

CULTIVATING A SAFE AND INCLUSIVE UNIVERSITY COMMUNITY

Information for Graduate Student Association Leadership

Presented by Wellness Education Services (WES)
& Equity, Diversity & Inclusion (EDI)

 **University at Buffalo** The State University of New York

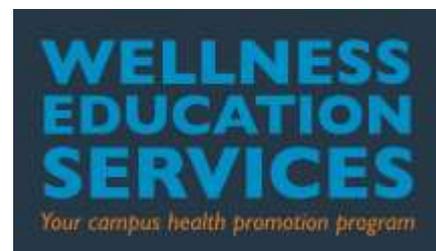
 **University at Buffalo** The State University of New York

Wellness Education Services

The mission of Wellness Education Services is to advance the health of students and contribute to the creation of an institutional and community climate of health and social justice.

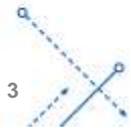
We provide consultation, trainings and support in the following areas:

- Alcohol and other drugs
- Nutrition and physical activity
- **Rape, sexual assault and violence prevention**
- Stress management
- Smoking cessation
- LGBTQ resources



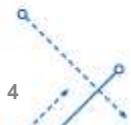
Office of Equity Diversity and Inclusion (EDI)

- Provides consultation and advice to students, staff and faculty on issues relating to harassment, accommodations, and other discrimination concerns
- Investigates reports of discrimination and harassment in any program on campus
- **Title IX**



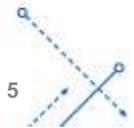
UB Prohibits Discrimination & Harassment

- Policy applies to all members of the UB community
- Requires administrators, supervisors, managers, and instructors to report instances of discrimination and harassment to EDI
- Prohibits adverse treatment based upon any protected category
- Provides for prompt and effective remedial action to stop harassing behavior
- Expressly forbids retaliation
- Requires reasonable accommodations absent undue hardship (disability status, religion, transgender status, USE)



Protected Categories

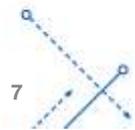
- Race
- Color
- National Origin
- Sex
- Religion
- Age
- Disability
- Pregnancy
- Gender Identity
- Gender Expression
- Sexual Orientation
- Predisposing Genetic Characteristics
- Marital Status
- Veteran Status
- Military Status
- Domestic Violence Victim Status
- Ex-offender Status
- Familial Status



TITLE IX

What's covered by Title IX?

- Sexual harassment
- Sexual assault
- Domestic violence
- Dating violence
- Stalking
- Threats of violence



Sexual Harassment Is:

Any **unwelcome** sexual advance; request for sexual favors

OR

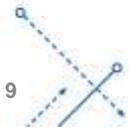
Verbal or physical conduct of a sexual nature that is **severe** or **pervasive** enough to create a hostile or intimidating work or educational environment

This applies regardless of whether a UB student or employee is creating the hostile environment, or whether it is created by a guest/visitor or others



Prohibited Conduct Includes:

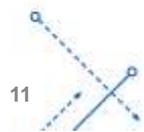
- Initiating sexual contact with a person who has not given consent, is too drunk to consent, is asleep or otherwise incapacitated
- Making a video or taking pictures of a person in a sexual act and/or without clothing, without their knowledge and consent
- Sharing videos or pictures of a person in a sexual act and/or without clothing without their permission, even if they initially consented to the pictures or video
- Grabbing, tickling, fondling or otherwise touching someone in a sexual manner without their consent.



PREVENTION AND RESPONSE

Affirmative Consent

Affirmative consent is a **knowing, voluntary, and mutual** decision among all participants to engage in sexual activity. Consent can be given by **words or actions**, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.



11

Affirmative Consent continued...

- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.



12

Amnesty for Drug and Alcohol Use

- UB's Good Samaritan policy
 - Applies to sexual assault victims and bystanders reporting a sexual assault in good faith
 - Campuses will not pursue drug and alcohol charges
 - Does not apply to selling/distribution



Student Bill of Rights

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual violence assault treated seriously;
3. Make a decision 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 pressures from the institution;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;



Student Bill of Rights continued. . .

5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual or victim/survivor is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few institutional representatives as practicable and not to be required to unnecessarily repeat a description of the incident;



Student Bill of Rights continued. . .

9. Be free from retaliation by the University, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of UB;
10. Access to at least one level of appeal of a determination;
11. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process;
12. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the University



Reporting Options

Confidential Options

- UB Police Online Proxy Report
- Counseling Services
- Health Services
- Clergy Members
- On-Campus Advocate

Non-Confidential Options

- University Police
- Local police
- Disciplinary complaint (Judicial Affairs, Employee Relations)
- UB Title IX Coordinator (Director of EDI)

**Academic accommodations, support referrals, no-contact orders and other assistance is available even if you do not wish to pursue a report.*

