Malone University

Fall 2021

Safety and Security Report
Fire Safety Report

<u>Malone University Main Campus:</u>

2600 Cleveland Avenue NW
Canton, OH 44709

Dave Burnip, Chief of Police/Director of Campus Safety

2021 Malone University Annual Crime and Fire Safety Report

Introduction

Malone University

Established in 1892 as Cleveland Bible College with an enrollment of six students, Malone College (now University) changed its emphasis to liberal arts in 1957 and moved to Canton, Ohio where it was renamed in honor of its founders, industrialist J. Walter Malone and his wife, Emma Brown Malone.

Today, Malone has students enrolled in more than 100 academic programs, including graduate programs in education, counseling, nursing, business administration, and organizational leadership. Malone offers accelerated degree completion programs in management and nursing, as well as online programs in organizational leadership, MBA, counseling, education, and nursing.

Though the university is affiliated with the Evangelical Friends Church, Eastern Region, students from all walks of life are welcome. The Malone University community represents nearly 50 Christian denominations among our students, faculty, and staff.

The college boasts a student-to- faculty ratio of 13:1 and a graduate-school acceptance rate of nearly 100 percent. The smaller class size fosters a rich academic experience where faculty members know, care about, and mentor students. Although primarily a teaching university, Malone offers a number of opportunities to assist in cutting-edge research as well. Students may participate in an annual undergraduate research symposium, with some advancing to share original research at the state level through the Ohio Foundation of Independent Colleges.

Students also have numerous opportunities to make the world their classroom through exciting internships, service learning trips, and a vibrant study abroad program. The University participates in several off-campus educational opportunities including the Los Angeles Film Studies program, American Studies program, and overseas student teaching and nursing cross-cultural

experiences. Students are also encouraged to engage the local community through volunteer opportunities, internships, and other forms of community outreach.

Malone's intercollegiate athletic teams compete in the Great Midwest Athletic Conference (GMAC) and as an NCAA Div. II institution. Malone University is a member of the Council for Christian Colleges and Universities (CCCU) and the Council of Independent Colleges (CIC), is recognized by the prestigious Templeton Foundation as a leader in character development, and is ranked among the top colleges and universities in the Midwest under the category Regional Universities according to *U.S. News & World Report's* America's Best Colleges.

Institutional Mission Statement

The mission of Malone University is to provide students with an education based on biblical faith in order to develop men and women in intellectual maturity, wisdom, and Christian faith who are committed to serving the church, community, and world.

Safety Department Mission:

The Malone University Department of Campus Safety is dedicated to creating a safe and secure place to learn, work, and live, using a variety of services to meet the needs of the campus community.

Security Officers perform, but are not limited to, the following duties:

- Service calls for students, faculty and staff (door access, vehicle trouble, suspicious behavior, etc.)
- Assistance during fire and medical emergencies
- Patrol by both vehicle and on foot
- Building and residence hall checks
- Reporting of maintenance concerns to the Physical Plant
- Safety escort service for students, faculty and staff
- Parking enforcement

The Security Department maintains a close working relationship with local, county, state and federal law enforcement agencies as well as the Canton Fire Department,. Major crimes are reported and handled by the Canton Police department. Lesser crimes are handled by the Security Department and processed through the University student conduct process.

SAFETY AND SECURITY SUGGESTIONS

If you have any safety or security concerns:

If you see something say something contact the Security Department (3304718111) and inform them immediately. Examples include smelling or seeing smoke, or noticing a door that has been propped open for an extended period of time, Items that are out of place and left unattended, or people acting suspiciously.

If you are the victim of a theft or burglary:

Call the Security Department (3304718111) as soon as possible. Give the Security Officer a detailed report of the incident, including where the theft took place and what was taken. In the event of a burglary (person entering your dorm room or office without authorization), notify your Resident Director and the Security Officer to make arrangements to have room locks changed and offices secured.

Designated Campus Security Authorities

Based on the U.S. Department of Education definition of campus security authorities, the following are designated:

- Security Department staff

- ☐ Student Development staff
- ☐ Residence Life staff
- ☐ Title IX Coordinators and Investigators
- ☐ Health Center staff
- ☐ Physical Plant staff
- ☐ Athletic Director and coaches
- ☐ Wellness Center employees
- ☐ Admissions Reception area employees
- ☐ Events staff
- ☐ Canton Police Department contracted by Malone for services
- ☐ Faculty
- ☐ Administrators
- ☐ Supervisors
- ☐ P/T faculty at all locations

