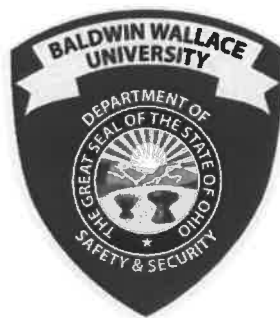


2024
Annual Security Report



Department Information 2024

The crime and fire statistics that are displayed below are for the years of 2021, 2022 and 2023. This follows the Federal Department of Education's guidelines for the publishing of crime and fire data, by October 1st, for the previous three years. These crime and fire statistics can also be viewed on the Department of Education's website at <http://ope.ed.gov/security/>.

Education is the best defense against becoming a victim. The Department of Safety and Security is prepared to make this campus as safe an environment for learning, working and living as possible; however, we can only be truly effective with your cooperation. This booklet is designed to give you the information you need to protect yourself, your property and your peers. It also describes some of the many services you may find valuable during your time here at Baldwin Wallace University.

Crime is a fact of life. Crimes occur everywhere and to all types of people. Members of a college community are not sheltered from criminal activity. Baldwin Wallace University has been fortunate that the incidence of crime in this area is low and that violent crimes seldom occur. However, members of the BW community must take an active role in preventing crimes and violent acts. If a crime does occur, it is imperative that the victim promptly report it to the Department of Safety and Security. The safety and security of Baldwin Wallace University is the responsibility of everyone, not just the department that bears its name.

The Department of Safety and Security

The Department is coordinated by the Director of Safety and Security, Gary Black, and is comprised of three full-time security supervisors, four full-time security officers, part-time security officers and one administrative specialist.

Berea Police Officers are also employed by Baldwin Wallace Safety and Security to patrol the campus during the school year and to work special events throughout the year. These officers act in their capacity as Berea Police Officers with arrest authority while patrolling campus and working special events. The officers wear Berea Police uniforms and operate Berea Police vehicles while working for Baldwin Wallace.

Baldwin Wallace has had an excellent relationship with the Berea Police for many years. In 1993, the Safety and Security Department entered into a "memorandum of understanding" with the Berea Police. This agreement states that BW Safety and Security will provide the Berea Police Detective Bureau with information regarding "all felony crimes...and all instances of serious physical injury to victims occurring on Baldwin Wallace University property during the previous 24 hours." This agreement also states that Safety and Security will deliver copies of incident reports involving "misdemeanor arrests and crimes of interest" to the Berea Police. The Berea Police also agree to provide Safety and Security with the aforementioned information and reports within 24 hours. Both departments also agree to conduct themselves in a professional and courteous manner when assisting each other in any investigation.

How to Contact Us

The Department of Safety and Security is located on the first floor of the Tudor House at 296 Beech Street (across from Findley Hall). The Department provides service 24 hours a day, seven days a week, including holidays and breaks. In an emergency, contact the Department by dialing 2000 from any campus telephone or 440-826-2000 from a non-campus telephone. For non-emergency service, the department can be contacted at 2336.

Emergency telephones are located:

- in the parking lot of the ILR building (Speech Clinic), 325 Front street
- west side of building at Hamilton House Apartments, 381 Front Street
- at the northeast sidewalk of the Kleist Center for Arts and Drama
- between Dietsch and Klein halls

These phones dial directly to the Department of Safety and Security.

Emergency Response to an Active Shooter

Current events at U.S. schools have made us all increasingly aware that the improbable occurrence of an active shooter event can happen anywhere, at any time. BW has actively planned for many types of emergencies, including a campus response to an active shooter. Below are some of the actions that

BW, the Berea Police Department, and the Southwest Enforcement Bureau will take in response to a report of an active shooter:

1. **The Berea Police:** The Berea Police Department serves and protects BW and the City of Berea. The police station is located in the Berea Commons, just southeast of BW's Conservatory and the Berea Townhouse Apartments. Armed police officers could arrive on campus within a couple of minutes of receiving a 911 call. These officers are trained to make entry into a facility with a minimal number of officers and confront an active shooter.
2. **The Southwest Enforcement Bureau (SEB):** The Southwest Enforcement Bureau is a multi-jurisdictional SWAT team that serves southwest Cuyahoga County. SEB is made up of approximately 40 police officers from 18 surrounding suburbs (including Berea, Middleburg Heights, Olmsted Falls and Strongsville), and includes tactical members, bomb technicians, hostage negotiators, snipers and medics. SEB is equipped with a bomb truck with explosive container, an armored vehicle which can be used to deliver a team or rescue victims, and a \$300,000 command post. They are trained in responding to barricaded subjects, hostage situations, crowd control, and area searches for lost people and children. SEB officers on duty at the time of an incident could arrive on campus within minutes.
3. **Emergency Communications:** BW has several ways to communicate emergency information to the campus community. Some are listed below:
 - a. Some classrooms do have landline phones from which persons can dial 911 if you have an emergency. These phones send an exact location to the Berea Police Dispatch Center, so officers will know your location.
 - b. **Emergency Text Messaging:** BW has contracted with "RAVE Communications" to have the capability to send an emergency text message to all cell phones that have been registered by faculty, staff and students with BW's Telecommunications Department. Several BW departments have the ability to send an emergency message at any time, including the Office of the President, University Relations, Telecommunications, and the Department of Safety and Security. A brief text message will be sent during an on-going event that has a significant risk to the safety of the BW community. An emergency text message would normally include a description of the type of emergency, the location of the event, and how you should proceed to protect yourself. The message may also contain information regarding locations to which you should evacuate in the event of a campus emergency requiring an evacuation of everyone on campus.
 - c. **Campus Information Television Monitors:** These monitors can be coordinated with our emergency text messages to display emergency information during a crisis.

