



**2020 IAIA Annual
Campus Safety and Fire Safety
Report**

INTRODUCTION

The following is the 2020 Annual Security and Fire Safety Report. IAIA places a high priority on the safety and security of its students, faculty, staff, families, guests and visitors. A campus community relies on a peaceful, safe and secure environment. Preserving this environment is a responsibility everyone on campus must share.

This document is submitted and available in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Official copies may be obtained in the Dean of Students' office on campus. Instructions on how to access this information will be distributed on an annual basis to all faculty, staff and students, and to any applicant for enrollment or employment. This report is descriptive only and is not intended to serve as a contract between the Institute and any other party. Security policies and procedures are subject to change at any time without notice. Any inquiries concerning information presented in this report may be directed to the Dean of Students at 505-424-5704.

The Center for Student Life establishes and enforces standards of conduct at the Institute of American Indian Arts. Students charged with law violations may expect to have the matter handled both through county law enforcement as well as the Housing Director and/or Dean of Students.

CAMPUS SAFETY

CAMPUS SECURITY

IAIA contracts security services with G4S, a private security company. G4S, in partnership with the campus community, is responsible for campus safety, campus parking enforcement, after-hours emergency maintenance calls, housing emergency assistance, and campus emergency response. Security operates twenty-four hours per day, seven days per week, and is supervised by the Facilities Department.

ENFORCEMENT AUTHORITY

G4S security officers have the authority to ask persons for identification and to determine whether individuals have lawful business at IAIA. G4S security officers do not possess arrest power. Criminal incidents are referred to the local county sheriff who have jurisdiction on the campus. G4S and IAIA maintain a highly professional working relationship with the Santa Fe County Sheriff. All crime victims and witnesses are strongly encouraged to immediately report the crime to G4S and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

Students, faculty and staff should promptly report thefts and other incidents and suspicious behavior or activity to Security for investigation. The security staff enforces

campus regulations, patrols campus facilities and is a liaison with the Santa Fe County Sheriff's Office. A security "safe walk" service is available on request. In the course of their normal duties, Security may ask for student IDs or other identification. Students should be prepared to stop and show an ID at any time, including weekends and holidays, for the safety of the community. The on-duty Security Officers can be reached on their cell phone at 505.428.5800 or 505.577.1660. Security is on duty 24 hours per day. Callers should be prepared to give the security officer a name, purpose of call, time, location and contact number.

ACCURATE AND TIMELY REPORTING OF ALL CRIMES

To assist with campus safety, it is imperative that all students, faculty, staff and family members take responsibility to immediately report any suspicious incident or hazardous conditions that they witness.

REPORTING CRIMES

Individuals on campus may report crimes for making timely warnings and inclusion in the annual report to the following Campus Security Authorities (CSA) and our campus security:

Dean of Students or designee (CSA) – 505.424.5704
Housing Director or designee (CSA) – 505.424.2380
Facilities Director or designee (CSA) – 505.424.2326/505.660.1134
Campus Security – 505.577.1660 (cell); 505.428.5800 (office)

External reports may be made to:
Santa Fe County Sheriff – 505.428.3710
Emergency: 911

Timely warnings are performed by the Facilities Director through the RAVE notification system, website and email systems.

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

IAIA Campus Security conducts regular foot and bicycle patrols on campus. Sidewalk and parking lot lights illuminate the campus. Campus lighting is routinely assessed for maintenance or repair by Campus Security who reports necessary replacement and repair to Facilities. Individuals may report light outages directly to Facilities by e-mailing workorders@iaia.edu.

SECURITY OF AND ACCESS TO RESIDENCE HALLS

Residence Center exterior doors and interior stairwell doors are locked 24 hours per day and can only be accessed with a proximity card issued to all residents. The front door

opens automatically from 8:00 a.m. to 10:00 p.m., at which time a proximity card is required for entrance. Access to each floor of the Residence Center is by residents' proximity cards 24 hours per day. All halls in the Residence Center are opened with proximity cards. Student rooms are individually keyed, and the student is charged for a replacement key.

Non-residential campus buildings and facilities are open to members of the campus community and visitors during regular business and class hours. Admission to any non-residential facility after hours is limited to authorized persons with a building key. Access hours are extended to accommodate evening class or special events. Computer labs have specific hours set by the Academic Department. The IAIA Library publishes its hours at the beginning of each term, and adjustments to those hours for midterms, finals and holidays are posted in advance by e-mail and on the IAIA website. Buildings are secured by IAIA security Officers, and parking lots and buildings are periodically patrolled by Security twenty-four hours per day, seven days per week.

The outside doors of the residence hall lock automatically after 10:00 p.m. requiring a proximity card for entry. Students have the responsibility to assist in maintaining their safety by keeping these doors closed at all times and are encouraged to report unsafe conditions or maintenance, if needed. Students' rooms are individually keyed and the procedure for replacing a lost key includes a lock change. Student Housing staff and campus Security patrol all residential facilities.

The Housing Director or other Student Housing staff members generally will not enter an occupant's room/apartment unless accompanied by the occupant, the occupant's authorized representative, or a second authorized College representative. However, the College reserves the right to enter any occupant's apartment/room for the purpose of inspection when an authorized College official has reason to believe that the following conditions may exist, which include but are not limited to:

- Illegal activities are taking place;
- The physical well-being, health and/or safety of a person is in peril;
- An IAIA regulation or policy is being violated;
- IAIA property is being damaged or;
- Maintenance and/or repair are necessary.

IAIA students shall be secure in their personal residential living area, their papers and effects shall not be subject to unreasonable, illegal or unauthorized searches and seizures. IAIA will not permit police searches of resident facilities except as authorized by law. The Dean of Students, or his/her designee, may authorize entry by a residential staff member to a residential living space for purposes of search and seizure of evidence of policy violations. All entries to student rooms shall, to the extent possible and practicable, be made in the presence of the resident(s).

IAIA incorporates environmental security design practices in the planning, building, and maintenance stages of all structures and grounds keeping. IAIA Security on patrol will routinely file work orders with Facilities to report any problems with lighting, shrubbery, or any other maintenance concerns.

Parking permit applications may be submitted to the Assistant to the Dean of Students in the CLE Building.

SECURITY USED IN THE MAINTENANCE OF CAMPUS FACILITIES

A high level of key policy and key security are maintained. Maintenance will not enter a room without reason. Background checks are performed on all IAIA employees before hire. Proper identification is carried at all times. Vehicles are only driven by approved individuals.

MISSING STUDENT NOTIFICATION

Any person, including but not limited to a student, faculty and/or staff member, who believes that an IAIA student, who lives on campus, is missing or otherwise unaccounted for, should immediately notify the Dean of Students, 505.424.5704.

The Dean of Students, consultation with other College personnel as necessary, will make the final determination regarding the student's missing status. IAIA students living on campus, in accordance with the Higher Education Opportunity Act of 2008 have the option to provide the college with a confidential contact, separate from their standard emergency contact information, to be notified in the event that the student has been determined to have been missing for more than 24 hours. This information is confidential; accessible by authorized campus officials and law enforcement only; and will not be disclosed outside of a missing person investigation.

The HEOA guidelines require that when, upon investigation of the official report, the Dean of Students determines that the missing student has been missing for more than 24 hours, he/she must contact the individual identified by the student as a contact. If the missing student is under the age of 18 and is not an emancipated individual, the Dean of Students must notify the student's parent or legal guardian immediately after it has been determined that the student has been missing more than 24 hours. If the student who has been missing for more than 24 hours has not designated a confidential contact and the student is over 18 years of age, the Dean of Students will inform the appropriate law enforcement agency that the student is missing. Please contact the Housing Director, 505.424.2380, for more information. To designate a confidential alternative contact person, complete the form in the Facilities Rental or Housing Offices

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

1. The campus community will be notified of a significant emergency or dangerous situation through our Rave notification system.
2. Campus security and emergency managers will investigate and confirm that there is a significant emergency or dangerous situation.
3. Everyone will be notified due to the small size of our campus.

4. There are several sample messages that have already been preloaded into the Rave notification system. The messages identify the situation and advise the community regarding the appropriate action they should take.
5. There are five designated emergency managers at IAIA, all of whom can initiate a notification.
6. The statement that the institution will initiate the notification system unless it may compromise efforts to assist a victim or emergency response is included in the IAIA's EOC Operations Plan.
7. The five emergency managers are: The Director of Facilities, the Associate Director of Facilities, the Dean of Students, the Housing Director, and the Chief Financial Officer.
8. The method to disseminate emergency information to the larger community is the Rave notification system sends alerts to email addresses and mobile phones. We will also use the phone system to send out messages, including announcements that can be heard through speakers.
9. The Rave notification system is tested annually. Student residences have evacuation drills each semester. All other buildings have annual evacuation drills.

ADDITIONAL PROCEDURES TO REPORT CRIMINAL ACTIVITY

Active Shooter/Violence

1. Evacuate the premises if safe to do so. If not, secure the immediate area. Silence phones. Keep yourself out of sight.
2. Call 911 from a campus phone.
3. Report your specific location, number of people with you and any injuries.
4. Give details of assailant, if known.
5. If outside, run, crawl, hide, cover and conceal.

Bomb Threat

1. Bomb threats usually occur by telephone. Take all threats seriously.
2. The person receiving a bomb threat call should remain calm and attempt to obtain as much information as possible from the caller. Listen for unusual noises or voice characteristics.
3. Call 911.
4. Give your name, location and telephone number. Inform them of the situation, including any information you may have as to the location of the bomb, time it is set to explode, time you received the call, and any distinguishing information about the caller.
5. Call Campus Security at 505.428.5800 or 505.577.1660. Give your name, location and telephone number.
6. Inform the Center for Student Life, 424.2337, or Housing, 424.2380.
7. Campus authorities will be responsible for building evacuation.

