

## **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 Handbook, Catalog, and official emails, as well as other official publications.

The codes and policies within the 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 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](http://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

#### 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 via the NMJC computer work order online system 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 NMJC Catalog [www.nmjc.edu/aboutnmjc/catalog.asp](http://www.nmjc.edu/aboutnmjc/catalog.asp) and NMJC Student Handbook [www.nmjc.edu/student-services/publications/studenthandbook.asp](http://www.nmjc.edu/student-services/publications/studenthandbook.asp).
- The Computer Usage Policy [www.nmjc.edu/library/information/policies/computeruse.asp](http://www.nmjc.edu/library/information/policies/computeruse.asp)
- Steps to check or forward a Student E-mail Account [www.nmjc.edu/currentstudents/studentemail.aspx](http://www.nmjc.edu/currentstudents/studentemail.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](http://www.copyright.gov), especially their FAQ's at [www.copyright.gov/help/faq](http://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.

## 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 an

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](mailto:cmitchell@nmjc.edu)

Complaints of discrimination related to employment or personnel should be directed to:

**Scotty Holloman, Executive Director of Administrative Services**

John Shepherd Administration Building

(575) 492-2791

[sholloman@nmjc.edu](mailto:sholloman@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.***

## **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](mailto:cmitchell@nmjc.edu)

## 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.

[Photo Opt Out Release Form](#)

## 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.

## 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 Security & Safety employee on duty at 575-399-2033.

[Annual Fire Safety Report](#)

#### Campus Security/Public 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 Public Safety/Security employees. To reach Public Safety/Security, please call (575) 399-2033 or (575) 492-2789.

NMJC Public Safety/Security 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 Public Safety / Security employee. If you are the victim or witness to a crime, contact Public Safety / Security as soon as possible. It will be helpful to supply Public Safety / Security 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 Public Safety / Security services, crime prevention, general safety, and security on and off campus is available through the Public Safety /Security 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 [http://www.nmjc.edu/student\\_services/security/crimestats.asp](http://www.nmjc.edu/student_services/security/crimestats.asp). For additional information and/or further breakdown of incidents reported to the Office of Public Safety/Security, please contact the Director of Administrative Services.

## 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. 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 Public Safety / Security at 575-399-2033. It is not necessary to wait twenty-four (24) hours before making a report to Public Safety / Security. 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 Public Safety/Security 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 Public Safety/Security will immediately notify the Director of Public Safety, the Director of Administrative Services, the Vice President for Student Services and all campus housing staff of the report. Public Safety / Security 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. Public Safety/ Security 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 Director of Administrative Services 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 Director of Administrative Services 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 Public Safety/Security provides free on-campus security escorts to students upon

request. This service is available 24 hours a day/7 day a week by calling Public Safety/Security.

- 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 Public Safety/Security phone number in your cellular phone and report all suspicious activity when possible. NMJC Public Safety/Security can be reached 24 hours a day/7 days a week at 575-399-2033.
- Sign up for the NMJC Rave Guardian. It is a free app for your cell phone which allows you to connect with Public Safety/Security quickly.

#### 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 and Analog 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 Security & Safety Department offices. NMJC Campus Security & Safety Officers are also, able to closely monitor the parking lots and hallways of all campus housing. Campus Security & 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 to the following, <http://www.nmjc.edu/student-services/publications/studenthandbook.asp> page 43.

## 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 (Regroup)**

NMJC has entered into a multiyear agreement with Regroup. 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 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 Public Safety/Security Department 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](http://www.facebook.com/NewMexicoJC)), NMJC Twitter (@NewMexicoJC), and the homepage of the NMJC website ([www.nmjc.edu](http://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 Regroup system will be utilized to make timely notification to any student, faculty and/or staff member who has registered with the system. Regroup messages will be sent via home phones, cell phones, NMJC emails and personal email accounts if a person has registered with the system).

- **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 Public Safety/Security.

### **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.

### **Regroup**

New Mexico Junior College has partnered with Regroup 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) 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 Security or the Dean of Students.

### [Report a Concern](#)

## 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 Public Safety/Security, Hobbs Police Department, Lea County Sheriff's Department, and/or New Mexico State Police Officers have jurisdiction and authority to enforce any and all traffic violations.