- d. **BW Email:** All faculty, staff and students who have a BW email address will be contacted with updates during an active shooter event. Several departments have the ability to send mass emails to all students, faculty and staff, including the Department of Safety and Security.
- 4. **Card Access Control:** Safety and Security has the ability to control any of the card access doors on BW's campus. Doors can be immediately unlocked, secured (allowing for access with BW I.D. if the privilege was granted), and locked-out (no access by anyone regardless of access privileges). BW has been adding new card access equipment to existing facilities each year, and all new facilities are equipped with card access doors.

Personal Response to an Active Shooter

Note: The excerpt below was taken from the [U.S. Department of Homeland Security's "Active Shooter - How to Respond"](#) booklet. Click here for a complete booklet on the U.S.D.H.S web page

Good practices for coping with an active shooter situation:

- Be aware of your environment and any possible dangers
- Take note of the two nearest exits in any facility you visit
- If you are in an office, stay there and secure the door
- If you are in a hallway, get into a room and secure the door
- As a last resort, attempt to take the active shooter down. When the shooter is at close range and you cannot flee, your chance of survival is much greater if you try to incapacitate him/her. CALL 911 WHEN IT IS SAFE TO DO SO!

How to respond when an active shooter is in your vicinity

Quickly determine the most reasonable way to protect your own life. Remember that customers and clients are likely to follow the lead of employees and managers during an active shooter situation.

- Evacuate
 - If there is an accessible escape path, attempt to evacuate the premises.
 - Be sure to:
 - Have an escape route and plan in mind
 - Evacuate regardless of whether others agree to follow
 - Leave your belongings behind
 - Help others escape, if possible
 - Prevent individuals from entering an area where the active shooter may be
 - Keep your hands visible
 - Follow the instructions of any police officers
 - Do not attempt to move wounded people
 - Call 911 when you are safe
- Hide out

- If evacuation is not possible, find a place to hide where the active shooter is less likely to find you.
- Your hiding place should:
 - Be out of the active shooter's view
 - Provide protection if shots are fired in your direction (i.e., an office with a closed and locked door)
 - Not trap you or restrict your options for movement
- To prevent an active shooter from entering your hiding place:
 - Lock the door
 - Blockade the door with heavy furniture
- If the active shooter is nearby:
 - Lock the door
 - Silence your cell phone and/or pager
 - Turn off any source of noise (i.e., radios, televisions)
 - Hide behind large items (i.e., cabinets, desks)
 - Remain quiet
- If evacuation and hiding out are not possible:
 - Remain calm
 - Dial 911, if possible, to alert police to the active shooter's location
 - If you cannot speak, leave the line open and allow the dispatcher to listen
- Take action against the active shooter
- As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter by:
 - Acting as aggressively as possible against him/her
 - Throwing items and improvising weapons
 - Yelling
 - Committing to your actions

Drug, Alcohol and Weapons Policies

Campus patrol officers enforce laws regulating underage drinking, the use of controlled substances and possession of weapons. The consumption and possession of alcoholic beverages in residence halls, while strongly discouraged, is restricted to the individual rooms of those students who are at least 21 years of age, which is Ohio's legal drinking age. The consumption and possession of alcoholic beverages is prohibited in Davidson Commons and North Hall, where first year students reside. Baldwin Wallace University prohibits the use, possession, sale, manufacture or distribution of illegal drugs on campus. Intentional use, possession or sale of firearms or other dangerous weapons by students is strictly forbidden and is a violation of University policy.

Safety Escort Service

A safety escort service is available at any time for anyone on the campus, particularly during the evening hours. Contact Safety & Security at 440-826-2336 or 440-826-2000 and advise the dispatcher of your current location and your destination. A Safety and Security Officer will be dispatched to your location and will escort you to any campus building or parking lot.

Crime Prevention

Crime Prevention is important to our success. Our philosophy is one of eliminating or minimizing criminal opportunities whenever possible and encouraging students, faculty and staff to be responsible for their own safety and security.

Through a campus crime prevention program, the community can increase its ability to recognize crime and safety risks, and learn methods that prevent opportunities, which allow crimes to occur. The Department offers a number of programs to help educate the college community. Current subjects include:

- **Basic Residence Hall Security:** This program covers residence hall security with an emphasis on safety precautions and crime prevention measures.
- **Customized Programming:** Upon request, other safety and security topics can be incorporated into a crime prevention presentation. To schedule a program, contact the department during office hours at 440-826-2336.