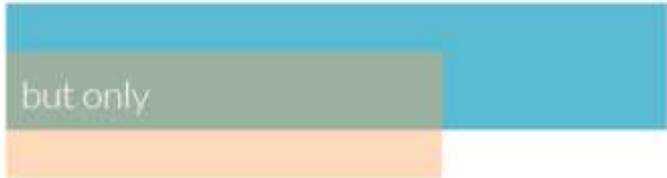
17



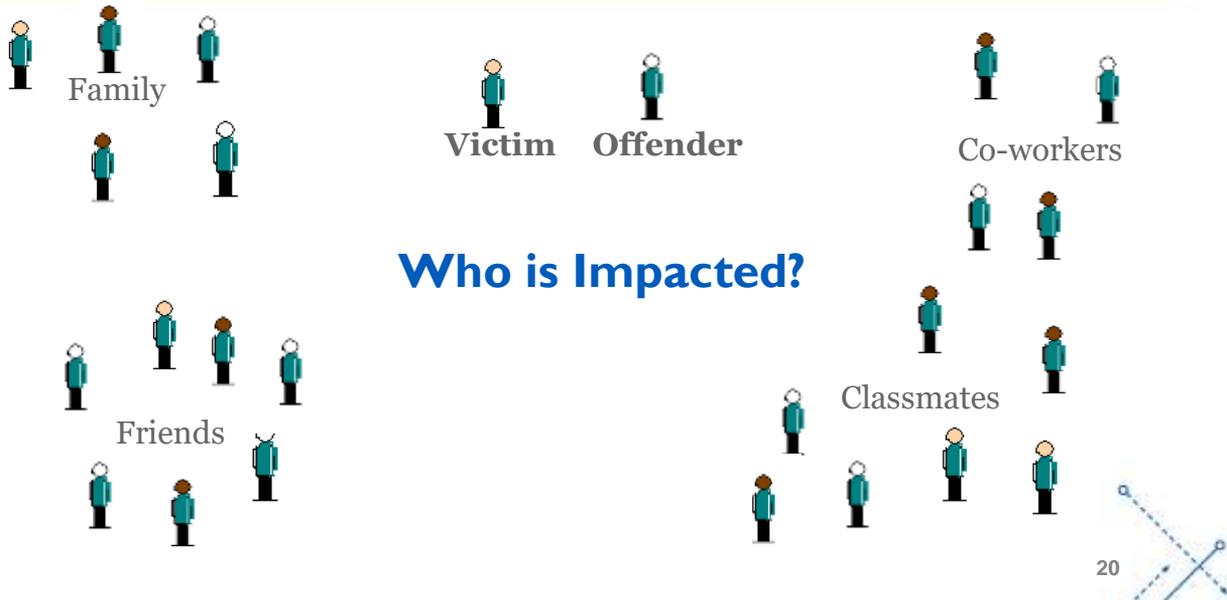
WHAT CAN YOU DO TO HELP?

- Social norming
- Set expectations
- Encourage the healthy majority
- Provide support, build trust

80% Of undergraduates would feel comfortable taking action if they saw someone trying to take advantage of another person



55% Think most students would do the same



“Do you need help?”

“Can I walk you home?”

“Should I call the police?”

“Do you want me to call someone for you?”

What can I say or do?

“What can I do to help you?”

“Is everything OK?”

“Are you alright?”

“Do you want me to talk to so-and-so for you?”

21



“What you said earlier really bothered me...”

“How would you feel if someone did that to your sister?”

“I don’t like what you just did.”

What can I say or do?

“I know you well enough to know that you would not want to hurt someone...”

“I am saying something because I care about you...”

“I wonder if you realize how that feels/comes across.”

22



Strategies for Fostering a Safe & Welcoming Environment

- Listen and withhold personal judgment; WAIT
- Take all complaints seriously and refer for appropriate action
- Be a role model – Refrain from using biased and hate language
- Be an “upstander” – Speak up if you hear biased, sexist and/or homophobic language

***Be direct. Show concern.
Learn intervention strategies.***

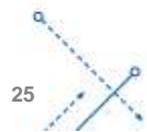
23



SO WHAT RESOURCES DOES UB OFFER?

Support Options

- **Medical services and treatment**
 - Emergency Room- S.A.F.E.
 - Emergency room personnel can contact an advocate to offer the victim immediate counseling services, as well as local victim advocacy services.
- **Crisis Services Advocate at UB**
- **Counseling Services**
- **Restraining/ No contact orders**
- **Relocation of housing**
- **Academic accommodations**
- **Referral to legal services**



25

On-Campus

- University Police: 716-645-2222
- Counseling Services: 716-645-2720
- Health Services: 716-829-3316
- Judicial Affairs: 716-645-6154
- Equity, Diversity and Inclusion: 716-645-2266
- Crisis Services Advocate: aamidon@crisisservices.org
- SBI Legal Assistance: 716-645-3056
- SBI Health and Safety Services: 716-829-2584



26

Off-Campus

- Off-Campus Police (Buffalo, Amherst): 911
- Crisis Services: 716-834-3131
- Family Justice Center: 716-558-7233
- Buffalo Police SOS Department: 716-851-4494
- NY State Police Sexual Assault Victims Unit
Hotline: 1-844-845-7269



Still unsure what *YOU* can do?

- Be a resource
- Correct misperceptions
- Set clear expectations
- Show how you and UB care.

If you forget exactly what to do – It's okay to ASK!



For More Information

Equity, Diversity and Inclusion

406 Capen Hall

(716) 645-2266

diversity@buffalo.edu

www.buffalo.edu/equity

Wellness Education Services

114 Student Union

(716) 645-2837

stu-wellnessed@buffalo.edu

www.buffalo.edu/USE