All students must register their vehicle(s) with the Student Life office and display their hang tags 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 Public Safety/Security 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 public safety/security 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 Public Safety/Security 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 facilities at any time, as these pose a serious fire hazard (<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 Public Safety/Security 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 with 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.
3. Social Media: As a general rule, personal use of non-NMJC social media is not governed by the Code. Students should be aware, however, that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private unless password protected, and even then, may be shared in unpredictable ways and with unintended audiences. In cases where personal and academic or professional boundaries are blurred, students should exercise discretion. Exceptions to the general rule may be made when actions or statements over social media have a sufficient connection to the College. These exceptions apply when:
- a. The use of an electronic medium involves the use of NMJC resources (e.g. email account, NMJC electronic media, use of NMJC work time) inconsistent with the policies and procedures applicable to such use.
  - b. The use of an electronic medium involves a true threat, defined as a threat whereas a reasonable person would interpret as a serious expression of intent to inflict harm upon specific individuals and/or may present a significant risk of harm to the campus community (health, welfare, and/or safety of the student or others).
  - c. The use of an electronic medium to post material considered to be forms of illegal bullying, discriminatory or other severe and pervasive harassment, or stalking, in violation of the code or the law.
  - d. The use of an electronic medium is used to defame someone, post unlawful materials, or otherwise causes a material and unreasonable interference with the education, research public service and outreach missions of the college; or the use of the electronic medium provides evidence of a potential violation of the code warranting investigation and potential disciplinary action.
4. Students Holding Multiple Roles: Students often serve in various capacities on campus. The Code applies in all instances. Depending upon the circumstances, a student may be held to higher or additional standards by other authorities on campus (e.g. Housing, Intercollegiate Athletics, Employee), meaning that a student may be subject to more than one set of rules and consequences for the same action.
- a. On-Campus Housing Students: Violations of campus housing rules occurring within campus housing properties or parking lot assigned to on-campus housing units are the responsibility of the Director of Student Life or designee. The student/resident may receive a verbal or written warning of the violation. If the student/resident persists in violating housing policies, then the violations will be escalated to the Dean of Students for proper investigation and due process of the alleged violations.
  - b. Academic Related Conduct: When a behavior results in the possibility of a violation of

the Academic Code of Conduct, the Dean of Students or designee shall work with the appropriate administrator and decide if one or both processes will be used to investigate and determine level of responsibility.

- c. Employment: When a student is also a student employee and violates the Code while acting in the capacity of employee, then the appropriate administrator shall coordinate with the Executive Director of Administrative Services regarding student and/or employee discipline issues.
- d. Athletes: When a student is also a student athlete and violates the Code, the student may go through the process used by the Athletics Department as well as the Code. These two processes may take place concurrently and one outcome may or may not affect the outcome of the other process.
- e. Dual Credit: Students involved in dual credit programs are both students at their respective high schools and at NMJC. NMJC reserves the right to enforce the Code and follow its process for investigation, hearing and determination in cases in which a dual credit student is alleged to have violated the Code. Dual credit program participants have the same rights given to other students in this process. NMJC will notify the administration at the dual credit student's high school of any investigation and its outcome.

### **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. 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.

### **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 Public Safety/Security Personnel, 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.

### **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, 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 illicit drugs, narcotics, synthetic cannabis, and/or chemicals. Possession of illegal drugs is prohibited at NMJC and may result in immediate expulsion from the College and/or loss of scholarships or other financial aid.
  - c. Prescription Medications: Abuse, misuse, sale, or distribution of prescription or over-the-counter medication.
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 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.
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
- 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, non-consensual sexual intercourse, sexual abuse, or sexual exploitation.
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.

### **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. 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.
13. 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.
14. 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 two (2) working days to request a review from 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. 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, or study aids not permitted by the professor during tests, quizzes, or other graded class activities. This also 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.
2. Plagiarism – Use of another person or group’s words or ideas without clearly acknowledging the source of that information, resulting in the false representation as one’s individual work. To avoid plagiarism, a student must give credit when he/she uses:
  - Quotations of another person’s spoken or written words.
  - Paraphrases of another person’s spoken or written words.
  - Another person’s data, solutions, or calculations without permission of the source, including an individual’s computerized files.

