

Franciscan University of Steubenville

Annual Security & Fire Safety Report

2023

Gaming, Austria



This information is provided in compliance with the Clery Act.

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EMERGENCY	
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Fire house	122
Red Cross	144
HEALTH	
Dr. Barbara Lindner [Local Doctor] Im Markt 12 3292, Gaming, AUSTRIA	+43 (0)7485 98488
Landeskrlinikum Scheibbs [Local Hospital] Eisenwurzenstrasse 26 3270 Scheibbs	+43 (0)7482 9004-0
UNIVERSITY OFFICES	
Director, Austrian Program	+43 7485 98678 4100 U.S. (740) 283-4100
Director of Student Life	+43 7485 98678 4102 U.S. (740) 283-4102
Residence Director	+43 7485 98678 4124 U.S. (740) 283-4124
Main Office Manager	+43 7485 98678 U.S. (740) 283-4104
OTHER RESOURCES	
U.S. Consulate Vienna: KONSULARABTEILUNG (CONSULAR SECTION) Parkring 12A- 1010 Wien Tel: +43 (0) 1 31339 7535 (working hours) Tel: +43 (0) 1 31339 0 (after hours) Fax: (+43-1) 512 58 35 Email: ConsulateVienna@state.gov	
Hotel Kartause Gaming Kartause 1 3292 Gaming	Tel: +43 7485 98466

President's Message

Dear Franciscan University of Steubenville Community Member:

As a Catholic and Franciscan institution of higher education, Franciscan University stands with the Catholic Church in seeing “in men and women, in every person, the living image of God himself.” This understanding is the basis for the University’s commitment to promote and to defend the human dignity of all persons as Franciscan University strives to provide a safe and secure learning, working, and living environment. Our commitment includes transparency and so this report is made available on a public [website](#).

I am pleased to introduce the 2023 Annual Security and Fire Safety Report that includes statistics from the 2022, 2021, and 2020 calendar years for Franciscan University of Steubenville, Gaming, Austria campus. This report was prepared by a comprehensive team representing various campus departments including Legal Affairs/Risk Management and Compliance, Department of Public Safety /Campus Security, Human Resources, Student/Residence Life, Finance, and Marketing and Communications. Not only does this report comply with the Jeanne Clery Disclosure of Campus Policy and Campus Crime Statistics Act, but it is also part of our ongoing effort to inform you of the programs and services available to students, faculty, and staff. This key resource provides crime prevention and awareness information as well as steps that you can take to maintain your personal safety and the security of our campus community.

Franciscan University works diligently to reduce risk and the potential for crime. Safety and security are shared responsibilities, and the University expects all current and prospective community members to contribute to the safety and security of our campus. The best protections against campus crime are a strong campus security presence; an aware, informed, alert campus community; and a commitment to reporting suspicious activities and using common sense when carrying out daily activities.

If you have any questions or suggestions concerning this publication, please contact Erik Dervis, Director of Public Safety at 740-283-6319 or John J. Pizzuti, Esq., Executive Director of Legal Affairs at 740-283-6238.

God’s Blessings,

Fr. Dave Pivonka, TOR
President, Franciscan University of Steubenville

Introduction

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of Franciscan University's Gaming, Austria Campus ("University" or "Franciscan-GC") with information on the University's policies and procedures for that campus location relating to safety and security; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the University will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees at Franciscan-GC with information that will help them make informed decisions relating to their own safety and the safety of others.

Policy for Preparing the Annual Report

This report is prepared by Thomas M. Wolter, Director, Austrian Program, in cooperation with local law enforcement authorities and includes information provided by them as well as by the Franciscan- GC's campus security authorities and various other elements of the Franciscan-GC. Each year an e-mail notification is made to all enrolled students that provides the website link to access this report. Faculty and staff receive similar notifications. Hard copies of the report may also be obtained at no cost by contacting Thomas M. Wolter, Director, Austrian Program, located on the Gaming campus or the Community Center Building, Assisi Heights, located on the Steubenville campus.

Franciscan-GC is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field and are constantly tested and re-evaluated for their effectiveness.

Gaming Campus Profile

The Study Abroad Program of Franciscan University, situated in Gaming, Austria, allows students to experience an integration of the intellectual, cultural, spiritual, and Franciscan life. Those who fully participate in this unique program are presented the opportunity to grow, develop, and be formed into a more mature student while deepening their love for and experience of different cultures, creation, God, and the Catholic Church.

The former monastery that serves as dormitory and home base, the Kartause Maria Thronus Iesu, is an international historical landmark. The Kartause serves as an elegant hotel during summer months. Its location in central Austria positions it as an ideal central point for explorations throughout eastern and western Europe. With the Eurail pass, students can ski the Swiss Alps, see the Mona Lisa at the Louvre, and take a gondola ride in Venice, all within a normal travel weekend from the Kartause.

The four-story Fraziskus Haus (Franciscan House), in addition to several wings of the Kartause complex, serves as the residence hall for the 160 to 200 Franciscan students studying in Gaming. Originally built in 1332, it was renovated in the mid-1980s, completed well before Franciscan began sending students to the Kartause in 1991. Each room is unique, with double, triple, and quadruple occupancy arrangements. Each room has a private bath; most floors contain a small tea kitchen; a computer lab, two laundry rooms, a fitness room, and multiple common areas that serve the student body. Student mailboxes make receiving mail and packages from home simple. The Gaming Campus does not have any recognized student organizations with off campus locations.

Policy Concerning Campus Law Enforcement

Franciscan-GC does not have its own campus security force. Rather, it relies on local Austrian law enforcement authorities. There is no written memorandum of agreement between Franciscan-GC and local law enforcement for the investigation of alleged criminal offenses, but those local authorities cooperate closely with Franciscan-GC whenever the need arises.

Policies Concerning the Reporting of Crimes and Emergencies

Franciscan-GC encourages accurate and prompt reporting of all criminal actions, accidents, injuries, or other emergencies occurring on campus or on nearby public property to appropriate local police agencies even when the victim of a crime elects not to do so or is unable to make such a report. Crimes and emergencies can be reported at any time, seven days a week as follows:

- Local police : 133
- Fire house : 122
- Red Cross : 144

To further encourage the timely reporting of crimes on campus and to ensure they are included in the annual chart of crime statistics, the following individuals have been designated as “Campus Security Authorities” to whom incidents also should be reported:

	Austrian #	U.S. #
• Thomas M. Wolter, Director of the Austrian Program	+43 7485 98678 4100	(740) 283-4100
• Nicolas Jacobson, Director of Student Life	+43 676 471 1106	(740) 283-4102
• Andrea Krenn, Main Office Manager	+43 7485 98678	(740) 283-4104
• Meghan O’Malley, Residence Director	+43 7485 98678 4124	(740) 283-4124
• Sam Glynn, Residence Director	+43 7485 98678 4124	(740) 283-4124
• Resident Assistants	+43-7485-98678 4149	

Campus security authorities will offer assistance in contacting local authorities and will cooperate with any criminal investigation that may result. They also may report information to other University officials for appropriate handling, investigation, and disposition.

Confidentiality

Statistical crime reporting required by the Clery Act does not include personally identifiable information. Franciscan-GC will protect the confidentiality of victims by not including personally identifiable information in publicly available records to the extent permitted by law. Personally identifiable information regarding victims of sexual assault and other forms of sexual violence, domestic violence, dating violence, stalking, or other crimes will not be publicly released except where required by law or court order. Personally identifiable student information is protected by the Family Educational Rights and Privacy Act (FERPA).

If a victim or witness does not wish to come forward with a report, Franciscan-GC encourages voluntary, confidential reporting as it will help ensure accuracy in the annual report of crime statistics. Pursuant to the University’s Policy on Discrimination, Harassment, and Sexual Misconduct (“Policy”), when a responsible employee becomes aware of alleged misconduct under that policy (including, but not limited to, sexual discrimination/harassment, dating violence, domestic violence, sexual assault, and stalking), the employee is responsible for reporting that information, including the status of the parties if known, to the Title IX/EEO Coordinator (or designee). A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the University disciplinary system, or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim’s request, a report of the details of the incident can be filed with the University without revealing the victim’s identity. Such a confidential report complies with the victim’s wishes, but still helps the University take appropriate steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing

and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the University.

If someone other than a University responsible employee wants to make a report of discrimination, harassment or sexual misconduct on his or her behalf or on behalf of another person, but wishes to remain anonymous, you may do so by completing a secure [Anonymous Online Form](#). This information will then be sent to the Title IX/EEO Coordinator (or designee) for review and appropriate response and action. It is important to understand that if you choose to file an anonymous report, the University's ability to investigate, respond or take further action may be limited by the level of information available about the incident or individuals involved. Also, individuals who do not wish to remain anonymous may use the online [Formal Complaint Form](#) to report an incident.