8. If you should spot a suspicious object, package, etc., report it to authorities, but under no circumstances should you touch it or move it in any way.
9. If instructed to evacuate, move a safe distance away from the building (a minimum of 100 yards).
10. Follow the instructions of security personnel and do not re-enter the building until instructed that it is safe to do so.

Criminal Activity

1. Do not attempt to apprehend or interfere with the criminal except in the case of self-protection.
2. If safe to do so, stop and take time to get a good description of the criminal. Note height, weight, sex, race, approximate age, clothing, method and direction of travel, and name if known. If the criminal is entering a vehicle, note the license plate number, make, model, color and any other outstanding characteristics.
3. Call Campus Security at 505.428.5800 or 505.577.1660. Give your name, location, report the situation and remain where you are until contacted by an Officer.
4. Do not interfere with those persons creating the disturbance or with law enforcement authorities on the scene.
5. In cases of theft, property damage, or minor injuries, contact Campus Security or the Housing Office to submit a report.

Disturbance

1. If a student or person is causing a disturbance on campus, call Campus Security at 505.428.5800 or 505.577.1660. If this is a life-threatening emergency, dial 911. Then call Campus Security and give your name, location, a brief description of the person(s), the nature of the disturbance, and whether or not the person(s) may have a weapon.
2. Wait for Security Personnel and be prepared to provide them with a statement.
3. If you believe a student has violated the conduct code you should contact the Dean of Students 424.5704.

COMMUNICATION ABOUT CAMPUS CRIME

TIMELY WARNINGS

The Institute of American Indian Arts (IAIA) will issue a timely warning when it receives a report of a crime that represents a serious or continuing threat to the safety of the campus community. A warning may also be issued to warn the campus community when other instances pose a safety concern.

Initiating Timely Warnings

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Facilities, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through the Institute’s websites and e-mail system to students, faculty and staff.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, Facilities may also post notices on campus. Anyone with information warranting a timely warning should report the circumstances to the Facilities Department (by phone: 505.424.2326/505.660.1134) or Campus Security (by phone 505.577.1660).

Notification Methods

The method to issue a timely warning to the larger community is the Rave notification system sends alerts to email addresses and mobile phones. The phone system is used to send out messages, including announcements that can be heard through speakers.

HOW TO REPORT A CRIMINAL OFFENSE

Reporting a crime or notifying campus security of suspicious activity helps to protect the campus property and the campus community. To report a crime, the campus community should contact the IAIA Campus Security at 505.577.1660. For emergencies dial 911.

Crime reporting can also be made to the following:

Dean of Students or designee – 505.424.5704/2337
Housing Director or designee – 505.424.2380
Campus Security – 505.577.1660 (cell); 505.428.5800 (office)
Santa Fe County Sheriff – 505.428.3710

Limited Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the IAIA system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Dean of Students or a designee can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the Institute can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

To the greatest extent possible, all reports will remain confidential. IAIA reserves the right to take reasonable action in response to any crime report, and information may be shared with appropriate departments and agencies under a need-to-know basis when it pertains

to investigative needs and safety concerns of the campus community or issuing a campus-wide “timely warning”.

DEFINITIONS OF CRIMINAL OFFENSES

Aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

Arson is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property, etc.

Burglary is the unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes; unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; house breaking; safecracking; and all attempts to commit any of the aforementioned.

Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and the existence of such relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Drug abuse violations are defined as the violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana, synthetic narcotics (Demerol, methadone) and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Domestic violence is a felony or misdemeanor crime 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 victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, 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 jurisdiction in which the crime of violence occurred.

Hate crimes are committed against a person or property which is motivated, in whole or in part, by the offender’s bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity, national origin, or disability.

Liquor law violations are defined as the violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or

intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Motor vehicle theft is the theft or attempted theft of a motor vehicle.

Murder and non-negligent manslaughter is the willful (non-negligent) killing of one human being by another.

Negligent manslaughter is the killing of another person through gross negligence.

Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Sex offenses are defined as any sexual act directed against another person, without the consent of the victim, including instances when the victim is incapable of giving consent.

- **Rape** is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.
- **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape** is sexual intercourse with a person who is under the statutory age of consent.

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or to suffer substantial emotional distress.

Weapons violations are defined as the violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

DEFINITIONS OF BUILDINGS OR PROPERTY

As specified in the Clery Act, the following property descriptions are used to identify the location of crimes on and around IAIA campus.

On-Campus Building or Property

1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support

of or in a manner related to the institution's educational purposes, including residence halls; and

2. Any building or property that is within or reasonably contiguous to the area identified in the above paragraph, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).

Non-Campus Buildings or Property

1. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
2. Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Building or Property

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

PREPARATION AND DISCLOSURE OF CRIME STATISTICS

The Facilities and Housing Departments prepare this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our web site at www.iaia.edu. This report is prepared in cooperation with other offices at IAIA and local law enforcement agencies surrounding our campus. Campus crime, arrest and referral statistics include those reported to Campus Security, designated campus officials, and local law enforcement agencies. Each year, an e-mail notification is made to all students, faculty and staff that provides the web site to access this report. Copies of the report may also be obtained from the Facilities Department. All prospective employees may obtain a copy from Human Resources.

CRIME PREVENTION PROGRAMS

A campus community must do more than just react to crime; it must look for opportunities to deter crime. A variety of programs inform students, faculty, and staff about campus security policies and procedures; and various practices have been developed to aid in crime prevention and to encourage responsibility. These include, but are not limited to:

- Educational programs (often through cooperation with other agencies) are held at least once per year campus-wide for the IAIA community and more frequently in the residence halls and family housing complex. Topics include, but are not limited to, the following: crime prevention, sexual assault awareness, personal safety, first aid, fire prevention, and alcohol and other drug abuse prevention.
- Escorts are provided through Campus Security. Call 505-577-1660 for a safe walk across campus. Students, faculty, and staff are encouraged not to walk alone in isolated areas.
- An Identification Program is available to engrave personal property. Interested students should contact the Housing Office in the CLE Residence Center.

PROGRAMS ENCOURAGING PERSONAL SAFETY AND THE SECURITY OF OTHERS

Each semester, new students are offered information regarding campus security procedures through the IAIA Student Handbook, New Student Orientation presentations, Housing Orientation specifically covering security procedures and practices in the Residence Halls and Family Housing, and Residence Hall meetings. The Student Handbook provides a list of Santa Fe resources which includes, but is not limited to, local hospital, Indian Health Services, Crisis Response, Rape Crisis Center, Poison Control, and phone numbers for Campus Security, County Sheriff, and City Police.

Once per academic year, a campus-wide Community Gathering is held to familiarize faculty, staff and students with Campus Security, their contact information, crime reporting protocol, active shooter training, policies, procedures and services which include campus safe walk, key service, and policy violation incident support. In addition, the Emergency Communication System (RAVE) is reviewed, and the Emergency Operations Management Team is introduced.

HOW TO BE AN ACTIVE BYSTANDER

Below is a list of some ways to be an active bystander by intervening, speaking up, or doing something about it. If you or someone else is in immediate danger, dial 911.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are okay.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources for support in health, counseling, or with legal assistance.

DISCLOSURES TO VICTIMS OF ALLEGED CRIMES

IAIA adheres to disciplinary procedures when students are involved in any violent crime or sex offense. Pursuant to the Family Educational Rights and Privacy Act (FERPA) a school is permitted to disclose to the harassed student information about the sanction imposed upon a student who was found to have engaged in harassment when the sanction directly relates to the harassed student.

IAIA will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the Institute against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, IAIA will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

CRIME LOG

The Crime Log is maintained by the Housing and Facilities departments. All Emergency Managers have access to it through a shared drive on the Institute's network and the log includes the following:

- Any crime on campus, non-campus building, or public property or within the patrol jurisdiction and is reported to campus police
- Nature, date, time and general location of those crimes
- Disposition of the complaint, if known
- A log entry must be made within two business days of the report of the information
- Information may be withheld from the log under certain circumstances
- Information that was withheld must be disclosed once the adverse circumstance is no longer likely to occur
- The most recent 60-day period of the crime log must be open for public inspection during normal business hours.
- Older periods of the crime log must be open for public inspection within two business days of a request

2017-2019 CAMPUS CRIME STATISTIC

OFFENSE TYPE	2019					2018					2017				
	IAIA On-Campus Housing	On-Campus	Non-campus Building or Property	Public Property	Total	IAIA On-Campus Housing	On-Campus	Non-campus Building or Property	Public Property	Total	IAIA On-Campus Housing	On Campus	Non-campus building or property	Public Property	Total
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses: Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape*	0	0	0	0	0	0	0	0	0	0	1	1	0	0	1
Fondling*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking*	0	0	0	0	0	2	2	0	0	2	0	0	0	0	0
Domestic Violence*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence*	0	0	0	0	0	1	1	0	0	1	2	2	0	0	2
Robbery	0	0	0	0	0	0	0	1	0	1	0	0	1	0	1
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary: Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Attempted*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations															
Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Campus discipline	11	11	0	0	11	8	8	0	0	8	11	11	0	0	11
Drug Law Violations															
Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Campus discipline	10	10	0	0	10	1	1	0	0	1	5	5	0	0	5
Illegal Weapon Possession															
Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Campus discipline	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