***\*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. 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.

In all cases of disruption of the educational process, the professor should document the suspected event, meet with the student(s) and impose a disciplinary sanction up to removal from the class. The professor may make a recommendation to the dean (director) and VPI that the student be expelled from the class or program. The professor will provide the dean and VPI a copy of the documentation.

## **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.

## **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.

### **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
<p><u>STIMULANTS</u></p> <p>Caffeine Nicotine Products</p> <p>Cocaine</p> <p>Methamphetamine</p>	<p>Moderate dosages cause increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, and dietary loss of appetite.</p> <p>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.</p> <p>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.</p>
<p><u>MARIJUANA</u></p> <p>Hashish</p>	<p>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.</p>
<p><u>SYNTHETIC CANNABIS</u></p> <p>Spice Amazing J’s Game Over Herbal Incense</p>	<p>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.</p>

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.

**Self-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.

HV5292 .A393 2004

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.

## **Section VI Title IX**

### **Pertinent Information**

[Title IX of the Education Amendments of 1972](#) protects people from discrimination based on sex in education programs or activities which receive federal financial assistance. Title IX states, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of,

or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

Discrimination based on sex, including discrimination based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of these conditions. The federal Title IX regulation also prohibits a school from applying any rule related to a student’s parental, family, or marital status that treats students differently based on their sex.

### **Prohibited Behavior**

New Mexico Junior College does not tolerate and expressly prohibits dating violence, domestic violence, stalking, sexual assault, sexual exploitation, sexual harassment, sexual abuse, or gender-based discrimination at all College sponsored activities, events, and/or programs. Alleged violations that occur off campus may be investigated if the violation interferes with, denies, and/or limits someone’s ability to participate in or benefit from the College’s educational programs and/or activities (the creation of a “hostile environment”) or the general safety of the campus community could be at risk.

### **Procedures**

1. The complaint may be oral or in writing. After receiving the complaint, the Title IX Coordinator or designee shall appoint a Title IX Investigator to the alleged violation. Immediate interim actions may take place before the investigation is complete if determined necessary. This may include an interim suspension, no contact orders, or removal/change from campus housing. When issued, the involved parties shall be expected to adhere to the terms of the interim actions. Violations of interim measures shall not be tolerated and shall be addressed immediately. Students who violate such measures shall be subjected to further disciplinary action up to and including suspension and expulsion.
2. The Title IX Investigator shall:
  - Deliver a notice to the respondent 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.
  - Interview complainant, respondent, and witnesses when relevant. If the interviewee refuses and/or consistently misses scheduled appointments the College may proceed with the investigation and/or resolution.
  - Write an investigative report summarizing his/her findings.
3. The Title IX Coordinator will decide based off the facts of the investigative report. If the respondent is found responsible of the accusations, then proper sanctions shall be imposed or mediation shall take place when it is acceptable to both parties by the Title IX Coordinator. If the complainant is found to have made a false accusation, then disciplinary sanctions may be imposed.
4. In all cases, a prompt, fair, and impartial investigation and resolution shall be afforded.
5. Preponderance of the Evidence will be used to determine if a violation has been committed.

6. In all cases, both complainant and respondent are afforded due process, including the opportunity to have an advisor/support person present during all steps of the process and have the right to ask for a review from the Student Disciplinary Committee. All reviews will follow the process outlined in Section III, Rights, Privileges, and Responsibilities of Students.

### **Retaliation**

Any form of retaliation by either party will not be condoned by the College and the College will take immediate action to rectify the situation and additional disciplinary action may occur, including separation from the College. Retaliation includes but is not limited to: intimidation, discrimination, coerce, or threats to either party

### **Complainant's Rights**

- The right to a prompt and equitable resolution of sex discrimination complaints.
- The right to present his/her case or have the College present. This includes the right to adequate, reliable, and impartial investigation of complaints, the right to have an equal opportunity to present witnesses and other evidence, and the right to the same review processes, for both parties.
- The right to be notified of the time frame within which: (a) the College will conduct a full investigation of the complaint; (b) the parties will be notified of the outcome of the complaint; and (c) the parties may file a review, if applicable.
- The right to be informed of and have access to campus resources, advisory services and information on counseling and medical resources/services.
- The right for the complaint to be decided using a preponderance of the evidence standard (i.e., it is more likely than not that sexual harassment or violence occurred).
- The right to be notified, in writing, of the outcome of the complaint.
- Right to not have irrelevant past sexual history admitted.