The University encourages its pastoral and professional counselors, if and when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

Students desiring to participate in the Study Abroad Program at Franciscan-GC are required to attend pre-departure orientation sessions held on main campus. These pre-departure sessions are designed to prepare prospective students by covering the key safety-related topics such as how to maintain awareness of surroundings, how to maintain a low profile, and how to respond to emergency situations. All materials discussed in these resources are available in the Study Abroad Office.

Upon arrival in Austria, all students again undergo safety-related discussions that are held during their three-day orientation process. The same topics above are discussed more in detail in addition to covering the topics of the university's travel policy, emergency contact procedures with university personnel and local police, seeking medical help and health coverage, alcohol awareness, how to sign in and out of the GC travel log, and explaining which resources exist on the GC to assist in their travel planning process. Additionally, the Student Life and Chapel Ministry team address the dangers of rape, acquaintance rape, and other non-forcible sex offenses are addressed, especially in the context of alcohol and drugs.

Within the first few days in country, all American students are registered in the Smart Traveler Enrollment Program at the U.S. Embassy in Vienna for their semester in Gaming. If one of our students is in need of assistance in another country, the embassy has the ability to communicate with another embassy and help American citizens. For all non-American students, the GC staff will assist those individuals to contact their respective embassy if it is needed.

Before each university sponsored excursion/pilgrimage, students receive a crime and personal safety brief and before their first free travel weekend, the student life staff holds a travel seminar to introduce students in the best methods of how to plan, organize, and handle unforeseen situations that arise. The GC staff also provides ongoing updates through email, bulletin boards, and meetings based on the current environment and recent events.

Note: The provisions of the Privacy Act are designed to protect the privacy and rights of Americans, but occasionally they complicate efforts to assist citizens abroad. As a rule, consular officers may not reveal information regarding an individual American's location, welfare, intentions, or problems to anyone, including family members and congressional representatives, without the expressed consent of that individual. Although sympathetic to the distress this can cause concerned families, consular officers must comply with the provisions of the Privacy Act.

Security of and Access to Campus Facilities

The Study Abroad Program is located in a renovated 14th-century monastery complex alongside a hotel and restaurant. Only university students, personnel, their guests, and officials from the Maria Thron Foundation have immediate access to the spaces used by the Study Abroad Program. On occasion, the hotel associated with the Maria Thron Foundation will hold daytime conferences that share access corridors with University spaces, but these events are always announced beforehand, and signs are posted to warn Austrians where further access is prohibited. As the monastery complex is protected by the local historical heritage foundation, public access is permitted to designated public areas.

All student dorm rooms and common rooms throughout campus are secured through a magnetic keycard system.

Security Considerations in the Maintenance of Facilities

Franciscan University rents facilities for the Study Abroad Program (i.e., dorm rooms, classrooms, mess hall, etc.) from the Kartause Gaming Hotel Restaurant enterprise. The Kartause Hotel is responsible for the day-to-day safety and maintenance of its facilities. The Gaming staff (director of Austrian Program, Student Life staff, and maintenance personnel) assists by routinely walking through the area to note any discrepancies and by conducting semiannual inspections. Any safety-related concerns are reported to the Kartause Hotel representative.

Monitoring Off Campus Locations of Recognized Student Organizations

The University does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

Timely Warnings

In the event of criminal activity occurring either on campus or off campus that in the judgment of the Director of Public Safety, Vice-President of Student Life, or the Director of the Austrian Program constitutes a serious or continuing threat to members of the campus community, a “timely warning” will be issued. An example would be the occurrence of several thefts in an area which merits a warning because they present a continuing threat to the campus community. This warning will be communicated to students and employees via a system wide email, posting notices, or holding a mandatory meeting with the program director. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to the Director of the Austrian Program, Thomas Wolter +43 7485 98678 4100.

The University has communicated with local law enforcement asking them to notify Franciscan-GC if it receives reports or information warranting a timely warning.

Emergency Response and Evacuation Procedures

Franciscan-GC has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: severe weather, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The University has communicated with local police requesting their cooperation in informing the Franciscan-GC about situations reported to them that may warrant an emergency response. Students, staff, and visitors are encouraged to notify the Director of the Austrian Program, Thomas Wolter +43 7485 98678 4100, of any situation that poses such a threat.

The Director of the Austrian Program will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible

for initiating Franciscan GC's response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other Franciscan-GC officials may be involved in the confirmation process.

Once the emergency is confirmed and based on its nature, the Director of the Austrian Program will consult with other appropriate Franciscan-GC officials to determine the appropriate segment or segments of the Gaming Campus to be notified. The Director of the Austrian Program in collaboration with other appropriate personnel, will determine who should be notified, and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also, as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The Director of the Austrian Program will direct the issuance of emergency notifications, which will be accomplished using system wide email, text messages, posting notices, or holding a mandatory meeting. If necessary, the staff on duty will disseminate the emergency notification orally by going through the dorm and classroom spaces.

At the direction of Director of the Austrian Program, Franciscan-GC's office manager will contact local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

Franciscan-GC tests its emergency response and evacuation procedures at least once a year. Also, at various times the Emergency Management Team will meet to train and test and evaluate the Campus's emergency response plan. Thomas M. Wolter, Director of the Austrian Program, maintains a record of these tests and training exercises, including a description of them, the dates, and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test annually, Franciscan-GC will distribute to its students and employees information to remind them of the Campus's emergency response and evacuation procedures.

Missing Person Procedures

If a member of the Franciscan-GC community has reason to believe that a student who resides in on-campus housing is missing, that information should be reported immediately to the Director of the Austrian Program. Anyone receiving a missing person report will immediately notify local law enforcement and an investigation will be initiated.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the University only in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the University will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to designate a confidential contact may do so by submitting the person's name and contact information during the orientation process at the pre-departure meetings. The option to identify a contact person in the event the student is determined missing is in addition to identifying a general emergency contact person, but they can be the same individual for both purposes. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement in furtherance of the missing student investigation.

After investigating a missing person report, if it is determined that the student has been missing for 24 hours, the University will notify local police authorities unless it was local law enforcement that made the determination that the student is missing. If the missing student is under the age of 18 and is not emancipated, the University will also notify that student's parent or legal guardian immediately after the University has determined that the student has been missing for 24 hours, in addition to notifying

any additional contact person designated by the student.

Policy, Procedures and Programs Related to Sexual Misconduct (Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking and Other Forms of Sexual Violence)

Franciscan-GC is committed to providing a learning, working, and living environment free from all forms of sexual misconduct which includes sexual harassment, sexual assault, dating violence, domestic violence, stalking, and other forms of sexual violence. The term “sexual misconduct” is used throughout the remainder of this report when referring collectively to these types of prohibited conduct. Thus, the University flatly prohibits conduct that constitutes sexual misconduct as defined in the University’s written Policy on Discrimination, Harassment, and Sexual Misconduct, which can be found [here](#).

Information regarding the University’s Policy on Discrimination, Harassment and Sexual Misconduct can also be found in the University’s 2023 Annual Security and Fire Safety Report for our main campus [here](#). The definitions of these terms for statistical reporting purposes appear at the end of this report. The University also prohibits any retaliation, intimidation, threats, coercion, or other form of discrimination against persons exercising their rights and responsibilities under the Clery Act of these policies.

The University’s educational programs cover the following topics to promote the awareness of domestic violence, dating violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim, and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

Primary Prevention and Awareness Program

Upon arrival, all students, including transient students, are provided with training regarding all University policies and procedures. Therefore, they will have participated in the University’s Primary Prevention and Awareness Program (PPAP) for all incoming students. In the PPAP, they are specifically advised that the University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking. Although the PPAP includes instruction on certain definitions under Ohio law, any student or employee participating in the Study Abroad Programs is instructed of the following summary of definitions as described in Austrian law:

Rape is the act of causing a person by force, by deprivation of personal liberty, or by threat of imminent danger to life or limb, to engage in intercourse or sexual act to be equated with intercourse.

Sexual assault occurs when a person, who has not committed rape, uses force or a dangerous threat to perform sexual acts or cause such acts to be performed.

Domestic Violence is not defined in the Austrian Criminal Code; however, the Austrian Federal Chancellery defines the term as “acts of violence that happen between people who live in the same household or who have or have had a close (family) relationship.”

Stalking is referred to as “persistent persecution” under Austrian law. Persistent persecution occurs when there is a continuous pursuit of a person over a period of time that unreasonably affects that person’s way of life. Stalking can include the following acts: (a) entering the victim’s physical proximity; (b) contacting the victim by repeated letter, phone calls, emails, or text messages; (c) using the victim’s personal data to order goods or services; and (d) using the victim’s personal information to have third parties contact the victim.

Based on good faith research, the University has determined that Dating Violence is not defined under Austrian law.

Based on good-faith research, the University has determined that Consent (as it relates to sexual activity) is not defined under Austrian law.

Even though Austrian law does not define consent, the University does have a definition of consent that it utilizes in its Policy on Discrimination, Harassment, and Sexual Misconduct when determining if sexual assault has occurred. This definition is as follows:

While all sexual contact outside the covenant of marriage is inconsistent with Catholic teaching and the University's values, for purposes of determining whether sexual misconduct has occurred, "consent" is defined as a clear, knowing, and voluntary agreement to engage in a specific sexual activity. Consent requires an affirmative act or statement by each participant. All the surrounding circumstances are to be considered in determining whether a person gave consent.