Community Standards of Conduct

Baldwin Wallace University (BW) is committed to academic and administrative excellence reflecting the highest standards of collegiality, personal integrity and ethical behavior. Therefore, BW requires that all members of the university community and its guests be treated with dignity and respect. BW's Community Standards of Conduct Policy (CSC) has been established to assist all members of the university community—students, faculty and staff—in determining and applying appropriate conduct in performing their diverse roles. The university's mission to assist students with their preparation to become caring, compassionate citizens can only be accomplished in a learning community where each member values, endorses and models the following principles.

Respect for Persons: All members of our university community will treat others equitably, honestly and with respect by exercising courtesy, consideration and responsiveness, and by avoiding behavior that might reasonably be perceived as harassing, bullying, belittling or intimidating.

Integrity: All members of our university community will exhibit personal honesty and uncompromising integrity in fulfilling university-related activities on and off-campus.

Diligence and Professionalism: All members of our campus community will carry out their duties in a professional and conscientious manner. They will make and implement official decisions faithfully and impartially. Each member of our community will pursue continuous improvement through lifelong learning with the goal of achieving the highest possible standards of performance and service.

Stewardship: All members of our university community have an obligation to effectively and efficiently use the university's property, facilities and financial resources for legitimate university purposes, including maintaining security over those assets.

Respect for the Law and the University's Governance System:

All members of our university community will support the university's mission, observe university policies and regulations, and adhere to all local, state and federal laws.

The Baldwin Wallace University Community Standards of Conduct policy has been endorsed by the President's Council. All officers, students, faculty and staff of Baldwin Wallace University are expected to support the policy as a condition of affiliation with the University. Issues arising from this policy will be addressed through resolution procedures contained in the Faculty Manual, Employee Handbook and the Student Handbook.

Policy on Discrimination and Sexual Misconduct

Baldwin Wallace University (BW) is committed to a safe campus free from discrimination, harassment, and violence, and takes every allegation of misconduct seriously. Confidential and non-confidential resources, supportive measures, and resolution options are available to students, employees, and community members who have experienced discrimination, including sexual misconduct. It is also a resource to inform the community of our commitment to significant efforts to prevent the occurrence of and respond effectively to acts of sexual misconduct.

Sexual misconduct often exploits a relationship between individuals of unequal power and authority (for example, the relationship between an employee and a supervisor or between a student and a teacher), but may also occur between social and professional peers. Sexual misconduct may involve the behavior of a person of either gender against a person of the opposite or same gender. Sanctions for sexual misconduct range from warnings and mandatory education about sexual misconduct issues to dismissal or termination, depending on the seriousness and frequency of the behavior.

SEXUAL MISCONDUCT OFFENSES INCLUDE, BUT NOT LIMITED TO:

1. Sexual Harassment
2. Non-Consensual Sexual Contact (or attempts to commit same)
3. Non-Consensual Sexual Intercourse (or attempts to commit same)
4. Sexual Exploitation

1. SEXUAL HARASSMENT:

Sexual Harassment is unwelcome, sex or gender-based verbal or physical conduct that is sufficiently severe, persistent and/or pervasive. When these behaviors have the effect of unreasonably interfering with, denying, or limiting someone's ability to participate in or benefit from the University's educational programs and/or activities, or fulfill their work responsibilities, it is in violation of this policy. Sexual harassment can be based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

Examples include but are not limited to: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexual based request; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence; stalking; gender-based bullying.

Three Types of Sexual Harassment Further Defined

- A. Hostile Environment includes any situation in which there is unwelcome harassing conduct that is sufficiently severe, pervasive and objectively offensive that it alters the conditions of employment or limits, interferes with or denies educational benefits or opportunities, from both a subjective (the alleged victim's) and an objective (reasonable person's) viewpoint. The determination of whether an environment is unlawfully "hostile" must be based on all the circumstances. These circumstances could include:
 1. The frequency of the conduct;
 2. The nature and severity of the conduct;
 3. Whether the conduct was physically threatening;
 4. Whether the conduct was humiliating;
 5. The effect of the conduct on the alleged victim's mental or emotional state;
 6. Whether the conduct was directed at more than one person;
 7. Whether the conduct arose in the context of other discriminatory conduct;
 8. Whether the conduct unreasonably interfered with the alleged victim's educational or work performance;

9. Whether the statement is a mere utterance of an epithet which engenders offense in an employee or student, or offends by mere discourtesy or rudeness;
10. Whether the speech or conduct deserves the protections of academic freedom or the 1st Amendment;
11. Whether the conduct was welcome.

B. Quid pro quo sexual harassment exists when there are:

1. Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; coupled with
2. Submission to or rejection of such conduct which results in adverse educational or employment action.

C. Retaliatory harassment is any adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct.

2. NON-CONSENSUAL SEXUAL CONTACT:

Non-Consensual Sexual Contact is any intentional sexual touching, however slight, with any object, by a person upon a person that is without consent and/or by force.

Examples include, but are not limited to: Intentional contact with the breasts, buttock, groin, genitals, mouth or other orifice, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

3. NON-CONSENSUAL SEXUAL INTERCOURSE:

Non-Consensual Sexual Intercourse is any sexual penetration however slight, with any object, by a person upon a person that is without consent and/or by force.

