

# 2017 Annual Security Report

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### **Important Phone Numbers**

CWRU Police .....	216.368.3333
CWRU Police (non-emergency) .....	216.368.3300
University Circle Police .....	216.791.1234
Cleveland Police (3 <sup>rd</sup> district) .....	911 or 216.623.5300
Cleveland Heights Police .....	911 or 216.321.1234
(Southside residence halls)	
General Security Information .....	216.368.4630
Safe Ride transport service .....	216.368.3000
.....	or <a href="http://saferide.case.edu">saferide.case.edu</a>

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## PART I

### Introduction

This publication is part of Case Western Reserve University's overall effort to provide important information about personal safety to the campus community. It includes valuable information about safety, on and off campus. Please read it carefully, and pay special attention to the safety tips, which can help reduce the chances that you could be the victim of crime.

This report has been prepared in compliance with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

#### University Profile

Case Western Reserve University is a 155-acre campus located in University Circle, the cultural and educational hub of the City of Cleveland. The university was formed by the 1967 merger of the Case Institute of Technology and Western Reserve University. CWRU is an independent, research-oriented university. The university is composed of the Case School of Engineering, the College of Arts and Sciences, the Francis Payne Bolton School of Nursing, the Jack, Joseph and Morton Mandel School of Applied Social Sciences, the School of Dental Medicine, the School of Graduate Studies, the School of Law, the School of Medicine, and the Weatherhead School of Management.

#### Why an Annual Campus Security and Fire Safety Report?

The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, also known as the Clery Act, was passed in 1990. The act requires institutions of higher education to:

- Publish an annual report by Oct. 1 that contains three years' of campus crime statistics for certain types of crimes and certain campus security policy statements. This report contains crime statistics in the designated categories for calendar years 2014, 2015 and 2016.
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities. The statistics are gathered from campus police, local law enforcement and university employees who have significant responsibility for student and campus activities.
- Provide timely warning notices of certain types of crimes that have occurred on or near campus and pose an ongoing threat to students and staff.

- Disclose in a public crime log any crime that occurred on campus or within the patrol jurisdiction of the campus police and is reported to the campus police.

Additionally, the Higher Education Opportunity Act of 2008 created new reporting responsibilities regarding fire safety and missing persons policies as well as the reporting of certain types of crimes labeled as hate crimes. The Campus Sexual Violence Elimination Act (SaVE Act), passed in 2013 as part of the Violence Against Women Reauthorization Act (VAWA), also added new requirements, which include:

- Adding domestic violence, dating violence and stalking to the list of crimes that institutions must include in their Annual Security Report;
- Expanding the categories of reportable hate crimes to include those based on bias against gender identity or national origin;
- Institutions must now include policy statements in their Annual Security Report detailing the institution's internal procedures in cases of domestic violence, dating violence and stalking, as well as a description of education and prevention programs aimed at these topics.

## PART II

### Campus Policing and Security Policies: Cleveland Campus

#### Case Western Reserve University Police and Security Services Department

The CWRU Police Department was founded in 2006. The department deploys a professional force of police and security officers who patrol the campus on a 24-hour basis. Officers frequently patrol campus buildings, walkways and parking lots. CWRU police and security officers provide emergency response to criminal, medical, hazardous materials and fire emergencies as well as routine patrol services. CWRU police officers are sworn peace officers, certified through the Ohio Peace Officers Training Council. CWRU police officers are armed and have full arrest authority and police powers on or within 300 feet of the CWRU campus. CWRU police authority comes from section 1713.50 of the Ohio Revised Code (ORC) and the department's operating protocol with the City of Cleveland.

CWRU Police and Security Services is responsible for the administration of all security, crime prevention and law enforcement programs on campus. Administrative and patrol operations are housed in the department

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headquarters building at 1689 E. 115th St. Dispatch operations are housed in the Health Services Building at 2145 Adelbert Road. The CWRU Police and Security Services Department is available 24 hours a day, every day of the year, to receive reports on incidents that have occurred on CWRU property.

Emergency telephone service is available from all campus phones by calling 216.368.3333. Walk-in service is available at 1689 E. 115th St. Non-emergency information is available by calling 216.368.3300 or 216.368.4630.

### University Circle Police Department

The University Circle Police Department is a private police force managed by University Circle Inc. (UCI) whose primary responsibility is providing police services for UCI member institutions. In coordination with CWRU Police, UCPD officers help provide police and law enforcement services to the CWRU campus. UCPD-commissioned peace officers patrol the entire University Circle area, including the CWRU campus. These officers have full arrest authority, both on campus and within the boundary of University Circle (see map). Both departments work closely with the Cleveland and Cleveland Heights Police Departments, which also provide police services in their respective jurisdictions that include portions of the campus.

### Protocols with Surrounding Police Departments

The Case Western Reserve University Police Department has written operating protocols with both the Cleveland Police Department (CPD) and the University Circle Police Department regarding patrol boundaries, daily operations and the investigation of alleged criminal offenses.

### Reporting Criminal Incidents and Emergencies

All crimes that occur on campus should be reported to CWRU Police and Security Services at 216.368.3333. For every crime that is reported, an investigation is conducted and a file is created. Crimes occurring off campus but within the University Circle area should be reported to the University Circle Police Department at 216.791.1234.

To further encourage the timely reporting of crimes on campus, the following persons have been designated as campus security officials to whom incidents also may be reported:

- The Vice President for Student Affairs
- Associate Vice Presidents for Student Affairs
- Directors and Associate Directors for Residence Life,

Housing and Greek Life

- The Director and Associate Directors of Student Conduct and Community Standards
- The Title IX Investigator
- Faculty Diversity Officer
- Equal Employment Opportunity and Diversity Manager
- Advisors to university recognized student organizations
- Director of Athletics and Coaches

In addition, professional staffs for Residence Life and student resident assistants (RAs) play a key role in promoting a safe and secure environment in residence facilities. These personnel are responsible for reporting criminal activity in residence facilities and responding to emergency situations that may arise in residence facilities.

Case Western Reserve University's Annual Security Report is the result of the efforts of many people on campus. Each year, the offices and individuals listed above provide information for inclusion in the report. No formal police report is required for a crime to be included in the statistics. Every effort is taken to ensure the statistics are as accurate as possible, and information in the report is reviewed for accurateness and completeness. If you have any concerns regarding any of the statistics or information found in this report, please contact CWRU Police and Security Services at 216.368.1243.

### Monitoring and Recording Off-Campus Criminal Activity

CWRU Police rely on our professional relationship with local law enforcement agencies to receive information about off-campus criminal incidents in which CWRU staff, faculty and students may be involved. Reporting of such incidents by the University Circle Police Department is handled per the operating protocol between the two departments. CWRU Police will investigate any report it receives concerning such activity involving a CWRU community member. If an incident occurs that is determined to be outside CWRU Police jurisdiction, the department will notify the appropriate law enforcement agency.

### Anonymous Reporting

Individuals may anonymously report a crime to CWRU Police and Security Services. When reporting crimes, individuals are encouraged to provide as much information as possible to assist in an investigation. Anonymous reports can be made through the reporting tab on [case.edu/publicsafety](http://case.edu/publicsafety), through

the Tips feature on the CWRU Shield smartphone app, or by calling the CWRU Police Detective Bureau at 216.368.5993.

**Confidential Reporting and Professional Counselors**

Under the Clery Act, professional counselors and licensed medical professionals, such as the professional staff at University Health and Counseling Services and the Flora Stone Mather Center for Women, are not considered to be campus security authorities when acting in their professional capacity and are not required to report crimes for inclusion into the annual disclosure of crime statistics. Some clergy also fall under this exception. Per CWRU's Sexual Assault Policy, professional counselors may encourage patients to voluntarily and confidentially report crimes for inclusion in the crime statistics.

**Criminal Investigation and Prosecution**

It is the policy of CWRU to inform all crime victims of their right to pursue criminal charges through the criminal justice system and provide assistance in this regard. In cases involving students, the Office of Student Conduct & Community Standards will conduct hearings under due process guidelines. This process is available to victims, whether or not they pursue criminal charges. Additional information about the Judicial Review Board process may be found in the Student Services Guide, available from Student Affairs.

**Emergency Phones**

On-campus crimes also may be reported by using CWRU Emergency Phones. More than 275 campus emergency phones are strategically located throughout the campus.

These phones may be used for both emergency and routine purposes. The phones are equipped with panic buttons that immediately identify the location of the call at the Dispatch Center. In addition, there are 22 tower emergency phones located throughout University Circle.

**Access to Campus Facilities and Residences, and Security Considerations in the Maintenance of Campus Facilities**

As a private university, Case Western Reserve has the right to limit access to university-owned property and buildings. During normal business hours, most university buildings are open to the public. After business hours, all campus facilities are secured on the schedule set by the university administration and will require key or CWRU ID card access. Individuals not affiliated with the university who wish to enter or use university property or buildings should obtain permission from the appropriate university authority or department, or check with CWRU Police and Security Services.

**Residence Hall Security**

There are 54 on-campus residence halls that house approximately 3,050 students. An additional 1,000 students live in university-owned apartments off campus and in off-campus fraternities. University residence halls are secured 24 hours per day, and access is restricted to residents and authorized support staff through a campus-wide card access system that requires the use of a valid university ID. All guests must be accompanied by a resident while inside residence halls. The electronic access system is monitored 24 hours a day in the CWRU Dispatch Center.

**Community Officers**

To provide an additional level of security in residence halls, the department runs the Community Officer program; these are security officers who specifically patrol the north and south residential areas during evening hours, primarily on foot, and assist with crime prevention information and programming as well as patrol and emergency response.

**Fire Alarms**

Fire alarms are installed in all residence halls and are inspected in compliance with state fire codes. Fire drills are conducted twice each semester in each residence hall by the CWRU Fire and Life Safety Officer.

**Important Phone Numbers**

CWRU Police (emergency)	216.368.3333
CWRU Police (non-emergency)	216.368.3300
University Circle Police	216.791.1234
Cleveland Police (3 <sup>rd</sup> district)	911 or 216.623.5300
Cleveland Heights Police (Southside residence halls)	911 or 216.321.1234
General Security Information	216.368.4630
Safe Ride transport service	216.368.3000 or saferide.case.edu

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## Security Considerations in the Maintenance of Campus Facilities

The university's facilities are maintained by the Facility Services Department, which incorporates security and safety considerations into its maintenance planning. This includes lighting, grounds keeping and physical access. The university's Office of Environmental Health and Safety provides routine inspections of all campus facilities to identify safety hazards. The Facility Services Department promptly addresses problems identified during these inspections.

