

2020

Annual Security and Fire Safety Report

Important Phone Numbers

CASE WESTERN RESERVE UNIVERSITY POLICE

CWRU Police	216.368.3333
CWRU Police (non-emergency)	216.368.3300

OTHER POLICE DEPARTMENTS

University Circle Police	216.791.1234
Cleveland Police (3 rd district)	911 or 216.623.5300
Cleveland Heights Police (Southside residence halls)	911 or 216.321.1234
Cleveland Clinic Police Department	216.444.2250
Greater Cleveland Regional Transit Authority Police Department (RTA) (Bus and Rapid Stations)	216.566.5163
Hunting Valley Police Department (Squire Valleevue and Valley Ridge Farms)	440.247.7324

REFERENCE AND REFERRAL LISTING

University Counseling Services	216.368.5872
University Health Services	216.368.2450
Human Resources	216.368.6964
Safe Ride transport service	216.368.3000
Student Affairs	216.368.2020

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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 (CWRU) is a 267-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 Frances 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, extended this year to 12/31/2020 due to COVID-19, 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 2017, 2018 and 2019.
 - 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;
 - Including 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.
- 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.

PART II

Campus Policing and Security Policies: Cleveland Campus

Case Western Reserve University Division of Public Safety

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 Division of Public Safety 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 headquarters building at 1689 E. 115th St. The Communications Center is housed in the lower level of Health Services Building at 2145 Adelbert Road. The CWRU Division of Public Safety is available 24 hours a day, every day of the year, to receive reports on incidents that have occurred on CWRU property.

University Circle Police Department

The University Circle Police Department (UCPD) 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 on page 68). Both departments work closely with the Cleveland, Cleveland Heights and Cleveland Clinic 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 (UCPD) 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 Division of Public Safety 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 authorities (CSA) 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 Investigators
- Faculty Diversity Officer
- Equal Employment Opportunity and Diversity Manager
- Advisors to university recognized student organizations
- Director of Athletics and Coaches
- Employees of Flora Stone Mather Center for Women

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 Division of Public Safety at **216.368.1243**.

Emergency telephone service is available from all campus phones by calling **216.368.3333**. While walk in service is usually available at 1689 E. 115th St. from 9 a.m. to 3 p.m., Monday–Friday, due to COVID-19 appointments are preferred. Non-emergency information is available by calling **216.368.3300** or **216.368.4630**.

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 Division of Public Safety. 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, through 'Submit a Tip' button on the CWRU Rave Guardian 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. These judicial procedures are valid only for incidents occurring before August 1, 2016. For conduct incidents occurring August 1, 2016 or later, please refer to the University Student Code of Conduct: case.edu/studentlife/conduct/university-code-conduct. Additional information about student conduct process can be found on their website at case.edu/studentlife/conduct/conduct-process.

Emergency Phones

Throughout campus, there are two-way emergency phones. CWRU has 300 blue call boxes and 40 pedestal mounted blue light phones. Both phone types have an emergency button and a call button. With a touch of a button, the caller is immediately connected to CWRU's Communications Center. The location of the call is automatically recorded and response is immediate.

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. COVID-19 has limited access to some buildings that were previously open.

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 off campus apartments and fraternity/sorority housing. University residence halls are secured 24 hours per day. The 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 Communications Center. While the on campus student population has been reduced due to the pandemic, the same security precautions are in place.

Community Officers

To provide an additional level of security in and around residence halls, the Division of Public Safety 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.

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 (EHS) 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 Division of Public Safety 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 Division of Public Safety officers who notice lighting or landscaping issues that may impact

safety or security notify the Communications 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 Communications Center at **216.368.3300**.

Transportation Services: Safe Ride and Campus Shuttles

Campus Shuttles

The university provides a day and night 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. Some shuttle protocols have changed due to the COVID-19 pandemic. Please consult the website for the most current information.

Safe Ride

An option for moving around University Circle at night is Safe Ride transport service. These are designated vans driven by security officers that provide transport within the University Circle area. The service runs from 6 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, use one of the following ways: log on to the automated dispatch system at saferide.case.edu, call **216.368.3000**, or download the smartphone app called 'CWRU SafeRide'. This application allows users to track a driver's location and receive notification when the van is in close proximity. For more information on the program, see the Safety on Campus tab at case.edu/publicsafety. Some Safe Ride protocols have changed due to the COVID-19 pandemic. Please see the website for the most current information.

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.

- Programs offered to resident students, focusing on safety concerns for those living on campus.
- Security and crime-awareness orientation programs 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 their presence.

Daily Crime Log

The university’s daily crime log is updated every other business day and is posted at case.edu/publicsafety under the Crime and Security Reports tab. The Daily Crime Log can also be viewed at CWRU Police Headquarters at 1689 E. 115th St. The log contains all reported crimes that were reported to CWRU Police Department.

Rave Guardian Safety App

The Case Western Reserve University Division of Public Safety has partnered with Rave Mobile Safety to offer Rave Guardian, an award winning mobile safety app offering easy access to help and resources you need most. By downloading the free Rave Guardian app and registering with your CWRU email address, you will never be more than a few taps away from the CWRU Police. Our emergency dispatchers use the Rave platform to precisely understand where to send officers to respond to community emergencies and help those in need. Rave Guardian users never walk alone. Users can add friends, family or public safety officials “Guardians” for extra layer of safety when walking alone. Simply set your timer for your trip with your destination—your “Guardian” can track your progress in real time and will be alerted if you do not deactivate the timer. Discreetly contact campus police with the chat feature in the app. For more information on Rave Guardian, visit case.edu/publicsafety.

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/bike-registration-lock. 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 U-lock when they register their bike.

Bike Locks

Free bike U-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 bike U-lock.

Security Awareness and Personal Safety Presentations

CWRU Division of Public Safety 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 or via Zoom. To arrange for a session, contact Crime Prevention at crimeprevention@case.edu or **216.368.1243**.

Personal Alarms

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

Self-Defense Programs

The CWRU Police Department offers self-defense classes for those who identify as 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. The department also offers “Street Smart” sessions, which are one-time classes between one and two hours long upon request. To obtain more information, email the instructors at radprogram@case.edu. Some protocols have changed due to the pandemic. Please see the website for the most current information.

Emergency Notification, Response and Evacuation

The Division of Public Safety is responsible for alerting the campus community when a crime is reported or brought to the attention of the CWRU Police and is determined to represent a threat to members of the campus community. In making this determination, CWRU will consider the safety

of students, staff and faculty, as well as the privacy interests of all persons involved in the incidents.

Timely Warning/Security Alerts

CWRU calls timely warnings security alerts. Security Alerts are sent by either Director of Resiliency or Assistant Vice President, online and internal communications from the Rave Alert emergency notification system and are posted on Division of Public Safety website under Security Statistics at case.edu/publicsafety. All faculty, staff and students are automatically enrolled in Rave Alert and receive Security Alerts, Safety Advisories and emergency notifications. All users should visit getrave.com to update their user information. This may also be done through the Rave Guardian app.

Security Alerts provide information about crimes that have occurred on or near campus and still pose a serious or continuous threat. Names of the person(s) involved will not appear in security alerts.

Information provided in security alerts include:

- The location, date and time of the incident;

Crime offense;

- A short summary of the incident;
- Physical description of the suspect(s), when available;
- Date the alert was released; and
- Other relevant information that will help to protect and inform individuals from being a victim of a similar crime.

Security alerts are issued as soon as possible after an incident has been reported and all relevant facts have been gathered and it has been determined by safety officials that a continuous threat exists.

Emergency Notifications

Emergency notifications are a method of immediately notifying the CWRU community that there is a confirmed pending or existing threat to the health and safety of students, faculty, staff or visitors. Examples of possible threats that could trigger an emergency notification include, but are not limited to, an active aggressor, extreme weather, or natural disasters. Through Rave Alert, subscribers are notified when there is an incident/event on campus that threatens public safety. Emergency notifications are activated only if safety officials believe that the campus community is under an immediate threat(s) from a significant emergency or a dangerous event and must take immediate action to remain safe and secure.

Case Western Reserve has other means to provide immediate notification to the campus community that an emergency is pending or occurring. These notification measures help to warn students, faculty, staff and visitors:

- [Case.edu](https://case.edu) webpage
- Text Message
- Email
- Fire Alarms
- Facebook and Twitter
- Outdoor Warning Speakers
- Vehicle Public Address Speakers
- Voicemails on campus phones
- Voice messages to cellphones
- Voice messages to campus phones
- Rave Guardian notifications
- Other

Ongoing notifications will be evaluated continuously by on-scene personnel and university leadership. As the incident continues, additional segments of the community may require emergency notification.

The university will not deliver an emergency notification 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.

Students, faculty, and staff with a CWRU Network ID can view their Rave information by visiting getrave.com with their CWRU Network ID and password.

Safety Advisories

Safety Advisories are issued to make the campus community aware of trends in less serious crimes in addition to increased presence of first responders on campus.

Clery Act Reporting Requirements for Emergency Response Policy

Case Western Reserve University departments develops, tests and maintains emergency response, continuity and recovery plans responsible for the protection of life and property on campus. The Division of Public Safety is responsible for the all-hazard emergency operations plan and its annexes and appendices that detail the response to an imminent or potential emergency.

CWRU operates in accordance with the National Incident Management system. CWRU Police and other Public Safety staff are trained in the incident command system. CWRU Police officers are usually the first on scene when an emergency occurs on campus and as the incident evolves other university departments may be required to resolve the emergency.

Full information on the university's emergency management program can be found at case.edu/publicsafety.

Report an Emergency on Campus

In an emergency, members of the CWRU community shall report emergency situations—such as a person with a gun on campus, a hazardous materials spill or fire—to the Division of Public Safety at **216.368.3333**.

Anyone on campus can call **911** for local jurisdiction emergency responders. If **911** is called first, the CWRU community member should inform CWRU Police Department by calling **216.368.3333** immediately following calling **911**.

Rave Guardian App has an emergency call feature that will notify the CWRU Communications Center when the feature has been used. With location services enabled on a mobile device, the location accuracy will be greatly increased to allow communications officers to find the approximate location of the caller. When outside of the campus boundaries, the app will automatically ask to dial **911**.

To report instances of significant infectious disease or other public health hazards, University Health and Counseling Services can be reached at **216.368.2450**.

Threat Assessment and Behavioral Intervention Team (TABIT)

Threatening behavior is taken seriously at Case Western Reserve University. If the situation requires immediate attention, contact CWRU Police Department at **216.368.3333**. In a serious but non-emergency situation, seek advice and assistance from resources on campus:

- Report the concern to any one person at Case Western Reserve University in a leadership role (e.g. your resident assistant, University Counseling Services, faculty or staff, police or security)
- Send an anonymous tip through the CWRU Rave Guardian app or call **216.368.5993** to leave a message for a detective
- Submit concerns to the Threat Assessment and Behavioral Intervention Team (TABIT)

The TABIT evaluates potentially worrisome situations. If the

committee concludes a threat to the campus exists, TABIT members will act in accordance with university policy.

Any university community member who is concerned about a situation may activate the team for a meeting. To request an urgent assessment, contact one of the following:

- Office of the Provost: **216.368.4389**
- Human Resources: **216.368.6964**
- Office of Student Affairs: **216.368.2020**

Once an emergency is reported, CWRU will activate its emergency response plan that provides guidance for how the university will respond.

Responding to an Emergency

Whether or not there was advance notice of a threat or emergency, a multi-departmental response will occur. Like all emergencies, they start and end local. If the incident expands, local, state, or federal public safety partners may be asked to provide assistance or oversee the direction and control. In instances of public health or behavioral emergencies, University Health and Counseling Services staff may be called to respond.

The confirmation of a dangerous situation or a threat to the campus community may be accomplished through a variety of resources and avenues including but not limited to: CWRU Police Department while on patrol; Communications Center dispatchers monitoring alarms and cameras; firsthand accounts from the public; security technologies and surveillance systems; and other public safety partners.

Upon confirmation of a legitimate emergency or dangerous situation, the Division of Public Safety will begin the process of determining what mode of emergency mass notification should be utilized, who should receive the messaging and content of the notification. Specific segments of the entire campus community may be notified if only that segment may be affected by the incident(s). The Division of Public Safety and University Marketing and Communications collaborate and are responsible for the content for emergency mass notifications.

Emergency notification may be authorized by the Executive Director of Public Safety, Chief of Police, Director of Resiliency, Assistant Vice President, online and internal communications, Officer in Charge, Executive Director for Health and Counseling Services and the designee of any of these individuals, or Public Safety Communications Center.

Weather can change quickly. CWRU Division of Public Safety receives severe weather alerts from the National

Weather Service and may issue an emergency notification if a Tornado Warning is in effect for the campus. The Office of Resiliency strongly encourages members of the CWRU community to sign up for weather alerts and download weather apps. Wireless devices can receive Wireless Emergency Alerts (WEA) that include weather alerts from your carrier if it is enabled on your device.

Protective Actions

CWRU Division of Public Safety may issue protective actions to protect the community from the effects of emergencies. These actions may include evacuation, lockdown or shelter in place.

CWRU Division of Public Safety has established plans for the orderly and coordinated evacuation of all or part of the Case Western Reserve population, if it is determined that such action is the most effective means available for protecting the campus community from the effects of a disaster. Evacuations may involve a single building, portion or all of campus. CWRU Public Safety and other emergency response authorities will provide instructions and orders of evacuation. Evacuation procedures and guidance can be found on the Division of Public Safety website or Rave Guardian. Building Assembly points are found on the Environmental Health and Safety website case.edu/ehs.

The Division of Public Safety may issue a shelter in place order as a protective action. Sheltering in place means finding a safe location indoors and staying there until you are given an “all clear” or told to evacuate. Those on campus may be asked to shelter in place because of criminal activity; tornado; or chemical, radiological, or other hazard.

The order to lockdown is only used for an active aggressor incident. An emergency notification with lockdown messaging will only be used when there is an active aggressor on or near campus. Emergency Notifications stating that the university is on lockdown means there are reports of an active aggressor(s) on or near campus. An active aggressor could be an active shooter, but is worded more broadly to include anyone with a gun, knife, or someone who uses a vehicle as a weapon.

When a lockdown is issued, dispatchers begin to lock all exterior doors. No one on campus who is outdoors will be able to enter non-residential buildings—even if you have keycard access to that building. You should get as far away as possible from the threat until an all clear message is sent.

In an active aggressor situation, Case Western Reserve University follows the guidelines promoted through ALICE:

- **Alert:** Sound an alarm of the situation at hand and call the police.
- **Lockdown:** Lock/barricade doors to provide a time barrier and give faculty, staff and students time to recognize the threat.
- **Inform:** If possible, keep faculty, staff, students and police up to date on the assailant’s location on campus.
- **Counter:** Interrupt the physical act of the shooting if possible (e.g. throw items, take the aggressor down, control the aggressor’s weapon arm, yell and scream to distract the aggressor).
- **Evacuate:** Leave the area as quickly as possible.

Lockdown procedures can be found on at case.edu/publicsafety.

Members of the CWRU community and the community at large will be made aware of protective actions for lockdown, shelter in place, and evacuation through several sources: outdoor speakers, indoor speakers, fire alarms, overhead speakers, text messages, desktop messages, phone calls and other means previously listed.

Testing and Exercises

Exercises designed to test Case Western Reserve University’s emergency operations plans and procedures are conducted on an annual basis in accordance with the Homeland Security Exercise and Evaluation Program (HSEEP). HSEEP is the standard that drills and exercises should meet and sets forth minimum requirements that include the assessment and evaluation of emergency plans, response capabilities, and evacuation procedures. Additionally, HSEEP requires proper follow-up and corrective actions when necessary. These exercises often include university personnel, surrounding jurisdiction first responders, government agencies, and members of the university community. The Division of Public Safety documents all exercises through detailed description of what core capability had been tested, the date and time of the exercise, and information about whether or not the test had been announced or unannounced.

CWRU Office of Resiliency works closely with local and state offices of emergency management. Local and State emergency management agencies are notified of exercises conducted on campus.

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 of alcohol or illegal drugs. For information about the university's drug and alcohol abuse education programs, contact the CWRU Substance Abuse Coordinator at **216.368.2450**. Employees also may call **800.227.6007** for information about the Employee Assistance Program through Impact Solutions. CWRU's Drug Free Schools and Communities Act Report can be found at case.edu/studentlife/travel/university-policies/drug-free-school-notification in the CWRU Student Handbook.