Examples include but are not limited to: Vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

4. SEXUAL EXPLOITATION

Occurs when an individual takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to: Invasion of sexual privacy; prostituting another individual; non-consensual video or audio-taping of sexual activity; going beyond the boundaries of consent (such as allowing others to hide in proximity to witness sexual activity); engaging in voyeurism; knowingly exposing another unaware individual an STD or HIV; exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals; sexually-based stalking and/or bullying may also be forms of sexual exploitation.

OTHER OFFENSES WHICH MAY BE SEX OR GENDER BASED INCLUDE BUT ARE NOT LIMITED TO:

- Stalking defined as repetitive, menacing pursuit, harassment and/or interference with the peace and/or safety of a member of the community.
- Threatening or causing physical harm, verbal abuse, or other conduct which threatens or endangers the health or safety of any person. This has particular application when the sex or gender-based behavior is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim (Dating Violence) or when it is committed by a person who shares a primary residence with the victim (Domestic Violence).
- Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of gender;
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the university community, when related to the admission, initiation, pledging, joining or any other group---affiliation activity (as defined further in the Hazing Policy);
- Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the 1st Amendment).
- Other violations of any policy in the Community Standards of Conduct or BW handbooks for students, employees or faculty which are deemed by the University to be gender based may be processed through the lens of this policy and our institutional compliance with Title IX.

ADDITIONAL APPLICABLE DEFINITIONS:

- **Consent** is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create

mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

- Consent to any one form of sexual activity does not automatically imply consent to any other forms of sexual activity.
 - Previous relationships or prior consent does not imply consent to future sexual acts.
 - NOTE: There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but nonconsensual sexual activity is not by definition forced.
 - In order to give effective consent, one must be of legal age.
 - Sexual activity with someone who one should know to be -- or based on the circumstances should reasonably have known to be -- mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout) constitutes a violation of this policy.
- **Force** is the use of physical violence and/or imposing on someone physically to gain sexual access. Force can also include threats, intimidation (implied threats) and coercion that overcome resistance or produce consent ("Have sex with me or I'll hit you." "Okay, don't hit me, I'll do what you want.").
 - **Coercion** is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
 - **Incapacitation** is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction).
 - This policy also covers a person whose incapacity results alcohol or drug use, mental disability, sleep, involuntary physical restraint, or from the ingesting of "rape drugs". Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>
 - Use of alcohol or other drugs will never function as a defense to a violation of this policy.

- The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this policy.

SEXUAL MISCONDUCT PERSONNEL

The University has designated a Title IX Coordinator to oversee the institution's response to allegations of sexual misconduct. The Title IX Coordinator can be reached at 440-826-2111. Any person wishing to lodge a complaint or learn more about the process may contact the following.

Gary Black	Director, Safety & Security	440-826-2377	gblack@bw.edu
Nancy Gussett	Assoc. Professor of Psychology, Coordinator for Grievance Resolution	440 826-2027	ngussett@bw.edu
Lena Crain	Dean of Students & Title IX Coordinator	440-826-2160	lcrain@bw.edu

In addition to the Investigators, other adequately trained employees, at the discretion of the Title IX Coordinator, may serve as in roles during hearings, investigations, sanctioning considerations and appeals.

HOW TO FILE A SEXUAL MISCONDUCT COMPLAINT

Any Baldwin Wallace student, employee, or campus visitor, including a bystander, having a complaint of sexual misconduct (hereafter, the complainant) is encouraged to do one of the following:

- Call, email, or visit Lena Crain, Dean of Students and Title IX Coordinator at lcrain@bw.edu, at 440-826-2160 or in the Bonds Administration Building.
- Call or email Nancy Gussett, Grievance Resolution Coordinator, at 440-826-2027 or ngussett@bw.edu.
- Call or visit Safety and Security at 440-826-2000. Their 24 hours dispatch center is available for reporting any crime or misconduct.
- Submit a report to the BW online reporting form found at <https://fs22.formsite.com/bwtest1/form120/>. The form is secure, private, and sent directly and solely to the Title IX Coordinator.
- BW employees may also choose to call, email, or visit the Human Resources office on the second floor of Bonds Administration Building.

When sexual misconduct personnel are in receipt of a complaint, they will ask for a written summary (unless already provided) and refer promptly for review and resolution. The University will investigate complaints of sexual misconduct on a timely basis.

Confidential Reporting Options (Please also see confidentiality statement)

The following are resources available to BW students who have experienced sexual misconduct. Faculty and staff may also access these offices for the purpose of better understanding of all the resources available to them. While the resources

listed below are alternatives to the resources listed above, it is most prudent in the investigation process that complainants or witnesses of sexual misconduct make direct reports to one of the contact points listed above. Due to privacy laws, confidential reports to the options below may limit the institution's ability to adequately conduct an investigation. Confidentially reported incidents may, however, be included in the University's annual crime statistics. Those wishing to report or seek services anonymously may do so through the following options:

- Call or visit or Counseling Services by calling 440-826-2180 or going to the Counseling Center on the corner of Beech and Bagley. You may also access a wealth of resources from the Counseling Center at: <http://www.bw.edu/resources/counseling/sexualassaultinfo/>
- Visit a Campus Trauma Therapist or Victim Specialist from the Cleveland Rape Crisis Center on campus in the Counseling Center or at the Cleveland Rape Crisis Center Facilities. For more information, go to clevelandrapecrisis.org.
- Call or visit Health Services by calling 440-826-2178 or going to the Health Center on the corner of Beech and Bagley. More resources are available at: <http://www.bw.edu/resources/health/>
- Call Baldwin Wallace's Ethics and Compliance Hotline at 440-826-8557.