Lighting tours are conducted every semester by security and Facilities Services personnel in coordination with representatives from Undergraduate Student Government. These tours attempt to locate areas of poor or malfunctioning lighting, which are then addressed by Facilities Services. CWRU Police and Security Services officers who notice lighting or landscaping issues that may impact safety or security notify the Dispatch Center of these problems so they can be forwarded to Facilities Services for action. During business hours, Facilities Services Customer Service can be contacted directly at 216.368.2580 regarding any issues observed on campus. After hours, facilities, lighting or landscaping concerns should be directed to the CWRU Police and Security Services Dispatch Center at 216.368.3300.

## Transportation Services: Safe Ride and Campus Shuttles

### Safe Ride

As an additional option for moving around University Circle at night, CWRU offers the Safe Ride transport service. These are designated vans driven by security officers that provide transport within the University Circle area. The service runs from 7 p.m. to 3 a.m. during the academic year, and any CWRU student, faculty or staff member can use it. To request a Safe Ride, log on to the automated dispatch system at [saferide.case.edu](http://saferide.case.edu). This application allows users to track a driver's location and receive notification when the van is in close proximity. You also can call 216.368.3000, and your call will be answered by an interactive voice response system, or you can request to speak to an on-duty dispatcher. For more information on the program, see the Safety on Campus tab at [case.edu/publicsafety](http://case.edu/publicsafety).

### Campus Shuttles

The university provides a nightly campus shuttle bus service. The shuttle serves all primary campus locations as well as

the Coventry Road retail district. The shuttles run from 5:30 p.m. to 12:30 a.m. Sunday through Thursday and 5:30 p.m. to 2:30 a.m. Fridays and Saturdays. For more information on the night shuttle, call 216.791.6226 or go to [case.edu/access-services/shuttles/](http://case.edu/access-services/shuttles/).

## Additional Safety Programs and the Daily Crime Log

### CWRU Shield Smartphone Safety App

In 2013, the department launched the CWRU Shield safety app, available as a free download for iPhones through the App store and for Android phones through the Play store. The app has an emergency button feature that allows for immediate notification of CWRU Police if activated and sends the location of nearest campus wireless access point to CWRU dispatch. If outside the campus area, the button will call 911 if triggered. The app also has a safety check feature that can be set on a timer, which will send a text message to the users designated contacts if the check is not canceled by the user. There is also a Tips feature that allows non-emergency information and photos to be shared with the Police and Security Services Department. For more information on CWRU Shield, visit [case.edu/publicsafety](http://case.edu/publicsafety).

### Daily Crime Log

The university's daily crime log is updated every other business day and is posted at [case.edu/publicsafety](http://case.edu/publicsafety) under the security statistics tab. The Daily Crime Log also can be viewed at CWRU Police Headquarters at 1689 E. 115th St. The log contains all reported crimes that occur within CWRU Police's patrol jurisdiction.

### Bike Locks

Free bike locks are available to undergraduate students at the Wade and Fribley area offices, or at CWRU Police headquarters at 1689 E. 115th St. Bike registration is required to obtain a free lock.

### Bike Registration

All members of the CWRU community are encouraged to register their bicycles to help deter theft and identify recovered bicycles. To register, go to [case.edu/publicsafety/services](http://case.edu/publicsafety/services). Fill out and print the registration form.

Bring your completed form to CWRU Police headquarters at 1689 E. 115th St. or the Wade or Fribley student service offices. Turn in your form and receive a registration sticker. Undergraduate students are eligible for free bike locks when they register their bikes.

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## Personal Alarms

Free personal keychain alarms are available to undergraduate students at the Wade and Fribley area offices and at CWRU Police headquarters.

## Security Awareness and Personal Safety Presentations

CWRU Police & Security Services offers security awareness and personal safety presentations upon request for any university department or affiliated group. These sessions are scheduled at the requester's convenience and are conducted on site. To arrange for a session, call Crime Prevention at 216.368.1243 or 216.368.6811.

## Self-Defense Programs

The CWRU Police Department offers self-defense classes for women. The department has certified instructors in the Rape Aggression Defense (RAD) program, which is 12 hours of instruction taught over multiple sessions and is offered once a semester. To obtain more information, email the instructors at [radprogram@case.edu](mailto:radprogram@case.edu).

## Crime Prevention

The police department offers a variety of crime awareness and personal safety programs (including those detailed above). All incoming students receive a crime-prevention briefing as part of their orientation. Events such as safety fairs and crime-prevention presentations for specific groups occur throughout the year. Additional resources include:

- Emergency procedures, which are available under the emergency preparedness tab at [case.edu/publicsafety](http://case.edu/publicsafety).
- Programs offered to resident students, focusing on safety concerns for those living on campus.
- Security and crime-awareness orientation programs are conducted for new students. Departments and student groups can request presentations on safety and security.

Most crimes that occur on campus, or anywhere else for that matter, are crimes of opportunity, and can be easy to prevent. Remove the opportunity, and you prevent the crime. Secure easy-to-carry items in a locked desk or cabinet. A thief knows where purses usually are kept, such as on the floor behind a desk or in the lower right-hand drawer of a desk. A wallet left in the pocket of a jacket behind the door or on a chair is also a prime target. Be aware of what is happening around you, who has come into your area and what they are doing. A friendly, "May I help you?" is often enough to discourage a thief, who realizes that someone has noticed his/her presence.

## Timely Warning Policy and Procedure

A Campus Security Alert is sent to give students, faculty and staff timely notification of crimes that may present a threat to the campus community and to heighten safety awareness. A security alert also seeks information that may lead to the apprehension and conviction of an offender.

The CWRU Police Department and the Emergency Management Department are responsible for preparing security alerts when a crime is reported or brought to the attention of CWRU Police by citizens or other law enforcement agencies, and is determined to represent a threat to members of the campus community. In making this determination, CWRU will consider the safety of students, faculty and staff, as well as the privacy interests of all persons involved in the incidents. Examples include but are not limited to: robbery, homicide, sexual assault and felonious assault. Alerts and other advisories are sent via a mass email from the Rave emergency notification system ([getrave.com](http://getrave.com)) and are posted on the CWRU Police website at [case.edu/publicsafety](http://case.edu/publicsafety). Regardless of the action taken by the university or other law enforcement agencies, the names of any person involved in the incident will not appear on security alerts.

Information provided in security alerts includes:

- The location, date and time of the incident;
- A short summary of the incident;
- Physical description of the suspect(s);
- Date the bulletin was released; and
- Other relevant information that will help to protect and inform individuals.

Security alerts are issued as soon as possible after an incident has been reported and all relevant facts have been gathered.

## Emergency Alerts

Security alerts are separate from emergency alerts. Emergency alerts are issued in the event of a serious or immediate threat to the health or safety of students or employees. Emergency alerts are issued in response to any events that constitute an immediate threat to the health or safety of the CWRU community, including but not limited to criminal activity, extreme weather or natural disaster. CWRU uses the Rave emergency alert system. This system notifies subscribers if there is an incident/event on campus that threatens public safety. All CWRU students, faculty and staff are encouraged to register in the Rave system by



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going to [getrave.com](http://getrave.com). Further details on CWRU's emergency alert system and policies can be found in the Emergency Response section of this report.

## Clery Act Reporting Requirements for Emergency Response Policy

### Emergency Response and Evacuation Procedures

CWRU approaches emergency management as a four-phase process: preparedness, mitigation, response and recovery. The university's leadership and key response staff are trained in the concepts of the National Incident Management System (NIMS) and use the Incident Command System (ICS) to manage crises on campus. NIMS and ICS are standardized programs for emergency managers and first responders that are provided through the U.S. Department of Homeland Security and the Federal Emergency Management Agency. The university also employs a full-time emergency manager, who is responsible for coordinating with outside public safety partners, reviewing emergency plans and maintaining detailed emergency notification, response and evacuation procedures for the campus community.

Full information on the university's emergency management program can be found at [case.edu/publicsafety](http://case.edu/publicsafety).

### Reporting of an Emergency on Campus

Students and employees of CWRU are required to report spontaneous emergency situations—such as a person with a gun on campus, a hazardous materials spill or fire—to CWRU Police and Security Services at 216.368.3333 or by additional methods outlined here.

Anyone on campus can call 911 for local jurisdiction emergency responders. If 911 is called first, the CWRU community member still should inform CWRU police by calling 216.368.333 immediately afterward. To call 911 from a campus, IP-based phone you must dial 9, then 911. Calling 911 does not guarantee a university response. Outside responders do not always notify university police of a 911 call generated on campus.

A community member who uses an Apple or Android mobile device can download and use the CWRU Shield application on their mobile device. The application is provided free to community members. The application has an emergency call feature that will notify CWRU police dispatchers if used. When location services and Wi-Fi are enabled on the mobile device, it also will give dispatchers your approximate location. When outside of the campus boundaries, the

application will automatically dial 911 for local emergency responders but will not report a location.

Instances of significant infectious disease or other public health hazards must be reported to university health services 24-hour contact line at 216.368.2450.

Instances of threatening behavior are taken seriously at CWRU. If the situation is immediately dangerous, call CWRU Police at 216.368.3333. If the person exhibiting the behavior is a faculty or staff member, the dean or vice president of that person's school or administrative unit should be called first. If the person is a student, student affairs (216.368.2020) or the counseling service (216.368.5872) should be contacted first. Additional information on how to prevent and respond to dangerous situations at CWRU can be found at [case.edu/publicsafety](http://case.edu/publicsafety).

Once an emergency is reported, CWRU will activate its emergency response plan that outlines how the institution will respond.

### Responding to an Emergency

Emergencies are broken into two categories according to the campus emergency plan: spontaneous and anticipated.

For most spontaneous emergencies on campus there will be a multi-department internal response and an external response from local public safety officials. Examples of spontaneous emergencies include fire alarms, hazardous materials spills, natural gas leaks or reports of armed persons on campus.

When notified of an emergency on campus, CWRU or third-party (local municipal) dispatchers will send the appropriate first responders. First responders to spontaneous emergencies at CWRU can include but are not limited to CWRU Police and unarmed security staff, University Circle police, Environmental Health and Safety (EHS) staff, and local municipal police, fire and medical staff.

According to university protocol, most often the ranking CWRU police officer or senior external safety department official will take charge (assume command) of the response.

In instances of public health emergencies, which can be spontaneous or anticipated, University Health Service staff may be considered first responders. For behavioral emergencies, University Counseling Services staff, human resources staff or behavioral risk assessment committee members may be called to respond.

A good example of an anticipated emergency is approaching severe weather. In these instances, a pre-determined

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group of trained emergency leaders (e.g. CWRU emergency manager, administrative services executives, critical department heads such as police and plant services) will confer and activate portions of the response plan as needed.

According to the university's plan, the response protocols for any type of crisis (spontaneous or anticipated) on campus are:

- Gain and maintain situational awareness (assess risk to life safety);
- Establish command (leadership structure) to direct, control and coordinate response actions;
- Develop Incident Action Plan (includes public safety actions such as evacuation, lockdown or shelter in place, if necessary);
- Activate and deploy appropriate resources and systems;
- Manage and share information and intelligence including dissemination of emergency public information when required or appropriate;
- Re-evaluate Incident Action Plan; and
- Demobilize.