EMERGENCY NOTIFICATION

When there is a significant emergency or extremely dangerous situation that has been confirmed by the Canton Police Department, Malone Police / Security or Student Development, the University will initiate necessary emergency notification protocols.
Depending on the particular situation, upon confirmation by one or more members of the Campus Emergency Response Team (Security Department, Student Development, Residence Life, Human Resources, Information Technology, Physical Plant and Public Relations), a mass notification message will be sent by any or all of the following means: Campus Shield, emails, Facebook and Twitter. **The Emergency Response Team will post updates during any critical incident.**

Building Evacuations

Building evacuations will occur when a fire alarm is activated or when notified by Campus Security. When the alarm is activated or you are told to evacuate, leave via the nearest marked exit and alert others to do so. In case of a fire, do not use elevators. Assist the handicapped or disabled

in exiting the building. Once outside, stay far enough away from the building to allow emergency personnel and vehicles access to the building. This includes keeping walkways, fire hydrants, and fire lanes clear. Do not return to the building unless told to do so by a University official.

Campus Evacuations

If an evacuation is needed for all or part of the campus, a Campus Shield Alert will be sent out by the Campus Emergency Response Team or Security Department. All persons will be told to vacate the area in question and proceed to another part of the campus. In the event of a prolonged evacuation, you will be instructed where to go for temporary shelter on campus or another appropriate site. For those without vehicles, transportation will be provided by the University.

EMERGENCY RESPONSE

The unpredictable nature of developing crises requires a wide range of human responses; even the best planning cannot prevent an element of chaos as a dynamic situation unfolds. Our goal is to be as ready as possible by educating our people, and by having in place the supplies and training that will provide a flexible framework. It is good to know the following information.

- Severe Weather
- Personal Injury
- Fire Emergency
- Pandemic Flu
- Hazardous Material
- Bomb Threat
- Armed Intruder
- Suicide Threat

SEVERE WEATHER

In the event of severe weather:

Remain indoors out of the elements.
 Faculty, staff and students will be alerted by **Campus Shield** or runner if it becomes necessary to evacuate or remain in place for an extended period of time. Local radio and television media will also announce updates.
 Go to the Malone.edu web site homepage, if possible for announcements and updates.

Fire Emergency

Accidental fires can occur unexpectedly, the proper response is necessary to quickly and safely control and eliminate the flames. In the event of fire remember the following:
 If door is HOT, stay in room or exit through a window if possible.
 If door is COOL, open slightly to check for smoke.
 If you see SMOKE, stay in room and use towels, etc. to cover openings.
 If no smoke, close door behind you and go to assembly area.
 Pull alarm in route.

Bomb Threat

Although a bomb threat is unlikely, it is necessary to plan for such an eventuality. Bomb threats rarely involve real explosives but must be taken seriously at all times. Immediately contact Malone Security at 3304718111 or the police at 911.

Armed Intruder

Options to Consider:
 Run (Evade): Escape away from sounds of gunshots. Stay low and cautiously check before turning corners.
 Hide (Barricade): Lock the door if possible or use heavy objects to barricade door. Stay low. Gather near doorway but not in line of sight upon opening.
 Fight (Overwhelm): Work together to surprise and "dog-pile" the shooter. Active responses have proven far more effective than passive.

SAFETY AND ACCESS TO FACILITIES

The Director of Security works in cooperation with the Physical Plant staff to maintain a safe campus environment. The Director of Security makes recommendations for the maintenance of grounds to remove potential danger areas. Physical Plant is responsible for maintaining records of all keys to individual rooms in residence halls.

Residence halls are locked 24 hours a day and individuals can enter by the use of an ID card. There are video surveillance cameras in all entrances of the residence halls which records students entering and leaving the building.

The Security Department members report any needed repairs to the Physical Plant which include but not limited to: burned out lights, broken locks, broken windows, inoperable doors and other safety problems.

Alcohol, Tobacco, and Illegal Drugs

• Abuse of and addiction to alcohol and drugs are extremely harmful to people's health and relationships, and intoxication breeds irresponsible behavior toward others. Malone prohibits:

• The possession, use, distribution, purchase or sale of illegal or unauthorized drugs or controlled substances, or being under the influence of any such substance. Drug-related paraphernalia is also prohibited.