Weapons

The use, discharge, carry or possession of firearm weapons, including air guns, is prohibited. Weapons are not permitted in any university-owned or controlled buildings, with one exception: In accordance with Ohio Revised Code 2923.1210, persons with a valid concealed handgun license may keep a handgun and/or ammunition securely locked in trunk/glove box of the person's privately owned legally parked vehicle.

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 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, the local police department having jurisdiction over the student's residence (the Cleveland or Cleveland Heights Police Departments) will be notified within 24 hours after the student is missing. 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 within 24 hours of the determination that the student is 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.

Title IX

CWRU complies with Title IX of the Educational Amendments of 1972, prohibiting discrimination on the basis of sex in federally assisted educational programs and activities. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Sexual harassment (which includes sexual violence and assault) is a form of sex discrimination and therefore a violation of Title IX. Specific behaviors that are prohibited by Title IX include rape, sexual assault, sexual battery, sexual exploitation, and other forms of non-consensual sexual activity; stalking; and relationship violence that is gender-based. Many behaviors that violate Title IX also constitute crimes. Title IX also prohibits discrimination of pregnant and parenting students.

Individuals who feel their Title IX rights may have been violated or who wish to discuss a Title IX matter should contact the Office of Equity at **216.368.3066**. The university's Title IX coordinator is Senior Associate Vice President for Equity Darnell Parker, who can be reached at **216.368.3066** or darnell.parker@case.edu.

Preventing and Responding to Sexual Assault

Sexual Harassment Policy

The university modified its sexual harassment policy on August 14th 2020 to comply with new federal guidelines. The entire policy can be viewed at case.edu/equity/sexual-harassment-title-ix/interim-sexual-harassment-policy. The following are policy statements regarding sexual assault and disciplinary hearings mandated by the Clery Act.

Sexual Harassment

Case Western Reserve is a community based on trust and respect for its constituent members. Sexual harassment is a violation of that trust and respect and will not be tolerated. Members of the Case Western Reserve community, guests and visitors have the right to be free from sexual harassment, including sexual assault, domestic violence, dating violence and stalking. All members of the community are expected to conduct themselves in a manner that does not infringe upon the rights of others.

Definitions

Sexual harassment is defined as unwelcome conduct, determined by a reasonable person, to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to CWRU's educational programs or activities. This can include quid pro quo, which is when an employer/supervisor of the recipient conditions the provision of an aid, benefit or service on an individual's participation in unwelcome sexual conduct.

Sexual assault is divided into forcible and non-forcible offenses. **Forcible offenses** are any sexual act directed against another person, without the consent of the complainant, including instances in which the complainant is incapable of giving consent. Forcible sexual acts include, but are not limited to, forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling. **Non forcible** offenses include but are not limited to incest and statutory rape.

Domestic Violence is defined as violence, on the basis of sex, committed against the complainant by a person who is a current or former spouse or intimate partner of the complainant, or by a person who shares a child in common with the complainant. It can also be committed by a person who is cohabitating with, or has cohabitated with the complainant as a spouse or intimate partner, or by any person similarly situated to a spouse of the complainant

under the domestic or family violence laws of the State of Ohio. It also applies to an offense committed by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the State of Ohio.

Dating violence is defined as violence on the basis of sex committed by a person who is in or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on the complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of the interaction between the persons involved in the relationship. For the purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse, or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Stalking is defined as engaging in a course of conduct, on the basis of sex, directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or causes the infliction of substantial emotional distress.

Sexual exploitation is defined as taking nonconsensual or abusive sexual advantage of another for someone's own benefit or the benefit of anyone other than the person being exploited, and the conduct does not otherwise constitute sexual harassment under university policy. Examples include but are not limited to sexual voyeurism, invasion of sexual privacy or taking pictures, recordings or videos of sexual activity without the consent of all involved parties.

Consent is knowing, voluntary, and clear permission by word or action to engage in sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in that activity. For consent to be valid there must be a clear expression in words or actions that the other individual consented to the specific sexual conduct. Consent can also be withdrawn once given, as long as the withdrawal is reasonable and clearly communicated.

Consent to some sexual contact cannot be presumed to be consent for other sexual activity. A current or previous intimate relationship is not sufficient to constitute consent. Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead the burden remains on CWRU to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a

reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any previous patterns that may be evidenced. Consent CANNOT be given if a person's ability to resist or consent is incapacitated because of a mental illness or physical condition or if there is a significant age or perceived power differential.

Incapacitation is a state in which someone cannot make rational, reasonable decisions because the person lacks the capacity to give knowing consent (e.g. to understand the who, what, when, where why or how of their sexual interaction). Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout and/or being drunk. It is not an excuse that someone was intoxicated and therefore did not realize the incapacity of another person. The question of whether someone should have known the incapacity is an objective question about what a reasonable person, exercising good judgement, would have known, in the same or similar circumstances.

Coercion is defined as unreasonable pressure for sexual activity. Coercive conduct differs from seductive contact based on factors such as the type and/or extent of the pressure used to obtain consent. Coercion can also occur in situations where there is an imbalance in power relationships between two parties.

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 an advocate, the campus police, the university and/or the Office of Equity. 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. A courtesy transport to University Hospital Emergency Department will be provided.

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 by a sexual assault nurse examiner (SANE). 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.

Reporting

A person wishing to pursue university action must report the conduct to the Title IX Coordinator in the Office of Equity. Taking this action does not prevent reporting the matter to the CWRU Police. To contact the CWRU Division of Public Safety, call **216.368.3333**. A person who has experienced sexual harassment may also seek advice and guidance from confidential support resources as discussed in that section.

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of the CWRU Interim Sexual Harassment Policy, The Office of Equity or designee initiates a prompt initial assessment to determine the next steps to take. If the complaint involves an alleged violation of Process A of the policy (including sexual assault, dating violence, domestic violence and stalking, the Title IX coordinator or designee will initiate one of three responses:

- offer supportive measures because the complainant does not want to proceed formally, and/or
- an informal resolution upon submission of a formal complaint; and/or
- a formal Grievance Process including an investigator and a hearing.

If the complaint involves an alleged violation of Process B of the policy (sexual harassment or discriminatory conduct) the Title IX coordinator or designee will conduct an initial assessment of the complaint, which may include

- offering of supportive measures
- assignment of an advisor to the complainant
- working with the complainant to identify their wishes and then determine if they wish to proceed with a supportive response or an Administrative Resolution.

Mandated Reporters & Confidential Support Resources

All Case Western Reserve University employees (faculty, staff, administrators, resident assistants, teaching assistants and orientation leaders) are required to report actual or suspected discrimination or harassment to appropriate officials immediately, though there are some limited exceptions.

In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality and are not required to report actual or suspected discrimination or harassment. They may offer options and resources without any obligation to inform an outside agency or campus official unless a complainant has requested the information be shared.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Title IX coordinator (and/or police, if desired by the complainant), who will take action when an incident is reported to them. The following section describes the reporting options at CWRU for a complainant or third party (including parents/guardians when appropriate).

Confidential Resources

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

- Licensed professional in University Health and Counseling Services
- Student Advocate for Gender Based Violence Prevention, Education, and Advocacy
- Inter-religious Council on-campus members of the clergy/chaplains working within the scope of their license or ordination
- Off-campus (non-employees):
 - Licensed professional counselors and other medical providers
 - Local Cleveland Rape Crisis Center
 - Domestic Violence Center
 - Local or state assistance agencies
 - Clergy/Chaplains
 - Attorneys

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases of immediacy of threat or danger or abuse of a minor or individual with a disability, or when required to disclose by law or court order.

Employees: For confidential resources for faculty and staff, the Employee Assistance and Work Life Program (IMPACT Solutions) is a confidential resource. CWRU employees who

are confidential and who receive reports within the scope of their confidential roles will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, or patient.

Police Resources

Anyone who has experienced sexual misconduct may choose to contact at any time either CWRU Division of Public Safety 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.

ON CAMPUS

CWRU Division of Public Safety 216.368.3333
1689 E. 115th St., Cleveland, Ohio 44106
Any time, 24/7

OFF CAMPUS

University Circle Police 216.791.1234
Cleveland Police Sex Crimes Unit 216.623.5630
Cleveland Police 3rd 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 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.

Student Confidential Support Resources

ON-CAMPUS RESOURCES

- SAFE Line 216.368.7777
Any time (24/7) for privileged and confidential conversations about sexual assault and relationship violence.
- University Counseling Services Sears 220 216.368.5872
24 Hours
- University Health Service 216.368.2450
2145 Adelbert Road, 24 Hours
- Flora Stone Mather Center for Women 216.368.0985
Tinkham Veale University Center, Room 248
Monday–Friday, 8:30 a.m.–5 p.m.
Ask to speak with the Licensed Professional Health Advocate
- Campus Clergy 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

OFF CAMPUS RESOURCES

- The Cleveland Rape Crisis Center 216.619.6192
24 hours
- The Domestic Violence Center and Child Advocacy Center 216.391.HELP (4357)
24 hours

Faculty and Staff Confidential Support Resources

ON-CAMPUS RESOURCES

- Employee Assistance Program 800.227.6007
myimpactsolution.com

OFF CAMPUS RESOURCES

- The Cleveland Rape Crisis Center 216.619.6192
24 hours
- The Domestic Violence Center and Child Advocacy Center 216.391.HELP (4357)
24 hours

University Health Service

Students can seek further treatment at University Health Services 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 periodically throughout the year for those who identify as female faculty, staff and students, although these classes are temporarily suspended due to COVID-19 they will resume when able. 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 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. On the pages that follow is a list of the previous and current trainings on campus regarding sexual misconduct and related topics.

Sexual Misconduct Prevention/Education Initiatives

Initiative	Program Description	Target Audience	Program Frequency	Program Implemented	Campus Partners
Sexual Misconduct Prevention Module for Athletics	CWRU Athletic Department created a module focusing on athletics and prevention.	All CWRU Athletes and Coaches	July 2018	February 2018	Office of Equity and Department of Athletics and Physical Education
Sexual Misconduct Reporting Posters	Office of Equity created reporting chart for reporting to the university and confidential resources.	Entire University Community	On-Going	July 2018	Office of Equity
Revision of Equity Website	Provide information around policies, procedures, resources, and training opportunities.	Entire University Community and External Community	On-Going	Spring 2016 Revised 2019	Office of Equity, students, faculty, and staff
Sexual Misconduct Prevention & Education Presentations	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, Faculty, Staff	July–November and throughout the year as requested.	Fall 2014 Revised Yearly	Office of Equity, Department of Athletics, Residence Life, First-Year Experience & Programs, academic departments, and Office for Inclusion, Diversity, and Equal Opportunity
Title IX Restroom Posters	Posters placed in every restroom throughout campus.	Entire university community	On-Going	1990 Revised 2017	Student Affairs, Office of Equity
Social Norming Campaign	Campaign awareness against physical violence. (Including sexual misconduct and intimate partner violence)	Entire University Community	On-Going	Fall 2018	Student Affairs, Academic Affairs, undergraduate and graduate students
SEXPO	Daylong conference set during the first week of school to destigmatize discussion around sex positivity, consent, and provide health resources to all.	Entire University Community	Every September	Fall 2016	Women’s Center, Greek Life, *Student Affairs, LGBT Center, Office of Multicultural Affairs, Campus Ministry, University Health & Counseling,

(continued)

Sexual Misconduct Prevention/Education Initiatives (continued)

Initiative	Program Description	Target Audience	Program Frequency	Program Implemented	Campus Partners
Greek Community: Sexual Misconduct Prevention & Education Planning Group	IFC/Panhel initiated program to engage a representative from each Greek chapter in developing an intentional plan to eliminate sexual misconduct within the Greek Community. Catalyst Bystander Training through Greek Life SMARRT Leaders	Greek Community	On-going	Spring 2015	*Student Affairs, Center for Women, Cleveland Rape Crisis Center
SAVE – Sexual Assault and Violence Educators – Peer Education Presentations & Programs	Center for women trained student peer educators who are responsible for giving presentations throughout the campus community on a host of topics related to prevention. Responsible for hosting the following events: SEXPO, Voices Against Violence, The Genital Monologues, Health Relationships Weeks, Sexual Assault Awareness Month, Take Back The Night	All University students	Ongoing	Fall 2010	Center for Women, *Student Affairs, Greek Life, Residence Life, Cleveland Rape Crisis Center
Let’s Talk About Sex – Planned Parenthood Monthly Discussion Series	Collaboration between Planned Parenthood of Greater Cleveland and the Center for Women. Twice a month discussion series on topics ranging from healthy relationships, to consent, to sexuality.	Undergraduate and Graduate Students	Ongoing	Fall 2018	Center for Women, University Health & Wellness, Planned Parenthood Of Greater Cleveland

University Disciplinary Procedures Regarding Sexual Assault/University Complaint Process

Violations of the Case Western Reserve University Sexual Harassment Policy should be reported to the university's Title IX coordinator as detailed above. The coordinator or their designee will conduct an initial assessment to determine if the allegation should go through Process A or B. Process A shall apply to allegations of sexual assault, dating violence, domestic violence and stalking involving students, staff, or faculty members. Process B will apply to allegations of sexual harassment or to allegations determined by the Title IX coordinator not to fall within process B. Procedures for each process are outlined below.

Process A

A. Notice/Complaint

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of the Policy, The Office of Equity or designee initiates a prompt initial assessment to determine the next steps the Recipient needs to take.

The Title IX Coordinator or designee will initiate at least one of three responses:

1. Offering supportive measures because the Complainant does not want to proceed formally; and/or
2. An informal resolution upon submission of a formal complaint; and/or
3. A Formal Grievance Process including an investigation and a hearing.

The investigation and grievance process will determine whether or not the Policy has been violated. If so, the University will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to harassment or discrimination, their potential recurrence, or their effects.

B. Initial Assessment

Following receipt of notice or a complaint of an alleged violation of this Policy, the Title IX Coordinator or designee engages in an initial assessment, typically within one to five business days in duration. The steps in an initial assessment can include:

1. If notice is given, the Title IX Coordinator or designee seeks to determine whether the person impacted wishes to make a formal complaint, and will assist them to do so, if desired.

- a. If they do not wish to do so, the Title IX Coordinator or designee determines whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/or safety.
2. If a formal complaint is received, the Title IX Coordinator or designee assesses its sufficiency and works with the Complainant to make sure it is correctly completed.
3. The Title IX Coordinator or designee reaches out to the Complainant to offer supportive measures.
4. The Title IX Coordinator or designee works with the Complainant to ensure they are aware of the right to have an Advisor.
5. The Title IX Coordinator or designee works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an informal resolution option, or a formal investigation and grievance process.
 - a. If a supportive and remedial response is preferred, the Title IX Coordinator or designee works with the Complainant to identify their wishes, assesses the request, and implements accordingly. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired.
 - b. an informal resolution option is preferred, the Title IX Coordinator or designee assesses whether the complaint is suitable for informal resolution, and may seek to determine if the Respondent is also willing to engage in informal resolution.
 - c. If a Formal Grievance Process is preferred, the Title IX Coordinator or designee determines if the misconduct alleged falls within the scope of Title IX:
 - If it does, the Title IX Coordinator or designee will initiate the formal investigation and grievance process, directing the investigation to address:
 - i. an incident, and/or
 - ii. a pattern of alleged misconduct, and/or
 - iii. a culture/climate issue, based on the nature of the complaint.
 - If it does not, the Title IX Coordinator or designee determines that Title IX does not apply (and will "dismiss" that aspect of the complaint, if any), assesses which policies may apply and will refer the matter accordingly or refers the matter for resolution under Process B. Please note that dismissing a complaint under Title IX is solely a procedural requirement under Title IX and does not limit the CWRU's authority to address a complaint with an appropriate process and remedies.

Violence Risk Assessment

In many cases, the Title IX Coordinator or designee may determine that a Violence Risk Assessment (VRA) should be conducted by the Threat Assessment Behavioral Intervention Team (TABIT) as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:

- Emergency removal of a Respondent on the basis of immediate threat to physical health/safety;
- Whether the Title IX Coordinator or designee should pursue/sign a formal complaint absent a willing/able Complainant;
- Whether to put the investigation on the footing of incident and/or pattern and/or climate;
- To help identify potential predatory conduct;
- To help assess/identify grooming behaviors;
- Whether it is reasonable to try to resolve a complaint through informal resolution, and what modality may be most successful;
- Whether to permit a voluntary withdrawal by the Respondent;
- Whether to impose transcript notation or communicate with a transfer Recipient about a Respondent;
- Assessment of appropriate sanctions/remedies (to be applied post-hearing); and/or
- Whether a Clery Act Timely Warning/Trespass order/Persona-non-grata is needed.