A crisis on campus can range from a critical information technology server failure to a severe weather emergency such as a tornado. The first step in all responses is to determine the risk to health and safety of the community. As soon as CWRU has confirmed that a significant emergency or dangerous situation exists, the university will take into account the safety of the campus community, determine what information to release about the situation and begin the notification process.

### **Confirming a "Significant Emergency" or "Dangerous Situation"**

Confirmation means that an institution official(s) has verified that a legitimate emergency or dangerous situation exists. Examples of a significant emergency at CWRU include an approaching tornado, explosions, large fires or large hazardous chemical spills.

Responders and administrators on campus who are trained to confirm a significant emergency exists include the president of the university and senior administrative staff, CWRU Police and Security Services staff, Emergency Management staff, Environmental Health and Safety specialists, University Health Service staff, Student Affairs staff, Plant Services staff, and municipal emergency service providers (e.g. firefighters, emergency medical personnel and law enforcement). Confirmation of an emergency will most

often be through rapid analysis by a minimum of at least two sources.

On arrival, the incident commander will use physical evidence at the scene as well as information gained by witnesses, victims, etc. to determine if there is potential for continued harm to persons. This information will be shared with local response officials (e.g. fire department or emergency medical technicians) and other CWRU response departments on the scene. A determination of a significant emergency shall be made rapidly using the combined knowledge and experience of all response agencies involved. Occasionally, during complex or novel emergencies, on-scene personnel may choose to consult with the chief of campus police, the director for emergency management or executive director for public safety to aid in the confirmation process. These senior-level emergency decision makers are available on a 24-hour, seven-day-a-week basis via cell phone and in extreme circumstances when cell service is compromised can be reached via SMS (text) messaging. It is not necessary to consult all three of the above-mentioned decision makers prior to a confirmation. This process, although lengthy in its description, typically takes place in a matter of minutes.

Local responders from the City of Cleveland, City of Cleveland Heights or other jurisdictions that respond to campus emergencies always have final authority to determine if a significant emergency to the community exists.

For anticipated emergencies such as severe weather, threats of terrorism or contagious disease outbreaks, the Offices of Emergency Management, Student Affairs or Campus Services have authority to make a determination of a significant emergency. This process is usually slower and may require consultation with senior staff such as the university president or an outside agency such as the Federal Bureau of Investigation or the local public health department prior to making a confirmation. In cases of disease outbreak, chemical exposure or other bio hazards, confirmation may require sampling and outside testing, which also can slow the process down.

Further, there are two standing committees that monitor risk to the campus. The Flu and Emerging Infections Committee and the Threat Assessment and Behavioral Intervention Team (TABIT) also may identify and confirm a significant emergency by analyzing information provided through multiple sources.

### **Immediately Notify the Campus Community Upon Confirmation of a Significant Emergency**

Upon confirmation of a significant emergency or dangerous

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situation, the university official in charge of the crisis or the official working with local safety authorities (incident commander or liaison to a unified command with outside officials) shall, without delay, take into account the safety of persons that may be affected by the hazard and initiate CWRU's emergency notification process.

The only reason the institution would not immediately issue a notification for a significant emergency or dangerous situation is if, in the professional judgment of a responsible authority (e.g., campus safety leadership, municipal law enforcement official, fire department official, federal authority such as FBI, or other professional public safety leaders), doing so will compromise efforts to assist a victim, contain the emergency or otherwise mitigate the emergency.

At CWRU, emergency notification may come from a single source, such as a fire alarm, which typically only uses visual (strobes) and audio alerting (horns) and does not deliver detailed action instructions, or through one or more systems that can deliver voice, text, visual alerts, audio alerts or display picture and video.

The four primary emergency notification systems on campus are Rave (the opt-out text and voice messaging system); Informacast, the indoor office telephone alerting system; and outdoor emergency speakers and fire alarm systems. Additional emergency notification options include email, web banners, television and radio broadcasts, weather radios, social media (e.g. Facebook and Twitter), and even traditional person-to-person alerting. In most instances of significant emergencies, the university will attempt to coordinate messaging using at least two systems.

Students, faculty and staff with a CWRU ID can view their Rave information, or opt out, by visiting [getrave.com](http://getrave.com) with their CWRU ID and password.

**An important note on severe weather notification:** CWRU receives severe weather alerts from the National Weather Service (NWS) via several delivery methods. CWRU will not repeat all severe weather alerts. Further, CWRU cannot deliver information faster than the NWS can. It is highly recommended that students, faculty and staff sign up to receive National Weather Service Alerts for the Cleveland area via email and mobile service at [weather.gov/subscribe](http://weather.gov/subscribe). In addition there are several smartphone applications designed to customize weather alerting on any mobile device.

The university official in charge of the response (incident commander) shall determine which system(s) to use and

what segment of the campus community to notify.

### Segments Receiving Notification

The university's emergency notification plan does not require the entire community to be notified during a significant emergency. The official in charge of the emergency shall determine which segment of the population is at risk and may notify the at-risk population only.

This decision of who is at risk is made based on analyzing the available information at the scene, using emergency response guides and pre-plans, or relying on a combination of training and experience from past exercises and emergencies. The initial notification decision will be re-evaluated continuously by on-scene personnel and university leadership. As the incident continues, additional segments of the community may require emergency notification.

As an example, a chemical spill in a building initially may be determined to be a risk to health and safety of only the occupants of a single floor of a building. In this situation, only person(s) on the floor would be notified. The occupants of the floor would then be evacuated and floor access would be restricted to only emergency response personnel. As the incident continues, if new hazard information emerges or the physical hazard expands, the entire building may be notified and evacuated. The university also may choose to provide information on the event at a later time to the entire community in a non-emergency format.

### The Content of Emergency Messages

Some emergency alerts will not have content. For example, fire alarms use audio tones or visual alerts such as strobes. Instructions for how to respond to tones or visual alerts are contained in emergency procedures such as the fire alarm procedures, found under the emergency preparedness tab at [case.edu/publicsafety](http://case.edu/publicsafety).

In 2014, CWRU made changes to its content policy for emergency notifications. The university will not deliver an emergency notification that contains content until there is sufficient information available to be specific and actionable. For example, once an emergency is confirmed by responders, the incident commander is then tasked with gathering information about the dangerous situation. Examples of information that might be obtained before an alert is sent are relative location, the cause of the danger, suspect descriptions (if applicable) and protective action instructions. At a minimum, an alert with text or voice content should contain the location, nature of the dangerous situation and



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protective action to be taken by populations at risk.

There typically are three common protective actions the at-risk population may be asked to take:

**Evacuation:** Evacuation is the process of emptying a building of all occupants. Some of the buildings on campus, such as the residence halls, have detailed evacuation plans. Occupants of buildings that do not have a detailed evacuation plan will follow the general evacuation procedures. It is the responsibility of all students, faculty and staff to become familiar with the evacuation procedures found at [case.edu/publicsafety](https://case.edu/publicsafety).

**Shelter in Place:** Shelter in place is a safety action that is used when the areas around you become unstable or if the air outdoors becomes dangerous due to toxic or irritating substances. In these cases it is usually safer to stay indoors because evacuation may expose persons to danger. As an example, sheltering in place may be used during the initial stages of an earthquake when falling debris and other dangers may be present outside. It is the responsibility of all students, faculty and staff to become familiar with the general shelter in place procedures found at [case.edu/publicsafety](https://case.edu/publicsafety).

**Lockdown:** Lockdown is a form of sheltering in place. It is a tool used by emergency responders during situations when it may be more dangerous to evacuate a classroom or office of a building than to keep occupants inside, such as a report of an armed intruder on campus. During a lockdown, occupants shall attempt to secure the space they are in by locking doors or using furniture to bar entry. First responders also will attempt to control entry/exit and movement within a facility and may use technology to remotely lock doors in an attempt to keep people safe. It is the responsibility of all students, faculty and staff to become familiar with the lockdown procedures found at [case.edu/publicsafety](https://case.edu/publicsafety).

Other examples of less common or rare emergency actions that may be ordered can include quarantines or mass prophylaxis. Detailed instructions for these types of emergency actions will be given during implementation.

Emergencies are dynamic, and circumstances associated with a dangerous situation may change rapidly. The emergency notification system will be used to provide updates on crises when new information that affects public safety is obtained and the incident commander approves the release.

Once the emergency notification process is initiated and carried out by first responders, the responsibility for additional emergency public information then will pass to CWRU's marketing and communications department. Members from the department form a Crisis Communications Group. The group will work with responders and university leadership to ensure delivery of subsequent timely, factual information during the remainder of the response and recovery. This includes responsibility for sending an "all-clear" message to the community when there is no longer an immediate danger and it is appropriate to do so. Not every incident will include an all-clear message. Content of messages at this stage in the emergency communications process requires approval from the university's public information officer.

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## The Institution Initiates the Emergency Notification System

A summary of the process for initiating the emergency notification system is as follows:

- A report of an emergency or impending emergency is received through the reporting avenues listed above or through another source;
- Initial notification is made to the appropriate first responders (spontaneous emergency) or the proper incident management team members (e.g., behavioral assessment team, university law enforcement, university public health staff, the emergency manager, etc.) for anticipated emergencies;
- Responders, teams or committees described above will assess and confirm risks to health and safety as described in previous sections;
- After confirmation of a significant spontaneous emergency or dangerous situation, the incident commander will delegate the responsibility to notify or personally notify the next level of university response by contacting the chief of university police, the director for emergency management and the executive director for public safety. This can be done simultaneously using the Rave notification system;
- After confirmation of a significant spontaneous emergency or dangerous situation, without delay, the incident commander will delegate the responsibility to notify or if able to do so, personally activate emergency public notifications. Most often the campus public safety communications center (dispatch center) staff will send the initial messages as directed by the incident commander. Other examples of sources on campus with authority to initiate and access systems to deliver an emergency message include campus police supervisors, information technology security staff, physical security managers, University Marketing and Communications staff, and Office of Emergency Management staff;
- Additional emergency response notifications to other campus incident management team members, senior university staff, deans, department heads, and external stakeholders, such as University Hospitals executives, will be made as directed by the chief of university police, the director for emergency management and the executive director for public safety. Staff from the dispatch center or the Office of Emergency Management shall execute this level of notification using the campus Rave system. Internal message content may be response-oriented and differ from the messages sent to the general public.

## List of Organizational Titles Responsible for Emergency Response and Notification

Outside organizations whose staff can confirm there is a significant emergency or dangerous situation on campus includes but is not limited to: Cleveland Police Department, Cleveland Fire Department, Cleveland Emergency Medical Services, Cleveland Heights Police Department, Cleveland Heights Fire Department, Hunting Valley Police, Chagrin Fire Department, Bratenhal Police Department, Regional Transit Authority Police, University Circle Police, the Federal Bureau of Investigation, Cuyahoga County Health Department and the City of Cleveland Health Department.

