

# D'YOUVILLE UNIVERSITY

## *Safety Policy Statement*

It is the goal of D'Youville University to provide a safe and healthy environment for its faculty, staff, students and visitors on our campus. To achieve this goal this policy statement is being established.

We all have a responsibility and an interest in insuring that D'Youville University is operated safely to minimize health hazards and reduce the risk of injury. The President and the President's Council ask that we all join in, by doing our part and making a sincere effort to make our campus as free from health hazards and injury as possible.

Not only do all supervisory personnel share in this safety responsibility to make their work environment as free as possible from safety and health hazards, but also each individual has a personal responsibility to act in a safe manner and report health and safety risks. Each of us can take positive actions that will minimize risks and prevent accidents. These actions should include maintaining a conscious awareness of safety, both inside our buildings and on the grounds around our buildings and promptly reporting an unsafe condition to our Facilities Office (extension 7677).

Since unsafe/unhealthy conditions can injure people or damage equipment and property, safety is everyone's responsibility. We believe that most accidents can be prevented by increasing awareness and by taking common sense precautions. The extent of the safety responsibility an individual bears is directly proportional to the overall responsibilities for personnel, facilities, and equipment for which each individual is responsible.

By maintaining as safe an environment as possible we can help prevent injury to a co-worker, student or visitor to our campus.

To ensure that all members of our University community are aware of general health and safety policies, practices, and procedures the following delivery mechanisms are in place:

1. All new students receive an overview of campus safety and instructions on how to access reference guides at orientation. A reminder to be aware of these resources is sent via mass email at the start of each semester.
2. All employees are instructed to review all policies and procedures during initial on-boarding. The department of campus safety addresses these areas again during new employee orientation. Additionally, it is the University expectation that supervisors ensure new employees have an accurate understanding of necessary policies and procedures by the end of their first semester of employment.
3. The department of campus safety and Dean of Students send regular email communications on safety policies, procedures, updates, and requirements throughout each academic year.
4. Timely and emergent updates are delivered to campus community members utilizing RAVE text/calling software.

## ACTIVE SHOOTER PROTOCOL

When an active shooter is in your vicinity:

### 1. RUN

- Have an escape route and plan in mind.
- Leave your belongings behind.
- Keep your hands visible.

### 2. HIDE

- Hide in an area out of the shooter's range.
- Block entry to your hiding place and lock the doors.
- Silence your cellphone and/or pager.

### 3. FIGHT

- As a last resort and only when your life is in imminent danger
- Attempt to incapacitate the shooter
- Act with physical aggression and throw items at the active shooter

## CALL 911 WHEN IT IS SAFE TO DO SO

### When Law Enforcement Arrives:

- Remain calm
- Put down any items in your hands (i.e., bags, jackets)
- Raise hands and spread fingers and keep hands visible at all times
- Avoid quick movements towards officers such as hold on to them for safety
- Avoid pointing, screaming or yelling
- Do not stop to ask officers for help or direction when evacuating

### INFORMATION YOU PROVIDE TO LAW ENFORCEMENT OR TO A 911 OPERATOR:

- Location, number and physical description of active shooter(s)
- Number and type of weapons held by shooter(s)
- Number of potential victims at the location

## EMERGENCY NOTIFICATION SYSTEM

D'Youville University has an emergency notification system in place designed to send vital messages to individuals' designated emergency phone/text numbers and e-mail addresses in the event of a disruption of normal campus operations or in case of an emergency.

For more information about the emergency notification system and the procedures for faculty, staff and enrolled students to update their information, e-mail [aliceam@dyc.edu](mailto:aliceam@dyc.edu). If an incident is deemed serious enough, there will be multiple notifications, with the assumption that redundancy is a good thing. In addition to the emergency notification system, other notices may include:

- Website
- E-mail from the DL Manager
- Voicemail
- Signage

At a minimum, **campus security should be notified of any and all incidents.** Campus security will determine who to contact to respond to any incident.

**EMERGENCY  
CAMPUS SECURITY  
716.829.7777**

**NON-EMERGENCY  
716.829.7550**

# Emergency Response Reference Guide

[www.dyc.edu](http://www.dyc.edu)

320 Porter Avenue  
Buffalo, NY 14201  
716.829.8000

## **BASIC EMERGENCY PROCEDURES**

1. Contact campus security **716.829.7777** and provide your name, location and the nature of the emergency.
2. Call **9-1-1** in the event of an appropriate emergency. Provide your name, location and the nature of the emergency.
3. If the emergency is off-campus (e.g., athletes at an away game) establish communication lines between the scene and appropriate campus officials.

**Stay Calm: Utilize your RAIN Training: Respond, Assess, Isolate and Notify to guide your actions.**

### **EVACUATION PROTOCOL**

1. Remain calm.
2. All building evacuations will occur when an alarm sounds and/or upon notification by campus security or university personnel.
3. When the fire/evacuation alarm is activated during an emergency, leave by the nearest marked exit and alert others to do the same.

4. Use stairs in case of fire and/or other emergencies. DO NOT use elevators.
5. Once outside, proceed to a clear and safe area away from the building.
6. Keep driveways and walkways clear for emergency vehicles and personnel.
7. Alert security of any individuals with mobility issues and their location.
8. Do NOT return to an evacuated building unless told to do so by a university official.
9. All D'Youville students and personnel should familiarize themselves with the emergency procedures, know evacuation routes and be prepared to assess situations quickly but thoroughly, using common sense to determine a course of action.

### **HAZARDOUS MATERIALS**

Any spillage of a hazardous chemical or potentially radioactive material should be reported immediately to campus security at **716.829.7777**.