Threat assessment is the process of evaluating the action ability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A VRA is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, or other Behavioral Intervention Team “(BIT)/CARE” team members. A VRA authorized by the Title IX Coordinator or designee should occur in collaboration with the BIT/CARE or threat assessment team. Where a VRA is required by the Title IX Coordinator, a Respondent refusing to cooperate may result in a charge of failure to comply within the appropriate student, employee, and faculty conduct process.

Dismissal (Mandatory and Discretionary)

Case Western Reserve University must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

1. The conduct alleged in the formal complaint would not constitute sexual harassment as defined in the Policy herein above, even if proved; and/or
2. The conduct did not occur in an educational program or activity controlled by the CWRU (including buildings or property controlled by recognized student organizations), and/or CWRU does not have control of the Respondent; and/or
3. The conduct did not occur against a person in the United States; and/or
4. At the time of filing a formal complaint, a complainant is not participating in or attempting to participate in the education program or activity of the recipient.

CWRU may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

1. A Complainant notifies the Title IX Coordinator or designee in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or
2. The Respondent is no longer enrolled in or employed by the recipient; or
3. Specific circumstances prevent CWRU from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon any dismissal, the University will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

This dismissal decision is appealable by any party under the procedures in the appeal section of this policy.

Please note that dismissing a complaint under this section for not meeting Title IX regulation is just procedural, and does not limit the CWRU’s authority to address a complaint with an appropriate process and remedies, such as Process B.

A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

C. Counterclaims

CWRU is obligated to ensure that the grievance process is not abused for retaliatory purposes. The University permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the

counterclaim are made in good faith. Counterclaims by a Respondent may be made in good faith, but are, on occasion, also made for purposes of retaliation instead.

Counterclaims made with retaliatory intent will not be permitted.

Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator or designee. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

D. Right to an Advisor

The parties may each have an Advisor of their choice present with them for all meetings, interviews, and hearings within the resolution process, if they so choose. The parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available.

Choosing an Advisor who is also a witness in the process creates potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing panel.

The Recipient may permit parties to have more than one Advisor upon special request to the Title IX Coordinator. The decision to grant this request is at the sole discretion of the Title IX Coordinator and will be granted equitably to all parties.

Who Can Serve as an Advisor

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of the University.

The Title IX Coordinator or designee will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the pool available from the University, the Advisor will be trained by the Office of Equity and be familiar with the University's resolution process.

If the parties choose an Advisor from outside the pool of those identified by the University, the Advisor may not have been trained by the University and may not be familiar with Case Western Reserve's policies and procedures.

Parties also have the right to choose not to have an Advisor in the initial stages of the resolution process, prior to a hearing.

Advisor's Role in Meetings and Interviews

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

The university cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, the university is not obligated to provide an attorney.

Advisors in Hearings/University-Appointed Advisor

Under U.S. Department of Education regulations under Title IX, a form of cross-examination is required during the hearing, but must be conducted by the parties' Advisors. The parties are not permitted to directly question each other or any witnesses. If a party does not have an Advisor for a hearing, CWRU will appoint a trained Advisor for the limited purpose of conducting any questioning of the other party and witnesses.

The Complainant and Respondent may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct cross-examination, the University will appoint an Advisor who will do so thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself. Extensive questioning of the parties and witnesses will also be conducted by the Decision-maker(s) during the hearing.

Pre-Interview Meetings

Advisors may request to meet with the administrative officials conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and the University's policies and procedures.

Advisor Violations of Recipient Policy

All Advisors are subject to the same University policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address University officials in a meeting or interview unless invited to (e.g., asking procedural questions).

The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Decision-maker(s) except during a hearing proceeding, during cross-examination.

The Complainant and Respondent are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Any Advisor who oversteps their role as defined by this policy will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the Title IX Coordinator or designee will determine how to address the Advisor's non-compliance and future role.

Sharing Information with the Advisor

CWRU expects that the parties may wish to have the university share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

CWRU also provides a consent form that authorizes the university to share such information directly with their Advisor. The parties must either complete and submit this form to the Office of Equity or provide similar documentation demonstrating consent to a release of information to the Advisor before the university is able to share records with an Advisor.

Privacy of Records Shared with Advisor

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with

third parties, disclosed publicly, or used for purposes not explicitly authorized by CWRU. CWUR may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by the university's privacy expectations.

Expectations of an Advisor

CWRU generally expects an Advisor to adjust their schedule to allow them to attend university meetings when planned, but may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

The university may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

Expectations of the Parties with Respect to Advisors

The Complainant and Respondent may elect to change Advisors during the process and is neither obligated to use the same Advisor throughout. The parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Title IX Coordinator or designee if they change Advisors at any time. It is assumed that if a party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor must be secured. Parties are expected to inform the Title IX Coordinator or designee of the identity of their hearing Advisor at least two (2) business days before the hearing.

Assistance in Securing an Advisor

The Office of Equity will work with the Complainant and Respondent in securing an advisor through the process.

E. Resolution Processes

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with university policy. Although there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose, with the exception of information the parties agree not to

disclose related to informal resolution, discussed below. The university encourages parties to discuss any sharing of information with their Advisors before doing so.

Informal Resolution

Informal Resolution can include three different approaches:

1. When the parties agree to resolve the matter through an alternate resolution process, usually before a formal investigation takes place;
2. When the Respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process; or
3. When the Title IX Coordinator or designee can resolve the matter informally by providing supportive measures (only) to remedy the situation.

To initiate Informal Resolution, a Complainant needs to submit a formal complaint, as defined above. If a Respondent wishes to initiate Informal Resolution, they should contact the Title IX Coordinator or designee to indicate.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Resolution, CWRU will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the university.

The university will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

Informal Resolution process is prohibited when it is between a student and employee (Faculty, Staff, Teaching Assistant, and Research Assistant)

Alternate Resolution

Alternate Resolution is an informal process by which a mutually agreed upon resolution of an allegation is reached. All parties must consent to the use of Alternate Resolution.

The Title IX Coordinator or designee may look to the following factors to assess whether Alternate Resolution is appropriate, or which form of Alternate Resolution may be most successful for the parties:

- The parties' amenability to Alternate Resolution;
- Likelihood of potential resolution, taking into account any power dynamics between the parties;
- The parties' motivation to participate;
- Civility of the parties;
- Results of a violence risk assessment/ongoing risk analysis;
- Disciplinary history;
- Whether an emergency removal is needed;
- Skill of the Alternate Resolution facilitator with this type of complaint;
- Complaint complexity;
- Emotional investment/intelligence of the parties;
- Rationality of the parties;
- Goals of the parties;
- Adequate resources to invest in Alternate Resolution (time, staff, etc.)

The ultimate determination of whether Alternate Resolution is available or successful is to be made by the Title IX Coordinator or designee. The Title IX Coordinator or designee maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate disciplinary actions. Results of complaints resolved by Informal Resolution or Alternate Resolution are not appealable.

Respondent Accepts Responsibility for Alleged Violations

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator or designee will determine whether Informal Resolution can be used according to the criteria in that section above.

If Informal Resolution is applicable, the Title IX Coordinator or designee will determine whether all parties and the university are able to agree on responsibility, sanctions, and/or remedies. If so, the Title IX Coordinator or designee implements the accepted finding that the Respondent is in violation of the sexual harassment policy and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. When the parties cannot agree on all terms of resolution,

the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented in order to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

Negotiated Resolution

The Title IX Coordinator or designee, with the consent of the parties, may negotiate and implement an agreement to resolve the allegations that satisfies all parties and the university. Negotiated Resolutions are not appealable.

F. Grievance Process Pool

The Formal Grievance Process relies on a pool of faculty, staff, and students (“the pool”) to carry out the process. Panel members will consist of faculty, staff, and students. Investigators in the Office of Equity conduct all investigations. The university reserves the right to use trained external investigators.

Members of the Pool are announced in an annual distribution of this policy to all students, parents/guardians of students, employees, prospective students, and prospective employees. They are also listed on the Office of Equity website.

The list of Investigators and Pool members and a description of the Pool can be found at case.edu/equity/sexual-harassment-title-ix/file-report/grievance-process-pool

Pool Member Roles

Members of the Pool are trained annually, and can serve in the following roles, at the direction of the Title IX Coordinator:

1. To provide appropriate intake of and initial guidance pertaining to complaints
2. To act as an Advisor to the parties
3. To perform or assist with initial assessment
4. To investigate complaints
5. To serve as a hearing facilitator (process administrator, no decision-making role)
6. To serve as a Decision-maker regarding the complaint
7. To serve as an Appeal Decision-maker

Investigator, Panel Member Appointment, and Advisor

The Title IX Coordinator or designee appoints the investigators, panel members, and advisors, which acts with independence and impartiality. While members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different cases, the university can also designate permanent roles for individuals in the Pool, using others as substitutes or to provide greater depth of experience when necessary. This process of role assignment may be the result of particular skills, aptitudes, or talents identified in members of the Pool that make them best suited to particular roles.

Pool Member Training

The Pool members receive annual training. This training includes, but is not limited to:

1. The scope of the University's Discrimination and Harassment Policy and Procedures
2. How to conduct investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability
3. Implicit bias
4. Disparate treatment and impact
5. Reporting, confidentiality, and privacy requirements
6. Applicable laws, regulations, and federal regulatory guidance
7. How to implement appropriate and situation-specific remedies
8. How to investigate in a thorough, reliable, and impartial manner
9. How to uphold fairness, equity, and due process
10. How to weigh evidence
11. How to conduct questioning
12. How to assess credibility
13. Impartiality and objectivity
14. How to render findings and generate clear, concise, evidence-based rationales
15. The definitions of all offenses
16. How to apply definitions used by the recipient with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
17. How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes

18. How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias
19. Any technology to be used at a live hearing
20. Issues of relevance of questions and evidence
21. Issues of relevance to create an investigation report that fairly summarizes relevant evidence
22. How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegations

Specific training is also provided for Appeal Decision-makers, intake personnel, Advisors (who are employees), and Chairs. All Pool members are required to attend these trainings annually. The materials used to train all members of the Pool are publicly posted here: [Will insert link later].

G. Formal Grievance Process: Notice of Investigation and Allegations

The Title IX Coordinator or designee will provide written Notice Of the Investigation and Allegations (the "NOIA") to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent's ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

1. A meaningful summary of all of allegations,
2. The identity of the involved parties (if known),
3. The precise misconduct being alleged,
4. The date and location of the alleged incident(s) (if known),
5. The specific policies implicated,
6. A description of the applicable procedures,
7. A statement of the potential sanctions/responsive actions that could result,
8. A statement that the university presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
9. A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,

10. A statement about the university's policy on retaliation,
11. Information about the privacy of the process,
12. Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
13. A statement informing the parties that the Recipient's Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
14. Detail on how the party may request disability accommodations during the interview process,
15. A link to the Recipient's VAWA Brochure,
16. The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and
17. An instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official university records, or emailed to the parties' Recipient-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

H. Resolution Timeline

The University will make a good faith effort to complete the resolution process within a sixty-to-seventy five (60-75) business day time period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator or designee, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

I. Appointment of Investigators

Once the decision to commence a formal investigation is made, the Title IX Coordinator or designee appoints an investigator to conduct the investigation (typically using a team of two Investigators), usually within two (2) business days of determining that an investigation should proceed.

J. Ensuring Impartiality

Any individual materially involved in the administration of the resolution process including the Title IX Coordinator, Investigator(s), and Decision-maker(s) may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator or designee will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator or designee will determine whether the concern is reasonable and supportable. If so, another investigator will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the Office of General Counsel.

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence, which supports that the Respondent engaged in a policy violation, and evidence, which supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

The Recipient operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

K. Investigation Timeline

Investigations are completed expeditiously, normally within sixty (60) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

The university will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

L. Delays in the Investigation Process and Interactions with Law Enforcement

The university may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include, but are not limited to

a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

The university will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. The university will promptly resume its investigation and resolution process as soon as feasible. During such a delay, the university will implement supportive measures as deemed appropriate.

University action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

M. Steps in the Investigation Process

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties shall have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

1. Determine the identity and contact information of the Complainant
2. In coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures
3. Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated
4. Assist the Title IX Coordinator with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation
5. Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties
6. Meet with the Complainant to finalize their interview/statement, if necessary
7. Prepare the initial Notice of Investigation and Allegation

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- (NOIA). The NOIA may be amended with any additional or dismissed allegations
- a. Notice should inform the parties of their right to have the assistance of an Advisor, who could be a member of the Pool or an Advisor of their choosing present for all meetings attended by the party
 8. Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes of the relevant evidence/testimony from their respective interviews and meetings
 9. Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible
 10. When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose
 11. Interview all available, relevant witnesses and conduct follow-up interviews as necessary
 12. Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions.
 13. Complete the investigation promptly and without unreasonable deviation from the intended timeline
 14. Provide regular status updates to the parties throughout the investigation.
 15. Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding
 16. Write a comprehensive investigation report fully summarizing the investigation; all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included
 17. The Investigator(s) gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report
 18. Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the

- reported misconduct, including evidence upon which the Recipient does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, and Respondent's Advisor).
19. The Investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses
 20. The Investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period
 21. The Investigator(s) shares the report with the Title IX Coordinator and/or legal counsel for their review and feedback
 22. The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report

N. Role and Participation of Witnesses in the Investigation

Witnesses (as distinguished from the parties) who are employees of the university are expected to cooperate with and participate in the university's investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may warrant disciplinary review.

Although in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break, or remote learning) may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. The university will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

O. Recording of Interviews

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of audio and/or video recording.

P. Evidentiary Considerations in the Investigation

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the

Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific

Incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Q. Referral for Hearing

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator or designee will refer the matter for a hearing.

The hearing cannot be fewer than ten (10) business days from the conclusion of the investigation – when the final investigation report is transmitted to the parties and the Decision-maker—unless all parties and the Decision-maker agree to an expedited timeline.

The Title IX Coordinator or designee will select appropriate panel members from the Pool.

R. Hearing Decision-maker Composition

The university will designate a three-member panel from the Pool of adjudicators, at the discretion of the Title IX Coordinator or designee. With a panel, the Title IX Coordinator or designee will appoint one of the three members as Chair.

The panel will not have had any previous involvement with the investigation. The Title IX Coordinator or designee may elect to have an alternate sit in throughout the hearing process in the event that a substitute is needed for any reason.

Those who have served as Investigators will be witnesses in the hearing and therefore may not serve on the panel. Those who are serving as Advisors for any party may not serve on the panel.

The Title IX Coordinator or designee may not serve on a panel in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role. The hearing will convene at a time determined by the Chair or designee.

S. Evidentiary Considerations in the Hearing

Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) The character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific Incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility, assuming the University uses a progressive discipline system. This information is only considered at the sanction stage of the process, and is not shared until then.

The parties may each submit a written impact statement prior to the hearing for the consideration of the panel at the sanction stage of the process when a determination of responsibility is reached.

After post-hearing deliberation, the panel renders a determination based on the preponderance of the evidence; whether it is more likely than not that, the Respondent violated the Policy as alleged. The determination will be rendered within five (5) business days at the conclusion of the hearing.

T. Notice of Hearing

No less than ten (10) business days prior to the hearing, the Title IX Coordinator or the Chair will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

1. A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
2. The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
3. Any technology that will be used to facilitate the hearing.
4. Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the panel and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator or designee at least five (5) business days prior to the hearing.
5. A list of all those who will attend the hearing, along with an invitation to object to any panel member on the basis of demonstrated bias. This must be raised with the Title IX Coordinator or designee at least two (5) business days prior to the hearing.
6. Information on how the hearing will be recorded and on access to the recording for the parties after the hearing. A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the panel. For compelling reasons, the Chair may reschedule the hearing.
7. Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator or designee if they do not have an Advisor, and the Office of Equity will appoint one. Each party must have an Advisor present. There are no exceptions.
8. A copy of all the materials provided to the panel about the matter, unless they have been provided already.
9. An invitation to each party to submit to the Chair an impact statement pre-hearing that the panel will review during any sanction determination.
10. An invitation to contact the Title IX Coordinator or designee to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.