Titles of staff at CWRU who can confirm a significant emergency or dangerous situation exists include: the president of the university (and line of succession as applicable), the senior vice president for administration, the vice president of student affairs, associate vice president(s) of student affairs, executive director for public safety, the director for emergency management, the chief of CWRU Police, CWRU police officers and supervisors, the executive director and director of University Health Service, the director for University Counseling Services, the executive director and director for Environmental Health and Safety (EHS), EHS response staff and the manager of dispatch operations. Additional staff not listed above may be trained as appropriate to expand this list.

As mentioned above, the person(s) in charge of the emergency (incident commanders) determine the appropriate segment or segments of the campus community to receive a notification. Incident commander(s) at CWRU can be an official from any or the above listed external organizations that can confirm an emergency on campus or any of the CWRU staff positions listed above. The incident commander(s) also determine the content of the message.

Members of the campus community can initiate alerts such as fire alarms by activating them locally (pull stations). Many of the other notification systems are powered by website or local software that requires password access. At the request of the incident commander(s) the following staff can activate additional warning systems: CWRU dispatchers, the dispatch center manager, information technology's security director and communications staff, director for marketing and communications and web development staff, the director for emergency management, the physical security manager, CWRU Police administrative sergeant and Student Affairs IT staff.

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## **What The Procedures are for Disseminating Information to the Larger Community**

The university has a crisis communications group that consists of individuals from University Marketing and Communications. One of the responsibilities of this group in an emergency is to ensure timely, accurate flow of information to the larger community when appropriate. The University activates its outside public information procedures on a case-by case basis. The decision to notify can be affected by, but is not limited to, the following factors: the type of emergency, the involvement of the media, privacy of person(s) involved and/or the number of people affected by the event. For example, the larger community may not be notified if a fire occurs in an administrative building without injuries and very little disruption to the daily operation of the university (in this instance, the appropriate emergency notification to the building occupants would still be made via the fire alarm or other emergency notification system).

The decision to not notify the larger community is typically made by the vice president for marketing and communications in consultation with the president of the university or other senior leadership.

The leader of the crisis communications group will serve as the public information officer (PIO). When the larger community is to be notified, the PIO will coordinate with local media to disseminate information outside of the campus community through traditional methods such as television news broadcasts. The PIO also may disseminate information to other organizations, such as the American Red Cross, which can repeat messages through their media channels.

The university also can activate a live operator emergency call center to distribute information. When activated, the number of the call center is broadcast through the media and other avenues, and persons such as parents can call in to get up-to-date information and ask questions. CWRU will also post updates on [case.edu](http://case.edu) as well as on social media sites such as Facebook ([facebook.com/casewesternreserve](https://www.facebook.com/casewesternreserve)) or Twitter ([twitter.com/cwru](https://twitter.com/cwru)).

## **Testing of the Emergency Response and Evacuation Procedures on at Least an Annual Basis**

CWRU promotes its emergency response procedures year round through public education efforts such as: reviews of procedures at student and staff orientations, periodic media articles in the campus email newsletter, safety columns in the student newspaper and other media avenues. At least once a year, the university tests its primary

emergency notification systems (SMS messaging, indoor and outdoor speaker alerting, mass email) in conjunction with promoting the institutions emergency procedures. The test is scheduled and publicized to the campus community beforehand through multiple media communications. Tests may not include all subscribing members of the service. Fire alarms are tested as required by fire code.

The university also tests its emergency management plan, emergency evacuation procedures, emergency communications policy and supporting technology annually in the form of a functional exercise. The university may hire an outside consultant to facilitate an exercise or use internal personnel to design, facilitate and evaluate the university's response to a simulated emergency. The exercise usually includes functional communications among all university departments involved in emergency response. During the exercise, emergency messages are delivered to a limited group of exercise participants in order to simulate delivery to large amounts of community members. The exercise also involves strategizing for implementing large-scale protective actions, such as evacuation or sheltering in place for students and employees according to the university's protective measures procedures. The exercise may be announced or unannounced and the portion of the community that participates varies depending on the emergency scenario chosen. The exercise is performance based, and corrective-action reports are created afterward to help improve emergency policy, response and procedures.

University staff also may participate in several smaller exercises and conduct additional tests of emergency policy, procedures and technology. Information about testing and exercising emergency systems at CWRU may be privileged and confidential. Requests for access to information can be made by contacting the Office of General Counsel at 216.368.4286.

## **Alcohol, Drugs and Weapons Policies**

### **Alcohol and Other Drugs**

CWRU conforms to all state and local laws controlling the sale and use of alcoholic beverages. It is illegal in Ohio to sell, provide, or serve beer, wine, or liquor to anyone under the age of 21. The unlawful manufacture, distribution, possession, or use of alcohol and controlled substances, including illicit drugs, is prohibited on property owned or controlled by Case Western Reserve University or as part of any of its activities. CWRU complies with all federal and state drug laws. No CWRU employee may report to or engage in university-related work while under the influence



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of alcohol or illegal drugs. For information about the university's drug and alcohol abuse education programs, contact the CWRU Substance Abuse Prevention Coordinator at 216.368.3780. Employees also may call 216.368.6675 for information about the Employee Assistance Program. CWRU's Drug Free Schools and Communities Act Report can be found at [students.case.edu/handbook/policy/drugfree](https://students.case.edu/handbook/policy/drugfree) in the CWRU Student Handbook.

### **Weapons**

Discharging, carrying or possessing firearms, including air guns or any weapons with which injury, death, or destruction may be inflicted, is prohibited on property owned or controlled by Case Western Reserve University.

### **Missing Student Notification**

In accordance with the Higher Education Opportunity Act of 2008, Case Western Reserve University has adopted the following policy regarding notifications during missing person's investigations.

Any student residing in on-campus housing will be given the option of identifying a contact person(s) whom the university will notify if campus or local police determine the student is missing for more than 24 hours. If a student chooses to place a contact person on this list, the contact information provided will be kept confidential and will be accessible only to authorized university officials. Registration is voluntary, but all students residing in university housing will be advised of this service.

It is university policy, in accordance with federal law, that if the CWRU Police Department determines a student has been missing for more than 24 hours, the local police department having jurisdiction over the student's residence (the Cleveland or Cleveland Heights Police Departments) will be notified. Also in cases involving any un-emancipated juvenile student under 18 years of age, the university will notify the student's custodial parent or guardian and any other designated contact person as soon as possible if such a student is determined to be missing. If you suspect someone is missing, immediately contact CWRU Police at 216.368.3333. CWRU Police and the university's Division of Student Affairs will initiate an investigation immediately.

### **Campus Sex Crimes Prevention Act/Sex Offender Registry**

The federal Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement advising the campus community where information concerning registered sex offenders may be obtained. The Case Western Reserve University campus is located in Cuyahoga County, Ohio. Information concerning registered sex offenders in Cuyahoga County can be obtained at [sheriff.cuyahogacounty.us/en-us/sexual-offender-unit.aspx](http://sheriff.cuyahogacounty.us/en-us/sexual-offender-unit.aspx).

### **Fire Safety Report**

In accordance with the Higher Education Act of 2008, Case Western Reserve University publishes an Annual Fire Safety Report. This report contains information on the university's fire safety policies and procedures as well as fire statistics for residence halls. This report is published as a separate document from the Annual Security Report. The Annual Fire Safety Report is available at [case.edu/ehs/safety/fire-safety/annual-fire-safety-report/](https://case.edu/ehs/safety/fire-safety/annual-fire-safety-report/).

### **Title IX**

CWRU complies with Title IX of the Educational Amendments of 1972, prohibiting discrimination on the basis of gender in federally assisted educational programs and activities. Individuals who feel their Title IX rights may have been violated by an act of sexual assault or harassment or who wish to discuss a Title IX matter should contact the Office of Inclusion, Diversity and Equal Opportunity at 216.368.8877, or the Title IX Investigator in the Office of Student Conduct and Community Standards at 216.368.3170. The university's Title IX coordinator is Associate Vice President for Student Affairs Darnell Parker, who can be reached at 216.368.2020 or [darnell.parker@case.edu](mailto:darnell.parker@case.edu).

### **Preventing and Responding to Sexual Assault**

#### **Sexual Misconduct Policy**

CWRU revised its sexual misconduct policy in 2014. The complete policy is available at [students.case.edu/handbook/policy/sexual/doc/sexualmisconductpolicy.pdf](https://students.case.edu/handbook/policy/sexual/doc/sexualmisconductpolicy.pdf). The following are policy statements regarding sexual assault and disciplinary hearings mandated by the Clery Act.

#### **Sexual Assault**

Case Western Reserve University is a community dependent on trust and respect for its constituent members: students,

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faculty and staff. Sexual assault is a violation of that trust and respect. It will not be tolerated. Sexual assault is a serious crime. Any non-consensual physical contact of a sexual nature, whether by an acquaintance or by a stranger, is a sexual assault. Consent can never be given by anyone under the age of 16. Sexual assault includes, but is not limited to, the following: rape, incest, sexual assault with an object, forcible sodomy and forcible fondling.

Lack of consent is the crucial factor in any sexual assault. Consent is the equal approval, given freely, willingly and knowingly, of each participant to sexual involvement. Consent is an affirmative, conscious decision—indicated clearly by words or actions—to engage in mutually accepted sexual contact. A person forced to engage in sexual contact by force, threat of force or coercion has not consented to contact. Lack of mutual consent is the crucial factor in any sexual assault. Consent cannot be given if a person's ability to resist or consent is substantially impaired because of a mental or physical condition. Examples include, but are not limited to, being unconscious, frightened, physically or psychologically pressured or forced, intimidated, substantially impaired because of intoxication (including alcohol), or substantially impaired because of the deceptive administering of any drug, intoxicant, or controlled substance.

The university strongly encourages persons who have been sexually assaulted to report the assault, to seek assistance and to pursue criminal charges, judicial action, or sanctions for their own protection and that of the entire campus community.

## Reporting Sexual Assault

To preserve the option of pursuing criminal sanctions or internal CWRU disciplinary processes, survivors should strongly consider reporting the sexual assault to the local police and/or the university. Reporting an assault to police or campus security authorities does not require filing criminal charges; however, it allows all support systems to be put into motion, including: police response and crisis counseling. Reporting is best done as soon as possible after an assault, but may be done at any time. CWRU will assist students who report sexual assault in obtaining medical support and information regarding available legal and judicial resources, as well as counseling and support services.