SUPPORT OF BYSTANDERS (Witnesses)

Baldwin Wallace encourages campus community members to assist others in need, including, in some circumstances, preventing sexual misconduct. Sometimes individuals hesitate to assist others in fear they themselves will face sanctions for various policy violations. While Baldwin Wallace cannot guarantee overlooking policy violations, it may provide educational intervention rather than discipline or sanctions to assisting bystanders.

INTERIM MEASURES

Following an allegation of sexual misconduct, Baldwin Wallace may provide interim measures, such as changes to academic, living, transportation or working circumstances. Interim measures might include, for example, informing a complainant of how to request changes to the above circumstances, providing awareness of financial aid services on leave of absences and loan repayment, or establishing a non-contact restriction between the complainant and respondent parties. These are meant as examples and may not be applicable to every case of a sexual misconduct complaint. Interim measures may or may not remain in effect after the resolution of a complaint.

RESOLUTION PROCESS

After a sexual misconduct complaint is filed, the Title IX Coordinator or other appropriate administrator will determine the most prudent means of resolution. Prior to the formal investigation of a complaint, a review by the Title IX Coordinator and/or other appropriate administrators (i.e. V.P. Student Affairs, Asst. Dean of Students, Director of Safety & Security, etc.) will take place promptly to determine:

- If the potential health and safety of members of the University community exists which warrants immediate Institutional action (i.e. campus warnings, notification of law enforcement, restrictions of contact with persons or campus property, etc.)
- If the complaint, as presented, would constitute a violation of University Policy
- The desire of the complainant for the University to fully investigate (when no ongoing threat is perceived to exist)
- Any extenuating circumstances affecting the accused or the respondent which could impact an investigation
- The most prudent means of resolution (i.e. discrimination investigation, student conduct hearing, administrative review, application of interim measures, etc.)

When it is determined that the claims in an allegation rise to the level of potential policy violation(s) and evidence (including the accounts of complainants and witnesses) is available, a discrimination investigation, administrative review or Student Conduct hearing will occur. Typically, case resolution will take place in the form of a discrimination investigation. When an administrative review or a Student Conduct hearing is used, rationale will be articulated to all involved parties. More information about the Student Conduct process can be found in the Student Handbook located on the BW website. Allegations against employees will be coordinated by the Title IX Coordinator. All student rights and responsibilities will be adhered to as listed in the Student Handbook. Please note that Baldwin Wallace University does not process allegations of sexual misconduct through mediation.

All forms of resolution will use a standard of preponderance (more likely than not) to determine whether or not policy has indeed been violated. All forms of resolution will be conducted, and any sanctions will be imposed by properly trained individuals without any demonstrable conflict of interest or bias against either the accuser or the accused. During any formal investigation or Conduct proceeding, both the complainant and the respondent will have equal opportunities to have others present, including an advisor of their choice (said persons may not represent the party or actively participate in proceeding). Throughout any proceedings, both the accuser and the accused shall receive timely notice of meetings at which one or the other or both may be present and shall receive equal access to information that will be used in informal and formal meetings and hearings. After any formal proceeding concludes, the complainant and the respondent shall receive written (may be electronic) notification of the proceeding's results and any available appeals process. At the discretion of the Title IX Coordinator, notification may be presented at separate, in person meetings with the complainant and respondent scheduled as closely together as possible.

Discrimination Investigations

Discrimination investigations are the preferred method of resolution for disputed allegations of sexual misconduct. The following represent typical activities in the process:

- Separate interviews of the complainant(s), respondent(s), and witnesses (both the complainant and respondent have the right to request that individuals who can provide substantive information which is germane to the corroboration or refuting of the claims be interviewed.)
- A review of any evidence presented to the investigators
- Follow up interviews when deemed necessary by the investigators
- Final review of all evidence presented and determination of finding
- Presentation of summary and findings to the Title IX Coordinator or designee.
- Presentation of summary and findings to the complainant(s) and respondent(s)

Administrative Reviews

Administrative reviews will take place either when facts of the allegation(s) and subsequent institutional response (i.e. restrictions, sanctions, etc.) are not disputed or when extenuating circumstances make the timely, equitable completion of a discrimination investigation or Conduct hearing impossible. If all parties agree to a finding of responsibility and subsequent sanctions during a review, all parties will also waive any right of appeal.

If a discrimination investigation determines that a violation has occurred, their findings will then be referred to an administrative committee (at least three persons) consisting of sexual misconduct personnel, and/or appropriate administrators to determine appropriate sanctions. Investigations and any subsequent sanctioning will be conducted as quickly as possible with delays communicated with rationale to all parties.