The following information is critical to understanding consent to sexual activity for purposes of the Policy on Discrimination, Harassment, and Sexual Misconduct:

- Consent to some sexual acts does not imply consent to others, nor does past consent to a given act imply present or future consent.
- Consent cannot be inferred from silence or an absence of resistance.
- Coercion, force, use of fraud, or intimidation, or the threat or any of these, invalidates consent.
- A current or previous romantic, social, or sexual relationship with someone, or the manner of dress of the person involved with the accused individual in the conduct at issue, does not imply present or future consent to any form of sexual activity.
- Consent must be ongoing throughout a sexual encounter.
- Consent can be withdrawn at any time by verbal or physical conduct that a reasonable person would understand to indicate a desire to stop or not engage in the sexual conduct at issue.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Effective consent may not exist when there is a disparity of power between the parties (e.g., faculty/student, supervisor/employee).
- A person who is incapacitated cannot consent. (See definition of incapacitation below).

Note: Although not necessarily a violation of this policy, certain consensual sexual activity that is lewd, indecent, obscene, or immoral conduct or expression that violates Catholic moral teaching on sexuality, or the promotion or advocacy of such conduct or expression, may be considered a violation of the Student Handbook or other University policies.

Definition of Incapacitation:

Consent cannot be obtained from someone who is asleep or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition, including an intellectual or other disability. A person is mentally or physically incapacitated when that person lacks the ability to make or act on considered decisions to engage in sexual activity. Engaging in sexual contact with a person whom you know – or reasonably should know – to be incapacitated constitutes sexual misconduct. Warning signs of when a person may be incapacitated due to drug and/or alcohol use include, but not limited to, slurred or incomprehensible speech, falling down, unsteady gait, passing out, and vomiting.

The PPAP also informs incoming students and new employees that the majority of sexual offenses that occur on campus communities are committed by people known by their victims. Often, these types of assaults are not reported to police or campus authorities because people do not think this unwanted sexual contact constitutes sexual assault since they know the assailant. These assailants, however, are able to continue to exploit people by manipulating that trust. Reporting these incidents will significantly decrease the likelihood that the perpetrator can subject another person to this type of victimization.

The PPAP includes instruction on how to reduce the risk of becoming a victim and the warning signs of abusive behavior, the recognition of which will help mitigate the likelihood of perpetration,

victimization, or bystander inaction, and also information on safe and positive steps for bystander intervention.

Risk Reduction Tips

The following are some strategies to reduce one's risk of sexual assault or harassment:

- Acknowledge that use of alcohol and drugs can lower your inhibitions and make you more vulnerable.
- Lock the doors and windows in your vehicle and/or residence hall.
- Have your keys in hand when approaching your vehicle and/or residence hall.
- Don't be afraid to ask for help if you find yourself in a situation that makes you uncomfortable.
- Try to avoid isolated areas, particularly with people that you don't know or don't trust. Walk with others especially after dark and in isolated areas. Trust your instincts. If a situation or location feels unsafe or uncomfortable, go with your gut. Call the local police or a University official if you feel you need to.
- Being intoxicated is not an excuse for immoral sexual activity or for using force. It does not diminish personal responsibility for violent behavior in either a criminal court or a college disciplinary hearing. Remember, consent cannot be given if one or both parties are incapacitated, including by alcohol or drugs.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Watch out for your friends and vice versa. If a friend seems out of it, is way too intoxicated, or is acting out of character, get him or her to a safe place immediately. Support your friends; intervene if you see them making decisions that are harmful to themselves or others.
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, get a new one. Don't accept drinks from people you don't know or trust.
- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason.
- Don't compromise. Set clear boundaries that respect your moral choices.
- Make up an excuse. If you don't want to hurt a person's feelings, it is better to make up a reason to leave than to stay and be victimized. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way out of a bad situation. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. The University desires to promote a culture of community accountability in which bystanders are actively engaged in the prevention of violence without causing further harm. You may not always know what to do even if you want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 133 for local police or notify the Director of the Austrian Program at +43 676 719 6141 or the Director of Student Life at + 43 676 471 1106. This could even be when a person is yelling at or being physically abusive towards another, and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see people who look like they could be in trouble or need help, ask if they are okay.
- Talk to your friends about ways to intervene.
- Provide a distraction that interrupts the situation.
- Pull one of the parties aside and speak with them.
- Make an excuse to separate those involved.
- Create a plan to look out for friends when at parties.
- Confront people or speak up when someone discusses plans to take advantage of another person, particularly if the other person is incapacitated.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on-or off-campus resources listed in this document.

Warning Signs of Abuse

Domestic abuse often escalates from threats and verbal abuse to violence. And while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic abuse are also severe. Emotionally abusive relationships can destroy your self-worth, lead to anxiety and depression, and make you feel helpless and alone. No one should have to endure this kind of pain— and your first step to breaking free is recognizing that your situation is abusive. Once you acknowledge the reality of the abusive situation, then you can get the help you need.

Signs that you may be in an abusive relationship (the more “yes” answers, the more likely it is that you are in an abusive relationship):

- *Your inner thoughts and feelings:* Do you feel afraid of your partner much of the time? Do you avoid certain topics out of fear of angering your partner? Do you believe that you deserve to be hurt or mistreated? Do you feel emotionally numb or helpless? Are you nervous around your partner? Are you afraid of disagreeing with your partner? Is your partner always questioning you about your whereabouts?
- *Your partner’s belittling behavior:* Does your partner blame you for his or her own abusive behavior? Does he or she hurt you or threaten to hurt you? Does he or she humiliate you or yell at you? Does he or she have a bad and unpredictable temper? Does he or she threaten to commit suicide if you leave? Does he or she act possessive or jealous about where you go or what you do? Does he or she isolate you from your family and friends?

Sexual assault and violence are forms of physical abuse. Any situation in which you are forced to participate in unwanted or degrading sexual activity is abuse. Forced sex, even by a spouse or intimate partner with whom you also have consensual sex, is an act of aggression and violence. Furthermore, people whose partners abuse them physically and sexually are at a higher risk of being seriously injured or killed. It’s still abuse if:

- The incidents of physical abuse seem minor when compared to those you have read about, seen on television, or heard other people talk about. There is not a “better or worse” form of abuse.
- The incidents of physical abuse have only occurred one or two times in the relationship. Studies indicate that if your spouse/partner has injured you once, it is likely he or she will continue to physically assault you.
- The physical assaults stopped when you became passive and gave up your right to express yourself as you desire, to move about freely and see others, and to make decisions. It is not a victory if you have to give up your rights as a person and a partner in exchange for not being assaulted!
- There has not been any physical violence. Many people are emotionally and verbally assaulted. This can be as equally frightening and is often more confusing to try to understand.

The PPAP is carried out by on-line presentations, distribution of written material, periodic e-mail blasts and/or articles in the University's newspaper.

Ongoing Prevention and Awareness Campaign

While these programs undoubtedly have an impact, the University is committed to integrating prevention and awareness of sexual violence, dating violence, domestic violence, and stalking into its culture. To achieve this goal, Franciscan University provides an ongoing prevention and awareness campaign for all students and employees. This training is designed to increase understanding of topics relevant to and skills for addressing instances of sexual misconduct using a range of strategies. This includes but is not limited to:

- The option to participate again in primary education programs for faculty, staff, and new students
- Annual education programs for the entire campus community
- A communication campaign that promotes:
 - The understanding and responsibility of the campus community
 - The understanding of the impact of these acts on victims and the cognizance of resource available to victims
 - Awareness of behaviors and warning signs associated with sexual violence, dating violence, domestic violence, and stalking
- Utilization of safe bystander intervention strategies
- Prompt and effective reporting of alleged misconduct in accordance with established University procedures.