HATE CRIMES	2019						2018						2017					
	Race	Religion	Sexual Orienta- tion	Gender	Disability	Ethnicity/ National Origin	Race	Religion	Sexual Orienta- tion	Gender	Disability	Ethnicity/ National Origin	Race	Religion	Sexual Orienta- tion	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Non forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor VehicleTheft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple assau	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-thift	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

ALCOHOL AND DRUGS

STUDENT ALCOHOL AND DRUG POLICY

The Institute of American Indian Arts is a drug and alcohol-free campus. IAIA holds a two-offence policy in respect to drug and alcohol abuse. Individuals in possession of drug paraphernalia, using, or under the influence of alcohol or drugs on the IAIA campus will be in violation of the two-offence policy. IAIA will take disciplinary action against students, faculty or staff who use, distribute, are under the influence of, or possess illicit drugs or alcohol on the IAIA campus or during any IAIA student sponsored activities (on or off-campus) or who violate state, federal or IAIA alcohol and substance abuse laws and regulations.

a. Students shall not use, possess, manufacture, dispense, sell, distribute, be under the influence of or in the presence of any State or Federally controlled substances on IAIA premises or property controlled by the IAIA, except as authorized by law.

b. "Controlled Substances" means those substances identified in Schedule I through V of section 202 of the Controlled Substances Act. 21 USC S 812 (United States Code, Title XXI, Chapter 13) or its implementing regulations, 21 CFR Sections 1308, 11 to 1308.15 where the use is neither authorized by law nor a valid prescription, or the misuse of a legal substance, including but not limited to alcohol or prescription drugs, that may affect an individual's ability to participate in IAIA programs in a safe, adequate and secure manner. Controlled substances include, but are not limited to, marijuana, barbiturates, anabolic steroids, cocaine (including crack), amphetamines, heroin, PCP, hallucinogens, and certain prescription drugs.

c. The unauthorized use, manufacture, distribution, dispensation, sale, possession, or transfer of controlled substances (as prescribed by the Controlled Substances Act or identified in Schedules I through V of this Act as described above) on IAIA premises constitutes a violation of this policy. Such violation may result in disciplinary action up to and including dismissal, reprimand, or expulsion from IAIA programs and referral for investigation and/or prosecution by law enforcement agencies for violation of the standards of conduct.

d. Substance abuse also includes unauthorized use or possession of or being under the influence of alcohol, alcoholic beverages, or illegal substances on IAIA premises or property controlled by IAIA. Being under the influence means having consumed alcohol or drugs (on or off campus) to the degree that mental or motor skills are impaired and as demonstrated by: slurred speech; unsteady gait; loud voice; impaired motor control or clumsiness; flushed face; bloodshot eyes and/or smell of alcohol or drugs.

e. "On IAIA premises or property controlled by IAIA" means in any building owned, leased or used by IAIA; in any IAIA owned vehicle or in any other IAIA approved vehicle used to transport students to and from IAIA activities; off IAIA property at any IAIA – sponsored or approved activity, event or function, such as field trip or athletic event, or during any period of time IAIA employees are supervising students on behalf of IAIA or otherwise engaged in IAIA business.

f. Prescription drugs, so long as these drugs do not adversely affect the student's ability to perform in a safe and secure manner, may be used on the school site but only by the person for whom they were prescribed. When such legal drugs are to be used at the work or school site and will affect performance, students must inform their work-study supervisors. This policy will apply to the misuse of legal drugs.

g. The IAIA will confiscate alcoholic beverages and/or illegal drugs found on campus. Such materials may be held by the IAIA for evidence, if necessary. A record will be made of the type of material(s) seized, and the names of witnesses.

h. The first time a student is found in the possession of drug paraphernalia, using, under the influence of, or in the presence of drugs or alcohol on the IAIA campus, they will be referred to the Student Life Tribal Council within 5 business days of report date. A Student Life Advocate may be present to support student upon request during restorative wellness process and serve as mentor (faculty, staff, or student) who supports student(s) through policy processes. Advocates can create and enhance a student's ability to navigate and better understand policy procedures and may also serve as support during two-offense procedures upon request.

The student will be required to complete:

- a talking circle with student life tribal council
- follow all recommendations and create a written an agreement to be completed within a specified time
- If agreement not completed student automatically obtains a first-offense

The First Offence (first time as determined by the Student Life Tribal Council or lack of completion of agreement made between student and Student Life Tribal Council) a student is found in the possession of drug paraphernalia, using, under the influence of, or in the presence of drugs or alcohol on the IAIA campus, they will be required to participate in restorative wellness options including:

- drug and alcohol assessment completed by a counselor on or off campus
- a certain number of sessions with an approved mentor or mental health counselor as determined by the Behavioral Intervention Team (BIT) consisting of the Dean of Students, Housing Director, and Counseling Team. These sessions must be documented and submitted to the BIT team upon completion.
- AA meetings or another alternative support group may be required as well at the discretion of the BIT Team.

A second policy violation within the same academic year student will be referred to the Student Life Tribal Council again within 5 business days of report date.

The student will be required to complete:

- a talking circle with student life tribal council
- follow all recommendations and create a written an agreement to be completed within a specified time
- If agreement not completed student automatically obtains a *2nd offense*

The Second Offence a student is found in the possession of drug paraphernalia, using, under the influence of, or in the presence of drugs or alcohol on the IAIA campus, they will be placed on disciplinary probation and required to participate in restorative wellness options including:

- a certain number of sessions with mental health counselor as determined by the Behavioral Intervention Team (BIT)
- participate in *community service hours* or completed outreach project within specified time
- If final agreement not completed, student shall be suspended from the IAIA residential housing and face possible suspension or expulsion from the entire IAIA program.

h. The IAIA will contact the proper law enforcement agencies to investigate the distribution of alcohol to minors (under 21) and the distribution of controlled substances to the community. Procedures for handling violations of the Alcohol and Substance Abuse Policy can be found in the Student Handbook.

DRUG OR ALCOHOL-ABUSE EDUCATION PROGRAMS

The Office of Student Life shall provide (at least twice a year) training and education in the dangers and risks to physical and mental health, economic welfare and civil status from the use of illicit drugs and abuse of alcohol.

The Office of Student Life will also post information concerning alcohol and drug abuse policy and programs in prominent areas.

The IAIA catalog and class schedules published each semester will include a statement announcing that substance abuse while on IAIA premises or conducting college business is prohibited.

The Student Handbook includes IAIA's Alcohol and Drug Policy; disciplinary sanctions which may be imposed on students for violation of this policy include but are not limited to warnings, (referral to and satisfactory completion of rehabilitation programs), academic probation, suspension from academic or extracurricular programs, and suspension from IAIA and expulsion. IAIA also reserves the right to make referrals to law enforcement agencies for investigation and prosecution.

Registration material at the beginning of each semester and summer sessions (continuing education students excepted) will include a copy of the policy.

POLICY REVIEW

A biennial review of the IAIA Alcohol and Drug Policy will be conducted to determine its effectiveness, to implement changes as needed, and to ensure that disciplinary sanctions are consistently enforced.

HEALTH RISKS

Associated with Use of Illicit drugs and the abuse of alcohol

Excessive alcohol consumption and abuse of illicit drugs can lead to certain types of cancer, addiction, birth defects, shortened life span, stomach ulcers, phlebitis, varicose veins, pathological changes in the liver, brain, heart and muscle that can lead to disability and death, and other health problems. Alcohol and drugs are also a major factor in homicides, assaults, rapes, suicide, family and dating violence. Alcohol is significantly involved in all types of accidents; motor vehicle, home, industrial and recreational. Unintended pregnancies and sexually transmitted diseases are often associated with alcohol or other drugs abuse, as well as relationship, academic or work problems.

LEGAL SANCTIONS

For the Unlawful Possession or distribution of Illicit Drugs and Alcohol

The penalties for even the most minor violations of the Liquor Control Act can include fines of up to \$300, confiscation of property and imprisonment for up to seven months. More serious violations carry greater penalties, with larger fines and longer imprisonment.

Driving or using machinery after drinking or using drugs creates the risk that the user may injure or kill someone else. This can result in homicide charges. License revocation and vehicle impoundment are also results of driving while under the influence of liquor or drugs.

In drug-related cases a court can permanently suspend eligibility for federal benefits, including financial aid. A criminal record can seriously hurt educational and career opportunities.

Penalties for illegal drug use can include significant fines and imprisonment. Penalties for the illegal sale of drugs are greater and may include property confiscation. Alternative Penalties for illegal drugs or alcohol use may also include mandatory community service. Violation of laws by a foreign national may result in deportation.