## Importance of Preserving Evidence

Students who choose to notify police should be aware of

the importance of immediacy in reporting the incident and preserving physical evidence, both at the assault scene and on the person assaulted. Students immediately reporting an assault should be accompanied to a health care facility of their choice for treatment and collection of evidence. If a sexual assault survivor chooses to report the incident at a later time, important support systems still are available; however, criminal investigations can be more difficult.

When reporting a sexual assault, you may want to consider the legal distinction between a privileged and limited confidential resource.

**Privileged reporting consists of those communications that legally cannot be disclosed without the reporters consent to any other person,** except under very limited circumstances such as imminent threat of danger to self or others. Examples include University Counseling and Health Services, Flora Stone Mather Center for Women, the Inter Religious Center and Cleveland Rape Crisis center.

**Limited confidential reporting consists of those communications that will not be disseminated to others except on a need-to-know basis. A limited confidential reporting source has the obligation to** enlist designated campus resources to ensure steps are taken to protect the community as a whole. Examples are CWRU Police, Student Affairs, Housing and Residence Life, and hospital emergency rooms.

## Designated Reporting and Confidential Support Resources

A person wishing to pursue university action must report the conduct to one of the three University Designated Reporting Representatives (See Chart I). Taking this action does not prevent reporting the matter to the CWRU Police and Security. To contact the CWRU Police and Security Services, call **216.368.3333**. A person who has experienced sexual misconduct also may seek advice and guidance from confidential support resources, as discussed below (see Chart IIa and IIb).

## Role of Designated Reporting Representatives

- a. To hear the initial complaint/statement by the complainant and the respondent, and to make safety and support arrangements as appropriate.
- b. To receive initial complaint(s) regarding alleged sexual misconduct and to make the complainant aware of the university obligation to take action if the respondent is

- identified or identifiable.
- c. To provide the complainant and the respondent information about the policy and process, including the rights of the complainant and the respondent under this policy.
  - d. To determine if the complaint falls within the Sexual Misconduct Policy and, if so, to determine appropriate next steps.
  - e. To conduct an inquiry into reports from anonymous sources. In such instances, the university may be limited in its ability to conduct an effective inquiry and to take action concerning the report.

Chart I. Designated Reporting Representatives
<b>For Student Concerns:</b> <b>Office of Title IX</b> <b>Thwing 318</b> 216.368.1936 (Monday-Friday) 8:30 a.m. to 5 p.m. <b>Adelbert 110</b> 216.368.2020 same hours as above
<b>For Faculty Concerns:</b> <b>Faculty Diversity Officer</b> <b>Adelbert Hall 315</b> 216.368.8877 (Monday-Friday) 8:30 a.m. to 5 p.m.
<b>For Staff Concerns:</b> <b>Equal Employment Opportunity and Diversity Manager</b> <b>Adelbert Hall 315</b> 216.368.8877 (Monday-Friday) 8:30 a.m. to 5 p.m.

### Role of Confidential Support Resources

Confidential resources are those members of the university who are licensed or designated by law as professionals to receive privileged communication, and receive information regarding possible sexual misconduct in the context of a professional relationship with the reporter of that information.

Confidential resources are not required to report allegations of sexual misconduct to designated reporting representatives unless required by law, such as the duty to report an imminent threat to self or others (see Charts IIa. and IIb.). Confidential resources provide advice, support and guidance about how to manage the situation without initiating university action. Discussions with a confidential source are not considered a report to the university or a request that any action be taken by the university in response to any allegation.



## Chart IIa. Student Confidential Support Resources

On-Campus Resources	Off-Campus Resources
<p><b>SAFE Line</b> 216.368.7777 – Any time, 24/7 For privileged and confidential conversations about sexual assault and relationship violence.</p> <p><b>University Counseling Services</b> Sears 201 216.368.5872 – 24 Hours</p> <p><b>University Health Service</b> 2145 Adelbert Road 216.368.2450 – 24 Hours</p> <p><b>Flora Stone Mather Center for Women</b> Tinkham Veale University Center, Room 248 216.368.0985–(Monday–Friday) 8:30 a.m. – 5 p.m. Ask to speak with the Licensed Professional Health Advocate</p> <p><b>Inter-Religious Center</b> Church of the Covenant 11205 Euclid Ave.—Annex Muslim Campus Ministry, Newman Catholic Campus Ministry, and United Protestant Campus Ministry 216.421.9614 or Hillel 216.231.0040 (Ask to speak with a Clergy person)</p>	<p><b>The Cleveland Rape Crisis Center</b> 216.619.6192 – 24 hours</p> <p><b>The Domestic Violence Center and Child Advocacy Center</b> 216.391.HELP (4357) – 24 hours</p>

## Chart IIb. Faculty and Staff Confidential Support Resources

On-Campus Resources	Off-Campus Resources
<p><b>Employee Assistance Program</b> 216.241.EASE (3273) or 800.521.3273 – 24 Hours</p>	<p><b>The Cleveland Rape Crisis Center</b> 216.619.6192 – 24 hours</p> <p><b>The Domestic Violence Center and Child Advocacy Center</b> 216.391.HELP (4357) – 24 hours</p>

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## Police Resources

Anyone who has experienced sexual misconduct may choose to contact at any time either University Police and Security Services or a local police jurisdiction where the misconduct occurred. University officials and/or the CWRU Police Department will assist in notifying other local police authorities if requested to do so.

### Police Resources

#### On Campus

CWRU Police and Security Services  
1689 E. 115<sup>th</sup> St.  
Cleveland, Ohio 44106  
216.368.3333 – Any time, 24/7

#### Off Campus

University Circle Police ..... 216.791.1234  
Cleveland Police Sex Crimes Unit ..... 216.623.5630  
Cleveland Police 3<sup>rd</sup> District ..... 216.623.5300 or 911  
Cleveland Heights Police ..... 216.321.1234 or 911

## Anonymous Reports

In the event that the university receives an anonymous report of sexual misconduct, the university will conduct an inquiry into the matter. In such instances, the university may be limited in its ability to conduct an effective inquiry and to take action concerning the report. An anonymous tip line is available at [case.edu/publicsafety](http://case.edu/publicsafety) under the “reporting” section. Please note that even with anonymous reports, the university has an obligation to investigate. If you feel you may have been the victim of a sexual assault and wish to speak to a privileged source about your reporting options, you can contact the Campus Sexual Assault Reporting Safe Line at 216.368.7777.

## Additional Resources

### Medical and Psychological Assistance Emergency Room Examination

Any person who has been sexually assaulted may go directly to the University Hospitals’ emergency room or any local hospital for medical attention. Please note: The preservation of physical evidence is critical in the event of criminal prosecution and may be useful if university disciplinary action is pursued.

## University Health Service

Students can seek further treatment at the University Health Service for any medical concerns, including sexually transmitted diseases and pregnancy testing.

## Counseling

Counseling may be pursued following a sexual assault, no matter how much time has elapsed since the incident. Counseling services are confidential except when disclosure is necessary to prevent imminent harm to self or others. Available options, on- and off-campus, are listed below. To inquire about other community counseling resources, please call 216.368.5872. All inquiries are confidential.

## Educational Services

The university offers courses designed to give students the information and skills needed to help protect them from the threat of sexual assault. The Department of Physical Education offers a Personal Safety Awareness class every semester. This seven-week class provides guest speakers from campus departments and various community service agencies. Topics covered include crime prevention, campus and community resources and services, victim rights, the criminal justice system, and self-defense.

The CWRU Police Department offers Rape Aggression Defense classes for female faculty, staff and students periodically throughout the academic year. All incoming first-year students receive education on sexual assault issues during their initial orientation programming.

Additionally, the Flora Stone Mather Center for Women and the Office of Student Conduct and Community Standards offer programming throughout the year, both scheduled and by request, on sexual assault, healthy relationships and relationship violence. These offices and the university Office of Inclusion, Diversity and Equal Opportunity are also conducting trainings for undergraduate and graduate students, staff and faculty on the university’s new sexual misconduct policy. Incoming first-year students complete a mandatory online training module regarding sexual misconduct and receive training during orientation week on the sexual misconduct policy and bystander intervention strategies. Below is a list of previous and current trainings on campus regarding sexual misconduct and related topics.

## Sexual Misconduct Prevention/Education Initiatives

\*Refers to various departments reporting to Student Affairs

Initiative	Program Description	Target Audience	Program Frequency	Program Implemented Date	Campus Partners
Student/Guardian Electronic Letter	Letter and brochure. Sent electronically to incoming student's guardian.	Parents of incoming students	Prior to Fall arrival	Fall 2003	*Student Affairs, First-Year Experience, Sexual Misconduct Prevention & Education Committee (SMPEC)
Online Community Education Module	CWRU online sexual misconduct education module. Part of the checklist for incoming students.	Incoming students	July/August	Summer 2014	*Student Affairs, First Year Experience and Family Programs, SMPEC
Sexual Misconduct International Handout	Pamphlet distributed to all International students during their respective orientation sessions.	International students	July/August	Fall 2012	International Student Services/ Student Affairs
Sexual Misconduct Orientation Presentations	Orientation presentations to raise awareness about the prevalence of SM, the SM Policy, procedures, resources etc.	Graduate/ Professional Students Residential Staff, Orientation Leaders, International Students, Athletes	July-November and throughout the year as requested.	Fall 2014	*Student Affairs
Green Dot Bystander Intervention Program	A bystander intervention strategy to prevent power based personal violence	Undergraduate and graduate students	Incoming students programming year round for upperclass students	Fall 2016	SMPEC with Title IX office
Sexual Misconduct/ Title IX website	Access to campus resources, policies and procedures	Entire university community	Year round	May 2016	Title IX office
Sexual Misconduct Bathroom Posters	Posters placed in every bathroom stall on campus.	Entire university community	Year round/new posters created every two years	Fall 1990	*Student Affairs/ Volunteers across campus, faculty, staff and students
SafeLine	Emergency/confidential hotline.	Entire university community	Year round-24/7	Fall 2011	Women's Center/S Affairs
Students Meeting About Risk and Responsibility Training (SMARRT)	A group of trained Greek leaders who promote a Culture of Care by doing awareness and education programs on campus.	Greek focused but available upon request to all students on campus.	August-May	Fall 2007	Greek Life

## University Disciplinary Procedures Regarding Sexual Assault/University Complaint Process

Under Case Western Reserve's new sexual misconduct policy, the university's complaint and campus disciplinary action procedures are as follows.



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The university strongly encourages persons who experience sexual misconduct to report the misconduct, to seek assistance and to pursue university action for their own protection and that of the entire campus community.

When a complaint of alleged sexual misconduct is received, an initial inquiry is conducted by a designated reporting representative, who is a neutral administrator in the process. The designated reporting representative is responsible for coordinating the sexual misconduct process. The usual practice will be that the inquiry will be conducted in collaboration with the Office of Inclusion, Diversity and Equal Opportunity and the university Office of Student Affairs/ Office of Student Conduct as appropriate and possible.