Furthermore, the University strives to offer education, prevention, and awareness programming, consistent with its Catholic and Franciscan values. The following list is a sample of the programs offered annually:

- Student Online and In Person Training on Discrimination, Harassment and Sexual Misconduct
- Employee Online and In Person Training on Discrimination, Harassment and Sexual Misconduct
- Title IX Onboarding Training for new University Employees
- Orientation Presentation on Title IX, Confidential Advocacy, Bystander Intervention, Healthy Relationships, and Dating Safety Tips
- Brochures for Title IX, Confidential Advocacy, Bystander Intervention, and Safety and Security
- Title IX and Trauma-Informed Training for Resident Directors and Resident Assistants
- Title IX Campus Poster Campaign on the University's Policy, Confidential Advocacy and Bystander Intervention
- Dignity Project Prevention and Awareness Campaign for Dating and Domestic Violence Awareness Month, Stalking Awareness Month, and Sexual Assault Awareness Month
- NCAA Sexual Violence Prevention Training

Procedures to Follow if You are a Victim of Sexual Misconduct (Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Other Sex related Offenses)

If you are a victim of a sexual assault, domestic violence, dating violence, or stalking, go to a safe place and call the Director of Student Life at +43 676 471 1106. At the earliest opportunity, you should also contact one of the following individuals:

- Thomas M. Wolter, Director of the Austrian Program: +43 676 719 6141.
- Nicholas Jacobson, Director of Student Life, Austrian Program, +43 676 471 1106.
- Local Police 133
- Fire House 122
- Red Cross 144

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the University's Title IX Coordinator or refer to the other resources listed in this report).
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding, for disciplinary action, or to obtain a protective order. Victims will be provided information on where a forensic examination can be obtained. Therefore, victims should follow these guidelines:
 - Do not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence.
 - Don't shower, bathe or wash, or otherwise clean the environment in which the assault occurred.
 - Options for pressing charges can be deferred.
 - You can go to the local hospital emergency room, ask for a medical examination, and for evidence of the sexual assault to be collected and sealed. The local hospital is Landesklinikum Scheibbs, Eisenwurzenstrasse 26 3270 Scheibbs, +43 (0)7482 9004-0

Note: Victims of sexual misconduct should also preserve evidence of the crime to the extent possible (e.g., text messages, cell-phone voice mails, or other forms of social media)

3. The victim's options regarding notification to law enforcement, which are:

- The option to notify either on-campus or local police;
- The option to be assisted by the University in notifying law enforcement if the victim so chooses; and
- The option to decline to notify such individuals.

4. Where applicable, the rights of victims and the Franciscan-GC's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court. Victims may be able to obtain a barring order in Austria. For more information on the laws and processes governing civil protective orders in Austria, please see:

- https://e-justice.europa.eu/content_interim_and_precautionary_measures-78-at-maximizeMS_EJN-en.do?member=1
- <https://www.interventionsstelle-wien.at/download/?id=692>
- <https://rm.coe.int/convention-istanbul-article-52/168073e0e7>

Restraining Orders

Any student or employee who has a restraining order, order of protection, no contact order or any other such order issued by a court against another individual (whether or not that individual is also a student or employee of Franciscan-GC) is highly encouraged to notify Director of Student Success and Austrian Enrollment as well as the Director of the Austrian Program of the threat and to provide a copy of the restraining order so that it is kept on file and can be enforced, if necessary.

The University does not issue legal orders of protection. However, as a matter of institutional policy, the University may impose a no-contact order between individuals in appropriate circumstances. The University may also issue a "no trespass warning" if information available leads to a reasonable

conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

Available Victim Services

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid, visa and immigration assistance, and other services available to them, both within Franciscan-GC and in the surrounding community. Those services include:

- University Office of Confidential Advocacy or (740) 283-4339
- Pastoral Ministry Franciscan University Gaming Campus
- Dr. Barbara Lindner [Local Doctor] Im Markt 12 3292, Gaming, AUSTRIA +43 (0)7485 98488
- Landesklinikum Scheibbs [Local Hospital & nearest facility to obtain a forensic examination] Eisenwurzenstrasse 26 3270 Scheibbs +43 (0)7482 9004-0
- Student Financial Aid: Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX/EEO Coordinator (or designee) can assist in facilitating this conversation if desired. The University's financial aid website can be found [here](#).
- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>
- Austria Legal Aid: <https://www.rechtsanwaelte.at/en/support-and-services/services/legal-aid/>
- If you have questions about any of the resources listed above, or any other resources that may be available, please contact Thomas Wolter, Director of Austrian Program: +43 7485 98678 4100 or Nicholas Jacobson, Director of Student Life at +43 7485 98678 4102.

Franciscan-GC will provide written notification to victims about options for, and available supportive measures/assistance in, changing academic, living, transportation, and working situations. If victims request these accommodations and they are reasonably available they will be provided, regardless of whether the victim chooses to report the crime to University security or local law enforcement. The notification will include the name and contact information for the victim to contact in order to request an accommodation, which is the Director of Student Life at +43 7485 98678 4102. The Director of Student Life is responsible for deciding what, if any, accommodations, or protective measures will be implemented.

When determine the reasonableness of such a request, the University may consider, among other factors, the following:

- The specific need expressed by the complainant.
- The age of the students involved.
- The severity or pervasiveness of the allegation.
- Any continuing effects on the complainant.
- Whether the complainant and alleged perpetrator share the same class or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., protection orders).

Franciscan-GC will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair its ability to provide them. In the event it is necessary to disclose the accommodation or protective order in order to provide it, Franciscan-GC will inform the victim of that necessity.

Procedures for Disciplinary Action for Sexual Misconduct

Allegations of sexual misconduct (domestic violence, dating violence, sexual assault or stalking) will be processed through the appropriate disciplinary system (i.e., the resolution process as set forth in the Policy on Discrimination, Harassment, and Sexual Misconduct). If a victim comes to a Franciscan University administrator, faculty member, or staff member and discloses or expresses a desire to disclose an incident of sexual misconduct (sexual harassment, sexual assault, other forms of sexual violence, dating violence, domestic violence, or stalking) you should do the following:

1. Unless you are a confidential resource as identified in the Policy on Discrimination, Harassment, and Sexual Misconduct (i.e., confidential advocate, professional counselor, priest, pastoral counselor, or health care professional), let him/her know immediately that you (as a “responsible employee” of the University) are required to report the incident to the University’s Title IX/EEO Coordinator or Deputy Title IX/EEO Coordinator. It is important that the victim makes an informed decision about what and how much to share with you.
2. Listen to what he or she is telling you without interruption. Allow him or her to lead the conversation and share as little or as much as desired.
3. Believe that what the victim is telling you is what he or she feels has happened. Refrain from asking questions that focus on actions, choices, or appearance.
4. Provide support to the greatest possible extent. Refer and connect him or her to available resources such as the campus counseling center, pastoral counselors, medical resources, local and national abuse advocacy resources, the University’s Title IX/EEO Coordinator, or a Deputy Title IX/EEO Coordinator.
5. Promptly report the matter to the Title IX/EEO Coordinator, Ann F. Booth (740-283-4338), Deputy Title IX/EEO Coordinator, Alexis Basil, (740-284-5810), Deputy Title IX/EEO Coordinator, Coley Hough, (740- 284-5173), or Deputy Title IX/EEO Coordinator, Beth Gaughan, (740-283-6526) if you are considered a “responsible employee” under the University’s Policy on Discrimination, Harassment, and Sexual Misconduct.
6. The University will assist a victim, at the victim’s request, in contacting local law enforcement and will cooperate with law enforcement agencies if a victim decides to pursue the criminal process. A victim should be prepared to provide the necessary details of the alleged offense(s) and other pertinent information to law enforcement.

On-Campus Investigation and Adjudication

The University has detailed processes and procedures for resolving complaints of sexual misconduct (i.e., sexual harassment, sexual assault, domestic violence, dating violence, stalking and other forms of sexual violence) as set forth in the Policy on Discrimination, Harassment, and Sexual Misconduct (“Policy”). Individuals who believe they have been subjected to sexual misconduct can file a complaint with the Title IX/EEO Coordinator, Ann F. Booth (740-283-4338), Deputy Title IX/EEO Coordinator, Alexis Basil, (740-284-5810), Deputy Title IX/EEO Coordinator, Coley Hough, (740- 284-7153), or Deputy Title IX/EEO Coordinator, Beth Gaughan, (740-283-6526). These individuals will be informed about options for resolving potential violations. These options include informal resolution, formal resolution, or referral to other University offices (where appropriate) pursuant to this Policy.

Where discrimination, harassment and sexual misconduct are involved, this Policy shall supersede all other policies and procedures set forth in all other University policies and handbooks. The University engages in an interactive process to consider requests for accommodations related to a disability.

Individuals who believe that they are being denied equal access because of a denied accommodation or because of a failure to provide an approved accommodation should utilize the grievance procedure provided through the Student Academic Support Services for Students and the Policy and Procedures on Reasonable Disability Accommodations for Employees and Applicants. All other complaints regarding disability discrimination and/or harassment will be handled through this policy and process.

All allegations of misconduct not involving discrimination, harassment or sexual misconduct will be addressed through the procedures elaborated in the respective student, faculty, or staff/employee handbooks. If the accused individual has dual status, or in cases where there are multiple accused individuals with varying statuses, the Title IX/EEO Coordinator (or designee) will determine the appropriate resolution process under this policy. Where the accused individual is not a member of the University community (such as a vendor, contractor, third party or visitor), the University is not required to follow the entire process described in this Policy or in the above specified handbooks. In such cases, the University reserves the right to take summary action.

When there are multiple complainants making complaints against a single respondent, or a single complainant making complaints against multiple respondents, each complaint will usually be addressed separately under these procedures. If the complaints arise from the same set of facts, the investigator and Title IX/EEO Coordinator (or designee) may merge the complaints into a single complaint for investigation and resolution purposes. Similarly, reciprocal allegations by a respondent against a complainant or additional allegations raised by a complainant after the initial complaint may be combined for investigation and resolution purposes.