• Using or being under the influence of alcohol while on Malone property, while conducting Malone business, while engaging in Malone related activities, or while operating or riding in any vehicle owned or supplied by Malone. Malone officials may conduct drug and/or alcohol testing of students without prior notice. For further details, refer to the Malone University "Substance Use and Abuse Policy for Employees and Students." (Appendix B)

• Malone discourages the use of tobacco or alcoholic beverages for all members of the Malone Community

Firearms and/or Any Other Weapons

Firearms, ammunition, knives, martial arts weapons, hunting bows or arrows and/or any other weapons are not permitted in the residence halls or on Malone property, except as required by law. Permission may be granted from the Resident Director to store minimal hunting equipment. Violators are subject to fines, removal from housing, and/or other disciplinary action. Information concerning how to build weapons is not permitted on Malone property

Campus and Malone-Related Sexual Misconduct Policy

Malone is committed to the person of Jesus Christ and to the concept that the principles and practices set forth in the Holy Scriptures should enhance and be evident in the life of every person who embraces the Christian faith. Because of this, and for the benefit of our students and employees, Malone maintains high standards of conduct by employees and students, while on Malone property, or in connection with Malone activities or programs whether on or off campus.

Any sexual harassment, assault, rape or other sexual misconduct, by or against students or employees, either on Malone property or time, or in connection with any Malone-related business, program or activity, is strictly forbidden and will not be tolerated. Malone reserves the right to take appropriate disciplinary action against any student or employee determined by Malone to have engaged in sexual misconduct, whether or not the criminal justice system prosecutes or convicts such individual. Any such disciplinary action, up to and including student dismissal or employment termination, will be taken after a review of the pertinent facts, pursuant to applicable Malone policies and procedures.

Sexual misconduct is non-consensual sexual conduct, such as, but not limited to, intentional touching (either of the victim, or a forcing of the victim to touch, directly or through clothing) of another person's genitals, breasts, thighs, buttocks or other sexually-related areas; rape (non-consensual sexual intercourse, whether by a stranger or acquaintance; attempted rape; non-consensual oral sex or anal intercourse); or non-consensual sexual penetration with an object or substance.

Non-consensual acts are those committed by force, intimidation, or through exploitation of the victim's mental or emotional incapacity or physical helplessness or vulnerability, or otherwise without the victim's lawful, voluntary consent. Verbal misconduct, without any accompanying physical contact, such as described above, is not generally defined as sexual misconduct for the purpose of this policy. However, such verbal misconduct may constitute sexual harassment, which also is prohibited under Malone regulations and is specifically addressed in other materials of Malone.

Complaints related to sexual or other unlawful harassment initially should be reported in the same manner as sexual misconduct complaints; but thereafter such matters may be processed in accordance with appropriate Malone unlawful harassment policy. According to guidelines published by the Equal Employment Opportunity Commission, unlawful sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature, or based on gender or sex when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;

3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Unlawful sexual harassment may include, without limitation, verbal slurs, negative stereotyping, hostile or demeaning acts (including jokes or teasing) and written or graphic material, that shows animosity, aversion or disparagement toward an individual or group, based upon sex or gender. Malone will not permit or condone unlawful sexual harassment of or by any employee or student of Malone, on Malone property, business or activity, or in connection with Malone employment. Further information regarding Malone Unlawful Harassment Policy can be found below.

Misconduct covered by Federal, state, or local law may overlap with activities covered by the rules of Malone. However, criminal law and the rules of Malone operates independently in various respects, and they are not necessarily substitutes for each other. Thus, Malone may enforce its own rules and policies, whether or not criminal proceedings are commenced or anticipated; and Malone may use information received from third parties, such as law enforcement agencies and the courts, to determine whether rules of Malone have been broken.

Membership or participation in the Malone community does not exempt anyone from Federal, state, or local law, but rather results in additional obligations to abide by regulations of Malone. A student or employee accused of sexual misconduct has the right to receive notice of the alleged misconduct and violated standard(s). Such accused also will be given an opportunity to hear the evidence against him or her and to present a response.

Malone is not required to allow an attorney to present the student's or employee's case, or to have any formal role in the disciplinary process or in any related grievance proceedings. An action by Malone against any student or employee for sexual misconduct may be commenced on the basis of a reasonable belief that a violation of Malone rules or standards has occurred. Such reasonable belief may be based upon a written, signed complaint by the aggrieved party and/ or by another person, appropriately investigated.

The accused have equivalent opportunities to have others present during Malone disciplinary proceedings. The accuser and accused also are both entitled to learn the outcome of such proceedings. Students and employees at all times should be aware of their option to report Malone-related sexual misconduct to Malone

and/or to law enforcement agencies. Furthermore, they should be aware of available local institutions, such as the Stark County Rape Crisis Center, for immediate assistance in cases of rape or sexual assault.