### **Respondent's Rights**

- The right to a prompt and equitable resolution of all credible complaints of sexual misconduct made in good faith to college officials against the accused.
- The right to present his or her case. This includes the right to adequate, reliable, and impartial investigation of complaints, the right to have an equal opportunity to present witnesses and other evidence, and the right to the same review processes, for both parties.
- The right to be notified of the time frame within which: (a) the College will conduct a full investigation of the complaint; (b) the parties will be notified of the outcome of the complaint; and (c) the parties may file a review, if applicable.
- The right to be fully informed of the nature, rules and procedures of the campus conduct process and to timely written notice of all alleged violations within the complaint.
- The right to be informed of and have access to campus resources, advisory services and information on counseling and medical resources/services.
- Right to not have irrelevant past sexual history admitted in a hearing. (Unless previously known behavior is similar to the alleged in the current investigation and there is evidence of a pattern of behavior.)

## Definitions

**Complainant:** Individual making the complaint of sexual misconduct, gender-based discrimination, and/or sexual harassment.

**Consent:** The affirmative, unambiguous, active participation, and voluntary agreement to engage in a specific sexual activity during a sexual encounter. Under this definition, an individual who was asleep, or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or who was under duress, threat, coercion, and/or force, would not be able to consent. Further, one would not be able to infer consent under circumstances in which consent was not clear, including but not limited to the absence of “no” or “stop,” or the existence of a prior or current relationship or sexual activity.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic/intimate nature with the survivor. 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/or the frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** Violence committed by a current or former spouse or intimate partner of the survivor, by a person with whom the survivor shares a child in common, by a person who is cohabitating with or has cohabitated with the survivor as a spouse or intimate partner, by a person similarly situated to a spouse of the survivor 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.

**Gender Discrimination:** Discrimination based on sex, including discrimination based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of these conditions. The federal Title IX regulation also prohibits a school from applying any rule related to a student’s parental, family, or marital status that treats students differently based on their sex.

**Incapacitation:** Lacking the ability or capacity to have a reasonable understanding of the situation one is in due to lack of sleep, disability, involuntary physical constraint, or consumption of alcohol or drugs.

**Preponderance of the Evidence:** The majority of the evidence which would cause a reasonable person to draw a conclusion.

**Respondent:** Individual against whom the complaint of sexual misconduct or gender discrimination is made.

**Retaliation:** An adverse action taken to try to keep someone from opposing a discriminatory practice.

**Sexual Abuse:** Sexual interaction between an adult and a minor, including sexual intercourse or sexual contact.

**Sexual Assault:** Engaging in any physical act that is sexual in nature and which is committed under pressure, force, threat, or coercion, or without the full and informed consent of all persons involved. Any non-consensual contact of a sexual nature can be considered sexual assault.

**Sexual Exploitation:** Obtaining a personal gain for one’s self or for another by taking advantage of an individual in a sexual nature. Examples include, but are not limited to, invasion of sexual privacy,

prostituting another person, nonconsensual video or audio taping of sexual activity, going beyond the boundaries of consent, engaging in voyeurism, knowingly transmitting a sexually transmitted disease or HIV to another person, exposing one's genitals in nonconsensual circumstances or inducing another to expose their genitals, sexually-based stalking and/or bullying.

**Sexual Harassment:** Unwelcome gender-based verbal or physical conduct that is sufficiently severe, persistent, and pervasive to interfere with, deny, and/or limit someone's ability to participate in or benefit from the College's educational programs and/or activities (the creation of a "hostile environment"). It can also include "quid pro quo" (this for that) offers of some good (employment, raise, grades, etc.) in exchange for sexual favors.

**Stalking:** Engaging in a course of conduct directed at a specific person (this includes electronic formats) that would cause a reasonable person to (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

### **Amnesty for Victims of Sexual Misconduct**

The NMJC community encourages students to report violations involving sexual misconduct which includes sexual harassment, sexual assault, dating violence and stalking. Sometimes survivors are hesitant to report to College officials because they fear that they themselves may be charged with policy violations. NMJC will not pursue disciplinary action against students (complainants or witnesses) for disclosure of personal consumption of alcohol or other drugs (underage or illegal) where the disclosure is made in connection with a good faith report or investigation of prohibited conduct and the personal consumption did not place the health, welfare, or safety of any other person(s) at risk.