11. Whether parties can/cannot bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by CWRU and remain within the 60-75 business day goal for resolution.

In these cases, if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges under this Policy is not in good standing to graduate.

U. Alternative Hearing Participation Options

If the Complainant or Respondent prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator or the Chair at least five (5) business days prior to the hearing.

The Title IX Coordinator or the Chair can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator or the Chair know at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

V. Pre-Hearing Preparation

The Chair, after any necessary consultation with the parties, Investigator(s) and/or Title IX Coordinator, will provide the names of persons who will be participating in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing.

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator(s) unless all parties and the Chair assent to the witness's participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and Chair do not assent to the admission of evidence newly offered at the hearing, the Chair will delay the hearing and instruct that the investigation needs to be re-opened to consider that evidence.

The parties will be given a list of the names of the panel at

least five (5) business days in advance of the hearing. All objections to any panel member must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator or designee as soon as possible and no later than one day prior to the hearing. Panel members will only be removed if the Title IX Coordinator or designee concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

The Title IX Coordinator or designee will give the panel members a list of the names of all parties, witnesses, and Advisors at least five (5) business days in advance of the hearing. Any panel member who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a panel member is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator or designee as soon as possible.

During the ten (10) business day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Chair at the pre-hearing meeting or at the hearing and will be exchanged between each party by the Chair.

W. Pre-Hearing Meetings

The Chair may convene a pre-hearing meeting(s) with the parties and/or their Advisors to invite them to submit the questions or topics they (the parties and/or their Advisors) wish to ask or discuss at the hearing, so that the Chair can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or provide recommendations for more appropriate phrasing. However, this advance review opportunity does not preclude the Advisors from asking at the hearing for a reconsideration based on any new information or testimony offered at the hearing. The Chair must document and share their rationale for any exclusion or inclusion at this pre-hearing meeting.

The Chair, **only** with full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the investigation report or during the hearing.

At each pre-hearing meeting with a party and their Advisor, the Chair will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigator(s) may be argued to

be relevant. The Chair may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The Chair may consult with the Office of General Counsel and/or the Title IX Coordinator, or ask either or both to attend pre-hearing meetings.

The pre-hearing meeting(s) will not be recorded.

X. Hearing Procedures

At the hearing, the panel has the authority to hear and make determinations on all allegations of discrimination, harassment, and/or retaliation and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the discrimination, harassment, and/or retaliation, even though those collateral allegations may not specifically fall within this policy.

Participants at the hearing will include the Chair, any additional panelists, the Investigator(s) who conducted the investigation, the parties (or three (3) organizational representatives when an organization is the Respondent), Advisors to the parties, any called witnesses, CWRU General Counsel may be present, and anyone providing authorized accommodations or assistive services.

The Chair of the panel will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Chair of the panel will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the panel, and the parties and will then be excused.

Y. Joint Hearings

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual of substantially similar conduct; the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator or designee may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent with respect to each alleged policy violation.

Z. The Order of the Hearing – Introductions and Explanation of Procedure

The Chair of the panel will explain the procedures and introduce the participants. This may include a final opportunity for challenge or recusal of panel members on the basis of bias or conflict of interest. The Chair will rule on any such challenge unless the Chair is the individual who is the subject of the challenge, in which case the Title IX Coordinator will review and decide the challenge.

The Chair of the panel conducts the hearing according to the hearing script. At the hearing, recording, witness logistics, party logistics, collection of documents, separation of the parties, and other administrative elements of the hearing process are managed by a non-voting hearing facilitator appointed by the Title IX Coordinator. The hearing facilitator may attend to: logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

AA. Investigator Presents the Final Investigation Report

The Investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the panel and the parties (through their Advisors). The Investigator(s) will be present during the entire hearing process, but not during deliberations.

Neither the parties nor the panel should ask the Investigator(s) their opinions on credibility, recommended findings, or determinations, and the Investigators, Advisors, and parties will refrain from discussion of or questions about these assessments. If such information is introduced, the Chair of the panel will direct that it be disregarded.

AB. Testimony and Questioning

Once the Investigator(s) present their report and are questioned, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Chair of the panel. The parties/witnesses will submit to questioning by the panel and then by the parties through their Advisors (“cross-examination”).

All questions are subject to a relevance determination by the Chair of the panel. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other

means of submission may be permitted by the Chair of the panel upon request or agreed to by the parties and the Chair), the proceeding will pause to allow the Chair of the panel to consider it, and the Chair will determine whether the question will be permitted, disallowed, or rephrased.

The Chair of the panel may explore arguments regarding relevance with the Advisors, if the Chair of the panel so chooses. The Chair will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Chair will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Chair will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Chair has final say on all questions and determinations of relevance, subject to any appeal. The Chair may consult with legal counsel on any questions of admissibility. The Chair may ask advisors to frame why a question is or is not relevant from their perspective but will not entertain argument from the advisors on relevance once the Chair has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an Investigator or panel member at the hearing, the Chair may elect to address those issues, consult with legal counsel, and/or refer them to the Title IX Coordinator or designee, and/or preserve them for appeal. If bias is not in issue at the hearing, the Chair should not permit irrelevant questions that probe for bias.

AC. Refusal to Submit to Cross-Examination and Inferences

Cross-examination is an all or nothing proposition, meaning that if any question is refused, no statements of that party or witness are admissible. Only if a party or witness is willing to submit to cross-examination, and answers all questions, will their statements prior to or at the hearing be fully admissible. If a party or witness chooses not to submit to cross-examination at the hearing, either because they do not attend the meeting, or they attend but refuse to participate in questioning, then the Decision-maker(s) may not rely on any prior statement made by that party or witness at the hearing (including those contained in the investigation report) in the ultimate determination of responsibility.

The Decision-maker(s) must disregard all statements. Evidence provided that is something other than a statement by the party or witness may be considered.

Whether a party or witness does or does not answer questions from the Decision-maker, their statements

will be admissible as long as they are willing to submit to cross-examination questions, even if they are not asked such questions. The Decision-maker(s) may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

If a party's Advisor of choice refuses to comply with the CWRU's established rules of decorum for the hearing, the Recipient may require the party to use a different Advisor. If a CWRU provided Advisor refuses to comply with the rules of decorum, the CWRU may provide that party with a different Advisor to conduct cross-examination on behalf of that party.

AD. Recording Hearings

Hearings (but not deliberations) are recorded by CWRU for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The panel, the parties, their Advisors, and appropriate administrators of CWRU will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator or designee. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator or designee.

AE. Deliberation, Decision-making, and Standard of Proof

The Panel will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. A simple majority vote is required to determine the finding. The preponderance of the evidence standard of proof is used. The hearing facilitator may be invited to attend the deliberation by the Chair, but is there only to facilitate procedurally, not to address the substance of the allegations.

When there is a finding of responsibility on one or more of the allegations, the panel may then consider the previously submitted party impact statements in determining appropriate sanction(s).

The Chair will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party. The panel may at their discretion consider the statements, but they are not binding.

The panel will review the statements and any pertinent conduct history provided by the Title IX Coordinator or designee and will determine the appropriate sanction(s) in consultation with the Provost or designee for faculty, Vice

President for Student of Affairs or designee for students, and Vice President for Human Resources or designee for staff.

The Chair will then prepare a written deliberation statement and deliver it to the Title IX Coordinator or designee detailing the determination, rationale, the evidence used in support of its determination; the evidence not relied upon in its determination, credibility assessments, and any sanctions.

This report is typically three (3) to five (5) pages in length and must be submitted to the Title IX Coordinator within two (2) business days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

AF. Notice of Outcome

Using the deliberation statement, the Title IX Coordinator or designee will work with the Chair to prepare a Notice of Outcome. The Notice of Outcome will then be reviewed by the Office of General Counsel. The Title IX Coordinator or designee will then share the letter, including the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within 5 business days of receiving the Decision-maker(s)' deliberation statement.

The Notice of Outcome will then be shared with the parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official CWRU records, or emailed to the parties' CWRU-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The Notice of Outcome will identify the specific policies reported to have been violated, including the relevant policy section, and will contain a description of the procedural steps taken by the CWRU from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent the Recipient is permitted to share such information under state or federal law; any sanctions issued which the CWRU is permitted to share according to state or federal law; and any remedies provided to the Complainant designed to ensure

access to CWRU's educational or employment program or activity, to the extent the university is permitted to share such information under state or federal law (this detail is not typically shared with the Respondent unless the remedy directly relates to the Respondent).

The Notice of Outcome will also include information on when the results are considered by the university to be final, any changes that occur prior to finalization, and the relevant procedures and bases for any available appeal options.

AG. Sanctions

Factors considered when determining a sanction/ responsive action may include, but are not limited to:

- A. The nature, severity of, and circumstances surrounding the violation(s)
- B. The Respondent's disciplinary history
- C. Previous allegations or allegations involving similar conduct
- D. The need for sanctions/ responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- E. The need for sanctions/ responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- F. The impact on the parties
- G. Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

The following sanctions may be imposed upon any member of the community found to have violated this policy. Typical sanctions that may be imposed upon students, employees, or organizations, but not limited to:

Student/Organization Sanctions

- Disciplinary Warning
- Disciplinary Probation
- Separation from the University
- Expulsion from the University

- Required Education and Training
- Organizational Sanctions
- Withholding Diploma
- Revocation of Degree

Employee Sanctions

- Warning: Written or Verbal
- Performance Improvement Plan
- Demotion
- Required Counseling
- Probation
- Loss of oversight or Supervisory Responsibility
- Required Education and Training
- Loss of Annual Pay Increase
- Suspension with pay
- Suspension without pay
- Termination
- Other Actions: In addition to or in place of the above sanctions, CWRU may assign any other sanctions as deemed appropriate.

AH. Sanctioning Guidelines

Any person found responsible for violating Sexual Assault section of the policy will likely receive a sanction ranging from separation to expulsion (student) or suspension to termination (employee), taking into account the severity of the incident, any previous disciplinary violations, and other considerations.

Any person found responsible for violation of the Sexual Exploitation or Sexual Harassment section of this policy will likely receive a sanction ranging from warning to expulsion (student) or warning to termination (employee), taking into account the severity of the incident, any previous disciplinary violations, and other considerations.

Any person found responsible for dating violence, domestic violence or stalking will likely receive a sanction ranging from disciplinary probation to expulsion (student), probation suspension, or termination (employee) from the university, taking into account the severity of the incident, any previous disciplinary violations, and other considerations.

The Sexual Misconduct Panel or administrator reserves the right to broaden or lessen any range of sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the initial hearing panel nor any appeals

panel will deviate from the range of recommended sanctions unless compelling justification exists to do so.

AI. Withdrawal or Resignation While Charges Pending

Students: Should a student decide to not participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from the university, the resolution process ends, as the university no longer has disciplinary jurisdiction over the withdrawn student.

However, the university will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to the university. Such exclusion applies to all campuses/programs of CWRU. Admissions and the Registrar will be notified that they cannot be readmitted. They may also be barred from university property and/or events.

If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and that student is not permitted to return to the university unless and until all sanctions have been satisfied.

Employees: Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as the university no longer has disciplinary jurisdiction over the resigned employee.

However, the university will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or discrimination.

The employee who resigns with unresolved allegations pending is not eligible for rehire with any university programs or campuses, and the records retained by the Title IX Coordinator will reflect that status.

All university responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

AJ. Appeals

Any party may file a request for appeal ("Request for Appeal"), but it must be submitted in writing to the Title IX Coordinator or designee within three (3) business days of the delivery of the Notice of Outcome.

The Title IX Coordinator will designate a three-member appeal panel chosen from the Pool of panel members. No appeal panelists will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process. A voting Chair of the Appeal panel will be designated.

The Request for Appeal will be forwarded to the Appeal Chair for consideration to determine if the request meets the grounds for appeal (a Review for Standing).

This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

Grounds for Appeal

Appeals are limited to the following grounds:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Chair, and the parties and their Advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds listed above, then the Appeal Chair will notify the other parties and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original panel.

The other parties and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or panel will be emailed, and/or provided a hard copy of the request with the approved grounds and then be given 3 business days to submit a response to the portion of the appeal that was approved and involves them. All responses will be forwarded by the Chair to all parties for review and comment.

The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed for standing by the Appeal Chair and either denied or approved. If approved, it will be forwarded to the party

who initially requested an appeal, the Investigator(s) and/or original Decision-maker(s), as necessary, who will submit their responses in 3 business days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this period. The Appeal Chair will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses will be shared with the Appeal Panel, and the Chair of the panel will render a decision in no more than five (5) business days, barring exigent circumstances.

A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which the university is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the university is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional

records, or emailed to the parties' university-issued email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

Sanctions Status During the Appeal

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, then emergency removal procedures detailed in section for a hearing on the justification for doing so must be permitted within 48 hours of implementation.

The university may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

Appeal Considerations

1. Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s)

only if there is a compelling justification to do so.

2. Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
3. An appeal is not an opportunity for an Appeal panel to substitute their judgment for that of the original panel merely because they disagree with the finding and/or sanction(s).
4. The Appeal Chair/Panel may consult with the Title IX Coordinator or designee on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
5. Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and panel for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.
6. Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing).
7. In rare cases where a procedural error cannot be cured by the original panel (as in cases of bias), the appeal may order a new hearing with a new panel.
8. The results of a remand to a panel cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
9. In cases in which the appeal results in reinstatement to the university or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

AK. Long-Term Remedies/Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program Impact

Solutions

- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator or designee, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedies owed by the university to the Respondent to ensure no effective denial of educational access.

The university will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair the Recipient's ability to provide these services.

AL. Failure to Comply with Sanctions and/or Interim and Long-term Remedies and/or Responsive Actions

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final panel (including the Appeal Chair/Panel).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the university and may be noted on a student's official transcript.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

AM. Recordkeeping

CWRU will maintain for a period of at least seven years records of:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal

regulation;

2. Any disciplinary sanctions imposed on the Respondent;
3. Any remedies provided to the Complainant designed to restore or preserve equal access to the university's educational program or activity;
4. Any appeal and the result therefrom;
5. Any Informal Resolution and the result therefrom;
6. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. The university will make these training materials publicly available on Recipient's website.
7. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
 - a. The basis for all conclusions that the response was not deliberately indifferent;
 - b. Any measures designed to restore or preserve equal access to the university's education program or activity; and
 - c. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

The university will also maintain any and all records in accordance with state and federal laws.

AN. Statement of the Rights of the Parties

See Appendix A.

AO. Disabilities Accommodations in the Resolution Process

CWRU is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the university's resolution process.

Anyone needing such accommodations or support should contact the Office of Disability Resources for students and Office of Equity for employees who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

Process B

A. Initial Assessment

Following intake, receipt of notice, or a complaint of an alleged violation of the university's Sexual Harassment and non-discrimination Policy, the Title IX Coordinator or designee engages in an initial assessment, which is typically one to five business days in duration. The steps in an initial assessment can include:

1. The Title IX Coordinator or designee reaches out to the Complainant to offer supportive measures.
2. The Title IX Coordinator or designee works with the Complainant to ensure they have an Advisor.
3. The Title IX Coordinator or designee works with the Complainant to determine whether the Complainant prefers a supportive response or an Administrative Resolution.
 - If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes and then seeks to facilitate implementation. The Administrative Resolution process is not initiated, though the Complainant can elect to initiate it later, if desired.
4. If an Informal Resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution, and may seek to determine if the Respondent is also willing to engage in Informal Resolution.
 - If Administrative Resolution is preferred, the Title IX Coordinator initiates the investigation process and determines whether the scope of the investigation will address:
 - a. Incident, and/or
 - b. a potential pattern of misconduct, and/or
 - c. a culture/climate issue.
5. In many cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by the Threat Assessment Behavioral Intervention Team (TABIT) as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:
 - Interim suspension of a Respondent who is a threat to health/safety;
 - Whether the Title IX Coordinator should pursue Administrative Resolution absent a willing/able Complainant;
 - Whether to put the investigation on the footing of incident and/or pattern and/or climate;
 - To help identify potentially predatory conduct;
 - To help assess/identify grooming behaviors;
 - Whether a Complaint is amenable to Informal Resolution, and what modality may be most successful;
 - Whether to permit a voluntary withdrawal by the Respondent;
 - Whether to impose transcript notation or communicate with a transfer Recipient about a Respondent;
 - Assessment of appropriate sanctions/remedies;
 - Whether a Clery Act Timely Warning/Persona-non-grata is needed.