Student or employee sexual misconduct which occurs on Malone property or time, may be cause for disciplinary action against a student or employee, up to and including termination or expulsion, as appropriate, if such conduct has occurred in connection with any Malone business, program or activity, or if it reacts adversely upon the safety, well-being or other legitimate interests of Malone, its employees or students. A student or employee accused of sexual misconduct has the right to remain silent. However, such silence may be a basis for determination of a violation of Malone's rules, whether or not such misconduct may support a finding of criminal guilt.

If a criminal action has been filed, Malone may still proceed with its case, advising the employee or student that he or she may remain silent if so desired. Sexual misconduct complaints received by Malone are determined by Malone officials or groups which deal with other such complaints as appropriate. In addition to pursuing criminal action and/or lodging an appropriate complaint through Malone administration, a student or employee who is a victim of sexual misconduct may bring civil suit against the accused for monetary damages and other relief.

Both the accuser and accused have the following rights: to receive an explanation of Malone investigative and hearing process; to have a fair, partial and relatively speedy hearing; to have someone accompany them throughout the hearing; to know ahead of time the names of witnesses to be called at the hearing; to testify (or not to testify) on their own behalf; to be informed in a timely manner about the outcome of the hearing; to have a closed hearing, unless otherwise agreed by Malone, and an appropriate appeal process. Also, the accused and accuser are bound by rules of confidentiality regarding the investigative and hearing process.

Furthermore, the accuser has the rights: not to have irrelevant past sexual history discussed during the hearing; to remain silent for the entire proceeding and to inspect evidence presented; to make a victim impact statement if the accused has been found to violate Malone standards; and not to have his or her identity revealed outside the confidential proceedings, without consent, except to those with a legitimate need to know such information or as otherwise required or permitted by law. The accused has the right to an explanation of the charges, to be

presumed innocent, and to remain silent or to testify on his or her behalf. Written protocol for receiving and processing reports of sexual misconduct:

1. Each accuser should submit a detailed written, signed complaint as soon as is reasonably possible, in order to enhance Malone's ability to conduct a full and fair investigation. Written reports can be sent to Jennifer Bilek Title IX Coordinator. There are also two deputy coordinators that reports can be sent to. For students, this written report can be submitted to Melody Scott, Dean of Students. For employees, this written report can be sent to David Burnip, Chief of Police.

2. Upon receipt, the written complaint will then be reviewed by appropriate Malone officials.

3. A reasonably thorough and appropriately confidential investigation will be conducted involving the accuser and the accused.

4. Appropriate action will be taken as a result of the investigation.

Malone University compliance with the 2013 Violence Against Women's Act Amendments to the Clearly Act (Campus Sexual Violence Elimination Act)

1. Malone University ("Malone") strictly prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking, by or against any Malone student or employee, on Malone property or time, or in connection with any Malone-related business, program or activity. For the purposes of such prohibitions, the following definitions apply:

(a) "Domestic Violence" includes 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 cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the pertinent jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under pertinent domestic or family violence laws.

(b) "Dating Violence" means violence committed by a person who has been in a social relationship of a romantic or intimate nature with the victim, and where the existence of such a relationship is determined in consideration of the following factors: the length and type of the relationship, and the frequency of interaction between the persons involved in the relationship.

(c) “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 to suffer substantial emotional distress.

2. Malone compiles and reports required information regarding such offenses, along with information about other offenses requiring such report, in accordance with the Campus Sexual Violence Elimination Act (the 2013 Violence Against Women’s Act, amending the Clery Act). Statistics about other Malone/ campus-related crimes are reported annually to the United States Department of Education and made available to Malone students and employees, as required by the Campus Security Act and Clery Act, for the above-described offenses, and for crimes of murder, manslaughter, sex offenses, robbery, burglary, aggravated assault, arson, motor vehicle theft, on campus arrests by police and/or campus disciplinary actions for alcohol or drug violations and weapon violations, illegal weapon violations and for hate crimes. Hate crimes fall within the above categories, involving bodily injury, or reported to campus security or local police, including larceny theft, simple assault, intimidation or destruction/damage/vandalism of property, when motivated by the perpetrator’s bias or prejudice based on the victim’s race, gender, gender identity, religion, sexual orientation, national origin or disability.

3. Malone has established programs in an effort to prevent domestic violence, dating violence, sexual assault, stalking, and hate crimes. One example is “Take Back the Night” which is offered annually to all students and employees.

4. Malone also has created procedures to be followed when such offenses have been reported, including investigative, evidentiary, disciplinary and appeal processes, and the utilization of a preponderance of evidence standard, or other proof burden, as appropriate.