Student Conduct Hearings

If it is determined that a Student Conduct hearing is the most efficient form of resolution, the Title IX Coordinator or identified designee will coordinate the hearing. Proceedings will follow the outlines in the Student Handbook and variances will be communicated to both the complainant and respondent. All parties will have the ability to present and respond to evidence.

SANCTION STATEMENT

Baldwin Wallace University sees sexual misconduct as discriminatory in nature and cause for significant institutional response. The possible sanctions for students at the disposal of the Sexual Misconduct Personnel and other appropriate administrators are warnings, probation, educational programming, service or co-curricular assignment, counseling or mental health assessments, restrictions of contact or participation, reassignment of academic schedule or housing assignment, suspension or dismissal. The possible sanctions for employees at the

disposal of the Sexual Misconduct Personnel and other appropriate administrators are warnings, probation, educational programming/professional development, service, counseling or mental health assessments, restrictions of contact or participation, reassignment of job responsibilities (and potentially compensation), suspension or dismissal. Please note that interim measures may be issued immediately as deemed necessary during institutional response to a complaint. Restrictions of contact may be enforced before during and after a complaint response without a finding of responsibility. In addition, the following should be considered regarding sanctioning:

- Any student or BW employee found responsible for violating the policy on Non-Consensual or Forced Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion or termination, depending on the severity of the incident, and taking into account any previous campus or workplace conduct code or policy violations.*
- Any student or BW employee found responsible for violating the policy on Non-Consensual or Forced Sexual Intercourse will likely face a recommended sanction of suspension or expulsion/termination.*
- Any student or BW employee found responsible for violating the policy on sexual exploitation or sexual harassment will likely receive a recommended sanction ranging from warning to expulsion or termination, depending on the severity of the incident, and taking into account any previous campus or workplace conduct code violations.*
- Any student or BW employee who is found to have perpetrated any form of sexual misconduct against a minor child will likely receive a recommended sanction ranging from warning to expulsion or termination, depending on the severity of the incident, and taking into account any previous campus or workplace conduct code violations.*

*The conduct body and/or the University reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the initial hearing officers nor any appeals body or officer or managerial employee will deviate from the range of recommended sanctions unless compelling justification exists to do so. Employees or students who remain a part of the University community after being held responsible for acts of sexual misconduct will be assigned to a mandatory educational and/or remedial process to address any known deficits in knowledge or behavior that could lead to further misconduct.

APPEALS

Appeal rights for both the complainant and respondent in cases referred to Student Conduct can be found in the Student Handbook. For cases in which a sexual misconduct investigation or administrative review took place, the following grounds will be considered for appeal:

- The sanctions are thought to be disproportionate;

- Errors in process were so substantial that a fair process was denied to the complainant or respondent; or
- New and significant information which was not available/discoverable during the process is now available/ discoverable.

Both the complainant and the respondent have the right to a single appeal which should be submitted within five business days of the communication of outcomes of the investigation or other parties' appeal. The appeals body will be appointed by the Title IX Coordinator or designee and will be comprised of Sexual Misconduct Personnel not involved in previous stages of the process. They have the authority to:

- Affirm the original decision;
- Change sanctions;
- Overturn a decision; or
- Direct the investigative phase be reopened.

CONFIDENTIALITY

Confidentiality cannot be promised during the investigation of a sexual misconduct complaint. The University directs and expects all personnel involved in resolution to be discreet during proceedings. Information about a case is limited to those parties who have a legitimate need to know. Parties involved are advised to maintain discretion and not engage in public discussion of their cases. A breach of privacy that reaches the level of malicious intent (retaliation) may result in sanctions.

At BW, allegations of sexual misconduct are taken very seriously. The President's Office will be kept apprised of the context and progress of all investigations unless a conflict exists. All BW employees involved in the resolution of sexual misconduct violations will proceed with careful discretion as it relates to the privacy of the involved parties.

The Department of Safety and Security has an obligation to report to the Berea Police Department any reported felony crimes, sexual assaults or any serious physical injury to victims, per Safety and Security's "Protocol between the City of Berea Police Department and the Baldwin Wallace University Department of Safety and Security."

Information provided to licensed Counseling, Health Center staff or Clergy who are acting in those respective roles will remain confidential to the extent possible.

BW EMPLOYEE DUTY TO REPORT

If a student or BW employee reports sexual misconduct, the BW employee to whom such a complaint is conveyed (with the exception of licensed counselors, health care staff and clergy who are acting in those roles) has a duty to report that information to a Discrimination Investigator, the Assistant Dean of Students, the Title IX Coordinator, or Human Resources. Subject to the policy's stated definition of sexual misconduct, if a BW employee believes that he or she has

observed sexual misconduct of a student or employee, the BW employee should report that information to a Sexual Misconduct Investigator, the Director of Student Conduct, or the Title IX Coordinator.