***If You Are the Survivor of a Sexual Assault: It is not your fault, regardless of what you did before, during, or after the incident. Are you safe? If you do not feel safe, contact someone you trust or call 911.***

**If you have questions or would like to file a Title IX complaint, please contact:**

#### **Cathy Mitchell, Vice President of Student Services**

Title IX Coordinator and Section 504 Coordinator

1 Thunderbird Circle, Hobbs, NM 88240

Ben Alexander Student Learning Center

(575) 492-2761

[cmitchell@nmjc.edu](mailto:cmitchell@nmjc.edu)

**Complaints regarding NMJC employees should be directed to:**

#### **Scotty Holloman, Executive Director of Administrative Services**

1 Thunderbird Circle, Hobbs, NM 88240

John Shepherd Administration Building

(575) 492-2791

[sholloman@nmjc.edu](mailto:sholloman@nmjc.edu)

## 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 gn 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](#)

## **Filing a Complaint with NMJC**

Many faculty and staff members of NMJC have been identified as Campus Security Authorities (CSA) and are required to report when they become aware of actual or suspected instances of discrimination, harassment or sexual assault. Individuals who feel they have been the survivor of discrimination, harassment, or sexual assault are encouraged to file an online complaint on the Campus Safety page of the NMJC website or to speak directly to one of the following campus authorities:

- V.P. for Student Services, Title IX Coordinator, Ben Alexander Student Center, (575) 492-2761
- Executive Dir. of Admin. Services, John Shepherd Administration Building, (575) 492-2791
- Dean of Students, Ben Alexander Student Center, (575) 492-2575
- NMJC Public Safety, Ben Alexander Student Center, (575) 399-2033

If a survivor wishes to remain anonymous, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, she/he may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and comply with federal law. In cases which indicate pattern, predation, threat, weapons and/or violence, NMJC will likely be unable to honor a request for confidentiality. In cases where the survivor requests confidentiality and the circumstances allow NMJC to honor that request, interim supports and remedies will be offered the survivor and community, but NMJC will not otherwise pursue formal action.

In all cases, both complainant and respondent are afforded due process, including the opportunity to have an advisor/support person present during all phases of the process.

## **Confidential Reporting**

If a reporting party would like the details of an incident to be kept confidential, he or she may speak with one of the NMJC personal counselors located in the Ben Alexander Student Center. Counselors will maintain confidentiality except in extreme cases of immediacy of threat or danger or abuse of a minor.

Campus counselors are available to help free of charge and can be seen during normal business hours. The employees will submit anonymous statistical information for Clery Act purposes, unless they believe it would be harmful to their client.

### **Interim Measure**

When a student reports an act of sexual misconduct to the College, interim measures can be requested to help the student in continuing their college career in a non-hostile environment. Examples include:

- Change in dorm room or roommate
- Change in course schedule
- Additional security patrols
- Escorts to and from classes
- Personal counseling
- Protective or no-contact orders

### **What if the survivor does not want to file a complaint?**

A survivor of sexual assault is always encouraged to consult with trained counselors, regardless of whether the person elects to file a report with the police or other campus official. Counselors typically can maintain confidentiality and will discuss any limits so the individual can make an informed decision about talking about the abuse.

### **What if the survivor was under the influence of drugs or alcohol at the time of the sexual assault?**

Use of alcohol or drugs impacts an individual's ability to consent to a sexual act and does not put the person at blame. A student who is assaulted while under the influence of alcohol or drugs is encouraged to seek help and entitled to college and community assistance. Sexual misconduct is a major concern and NMJC does not want any of the circumstances (e.g. drug or alcohol use) to inhibit the reporting of sexual misconduct.

### **What is the process by which campus authorities investigate a complaint of sexual assault?**

If you file a report of sexual assault with the Title IX Coordinator or designee, you will be contacted by an office representative to schedule a meeting to collect the facts related to the incident. The purpose of the initial meeting will also be to assure that you have access to all necessary resources and that there will be no impact on your opportunity to continue your educational program. You should be prepared to discuss any changes to your college living arrangements or academic program that may be appropriate based on the circumstances. Once you have filed a complaint you will be updated regularly regarding the status and outcomes of the investigation.