Based on the initial assessment, the university will initiate one of two responses:

1. **Informal Resolution** – typically used for less serious offenses and only when all parties agree to Alternate Resolution, or when the Respondent is willing to accept responsibility for violating policy. This can also include a remedies-only response.
2. **Administrative Resolution** – investigation of policy violation(s) and subject to a determination by the hearing panel and the opportunity to appeal to an Appeal Panel.

The investigation and the subsequent Administrative Resolution determine whether the sexual harassment and non-discrimination policy has been violated. If so, the university will promptly implement effective remedies designed to end the discrimination, prevent recurrence, and address the effects.

The process followed considers the preference of the parties but is ultimately determined at the discretion of the Title IX Coordinator or designee. At any point during the initial assessment or formal investigation, if the Title IX Coordinator or designee determines that reasonable cause does not support the conclusion that policy has been violated, the process will end, and the parties will be notified.

The Complainant may request that the Title IX Coordinator or designee review the reasonable cause determination and/or re-open the investigation. This decision lies in the sole discretion of the Title IX Coordinator, but the request is usually only granted in extraordinary circumstances.

B. Resolution Process Pool

The Resolution Process relies on a pool of faculty, staff, and students ("the panel") to carry out the process. Panel members will consist of faculty, staff, and students.

Investigators in the Office of Equity will conduct all investigations. Members of the Pool are announced in an annual distribution of this policy to all students, parents/guardians of students, employees, prospective students, and prospective employees. They are also listed on the Office of Equity website.

Pool member roles, appointment, and training are described above in Section II (F) entitled Grievance Process Pool.

C. Counterclaims

Counterclaims by the Respondent may be made in good faith but are also sometimes made for purposes of retaliation. The university is obligated to ensure that any process is not abused for retaliatory purposes.

The university permits the filing of counterclaims, but uses the initial assessment, described above in the Policy section, to assess whether the allegations are made in good faith. If they are, the allegations will be processed using the resolution procedures below, typically after resolution of the underlying allegation.

A delay in the processing of counterclaims is permitted, accordingly. Occasionally, allegations and counterclaims can be resolved through the same investigation, at the discretion of the Title Coordinator or designee. When counterclaims are not made in good faith, they will be considered retaliatory, and may constitute a violation of this Policy.

D. Advisors

Expectations of an Advisor

The university generally expects an Advisor to adjust their schedule to allow them to attend university meetings when planned, but the university may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

The university may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

Parties whose Advisors are disruptive or who do not abide by university policies and procedures may face the loss of that Advisor and/or possible Policy violations.

Advisors are expected to consult with their advisees without disrupting university meetings or interviews. Advisors do not represent parties in the process; their role is only to advise.

Expectations of the Parties with Respect to Advisors

Each party may choose an Advisor⁷ who is eligible and available to accompany them throughout the process. The Advisor can be anyone, including an attorney, but should not be someone who is also a witness in the process. A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout.

The parties are expected to inform the Investigators of the identity of their Advisor at least two (2) business days before the date of their first meeting with the Investigator(s) (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Investigator(s) and/or the Title IX Coordinator if they change Advisors at any time.

Assistance in Securing an Advisor

The Office of Equity will work with the Complainant and Respondent in securing an advisor through the process.

E. Resolution Options

Proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accord with university Policy.

While there is an expectation of privacy around what is discussed during interviews, the parties have discretion to share their own experiences with others if they so choose, but are encouraged to discuss with their Advisors first before doing so.

This could include an attorney, advocate, or support person. Witnesses are not entitled to Advisors within the process, though they can be advised externally. If CWRU allows more than one Advisor for one party, they should do so for all parties.

Informal Resolution

Informal Resolution is applicable when the parties voluntarily agree to resolve the matter through Alternate Resolution or when the Respondent accepts responsibility for violating Policy, or when the Title IX Coordinator or designee can resolve the matter informally by providing remedies to resolve the situation.

It is not necessary to pursue Informal Resolution first in order to pursue Administrative Resolution, and any party participating in Informal Resolution can stop the process at any time and request the Administrative Resolution process.

Further, if an Informal Resolution fails after the fact, Administrative Resolution may be pursued.

Alternate Resolution

Alternate Resolution is an informal process, such as mediation or restorative practices, by which a mutually agreed upon resolution of an allegation is reached. It may be used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the Administrative Resolution process (described below) to resolve conflicts. The parties must consent to the use of Alternate Resolution.

The Title IX Coordinator or designee determines if Alternate Resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue, and the susceptibility of the conduct to Alternate Resolution.

In an Alternate Resolution meeting, a trained administrator facilitates a dialogue with the parties to an effective resolution, if possible. Institutionally-imposed sanctions are not possible as the result of an Alternate Resolution process, though the parties may agree to accept sanctions and/or appropriate remedies.

The Title IX Coordinator or designee maintains records of any resolution that is reached, and failure to abide by the resolution can result in appropriate enforcement actions.

Alternate Resolution is not typically the primary resolution mechanism used to address reports of violent behavior of any kind or in other cases of serious violations of policy, though it may be made available after the Administrative Resolution process is completed should the parties and the Title IX Coordinator or designee, believe it could be beneficial. The results of Alternate Resolution are not appealable.

Respondent Accepts Responsibility for Alleged Violations

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent accepts responsibility, the Title IX Coordinator makes a determination that the individual is in violation of university Policy.

The Title IX Coordinator or designee then determines appropriate sanction(s) or responsive actions, which are promptly implemented in order to effectively stop the harassment, discrimination, and/or retaliation; prevent its recurrence; and remedy the effects of the conduct, both on the Complainant and the community.

If the Respondent accepts responsibility for all of the alleged policy violations and the Title IX Coordinator or designee has

determined appropriate sanction(s) or responsive actions, which are promptly implemented, the process is over. The Complainant will be informed of this outcome.

If the Respondent accepts responsibility for some of the alleged policy violations and the Title IX Coordinator or designee has determined appropriate sanction(s) or responsive actions, which are promptly implemented, for those violations, then the remaining allegations will continue to be investigated and resolved. The Complainant will be informed of this outcome. The parties are still able to seek Alternate Resolution on the remaining allegations, subject to the stipulations above.

Negotiated Resolution

The Title IX Coordinator or designee, with the consent of the parties, may negotiate and implement any agreement to resolve the allegations that satisfies all parties and the university.

Administrative Resolution

Administrative Resolution can be pursued for any behavior for which the Respondent has not accepted responsibility that constitutes conduct covered by the Sexual Harassment Policy at any time during the process. Administrative Resolution starts with a thorough, reliable, and impartial investigation.

If Administrative Resolution is initiated, the Title IX Coordinator or designee will provide written notification of the investigation to the parties at an appropriate time during the investigation. Typically, notice is given at least 48 hours in advance of an interview. Advanced notice facilitates the parties' ability to identify and choose an Advisor, if any, to accompany them to the interview.

Notification will include a meaningful summary of the allegations, will be made in writing, and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official university records, or emailed to the parties' university-issued or designated email account.

Once mailed, emailed, and/or received in-person, notice will be presumptively delivered. The notification should include the policies allegedly violated, if known at the time. Alternatively, the policies allegedly violated can be provided at a later date, in writing, as the investigation progresses, and details become clearer.

The university aims to complete all investigations within a sixty (60) business day time period, which can be

extended as necessary for appropriate cause by the Title IX Coordinator or designee, with notice to the parties as appropriate.

Once the decision is made to commence an investigation, the Title IX Coordinator or designee appoints investigators to conduct the investigation (typically using a team of two Investigators), usually within two (2) business days of determining that an investigation should proceed.

The Title IX Coordinator or designee will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no conflicts of interest or disqualifying bias.

The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator or designee will determine whether the concern is reasonable and supportable. If so, another Investigator will be assigned and the impact of the bias or conflict, if any, will be remedied. If the bias or conflict relates to the Title IX Coordinator, concerns should be raised with the Office of General Counsel.

Investigations are completed expeditiously, normally within 60 business days, though some investigations take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

The university will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

The university may undertake a short delay in its investigation (several days to weeks, to allow evidence collection) when criminal charges based on the same behaviors that invoke the Recipient's resolution process are being investigated by law enforcement. The university will promptly resume its investigation and resolution process once notified by law enforcement that the initial evidence collection process is complete.

University action(s) are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

Investigations involve interviews with all relevant parties and witnesses, obtaining available, relevant evidence, and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, though the investigation process, to suggest witnesses and questions,

to provide evidence, and to fully review and respond to all evidence, on the record.

F. Investigation

The Investigators typically take the following steps, if not already completed (not necessarily in this order):

1. Determine the identity and contact information of the Complainant in coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures.
2. Identify all policies implicated by the alleged misconduct.
3. Assist the Title IX Coordinator or designee with conducting an initial assessment to determine if there is reasonable cause to believe the Respondent has violated policy.
4. If there is insufficient evidence to support reasonable cause, the process is closed with no further action.
5. Commence a thorough, reliable, and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all parties and witnesses.
6. Meet with the Complainant to finalize their statement, if necessary.
7. Prepare the initial Notice of Investigation and Allegation (NOIA) on the basis of the initial assessment. Notice may be one-step or multiple steps, depending on how the investigation unfolds, and potential policy violations may be added or dropped as more is learned. Investigators will update the NOIA accordingly and provide it to the parties.
8. Notice should inform the parties of their right to have the assistance of an advisor appointed by the university or other Advisor of their choosing present for all meetings attended by the advisee.
9. When formal notice is being given, it should provide the parties with a written description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
10. Give an instruction to the parties to preserve any evidence that is directly related to the allegations.
11. Provide the parties and witnesses with an opportunity to review and verify the Investigator's summary notes.

from interviews and meetings with that specific party or witness

12. Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible.
13. Interview all relevant individuals and conduct follow-up interviews as necessary
14. Allow each party the opportunity to suggest questions they wish the Investigator(s) to ask of the other party and witnesses
15. Complete the investigation promptly and without unreasonable deviation from the intended timeline
16. Provide regular status updates to the parties throughout the investigation.
17. Prior to the conclusion of the investigation, summarize for the parties the list of witnesses whose information will be used to render a finding.
 - a. Write a comprehensive investigation report fully summarizing the investigation and all evidence
 - b. Provide parties with a copy of the draft investigation report when it is completed
 - c. Provide each party with a full and fair opportunity to respond to the report in writing within five (5) business days and incorporate that response into the report. Investigators may choose to respond in writing in the report to the responses of the parties, and/or to share the responses between the parties for their responses, while also ensuring that they do not create a never-ending feedback loop.
 - d. Share the report with the Title IX Coordinator or legal counsel for review and feedback.
 - e. Provide the final report to the Title IX Coordinator.

G. Determination

Within two to three days of receiving the Investigator's report, the Title IX Coordinator will make the determination if the information should be forwarded to a hearing. The panel will make the final determination on the basis of the preponderance of the evidence.

If the record is incomplete, the Title IX Coordinator or designee may direct a re-opening of the investigation, or may direct or conduct any additional inquiry necessary, including informally meeting with the parties or any witnesses, if needed.

The Title IX Coordinator will provide a notice of hearing. Hearings will be held at minimum 10 days of receiving

notification and final investigative report.

To ensure that the reporting party and responding party have information concerning all witnesses prior to the hearing, no witness interviews will be conducted 48 hours before a scheduled hearing date. If additional witnesses are identified or additional information is discovered, the hearing date will be rescheduled for a later date.

The hearing will be closed, but will generally include the Complainant, Respondent, their advisers, the Title IX personnel who conducted the investigation, general counsel, and the hearing representative(s).

The Complainant and Respondent will be able to ask questions through the panel chair of witnesses and of the parties. Questions are submitted to the panel chair in writing. The panel chair will determine if the questions are relevant. If the question is not allowed, it will be noted on the record.

The Title IX Coordinator or panel may invite and consider impact statements from the parties if and when determining appropriate sanction(s), if any.

If the complaint presents more than one allegation of misconduct, a decision should be reached separately as to each allegation of misconduct. The findings of fact and conclusions should be reached by applying a preponderance of the evidence standard.

The parties will have the right to have an advisor of choice present at a hearing. However, this Individual's role will be limited to advising the Complainant or Respondent. The advisor shall not address the panel or witnesses during the hearing.

Any conflicts of interest between a party and the fact-finder or decision-maker at a hearing must be disclosed.

If the Complainant or Respondent are aware of a defect during the procedure, they must call this to the attention of the hearing panel, chair or other institutional hearing authority.

The Title IX coordinator may, at his/her sole discretion, terminate proceedings and set them for a re-hearing upon: (a) receipt of new evidence not available prior to or at time of the hearing that has potential to impact outcome; or (b) notice of procedural irregularity that has potential to impact the hearing's outcome.

The university will designate a three-member panel from the Pool of adjudicators, at the discretion of the Title IX Coordinator or designee. With a panel, one of the

three members will be appointed as Chair by the Title IX Coordinator or designee.

The Chair, after consulting parties and Title IX Coordinator, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the investigation report or during the hearing or do not have relevant information.

The Title IX Coordinator or designee timely provides the parties with a written Notice of Outcome to include findings, any sanction(s), and a detailed rationale, delivered simultaneously (without undue delay) to the parties.

H. Additional Details of the Investigation Process

Witness responsibilities

Witnesses (as distinguished from the parties) who are faculty or staff of the university are expected to cooperate with and participate in the university's investigation and resolution process. Failure of a witness to cooperate with and/or participate in the investigation or resolution process constitutes a violation of Policy and may be subject to discipline.

Remote processes

Parties and witnesses may be interviewed remotely by phone, video conferencing, or similar technologies if the Investigator(s) or Decision-maker determine that timeliness or efficiency dictates a need for remote interviewing. Witnesses may also provide written statements in lieu of interviews, or respond to questions in writing, if deemed appropriate by the Investigator(s), though this approach is not ideal. Where remote technologies are used, the Recipient makes reasonable efforts to ensure privacy, and that any technology does not work to the detriment of any party or subject them to unfairness.

Recording

No unauthorized audio or video recording of any kind is permitted during the resolution process. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of audio and/or video recording.

Evidence

Any evidence that is relevant and credible may be considered, including an individual's prior misconduct history as well as evidence indicating a pattern of misconduct. The

process should exclude irrelevant or immaterial evidence and may disregard evidence lacking in credibility or that is improperly prejudicial.

Sexual history/patterns

Unless the Title IX Coordinator determines it is appropriate, the investigation and the finding do not consider: (1) incidents not directly related to the possible violation, unless they evidence a pattern; (2) the sexual history of the parties (though there may be a limited exception made with regard to the sexual history between the parties); or (3) the character of the parties.

Previous allegations/violations

While previous conduct violations by the Respondent are not generally admissible as information supporting the current allegation, the Investigator(s) may supply the Title IX Coordinator or designee with information about previous good faith allegations and/or findings, when that information suggests potential pattern and/or predatory conduct.

Previous disciplinary action of any kind involving the Respondent may be considered in determining the appropriate sanction(s), if the Recipient uses a progressive discipline system.

Character witnesses

Neither the Title IX Coordinator nor the Investigator(s) will meet with character witnesses.

I. Notification of outcome

If the Respondent admits to the violation(s), or is found in violation, the Title IX Coordinator or panel determines sanction(s) and/or responsive actions, which are promptly implemented in order to effectively to stop the harassment, discrimination, and/or retaliation; prevent its recurrence; and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

The Title IX Coordinator or designee informs the parties of the determination within two to three business days of the resolution, ideally simultaneously, but without significant time delay between notifications. Notifications are made in writing and may be delivered by one or more of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official university records; or emailed to the parties' university-issued or designated email account. Once mailed, emailed, and/or

received in-person, notice is presumptively delivered.

The Notification of Outcome specifies the finding for each alleged policy violation; any sanction(s) that may result which the university is permitted to share pursuant to state or federal law, and the rationale supporting the essential findings to the extent the university is permitted to share under state or federal law.

The notice will detail when the determination is considered final and will detail any changes that are made prior to finalization.

Unless based on an acceptance of violation by the Respondent, the determination may be appealed by either party. The Notification of Outcome also includes the grounds on which the parties may appeal and the steps the parties may take to request an appeal of the findings. More information about the appeal procedures can be found in the appeals section.