EDUCATION

The current Sexual Misconduct policy is published in the Student Handbook, the Faculty Handbook, the Employee Handbook, and the Baldwin Wallace University portal. For the purposes of prevention, the Sexual Misconduct Investigators will coordinate ongoing, campus-wide efforts to educate the Baldwin Wallace University community regarding sexual misconduct. In addition, the following co-curricular and programmatic activities articulate the University's commitment to fostering a community of respect in which sexual misconduct is not tolerated:

- Facilitated group bystander philosophy discussion during Summer Orientation (students)*
- "Be a Catalyst for Change: Creating a Safe Campus Culture at BW" This program, presented by our colleagues from the Cleveland Rape Crisis Center is an interactive presentation with a focus on issues surrounding consent in sexual interactions which takes place during Weekend of Welcome*
- Required participation by all new students in an on-line sexual assault prevention program*
- Required participation by all new employees in an on-line sexual assault prevention program**
- Target audience programming in bystander intervention in FYE classes, Greek organizations and other student organizations presented by University staff and community partners.
- Campus organization sponsored programming on sexual assault prevention (e.g., Red Flag Campaign, Clothesline Project, Teal Tuesdays)
- C.A.R.E. (*Center for Alcohol & Related-issues Education*) programming on alcohol use and sexual assault prevention made available throughout the year to the campus community.
- Participation of employees in the Ohio Department of Higher Education's Changing Campus Culture initiative including strategic response to a Climate Study on sexual violence, regional workshops on prevention and response to sexual violence and a grant funded initiative to raise awareness and reduce sexual violence.

**Denotes activities which are mandatory for all incoming University Students.*

***Denotes activity which is mandatory for all employees*

Note: This policy has been developed by University staff relying heavily on model policy provided by The Association of Title IX Administrators (ATIXA). It will be updated as needed to ensure an optimal campus environment as well as institutional compliance.

Missing Student Procedure

If there is reason to believe that a resident student is missing, call Safety and Security at 440-826-2336 or go to the Safety and Security Office immediately,

regardless of the time of day or the day of the week. Safety and Security Officers will complete an information report and will immediately initiate an effort to locate the student.

Safety and Security will contact administrators of Student Affairs, Residence Life, the Business Office and Academic Affairs to collect information on the student's recent activity on campus (such as food purchases, card access, and class attendance). Safety and Security will also advise the Vice President of Student Affairs/Dean of Students that a student has been reported missing within 24 hours of being advised of the missing student.

Safety and Security will contact the Berea Police within 24 hours of determining that the student is missing. Safety and Security or Student Affairs may contact the family of the missing student to gather information. Baldwin Wallace will contact the custodial parent or guardian of a missing student who is under the age of 18 and not emancipated, within 24 hours of determining that the student is missing.

Emergency Contact Person Information

Baldwin Wallace students have the option of listing a confidential emergency contact person when they complete their check-in information when registering online at the beginning of each semester. Only authorized campus officials and law enforcement officers, in furtherance of a missing person investigation, may have access to this information. Students can also contact the Office of Registration and Records at 440-826-2126 if they wish to list or change their emergency contact person information at any time. The student's emergency contact person will be contacted if campus administrators have determined that the resident student has been missing for more than 24 hours.

Crime Reporting

During the Academic year, the Department of Safety and Security produces a weekly media report summarizing criminal incidents, when a victim or other involved parties report the incident to Safety and Security. This report is submitted to The Exponent, BW's student newspaper, and is published at the discretion of the editors. There is a log of these summarized incidents available for public review, located at Safety and Security. Identifying information about suspects or victims is never included.

The Student Affairs Office, in conjunction with the Department of Safety and Security, will make timely warning reports to the campus community regarding certain crimes that represent a continuing threat to the campus community. In addition to being posted in public areas, this information may be distributed by text, electronic billboards, and/or electronic mail, and any other means available.

In accordance with the Campus Security Act, Baldwin Wallace University provides crime statistics and security information to current and prospective students and employees.

The Federal Department of Education requires all colleges and universities to submit their crime statistics by October 1 for the previous three years. These statistics include crimes that have taken place on campus, non-campus (Buildings and Grounds), and on neighboring public property (public streets, sidewalks, Coe Lake and the Cleveland Metro Parks).

Safety and Security Department serves as the “clearing house” in gathering crime data and judicial referrals from those with “significant responsibilities for students and campus activities.” Residence Life, Student Affairs, and the Berea Police are the other departments to report incidents of crime, and on a daily basis, all are in contact with Safety and Security. In addition, an annual report is requested from the Berea Police Department, the Berea Fire Department, the Student Health Center, the Cleveland Metro Park Ranger Department, and Student Affairs. “Non-campus” facility administrators are also contacted annually for criminal incident information. All gathered information is then compared to minimize multiple postings, and then incorporated in the following statistical tables.