THE HIGH COST OF DWI IN NEW MEXICO



DWI Offense	Jail ¹	Fines & Fees ²	License Revocation	Other
1st misdemeanor	Maximum: 90 days, 66-8-102E Aggravated DWI⁵, Mandatory: Additional 48 hours if convicted of aggravated DWI, 66-8-102D & E Probation Violations: 48 hours (mandatory) if offender fails to comply with any condition of probation. 66 8 102E	Maximum fine: \$300, 66-8-102E Mandatory Fees: Crime Lab Fee: \$65, 31-12-7A Community Fee: \$75, 31-12-7B Corrections Fee: \$10-20, 35-6-1D(1) Court Automation Fee: \$10, 35-6-1D(2) Traffic Safety Fee: \$3, 35-6-1D(3) Judicial Ed. Fee: \$3, 35-6-1D(4) Jury/Witness Fee: \$5, 35-6-1D(5) Brain Injury Fee: \$5, 35-6-1D(6) Court Facilities Fee: \$10-24, 35-6-1D(7) Juvenile Adjudication Fee: \$1, 66-8-116.3F	Administrative Revocation³: Under 21: 1 year .02+ BAC, 66-8-111C(2) Age 21+: 6 months .08+ BAC OR .04+ BAC for a CDL, 66-8-111C Any Refusal: 1 year (66-8-111B) Ignition interlock license available 66-5-503 ⁷ Revocation after Criminal Conviction⁴: Upon Conviction: 1 year 66-5-29A(2) and 66 5 29C(1) Ignition interlock license required, 1 year.	Mandatory: Alcohol Screening, 66-8-102E & K, DWI school, 66-8-102E, Community Service, minimum 24 hrs, 66-8-102E, Ignition Interlock installed for 1 year, 66-8-102N(1) ⁶ Court discretion: Treatment, 66-8-102E & K, Probation, up to 1 year, 66 8 102(E) Other Costs ²: Mandatory Alcohol Screening: \$100-200 License Reinstatement Fee: \$25 Driving on revoked/suspended, \$100 revoked for DWI, 66-5-33.1(A) (B); Interlock license Fees: \$63, 66-5-35, 66-5-44; DWI school: up to \$150 Cost of Interlock: \$960/year or more
2nd misdemeanor	Maximum: 364 days, 66-8-102F Mandatory: 96 hours, 66-8-102F (1) Failure to comply: mandatory extra 7 days for failure to comply with sentence, 66-8-102 F(1) Aggravated DWI⁵, Mandatory: Additional 96 hours jail if convicted of aggravated DWI, 66-8-102D & F(1)	Maximum fine: \$1,000 66-8-102F Mandatory fine: \$500 66-8-102 F(1) All other fines and fees same as first offense	Administrative Revocation³: .02+ BAC (under 21) OR .04+ BAC (Commercial DL) OR .08+ BAC OR any refusal: All 1 year revocation due to prior offense or prior revocation 66-8-111B and 66-8-111C, Ignition interlock license available 66-5-503 ⁷ Revocation after Criminal Conviction⁴: 2 years, 66-5-29A(3), and 66-5-29C(2) (a), Ignition interlock license required, 2 years, 66-8-102N(2) ⁶	Mandatory: Treatment: 66-8-102L ⁸ Screening: 66-8-102K, Community service, minimum 48 hrs, 66-8-102F(1), Ignition interlock installed for 2 years, 66-8-102N(2) ⁶ Palm Print¹⁰: required 29-3-8 Court discretion: Probation, up to 5 years, 66-8-102F ⁹ All other costs same as first offense. Albuquerque, Dona Ana County, Las Cruces, and Torrance County: Forfeiture of vehicle in civil action
3rd misdemeanor	Maximum: 364 days, 66-8-102F Mandatory: 30 days, 66-8-102F(2) Failure to comply: Mandatory 60 days for failure to comply with sentence, 66-8-102F(2) Aggravated DWI⁵, Mandatory: Additional 60 consecutive days if convicted of aggravated DWI, 66-8-102D & F(2)	Maximum fine: \$1,000 66-8-102F Mandatory fine: \$750 66-8-102F(2) All other fines and fees same as first offense	Administrative Revocation³: Same as second offense Revocation after Criminal Conviction⁴: 3 years, 66-5-29A(3) and 66-5-29(C)(2) (b) Ignition interlock	Mandatory: Treatment: 66-8-102L ⁸ Screening, 66-8-102K, Ignition interlock installed for 3 years, 66-8-102N(3) ⁶ Community service, minimum 96 hours, 66-8-102F(2) Palm Print¹⁰: required 29-3-8 Court discretion: Probation, up to 5 years, 66-8-102F ⁹ All other costs same as first offense. Albuquerque, Dona Ana County, Las Cruces, Santa Fe (City and County) and Torrance County: Forfeiture of vehicle in civil action
4th 4th degree felony	Maximum: 18 months, 66-8-102G Mandatory: 6 months, 66-8-102G	Maximum fine: \$5,000 31-18-15E(9)	Administrative Revocation³: Same as second offense Revocation after Criminal Conviction⁴: The remainder of the offender's life, Ignition interlock license required, 66-5-29A(3) & 66-5-29C(2)(c); may apply to district court for restoration of license after five years if not subsequently convicted of DWI. 66-5-5D, 66-8-102O	Mandatory: Treatment: 66-8-102M ⁸ , Screening, 66-8-102K, Install ignition interlock for life 66-8-102N(4) ⁶ ; may apply to district court for restoration of license after 5 years if not subsequently convicted of DWI. 66-5-5D, 66-8-102O, Palm Print and DNA¹⁰: collection required 29-3-8, 29-3-10. All other costs same as first offense. Albuquerque, Dona Ana County, Las Cruces, Santa Fe (City and County) and Torrance County: Forfeiture of vehicle in civil action
5th 4th degree felony	Maximum: 2 years, 66-8-102H Mandatory: 1 year, 66-8-102H	Maximum fine: \$5,000 31-18-15E(9)	Administrative Revocation³: Same as second offense Revocation after Criminal Conviction⁴: Same as fourth offense	Same as fourth offense
6th 3rd degree felony	Maximum: 30 months, 66-8-102I Mandatory: 18 months, 66-8-102 1	Maximum fine: \$5,000 31-18-15E(9)	Administrative Revocation³: Same as second offense Revocation after Criminal Conviction⁴: Same as fourth offense	Same as fourth offense
7th or subsequent 3rd degree felony	Maximum: 3 years 66-8-102J Mandatory: 2 years 66-8-102J	Maximum fine: \$5,000 31-18-15E(9)	Administrative Revocation³: Same as second offense Revocation after Criminal Conviction⁴: Same as fourth offense	Same as fourth offense
Driving While Revoked misdemeanor	Maximum: 364 days, 66-5-39A Mandatory: 7 days, 66-5-39A	Maximum fine: \$1,000 66-5-39A Mandatory fine: \$300 66-5-39A	Administrative Revocation³: There is no administrative license sanction for driving while revoked for DWI. Revocation after Criminal Conviction⁴ 1 year added to current revocation period, 66-5-39C	Mandatory: 30 days immobilization of vehicle driven by offender, 66-5-39B Albuquerque, Dona Ana County, Las Cruces, Santa Fe (City and County) and Torrance County: Forfeiture of vehicle in civil action
DWI Vehicular Homicide 3rd degree felony	Maximum: 6 years, 31-18-15A(7)	Maximum fine: \$ 5,000 31-18-15E(6)	Administrative Revocation³: Up to 1 year, no limited license or interlock license permitted, 66-5-35A(5) and 66-5-503C Revocation after Criminal Conviction⁴: 1 year, no limited license or ignition interlock license permitted, 66-5-29A(4) and B.	Mandatory: 4 years extra jail time added for every prior DWI conviction within the last 10 years, 66-8-101D, including tribal convictions, 66-8-101E(2) Palm Print and DNA¹⁰: collection required 29-3-8, 29-3-10.

*Vehicular Homicide can also be tried as reckless driving.

The New Mexico Department of Transportation Traffic Safety Division

Drink. Drive. Go to Jail.

1. **Mandatory jail time** must be consecutively served. 2. **Fines and fees** do not include increased insurance costs, treatment, lost wages, towing and storage, victim impact panels and attorney fees. 3. **Administrative Revocation:** Licenses are administratively revoked for driving with .08 BAC or higher (21 and older), .02 BAC or higher (under 21), .04 or higher (commercial driver's licenses) and any refusal. These are violations of the Implied Consent Act, 66-8-105 through 112. Note that a violation of the Implied Consent Act is not part of the criminal sentence. 4. **Chemical test must be given within 3 hours of driving and must measure alcohol consumed before or while driving.** The results of a chemical test given more than 3 hours after driving may be introduced as evidence of the BAC in the driver's blood or breath at the time of the test (not the time of driving) and the judge or jury will determine how much weight to give the evidence. 66-10-110E. 5. **Aggravated DWI consists of:** (1) Refusal to take a BAC test at time of arrest for DWI; OR (2) Testing at a BAC of .16 or higher within 3 hours of driving when the BAC is from alcohol consumed before or while driving; OR (3) Causing bodily injury to someone while driving under the influence of alcohol or other drugs, 66-8-102D. See 66-8-102T(1) for "bodily injury." 6. **Criminal ignition interlock provisions:** Interlock must be installed on all vehicles driven by the offender AND the offender must obtain ignition interlock license. 7. **An ignition interlock license** allows drivers to drive without time and place restrictions and is available to every revoked driver except those who have committed vehicular homicide or great bodily injury by vehicle while under the influence of intoxicating liquor or drugs. **Reinstatement of unrestricted license:** The Motor Vehicle Division will not reinstate an unrestricted driver's license after a DWI conviction or administrative revocation unless a driver has had a minimum of six months of driving with an ignition interlock license with no attempts to circumvent or tamper with the device, 66-5-33.1B(4). An interlock is defined as "a device, approved by the traffic safety bureau, that prevents the operation of a motor vehicle by an intoxicated or impaired person." 66-5-502B. Out of state drivers convicted of DWI on or after June 17, 2005 who apply for a NM license are eligible ONLY for an interlock license, according to the same schedule as NM offenders, 66-5-5E. The penalty for driving without an interlock when it's required by license is the same as driving while revoked for DWI, 66-5-504, 66-5-39. The penalty for tampering or interfering or causing someone else to tamper or interfere with an ignition interlock device, when it is required under an ignition interlock license, is the same as driving while revoked for DWI, 66-5-503 and 504. Licenses remain revoked until offenders apply to reinstate them. For NM MVD form Affidavit for Ignition Interlock License go to <http://www.tax.state.nm.us/forms/mvd/mvd10456.pdf> 8. **Treatment is mandatory**, as follows, for a second or third conviction: not less than a 28-day inpatient residential or in-custody substance abuse treatment program approved by the court; not less than a 90 day outpatient treatment program approved by the court; OR any other substance abuse treatment program approved by the court. **For any felony conviction**, the Corrections Department is required to provide substance abuse counseling and treatment to the offender, while the offender is in custody and on probation or parole. 9. **Probation violations:** On any offense, if the offender violates probation under a suspended or deferred sentence, the judge may impose any sentence originally available and credit shall not be given for time served by the offender on probation, 66-8-102S. 10. **Palm Prints** are required from anyone committing a felony, facing 6 months in jail or arrested for violating Section 66-8-102 NMSA 1978, NM 17 § 1 29-3-8 A,B,C (2011); **DNA** is required from anyone arrested for a felony, 84 § 1 29-3-10 (2011).