- Evacuate affected site immediately. Do not walk on or touch any spilled substance. Try to stay upstream, uphill and upwind of accident.
- Cover mouth with cloth while leaving the area. Do not re-enter area for any reason. Remain outside affected area until authorities allow re-entry.

### **CAMPUS LOCK-DOWN PROCEDURES**

“Lock-down” means that everyone in the lock-down area of the campus is not to move from their current location. Lock-down will be announced by the emergency notification system. An example

of a potential lock-down situation would be an active shooter or potential shooter on campus. All students and personnel will be asked to move from halls, common areas, lavatories, etc. into classrooms and offices, preferably those that can lock from the inside.

- Classroom/office doors are to be locked, if at all possible, and/or secured with furniture.
- All individuals in the room should take a seated position on the floor next to a wall, out of view from the door(s) and window(s). In other words, stay out of sight.
- Windows should NOT be covered; leave window coverings (shades, blinds, etc.) open and keep lights as they are.
- Document and attend to any injuries as well as possible.
- No one should be allowed to enter or leave the room under ANY circumstances.
- Do not answer or communicate through the locked door.
- Do not respond to a fire alarm unless imminent signs of fire are observed. Doing so could compromise the safety of those already secured.
- Do not talk within your secured area except as absolutely necessary.
- Do not respond to any public address system or other announcements.
- Take attendance including notation of missing individuals. Keep this as a record for use upon release.
- Silence cell phone ringers.
- Lock-down will end ONLY when you are physically released from your room by emergency responders or authorized campus personnel.

## **D'Youville University Policy & Procedure for Investigation of Missing Students**

To meet federal requirements for resident students who may be missing the following will take place:

- Resident students will be asked to register with the residence life office a confidential emergency contact person. This contact would be notified in the case when the student is missing or when another sufficient emergency situation develops. This contact information will remain confidential and will not be shared with the rest of the university.
- If a resident student has not registered an emergency contact number the local law enforcement authorities will serve as an emergency contact and will be notified when a missing student situation occurs.
- If a missing resident student is less than 18 years of age, and is not officially emancipated from their parents or guardian, the parent or guardian, by law, must be contacted.
- Anyone who suspects that one of our resident students is missing should immediately contact their resident assistant (RA), the director of residence life, assistant director of residence life or campus security. Once such a notice is received security and university officials will begin an investigation and will work with local law enforcement agencies as needed.

For this federal requirement, the term "missing student" is defined as "any student who resides on campus and whose absence is unscheduled and has resulted in concern for his safety by peers and/or employees." Reports of a missing commuter student will be referred immediately to the Buffalo Police and Campus Security will assist their investigation in any way possible.

Campus Security will investigate a report of a missing resident student using the following procedure:

1. Campus Security will consult with the staff or community member making the report to determine the level of seriousness and to gather all pertinent information. Security may be assisted in this process by the director or assistant director of residence life.
2. As deemed appropriate security will notify the vice president for operations and the vice president for student affairs of the situation.
3. If the missing student report is suspicious in nature and involves an immediate threat or danger, or the student has been missing 24 hours, campus security will notify the Buffalo Police and other law enforcement agencies if necessary. The campus security director will take a detailed incident report in conjunction with the police. Interviews with roommates, family members, and those who were last in contact with the individual will be done immediately. Campus Security and the residence life directors will assist the police in locating individuals to be interviewed and coordinating any search efforts.
4. Emergency notifications to the campus community will be coordinated as necessary by the vice president for student affairs. Information will not be released to the public

unless authorized by the vice president for student affairs and/or the director of public relations. All media requests will be directed to the public relations office.

5. Security will act as the liaison office between the university and law enforcement, writing follow-up reports as needed and keeping university officials apprised of the on-going investigation.

# CAMPUS SEXUAL ASSAULT **Victims' Bill of Rights**

**At D'Youville, the safety of our community members is our priority.**

In accordance with the New York State "Enough is Enough" legislation, D'Youville has implemented the following Bill of Rights. Each of the 11 rights below shall be afforded to all victims of reported campus-related sexual assaults. We are here to listen, believe, be patient and support you.

## **D'YOUVILLE GUARANTEES ALL SURVIVORS:**

- 1** The right to make a report to campus safety, local law enforcement and/or state police.
- 2** The right to have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously.
- 3** The right to decide about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution.
- 4** The right to participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard.
- 5** The right to be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available.
- 6** The right to be free from any suggestion that the reporting individual is at fault when those crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations.
- 7** The right to describe the incident to as few institution representatives as possible and and not be required to unnecessarily repeat a description of the incident.

- 8** The right to be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution.
- 9** The right to access to at least one level of appeal of a determination.
- 10** The right to be accompanied by an advisor of choice who may assist and advise throughout the judicial or conduct process including during all meetings and hearing related to such process.
- 11** The right to exercise civil rights and practice religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.



If you have witnessed or been the victim of sexual assault or misconduct on campus or in association with the institution, please call **(716) 829-8337** immediately to report, or scan the QR code to the left.

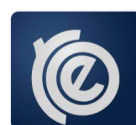
### **NYS Education Law 129-B**

Reporting individuals are reminded that you have the right to make a report to campus security, local law enforcement, and/or state police or choose not to report the incident to institution, to be presented by the institution from retaliation or reporting an incident and to receive assistance and resources from the institution.

### **Title IX Coordinator:**

Danielle Nesselbush  
nesselbd@dyc.edu  
(716) 829-8337

Download the Reach Out app for more resources:



**DOWNLOAD FREE**  
USING YOUR FAVORITE APP STORE

For more information on D'Youville's sexual assault policies, scan the QR code here:



# 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  
nesselbd@dyc.edu  
(716) 829-8337