Sanctions

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- Previous allegations or allegations involving similar conduct
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

The following sanctions may be imposed upon any member

of the community found to have violated this policy. Typical sanctions that may be imposed upon students, employees, or organizations, but not limited to:

Student/Organization Sanctions

- Disciplinary Warning
- Disciplinary Probation
- Separation from the University
- Expulsion from the University
- Required Education and Training
- Organizational Sanctions
- Withholding Diploma
- Revocation of Degree

Employee Sanctions

- Warning: Written or Verbal
- Performance Improvement Plan
- Demotion
- Required Counseling
- Probation
- Loss of oversight or Supervisory Responsibility
- Required Education and Training
- Loss of Annual Pay Increase
- Suspension with pay
- Suspension without pay
- Termination
- Other Actions: In addition to or in place of the above sanctions, CWRU may assign any other sanctions as deemed appropriate.

Sanctioning Guidelines

Any person found responsible for violating Sexual Assault section of the policy will likely receive a sanction ranging from separation to expulsion (student) or suspension to termination (employee), taking into account the severity of the incident, any previous disciplinary violations, and other considerations.

Any person found responsible for violation of the Sexual Exploitation or Sexual Harassment section of this policy will likely receive a sanction ranging from warning to expulsion (student) or warning to termination (employee), taking into account the severity of the incident, any previous disciplinary violations, and other considerations.

Any person found responsible for dating violence, domestic violence or stalking will likely receive a sanction ranging from disciplinary probation to expulsion (student), probation suspension, or termination (employee) from the university, taking into account the severity of the incident, any previous disciplinary violations, and other considerations.

The Sexual Misconduct Panel or administrator reserves the right to broaden or lessen any range of sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the initial hearing panel nor any appeals panel will deviate from the range of recommended sanctions unless compelling justification exists to do so.

Withdrawal or Resignation While Charges Pending

Students: If a student has an allegation pending for violation of the Policy on the university may place a hold on a student's ability to graduate or certify their degree and/or to receive an official transcript/diploma.

Should a student Respondent decide to not participate in the resolution process, the process proceeds absent their participation to a reasonable resolution.

Should a student Respondent permanently withdraw from the university, the resolution process ends, as the university no longer has disciplinary jurisdiction over the withdrawn student. However, the university will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to the university. Such exclusion applies to all campuses/programs of CWRU. A hold will be placed on their ability to be readmitted. They may also be barred from university property and/or events.

If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and that student is not permitted to return to the university unless and until all sanctions have been satisfied.

During the resolution process, the university may put a hold on a responding student's transcript or place a notation on a responding student's transcript or dean's disciplinary certification that a disciplinary matter is pending.

Employees: Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as the university no longer has disciplinary jurisdiction over the resigned employee.

However, the university will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or discrimination.

The employee who resigns with unresolved allegations pending is not eligible for rehire with any university programs or campuses, and the records retained by the Title IX Coordinator will reflect that status.

All university responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

J. Appeals

Any party may file a request for appeal ("Request for Appeal"), but it must be submitted in writing to the Title IX Coordinator or designee within three (3) business days of the delivery of the Notice of Outcome.

A three-member appeal panel chosen from the Pool of panel members will be designated by the Title IX Coordinator. No appeal panelists will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process. A voting Chair of the Appeal panel will be designated.

The Request for Appeal will be forwarded to the Appeal Chair for consideration to determine if the request meets the grounds for appeal (a Review for Standing). This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

Grounds for Appeal

Appeals are limited to the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the

Chair and the parties and their Advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds listed above, then the Appeal Chair will notify the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original panel.

The other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or panel will be emailed, and/or provided a hard copy of the request with the approved grounds and then be given 3 business days to submit a response to the portion of the appeal that was approved and involves them. All responses will be forwarded by the Chair to all parties for review and comment.

The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed for standing by the Appeal Chair and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the Investigator(s) and/or original Decision-maker(s), as necessary, who will submit their responses in 3 business days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this time period. The Appeal Chair will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses will be shared with the Appeal Panel, and the Chair of the panel will render a decision in no more than five (5) business days, barring exigent circumstances.

A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which the university is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the university is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional

records, or emailed to the parties' university-issued email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

Sanctions Status During the Appeal

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above. If any of the sanctions are to be implemented immediately post-hearing, then emergency removal procedures detailed in section XX for a hearing on the justification for doing so must be permitted within 48 hours of implementation.

The university may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

K. Appeal Considerations

- Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.
- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- An appeal is not an opportunity for an Appeal panel to substitute their judgment for that of the original panel merely because they disagree with the finding and/or sanction(s).
- The Appeal Chair/Panel may consult with the Title IX Coordinator or designee on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
- Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and panel for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing).
- In rare cases where a procedural error cannot be cured by the original panel (as in cases of bias), the appeal may order a new hearing with a new panel.
- The results of a remand to a panel cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
- In cases in which the appeal results in reinstatement to

the university or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

L. Long-Term Remedies/Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program Impact Solutions
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator or designee, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedies owed by the university to the Respondent to ensure no effective denial of educational access.

The university will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair the Recipient's ability to provide these services.

Failure to Comply with Sanctions and/or Interim and Long-term Remedies and/or Responsive Actions

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions

within the timeframe specified by the final panel (including the Appeal Chair/Panel).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the university and may be noted on a student's official transcript.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

Recordkeeping

CWRU will maintain records as outlined above in Section II (AN).

Disabilities Accommodations in the Resolution Process

CWRU is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the university's resolution process. One needing such accommodations or support should contact the Office of Disability Resources for students and Office of Equity for employees who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

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 2017, 2018 and 2019 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 Harassment 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 must notify one of the university's designated reporting representatives as detailed on page 14 of this report in the designated reporting representatives 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 harassment 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 Office of Equity.

Crime Statistics

How Statistics are Compiled

Crime statistics are gathered from the following sources:

- CWRU Division of Public Safety
- University Circle Police Department
- Cleveland Police Department
- Cleveland Heights Police Department
- Hunting Valley Police Department (Squire Valleevue Farm)
- Regional Transit Authority (RTA) Police Department
- 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 Division of Student Affairs, Student Conduct and Community Standards
- CWRU Office of Residence Life and Greek Life
- CWRU Office of Equity
- Campus Security Authorities (CSA)

CWRU's Annual Security Report is prepared by the CWRU Division of Public Safety, 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.

On campus residential 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.

Definitions of Reportable Crimes

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter: The killing of another person through gross negligence.

Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from

an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary: The unlawful entry of a structure to commit a felony or theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned acts.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.)

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Dating Violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Source: United States Code, Title 42, Section 13925(a)(1), as amended by the Violence Against Women Reauthorization Act of 2013.

Note: Ohio law does not define "dating violence" as a crime.

Domestic Violence means **felony or misdemeanor crimes of violence committed**

- by a current or former spouse or intimate partner of the victim.
- by a person with whom the victim shares a child in common.
- by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner.
- by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Source: United States Department of Education

Sexual Assault means an offense that meets the definition of Rape, Fondling, Incest or Statutory Rape as used in the FBI's UCR program and included in Appendix A of 34 CFR Part 668.

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- fear for his or her safety or the safety of others; or
- suffer substantial emotional distress.

Source: United States Department of Education

Liquor Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation,

possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Drug Abuse Violations: Violations of laws or ordinances prohibiting the production, distribution, and/or use of certain control substances and the equipment or devices utilized in their preparation or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.

Weapon Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Crime Statistics 2017 to 2019

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.

Offense	Year	Non-Residential Campus	On Campus Residential	Total On-Campus*	Non-Campus property	Public Property	Total
Murder / Non-Negligent Manslaughter	2017	0	0	0	0	0	0
	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Manslaughter by Negligent	2017	0	0	0	0	0	0
	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Rape	2017	0	3	3	0	0	3
	2018	1	2	3	0	0	3
	2019	0	8	8	2	0	10
Fondling	2017	0	0	0	0	0	0
	2018	0	3	3	0	0	3
	2019	0	2	2	0	0	2
Incest	2017	0	0	0	0	0	0
	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0

(continued)

Crime Statistics 2017 to 2019 (continued)

Offense	Year	Non-Residential Campus	On Campus Residential	Total On-Campus*	Non-Campus property	Public Property	Total
Statutory Rape	2017	0	0	0	0	0	0
	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Robbery	2017	2	0	2	0	4	6
	2018	0	1	1	0	1	2
	2019	2	0	2	0	2	4
Aggravated Assault	2017	1	0	1	0	0	1
	2018	0	0	0	0	0	0
	2019	1	0	1	0	1	2
Burglary	2017	1	5	6	0	0	6
	2018	0	3*	3*	1	0	4*
	2019	0	2	2	3	0	5
Motor Vehicle Theft	2017	1	0	1	0	1	2
	2018	1	0	1	0	2	3
	2019	0	0	0	0	0	0
Arson	2017	0	0	0	0	0	0
	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0

*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: 2017, 2018 and 2019: No hate crimes reported

UNFOUNDED CRIMES: The university had no unfounded crimes in 2016 and 2019. In 2018, the university had two unfounded crimes: 1 rape and 1 fondling.

A crime can only be determined to be unfounded by a law enforcement officer.

***2018 Change:** In August 2020 as a result of an internal audit an additional 2018 incident was identified and classified as a residence hall burglary. The statistics were changed to reflect this reclassification

Campus SaVE Act Statistics

	Year	On Campus Residential	Non-Residential Campus	Total On-Campus*	Non Campus Property	Public Property	Total
Domestic Violence	2017	0	1	1	0	0	1
	2018	1	0	1	0	0	1
	2019	1	1	2	0	0	2
Dating Violence	2017	0	0	0	0	0	0
	2018	3	0	3	0	0	3
	2019	5	0	5	0	0	5
Menacing/Stalking	2017	1	3	4	0	0	4
	2018	0	2	2	1	0	3
	2019	0	4	4	0	0	4

SaVE = Campus Sexual Violence Elimination Act of 2013

Alcohol/Drug/Weapons Violations

		Arrests					
	Year	Non-Residential Campus	On Campus Residence Facilities	Total On-Campus*	Non-Campus	Public Property	Total
Weapons Violations	2017	0	0	0	0	0	0
	2018	1	0	1	0	0	1
	2019	0	0	0	0	2	2
Drug Abuse	2017	1	1	2	0	1	3
	2018	0	0	0	0	0	0
	2019	1	0	1	0	2	3
Liquor Law Violations	2017	0	0	0	0	0	0
	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0

		Disciplinary Referrals					
	Year	Non-Residential Campus	On Campus Residence Facilities	Total On-Campus*	Non-Campus property	Public Property	Total
Weapons Violations	2017	0	3	3	0	0	3
	2018	0	4	4	0	0	4
	2019	0	5	5	0	0	5
Drug Abuse	2017	3	58	61	0	0	61
	2018	6	89	95	0	0	95
	2019	3	53	56	3	1	60
Liquor Law Violations	2017	19	254	273	3	0	276
	2018	8	250	258	0	0	258
	2019	5	173	178	3	0	181

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

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

PART III

2020 Annual Fire Safety Report

Overview

The information contained in this report was compiled and completed in compliance with the 2008 Higher Education Opportunity Act (HEOA). The Higher Education Opportunity Act was created by the Department of Education to address several issues on college campuses, including fire safety in on-campus housing.

The HEOA requires universities to maintain a fire log listing all fires that have occurred in their on-campus housing. The HEOA also requires the publishing of an annual fire safety report that provides information on the following items: statistics for fires that occurred in on-campus housing facilities; a description of the fire safety systems found in the residence hall facilities; number of regular supervised fire drills; policies or rules on portable electrical appliances, smoking, and open flames in student housing facilities; procedures for student housing evacuation in the case of a fire; policies on fire safety education and training programs provided to students and employees should report that a fire has occurred; and plans for future improvements in fire safety. The Environment Health and Safety Department creates and maintains the fire log and the annual fire safety report.

Definitions

Audible Fire Alarm Notification Application: A fire alarm system is a component that alerts by the sense of hearing (i.e. bell, horn, message, tones, etc.).

Cause of Fire: The factor(s) that can cause escalation of a fire. The causal factor may be, but is not limited to, the result of an intention or unintentional action, mechanical failure, or act of nature (Higher Education Opportunity Act).

Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner (Higher Education Opportunity Act).

Fire Alarm System: The building's fire alarm system transmits a signal to the CWRU Police Department's Dispatch Center, which is constantly attended 24 hours a day 7 days a week. Some fire alarm systems will provide the

exact location to the dispatcher of the activated device in the building. The Fire Alarm System helps the Police and Fire Department determine the exact location before they arrive.

Fire Drill: This is a supervised practice for a mandatory evacuation from a building that is on fire.

Fire Extinguisher: A fire extinguisher is a portable device containing a specialized agent that can be used to extinguish a fire. Fire Extinguishers are installed throughout the campus buildings in accordance with the Ohio Fire Code.

Fire Related Doors, Walls, & Partitions (Passive Fire Protection Systems):

Passive Fire Protection Systems are components of a building designed to have a certain degree of fire resistance. These components are designed to contain the spread of smoke and fire gases, and prevent the spread of them to a certain area for a reasonable period of time. Fire rated doors, walls, and partitions are installed in areas to protect the evacuation of the occupants (i.e. stairwells), separate a specific area from another (i.e. mechanical room, student rooms, etc.), or separate adjoining buildings.

Fire Related Injury: Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term "person" may include students, employees, visitors, firefighters, or any other individuals (Higher Education Opportunity Act).

Fire Related Death: Any instance in which a person (1) is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) dies within one year of injuries sustained as a result of the fire (Higher Education Opportunity Act).

Heat Detectors: Heat Detectors are devices that are only activated by heat. They are used in areas where smoke or steam is likely to be present (i.e. kitchens, bathrooms, and mechanical rooms).

Intentional Fire (Arson): An intentional fire that is ignited under circumstances in which the person knows that the fire should not be ignited (NFPA 921). (i.e., knowingly starting a fire to burn a bulletin board).

Kitchen Hood Suppression System: A specially designed Fire Protection System to extinguish fires that occur on a kitchen stove. Upon activation of the system it will release the suppression agent and activate the building's fire alarm system. Kitchen hood suppression systems can be found in the common cooking areas (if available) in the Residence Halls.

Smoke Detectors: A device that detects visible or invisible particles of combustion (NFPA 72).

Smoke Detectors (Fire Alarm Initiating): Smoke detectors automatically trigger the buildings fire alarm system.

Smoke Detectors (Single station, battery operated): Smoke detectors are not connected to the buildings fire alarm system and only sound locally.

Sprinkler System: A System of piping that is designed to deliver water on a fire to control or extinguish it. The sprinkler heads in the residential facilities are only activated by heat, not smoke or a pull station

Undetermined: A cause classification for fires whenever the cause cannot be proven to an acceptable level of certainty (NFPA921).

Unintentional Fire (Accidental): A fire that does not involve an intentional human act to ignite or spread fire into an area where the fire should not be (example: cooking related fire).

Value of Property Damage: The estimated loss and value of the structure and contents in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it's not include and indirect loss, such as business interruption (Higher Education Opportunity Act).

Visual Fire Alarm Notification Appliance: A Visual Fire Alarm Notification Appliance is a component system that alerts fires by the detection of sight (i.e. strobe lights).

Fire Policies

The following policies apply to all University buildings, including on-campus student housing facilities.

Smoking

- Smoking is prohibited within all university buildings, student housing facilities and school property.
- CWRU is now tobacco free. Read the policy at case.edu/tobaccofree.

Open Flames

- Open flames, candles, candle warmers, or incense are prohibited in residence halls, academic, and administrative buildings.

Electrical Safety

- Ensure electrical circuits are not overloaded.
- Ensure all electrical appliances are UL rated, and do not overload circuits.
- Ensure extension cords are UL rated, do not extend into other rooms through doors, windows or stairwells, and are not used as permanent sources of power.
- Ensure festive lighting is UL rated.

Fire Safety Systems

- Do not tamper with fire protection systems. Ensure they are not obstructed from view or access.
- All alarm systems must be kept free of storage materials and remain readily accessible.
- Fire and smoke barrier doors must be closed at all times.
- Storage of items may not be within 24 inches of ceilings, block exits, stairwells, extinguishers or fire alarm pull stations in any building on campus.

Holiday Decorations

- Holiday decorations must not impede fire safety devices such as exit signs, sprinkler systems, smoke alarms, strobe lights or any other device.
- Live Christmas trees and wreaths are prohibited.

On-Campus Housing Prohibited Items

The following policies apply for all University on-campus student housing facilities.