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Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	<p>First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual</p> <p>Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual</p>	5 kgs or more mixture	<p>First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual.</p> <p>Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual.</p> <p>2 or More Prior Offenses: Life imprisonment</p>
Cocaine Base (Schedule II)	5-49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture	100 gm or more pure or 1 kg or more mixture		
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<p>First Offense: Not more that 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p>Second Offense: Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual</p>		
Flunitrazepam (Schedule IV)	1 gm or more			
Other Schedule III drugs	Any amount	<p>First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual</p>		
Flunitrazepam (Schedule IV)	30 to 999 mgs			
All other Schedule IV drugs	Any amount	<p>First Offense: Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.</p>		
Flunitrazepam (Schedule IV)	Less than 30 mgs			

All Schedule V drugs	Any amount	<p>First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p>Second Offense: Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>
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Federal Trafficking Penalties - Marijuana

DRUG	QUANTITY	1 st OFFENSE	2 nd OFFENSE
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> • Not less than 10 years, not more than life • If death or serious injury, not less than 20 years, not more than life • Fine not more than \$4 million if an individual, \$10 million if other than an individual 	<ul style="list-style-type: none"> • Not less than 20 years, not more than life • If death or serious injury, mandatory life • Fine not more than \$8 million if an individual, \$20 million if other than an individual
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> • Not less than 5 years, not more than 40 years • If death or serious injury, not less than 20 years, not more than life • Fine not more than \$2 million if an individual, \$5 million if other than an individual 	<ul style="list-style-type: none"> • Not less than 10 years, not more than life • If death or serious injury, mandatory life • Fine not more than \$4 million if an individual, \$10 million if other than an individual
Marijuana	<p>more than 10 kgs hashish; 50 to 99 kg mixture</p> <p>more than 1 kg of hashish oil; 50 to 99 plants</p>	<ul style="list-style-type: none"> • Not more than 20 years • If death or serious injury, not less than 20 years, not more than life • Fine \$1 million if an individual, \$5 million if other than an individual 	<ul style="list-style-type: none"> • Not more than 30 years • If death or serious injury, mandatory life • Fine \$2 million if an individual, \$10 million if other than individual
Marijuana	1 to 49 plants; less than 50 kg mixture	<ul style="list-style-type: none"> • Not more than 5 years • Fine not more than \$250,000, \$1 million other than individual 	<ul style="list-style-type: none"> • Not more than 10 years • Fine \$500,000 if an individual, \$2 million if other than individual
Hashish	10 kg or less		
Hashish Oil	1 kg or less		

CAMPUS REOURCES

- Interim Dean of Students, Paul Moore 505.424.5704
- Housing Director, Leslie Romero 505.424.2380
- Counselor, Eliza Combs 505.424.5758
- Housing Staff 505.5802/5808
- Retention Director, Nena Martinez Anaya 505.424.2331

COMMUNITY RESOURCES

Police/Ambulance/Fire Emergency 911
24 Hour Crisis Advocacy Hotline 800-721-7273
Solace Crisis Treatment Center/SF Rape Crisis 505.986.9111
Crisis Response of Santa Fe 505.820.6333
Suicide Hotline 505.820.6333
Esperanza Shelter & Support Center 505.473.5200
Christus St. Vincent Hospital 505.983.3361
NM State Police 505.827.9300
Santa Fe County Sheriff's Office 505.428.3720
Santa Fe Indian Hospital 505.946.9283
Santa Fe City Police 505.428.3710

STUDENT DISCIPLINARY ACTIONS

IAIA responds to reports of alcohol and drug violations through its disciplinary system. Students in violation of IAIA's Substance Abuse Policy face disciplinary actions as noted in the 2020-21 Student Handbook. Disciplinary actions apply to student conduct that occurs on IAIA premises and IAIA sponsored activities, and to off-campus conduct that adversely affects the IAIA campus community.

EMPLOYEE ALCOHOL AND DRUGS POLICY

IAIA is a drug-free and alcohol-free workplace and has adopted a no tolerance policy with respect to alcohol and drug abuse. IAIA is committed to providing a safe work environment and to promote and protect the health, safety, and wellbeing of our employees and students. This commitment is jeopardized when any employee engages in use, possession, sale, conveyance, distribution or manufacture of illegal drugs, intoxicants, controlled substances or abuses, prescription drugs or alcohol.

It is a violation of IAIA policies for any employee:

- To use, possess, sell, convey, distribute, or manufacture illegal drugs, intoxicants, or controlled substances, or to attempt to do the same.
- To use, abuse or be under the influence of alcohol anytime during hours of business operation in any IAIA location or IAIA vehicle.
- To use prescription drugs illegally and it is the responsibility of the employee to report the use of prescribed drugs that MAY (per warning labels provided by the pharmacy) affect the employee's judgement, performance, or behavior.

Violations of this policy are subject to corrective action up to and including termination of employment. IAIA may contact law enforcement and other external authorities when it suspects a violation of this policy has occurred. Employees must notify the HR Director in writing of convictions under any criminal drug statute occurring in any IAIA location or IAIA vehicle, no later than five calendar days after such conviction. Employees authorized to operate any IAIA vehicle must also notify the HR Director of any suspension of their driver's license immediately upon legal notification.

At IAIA's discretion, any employee who violates this policy may be required to participate satisfactorily in a substance abuse treatment or rehabilitation program.

Employee Assistance Program (EAP)

IAIA strongly encourages employees who engage in any form of substance abuse, including abuse of alcohol or other drug, to voluntarily refer themselves for treatment and assistance. IAIA will provide information or referral for employee assistance, rehabilitation, and/or counseling.

Alcohol at IAIA Events

The only exception to the alcohol-free policy relates to the serving and consumption of alcohol at functions at the IAIA Museum as officially allowed according to the resolution of the IAIA Board of Trustees, May 14, 1999. The Board of Trustees further resolves that this approval does not extend to any other IAIA properties.

IAIA sponsored activities or other social events where alcoholic beverages are served are not considered alcohol abuse. However, inappropriate behavior exhibited under the influence of alcohol is grounds for corrective action up to and including termination of employment.

SEX OFFENSES AND REGISTERED SEX OFFENDER INFORMATION

IAIA Sexual Violence Prevention & Education Policy

The Institute of American Indian Arts (IAIA) does not discriminate on the basis of sex, gender, or sexual orientation in its education programs or activities. Title IX of the Education Amendments of 1972, and certain other federal and state laws, prohibit discrimination on basis of sex in all education programs and activities, operated by the college (both on and off campus). Title IX protects all people regardless of their gender or gender identity from sex discrimination, which includes sexual harassment and violence:

- **Sex Discrimination** means an adverse act of sexual discrimination (including sexual harassment and sexual violence) that is perpetrated against an individual on a basis prohibited by Title IX of the Education Amendments of 1972.
- **Sexual Harassment** is unwelcome conduct of a sexual nature that includes, but is not limited to, sexual violence, sexual advances, requests for sexual favors, indecent exposure and other verbal, nonverbal or physical unwelcome conduct of a sexual nature, where such conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person, and is in fact considered by the individual, as limiting the individual's ability to participate in

or benefit from the services, activities or opportunities offered by IAIA. Sexual harassment also includes gender-based harassment, which may include acts of verbal, non-verbal or physical aggression, intimidation or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

- **Sexual Violence** means physical sexual acts (such as unwelcome sexual touching, sexual assault, sexual battery and rape) perpetrated against an individual without consent or against an individual who is incapable of giving consent due to that individual's use of drugs or alcohol, or disability.

Who to Contact if you have Complaints, Question or Concerns?

The campus Title IX Coordinator is available to explain and discuss your right to file a criminal complaint (sexual assault and violence); the IAIA Complaint process, including the investigation process; how confidentiality is handled; available resources, both on and off-campus; and other related matters.

Campus Title IX Coordinator:
Laurie Logan Brayshaw 505.424.2305
llogan@iaia.edu
Welcome Center 2nd Floor

In an emergency call 911 immediately.

Anonymous Reporting

Victims of or if aware of discrimination, harassment, including sexual violence or misconduct, and retaliation, are encouraged to report the incident. There is the option to file a report anonymously or to provide contact information. The report always goes directly to the Title IX Coordinator to begin an inquiry into the incident with respect and to pursue and maintain confidentiality. The anonymous reporting form is found on the IAIA website under the Student Life and scroll down to Title IX page.

