Sexual Misconduct & Title IX
D’Youville prohibits its employees and undergraduate and graduate students from engaging in any form of sex discrimination, which includes sexual harassment and sexual assault/violence. This policy provides information regarding the Institution’s prevention and education efforts related to sexual harassment and sexual assault/violence (collectively referred to in this policy as “sexual misconduct”). Should the Institution become aware of sexual misconduct impacting its employees, undergraduate students or graduate students, the Institution is committed to promptly and effectively addressing the situation.
This policy applies to reports that an employee of D’Youville or an undergraduate or graduate student (“Impacted Party”) is alleged to have been subjected to sexual misconduct by another employee of D’Youville, a third party (such as a contracted service provider or vendor), or an undergraduate or graduate student (“Respondent”) whenever the alleged sexual misconduct occurs:

1. On campus, which includes the Main Campus, Dobson field, and any other areas owned or leased by D’Youville; or

2. Off campus, if:
   a. In connection with an Institution or Institution-recognized program or activity; or
   b. In a manner that may pose an obvious and serious threat of harm to, or that may have the effect of creating a hostile educational or work environment for, any member(s) of the Institution community.

This policy applies regardless of the sexual orientation or gender identity of the Impacted Party or Respondent.

This policy and process adheres to the aforementioned laws and must be followed if either the impacted party and/or the respondent is a student.
Definitions

Sexual misconduct encompasses a range of behavior used to obtain sexual gratification against another’s will or at the expense of another or that otherwise targets an individual because of their sex. **Sexual Misconduct includes sexual harassment, sexual assault, and any conduct of a sexual nature that is without consent or has the effect of threatening or intimidating the person against whom such conduct is directed.** State and federal laws and regulations vary on defining acts which constitute unlawful sexual misconduct. However, this policy prohibits conduct in addition to that which may be deemed unlawful under state or federal law.
The Institution strongly encourages the prompt reporting of sexual misconduct. The report may be made by:

- A person covered by this policy who believes they experienced sexual misconduct; or
- A person who has information that sexual misconduct may have been committed by a person covered by this policy.

Reports should be made to the Title IX Coordinator in writing via their Institution email or by mail, verbally in person or over the phone, or digitally through the official Institution reporting system, Maxient, located on the main Institution website and within SharePoint under HELP!
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.
There are Confidential Resources at D’Youville. Discussing allegations of sexual misconduct with a Confidential Resource will **not result in a report** to the Title IX Coordinator.

Confidential Resources include:

- The Student Counseling Center
- Student Health Services
- Campus Ministry
• BG Grant, Student Affairs
  • Title IX Coordinator

• Amanda Idienumah, Student Engagement & Housing
  • Deputy Title IX Coordinator

• Tammy Maston, Human Resources
  • Deputy Title IX Coordinator

• Rebecca Capinera, Athletics
  • Deputy Title IX Coordinator
• BG Grant
  • The KAB Clubhouse
  • grantb@dyce.edu
  • 716.829.7812