- Hot plates or similar items with an open heating element.
- Upholstered furniture (unless certified flame retardant).
- Curtains, draperies, hanging and other materials suspended from walls or ceiling unless
 - a. Certified flame retardant. Resident must be able to provide proof of flame retardant.

-
- Space heaters
 - Refrigerators more than 4 cubic feet.
 - Any equipment that places an extraordinary load on the electrical system (i.e. electrical heaters, air conditioners).
 - Halogen lighting sources.
 - Extension cords or similar electrical equipment.
 - Unfused surge protectors.
 - Storage of motor vehicles within a residential facility.
 - Flammable/combustible liquids and gases.
 - Explosives/Fireworks
 - Air rifles and guns.
 - Gunpowder.
 - Knives.
 - In general, dogs, cats, and ferrets unless approved as service or support animals with Disability Services
- Note: All others must complete a pet registration through Housing.

Campus Building Evacuations

In addition to adhering to fire policies students, faculty and staff must also understand and practice policies regarding activities during a fire alarm at Case Western Reserve University.

If a student, faculty or staff member discovers smoke or an actual fire, they should immediately pull the nearest fire alarm and evacuate the building. Upon exit of the building they should dial **216.368.3333** to report the fire.

All building occupants should become familiar with posted evacuation routes and procedures for the buildings. These are typically located near elevators, stairwells and exits. Any student residing in or present in any university residence hall must evacuate the building when a fire alarm sounds using stairwells and exits.

All building occupants should know and memorize two exits from the building and understand that an evacuation may require you to evacuate a smoke-filled area. In the case of smoke stay low and check all doors before proceeding to an exit.

Windows may also be an exit option in some buildings. Should you need to exit from a window, verbally summon the assistance of a first responder before attempting to exit a building from a window.

Upon exiting the building occupants must move to a location away from the building and fire equipment until notified that the building is clear to be re-occupied by first responders. After evacuating, if you know of an occupant that may still be in the impacted building, provide that information to first responders by giving the name and location of the individual so they may assist them.

Fire Statistics and Fire Log

2019 ON-CAMPUS HOUSING

Residential Facilities Building Name: Address	Number of Fires	Cause of Fire	Number of Fire Related Injuries	Number of Fire Related Deaths	Value of Property Damaged
1680 Building: 1680 E. 117 th St.	0	N/A	N/A	N/A	N/A
1727 E. 116 th St.	0	N/A	N/A	N/A	N/A
1719 E. 116 th St.	0	N/A	N/A	N/A	N/A
Alumni House: 2345 Murray Hill Dr.	0	N/A	N/A	N/A	N/A
Clarke Tower: 1596 E. 115 th St.	0	N/A	N/A	N/A	N/A
Cutler House: 1616 E. 115 th St.	0	N/A	N/A	N/A	N/A
Cutter House: 11301 Juniper Rd.	0	N/A	N/A	N/A	N/A
Glaser House: 11900 Carlton Rd.	0	N/A	N/A	N/A	N/A
Hitchcock House: 1626 E. 115 th St.	0	N/A	N/A	N/A	N/A
Howe House: 2335 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Kusch House: 11904 Carlton Rd.	0	N/A	N/A	N/A	N/A
Michelson House: 11896 Carlton Rd.	0	N/A	N/A	N/A	N/A
NRV House 1: 1672 E. 117 th St.	0	N/A	N/A	N/A	N/A
NRV House 2: 1697 E. 116 th St.	0	N/A	N/A	N/A	N/A
NRV House 3: 1681 E. 116 th St.	0	N/A	N/A	N/A	N/A
NRV House 3A: 1677 E. 115 th St.	0	N/A	N/A	N/A	N/A
NRV House 4: 1665 E. 115 th St.	0	N/A	N/A	N/A	N/A
NRV House 5: 1641 E. 115 th St.	0	N/A	N/A	N/A	N/A
NRV House 6: 1623 E. 115 th St.	0	N/A	N/A	N/A	N/A
NRV House 7: 1611 E. 115 th St.	0	N/A	N/A	N/A	N/A
NRV House 8: 1576 E. 115 th (Tubbs Jones)	0	N/A	N/A	N/A	N/A
Norton House: 11443 Juniper Rd.	0	N/A	N/A	N/A	N/A
Pierce House: 1636 E. 115 th St.	0	N/A	N/A	N/A	N/A
Raymond House: 11447 Juniper Rd.	0	N/A	N/A	N/A	N/A
Recovery House: 2272 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Sherman House: 11439 Juniper Rd.	0	N/A	N/A	N/A	N/A
Smith House: 11311 Juniper Rd.	0	N/A	N/A	N/A	N/A

(continued)

Fire Statistics and Fire Log (continued)

Residential Facilities Building Name: Address	Number of Fires	Cause of Fire	Number of Fire Related Injuries	Number of Fire Related Deaths	Value of Property Damaged
Staley House: 2365 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Stephanie Tubbs Jones House: 1576 E. 115 th St.	0	N/A	N/A	N/A	N/A
Storrs House: 1615 Mistletoe Dr.	0	N/A	N/A	N/A	N/A
Taft House: 11341 Juniper Rd.	0	N/A	N/A	N/A	N/A
Taplin House: 11331 Juniper Rd.	0	N/A	N/A	N/A	N/A
The Noble Building: 1720-1728 E. 116 th St.	0	N/A	N/A	N/A	N/A
Tippit House: 2355 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Triangle Tower 2: 11477 Mayfield	0	N/A	N/A	N/A	N/A
Twin Gables: 1715 E. 115 th St.	0	N/A	N/A	N/A	N/A
Tyler House: 11435 Juniper Rd.	0	N/A	N/A	N/A	N/A
Alpha Chi Omega: 11421 Bellflower Rd.	0	N/A	N/A	N/A	N/A
Alpha Phi: 11116 Magnolia Rd.	0	N/A	N/A	N/A	N/A
Sigma Phi Epsilon: 2255 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Beta Theta Pi: 2253 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Delta Gamma: 2265 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Phi Kappa Tau: 11909 Carlton Rd.	0	N/A	N/A	N/A	N/A
Sigma Chi: 11911 Carlton Rd.	0	N/A	N/A	N/A	N/A
Phi Delta Theta: 2225 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Phi Kappa Psi: 11915 Carlton Rd.	0	N/A	N/A	N/A	N/A
Delta Kappa Upsilon: 11913 Carlton Rd.	0	N/A	N/A	N/A	N/A
Phi Mu: 11418 Bellflower Rd.	0	N/A	N/A	N/A	N/A
Phi Sigma Rho: 11901 Carlton Rd.	0	N/A	N/A	N/A	N/A
Sigma Nu: 2235 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Sigma Psi: 11921 Carlton Rd.	0	N/A	N/A	N/A	N/A
Kappa Alpha Theta: 11923 Carlton Rd.	0	N/A	N/A	N/A	N/A
Theta Chi: 11136 Magnolia Dr.	0	N/A	N/A	N/A	N/A
Zeta Psi: 11925 Carlton Rd.	0	N/A	N/A	N/A	N/A

(continued)

Fire Statistics and Fire Log (continued)

2018 ON-CAMPUS HOUSING

Residential Facilities Building Name: Address	Number of Fires	Cause of Fire	Number of Fire Related Injuries	Number of Fire Related Deaths	Value of Property Damaged
1680 Building: 1680 E. 117 th St.	0	N/A	N/A	N/A	N/A
1727 E. 116 th St.	0	N/A	N/A	N/A	N/A
1719 E. 116 th St.	0	N/A	N/A	N/A	N/A
Alumni House: 2345 Murray Hill Dr.	0	N/A	N/A	N/A	N/A
Clarke Tower: 1596 E. 115 th St.	0	N/A	N/A	N/A	N/A
Cutler House: 1616 E. 115 th St.	0	N/A	N/A	N/A	N/A
Cutter House: 11301 Juniper Rd.	0	N/A	N/A	N/A	N/A
Glaser House: 11900 Carlton Rd.	0	N/A	N/A	N/A	N/A
Hitchcock House: 1626 E. 115 th St.	0	N/A	N/A	N/A	N/A
Howe House: 2335 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Kusch House: 11904 Carlton Rd.	0	N/A	N/A	N/A	N/A
Michelson House: 11896 Carlton Rd.	0	N/A	N/A	N/A	N/A
NRV House 1: 1672 E. 117 th St.	0	N/A	N/A	N/A	N/A
NRV House 2: 1697 E. 116 th St.	0	N/A	N/A	N/A	N/A
NRV House 3: 1681 E. 116 th St.	0	N/A	N/A	N/A	N/A
NRV House 3A: 1677 E. 115 th St.	0	N/A	N/A	N/A	N/A
NRV House 4: 1665 E. 115 th St.	0	N/A	N/A	N/A	N/A
NRV House 5: 1641 E. 115 th St.	0	N/A	N/A	N/A	N/A
NRV House 6: 1623 E. 115 th St.	0	N/A	N/A	N/A	N/A
NRV House 7: 1611 E. 115 th St.	0	N/A	N/A	N/A	N/A
NEW NRV House 8: 1576 E. 115 th (Tubbs Jones)	0	N/A	N/A	N/A	N/A
Norton House: 11443 Juniper Rd.	0	N/A	N/A	N/A	N/A
Pierce House: 1636 E. 115 th St.	0	N/A	N/A	N/A	N/A
Raymond House: 11447 Juniper Rd.	0	N/A	N/A	N/A	N/A
Recovery House: 2272 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Sherman House: 11439 Juniper Rd.	0	N/A	N/A	N/A	N/A

(continued)

Fire Statistics and Fire Log (continued)

Residential Facilities Building Name: Address	Number of Fires	Cause of Fire	Number of Fire Related Injuries	Number of Fire Related Deaths	Value of Property Damaged
Smith House: 11311 Juniper Rd.	0	N/A	N/A	N/A	N/A
Staley House: 2365 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Storrs House: 1615 Mistletoe Dr.	0	N/A	N/A	N/A	N/A
Taft House: 11341 Juniper Rd.	0	N/A	N/A	N/A	N/A
Taplin House: 11331 Juniper Rd.	0	N/A	N/A	N/A	N/A
The Noble Building: 1720-1728 E. 116 th St.	0	N/A	N/A	N/A	N/A
Tippit House: 2355 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Triangle Tower 2: 11477 Mayfield	0	N/A	N/A	N/A	N/A
Twin Gables: 1715 E. 115 th St.	0	N/A	N/A	N/A	N/A
Tyler House: 11435 Juniper Rd.	0	N/A	N/A	N/A	N/A
Alpha Chi Omega: 11421 Bellflower Rd.	0	N/A	N/A	N/A	N/A
Alpha Phi: 11116 Magnolia Rd.	0	N/A	N/A	N/A	N/A
Sigma Phi Epsilon: 2255 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Beta Theta Pi: 2253 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Delta Gamma: 2265 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Phi Kappa Tau: 11909 Carlton Rd.	0	N/A	N/A	N/A	N/A
Sigma Chi: 11911 Carlton Rd.	0	N/A	N/A	N/A	N/A
Phi Delta Theta: 2225 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Phi Kappa Psi: 11915 Carlton Rd.	0	N/A	N/A	N/A	N/A
Delta Kappa Upsilon: 11913 Carlton Rd.	0	N/A	N/A	N/A	N/A
Phi Mu: 11418 Bellflower Rd.	0	N/A	N/A	N/A	N/A
Phi Sigma Rho: 11901 Carlton Rd.	0	N/A	N/A	N/A	N/A
Sigma Nu: 2235 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Sigma Psi: 11921 Carlton Rd.	0	N/A	N/A	N/A	N/A
Kappa Alpha Theta: 11923 Carlton Rd.	0	N/A	N/A	N/A	N/A
Theta Chi: 11136 Magnolia Dr.	0	N/A	N/A	N/A	N/A
Zeta Psi: 11925 Carlton Rd.	0	N/A	N/A	N/A	N/A

(continued)

Fire Statistics and Fire Log (continued)

2017 ON-CAMPUS HOUSING

Residential Facilities Building Name: Address	Number of Fires	Cause of Fire	Number of Fire Related Injuries	Number of Fire Related Deaths	Value of Property Damaged
1680 Building: 1680 E. 117 th St.	0	N/A	N/A	N/A	N/A
1727 E. 116 th St.	0	N/A	N/A	N/A	N/A
1719 E. 116 th St.	0	N/A	N/A	N/A	N/A
Alumni House: 2345 Murray Hill Dr.	0	N/A	N/A	N/A	N/A
Clarke Tower: 1596 E. 115 th St.	0	N/A	N/A	N/A	N/A
Cutler House: 1616 E. 115 th St.	0	N/A	N/A	N/A	N/A
Cutter House: 11301 Juniper Rd.	0	N/A	N/A	N/A	N/A
Glaser House: 11900 Carlton Rd.	0	N/A	N/A	N/A	N/A
Hitchcock House: 1626 E. 115 th St.	0	N/A	N/A	N/A	N/A
Howe House: 2335 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Kusch House: 11904 Carlton Rd.	0	N/A	N/A	N/A	N/A
Michelson House: 11896 Carlton Rd.	0	N/A	N/A	N/A	N/A
NRV House 1: 1672 E. 117 th St.	0	N/A	N/A	N/A	N/A
NRV House 2: 1697 E. 116 th St.	0	N/A	N/A	N/A	N/A
NRV House 3: 1681 E. 116 th St.	0	N/A	N/A	N/A	N/A
NRV House 3A: 1677 E. 115 th St.	0	N/A	N/A	N/A	N/A
NRV House 4: 1665 E. 115 th St.	0	N/A	N/A	N/A	N/A
NRV House 5: 1641 E. 115 th St.	0	N/A	N/A	N/A	N/A
NRV House 6: 1623 E. 115 th St.	0	N/A	N/A	N/A	N/A
NRV House 7: 1611 E. 115 th St.	0	N/A	N/A	N/A	N/A
Norton House: 11443 Juniper Rd.	0	N/A	N/A	N/A	N/A
Pierce House: 1636 E. 115 th St.	0	N/A	N/A	N/A	N/A
Raymond House: 11447 Juniper Rd.	0	N/A	N/A	N/A	N/A
Recovery House: 2272 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Sherman House: 11439 Juniper Rd.	0	N/A	N/A	N/A	N/A
Smith House: 11311 Juniper Rd.	0	N/A	N/A	N/A	N/A

(continued)

Fire Statistics and Fire Log (continued)

Residential Facilities Building Name: Address	Number of Fires	Cause of Fire	Number of Fire Related Injuries	Number of Fire Related Deaths	Value of Property Damaged
Staley House: 2365 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Storrs House: 1615 Mistletoe Dr.	0	N/A	N/A	N/A	N/A
Taft House: 11341 Juniper Rd.	0	N/A	N/A	N/A	N/A
Taplin House: 11331 Juniper Rd.	0	N/A	N/A	N/A	N/A
The Noble Building: 1720-1728 E. 116 th St.	0	N/A	N/A	N/A	N/A
Tippit House: 2355 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
(New) Triangle Tower 2: 11477 Mayfield Rd.	0	N/A	N/A	N/A	N/A
Twin Gables: 1715 E. 115 th St.	0	N/A	N/A	N/A	N/A
Tyler House: 11435 Juniper Rd.	0	N/A	N/A	N/A	N/A
Alpha Chi Omega: 11421 Bellflower Rd.	0	N/A	N/A	N/A	N/A
Alpha Phi: 11116 Magnolia Rd.	0	N/A	N/A	N/A	N/A
Sigma Phi Epsilon: 2255 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Beta Theta Pi: 2253 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Delta Gamma: 2265 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Phi Kappa Tau: 11909 Carlton Rd.	0	N/A	N/A	N/A	N/A
Sigma Chi: 11911 Carlton Rd.	0	N/A	N/A	N/A	N/A
Phi Delta Theta: 2225 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Phi Kappa Psi: 11915 Carlton Rd.	0	N/A	N/A	N/A	N/A
Delta Kappa Upsilon: 11913 Carlton Rd.	0	N/A	N/A	N/A	N/A
Phi Mu: 11418 Bellflower Rd.	0	N/A	N/A	N/A	N/A
Phi Sigma Rho: 11901 Carlton Rd.	0	N/A	N/A	N/A	N/A
Sigma Nu: 2235 Murray Hill Rd.	0	N/A	N/A	N/A	N/A
Sigma Psi: 11921 Carlton Rd.	0	N/A	N/A	N/A	N/A
Kappa Alpha Theta: 11923 Carlton Rd.	0	N/A	N/A	N/A	N/A
Theta Chi: 11136 Magnolia Dr.	0	N/A	N/A	N/A	N/A
Zeta Psi: 11925 Carlton Rd.	0	N/A	N/A	N/A	N/A