Safety of the Campus Community is Primary

IAIA's primary concern is the safety of its campus and community members. The use of alcohol or drugs never makes the victim at fault for sexual discrimination, harassment or violence; therefore, victims should not be deterred from reporting incidents of sexual violence out of a concern that they might be disciplined for related violations of drug, alcohol or other university policies. Except in extreme circumstances, victims of sexual violence shall not be subject to discipline for related violations of the Student Code of Conduct.

Any members of the IAIA community who knows of or has reason to know of sexual discrimination allegation shall promptly inform the campus Title IX Coordinator. Regardless of whether an alleged victim of sexual discrimination files a complaint, if the campus knows or has reason to know about possible sexual discrimination, harassment or violence, it must review the matter to determine if an investigation is warranted. The campus must take appropriate steps to eliminate any sex discrimination/harassment, prevent its recurrence, and remedy its effects.

Campus, Criminal and Civil Consequences of Committing Acts of Sexual Violence

Individuals alleged to have committed sexual assault may face criminal prosecution by law enforcement and may incur penalties as a result of civil litigation. In addition, employees and students may face disciplinary sanctions. Employees may face sanctions up to and including dismissal from employment, per established IAIA Human Resource Policies.

Students charged with sexual discrimination, harassment or violence will be subject to disciplinary action up to and including suspension and expulsion according to the IAIA Student Handbook.

During any investigation, IAIA may implement interim measures in order to maintain a safe and non-discriminatory educational environment. Such measures may include immediate interim suspension from IAIA, required move from campus housing, adjustment to course schedule, or prohibition from contact with individuals involved in the alleged incident.

WHAT TO DO.....

To Help Stop Sexual Violence

- Sexual contact requires mutual consent. An incapacitated person, e.g. a person who is intoxicated by drugs or alcohol, is incapable of giving consent.
- No one deserves to be sexually assaulted, stalked or victimized in any way.
- Don't engage in any behavior that may be considered dating/domestic violence, sexual assault, stalking or any other form of violence.
- Never use force, coercion, threats, alcohol or other drugs to engage in sexual activity.
- Take responsibility for your actions.
- Avoid alcohol and other drugs.
- Remember "no" means "No!" and "stop" means "Stop!"
- Report incidents of violence (including coercion) to law enforcement and campus authorities.
- Discuss dating/domestic violence, sexual assault and stalking with friends – speak out against violence and clear up misconceptions.
- Don't mistake submission or silence as consent.

To Help Minimize Your Risk of Becoming a Victim

- Be aware. Does your partner: Threaten to hurt you or your children? Say it's your fault if he or she hits you and then promises it won't happen again (but it does)? Put you down in public? Force you to have sex when you don't want to? Follow you? Send you unwanted messages and gifts?
- Be assertive. Speak up.
- Stay sober and watch out for dates and/or anyone who tries to get you drunk or high.
- Clearly communicate limits to partners, friends and acquaintances.
- Never leave a party with someone you don't know well and trust.
- Trust your feelings; if it feels wrong, it probably is.
- Learn all you can and talk with your friends. Help them stay safe.
- Report incidents of violence to law enforcement and campus authorities.

WHAT YOU CAN DO IF YOU ARE A VICTIM, IN GENERAL

- Go to a safe place as soon as possible.
- Preserve evidence.
- Report the incident to local law enforcement.
- Report the incident to the Campus Title IX Coordinator.
- Call a domestic violence, sexual assault or stalking hotline.
- Call a friend or family or counselor for help
- Know that you are not at fault. You didn't cause the abuse to occur and you are not responsible for someone else's violent behavior.

DEFINITIONS

Date Rape is a subset of **Acquaintance Rape**. The two phrases are often used interchangeably, but date rape specifically refers to a rape in which there has been some sort of romantic or potentially sexual relationship between the two parties, whereas acquaintance rape also includes rapes in which the victim and perpetrator have been in a non-romantic, non-sexual relationship, for example as co-workers or neighbors.

Age of Consent - The age of consent to have sex in New Mexico covers three distinct categories; (1) people less than 13 years old, (2) people 13, 14, 15 or 16 years old and (3) people 17 or older.

A person who is less than 13 years old cannot consent to have sex under any circumstances. That means that no matter how old the partner is or how willingly the child participated in the sexual act, the partner has committed the crime of criminal sexual penetration (rape) of a minor or criminal sexual contact of a minor.

A person who is age 13, 14, 15 or 16 years old cannot consent to have sex if the partner is 18 years old and is more than four older than the child. For example, sex between a person who is 14 and a person who is 17 is legal. But it is not legal if one partner is 14 and the other is 18. A person who is 17 years of age or older can consent to have sex with a person of any age.

However, a person between the age of 13 and 18 cannot consent to have sex with a person who is a school employee or any person who is in a position of authority. Sex between an 18 year old student and a teacher is illegal, if the teacher is at least 18 years old and is four years older than the student. The definitions of school employee or a person in a position of authority is very broad and could include the person's employer or coach.

Consenting to have sex is when both partners are legally old enough to have consensual sex, the question still remains, did both parties agree to have sex? Most people understand that "no" means "no." But silence does not mean "yes." To insure you are engaging in consensual (legal) sex you need to hear your partner affirmatively and enthusiastically say the word "yes." That means that the person must say "yes" freely, without any form of coercion or fear of force. Even if a person says "yes" at one point, that person has the right to say "no" later on. Consent must be given by a sober, conscious person. If the person is too drunk to make the decision to have sex, the answer is "no."

Domestic Violence is not a separate crime in New Mexico law, but there are special protections for “household members” who are subjected to assault, battery, criminal damage to property and other crimes. “Household member” means a spouse, former spouse, parent, present or former stepparent, present or former parent in-law, grandparent, grandparent-in-law, a co-parent of a child or a person with whom a person has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member. A “continuing personal relationship” means a dating or intimate relationship.” Unfortunately, there is no crime prohibiting domestic abuse, but there are many laws in place to help victims of domestic abuse obtain services. Domestic abuse can be even more damaging than acts of domestic violence. Some tactics used by abusers are listed under “dating abuse.”

Dating Violence or Abuse is a pattern of assaultive and controlling behaviors that one person uses against another in order to gain or maintain power and control in the relationship. The abuser intentionally behaves in ways that cause fear, degradation and humiliation to control the other person. Abusers attempt to control their partners in a variety of ways.

- **Isolation:** Trying to cut off the victim's relationship with family and friends; using jealousy to justify behavior.
- **Emotional:** Humiliating the victim in front of friends or making the victim feel guilty when she confronts the abuser about the abuse.
- **Intimidation:** Making the victim fearful by using threatening behavior, abuse of animals, verbal aggression or destruction of property.
- **Coercion:** Threatening to find someone else if the dating partner doesn't comply with the abuser's wishes or demands. Threats to harm self or others if the dating partner leaves.
- **Physical:** Using or threatening to use physically assaultive behaviors such as hitting, shoving, grabbing, slapping, beating, kicking, etc.
- **Sexual:** Touching or forcing the victim to engage in unwanted sexual activity.

At the beginning stages of the dating relationship, these behaviors may not be apparent or the use of them is so subtle that they may be mistaken for the abuser's caring and concern. For example, the abuser may suggest that the couple spend all their time together because when they are apart, they will miss each other. If the victim spends time with other friends, the abuser may appear to be sad or disappointed. As the relationship becomes more involved, the abuser may gradually escalate the use of these behaviors to include severe jealousy. Abusive behavior often escalates to acts of violence and rarely resolves on its own.

Sexual Assault There are two kinds of sexual assault in New Mexico. Criminal Sexual Penetration is “the unlawful and intentional causing of a person to engage in sexual intercourse, cunnilingus, fellatio or anal intercourse or the causing of penetration, to any extent and with any object, of the genital or anal openings of another, whether or not there is any emission.” Criminal sexual contact of a minor is “the unlawful and intentional touching of or applying force to the intimate parts of a minor or the unlawful and intentional causing of a minor to touch one’s intimate parts. . . ‘Intimate parts’ means the primary genital area, groin, buttocks, anus or breast.”

Stalking consists of “knowingly pursuing a pattern of conduct, without lawful authority, directed at a specific individual when the person intends that the pattern of conduct would place the

individual in reasonable apprehension of death, bodily harm, sexual assault, confinement or restraint of the individual or another individual. A "pattern of conduct" means two or more acts, on more than one occasion, in which the alleged stalker by any action, method, device or means, directly, indirectly or through third parties, follows, monitors, surveils, threatens or communicates to or about a person." When the stalking behavior is less serious, it is known as harassment. "Harassment consists of knowingly pursuing a pattern of conduct that is intended to annoy, seriously alarm or terrorize another person and that serves no lawful purpose. The conduct must be such that it would cause a reasonable person to suffer substantial emotional distress."

Victim protection orders

If a family court judge makes a finding that domestic abuse has occurred, the judge must enter an order of protection ordering the restrained party to refrain from abusing the protected party or any other household member. The order can also address issues of residence, issues involving the children of that relationship or any property owned by the parties. The order can require the restrained party to pay the medical expenses of the abused party and it can require the restrained party to participate in various forms of counseling. A violation of a protective order can lead to arrest and incarceration. Obtaining an order of protection can be done without the help of an attorney through a variety of services provided by the family court.

To learn more about these topics and to get information about free and confidential services available in Santa Fe go to www.santafesafe.org.

