

Student Code of Conduct:

Non-Academic Misconduct: All Students

What Constitutes Non-Academic Misconduct

The following constitute violations for which students and student organizations are subject to disciplinary action. These are not designed to be all-inclusive but offer examples of the types of prohibited conduct. Note that some violations of the Student Code of Conduct may also constitute discrimination based on gender under Title IX. When misconduct has been determined to violate Title IX, the College's Title IX Policies and Procedures will be followed instead of or in addition to the processes outlined by this Code of Conduct.

PERSON VIOLATIONS

1. Actual or threatened physical injury to any person (including self) on CNM owned or controlled property or at a CNM sponsored or supervised function or conduct that endangers the health, safety or personal well being of a person.
2. Engaging in individual or group conduct that is violent (including sexual misconduct, attempted suicide or threats of either), abusive, indecent, unreasonably loud or similar disorderly conduct that infringes upon the privacy, rights or privileges of others or disturbs the peace or the orderly process of education on campus.
3. Hazing, defined as an act which endangers the mental or physical health or safety of a student or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization.
4. Harassment or abuse directed toward individuals or groups may include at least the following forms: the use or threat of physical violence, coercion, intimidation and verbal harassment and abuse. Harassment and abuse may be discriminatory. Although all forms of harassment and abuse - both discriminatory and non-discriminatory - are equally prohibited, CNM's commitment to non-discrimination means that discriminatory harassment may be punished more severely than non-discriminatory forms of harassment.
5. Sexual abuse, including but not limited to sexual harassment, coercion and threats or use of force.
6. Any actual or threatened non-consensual sexual act.
7. Harassment or acts of insensitivity or intolerance toward individuals/groups, including groups defined by race, creed, national origin, disability, sexual orientation and veteran status.
8. Verbal or written abuse, which is likely to cause another person humiliation, stress, psychological harm or which is harassing in nature. The abuse may be electronic in nature, including on or through social media, telephone, texting or other messaging, or email.
9. Public display of literature, films, pictures or other material that depicts or describes sexual conduct in a patently offensive way and lacks serious literary, artistic, political or scientific value.

PROPERTY VIOLATIONS

1. Attempted or actual theft of and/or damage to property of CNM or property of a member of the CNM community or other personal or public property.
2. Any graffiti or other act of misuse, vandalism, malicious or unwarranted damage or destruction, defacing, disfiguring or unauthorized use of property belonging to the institution including, but not limited to, fire alarms, fire equipment, elevators, telephones, institution keys, library material and/or safety devices, walls, floors and ceilings.

FALSEHOODS/IDENTIFICATION VIOLATIONS

1. Forgery, counterfeiting, alterations or misuse of any CNM record, document or identification card.
2. Knowingly furnishing false information to CNM personnel or member of any hearing board acting in performance of their duties or the failure to provide CNM personnel with adequate information upon request.
3. Making a false report concerning a fire, bomb or other emergency.
4. Failure to possess at all times a valid CNM Student ID and/or failure to present the ID to CNM officials upon proper request.
5. Intentionally and falsely accusing a CNM employee or another student of a wrongdoing.

SAFETY VIOLATIONS

1. Unauthorized use, possession or storage of any weapon or explosive (including fireworks) on CNM premises or at CNM sponsored activities.
2. Tampering with fire extinguishers, fire alarm boxes or smoke or heat detectors anywhere on CNM property.
3. Creating a fire, safety or health hazard.
4. Ejecting any objects from windows, roofs or balconies of CNM buildings.
5. Students are not permitted on the roofs of CNM buildings.

COMPUTER VIOLATIONS

1. Unauthorized entry into or alteration of any CNM computer records or violation of the CNM Technology Use Policy.
2. Violation of the New Mexico Computer Crimes Act, including intentional and unauthorized access, alteration, damage, copying or destruction of any computer system or data.
3. Theft or abuse of computer time, including but not limited to:

- a. Unauthorized entry into a file, to use, read or change the contents or for any other purpose.
- b. Unauthorized transfer of a file.
- c. Unauthorized use of another individual's identification and password.
- d. Use of computing facilities to interfere with the work of another student, faculty member or CNM official.
- e. Use of computing facilities to send obscene, abusive, or threatening messages.
- f. Use of computing facilities to interfere with normal operation of the CNM computing system.

ENTRY/USE VIOLATIONS

- 1. Entry into or use of any building, facility, room or other CNM property/grounds without authorized approval. This also includes the unauthorized possession or use of CNM keys, lock combinations or other access codes.
- 2. Entering or attempting to enter any social event or other event without proper credentials for admission (e.g., ticket, identification card or invitation).
- 3. Unauthorized use of CNM telephones for long-distance calls.

LEGAL VIOLATIONS

- 1. Unlawful possession, use, distribution or sale of any narcotic or dangerous drug as defined by the statutes of the state of New Mexico.
- 2. Violation of federal, state or local law on CNM premises or at CNM sponsored or supervised activities.
- 3. Possession or consumption of alcoholic beverages in contradiction of state law and/or CNM policy.
- 4. The violation of local, state or federal criminal statutes shall be in violation of this code, whether or not such violation is prosecuted by public officials. CNM may refer such violations to appropriate law enforcement agents.
- 5. The use or possession of equipment, products or material used or intended for use in manufacturing, growing, using or distributing any drug or controlled substance.
- 6. Participation in illegal gambling activities on CNM owned or controlled property or at a function identified with CNM.
- 7. Embezzling, defrauding or procuring any money, goods or services under false pretenses.

GENERAL VIOLATIONS

1. Violation of published CNM policies, rules or regulations.
2. Failure to comply with directions of CNM officials, faculty, staff or law enforcement officer acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
3. Soliciting or selling in violation of the solicitation policy.
4. Having an animal on campus in violation of CNM policy.
5. Dispersing litter in any form onto the grounds or facilities of the campus.
6. Unauthorized use of cell phones, pagers and other electronic equipment in classrooms and laboratories.
7. Unauthorized use of sirens, loudspeakers and other sound amplification equipment.
8. The unsafe use of roller blades, skateboards, or scooters on CNM property.
9. CNM is a smoke-free institution, and all tobacco and tobacco-related products (including e-cigarettes) are banned from all CNM campuses except in clearly marked designated smoking areas.
10. Parking bicycles outside of designated areas.
11. Drinking and eating in classrooms, laboratories and libraries.
12. Bringing children to classes, labs or other instructional activities or to judicial affairs hearings.
13. Failure to comply with posted Dismount Zone signs.