CRIMINAL OFFENSES - MAIN CAMPUS

The following criminal offenses occurred **ON CAMPUS**:

	2021	2022	2023
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sexual Assault: Rape	7	8	4
Sexual Assault: Fondling	2	3	1
Sexual Assault: Incest	0	0	0
Sexual Assault: Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	1	0
Stalking	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	1	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

The following criminal offenses occurred **ON CAMPUS IN
A RESIDENCE HALL**:

	2021	2022	2023
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sexual Assault: Rape	7	8	4
Sexual Assault: Fondling	2	3	1
Sexual Assault: Incest	0	0	0
Sexual Assault: Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	1	0
Stalking	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	1	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

The following criminal offenses occurred in
NON-CAMPUS BUILDINGS:

	2021	2022	2023
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sexual Assault: Rape	0	0	0
Sexual Assault: Fondling	0	0	0
Sexual Assault: Incest	0	0	0
Sexual Assault: Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

The following criminal offenses occurred on
PUBLIC PROPERTY:

	2021	2022	2023
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sexual Assault: Rape	0	0	2
Sexual Assault: Fondling	0	0	2
Sexual Assault: Incest	0	0	0
Sexual Assault: Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Robbery	0	1	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

ARRESTS

On Campus:

	2021	2022	2023
Liquor Law Violations	0	0	0
Drug Abuse Violations	0	0	0
Weapons Possessions	0	0	0

On Campus in a Residence Hall:

	2021	2022	2023
Liquor Law Violations	0	0	0
Drug Abuse Violations	0	0	0
Weapons Possessions	0	0	0

Non-Campus Buildings:

	2021	2022	2023
Liquor Law Violations	0	0	0
Drug Abuse Violations	0	0	0
Weapons Possessions	0	0	0

On Public Property:

	2021	2022	2023
Liquor Law Violations	7	3	0
Drug Abuse Violations	5	4	5
Weapons Possessions	1	1	0

DISCIPLINARY ACTIONS/JUDICIAL REFERRALS

On Campus:

	2021	2022	2023
Liquor Law Violations	60	56	34
Drug Abuse Violations	14	28	4
Weapons Possessions	0	0	0

On Campus in a Residence Hall:

	2021	2022	2023
Liquor Law Violations	60	56	34
Drug Abuse Violations	12	28	4
Weapons Possessions	0	0	0

Non-Campus Buildings:

	2020	2021	2023
Liquor Law Violations	0	0	0
Drug Abuse Violations	0	0	0
Weapons Possessions	0	0	0

On Public Property:

	2020	2021	2023
Liquor Law Violations	0	0	0
Drug Abuse Violations	0	0	0
Weapons Possessions	0	0	0

Baldwin Wallace University owns several houses and apartment buildings, within its 20-block area to house students. These are considered on-campus residence halls. Buildings and Grounds, located at 400 Rocky River Drive is considered a non-campus facility.

The Cleveland MetroParks have park property that is within a one-mile radius of Baldwin Wallace University, which is utilized by the Baldwin Wallace community. Therefore, Cleveland MetroParks crime statistics have been included in the "Public Property" sections of Baldwin Wallace University's crime statistics for the years of 2021, 2022, and 2023. Coe Lake Park, located in the City of Berea, also is within one mile of campus. Therefore, the Coe Lake Park statistics have also been included in the Public Property statistics.

Hate Crimes

Hate Crimes are criminal offenses in which the victim was intentionally selected because of the perpetrator's bias against the victim in the following categories: Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin, and Disability.

In 2021, BW experienced the following instances qualifying as hate crimes: Race (0), Religion (0), Sexual Orientation (0), Gender (0), Gender Identity (0), Ethnicity (0), National Origin (0), Disability (0).

In 2022, BW experienced the following instances qualifying as hate crimes: Race (0), Religion (0), Sexual Orientation (0), Gender (0), Gender Identity (0), Ethnicity (0), National Origin (0), Disability (0).

In 2023, BW experienced the following instances qualifying as hate crimes: Race (0), Religion (0), Sexual Orientation (0), Gender (0), Gender Identity (0), Ethnicity (0), National Origin (0), Disability (0).

Residence Hall Fire Statistics

2021:

Baldwin Wallace had one incident under this category; student spilled nail polish over her lighter which resulted in a small fire which she extinguished immediately.

2022:

Baldwin Wallace had no incidents under this category.

2023:

Baldwin Wallace had two incidents under this category; both were burnt food, one being in a stove the other stove top. The small amount of flames were both contained and extinguished quickly.



Vehicle Assists

Should you, while on campus or on an adjacent street, accidentally lock your keys in your vehicle, or if you need a battery jump-start, call 440-826-2336. An officer will be dispatched to your location to assist you with these problems.

There is no charge for this service.

Personal Responsibility

The Department of Safety and Security is committed to maintaining a safe and secure environment for the entire community. However, safety and security is everyone's responsibility. By practicing safety, using common sense and taking advantage of the services offered by the Department of Safety and Security, you can reduce risks and help to ensure a safe campus environment.

The Mission Statement of Baldwin Wallace University

Baldwin Wallace University is an academic community
committed to the liberal arts and sciences
as the foundation for lifelong learning.

The University fulfills this mission
through a rigorous academic program that
is characterized by excellence in teaching and
learning within a challenging
supportive environment that enhances
students' intellectual and spiritual growth.

Baldwin Wallace assists students in
their preparation to become contributing,
compassionate citizens of an
increasingly global society and
encourages their pursuit of
personal and professional excellence.



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