Educational & Prevention Programs

Once per academic year, students and employees will be presented educational programs promoting awareness of rape, acquaintance rape, and other forcible and non- forcible sex offenses. These programs may be presented by outside specialists such as the local Rape Crisis Center, as well as housing and counseling staff or student Residence Assistants.

CAMPUS RESOURCES

Laurie Logan Brayshaw, Campus Title IX	505.424.2305
Eliza Combs, IAIA Counselor	505.424.5758
IAIA Security	505.577.1660

COMMUNITY RESOURCES

Police/Ambulance/Fire Emergency	911
24 Hour Crisis Advocacy Hotline	800-721-7273
Solace Crisis Treatment Center/SF Rape Crisis	505.986.9111
Crisis Response of Santa Fe	505.820.6333
Suicide Hotline	505.820.6333
Esperanza Shelter & Support Center	505.473.5200
Christus St. Vincent's Hospital	505.983.3361
NM State Police	505.827.9300
Santa Fe County Sheriff's Office	505.428.3720
Santa Fe Indian Hospital	505.946.9283
Santa Fe City Police	505.428.3710

COMPLAINTS

Student Hearing and Review Panel
Jacqueline Chitto
Assistant to the Dean of Students
505-424-2336
jchitto@iaia.edu

U.S. Department of Education, Office for Civil Rights (OCR)
(800) 421-3481 or ocr@ed.gov
A complaint form can be filled out online with the OCR at:
www.2.ed.gov/about/offices/list/ocr/complaintintro.html

NOTIFICATION OF ACCOMMODATIONS

Although housing opportunities on campus are limited, the Center for Student Life and the Housing Department will work the victim to provide for his/her safety and security through a change of room, hall, or building.

Every effort will be made to change a victim's academic situation after an alleged sex offense. The Academic Dean will discuss available solutions with the individual, which may include: relaxed attendance policy, completing course work online or from a distance, changing meeting times, or alternative assignments.

PROCEDURES FOR CAMPUS DISCIPLINARY

Violations of an IAIA Policy, Procedure or Regulation may result in penalties, including but not limited to, immediate suspension or expulsion from the residential hall and/or the IAIA program. All students and employees are expected to report infractions as they occur.

STANDARD PROCEDURES

1. Violations of any IAIA Policy, procedure, or regulation should first be reported to IAIA staff and faculty, or IAIA Security.

Exceptions:

- a) Violations of the IAIA Sexual Harassment Policy must be reported and will be investigated and sanctioned under the provisions of the IAIA Sexual Harassment Policy;
- b) Reports of rape should be made first to the Title IX Coordinator or Dean of Students for processing under the Emergencies/Immediate Suspension Procedure set forth in the Student Handbook. School officials shall retain the discretion to file a police report if any circumstances where it is deemed warranted. In case of sexual assault, contact the 24-hour Crisis Advocacy Hotline at Solace Crisis Treatment Center at 1.800.721.7273.

2. The Housing Director or his/her designee, or Dean of Students will then review the report and has the authority to hear and decide the matter and establish immediate sanctions.

SANTIONS THAT MAY BE IMPOSED

Behavior which threatens the health and safety of students or which may harm the IAIA community will not be tolerated.

Violation of any IAIA policy, procedure, rule or regulation will be dealt with by IAIA in a manner which it, in its sole discretion, believes necessary to maintain a healthy and safe environment conducive to learning. Circumstances may sometimes warrant immediate suspension or expulsion from IAIA housing or the IAIA program. (See page 59 of the Student Handbook.) Disciplinary action which IAIA may take includes but is not limited to the following:

1. Verbal Warning: A verbal warning is given for less serious offenses without the initiation of formal procedures. Offenses referred to the Housing Director or Dean of Students or his/her designee may be disposed of by mutual consent of Director and the students involved. The accused shall regard the case closed and not appealable. If consensus is not reached, the Director may impose other sanctions.
2. Written Warning: A written warning is given to a student that his/her behavior is unacceptable by IAIA standards and any repeated violations will warrant further sanctions which may include, but are not limited to, any of the sanctions listed in this section.
3. No Contact Order: An order to avoid contact with the complainant or respondent or others for a specified period of time
4. Counseling: A referral for counseling to attend a prescribed number of counseling sessions based on an initial assessment and recommendations from the counselor.
5. Loss of privileges: Loss of privileges on campus due to serious violations, which may include but not limited to, parking on campus, library, studio, cafeteria usage during specified times.
6. Limited access to campus: Due to serious violations, a student may have limited access to campus for a specified period of time.
7. Restricted Status (P.N.G.): There are two types of restricted status: a campus restriction when the person may not be present on campus for any reason, including IAIA activities on or off campus; and a student housing restriction when the person may not enter any residential housing area for any reason.
8. Alcohol & drug assessment and counseling: Referral for an alcohol and drug assessment and recommended number of counseling sessions recommended by the counselor.
9. Relocation: Removed from his/her present residence room for specified period of time or removed permanently.
10. Disciplinary Probation: This type of probation is generally imposed for significant or repeated violation for a specified period of time.
11. Suspension: The removal of a student from all IAIA programs for a specified period of time or removed permanently.
12. Expulsion: The removal of a student for an extensive period of time or indefinitely due to severe offenses.
13. Immediate Suspension: In case of reports of serious threat to individual, community, sexual offense, discrimination, violence, etc. the Dean of Students or his/her designee will establish and impose immediate suspension/expulsion from the on-campus housing or the total IAIA program.

REGISTERED SEX OFFENDERS

The campus community may obtain information about registered sex offenders in the State of New Mexico at www.nmsexoffender.dps.state.nm

PROHIBITING DISCRIMINATION, HARASSMENT AND RETALIATION AGAINST STUDENTS

Rationale for Policy

IAIA is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination, harassment, and retaliation. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, IAIA has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation. IAIA values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

Applicable Scope

The core purpose of this policy is the prohibition of all forms of discrimination. Sometimes, discrimination involves exclusion from activities, such as admission, athletics, or employment. Other times, discrimination takes the form of harassment or, in the case of sex-based discrimination, can encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating violence or domestic violence. When an alleged violation of this anti-discrimination policy is reported, the allegations are subject to resolution using IAIA's "Process A" or "Process B," as determined by the Title IX Coordinator, and as detailed in the IAIA Title IX Policy that can be found on the IAIA Title IX webpage.

When the Respondent is a member of the IAIA community, a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the IAIA community. This community includes, but is not limited to, students, student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, invitees, and campers. The procedures below may be applied to incidents, to patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with this policy.

Title IX Coordinator

Laurie Logan Brayshaw, the Director of Sponsored Programs, serves as the IAIA Title IX Coordinator. The Title IX Coordinator has the primary responsibility for coordinating IAIA's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy.

Independence and Conflict-of-Interest

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

To raise any concern involving bias or conflict of interest by the Title IX Coordinator, contact the President at 505-424-2301. Concerns of bias or a potential conflict of interest by any other Title IX Team member should be raised with the Title IX Coordinator.

Reports of misconduct or discrimination committed by the Title IX Coordinator should be reported to the President at 505-424-2301. Reports of misconduct or discrimination committed by any other Title IX Team member should be reported to the Title IX Coordinator.

Promptness

All allegations are acted upon promptly by IAIA once it has received notice of a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but IAIA will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in IAIA procedures will be delayed, IAIA will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

Time Limits on Reporting

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

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

When notice/complaint is affected by significant time delay, IAIA will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint.

Policy on Nondiscrimination

IAIA adheres to all federal and state civil rights laws and regulations prohibiting discrimination in institutions of higher education.

IAIA does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of:

- Race
- Religion
- Hearing status
- Personal appearance
- Color
- Sex
- Pregnancy
- Political affiliation
- Source of income
- Place of business
- Residence
- Religion
- Creed
- Ethnicity
- National origin (including ancestry)
- Citizenship status
- Physical or mental disability (including perceived disability)
- Age
- Marital status
- Family responsibilities
- Sexual orientation
- Gender identity
- Gender expression
- Veteran or military status (including disabled veteran, recently separated veteran, active duty wartime or campaign badge veteran, and Armed Forces Service Medal veteran)
- Predisposing genetic characteristics
- Domestic violence victim status
- Height
- Weight
- or any other protected category under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process on campus, with the Equal Employment Opportunity Commission, or other human rights agencies.

This policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the IAIA community whose acts deny, deprive, or limit the educational or employment or residential and/or social access, benefits, and/or opportunities of any member of the IAIA community, guest, or visitor on the basis of that person's actual or perceived membership in the protected classes listed above is in violation of the IAIA policy on nondiscrimination.

When brought to the attention of IAIA, any such discrimination will be promptly and fairly addressed and remedied by IAIA according to the appropriate grievance process described below.

Policy on Discriminatory Harassment

Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discriminatory harassment. IAIA's harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive subject matters protected by academic freedom.

The IAIA Title IX Policy that can be found on the IAIA Title IX webpage describes the specific forms of legally prohibited harassment that are also prohibited under IAIA policy. When speech or conduct is protected by academic freedom and/or the First Amendment, it will not be considered a violation of IAIA policy, though supportive measures will be offered to those impacted.

Mandated Reporting

All IAIA employees (faculty, staff, administrators) are expected to report actual or suspected discrimination or harassment to appropriate officials immediately, though there are some limited exceptions.

In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality and are not required to report actual or suspected discrimination or harassment. They may offer options and resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared.

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

a. Confidential Resources

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

- On-campus licensed professional counselors and staff]
- Off-campus (non-employees):
- Licensed professional counselors and other medical providers
- Local rape crisis counselors
- Domestic violence resources
- Local or state assistance agencies
- Clergy/Chaplains
- Attorneys

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order.