Certain forms of sexual misconduct (i.e., sexual assault and violence, dating violence, domestic violence, and stalking) may constitute criminal conduct. Whether or not someone who has been subjected to such conduct chooses to pursue criminal charges externally, they have the right to pursue an internal complaint under this policy, regardless of the status of any external proceedings. Further, the University may have an obligation to pursue an investigation or make a complaint and/or take remedial action directly even if a victim chooses not to pursue the matter internally at the University and/or requests that his/her name not be disclosed to the alleged perpetrator.

Victims also will be notified in writing about options for an available assistance in changing academic, living, transportation and working situations (to the extent those matters are under the control of the University), if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus security or local law enforcement. To request an accommodation, a victim should contact the Title IX/EEO Coordinator, Ann F. Booth (740-283-4338), Deputy Title IX/EEO Coordinator, Alexis Basil, (740-284-810), Deputy Title IX/EEO Coordinator, Coley Hough, (740-284-5173), or Deputy Title IX/EEO Coordinator, Beth Gaughan, (740-283-6526).

At any time after receiving notice of an allegation of a violation of this policy, the University may provide reasonable and appropriate supportive measures to address the immediate effects of discrimination, harassment, sexual misconduct, or retaliation to ensure equal access to its education programs and activities and to protect the alleged victim and the campus community as necessary. The Title IX/EEO Coordinator (or designee) will notify the alleged victim of his/her options for interim measures. Additionally, the Title IX/EEO Coordinator (or designee) has sole discretion to implement or stay a supportive measure imposed under this policy and to determine its conditions and duration. The measures that the University implements will vary depending on the facts of each case. Factors that might be considered during this process include, but are not limited to the following: the specific need expressed by the alleged victim; the age of the students involved; the severity or pervasiveness of the allegations; any continuing effects on the alleged victim; whether the alleged victim and alleged perpetrator share the same residence hall, dining hall, class, transportation or job location; and whether other judicial measures have been taken to protect the victim (e.g., civil protection orders). The University will keep supportive measures as confidential as possible, provided the confidentiality does not impair the University's ability to provide the accommodations or supportive/protective measures.

These supportive measures may include, but are not limited to:

- Mutual restrictions on contact between the parties (e.g., Imposition of a “no-contact order”).
- Full or partial suspension of a student during the pendency of the case.
- Full or partial paid or unpaid administrative leave of a non-student employee during the pendency of the case. A leave of absence may occur, but only to the extent that such removal conforms with the requirements of the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 (Section 504), or the Americans with Disabilities Act (ADA). Referral to counseling and health services.
- Extensions of deadlines or other course-related adjustments (e.g., Rescheduling of exams and assignments).
- Rescheduling of dining times.
- Modification of class schedule, including the ability to transfer course sections or withdraw from a course.
- Modification of work schedule or job assignment.
- Modification of campus housing as available and extracurricular activities.
- Providing campus escorts and transportation accommodations.
- Denying access to campus housing, facilities, events and/or activities.
- Any other similar measures that can be used to achieve the goals of this policy.

In the event any cleric or religious, for whom there is reasonable cause to suspect unwelcome sexual contact against a student, will be immediately suspended from private interactions with students until such time as the matter is resolved. So too, in the event any non-cleric employee for whom there is reasonable cause to suspect unwelcome sexual contact against a student, will be immediately suspended from private interaction with students, until the matter is resolved, or the Title IX Coordinator (or designee) determines such restrictions are no longer needed.

The Title IX/EEO Coordinator (or designee) is responsible for determining what necessary information about a victim should be disclosed and to whom this information will be disclosed in order to provide accommodations or protective measures in a timely manner. The Title IX/EEO Coordinator (or designee) will carefully consider who may have access to this information to minimize the risk to a victim’s confidentiality. If necessary to disclose personal information for this purpose, the University will notify the victim in advance as to which information will be shared, with whom it will be shared and why.

A. Initiation of the Process under this Policy

The investigation and adjudication of complaints under this policy, from the investigation to the final result, will be prompt, fair, and impartial and conducted by qualified persons who receive appropriate annual training on the issues and the subject matters encompassed by this policy including issues related to dating violence, domestic violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability and addresses the latest issues and techniques for conducting proceedings. This training may be delivered in person or by electronic means, such as webinar or video.

Upon receiving a report for a violation of this policy, the Title IX/EEO Coordinator (or designee) will begin a preliminary review. Upon completing the preliminary review, the Title IX/EEO Coordinator (or designee) will determine whether or not there is reasonable cause to initiate a formal investigation (see below) and whether or not there is reasonable cause to move toward adjudication through either the Informal Grievance Resolution Process or Formal Grievance Resolution Process as described below. If reasonable cause is found, the Title IX/EEO Coordinator (or designee) will contact the complainant if someone other than the complainant made the report. In cases in which someone other than the complainant made the report, the reporting party may have no further involvement in the process. The

Title IX/EEO Coordinator (or designee) will notify the complainant of available supportive measures and resources (such as counseling services, medical and mental health services, victim advocacy services), the right to report/file a criminal complaint with local law enforcement, and the option to seek a protection/restraining order from a court of law.

If the University's Title IX/EEO Coordinator determines that the alleged violation for sexual misconduct does not meet the jurisdictional requirements (e.g., the alleged violation occurred in a University education program or activity against a person in the United States.), the matter may be referred to the respective University Vice President or Executive Director (for Student Life, Human Resources, and/or Academic Affairs) to address the sexual misconduct allegation in accordance with the applicable student, employee or faculty handbook; however, the Grievance Resolution Process set forth in this policy will be utilized in determining responsibility and the respondent will be subject to the same disciplinary sanctions as set forth herein below.

The Title IX/EEO Coordinator (or designee) will initiate the resolution process by notifying the respondent that a complaint has been filed against him or her and informing the respondent of the nature of the complaint, providing a written copy or a summary of the complaint to the respondent.

The Title IX/EEO Coordinator (or designee) shall explain to both parties the avenues for informal and formal action, including a description of the process and the relevant avenues to the complainant and respondent and provide each of them with a copy of this policy.

The Title IX/EEO Coordinator (or designee) shall have the authority to take all reasonable and prudent supportive measures to protect the parties pending completion of the investigation and during the informal or formal procedures to resolve the complaint, including interim disciplinary measures if necessary and appropriate. For example, if, prior to resolution of a complaint under this policy, a student who is a victim of sexual misconduct, is concerned about the safety of his/her living situation and lives in a university residence hall, the student may request to be moved to an alternate location. The University may also assist with reasonable and appropriate academic accommodations where possible and other reasonable supportive measures as set forth in the Policy.

In the handling of inquiries and complaints under this policy, the University will protect confidentiality to the extent consistent with the University's legal obligations to take all reasonable steps to protect the welfare of the University community. This includes not putting personal information in publicly available records to the extent permitted by law.

B. Informal Grievance Resolution Process

The University encourages informal grievance resolution when the parties desire to resolve the situation cooperatively. Informal grievance resolution may include inquiries into the facts but does not rise to the level of a formal investigation. The informal resolution process is designed to resolve complaints quickly, efficiently, and to the mutual satisfaction of all parties involved. Where circumstances allow, the informal process will be initiated as soon as possible after the filing of the complaint or receipt of a report of an alleged violation, absent any unusual circumstances.

With the concurrence of the complainant and the respondent, an investigator assigned by the Title IX/EEO Coordinator (or designee) and/or the Title IX/EEO Coordinator (or designee) will seek an outcome through informal resolution with the assistance of an appropriate University official designated by the Title IX/EEO Coordinator (or designee). Any resolution through this informal resolution procedure must be mutually agreed upon in writing by the parties involved. Both the complainant and the respondent have the right to bypass or end the informal resolution process at any time and initiate a formal resolution investigation and hearing. Any failure to comply with the terms of an informal resolution agreement may result in disciplinary action/sanctions and/or, if warranted, a

further allegation of misconduct.

Informal resolution includes, but is not limited to, options such as referral to another campus office or program, mediation, separation of the parties, referral of the parties to counseling programs, conducting educational and/or training programs, or other remedial measures. Typically, an Informal Grievance Resolution Process will be completed within 60 days of the receipt of the complaint. If additional time is needed, both parties will be notified.

Steps taken by the Title IX/EEO Coordinator (or designee) to help the parties achieve informal resolution will be documented.

Some reports of alleged violations of this policy may not be appropriate for informal resolution and may require a formal investigation at the discretion of the Title IX/EEO Coordinator (or designee).

The Title IX/EEO Coordinator (or designee) will review the resolution and may approve it, reject it, or require modification. If the resolution is approved, the investigator will prepare a written memorandum and will present the memorandum to the parties for their review and approval. The investigator will then provide the parties with simultaneous written notice that the complaint has been resolved. Typically, an Informal Resolution will be completed within 60 days of the receipt of the complaint. If additional time is needed, both parties will be notified.