### **Time Table**

The university intends to resolve complaints of sexual misconduct in a timely manner. The university generally attempts to resolve complaints from the filing of a complaint to a determination within 60 days. The university generally attempts to make a determination on appeals within 10 business days following the submission of an appeal. However, extenuating or more complex circumstances may preclude the university from resolving a complaint within such a timeframe. The Title IX Coordinator, or his/her designee, will make a determination as to any reasonable extension of these timeframes. Complainants and respondents will be provided periodic updates as to the status of the process.

### **Initial Inquiry**

An initial inquiry is conducted by the designated reporting representative/deputy Title IX coordinator and will generally include interviews with the complainant and the respondent and a review of relevant documents. Following the initial inquiry, the designated reporting representative will determine whether the information gathered during the initial inquiry indicates that the complaint falls within this policy. The complainant and respondent will be informed promptly after the completion of initial inquiry.

If it is determined that the complaint falls within this policy, the designated reporting representative will either: 1) proceed with the informal process; or 2) refer the matter to the Title IX investigator/deputy Title IX coordinator for a determination as to whether the process should proceed to the informal process, the formal process, or another university process. (See Investigator process below.) The designated reporting representative will make this determination by reviewing the following factors surrounding the complaint:

- a. The wishes of the complainant and the respondent;
- b. Consideration of a pattern of behavior;
- c. The nature and severity of the behavior or action; and
- d. The sufficiency of the information.

The complainant and the respondent will be informed promptly upon a determination by the designated reporting representative.

### **Interim University Actions**

In addition to conducting an initial inquiry, the designated reporting representative may need to take interim actions to protect the safety and well-being of the individuals involved in a complaint of sexual misconduct. The university will consider interim or remedial measures, as appropriate or legally supported, to protect those involved. These measures will be implemented as promptly as possible. Generally, such actions include, but are not limited to, the following:

- a. Notify the respondent that a complaint has been made against them;
- b. Provide a copy of the university sexual misconduct policy to both parties;
- c. Direct the parties or establish an agreement between the parties that they are not to initiate contact with the other party or parties until further notice by the university. Failure to cooperate or honor the agreement could result in restricting either party's presence on campus;
- d. Institute alternative work arrangements, living arrangements, dining facilities, class schedule, or advisor/ supervisor arrangements as feasible and appropriate during the pendency of the process, considering safety issues and concerns of the complainant and the respondent;
- e. Provide access to appropriate academic supports, such as tutoring, or permission to withdraw from or retake a class or classes;
- f. Have each of the parties and any witnesses acknowledge the expectation of confidentiality as outlined in this policy;
- g. Advise all parties and any witnesses that they may not retaliate against any party or any witness involved in a sexual misconduct complaint.
- h. Notify the dean, department chair or supervisor of the complaint to assist with managing the rights of the complainant and the respondent as appropriate.

**Interim Separation/Suspension Action:** The university has

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the right to impose an interim separation or suspension, as provided for under other university policies or procedures.

### **Role of the Designated Reporting Representative and/or Sexual Misconduct Investigator(s)**

The designated reporting representative and/or sexual misconduct investigator conducts a prompt and thorough investigation of the complaint, which includes identifying and interviewing witnesses, gathering and securing relevant documentation, and identifying other relevant information. The representative/investigator provides a report of the finding of the investigation for review by the Title IX coordinator or his/her designee in consultation with the Office of General Counsel. A decision will be made as to the appropriate next steps to bring resolution to the complaint, which will include one of the following:

- a. Formal process (administrative or board hearing);
- b. Informal process;
- c. Another university process;
- d. End the process.

In making this determination, the reviewers will consider the following factors:

- a. The wishes of the complainant and the respondent;
- b. Consideration of a pattern of behavior; and
- c. The nature and severity of the behavior or action.

If the designated reporting representative/sexual misconduct investigator finds that the complaint does not fall within the sexual misconduct policy, the matter and other possible policy violations discovered (including any relevant information) may be referred to other university processes.

### **Informal Process**

The informal process is an opportunity to bring resolution to an informal complaint through awareness, education, and/or a facilitated discussion. During an informal process, written statements are not taken from the complainant or the respondent, and no hearing is conducted to determine whether the sexual misconduct policy has been violated. Normally, the informal process will not be used to resolve allegations of non-consensual sexual contact/activity, forced sexual contact/activity, non-consensual sexual intercourse, forced sexual intercourse and sexual exploitation. The complainant will be advised of the right to end the informal process and begin the formal process, if the complainant wishes to do so.

### **Step 1: Facilitate Resolution**

The designated reporting representative(s)/Title IX coordinator uses the information gathered during the initial inquiry to facilitate an appropriate resolution to the informal complaint. The designated reporting representative(s)/Title IX coordinator may determine that the informal action may be facilitated by an appropriate designee (e.g. for students, a residential coordinator or other designee; for staff, human resources representative; for faculty, the chair). The following are examples of possible options, one or more of which may be used to bring resolution to an informal complaint.

- a. Distribute a copy of the sexual misconduct policy to the respondent and/or the complainant and/or to the department or area whose behavior is being questioned;
- b. Educate the respondent or all parties regarding the university sexual misconduct policy;
- c. Conduct a sexual misconduct educational workshop for the designated department/school/university organization;
- d. Meet with the respondent to raise awareness about alleged inappropriate behavior and provide notice about possible university consequences;
- e. Facilitated discussion with the agreement of the complainant, respondent, and the designated reporting representative(s)/Title IX coordinator or designee;
- f. Institute alternative work arrangements, living arrangements, class schedule, dining facilities, or advisor/supervisor arrangements as feasible;
- g. Provide access to appropriate academic supports, such as tutoring, or permission to withdraw from or retake a class or classes; and/or
- h. Limit contact or impose no contact between respondent and complainant.

### **Step 2: Document Informal Resolution**

At the conclusion of the informal process, a letter summarizing the outcome(s) of the process will be sent by the designated reporting representative(s)/Title IX coordinator to the complainant and respondent and other appropriate university officials to bring closure to the matter (see Retention of Documents section in this policy).

If the matter is not resolved to the satisfaction of the complainant or the respondent utilizing the informal process, and/or the university determines the matter should be resolved through the formal process, the complainant, the respondent and/or the university may pursue the

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formal process. In such an instance, the complainant, the respondent and/or the university may request to utilize the formal process by submitting a written request to the designated reporting representative within five business days of the date of the receipt of the informal outcome letter.

## Formal Process

### Determination of Administrative Hearing vs. Board Hearing:

A formal process may be facilitated in one of two ways: through an administrative hearing or a board hearing.

An administrative hearing may be used when all of the following exist:

- a. The complainant wishes to use an administrative hearing to resolve the complaint;
- b. (i) The respondent has admitted to the alleged sexual misconduct and admits that the conduct is or could be construed as sexual misconduct under the university's policy, or  
(ii) For matters in which the complainant and the respondent are both students, the designated reporting representative/investigator has determined, after consultation with the Title IX coordinator or his/her designee and the Office of General Counsel, that an administrative hearing is appropriate to determine both whether a violation of the policy has occurred and what the appropriate sanction is for a violation of the policy, if any. In such cases, the designated reporting representative/investigator will determine that the administrative hearing shall be conducted, as appropriate, by either (a) a representative from the Office of Student Conduct & Community Standards, or (b) three members of the Community Standards Board, selected as provided for in the Formal Process: University Community Standards Board section, below.
- c. The investigation or review determine(s) that an administrative hearing is appropriate to bring resolution to the complaint.

A board hearing is used when the following exists:

- a. The complainant wants to use a board hearing to resolve the complaint, and/or the review of the investigation determines that a board hearing is necessary to resolve the complaint;
- b. The respondent does not admit that the alleged sexual

misconduct has occurred and/or does not admit that the alleged conduct is or could be construed as sexual misconduct under this policy; or

- c. The designated reporting representative/investigator determines, after consultation with the Title IX coordinator or his/her designee and the Office of General Counsel, that use of a board hearing is appropriate.

To move the formal process forward, the Title IX investigator/deputy Title IX coordinator will submit the following documents to the Community Standards Panel or administrative hearing representative(s) for their consideration at a formal hearing:

1. The written account from the complainant of the sexual misconduct complaint. When possible, the account should include dates, times, locations, a description of the alleged behavior/incident, and the name(s) of the respondent.
2. The written account from the respondent of the sexual misconduct complaint. When possible, the account should include dates, times, locations, a description of the alleged behavior/incident.
3. Additional written accounts from witnesses collected during the investigation.
4. Other relevant documents collected during the investigation, including the report of the sexual misconduct investigator/deputy Title IX coordinator.
5. In addition, the complainant and the respondent may submit their own written statement about the facts of the alleged behavior/incident for consideration by the panel. Written statements must be submitted no later than three business days prior to the scheduled hearing.
6. The complainant and the respondent may also submit their own written statement about the impact of the alleged behavior/incident for consideration by the panel during the sanction phase of the process, if applicable. Written statements must be submitted no later than three business days prior to the scheduled hearing.
7. The complainant and respondent may provide a list of any person(s) who may have relevant information about the behavior/incident.
8. Once steps 1-7 have been completed, the case will be turned over to the chairperson of the Community Standards Board or the administrative hearing representative who will contact the complainant and respondent within five business days to schedule a pre-hearing meeting and/or a hearing.

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### **University Role to Address Violations of Policy Via Formal Process**

The university may address violations of the policy in instances in which the complainant is not willing to bring a complaint and the university determines it is necessary to proceed with a formal process under the policy. In such a case, the university will select a representative to act during the formal process.

Generally, if the respondent is a faculty member, the university representative shall be the provost or his/her designee; if the respondent is a student, the university representative shall be the vice president for Student Affairs or his/her designee; and if the respondent is a staff member, the university representative shall be the vice president for Human Resources or his/her designee. If the university representative is the respondent or a potential witness, the vice president for Inclusion, Diversity and Equal Opportunity shall appoint the university representative. The university representative shall have the same rights and responsibilities as the complainant as outlined in this policy. The university representative shall not be an attorney from the Office of General Counsel.

### **Formal Process: Administrative Hearing**

The function of this hearing is to review the relevant documents, hear from the respondent and the complainant where the complainant wishes to participate, and to determine whether the Sexual Misconduct Policy has been violated in cases in which the complainant and respondent are both students, and/or an appropriate sanction.

All administrative hearings will be conducted by (1) a representative of the Office of Inclusion, Diversity or Equal Opportunity, or the Office of Student Affairs/Student Conduct, or his or her designee ("the administrative hearing representative"), as appropriate, or (2) three members of the University Community Standards Board, as provided for in provision b(ii) above.