Campus counselors and/or the Employee Assistance Program are available to help free of

charge and may be consulted on an emergency basis during normal business hours.

IAIA employees who are confidential will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, or patient.

b. Mandated Reporters and Formal Notice/Complaints

All employees of IAIA (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment.

Employees must also promptly share all details of behaviors under this policy that they observe or have knowledge of, even if not reported to them by a Complainant or third-party.

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

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as “Take Back the Night” marches or speak-outs do not provide notice that must be reported to the Coordinator by employees, unless the Complainant clearly indicates that they desire a report to be made or a seek a specific response from IAIA.

Supportive measures may be offered as the result of such disclosures without formal IAIA action.

Failure of a Mandated Reporter, as described above in this section, to report an incident of harassment or discrimination of which they become aware is a violation of IAIA policy and can be subject to disciplinary action for failure to comply.

Though this may seem obvious, when a Mandated Reporter is engaged in harassment or other violations of this policy, they still have a duty to report their own misconduct, though IAIA is technically not on notice when a harasser is also a Mandated Reporter unless the harasser does in fact report themselves.

Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this policy is not required to report their own experience, though they are, of course, encouraged to do so.

When a Complainant Does Not Wish to Proceed

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they 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 to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether IAIA proceeds when the Complainant does not wish to do so, and the Title IX Coordinator may sign a formal complaint to initiate a grievance process upon completion of an appropriate violence risk assessment.

The Title IX Coordinator's decision should be based on results of the violence risk assessment that show a compelling risk to health and/or safety that requires IAIA to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. IAIA may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and IAIA's ability to pursue a Formal Grievance Process fairly and effectively.

When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When IAIA proceeds, the Complainant (or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant.

Note that IAIA's ability to remedy and respond to notice may be limited if the Complainant does not want IAIA to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing IAIA's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow IAIA to honor that request, IAIA will offer informal resolution options (see below), supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by IAIA, and to have the incidents investigated and properly resolved through these procedures.

Federal Timely Warning Obligations

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, IAIA must issue timely warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

IAIA will ensure that a Complainant's name and other identifying information is not disclosed,

while still providing enough information for community members to make safety decisions in light of the potential danger.

ANNUAL FIRE REPORT

DESCRIPTION OF ON-CAMPUS STUDENT HOUSING FIRE SAFETY SYSTEM

The residence hall has smoke and heat detectors, a sprinkler system and fire alarm. The family units have smoke detectors.

NUMBER OF FIRE DRILLS DURING 2019 CALENDAR YEAR

One fire drill each semester is conducted in the residence hall and family housing.

POLICIES OR RULES FOR ELECTRICAL APPLIANCES & OPEN FLAMES

These items are not allowed in the residence halls. Open flame products (e.g. candles, oil lamps, jewelry torches and incense) are prohibited in the rooms of the one residence hall on campus and the campus family housing apartments due to their potential fire danger and a fine of \$50 will be charged for violations.

Smudging for ceremonial cleansing and purification is allowed if a non-flammable container is used and prior notification is made to housing staff that the person will accept full responsibility in case of fire.

Decorative candles must have non-burned, clipped wicks, or be wickless.

PROCEDURES FOR STUDENT HOUSING EVACUATION

Evacuation maps and information are on the inside door of every residence and room. If a fire alarm sounds, all residents must leave the Student Housing via the evacuation plan posted in the area they are occupying. A student not complying with the evacuation procedure may be subject to disciplinary sanctions because it is a violation of state law to remain in residential rooms/apartments after an alarm has been sounded.

Family Housing Procedures

1. Upon discovering a fire in a family housing apartment, close the door to the room and evacuate the apartment, and contact Student Life staff immediately.
2. Dial 911
 - a. State the problem
 - b. State where on campus and in which building the emergency exists.
 - c. Do not hang up the phone until the dispatcher tells you to do so.
3. Call Campus Security, 505.428.5800 or 505.577.1660. Give your name and location of the fire.

4. If the fire is small, you may wish to fight it with a fire extinguisher found in the apartment.
5. If the fire is large, very smoky, or rapidly spreading, evacuate the apartment immediately.
6. Evacuate to the prearranged area in the Family Housing parking lot as outlined in the evacuation plan on the inside of your apartment's door. Do not return to the building until instructed to do so by public safety personnel.
7. Notify either public safety personnel or firefighters on the scene if you suspect someone may be trapped inside a building.

Residence Center Procedures

1. If you discover a fire in the CLE-Residence Center, close the door to the room where the fire is located and contact staff immediately. They will sound the building fire alarm.
2. Dial 911
 - a. State the problem
 - b. State where in the building the emergency exists.
 - c. Do not hang up the phone until the operator tells you to do so.
3. Call Campus Security, 505.428.5800 or 505-577-1660. Give your name and the location of the fire.
4. If the fire is small, you may wish to fight it with a fire extinguisher found in each hallway and in each lounge next to the kitchen.
5. If the fire is large, very smoky, or rapidly spreading, evacuate the building immediately. Inform others in the building who may not have responded to the alarm to evacuate immediately. The alarm may not sound continuously. If the alarm stops, continue to evacuate, and warn others who may enter the building after the alarm stops.
6. Close doors before leaving. Walk; do not run, to the nearest exit. If you have mobility impairment, request assistance from those nearest you. In the event no one renders assistance, proceed to the nearest stairwell exit and shout for help and wait there until help arrives.
7. If you are in your room, evacuate to the stairwell and follow the sidewalk to the prearranged meeting place west of the Center for Student Life building as outlined in the evacuation plan on the inside of your Residence Center room door. Do not return to the building until instructed to do so by public safety personnel.

If you are in the 2nd floor lounge, evacuate to the 1st floor vestibule using the stairway next to the elevator and evacuate out the front door. If you are in the first floor lounge, evacuate out the front door to the prearranged meeting place west of the Center for Student Life complex as outlined in the evacuation plan on the inside of your Residence Center room door. Do not return to the building until instructed to do so by public safety personnel.

Campus Building Procedures

1. Upon discovering a fire in a campus building, close the door to the room where the fire is located and contact staff immediately. Sound the building fire alarm.
2. Dial 911
 - a. State the problem
 - b. State where on campus and in which building the emergency exists.
 - c. Do not hang up the phone until the dispatcher tells you to do so.

3. Call Campus Security, 505.428.5800 or 505.577.1660. Give your name and location of the fire.
4. If the fire is small, you may wish to fight it with a fire extinguisher. Be sure you are using the proper extinguisher for the type of fire you are fighting. If you are not sure, check the label on the extinguisher.
5. If the fire is large, very smoky, or rapidly spreading, evacuate the building immediately. Inform others in the building who may not have responded to the alarm to evacuate immediately. The alarm may not sound continuously. If the alarm stops, continue to evacuate. Warn others who may enter the building after the alarm stops.
6. Close the doors before leaving. Walk; do not run, to the nearest exit. If you have mobility impairment, request assistance from those nearest you. In the event no one renders assistance, proceed to the nearest exit and shout for help and wait there until help arrives.
7. Evacuate to the designated rendezvous place or a distance of at least 500 feet from the building and stay out of the way of emergency personnel. Do not return to the building until instructed to do so by public safety personnel.
8. Notify either public safety personnel or firefighters on the scene if you suspect someone may be trapped inside a building.

FIRE SAFETY EDUCATION AND TRAINING PROGRAMS

The Center for Student Life will provide mandatory trainings regarding fire safety and prevention in residential housing each semester for all residential students. In addition, fire drills will be conducted periodically in Student Housing and Family Housing. Notices will be posted. If a fire alarm sounds, all residents must leave the Student Housing via the evacuation plan posted in the area they are occupying. A student not complying with the evacuation procedure may be subject to disciplinary sanctions because it is a violation of state law to remain in residential rooms/apartments after an alarm has been sounded.

- The annual safety community gathering provides fire safety training for all staff, faculty and students.
- The residence hall and family housing have a fire drill each semester, organized by the Director of Housing
- Annual fire drills in each administrative and classroom building are organized by the Director of Facilities
- Evacuation map and procedures in each room in all buildings

WHO TO REPORT THAT A FIRE OCCURRED

Director of Facilities - 505.660.1134 (cell) or 505.424.2326 (office)
Director of Housing – 505.424.2380

PLANS FOR FUTURE IMPROVEMENTS IN FIRE SAFETY

There are no deficiencies or problems with fire safety at this time. Each year we will review fire safety and update as needed. We also seek outside expert review as well.

FIRE STATISTICS

- The number of fires and the cause of each fire.
- The number of persons who received fire-related injuries that resulted in treatment at a medical facility, including at an on-campus health center
- The number of deaths related to a fire. The value of property damage caused by a fire.

FIRE LOG

The IAIA daily fire log is maintained with the crime log in a shared network drive and includes the following:

- The date the fire was reported.
- The nature of the fire.
- The date and time of the fire.
- The general location of the fire

Fire log maintenance rules are similar to crime log 2014-2016 FIRE STATISTICS

2017-2019 FIRE STATISTICS

Fires in Residential Facilities									
	2019			2018			2017		
	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Residence Center	0	0	0	0	0	0	0	0	0
Family Housing Apt.									
Cluster A. 501-508	0	0	0	0	0	0	0	0	0
Cluster B. 509-517	0	0	0	0	0	0	0	0	0
Cluster C 518-524	0	0	0	0	0	0	0	0	0