(continued)

Fire Statistics and Fire Log (continued)

On-Campus Housing Facilities	Fire Alarm System Monitored by CWRU Police Department	Smoke Detector (Fire Alarm Initiating)	Smoke Detectors (Single Station, Non-Fire Alarm Initiating)	Heat Detectors	Audible Fire Alarm Notification system (Bell, Horn, Message, tones, etc.).	Visual Fire Alarm Notification System (Strobes)	Sprinkler System (Full Sprinkler unless noted)	Kitchen Hood Suppression system	Fire Extinguishers	Fire Rated Doors Walls & Partitions	Number of Fire Drills
1576 E. 115 St. NRV 8	X	X	X	X	X	X	X		X	X	4
1680 Building	X	Hallways Only	X	X	X	X			X		4
1727 E. 116 St.	X	Hallways Only	X	X	X	X			X		4
1719 E. 117 St.	X	Hallways Only	X	X	X	X			X		4
Alumni House	X	X		X	X	X		X	X	X	4
Clarke Tower	X	X			X	X	X	X	X	X	4
Cutler	X	X		X	X	X		X	X	X	4
Cutter	X	X		X	X	X		X	X	X	4
Glaser	X	X		X	X	X	Basement Only	X	X	X	4
Hitchcock	X	X		X	X	X		X	X	X	4
House 1	X	X	X	X	X	X	X		X	X	4
House 2	X	X	X	X	X	X	X		X	X	4
Home 3	X	X	X		X	X	X		X	X	4
Home 3A	X	X	X		X	X	X		X	X	4
House 4	X	X	X	X	X	X	X		X	X	4
House 5	X	X	X	X	X	X	X		X	X	4
House 6	X	X	X	X	X	X	X		X	X	4
House 7	X	X	X	X	X	X	X		X	X	4
Howe	X	X		X	X	X		X	X	X	4
Kusch											
Michelson	X	X		X	X	X	Basement Only	X	X	X	4
Norton	X	X		X	X	X		X	X	X	4

(continued)

Fire Statistics and Fire Log (continued)

On-Campus Housing Facilities	Fire Alarm System Monitored by CWRU Police Department	Smoke Detector (Fire Alarm Initiating)	Smoke Detectors (Single Station, Non-Fire Alarm Initiating)	Heat Detectors	Audible Fire Alarm Notification system (Bell, Horn, Message, tones, etc.).	Visual Fire Alarm Notification System (Strobes)	Sprinkler System (Full Sprinkler unless noted)	Kitchen Hood Suppression system	Fire Extinguishers	Fire Rated Doors Walls & Partitions	Number of Fire Drills
Pierce	X	X		X	X	X		X	X	X	4
Raymond	X	X		X	X	X		X	X	X	4
Recovery House	X	X	X	X	X	X			X		4
Sherman	X	X		X	X	X		X	X	X	4
Smith	X	X		X	X	X		X	X	X	4
Staley	X	X		X	X	X	Kitchens Only	X	X	X	4
Storrs	X	X		X	X	X		X	X	X	4
Taft	X	X		X	X	X		X	X	X	4
Taplin	X	X		X	X	X		X	X	X	4
The Noble Building	X	Hallways	X	X	X	X			X		4
Tippit	X	X		X	X	X	Kitchens Only	X	X	X	4
Triangle Tower 2											0
Twin Gables	X	Hallways Only	X	X	X	X			X		4
Tyler	X	X		X	X	X		X	X	X	4
Alpha Chi Omega	X	X		X	X	X	Boiler Room	X	X		4
Alpha Phi	X	X		X	X	X	Basement Only	X	X	X	4
Delta Gamma	X	X		X	X	X		X	X	X	4
Phi Kappa Tau/Sigma Chi	X	X		X	X	X		X	X	X	4
Phi Delta Theta	X	X		X	X	X		X	X	X	4
Phi Kappa Psi/Delta Upsilon	X	X		X	X	X		X	X	X	4
Phi Mu	X	X		X	X	X	Basement Only	X	X		4

(continued)

Fire Statistics and Fire Log (continued)

On-Campus Housing Facilities	Fire Alarm System Monitored by CWRU Police Department	Smoke Detector (Fire Alarm Initiating)	Smoke Detectors (Single Station, Non-Fire Alarm Initiating)	Heat Detectors	Audible Fire Alarm Notification system (Bell, Horn, Message, tones, etc.).	Visual Fire Alarm Notification System (Strobes)	Sprinkler System (Full Sprinkler unless noted)	Kitchen Hood Suppression system	Fire Extinguishers	Fire Rated Doors Walls & Partitions	Number of Fire Drills
Phi Sigma Rho	X	X		X	X	X			X	X	4
Sigma Nu	X	X		X	X	X		X	X	X	4
Sigma Phi Epsilon	X	X		X	X	X		X	X	X	4
Sigma Psi/ Kappa Alpha Theta	X	X		X	X	X		X	X	X	4
Theta Chi	X	X		X	X	X		X	X	X	4
Zeta Psi	X	X		X	X	X		X	X	X	4

Fire Drills

The Fire and Life Safety Specialist for Case Western Reserve University conducts mandatory fire drills in compliance with the State of Ohio Fire Code for all CWRU on-campus housing.

Fire drills are conducted four times a year (two per semester) for all on-campus housing facilities. During summer sessions and camps, Housing, Residence Life, and Greek Life staff are responsible for educating the occupants on fire evacuation procedures and the location of assembly points due to the constant changing of occupants (i.e. camps, conferences, etc.).

Fire Safety Policies in On-Campus Housing

All residents should assume responsibility for ensuring fire safety in all residence facilities. Violation of fire safety includes, but is not limited to:

- Setting a fire
- Sounding a false alarm, including:
 - Falsely reporting fire, bomb threats, serious injury, or any other emergency.
 - Intentionally or negligently activating a fire alarm when no fire is present
- Tampering with a fire alarm pull station or fire suppression system.
- Not evacuating the building during a fire alarm.
- Tampering with a smoke/particle detector; sprinkler heads, or other fire safety equipment.
- Using a fire extinguisher in a non-emergency situation.
- Not evacuating the building during a fire alarm.
- Tampering with a smoke/particle detector, sprinkler heads or other fire safety equipment.
- Using or possessing cooking appliances (except in designated cooking area), hot plates, electrical heaters, halogen lighting sources, extension cords or similar electrical equipment.
- Leaving cooking items unattended while in use.
- Using candles, incense or any open-flamed device.
- Storage of a motor vehicle of any type within a residence facility.
- The blocking of any inside or outside exit.
- Storage of explosive or flammable/combustible materials.
- Obstructing or blocking fire doors, corridors, hallways or tampering with self-closing mechanisms.

Evacuation Procedures:

What you should do:

1. If you smell or see smoke or fire, activate the fire alarm by pulling an alarm station.
 - a. Note: Evacuation is mandatory when a fire alarm is activated.
2. Do not attempt to fight the fire yourself unless you have been trained in the use of firefighting equipment and if it is safe to do so.
3. Notify occupants and help those needing assistance in the immediate area.
4. If fire is present in the immediate area leave all belongings and exit immediately. Otherwise, when an alarm sounds quickly gather essential personal belongings only if it can be done safely (I.D., keys, purse, wallets, etc.) and proceed out of the building. Close doors behind you to help contain the fire.
5. Follow the building's evacuation map and exit quickly via stairwells only.
 - a. **DO NOT** attempt to use elevators. Persons with disabilities who are unable to use the stairs should wait in the stairwell for rescue assistance.
6. If you get caught in heavy smoke, take short breaths, crouch down or crawl.
7. If the fire or smoke prevents you from exiting the building, go to a room far away from the fire (preferably a room with a window), shut the door and use your cell phone or room phone to call for help. If you cannot reach outside help using technology, open or break a window and signal for help. Placing an object (coat blanket, towel, etc.) under the door may prevent smoke from intruding while you are awaiting rescue.
8. Once outside proceed to the evacuation assembly area. If emergency responders are not already on the scene call CWRU Police and Security Dispatch with the following information:
 - a. Your name
 - b. Exact location of the fire and any other information you may have about the fire.
9. Return to the building only when instructed to do so by emergency personnel.

What will happen:

1. The dispatcher will notify the appropriate fire department and CWRU Police and Security.

2. CWRU Police and Security will respond and coordinate with the responding fire personnel.

Once the actual fire or fire alarm situation is resolved and the building is assessed for safety concerns, CWRU Police and Security or fire department officials may grant permission to re-occupy the building or to enter and retrieve personal belongings.

Fire Safety Education and Training

The Environmental Health and Safety Office offer a variety of fire safety education and training programs for the community of Case Western Reserve University.

Students receive fire safety and evacuation information during mandatory meetings with their Resident Assistant and during the required fire drills. The student can also receive voluntary fire safety education in a variety of different ways.

During the school year fire safety programs are held at request of the Resident Assistants or Coordinators in the various buildings. These additional fire safety programs include but are not limited to cover:

- Emergency procedures
- Fire safety issues
- Prohibited items
- General prevention tips
- Cooking fire safety
- Fire Extinguisher usage
- Additional fire safety programs can also be held at request of a student sponsoring group or organization.

Mandatory fire safety training is provided to Housing, Residence Life, and Greek Life Resident Assistants and Coordinators annually. These trainings cover:

- Emergency Procedures
- Fire safety issues
- Prohibited items
- Fire extinguisher usage

CWRU Police and Security Officers receive mandatory fire safety training. This training includes:

- Fire and Alarm Response
- Fire Protection Systems
- Fire Extinguisher Usage

Fire safety education and training programs are available for employees for their specific departments at request.

Fire Response Procedures

In case of a fire alarm, the following procedure is to be followed. Generally, the **RACE** procedure is used in all university facilities with some variations. Always consult and follow your building-specific Building Emergency Act Plan or posted evacuation procedures.

If you discover a fire or smoke condition: **RACE**

- **Rescue** any person in immediate danger
- **Alarm** – pull the fire alarm to alert everyone. Report the incident by calling CWRU Police and Security at **216.368.3333**
- **Confine** the fire by closing all doors where possible. Turn off electric and gas equipment in your area as you evacuate, if possible.
 - Extinguish a small fire using a fire extinguisher, if trained and if it is safe to do so.
- **Evacuate** using the nearest stair exit. Follow the exit signs.

- Report any discharged fire extinguishers and any first-hand information that you might have to CWRU Police and Security.

If you hear or see a fire alarm signal or announcement:

- Follow the emergency procedure for your building and area.
- Follow the announcements on the public-address system or instructions of your area floor captains.
- Follow the **EXIT** signs. Use stairs. **Do not use elevators.** Walk at a normal pace.
- Wait outside in the designated assembly areas at least 50 feet or more away from the building as instructed.
- Re-enter the building only after the “all clear” has been announced.

Fire Extinguishers

Portable fire extinguishers of appropriate type and size are provided as required in all areas. Extinguishers are inspected, tested, maintained and documented as required by the Ohio Fire Code. Fire extinguishers are provided

Remember the fire extinguisher key words

P.A.S.S.

Pull the pin

Aim at the base of the fire

Squeeze the handle

Sweep side to side (slowly)

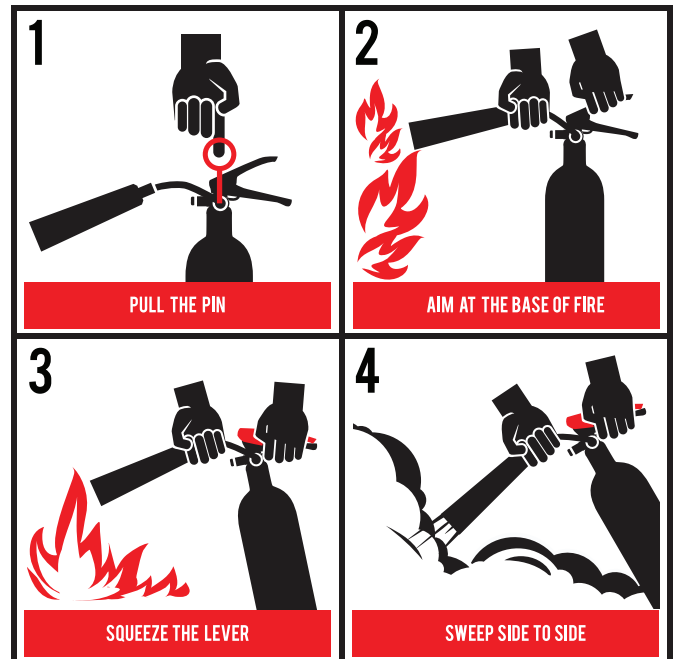
A.B.C.

Class A: Wood, Paper, Plastic

Class B: Oil, Grease

Class C: Electrical

Class ABC: Cover all of the above



*Report the discharged extinguisher to the EHS Office, Andrew Samosan at 216.296.1099. Always make sure the fire alarm is currently activated before attempting to extinguish. Also, make sure you have a clear escape path before attempting to extinguish.

throughout all of the university buildings for the use of trained students, faculty, and staff. Please contact the EHS office, **Andrew Samosan** at **216.296.1099** for upcoming training opportunities.

Fire doubles in size every 30 seconds so knowing how to properly and safely extinguish a fire is a huge advantage. An average extinguisher discharges completely in less than one minute. Therefore, it is important that you know at least two locations for extinguishers. Under the Ohio Fire Code there is a 75-foot travel distance between extinguishers.

Safety Precautions

- Before using a fire extinguisher, ALWAYS pull the building fire alarm first.
- Do not attempt to use a fire extinguisher if the fire is large and spreading Use it only for small fire-defense (e.g., a waste paper basket).
- Do not use the fire extinguisher if the lock pin is tampered, the cylinder is damaged or if the pressure gauge pointer is in the "RECHARGE" zone.
- Do not use the fire extinguisher if you are not trained and confident about using it.
- Read the extinguisher label to check if it is of right type for the kind of fire at hand. The label indicates one or more of the following fire classes and symbols and specific applications for which it can be used.
- Protect yourself at all time
- Never block your escape route
- Stay low. Avoid breathing the heated smoke and fumes
- If the fire cannot be controlled, get out immediately to safety.

How to use a fire extinguisher

- Make sure you are using the proper extinguisher for the type of fire
- Position yourself at a safe distance from the fire (e.g., 7-10 feet).

Remember the "PASS" Procedure

- Pull the pin: this will unlock the operating lever and allow you to discharge the extinguisher.
- Aim low: and point the extinguisher nozzle/horn/hose

towards the base of the fire.

- Squeeze and hold: the handle to discharge the extinguishing agent without any interruption.
- Sweep slowly: from side to side while holding the handle.
 - *Watch the fire area until it has completely cooled down.

Fire Alarm Systems

Fire Alarm Systems are located in each of CWRU's buildings. Many of these systems go unnoticed day in and day out. However, in times of emergency they are critical.

Smoke/heat detectors detect smoke or fire and automatically activate the buildings fire alarm system.

Pull stations are located throughout the buildings in main corridors and near the stairwells. In the case of fire or smoke; Always pull the closest pull station, regardless of the size of the fire.

Sprinkler Systems

Sprinklers are installed in many building areas to protect both life and property. In the case of a fire, each head detects temperature in the room and begins spraying water as soon as the room temperature exceeds a pre-determined value. Not all buildings or areas are equipped with sprinkler systems. Hazardous locations, storage areas and basement levels are generally protected with sprinklers as required by the Ohio Fire Code.

As you store materials and boxes in your area, always maintain a *minimum of 18 inches* of clearance between the ceiling and the storage. This clearance allows the sprinkler head to spray water uniformly and extinguish the fire effectively. If you notice any unsafe conditions such as a sprinkler head that is painted over or heavily laden with dust, blocked in any other manner or broken, promptly report this to the EHS Office by contacting **Andrew Samosan** at **216.296.1099**.

Fire and Smoke Doors

University buildings are equipped with fire rated doors and smoke-barrier doors. These doors prevent smoke and heat from traveling up stairwells and along corridors. Please do not prop any fire or smoke doors unless they have approved hardware such as a magnetic fire door release.

Campus Map and CWRU Police Patrol Area