5. Malone utilizes and coordinates various policies in connection with Malone’s compliance with the Clery Act Amendments, including, but not limited to, the Campus and Malone-related Sexual Misconduct Policy and Institutional Response to Violations of Community Standards (and related discipline, sanctions, hearings and appeals), as well as policies such as the Substance Use and Abuse Policy for Employees and Students, and policies and procedures regarding Anti-Violence, Surveillance, Search and Monitoring, Unlawful Harassment, Safety and Security Information, and Guide to Campus Safety.

6. Malone will make appropriate provision for safe options for bystander intervention to prevent harm or otherwise intervene in observing actual or potential domestic or dating violence, sexual assault or stalking of another person.

7. Malone will continue to provide education and training regarding the warning signs of abusive behavior and/or potential attack avoidance, for students, faculty and staff.

8. Malone will continue to provide for sanctions and/ or protective measures pending or following Malone's determination of the commission of Malone or campus-related rape, acquaintance rape, domestic or dating violence, sexual assault or stalking.

9. Malone will continue to specify the persons/ positions to whom alleged offenses covered under these materials should be reported.

10. Malone will further stress the importance of preserving evidence related to offenses of the types in question.

11. Victims will be provided with an option to notify proper law enforcement authorities, including on-campus and local police, or to refrain from such notice.

12. Victims of such offenses will continue to be assisted by appropriate Malone campus authorities in notifying law enforcement authorities, if the victim so chooses.

13. Further appropriate attention will be given to Malone's responsibilities, and victims' rights, concerning protection, no contact and restraining orders or similar lawful orders by criminal or civil courts in connection with the offenses in question.

14. Malone will maintain procedures for disciplinary action cases related to domestic or dating violence, sexual assault or stalking, including the following:

(a) Provision for prompt, fair and impartial investigation and resolution of such matters.

(b) Regular training of Malone personnel/officials conducting investigations and resolution proceedings, including how to conduct such investigations and related hearing processes, while protecting the victim's safety and promoting accountability.

(c) Providing the accuser and the accused with "substantially the same opportunities" to have others present during disciplinary proceedings -- including the opportunity to be accompanied by a chosen person at a related meeting or proceeding. NOTE: This does not mean that either the accuser or the accused will

have the right to have an attorney present at or participating in Malone proceedings without the consent of Malone.

(d) Malone will maintain policies for notifying the accuser and the accused in writing (if reasonably feasible), at or about the same time, of the outcome of disciplinary proceedings, rights of the respective parties regarding appeals from disciplinary proceeding results, any change in results before they become final, and when such results have become final.

(e) Malone will maintain ongoing policies regarding reasonable protection of the confidentiality of victims, including how publicly available record keeping may be accomplished without the inclusion of victim-identifying information, as feasible and permitted by law.

(f) Malone will provide appropriate notification of students and employees regarding counseling, mental health, victim advocacy, legal assistance and other services that will be made available to victims, on and off campus and in the community.

(g) Victims of offenses in question will be given written notification about their options for and available assistance in changing academic, living, transportation and working situations, if so requested by the victim, if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

(h) A student or employee who has reported to Malone that he or she has been a victim of domestic violence, dating violence, sexual assault or stalking, whether the offense occurred on or off campus, will be provided with a written explanation of the student's or employee's rights and options, as appropriate.

WHAT TO DO IF YOU EXPERIENCE SEXUAL VIOLENCE, RELATIONSHIP VIOLENCE, OR STALKING

Immediate steps

Get to safety. Your RA's room, a friend's place, or any open office on campus.

Call someone you trust. A friend, family member, or victims advocate are good resources. You do not have to go through this alone.

Preserve evidence. After sexual violence, do not shower until you have considered whether to have a no-cost forensic sexual assault examination at the hospital, and save the clothes you were wearing (unwashed) in a paper or cloth bag. After sexual violence, relationship

violence, and/or stalking, take photos of any damage or injury and keep communication records.

As soon as possible

Seek out confidential support. You may want to turn to a confidential advocate or counselor for support and advice. They will talk with you about your options for additional support services and reporting. The Malone University Counseling Center offers confidential, no-cost support and advocacy to men and women. Staff can help identify resources and options. **After unwanted physical contact, get medical attention.** A medical provider can check for and treat physical injury, sexually transmitted infections, and pregnancy. You do not need to make a formal report or press charges to receive medical care.

Title IX at Malone

What is Title IX?

Title IX is a statute that was passed as one of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial aid. Here's the wording of the law:

The Law

"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."

