UNM GPSA Resolution Supporting the Recommendations of The Presidential Task Force on Reporting Sexual Misconduct and Harassment and Supporting the UNM Community

WHEREAS, the University of New Mexico has continued to improve sexual misconduct policies and procedures while under the agreement with the U.S. Department of Justice. One of the areas of conversation that emerged – particularly among faculty – concerns the universal mandatory reporting requirement that was included in UAP 2740 in 2015.

WHEREAS, the policy requires that all UNM employees report any disclosures of sexual misconduct to the Title IX Coordinator. Even as mandatory reporting policies signal an institutional commitment to reducing campus sexual violence, they can simultaneously have the unintended effects of re-traumatizing survivors as well as discouraging some from disclosing occurrences of sexual misconduct to university employees.

WHEREAS, as a result of these conversations, on July 5, 2017, Interim President Abdallah appointed a Task Force on Reporting Sexual Misconduct and Harassment and Supporting the UNM Community.

WHEREAS, the Task Force was asked to “study options for mandatory reporting and recommend potential policy and/or procedural improvements regarding the responsibilities of UNM employees who learn of incidents of sexual misconduct and harassment on our campuses.”

WHEREAS, the representatives of this task force were from the Office of Equal Opportunity (OEO), the Dean of Students’ Office, student organizations, and members of faculty governance.

WHEREAS, the current policy denies victim/survivors control over their information, raises concerns over institutional betrayal of reporting without consent and is in conflict with professional ethical standard re. instructor-student expectations.

WHEREAS, the changes and updates to this policy as suggested in this resolution will support flow of information to Title IX/OEO, will comply with dominant norms re. federal compliance and through training, may increase awareness of how to report sexual misconduct on campus.

WHEREAS, the Task Force created the following general principles and documents:

1) A updated “List of Mandatory Reporters,” which will include “according to DOE and DOJ, only those employees with supervisory authority, and perceived by students to be mandatory reporters, must be “responsible employees,” will replace the former ineffective policy of “All UNM employees, except designated confidential advocates” which did not increase reporting and acted as a deterrent for both UNM employees and UNM students. This updated group of mandatory reporters lists those employees
who would continue to be obliged to report disclosures of sexual misconduct and harassment to the Title IX Coordinator,

2) For all other employees, a support and referral process guided by the “Support/Referral Form,” which leads the “Mandatory Referrer” through the process of assisting anyone who discloses sexual misconduct and shares the disclosure event with the Title IX Coordinator.

3) A “Reporting Flow Chart” indicating the actions required and recommended for these three categories of employees: Confidential Advocates, Mandatory Reporters, and Mandatory Referrers.

4) A “Draft Plan for Training Regarding Title IX Reporting Changes,” which describes the steps and timeline for implementing the policy change in relation to necessary communications, trainings, and supporting materials.

WHEREAS, the updated “List of Mandatory Reporters” is similar to lists employed at other universities following the 2011 Dear Colleague Letter. This updated policy was adapted to UNM’s specific employment categories and areas of responsibility. It requires mandatory reporting for those employees with sufficient administrative authority to redress or remedy the situation.

WHEREAS, the updated support and referral process (and form) provides a process for responsible and constructive action toward victims of sexual violence and harassment by UNM employees who are not designated as Mandatory Reporters by the University.

WHEREAS, the proposed process and procedure encourages and provides instruction and resources to all UNM employees so that victims divulging sexual misconduct occurrences may receive accurate information about the supports, referrals and resources to suit their needs, as well as effective support if they are ready to engage with formal disclosure and reporting processes. Screening for imminent harm related to the circumstance is incorporated into this process.

WHEREAS, the Task Force viewed this new approach as the best way to enable UNM employees to respond effectively, responsibly and compassionately to disclosures of sexual violence and harassment.

THEREFORE, BE IT ALSO RESOLVED that the UNM GPSA Council, made up of student leaders from the UNM community, who by definition and practice, actively participate as advocates on behalf of UNM students, their interests and echo their voice; will stand together as a body with our community to defend against oppressive policies that negatively affect all UNM students.

THEREFORE, BE IT ALSO RESOLVED that the UNM GPSA Council believes that our students’ matter and that as student leaders, we believe in the power of advocacy and that we can actively create change at UNM by exercising our voice and our concerns and here

THEREFORE, BE IT ALSO RESOLVED that the UNM GPSA Council, recognizes the depth and complexity of these important issues of student safety on campus and that we
as a body have been an active part of the task force. We also acknowledge and seek to address the concerns that have been raised during this process.

THEREFORE, BE IT ALSO RESOLVED that the UNM GPSA Council strongly supports the recommendations of The Presidential Task Force on Reporting Sexual Misconduct and Harassment and Supporting the UNM Community, as former participants of the Task Force, as student leaders, and as concerned students who are directly affected by these policy changes and will be participating in the #MakeUNMsafe advocacy campaign in collaboration with other student groups.

THEREFORE, BE IT ALSO RESOLVED that the UNM GPSA Council calls on the UNM President, the Provost of UNM, the Deans of all the Colleges on campus, the department chairs, and faculty/staff to support these recommendations to help support our students and to create a safe environment for all at UNM.

NOW, THEREFORE LET IT BE FINALLY RESOLVED, that the UNM GPSA Council stands with and supports our UNM students, our greater UNM community, other student groups, the SAFE faculty advocacy group, and will continue to actively work to implement the recommendations of the Task force into UNM policy and we will forward a copy of this resolution to the UNM President’s Office, the UNM Provost Office, and other key leaders at UNM.