

SAINT SUPPORT SHEET

Sexual Misconduct

What You Need to Know: Obtaining Information, Support and Assistance, and Filing a Complaint

Upon receipt of notice of any allegation of sexual misconduct, the institution will advise complainants of their right to notify law enforcement; right to decline to do so; or be assisted in notifying law enforcement.

EMERGENCY RESPONSE

Buffalo Police Department | 911 & (716) 851-4444

D'Youville Campus Safety | (716) 829-7777

Erie County Medical Center | (716) 898-3000

CONFIDENTIAL RESOURCES & SUPPORT

D'Youville Wellness Lodge | (716) 829-7815

Buffalo Crisis Services | (716) 834-3131

Campus Ministry | (716) 829-8106

SaintsCare:



Reach Out App:



REPORTING OPTIONS | ON CAMPUS

Title IX Coordinator | (716) 829-8337

D'Youville Campus Safety | (716) 829-7777

D'Youville Human Resources | (716) 829-8222

REPORTING OPTIONS | OFF CAMPUS

Buffalo Police Department | (716) 851-4444

Erie County Medical Center | (716) 898-3000

Buffalo Crisis Services | (716) 834-3131

Pride Center of Western New York | (716) 829-7550
Monday - Friday, 9:00 a.m. - 5:00 p.m.

INTERIM MEASURES

Interim measures put in place by the University and do not signify any determination of level of responsibility. Examples of interim measures include:

1. Housing reassignments;
2. Course reassignments;
3. Alterations to Institution employment arrangements and/or changing work schedules;
4. Alterations of course schedules, assignments or tests;
5. No contact directives (such a directive serves as a notice to both parties that they must not have verbal, electronic, written, or third-party communication with one another);
6. Providing an escort for a party to ensure they can move safely on campus and/or between Institution programs and activities;
7. Limitation on extracurricular or athletic activities;
8. Emergency removal or administrative leave from Institution;
9. Temporary suspension or revision of Institution policies or practices;
10. Training; and/or
11. Other appropriate actions as necessary to stop the sexual misconduct, prevent its recurrence, remedy its impact or improve Institution policies or practices.

PROCESS

D'Youville will support complainants and respondents in navigating the complaint resolution procedures. There are several options available to resolve a report of prohibited conduct. These options include both informal and formal processes and will vary slightly based upon whether the respondent is a student or an employee. Upon receipt of a report, the institution will conduct an initial Title IX assessment and, if a formal complaint is filed by the complainant or Title IX Coordinator, commence an investigation. The institution may pursue informal conflict resolution, with the parties' consent, or proceed with formal resolution. The formal resolution process will include a live Title IX Hearing.

TIME FRAME OF INVESTIGATION

An investigation conducted pursuant to this policy, the investigator's preparation of their initial report, presentation to the Title IX Coordinator, completion of a Live Hearing, and the imposition of sanctions should normally be completed within 60 calendar days after the Institution has notice of an allegation of sexual misconduct. The Title IX Coordinator may extend this time frame for good cause, including Institution breaks. If the time frame is extended, notice of the extension and the reasons for such extension will be provided to the Impacted Party and Respondent.

AMNESTY

The health and safety of every student at the Institution is of utmost importance. The Institution recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence (including but not limited to domestic violence, dating violence, stalking, or sexual assault) occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The Institution strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to Institution officials. A student who is a bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to the Institution's officials or law enforcement will not be subject to disciplinary action by the Institution for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

RETALIATION PROHIBITED

Retaliation in connection with any reports of possible sexual misconduct, whether against those who submit a report or otherwise participate in the investigative or disciplinary process (e.g. as a witness) is prohibited. Any retaliatory conduct should be immediately reported to the Title IX Coordinator or designee. Should the Institution become aware of retaliation of any sort, immediate responsive action will be taken up to and including suspension, expulsion, or termination from Institution employment.

TITLE IX HEARING

The Title IX Coordinator or designee will select three members from a pool of trained hearing officers for a hearing panel. At least 10 days prior to the hearing, the parties will receive a copy of the investigative report for their review and written response. At least one week prior to the hearing, the parties will receive a description of the alleged violations and applicable procedures. The panel will deliberate in closed session to determine under a preponderance of the evidence standard whether the respondent is responsible or not responsible for the violations in question. The written decision of the hearing panel will be communicated to both parties via email and letter concurrently within 5 business days after the hearing has concluded.

INFORMAL RESOLUTION

Members of the D'Youville community have an option to resolve concerns of sexual misconduct informally, without a live hearing or formal investigation, with the assistance of a trained facilitator. The Title IX Coordinator will offer the informal resolution process to the parties only after a formal complaint is filed by a complainant. The primary objective of informal resolution is to permit the parties to resolve the dispute on their own, quickly and confidentially. Both the Impacted Party and the Respondent must agree to informal resolution. At any stage during or upon the conclusion of the informal resolution process, either party may decide to proceed by formal process.

APPEAL PROCESS FOR STUDENT-RESPONDENTS

All requests for a final appeal must be submitted in writing to the Title IX Coordinator or designee within 5 business days of the delivery of the written finding of the hearing panel. Dissatisfaction with the hearing panel's decision is not grounds for appeal. All sanctions imposed by the hearing panel will be in effect during the appeal. The Title IX Appeal Panel will issue a written decision via email and letter to all parties within 5 business days of receipt of the appeal from the Title IX Coordinator. The decision of the Title IX Appeal Panel is final and may not be appealed.

RESOURCES

Campus Sexual Assault Victim's Bill of Rights:



Sexual Misconduct & Harassment Information (Title IX)



Title IX Coordinator:

Danielle Nesselbush
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(716) 829-8337