Title IX of the Education Amendments of 1972
Implementing Regulations at:
20 U.S.C § 1681 & 34 C.F.R. Part 106

Reporting Concerns

The disciplinary process of individual schools or university-related organizations does not supersede this policy. This policy does not negate the right of schools or organizations to institute their own disciplinary process for cases of sexual misconduct/assault. In addition to the criminal and student conduct processes, the victim of sexual misconduct or sexual assault may consider retaining a private attorney for the purpose of filing a civil action.

Reports Involving Students

Reports Involving Employees

Resources

- Reporting Sexual Misconduct or Sexual Assault
- Malone's Sexual Harassment Policy
- Community Responsibilities

For Everyone

Patrice Yacko

Director of Human Resources, Title IX Coordinator

Phone330-471-8379 Email pyacko@malone.edu

Malone University Campus Safety/Police Department

Phone330-471-8111
EmailMUPD@malone.edu

Reports Involving Students

The Coordinator (or designee) will and assist students with:

- Access to medical and mental health treatment
- Reporting the offense to law enforcement
- Providing victim support and resources

Investigation Procedures

Preliminary Investigation & Remedial Action

Preliminary Investigation

The Coordinator will seek the victim's consent to investigate the report. If the student consents to the investigation, the Coordinator (or designee) will meet with the complainant to discuss the investigation and review the details of the allegation and to explain the subsequent steps involved in the investigation of a sex-based offense.

An investigation by the Coordinator (or designee) generally will not begin without the consent of the student unless the Coordinator determines circumstances warrant investigation. The Coordinator will evaluate the request for confidentiality in the context of the University's obligation to provide a safe and nondiscriminatory environment for all students. The Coordinator will weigh the request for confidentiality against the nature of the alleged assault (e.g., use of force or threat of force, alleged use of "date rape" drugs); whether there have been other complaints against the same person; and the accused's right to access the complaint. If the victim insists that his or her privacy be protected and that his or her name or other identifiable information not be disclosed to the accused, the Coordinator will advise the victim of the University's limited ability to respond to the complaint and that disciplinary action cannot be instituted without a written signed complaint and disclosing the victim's identity. The Coordinator (or designee) may take other steps to limit the effects of the alleged assault and prevent its recurrence.

The Coordinator (or designee) will review the victim's report. If the report alleges potential criminal conduct and the police have not been notified the Coordinator will notify MUPD and or CPD.

The Coordinator (or designee) will inform both parties of the respective time and place of the interviews of the parties and any witnesses. Contact between the parties will be limited to necessity. During this stage of investigation, both the accuser and the accused have the right to be accompanied by an advocate. The purpose of the preliminary investigations is to ascertain to a reasonable suspicion if there may have been a sex-based offense and what immediate responses need to occur. At the conclusion of the interviews, the Coordinator (or designee) will prepare a preliminary report of the findings of the investigation.

During any stage of the investigation, if the Coordinator (or designee) reasonably suspects that the accused poses an imminent threat of harm or disruption to the campus community, the Coordinator may initiate disciplinary charges through the Student Conduct coordinator up to and including an interim suspension.

Remedial Action

In the event the Coordinator (or designee) finds by a preponderance of the evidence that sex-based offenses did occur, the University will take immediate steps to end the sex-based offenses, eliminate any hostile environment that has been created, prevent any further sex-based offenses and prevent retaliation. Additional remedial action including victim counseling, tutoring, no-contact orders, and/or permitting a student to retake a course may be applied. In addition, the accused may be required to participate in educational intervention.

Students who have been sexually assaulted have access to support services such as changing academic and living situations under the purview of the University after an alleged incident, if so requested and if such changes are reasonably available (no police report, disciplinary charge or investigation need occur before this option is available). Support may include but not be limited to:

- Changing class assignments so that the victim and alleged perpetrator do not share the same classes.
- Providing academic support, including tutoring.

The student has the right not to file a written report with police or with the office of Student Development. However, absent egregious and compelling circumstances, the University will not initiate disciplinary action against the accused in the absence of a written signed complaint from the victim.

Retaliation

Retaliation against a person who: reports a crime; brings a complaint; pursues legal action; participates in an investigation; or, is a witness in any proceeding is prohibited and will not be tolerated. Students who retaliate will face University discipline.

Rights and responsibilities of victims and witnesses

Malone University urges people who have been the victim of sex-based offenses to pursue criminal charges against the person or persons they believe to have committed the crime. A criminal charge and a disciplinary charge may be pursued at the same time; however, students may pursue a disciplinary complaint without

pursuing criminal charges. **Victim support and resources are available even if a student elects not to pursue criminal charges or University disciplinary action.**

Individuals having knowledge of a sex-based offense (including dating violence, domestic violence and stalking) also are strongly encouraged to timely report that crime to the police.