### **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 VII 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, shelving and 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.
- Students who cancel their room before August 1 (for Fall) 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](#).

### **Forms to be completed prior to check-in:**

[Housing Application](#)

[Medical Form](#)

### **Check-In**

Before moving into any residential unit, students must verify their room assignment with the Resident Hall Supervisor or designee. Students are required to complete the following items (Can be completed prior to check-in to speed the process up.):

- [Consent Waiver](#)
- [Alcohol and Drug Agreement Form](#)
- [Housing Regulations Form](#)
- [Missing Student Contact Form](#)
- [Remind Form](#)
- Key Card/NMJC Resident Student ID
- [Vehicle Registration Form](#)

### **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.

### **Schedule of Housing Opening/Closing Dates & Residence Fees**

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

#### [Important Housing Dates](#)

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

#### [Residence Fees](#)

### **Cancellation Policy**

The student may cancel the agreement without penalty on or before June 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 will 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:

- 0% during the first week of term
- 60% during the second week of term
- 50% during the third week of term
- 40% during the fourth week of term
- 30% during the fifth week of term
- 0% during & after the sixth 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.

### **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.

### **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  
1 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, 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.
- Telephone.

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.

Any in-room cooking violations will result in confiscation of the cooking appliance or weapon 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 replacement costs, 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 Director of Student Life and/or 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:

- 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 resident assistant and/or the hall supervisor 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 Coordinator and/or the Director of Student Life.

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

[NMJC Housing Rules and Regulations](#)

### **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 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**

Sodexo 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:

Breakfast	\$5.00 + tax = \$5.35
Lunch	\$6.00 + tax = \$6.42
Dinner	\$7.00 + tax = \$7.49
Weekend Brunch	\$6.00 + tax = \$6.42

### [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.

### **Performing Arts**

NMJC's Performing Arts Department provides a variety of opportunities for students to participate and/or attend music and theatre performances throughout the year. These performances are held in the Watson Hall Auditorium where students may attend free of charge. The dates for performances can be accessed through the NMJC website's event calendar.

### **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  
Mu Alpha Theta (Math)  
Student Government  
Phi Beta Lambda (Business)  
Phi Theta Kappa  
Fellowship of Christian Athletes

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

New clubs are afforded a start-up budget of \$150 to help with early expenses. The Student Life Office is responsible for helping and implementing the start-up.

[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, 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 Director of Student Life. 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 Department 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 the NMJC Student Life Department. At the end of the probation semester, the club status will be reconsidered and possibly reinstated.

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.

## **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 travel involving one or more students traveling to an event or activity that is organized or sponsored by NMJC. Sometimes staying overnight is required or preferred because of the distance or length of the event. The faculty/staff member or student club sponsor is responsible for ensuring that all NMJC rules and regulations are followed. Students in good standing, with at least a 2.0 GPA, and without disciplinary holds on their account, are eligible to travel. Each student will be evaluated on a case by case basis.

The faculty/staff member or club advisor/sponsor must complete and submit a Travel Request and Reimbursement form and a General Consent, Waiver and Release Form for students prior to the trip.

## **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. Verification Form for Housing Accommodations
3. Disability 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 Disability 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 Student 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 Student 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 Director of Administrative Services. If the appeal is denied, the Director of Administrative 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.



second floor of the student center houses the TRIO Programs and Adult Basic Education. 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 NMJC Academic Success Center as well as the Office of the Dean of Arts, Sciences & Learning Support.
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.
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 Training & Outreach Center**—The Larry Hanna Training and Outreach 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. The Division of Training & Outreach includes the following departments which are housed in this facility: Workforce Training, Professional Development, Events, and the Small Business Development Center (SBDC). This division provides credit and non-credit courses for professional development and life-long learning. The facility also houses the Office of the Vice President for Training and Outreach and the Dean of Training & Outreach.
26. **Dan Berry Rodeo Arena** — NMJC’s intercollegiate rodeo practice facilities are located here.
27. **Don Bratton Building 1**—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. It also contains the classrooms for CDL training.
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**
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.