C. Formal Grievance Resolution Process

If the allegation of violation of this policy has not been resolved as a result of the informal process or is not suited for informal efforts, or if either the complainant or the respondent requests to invoke the formal resolution process, a formal investigation will be initiated. The formal grievance resolution process will involve an investigation and, depending on the circumstances, a hearing panel determination. An investigation by the University and a decision by the hearing panel will, in most cases, be rendered within ninety (90) calendar days of the filing of a complaint. This time period can be modified for good cause at the discretion of the University's Title IX/EEO Coordinator (or designee), if deemed necessary to conduct a thorough investigation or to protect the rights of all parties. If the investigation and resolution for the alleged violation will not be completed within 90 calendar days from the filing of the complaint, the complainant and the respondent will be notified.

Because sexual misconduct may constitute both a violation of this policy and criminal laws, the University encourages individuals to report alleged criminal sexual misconduct to law enforcement agencies. Although individuals are encouraged to notify law enforcement agencies, they are not required to do so.

Whether or not an individual who has been subjected to sexual misconduct chooses to pursue criminal charges externally, they have the right to pursue an internal complaint under this policy, regardless of the status of any external proceedings. As such, a victim may seek recourse under this policy and/or pursue criminal action. In certain circumstances, the University may have an obligation to pursue an investigation, make a complaint, and/or take remedial action directly, even if a victim chooses not to pursue the matter internally at the University and/or requests that their name not be disclosed to the alleged perpetrator. Law enforcement's determination of whether or not to prosecute a respondent, nor the outcome of any criminal prosecution, is determinative of whether a violation of University policy has occurred.

The University will assist a victim, at the victim's request, in contacting local law enforcement and will cooperate with law enforcement agencies if a victim decides to pursue the criminal process. In addition, the University will assist an alleged victim of sexual misconduct, who is interested in

obtaining a protection/restraining order from a court of law. If a complainant obtains such a court order, Campus Security will enforce the court order on campus. The investigation and proceedings under this policy may be carried out prior to, simultaneously with, or following any external civil or criminal proceedings occurring off-campus.

At the request of law enforcement, the University may agree to defer its fact gathering for a brief period during the initial evidence-gathering stage of a criminal investigation. The University will nevertheless communicate with the complainant regarding support, options for resolution and the implementation of interim measures to address concerns regarding their safety and well-being. The University may also take immediate and prompt steps that it deems necessary to protect the University community. The University will promptly resume its fact gathering as soon as it is informed that law enforcement has completed its initial investigation.

- Formal Investigation

This policy provides for a thorough, prompt, fair and impartial investigation. The Title IX/EEO Coordinator (or designee) or a trained investigator appointed by the Title IX/EEO Coordinator (or designee) will conduct the formal investigation. The University reserves the right to utilize outside trained investigators as needed.

During an investigation, the complainant will have the opportunity to describe his or her allegations and present supporting witnesses or other evidence. The respondent will have the opportunity to respond to the allegations and present supporting witnesses or other evidence. The investigator will review evidence presented and will meet with additional witnesses identified by the complainant, the respondent, or third parties, as determined appropriate by the investigator. All parties and witnesses involved in the investigation are expected to cooperate and provide complete and truthful information throughout the investigation process. In some cases, the investigator may interview the parties on more than one occasion. The investigator may visit relevant sites or locations and record observations through written, photographic, or other means. Additionally, the investigator may consult medical, forensic, technological, or other experts when expertise on a topic is needed in order to achieve a fuller understanding of the issues under investigation.

Evidence that is irrelevant may be excluded from consideration by the investigator or the Hearing Panel.

- Investigation Report

Upon completion of the investigation, the investigator will provide both the complainant and the respondent and their respective advisors, if any, the opportunity to review the preliminary written report and appended evidence at least fourteen (14) days prior to the hearing (or other time of determination regarding responsibility) and they must submit any written responses to the report to the Title IX/EEO Coordinator (or designee) within ten (10) days from receipt of the written report. The written report and appended evidence will be provided to the parties and their respective advisors, if any, in an electronic format (using a file sharing platform or other electronic means) or by providing a hard copy upon request. The investigator will consider all written responses prior to completion of the investigative report.

The investigation report will fairly summarize the relevant evidence, including but not limited to: details of the allegations made by the complainant; statements and/or responses of the complainant, respondent and witnesses; and a description of all procedural steps taken, including any notifications to the parties, interviews, site visits, and evidence gathering.

Hearing Panel

- The University utilizes a Hearing Panel specially trained to handle cases of prohibited misconduct pursuant to this policy. All Panel members receive periodic training on hearing practices. Issues regarding admission of evidence or testimony, including relevancy and the reliability of the evidence and testimony will be determined by the Chairperson of the Hearing Panel during the hearing. The Chairperson of the Hearing Panel must explain any decision to exclude admission of evidence or testimony as not relevant.
- The parties will meet individual with the respective hearing panel chairperson in advance of the hearing to establish effective case management of the case and discuss relevant matters.
- At the conclusion of the hearing, the Hearing Panel will deliberate in private regarding whether the respondent is “In violation” or “Not in violation” of this policy. The Chairperson and Hearing Panel may confer with the Title IX/EEO Coordinator, as needed. Evidence will be evaluated under a “preponderance of the evidence standard,” meaning that the respondent will be found “In violation” of the policy if, based upon the entirety of the evidence presented during the hearing, it is determined that the respondent “more likely than not” violated the policy in question. A majority vote is required. If there is a finding that the respondent is “In violation” of this policy, sanctions will be imposed as described below. The parties will be advised in writing of the decision and the imposed sanctions, if applicable. The written decision will summarize the hearing panel’s decision which must include:
 - a) Identification of the allegations potentially constituting a violation of this policy;
 - b) A description of all procedural steps taken, including any notifications to the parties, interviews, site visits, evidence gathering, and hearings;
 - c) Findings of fact supporting the decision;
 - d) Conclusions regarding the application of the University’s code of conduct (i.e., student, employee, or faculty handbooks) to the facts;
 - e) A statement of and rationale for each allegation, including the determination of responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to the University’s education program or activity will be provided to the complainant; and
 - f) Procedures and permissible bases for appeal.

The Hearing Panel will generally issue a written decision within ten (10) calendar days from the completion of the hearing; if the decision will take longer, the parties will be notified.

Disciplinary Sanctions:

- If there is a finding that the respondent is “in violation” of this policy, a disciplinary sanction will be imposed.
- Disciplinary sanctions for University faculty will be determined by the Vice President for Academic Affairs (or designee) and may include warning, restitution, suspension for a definite period of time after which the faculty member is eligible to return (Note: Conditions for reemployment may include disciplinary probation, counselling, participation/completion of a rehabilitation program, psychological evaluation, no-contact orders, mandatory training, or other conditions/restrictions), permanent termination from employment, required counseling, educational measures, termination of an appointment with tenure or of a non-tenured appointment for faculty, and/or other disciplinary sanctions deemed appropriate under the circumstances. If the proposed disciplinary sanction includes suspension or dismissal of a tenured faculty member, the matter will be referred to the University’s President, who will decide whether to initiate the process set forth in the Faculty Handbook for imposition of such a

disciplinary sanction.

- Disciplinary sanctions for University employees (other than faculty) will be determined by the Executive Director of Human Resources (or designee) and may include warning, restitution, suspension for a definite period of time (typically 30-60 days) after which the employee is eligible to return (Note: Conditions for reemployment may include disciplinary probation, counselling, participation/completion of a rehabilitation program, psychological evaluation, no-contact orders, mandatory training, or other conditions/restrictions), permanent termination from employment, required counseling, educational measures, and/or other disciplinary sanctions deemed appropriate under the circumstances.
- Disciplinary sanctions for students will be determined by the Vice President of Student Life (or designee) and may include warning, restitution, disciplinary probation, suspension for a definite period of time (typically 1-2 semesters) after which the student is eligible to apply for re-admission (Note: A student may apply for re-admission through the standard admissions process, but conditions for re-admission may include disciplinary probation, housing restrictions, no-contact orders, or other restrictions), permanent dismissal, specialized treatment off-campus, no-contact orders, trespass from campus, housing restrictions, adjustments to course schedules, revocation of admission, transcript notation, restrictions on participation in graduation and/or other University programs or activities, and/or other educational disciplinary sanctions deemed appropriate under the circumstances.
- Imposed disciplinary sanctions will remain in effect pending the outcome of any appeal process; although a request may be made to the Chairperson of the Hearing Panel to delay implementation of the disciplinary sanctions until the appeal is decided. However, as to respondent faculty members, if the proposed disciplinary sanction includes suspension or dismissal of a tenured faculty member and the case is not appealed, the matter will be referred to the University's President, who will decide whether to initiate the process set forth in the Faculty Handbook for imposition of such a disciplinary sanction.
- Both parties will be notified in writing simultaneously of the panel's decision. The parties will also be informed of the disciplinary sanctions imposed, if applicable, and the University appeal procedures. The Chairperson will also promptly notify the Title IX/EEO Coordinator (or designee) in writing of the decision and the disciplinary sanctions imposed, if applicable. Regardless of the outcome of the formal hearing, interim measures may be provided to the complainant or respondent by the Title IX/EEO Coordinator (or designee). Such interim measures (as described hereinabove) include any appropriate remedy warranted by the circumstances.