In fact, under Ohio law, persons who have knowledge of a felony - a victim of or witness to the crime - are required to report the crime to the police and failure to report a crime may itself be a crime. (Ohio Revised Code §2921.22.)

These individuals also are encouraged to contact the Title IX Coordinator or Melody Scott to discuss options for safe and positive intervention.

Reports Involving Employees

Patrice Yacko is the Title IX Coordinator for employees.

- The investigatory procedures contained in the University's Sexual Harassment Policy will continue to apply to all instances of sexual harassment and Title IX. The term "sexual harassment" shall continue to be broadly construed to include all instances of gender discrimination, including but not limited to sexual misconduct, sexual violence, sexual assault, and any other sexually motivated physical conduct. Sexual assault includes any form of unwanted sexual contact obtained without consent and/or obtained by the use of force, threat of force, intimidation, or coercion.
- The University reserves the right to refer any sexual conduct, defined as criminal conduct, to the appropriate external agency, including the prosecutor, the police, or any other appropriate investigative agency. Some sexual conduct, because of its severity, will require mandatory reporting by the University, regardless of a complaining party's wishes to keep the matter confidential.
- All University faculty, including part-time faculty, are considered "responsible employees" pursuant to Title IX. All responsible employees who receive notice of sexual harassment/sexual misconduct have an affirmative obligation to report the alleged conduct to the Title IX Coordinator. The only University employee's not required to report Title IX violations are those "confidential employees" that work in Health Services / The Counseling Center or the Campus Pastor.
- All investigations conducted pursuant to the Sexual Harassment Policy, will be done by trained investigators. Investigations involving Malone employees

will be conducted through the Human resource Office. The investigators will apply the preponderance of the evidence standard of proof when making a finding. Preponderance of the evidence means that it is "more likely than not", or higher than a 50% chance, that a violation of the policy has occurred.

- Any complainant not satisfied with the results of an investigation will have the right to appeal such findings to the Title IX Coordinator. The party filing the appeal shall give notice of the appeal to the Title IX Coordinator. If the complainant appeals the finding, the investigation will be reviewed for procedural fairness, including due process.
- The Title IX Coordinator has the ability to enact interim measures to protect the complainant and to ensure a safe educational or work environment.
- The University will investigate all allegations of sexual harassment, including, sexual assault and sexual violence. The University will investigate those matters that occur off campus, if there is a connection to University academic, educational, extracurricular, athletic, or other programs or activities. The administrative investigation will be conducted pursuant to the Sexual Harassment Policy, regardless of any criminal complaint that may have been made. A complainant will still have the option of filing a complaint with the appropriate administrative agency, including the police.

Malone University is committed to timely investigating all allegations of sexual harassment, including sexual assault and sexual violence, and immediately eliminating the alleged conduct, seeking to prevent its recurrence, and addressing its effects. Continuing to conduct investigations pursuant to University policy ensures fairness and due process for all parties involved in the complaint process.

Rights and responsibilities of victims and witnesses

Malone University urges anyone that has been the victim of a sex-based offenses to pursue criminal charges against the person or persons they believe to have committed the crime. A criminal charge and a disciplinary charge may be pursued at the same time; however, individuals may pursue a disciplinary complaint without pursuing criminal charges. **Victim support and resources are available even if an individual elects not to pursue criminal charges or University disciplinary action.**

Individuals having knowledge of a sex-based offense (including dating violence, domestic violence and stalking) also are strongly encouraged to timely report that crime to the police.

In fact, under Ohio law, persons who have knowledge of a felony - a victim of or witness to the crime - are required to report the crime to the police and failure to report a crime may itself be a crime. (Ohio Revised Code §2921.22.)

These individuals also are encouraged to contact the deputy Title IX Coordinator for Employees, David Burnip to discuss options for safe and positive intervention.

