

## MEMORANDUM

TO: All Students

FROM: Karen A. Clinton Jones, Chief Diversity Officer and Title IX Officer

### Title IX

This memo serves as an annual notice to the Buffalo State community to provide information about Title IX.

Title IX of the Education Amendments of 1972 prohibits sex discrimination in education. It reads: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance." Most people understand Title IX only in terms of its application to gender equity in athletics; however, Title IX extends protections against discrimination to educational institutions. These protections are not just for students; faculty and staff are covered by the protections of Title IX, also.

The Title IX coordinator for Buffalo State is the chief diversity officer, Dr. Karen A. Clinton Jones. She can be reached at (716) 878-6210, [joneska@buffalostate.edu](mailto:joneska@buffalostate.edu) or Cleveland Hall 415.

The types of activities that invoke Title IX protections are gender discrimination, domestic violence, dating violence, sexual harassment, sexual assault, and/or stalking.

If a person has experienced any of the behaviors described, the following resources are available:

- For medical attention, go to the Weigel Health Center or call University Police at 6333.
- For immediate concern for your physical safety, contact University Police at 6333
- To discuss your situation with a counselor, contact the Counseling Center in Weigel Health Center 219 or at (716) 878-4436.

Additionally, those who have experienced behavior noted above have the right to:

- Have disclosures of sexual violence treated seriously.
- Make a decision about whether or not to disclose a crime or incident and participate in the conduct or criminal justice process free from outside pressures from college officials.
- Be treated with dignity and to receive from college officials courteous, fair, and respectful health care and counseling services.
- Be free from any suggestion that the victim is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such a crime.
- Describe the incident to as few individuals as practicable and not to be required to unnecessarily repeat a description of the incident.
- Be free from retaliation by the College, the accused, and/or their friends, family and acquaintances.
- Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or conduct process of the College.

### Options in Brief:

Victims have many options that can be pursued simultaneously, including one or more of the following:

- Buffalo State University Police will assist victims in filing criminal charges with local criminal courts. University Police will provide guidance on how to obtain a restraining order/no contact order and will assist with the enforcing the order.
  - o University Police Department: Chase Hall, Room 110, (716) 878- 6333
- To file student disciplinary charges against the perpetrator(s). Disciplinary actions are sanctioned in accordance with the Buffalo State Code of Student Rights, Responsibilities and Freedoms (<http://deanofstudents.buffalostate.edu/sites/deanofstudents.buffalostate.edu/files/uploads/Links/Code%20of%20Conduct.pdf>). Throughout disciplinary hearing, the accused and the accuser will have the same opportunity to have others present. Both parties will receive written notice of the outcome of a disciplinary process. In a campus disciplinary hearing, victims have a range of options for providing testimony, including telephone/videoconferencing or testifying with a room partition. Students have a right to know the range of

sanctions that may be imposed on the accused based upon the outcome of the disciplinary proceeding, which can include suspension, expulsion, disciplinary probation, community service, loss of University privileges, counseling, warning, a no contact order, or other sanction(s) as deemed appropriate based upon the disciplinary finding and severity of the offense.

- Office of Judicial Affairs: Campbell Student Union, Room 311, (716) 878-4618
- When the complaint involves a College employee, a victim may report the incident to the Human Resources Management where disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements.
  - Human Resource Management, Cleveland Hall, Room 403, (716) 878-4822
- To file a report of discrimination and harassment, and/or talk to the Title IX Coordinator for information and assistance. Reports of discrimination and harassment will be investigated in accordance with the Buffalo State policy (<http://equity.buffalostate.edu/policies>). If a victim wishes to keep his/her identity private, s/he may contact the Office for Equity and Campus Diversity anonymously to discuss the situation and identify available options.
  - Equity and Campus Diversity, Cleveland Hall, Room 415, (716) 878-6210
- To have any campus judicial or employee disciplinary proceeding and/or discrimination complaint investigated in a prompt, impartial and thorough manner by individuals who receive annual training in conducting investigations and the issues related to sexual assault, domestic violence, dating violence and stalking.
- To pursue more than one of the above options at the same time, or to choose not to participate in any of the above options. Please note that if a criminal complaint is filed, Buffalo State may delay its investigation while the law enforcement agency is gathering evidence.
- To maintain confidentiality regarding the incident and any disciplinary proceedings and/or discrimination complaints. Campus officials will only provide information as necessary to proceed with a hearing or complaint investigation.
- To choose to speak, or not to speak, about the outcome of a disciplinary hearing.
- To obtain a change in academic or housing arrangements in order to avoid remaining in a hostile environment, you are advised to contact the Office of Judicial Affairs as noted above.
- To obtain counseling, health, and support services.

Counseling Center  
219 Weigel Health Center, 2nd Floor  
(716) 878-4436

Weigel Health Center  
Ground Floor  
(716) 878-6711

Crisis Services  
Erie County 24 hour hotline  
(716) 834-3131  
The Advocate Program  
<http://www.crisisservices.org>

NYS Office of Victim Services  
<http://www.ovs.ny.gov/>  
Victim Advocacy, Buffalo  
(716) 847-7996

For information about how to file a complaint, contact Dr. Clinton Jones in the Equity and Campus Diversity Office at [joneska@buffalostate.edu](mailto:joneska@buffalostate.edu), Cleveland Hall 415, or by calling (716) 878-6210 or Dr. Charles Kenyon, Associate Vice President and Dean of Students, [kenyoncb@buffalostate.edu](mailto:kenyoncb@buffalostate.edu), Campbell Student Union 311, or by calling (716) 878-4618.

To file a complaint, members of the campus community should understand the following:

- If the matter is a crime, contact University Police.

- If a student wishes to file a complaint against another student, contact the Dean of Students Office.
- If a student wishes to file a complaint against an employee, contact the Equity and Campus Diversity Office.
- If an employee wishes to file a complaint against another employee or a student, contact the Equity and Campus Diversity Office.
- Members of the college faculty and staff – including student staff members – who are informed about allegations of sexual harassment, sexual violence, or any of the behaviors listed above, are expected to report those allegations to their supervisors or to any of the offices listed above.

If you have reported an alleged sexual misconduct or otherwise believe you have been subjected to sexual misconduct on campus you are invited to provide to the Title IX coordinator any recommendations about how to improve the effectiveness of the campus' implementation of its policies and procedures.

Information regarding Title IX, the Sexual Violence Response Policy, Sexual Violence Bill of Rights, and the Confidentially Disclosing Sexual Violence Policy can be found on the [Equity and Campus Diversity website \(http://equity.buffalostate.edu\)](http://equity.buffalostate.edu).