Appeals

Complainants and respondents may file a written appeal with the University's Title IX/EEO Coordinator (or designee) within seven (7) calendar days from the date of the decision. To file an appeal, please use the University's Request for Appeal or contact the Title IX/EEO Coordinator (or designee) to obtain a paper version of the Request for Appeal or contact the Title IX/EEO Coordinator (or designee) to obtain a paper version of the Response Statement. This Response Statement must be submitted within seven (7) calendar days of receipt of Request for Appeal. These documents can be submitted to the Title IX/EEO Coordinator (or designee) via email, hand, or mail delivery. If an appeal is timely filed, the decision and imposed sanctions, if any, rendered by the Hearing Panel will be stayed until a final decision on the appeal is issued by the Senior Vice President/Chief of Staff (or designee).

The non-appealing party will be notified that an appeal has been filed and have an opportunity to provide a written response to the request for appeal via the University's Response Statement or contact the Title IX/EEO Coordinator (or designee) to obtain a paper version of the Response Statement. This Response Statement must be submitted within seven (7) calendar days of receipt of Request for Appeal. These documents can be submitted to the Title IX/EEO Coordinator (or designee) via email, hand, or mail delivery. If an appeal is timely filed, the decision and imposed sanctions, if any, rendered by the Hearing Panel will be stayed until a final decision on the appeal is issued by the Senior Vice President/Chief of Staff (or designee).

If the appeal request is not timely filed with the University's Title IX/EEO Coordinator (or designee), the appeal will be dismissed and the Hearing Panel's decision and imposed disciplinary sanctions (if

applicable) will stand. However, as to respondent faculty members, if the proposed disciplinary sanction includes suspension or dismissal of a tenured faculty member and the appeal is dismissed, the matter will be referred to the University's President, who will decide whether to initiate the process set forth in the Faculty Handbook for imposition of such a disciplinary sanction.

The only grounds for appeal are as follows:

- The appropriateness of the disciplinary sanction(s) relative to the violation(s);
- To consider new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome;
- The Title IX/EEO Coordinator, investigator, or Hearing Panel had a conflict of interest or bias that affected the outcome;
- A procedural irregularity or substantive error occurred that significantly impacted the outcome of the hearing; and/or
- The decision of the Hearing Panel was unsupported by substantial evidence. Substantial evidence refers to evidence that a reasonable person could accept as adequate to support the decision.

If an appeal is timely filed, the Senior Vice President/Chief of Staff (or designee) will review the case and may issue the following outcomes:

- Affirm the decision and imposed disciplinary sanction(s) rendered.
- Affirm the decision and change the disciplinary sanction(s) imposed to a lesser or more severe disciplinary sanction.
- If the Senior Vice President/Chief of Staff (or designee) determines that a procedural irregularity or substantive error(s) occurred that affected the outcome in the Formal Grievance Resolution Process, the case may be remanded to the Hearing Panel with specific instructions to correct the error(s) and reconsider the case.
- If the Senior Vice President/Chief of Staff (or designee) determines that the appeal request contains new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome, the case shall be remanded to the Hearing Panel consider the case in light of the new information.
- If the Senior Vice President/Chief of Staff (or designee) determines that the Title IX/EEO Coordinator, investigator, or a member of the presiding Hearing Panel had a conflict of interest or bias that affected the outcome, the case shall be remanded to the Hearing Panel with specific instructions to reconsider the case.
- Reverse the decision (and imposed disciplinary sanctions if applicable) rendered if the decision was unsupported by substantial evidence.

The decision of the Senior Vice President/Chief of Staff (or designee) will be final. However, as to respondent tenured faculty members, if the proposed disciplinary sanction is upheld by the Senior Vice President/Chief of Staff (or designee) and includes suspension or dismissal of a tenured faculty member, the matter will be referred to the University's President, who will decide whether to initiate the process set forth in the Faculty Handbook.

The Senior Vice President/Chief of Staff (or designee) will generally decide an appeal within twenty (20) calendar days from when the appeal was received; if the decision will take longer, the Senior Vice President/Chief of Staff (or designee) will let the parties know. Upon reaching a determination, the Senior Vice President/Chief of Staff (or designee) will simultaneously provide the complainant and respondent with a written decision describing the result of the appeal and the rationale for the result.

Rights of the Parties in an Institutional Proceeding

During the course of the processes described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
 - A prompt, fair and impartial process is one that is:
 - Completed within reasonably prompt timeframes designated by the institution’s policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
 - Conducted in a manner that:
 - Is consistent with the institution’s policies and transparent to the accuser and the accused.
 - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings.
 - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
 - Such training addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest. These trainings are conducted by the University’s Title IX/EEO Coordinator and/or external counsel or entities.
3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
4. Have the outcome determined using the preponderance of the evidence standard.

Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

Possible Sanctions or Protective Measures that Franciscan-GC May Impose for Domestic Violence, Dating Violence, Sexual Assault or Stalking Offenses

Following a final determination in a disciplinary proceeding that one of the above offenses has been committed, Franciscan-GC may impose a penalty depending on the mitigating and aggravating circumstances involved. Sanctions, protective orders, and corrective actions will be implemented on a case-by-case basis for violations of the University’s policy prohibiting sexual harassment, sexual assault, other forms of sexual violence, dating violence, domestic violence, and stalking, and they will be appropriate to the circumstances and gravity of the violation. See all possible sanctions as set forth above under the section titled “Disciplinary Sanctions.”

The University will take appropriate steps to prevent recurrence of any violations and to remediate the effects on the complainant and the campus community, if and as appropriate. Protective measures will also be taken if and as necessary (for example, the continuation of no-contact orders and other

accommodations such as those discussed above under interim measures).

In addition, Franciscan-GC may make available to the victim a range of protective orders. They can include such things as forbidding the accused from entering the victim's residence and from communicating with the victim.

Advisors

During the process described above, each party has the right to choose and consult with an advisor of their choice throughout the reporting, investigation, and grievance resolution process. The parties may be accompanied by their respective advisors at any interview, meeting or proceeding related to the investigation and grievance resolution process. While the advisors may provide support and advice to the parties at any meeting and/or proceeding, their role is passive and they may not speak on behalf of the parties or otherwise participate in such interviews, meetings, or proceedings, except to conduct cross-examination at a hearing as described herein below. An advisor shall keep all information acquired during the process confidential. In the event a party does not have an advisor of choice, the University will provide a party, upon request, with an advisor without fee or charge to the party. Moreover, if a party does not have an advisor present at a hearing, the University will provide an advisor for the party for the purpose to conduct cross-examination on behalf of that party without fee or charge to that party.

The University reserves the right to dismiss an advisor who fails to follow this policy and the guidelines promulgated for advisors by the University. Advisors will be provided written guidelines which they will be required to acknowledge and adhere to throughout the process.

Note: A Confidential Advocate employed through the University may not serve as an advisor but may appear as a support person at any interview, meeting or proceeding related to the investigation and grievance resolution process. Their role is also passive, and they may not speak on behalf of the parties or otherwise participate in such interviews, meetings, or proceedings.

Victims to Receive Written Notification of Rights

When a student or employee reports to Franciscan-GC that he or she has been a victim of sexual misconduct, whether the offense occurred on or off campus, Franciscan-GC will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

Sex Offender Registration Program

According to Austrian data privacy laws, prior to an alleged forcible or non-forcible sex offense, the Gaming campus community cannot obtain information concerning registered sex offenders from a law enforcement agency. Therefore, there is no sex-offender registration program as is generally available in the United States.

Disclosure of the Outcome of Crime of Violence or Non-Forcible Sex Offense

Upon written request, the University will disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by this institution against a student who is the alleged perpetrator of such a crime or offense. If the alleged victim is deceased as a result of such a crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

Other Resources

U.S. Consulate Vienna: KONSULARABTEILUNG (CONSULAR SECTION) Parkring 12A-1010
Wien Fax: (+43-1) 512 58 35
Email: ConsulateVienna@state.gov

US Embassy Vienna: BOTSCHAFT DER VEREINIGTEN STAATEN
Boltzmannngasse 16A-1090 Wien
Tel.: (+43-1) 31339-0 Fax: (+43-1) 310 06 82
Email: embassy@usembassy.at

Hotel Kartause Gaming Kartause 1 3292 Gaming
Tel: +43 7485 98466 10

Drug and Alcohol Policy

Franciscan-GC prohibits the unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of controlled substances and illegal drugs on campus. The impairment by alcohol or drugs of any student or employee while participating in an academic function or of employees when reporting for work or engaging in work—during normal work hours or other times when required to be at work—is also prohibited.