### **Administrative Hearing Procedure**

1. The complainant and respondent will be notified of the date, time and location of the hearing.
2. The hearing is closed and generally includes the respondent, the Title IX investigator/deputy Title IX coordinator who conducted the investigation, and the administrative hearing representative(s). The

complainant will be notified of the option to attend the hearing if the complainant wishes to do so.

3. The complainant may submit an additional written statement concerning the effect of the sexual misconduct and the desired sanction for the respondent. The written statement must be submitted no later than three business days prior to the scheduled hearing.
4. The respondent may make a statement about the sexual misconduct and the possible sanction(s) for the misconduct. The written statement must be submitted no later than three business days prior to the scheduled hearing.
5. The administrative hearing representative(s) may ask questions of the respondent and will consider the statements and any relevant information received during the investigation.
6. Prior to determining whether the Sexual Misconduct Policy was violated and/or a sanction, as applicable to the matter, the administrative hearing representative(s) will normally consult with the following individuals depending on the constituency of the respondent:

When a student is the respondent: vice president for Student Affairs or his/her designee; when a faculty member is the respondent: provost or his/her designee; when a staff member is the respondent: Vice President for Human Resources or his/her designee.

After the hearing is concluded, the administrative hearing representative(s) will make a decision promptly whether the sexual misconduct was violated, as applicable to the matter, and/or on the policy appropriate sanction and communicate that decision in writing to the respondent, complainant, and to any university administrators, faculty or staff who require the information to carry out the sanction. Generally, notification will be provided to the parties within two business days after the administrative hearing is held, except when extenuating circumstances preclude notification to the parties within such a timeframe.

### **Administrative Hearing Appeal Process**

If the complainant or respondent is not satisfied with the outcome of the administrative hearing, either party may notify the appropriate designated reporting representative/ Title IX coordinator of the desire to file an appeal with the Appeals Board. Appeals must be submitted within three business days of receipt of the written decision. An appeal



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as outlined below will then be held.

### **Formal Process: Sexual Misconduct Panel**

The Office of Title IX selects and trains a Sexual Misconduct Panel that includes representation from all constituent groups within the university community (students, faculty, staff) and that is charged to hear and make a determination about whether the sexual misconduct policy has been violated and if so, the appropriate sanction for the violation.

All formal complaints referred to the Sexual Misconduct Panel in which the complainant and the respondent are both students will be chaired by the associate dean of students, or designee appointed by the associate vice president for Student Affairs/Title IX coordinator. For all other complaints involving different constituencies within the university (students, faculty or staff), a representative of the Office of Inclusion, Diversity and Equal Opportunity or the Office of Title IX will chair the hearing.

When a complaint is referred to the formal board process, the designated chairperson will select three representative members from the Sexual Misconduct Panel at-large (faculty, staff and/or students) to serve as the hearing panel for an individual case. The hearing panel will be comprised of three voting members and a non-voting chairperson.

In addition, an alternate member(s) may also be selected to attend the hearing in the event one of the other three voting members is unable to continue, or as training.

### **Pre-Hearing Procedure:**

Prior to the board hearing, the chairperson will:

1. Determine available and appropriate hearing members from the Sexual Misconduct Panel. Every attempt will be made to include panel members representing the constituencies of the complainant and the respondent. During certain times of the academic year (e.g. during break periods, final exam times, etc.), the panel may not include student representation;
2. Consult with the complainant, the respondent and potential panel members to determine any personal and/or professional conflicts of interest that may make the panel member unable to render an unbiased decision. All panel participants are required to disclose any personal and/or professional conflicts of interest to the chairperson prior to agreeing to participate in a board hearing. The chairperson will determine whether a member should not serve on the panel because of a conflict of interest;

3. Advise both the complainant and respondent of their right to have an advisor of their choice at the hearing, whose function is to provide support for the complainant or the respondent. During the hearing, the advisor may talk quietly with the complainant or the respondent or pass notes in a non-disruptive manner. The advisor may not, in any way, intervene in the hearing or address the panel.

An advisor may be a current member of the university community (i.e. student, full-time faculty or full-time staff member) or may be an individual from outside the university community or from an off-campus resource (e.g. Rape Crisis Center). An advisor may not be an attorney from the Office of General Counsel, a witness in the matter, or an individual that otherwise has a conflict of interest in serving as an advisor as determined by the chairperson. An advisor from within or from outside the university community may be an attorney by training, but is only permitted to act as an advisor (as described above) during the hearing. The chair will assist in advising the complainant and respondent on how to obtain an advisor.

4. Notify all panel members, the complainant, the respondent, the witnesses and all those involved in the hearing process that the hearing is closed and confidential and should not be discussed outside the hearing proceedings, except as provided in the Confidentiality section of this policy;
5. Provide the panel members access to the information to be considered by the panel. The information shall include the file compiled by the Title IX Investigator/Deputy Title IX Coordinator, which shall include the items compiled by the Title IX Investigator/Deputy Title IX Coordinator (see listing above), as well as:
  - a. Any other information submitted by the complainant or respondent as deemed relevant to the complaint.  
  
The chairperson, in consultation with the Title IX Investigator/Deputy Title IX Coordinator, will make determinations as to the relevance of information submitted;
  - b. Any other information that may be relevant to the complaint;
  - c. Witness list and witness accounts/statements. The Title IX investigator/deputy Title IX coordinator will confer with both the complainant and the respondent

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regarding which of their identified investigator/deputy Title IX coordinator, will make the final determination as to which witnesses have relevant information.

6. Provide complainant, respondent, and support persons an opportunity to review all information prior to the hearing;
7. Arrange a hearing date, time, and location and notify all hearing participants;
8. Advise panel members about the complaint and the hearing procedures.

### Hearing Procedure

1. The chairperson will convene the hearing by introducing the participants and explaining the sexual misconduct hearing purpose, procedures and Standard of Proof. Standard of Proof is the preponderance of evidence, which means that the panel must be convinced, in light of all the information presented, that it is more likely than not that the sexual misconduct policy was violated.
2. An audio recording of the hearing will be made by the university only.
3. The chairperson may determine that a complainant and/or the respondent may participate by telephone or video conference.
4. The complainant will be invited to make a statement to the panel.
5. The respondent will be invited to make a statement to the panel.
6. Panel members will be permitted to ask questions at the conclusion of each statement. The complainant and the respondent may then ask questions of each other by submitting written questions to the chair.
7. Witnesses are invited to make a statement before the panel. The panel members, the complainant and the respondent are invited to ask questions of each witness.
8. The complainant, the respondent and their support persons will be permitted to sit in the hearing during all statements and questioning. Witnesses will be permitted to attend only during their own statements and questioning. The investigator/deputy Title IX coordinator who investigated the matter shall be present at the hearing to answer questions from the panel.
9. The panel may ask further questions of the complainant and the respondent after it has heard from all witnesses.
10. After all statements and questioning are completed, the panel will dismiss the complainant, the respondent and their support persons from the hearing and meet to discuss the finding.
11. The panel will consider all information received as part of the hearing process. The panel will issue one of the following findings, based on a preponderance of the evidence:
  - a. The University Sexual Misconduct Policy was not violated, or
  - b. The University Sexual Misconduct Policy was violated.In addition, the panel may determine that the respondent's actions may violate some other university policy. The chairperson will refer the matter and all relevant information to the appropriate university process.
12. If the panel determines that the sexual misconduct policy was violated, the panel members will determine sanctions. Sanctions will be based on the nature and severity of the offense and/or on prior violations of university policy. The panel may consider the statements of the complainant and respondent regarding the impact of the behavior during the sanction process. In general sanctions may include, but are not limited to, one or more of the following:
  - a. Apology;
  - b. Participation in educational, skills or management training;
  - c. Written warning, or letter of reprimand;
  - d. Institute alternative work and/or living arrangements, class schedules, advisor/supervisor arrangements;
  - e. Limit contact between respondent and complainant;
  - f. Limit contact between the respondent and other members of the university community
  - g. Faculty and staff may face suspension without pay, consideration of or denial of advancement or pay raise, demotion, removal or suspension from administrative or honorary duties or appointments, or termination for cause;

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- h. Students may be suspended from the university, university housing, selected activities or organizations; placed on probation; or expelled from the university.
13. Prior to determining a sanction, the panel will normally consult with the following individuals depending on the constituency of the respondent:
- When a student is the respondent: vice president for Student Affairs or his/her designee
  - When a faculty member is the respondent: provost or his/her designee
  - When a staff member is the respondent: vice president for Human Resources or his/her designee

### Report of Findings

1. The chairperson, in consultation with the panel, will draft a written report that includes the panel's finding that:
  - a. The Sexual Misconduct Policy has been violated and the type of sexual misconduct violated as defined in this policy, or
  - b. The University Sexual Misconduct Policy has not been violated.
2. The report will also include the reason for the finding, and sanctions (if applicable).
3. **The chairperson, or his/her designee, will distribute, at the same time or as near the same time as feasible, a copy of the report to the complainant and the respondent.** The chairperson, or his/her designee, will also distribute a copy of the report to the respondent's department chair, dean/supervisor, and appropriate vice president(s) or his/her designee. A copy of the report will be kept in the office of Title IX. A student complainant or respondent has the right to re-disclose the outcome of the formal process under FERPA and/or Campus Crime Statistics Act (Clery Act) laws, as provided in the Confidentiality provision in this policy.
4. The chairperson, or his/her designee, will identify and notify the appropriate individuals to carry out the respondent's sanctions, if applicable.
5. The chairperson, or his/her designee, will notify the complainant and respondent of the right to appeal the determination and/or sanction, as provided in the Appeal Process below.
6. Sanctions are imposed immediately unless the chairperson stays their implementation in extraordinary

circumstances, pending the outcome of the appeal.

As stated above, the university will disclose, upon request, the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or non-forcible sex offense to the alleged victim, **or next of kin if the victim is deceased.**

### Appeal Process

Either the respondent or the complainant may appeal the panel's decision and/or the sanction to an Appeals Board. The Appeals Board shall consist of three members of the Sexual Misconduct Panel, selected by a deputy Title IX coordinator, or his/her designee, who has not been involved in the particular matter being appealed. The members of the Appeals Board shall not have served as a member of the hearing panel. The Appeals Board shall not rehear or make a redetermination of the facts of the matter, but will review only whether the decision erred in one of three limited grounds on which an appeal may be filed, which are as follows:

1. New information not available to the panel which, if available at the time of the hearing, would have significantly affected the decision;
2. Evidence that established procedures were not followed in a manner that would have significantly affected the decision; and/or
3. The sanction(s) are substantially disproportionate to the severity of the violation.

Appeals must be submitted to the Title IX coordinator within three business days of receipt of the written decision and must specify the grounds for the appeal. The Title IX coordinator or his/her designee shall determine whether the appeal submitted falls within one of the three grounds for appeal of a decision. The appeal statement shall be provided to the other party. The other party shall be entitled to file an opposing statement responding to the appeal within three business days of receipt of the appeal statement. In addition, the chairperson of the panel shall be entitled to submit a responsive statement as well.