Contact Info

Patrice Yacko

Director of Human resources, Title IX Coordinator
Phone (330) 471-8379
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Contact Info

Malone University Campus Safety / Police Department
Phone (330) 471-8111
Email MUPD@malone.edu

Campus Crime Report for 2018 – 2020

Criminal Offenses – On-campus

Criminal Offense	2018	2019	2020
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible	0	0	0
Rape	0	0	0
Fondling	0	0	0
Sex offenses – Non-forcible	0	0	0
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	1
Motor vehicle theft	1	0	0
Arson	0	0	0

Criminal Offenses – On-Campus Student Housing Facilities

Criminal Offense	2018	2019	2020
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible	0	0	0
Rape	0	0	0
Fondling	0	1	0
Sex offenses – Non-forcible	0	0	0
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	1	1	0
Motor vehicle theft	0	0	0
Arson	0	0	0

Criminal Offenses – Public Property

Criminal Offense	2018	2019	2020
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible	0	0	0
Rape	0	0	0
Fondling	0	0	0
Sex offenses – Non-forcible	0	0	0
Incest	0	0	0
Statutory rape	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

- Individual statistics for Rape, Fondling, Incest and Statutory Rape were not collected prior to the 2015 data collection. Prior to the 2015 data collection, Rape and Fondling statistics were combined under Sex offenses – Forcible, Incest, and Statutory Rape statistics were combined under Sex Offenses - Non-forcible.
- As of the 2015 data collection, statistics for Sex offenses – Forcible and Sex offenses – Non-forcible were no longer collected.

Hate Crimes – On-campus

Category of Bias for crimes reported in 2020

Criminal Offense	Total	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0
Sex offenses – Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

Category of Bias for crimes reported in 2019

Criminal Offense	Total	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0
Sex offenses – Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

Category of Bias for crimes reported in 2018

Criminal Offense	Total	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0
Sex offenses – Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

Hate Crimes – On-campus Student Housing Facilities

Category of Bias for crimes reported in 2020

Criminal Offense	Total	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0
Sex offenses – Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

Category of Bias for crimes reported in 2019

Criminal Offense	Total	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0
Sex offenses – Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

Category of Bias for crimes reported in 2018

Criminal Offense	Total	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0
Sex offenses – Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

Hate crimes – Public Property

Category of Bias for crimes reported in 2020

Criminal Offense	Total	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0
Sex offenses – Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

Category of Bias for crimes reported in 2019

Criminal Offense	Total	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0
Sex offenses – Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

Category of Bias for crimes reported in 2018

Criminal Offense	Total	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0
Sex offenses – Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

VAWA Offenses – On Campus

Crime	2018	2019	2020
Domestic violence	0	0	0
Dating violence	0	0	0
Stalking	0	0	0

VAWA Offenses – On-Campus Housing Facilities

Crime	2018	2019	2020
Domestic violence	0	0	0
Dating violence	0	0	0
Stalking	0	0	0

VAWA Offenses – Public Property

Crime	2018	2019	2020
Domestic violence	0	0	0
Dating violence	0	0	0
Stalking	0	0	0

Arrests – On-campus

Law Violation	2018	2019	2020
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Arrests – On-campus Student Housing Facilities

Law Violation	2018	2019	2020
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Arrests – Public Property

Law Violation	2018	2019	2020
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Disciplinary Actions – On-campus

Law Violation	2018	2019	2020
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	12	3	0
Liquor law violations	12	10	11

Disciplinary Actions – Public Property

Law Violation	2018	2019	2020
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

FIRE SAFETY REPORT

Fire Safety Policies

Residential areas are inspected on a regular basis for the purpose of health and safety of every resident. Regular room inspections by the residence life staff are conducted to ensure the adherence to campus fire safety polices. Additionally, residential areas are inspected yearly by the Canton Fire Department. Violations identified during inspections are reported and followed up by residence hall staff.

Members of the student body are expected to aid in the establishment of a safe and secure campus environment. As a result, students are expected to refrain from behavior that may pose a risk to others and/or self.

Examples of behavior which constitute a violation of this Community Standard include, but are not limited to:

 Tampering with fire safety equipment (including removing batteries from or disabling smoke detectors), setting off a false alarm, and/or failing to evacuate a facility during a fire drill.

 Possession, sale, or use of fireworks or any other explosive or combustible material on University property or in the surrounding community.

FIRE STATISTICS

	2018			2019			2020		
Name of Facility	Fires	Injuries	Death	Fires	Injuries	Death	Fires	Injuries	Death
Barclay Hall	0	0	0	0	0	0	0	0	0
Blossom Hall	0	0	0	0	0	0	0	0	0
DeVol Hall	0	0	0	0	0	0	0	0	0
Fox Hall	0	0	0	0	0	0	0	0	0
Gurney Hall	0	0	0	0	0	0	0	0	0
Haviland Hall	0	0	0	0	0	0	0	0	0
Heritage Hall	0	0	0	0	0	0	0	0	0
Penn Hall	0	0	0	0	0	0	0	0	0
Whittier Hall	0	0	0	0	0	0	0	0	0
Woolman Hall	0	0	0	0	0	0	0	0	0
Total:	0	0	0	0	0	0	0	0	0