

# Buffalo State

*State University of New York*

Buffalo State College  
Office of the Associate Vice President and Dean of Students

## ***How Should Neighborhood Community Residents Respond to Student Misconduct?***

September 2010

### **1. Will Buffalo State discipline its students for misconduct off-campus?**

- a. Yes. Buffalo State takes action to discipline students for their conduct, regardless of whether that conduct occurs on- or off-campus. The Buffalo State College Code of Student Rights, Freedoms and Responsibilities (the code of student conduct) states that the Code applies “*off campus where a definite, legitimate and substantial college interest exists.*” On April 27, 2004, then SUNY Chancellor Robert L. King notified campus Presidents that their institution may find such interest to exist *whenever the student conduct adversely affects the campus community or undermines the interests and/or mission of the institution.* At Buffalo State, we believe our reputation is made through the achievements, performance and conduct of our students and alumni. For that reason, we address student misconduct wherever it may occur, on- or off-campus.

### **2. Who should neighborhood residents notify if student-residents engage in disruptive, intimidating or threatening conduct?**

- a. For immediate response, Buffalo City Police (911) should be notified of behavior that violates State, County or City laws and/or ordinances applicable to citizens of Buffalo. Complaining parties should seek to obtain an arrest report, warrant, summons, or other document verifying the identities of persons charged.
- b. The landlord/owner of rental property should be notified of any problems created by tenants. Copies of written complaints should also be submitted to the attorney for the Block Club for possible use in a complaint to the Buffalo Housing Court.
- c. If Buffalo State students are alleged to be involved, information about the date, time, place and nature of the incident, along with the names of involved students and the name of the party issuing the complaint, can be provided to the Dean of Students office (878-4618) for review of possible violations of the Code of Student Conduct.

**3. What will happen if I call the Buffalo Police?**

- a. The Buffalo Police will investigate the incident and make arrests or issue warrants or violations as appropriate to the situation and consistent with that agency's operating procedures.
- b. If a Buffalo State student is identified through the Buffalo Police investigation, the student's name and the incident information -- often, but not automatically -- will be provided to Buffalo State's University Police for review and response by the College. Residents should notify the Dean of Students office if they are unsure whether the incident information has or will be reported to University Police.
- c. If Buffalo State's University Police receive a report of an incident involving a Buffalo State student from Buffalo City Police, the Dean of Students office will be informed of the off-campus student incident report and the Dean will pursue the steps outlined in #5 below.

**4. What will happen if I notify the University Police at Buffalo State?**

- a. Current law restricts University Police powers and jurisdiction only to incidents that occur, including any investigations, on their assigned campus and any portion of a public highway that crosses or abuts the campus and its related properties. **If contacted directly about an off-campus event that involves a Buffalo State student, University Police will redirect the inquiry to Buffalo Police for their action and response.**
- b. The Buffalo Police Department will usually forward any reports they take from you to the University Police, who will provide the information to the Dean of Students. Buffalo Police and Buffalo State's UPD share a productive and positive relationship, with the mutual goal of the safety of all citizens. The Dean's office will investigate the complaint to determine whether the individuals named are currently enrolled students at Buffalo State College and whether a violation of the Code of Student Conduct or other College policies has occurred.

**5. What will happen if I notify the Dean of Students office at Buffalo State?**

- a. You will be asked to provide a statement describing the incident and, if possible, identifying the names of the accused students. You will also be asked to provide any evidence that pertains to the incident, such as photographs of damaged property or a videotape of the alleged conduct.
- b. The Dean's office will investigate the complaint to determine whether the individuals named are currently enrolled students at Buffalo State College and whether a violation of the Code of Student Conduct or other College policies has occurred.
- c. If a violation has occurred, the Dean of Students will pursue action under the appropriate disciplinary procedure applicable to individual students and/or to student clubs or organizations.

- d. If a violation cannot be established, the Dean of Students will meet with the students involved to review their conduct, its impact on the neighborhood, the College's expectations for our students and consequences that may follow if the alleged disruptive behavior continues.
- e. The Dean's office will notify the party issuing the complaint of the outcome of the College's investigation and any actions resulting.

**6. After I make a complaint to the Dean of Students, what else will I be required to do?**

- a. If a student judicial hearing is held, a member of the College staff will present the information you have reported. Your presence at the hearing may be requested to establish the facts of the incident and the identity of the parties involved. At a hearing, the accused student has the right to question the complaining party and present evidence in their defense.
- b. If a student judicial hearing is not held, you may be offered the option of participating in a mediation session with the student residents of the problem property. The mediation might be led by the Center for Resolution and Justice, a unit of Child and Family Services, or by another mediator agreeable to the parties.

**7. What if I don't know the names of the students and only know the address of the house where they live?**

- a. You can still provide the Dean of Students office with information about the incident and the address of the problem property. The Dean's office will attempt to identify whether any current students reside at the address, but our ability to do so will be limited.
- b. If we verify that currently enrolled students live at the property, the Dean of Students office will pursue the steps outlined in #5 above.
- c. The Dean of Students' office will maintain records of problem property addresses for future action in the event it can be established that students are the residents of the identified problem property and the names of the students can be verified.

**8. What if I don't want to name anyone but I think the College should know about possible harm that might result from the student behavior I observe?**

- a. Buffalo City Police (911) should be notified of any immediate emergencies or threats of harm to self or others.
- b. We encourage neighborhood residents to help us keep the neighborhood safe by informing the Dean of Students office (878-4618) of any student-related safety concerns you might observe and the address where those concerns apply.
- c. The Dean of Students will attempt to identify whether any current students reside at the address and, if so, the Dean will meet with the students involved to review the alleged safety threat, its impact on the neighborhood and consequences that may follow if the alleged threat to safety continues.

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- d. If a violation of College policy appears to have occurred, the Dean will pursue action under the appropriate College disciplinary procedure.

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