			Suspension (< 2 yrs.)			
	Penetration of orifice with an object or body part				Suspension (2-4 years)		
Sexual Exploitation	Distributing naked photographs		Warning				
	Invasion of Sexual Privacy (taking photos, video, voyeurism) without knowledge or permission			Suspension (< 2 yrs.)			
	Unlawfully obtaining and distributing private sexual photos or videos			Suspension (< 2 yrs.)			
	Knowingly transmitting sexual infections or disease			Suspension (< 2 yrs.)			