In reviewing the appeal, the Appeals Board shall review the panel's report and sanctions to be imposed, and may review any documents or statements presented to the panel. The Appeals Board shall also review the appeals statement and any opposing and/or responsive statements. The associate vice president for Student Affairs/Title IX coordinator,

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or his/her designee who has not been involved in the particular matter being appealed, will serve as a non-voting facilitator for the Appeals Board to advise on procedural issues involving the appeal. Prior to issuing a decision, the Appeals Board also shall confer with the appropriate vice president(s) or his/her designee for the constituencies of the complainant or the respondent.

Generally, if an Appeals Board finds that an appeal is valid in that either appeal basis #1 (substantial new evidence was not available to the panel that would have affected the decision) or #2 (evidence that established procedures were not followed in a manner that would have affected the decision), the Appeals Board will refer the appeal back to the Sexual Misconduct Panel to rehear the matter and remedy the issue. As for appeal basis #3 (the sanction was substantially disproportionate to the severity of the violation), the Appeals Board will make the final decision regarding the finding and the sanction based on a review of the existing written record. The sanction imposed by the Appeals Board may be different than the sanction imposed by the Sexual Misconduct Panel, including a sanction that is greater than or lesser than the sanction imposed by the panel. The Title IX coordinator or his/her designee will communicate the decision, in writing, to the respondent, the complainant, the panel members and to the appropriate administrators (i.e. respondent's department chair, dean/supervisor, and appropriate vice president). The university generally attempts to make a determination on appeals within 10 business days following the submission of an appeal.

The Appeals Board's decision shall be final with the exception of certain faculty sanctions described in "Additional Faculty Sanction Process."

### **Additional Faculty Sanction Process**

The factual findings and conclusions of the Sexual Misconduct Panel and/or the Appeals Board shall be determinative as to whether the university's sexual misconduct policy has been violated.

### **False Allegations**

No complaint will be considered "false" solely because it cannot be corroborated. The university will take appropriate action to address and/or impose appropriate discipline on members of the university community who file documented false complaints of sexual misconduct. In such cases of proven false allegations, discipline may include, but is not limited to, suspension or termination.

## **Alternative Housing and Academic Accommodations**

The university will accommodate requests for alternative living, working, dining, and academic arrangements as available and appropriate. This is available with all reporting options in both informal and formal choices of action. The university reserves the right, based on the circumstances, to determine the most appropriate course of action in making alternative housing arrangements.

### **The Campus Sexual Violence Elimination Act (SaVE Act)**

The SaVE Act was passed in March 2013 as part of the Violence Against Women Reauthorization Act. The SaVE Act amended the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act in the following ways:

- It adds the offenses of domestic violence, dating violence and stalking to the crimes institutions must report in their Annual Security Reports
- It adds to the categories of hate crimes that must be included in the report to include those crimes based on bias against gender identity and national origin.
- Institution's Annual Security Reports must now include descriptions of institutions internal procedures regarding the handling of cases involving domestic violence, dating violence and stalking.

### **General requirements**

A chart showing campus statistics the crimes of domestic violence, dating violence and stalking for the calendar years 2014, 2015 and 2016 is included in the campus crime statistics section of this report. These are incidents that were reported to campus or local police, or to campus security authorities. The hate crimes statistics that are included in this section include crimes motivated by bias against gender identity or national origin.

The crimes of domestic violence, dating violence and stalking are all violations of Ohio law and Case Western Reserve University's Sexual Misconduct Policy. As such the same reporting procedures detailed in the Reporting Sexual Assault section of this report apply. Crimes should be reported to CWRU Police or the applicable local police department as soon as possible. CWRU Police will assist in determining and notifying the applicable department, as well as assist with obtaining temporary protection orders or other legal protections if requested. CWRU Police will enforce criminal and civil orders of protection in accordance with Ohio law.

A person wishing to pursue university action regarding an allegation of domestic violence, dating violence or stalking



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must notify one of the university's designated reporting representatives as detailed on page 18 of this report in the Sexual Assault section. The same university disciplinary procedures listed in this section will apply in cases involving domestic or dating violence and stalking. Both police and university action can be pursued by a complainant simultaneously if desired. If a complaint goes to a formal hearing through the university process, the standard of evidence used in such a hearing will be the preponderance of evidence standard; meaning that in light of all the information presented it is more likely than not that a policy violation occurred. This is the standard used in all formal hearings per the university's sexual misconduct policy.

It is CWRU policy not to identify victims in timely warning notices sent out to the campus community in accordance with the Clery Act, this policy applies to the crimes covered by the Campus SaVE Act as well. Additional services such as counseling and requests for changes in academic or living situations are also available to complainants in domestic violence, dating violence or stalking cases as are to complainants in sexual misconduct cases and as detailed in the Alternative Housing and Academic Accommodations section of this report.

The university's sexual misconduct policy also prohibits retaliation against individuals for reporting policy violations and/or crimes to law enforcement or university authorities. This also applies to cases involving domestic violence, dating violence, or stalking. Retaliation is the act of taking adverse action against a complainant, respondent, or any other person involved in the reporting or investigation of an alleged violation of the university's sexual misconduct policy. Allegations of retaliation should be taken to one of the university's Designated Reporting Representatives.

## Crime Statistics

### How Statistics Are Compiled

Crime statistics are gathered from the following sources:

- CWRU Police and Security Services Department
- University Circle Police Department
- Cleveland Police Department
- Bratenhal Police Department (Putnam House)
- Hunting Valley Police Department (Squire Valleevue Farm)
- The University of Texas at Houston Police Department (Suites 180 and G180, Texas Professional Building, Houston) Anesthesiology program
- Washington, D.C., Metropolitan Police Department, (Suite LL-150, 820 First Street NE, Washington, D.C.) Anesthesiology program
- CWRU Office of Student Conduct and Community Standards
- Office of Housing, Residence Life and Greek Life

CWRU's Annual Security Report is prepared by the CWRU Police Department, but is also the result of the efforts of many people on campus. Each year, the offices and individuals listed above provide information for inclusion in the report. No formal police report is required for a crime to be included in the statistics. Every effort is taken to ensure that the statistics are as accurate and complete as possible. Information in the report is reviewed for accuracy and completeness. If you have any concerns regarding the statistics or information found in the report, please contact CWRU PD at 216.368.1243.

### Geographic Areas Related To Reportable Crimes

The following geographic definitions are used in this report.

**On campus** means any building or property owned or controlled by the university.

**Residential facilities** means all residence halls, fraternity and sorority houses and other residential facilities for students on campus and owned or controlled by the university.

**Non-campus building or property** means any building or property owned or controlled by a student organization that is officially recognized by the university

**Public property** means all public property, including streets, sidewalks and parking facilities that is within the campus or immediately adjacent to and accessible from the campus.

## Crime Statistics 2014 to 2016

The following statistics are obtained directly from reports made to Case Western Reserve University Police, University Circle Police, Cleveland Police and Cleveland Heights Police. Crime information is also obtained from other campus offices with security authority including, but not limited to, Student Affairs, Student Conduct and Residence Life.

Year	Residential Facilities			Nonresidential Campus			Total on-campus*			Non-campus bldg. and property			Public Property			Total		
	14	15	16	14	15	16	14	15	16	14	15	16	14	15	16	14	15	16
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses**																		
Rape	8	6	1	0	0	0	8	6	1	3	0	1	0	0	0	11	6	2
Fondling	6	0	1	0	0	1	6	0	2	1	0	0	1	0	0	8	0	2
Non forcible Sex Offenses																		
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	2	1	6	2	1	6	0	0	0	6	5	5	8	6	11
Aggravated Assault	1	0	0	0	0	2	1	0	2	0	0	0	1	1	1	2	1	3
Burglary	4	6	4	3	5	11	7	11	15	0	0	0	0	0	0	7	11	15
Motor Vehicle Theft	0	0	0	4	2	0	4	2	0	0	0	0	3	0	0	7	2	0
Arson	2	0	1	0	0	0	2	0	1	0	0	0	0	0	0	2	0	1
<b>Total</b>	<b>21</b>	<b>12</b>	<b>7</b>	<b>9</b>	<b>8</b>	<b>20</b>	<b>30</b>	<b>20</b>	<b>27</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>11</b>	<b>6</b>	<b>6</b>	<b>45</b>	<b>26</b>	<b>34</b>

\*Total on-campus figures include offenses committed in residential facilities.

\*\*Statistic includes data received from non-law enforcement campus authorities.

Starting in 2014, statistics for forcible sex offenses are broken into rape and fondling categories, non-forcible sex offenses are broken into the incest and statutory rape categories. This was required by the Violence Against Women Act (VAWA).

### HATE CRIMES:

2014: No hate crimes reported.

2015: One on campus intimidation incident characterized by racial bias.

2016: No hate crimes reported.

**UNFOUNDED CRIMES:** The university had one unfounded crime in 2014 and none in 2015 or 2016. A crime can only be determined to be unfounded by a law enforcement officer.

## Alcohol/Drug/Weapons Violations

		Arrests					Disciplinary Referrals					
	Year	On Campus*	Residence facilities	Non-campus buildings	Public property	Total	On Campus*	Residence facilities	Non-residence facilities	Non-campus buildings	Public property	Total
Liquor Law Violations	2014	0	0	0	0	0	185	180	5	4	1	190
	2015	0	0	0	1	1	164	158	6	1	1	166
	2016	0	0	0	0	0	226	224	2	8	3	237
Drug Violations	2014	0	0	0	4	4	41	41	0	0	0	41
	2015	0	0	0	0	0	41	40	1	0	0	41
	2016	0	0	0	0	0	18	18	0	0	2	20
Weapons Violations	2014	0	0	0	2	2	4	1	0	0	0	4
	2015	0	0	0	0	0	2	2	0	0	0	2
	2016	0	0	0	2	2	1	1	0	0	0	1
Totals		0	0	0	9	9	682	668	14	13	7	702

\*Total on-campus figures include offenses committed in residential facilities.

## Campus SaVE Act Statistics

	Year	Residential Facilities	Non- residential campus	Total on campus	Non-campus buildings & property	Public property	Total
Domestic Violence	2014	0	0	0	0	1	1
	2015	0	0	0	0	0	0
	2016	1	0	1	0	0	1
Dating Violence	2014	2	2	4	0	0	4
	2015	1	2	3	0	0	3
	2016	0	1	1	0	0	1
Menacing/Stalking	2014	1	2	3	0	0	3
	2015	0	3	3	0	0	3
	2016	0	4	4	0	0	4
<b>Totals</b>		<b>5</b>	<b>14</b>	<b>19</b>	<b>0</b>	<b>1</b>	<b>20</b>

SaVE=Campus Sexual Violence Elimination Act of 2013



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