



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

THE ASSISTANT SECRETARY

Dr. Aaron Podolefsky
President
State University of New York-Buffalo State College
President's Office
Cleveland Hall 517
1300 Elmwood Avenue
Buffalo, New York 14222

(In reply, please refer to case number 02-11-6001)

Dear President Podolefsky:

The Office for Civil Rights (OCR) of the U.S. Department of Education (Department) is responsible for enforcing Federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex, disability, and age by educational institutions that receive Federal financial assistance from the Department. OCR is responsible for investigating individual complaints of discrimination and is also required to periodically conduct proactive compliance reviews of recipient practices to determine whether they comply with the laws that OCR enforces.

Compliance reviews are designed to address systemic issues and ensure that violations are readily identified and promptly eliminated. Compliance review sites are selected based on various sources of information, including statistical data and information from parents, advocacy groups, the media, and community organizations.

I write to advise you that OCR has selected the State University of New York (SUNY)-Buffalo State College for a compliance review under Title IX of the Education Amendments of 1972 (Title IX), as amended, 20 U.S.C. § 1681 et seq. Title IX and its implementing regulation, 34 C.F.R. Part 106, prohibit discrimination on the basis of sex in education programs and activities. SUNY-Buffalo State College receives funds from the Department, and is therefore subject to Title IX and the regulation.

This compliance review will entail an examination of SUNY-Buffalo State College's handling of complaints of sexual violence and sexual harassment under its various procedures to determine if SUNY-Buffalo State College has responded immediately and appropriately, with particular emphasis on complaints of sexual assault. OCR will conduct this review of SUNY-Buffalo State College as part of a larger review of the SUNY System to evaluate the SUNY System's compliance with Title IX and its implementing regulation at 34 C.F.R. Part 106. The other three campuses that are the focus of the review are: SUNY at Albany, SUNY-Morrisville State College, and SUNY at New Paltz. It should be emphasized that at this time OCR has reached no conclusions as to whether a violation of any federal law exists.

U.S. Secretary of Education Arne Duncan is committed to ensuring that all students are afforded equal educational opportunities. We believe the information and any results from this compliance review will have a direct and positive impact on students throughout the SUNY System.

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

The OCR New York enforcement office will conduct this compliance review. Timothy Blanchard, OCR's Director in New York, will contact you within two weeks of the date of this letter to make arrangements for the next steps in the compliance review process, including requesting access to data and personnel.

If you or your staff have any questions or concerns regarding the investigation, please do not hesitate to contact Mr. Blanchard at (646) 428-3805.

Thank you for all you have done – and continue to do – to improve our nation's schools.

Sincerely,

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Russlynn Ali
Assistant Secretary for Civil Rights

cc:

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