The legal drinking age in Austria is 16. Large amounts of alcohol, such as kegs and mini kegs, are not allowed in the dormitory spaces. Parties/socials are to be held in common areas only. Tea kitchens and the St. Francis common room may be reserved for socials with alcohol. Consumption of alcohol is restricted in public areas such as the hallways, the foyer, the front porch, and the general outdoor area around the monastery complex.

Franciscan-GC enforces Austrian drug and alcohol laws, including underage drinking laws. Students and employees who engage in the unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of controlled substances and illegal drugs may be subject to criminal prosecution as well as to University disciplinary sanctions.

The University encourages any students and employees who have a problem with the use of drugs or alcohol to seek professional advice and treatment. Franciscan University provides or can assist in arranging this support through pastoral ministry located on the Gaming Campus, or counseling through the Baron Health & Wellness Center via video/telehealth sessions. For information about the University's biennial review of its drug and alcohol abuse prevention program, please contact the Vice President for Student Life at 740-283-6490. See the following hyperlinks to the University's 2023 Annual Notification of Drug and Alcohol Abuse Prevention Policy and Programming for Employees and Students:

For Employees: <https://safety.franciscan.edu/wp-content/uploads/sites/20/2023/09/FUS-Notification-Employee-Version-2023.pdf>

For Students: <https://safety.franciscan.edu/wp-content/uploads/sites/20/2023/09/FUS-Notification-Student-Version-2023.pdf>

Information on available drug and alcohol abuse education programs, including the health effects of drug and alcohol abuse and criminal penalties for violating Austrian drug and alcohol laws.

Crime Statistics

The Clery Act requires institutions of higher education to disclose crime statistics covering the previous three years on four general categories of crimes: (1) primary crimes (murder and non-negligent manslaughter, negligent manslaughter, sex offenses, robbery, aggravated assault, burglary,

motor vehicle theft, and arson); (2) hate crimes (any of the previous offenses except negligent manslaughter and any incidents of larceny-theft, simple assault, intimidation or destruction/damage/vandalism of property that were motivated by certain biases); (3) arrests or referrals for disciplinary action for weapons, drug and liquor law violations; and (4) crimes of domestic violence, dating violence and stalking.

The definitions of these offenses follow FBI guidelines and are as follows:

- *Murder and non-negligent homicide*: The willful (non-negligent) killing of one human being by another.
- *Negligent manslaughter*: The killing of another person through gross negligence.
- *Sex offenses*:
 - Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim.
 - Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - Statutory rape: Sexual intercourse with a person who is under the statutory age of consent.
- *Robbery*: The taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- *Aggravated assault*: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury, usually accompanied by the use of a weapon or by a means likely to produce death or great bodily harm.
- *Burglary*: The unlawful entry of a structure to commit a felony or a theft.
- *Motor vehicle theft*: The theft or attempted theft of a motor vehicle.
- *Arson*: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

The second category of crime statistics involving hate crimes are those crimes motivated by the following biases: race, gender, religion, sexual orientation, ethnicity, disability, national origin, and gender identity. As noted, hate crimes include those defined above, except for negligent manslaughter, that were motivated by one or more of these biases. They also include a second category as follows:

- *Larceny-theft*: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.
- *Simple assault*: An unlawful physical attack by one person upon another where the offender neither displays a weapon nor the victim suffers obvious severe or aggravated bodily injury, such as apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- *Intimidation*: Unlawfully placing another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- *Destruction/damage/vandalism of property*: Willfully or maliciously destroying, damaging, defacing, or otherwise injuring real or personal property without the consent of the owner or the person having custody or control of it.

The third category of crime statistics disclosed related to arrests and referrals for disciplinary action for violations of law relating to weapons, drugs, or liquor. For this purpose, the following definitions apply:

- *Arrest*: A person processed by arrest, citation, or summons.
- *Referral for disciplinary action*: The referral of any person to any official who initiates a disciplinary action of which a record is kept, and which may result in the imposition of a sanction.

The fourth category of crimes reported includes crimes of domestic violence, dating violence and stalking.

- *Domestic violence*: Violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic violence law, or anyone else protected under domestic or family violence law.
- *Dating violence*: Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.
- *Stalking*: A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his or others' safety, or to suffer substantial emotional distress.

The statistical summary of the above crimes for this University over the past three calendar years follows:

CRIME	ON CAMPUS STUDENT HOUSING								
	ON CAMPUS			FACILITIES			PUBLIC PROPERTY		
	2022	2021	2020	2022	2021	2020	2022	2021	2020
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking		0	0	0	0	0	0	0	0
SEX OFFENSES									
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
ARRESTS									
Alcohol Abuse Violations	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0
DISCIPLINARY REFERRALS									
Alcohol Abuse	0	0	0	0	0	0	0	0	0
Drug Abuse	0	1	0	0	1	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0

There were no hate crimes reported for the years 2020, 2021, 2022.

No crimes were determined to be “unfounded” by law enforcement officials and subsequently withheld from the crime statistics noted in the chart above.

Notes:

1. The Gaming Campus has no “Non-Campus” Property.

ANNUAL FIRE SAFETY REPORT

Housing Facilities and Fire Safety Systems

The fire safety systems and the number of fire drills conducted during the previous calendar year in the Franciscan-GC housing are as follows:

Residence Hall	Fire Detection Systems (Smoke, Heat)	Fire Suppression System	Fire Extinguishers	Redundant Monitoring System	Fire Drills Last Calendar Year
<i>Fraziskus Haus</i> Kartause I, A-3292 Gaming, Austria	Yes	No	Yes	Yes	2
<i>Samuel Hall</i> Kartause I, A-3292 Gaming, Austria	Yes	No	Yes	Yes	2
<i>Santa Chiara</i> Kartause I, A-3292 Gaming, Austria	Yes	No	Yes	Yes	2
<i>Santa Maria</i> Kartause I, A-3292 Gaming, Austria	Yes	No	Yes	Yes	2

Policies on Portable Appliances, Smoking and Open Flames

All appliances used in the residence halls must be U.L. approved. Items not permitted include, but are not limited to, open element appliances, space heaters, hot plates, deep fat fryers, rotisseries, roasters, toaster ovens, sun lamps, window or free-standing air conditioners, or Foreman grills. Residence Directors have the authority to request the removal of other appliances at their discretion. Students are encouraged to use power strips and surge protectors with all appliances.

Smoking is not permitted in any residence hall or within 30 feet of any entrance or air intake. No open flames are permitted, including the burning of incense, candles, or potpourri. Candles are permitted for Lord's Day Celebrations. All other exceptions to this policy for special events, such as birthdays, must be approved by the Residence Director. Students are not permitted to use highly flammable material when decorating rooms. These include, but are not limited to, hanging material from the ceiling, straw, leaves, and live Christmas trees.

Fire Prevention and Safety

- Do not burn candles or any device that has an open flame in any campus building without prior approval.
- Maintain clear and unobstructed access to doors from both inside and out at all times.
- Do not overload electrical outlets; use surge protector strips.
- Do not use broken, frayed, or cracked electrical cords.
- Do not store any flammable materials.
- Know every exit from the building you are in. Know how to activate the fire alarm system.
- Know the location of fire extinguishers and how to operate them.
- Building evacuation is mandatory for all fire alarms, even if it is a practice fire drill.
- Never tamper with smoke detectors, fire extinguishers, or fire alarms. It is a felony to activate a fire alarm as a prank.

If you are aware of a fire:

- In a building, activate the nearest fire alarm and dial 122.
- Do not attempt to extinguish the fire yourself.
- If you are a campus resident, follow the evacuation plan outlined by the Residence Life staff.
- Calmly assist others to evacuate the building by following exit signs. **DO NOT USE AN ELEVATOR.**
- Remain outside the building at a safe distance.
- Remain calm.
- Before opening a door, feel it with the back of your hand.
- If it is hot, do not open the door. Instead, follow another exit route. If you are trapped in a room, seal the cracks around the door with towels, linens, or clothes (soaked in water if possible). Shout for help. If smoke is filling your area, stay low to the floor. Take short breaths to avoid inhaling smoke. Place a wet towel over your nose and mouth.
- If the door is not hot, brace yourself and open it slowly. If hot air or fire rushes in, close the door and refer to the previous point.
- If you can leave, close all doors behind you and proceed to the nearest safe exit. Leave the building and get as far away from it as you can.

Fire Evacuation Procedures

The policy on building evacuation from residence halls is located in the Austrian Program Handbook and is discussed with students when they move into the residence hall. In the case of fire, students are instructed to sound the nearest fire alarm, move quickly to the nearest stairwell, exit the building, and gather in the location designated for the particular hall. Students are told to follow the instructions of the GC staff, representatives from the Kartause Hotel, and fire department personnel.

Fire Education and Training Programs

Residence Life professional and student staff are trained on fire safety at the beginning of the fall semester and as required in the spring and summer semesters. Resident Directors receive one-on-one training on the redundant monitoring system. This training includes a description of the procedures students and employees should follow in case of fire.

Reporting Fires

Franciscan-GC is required to disclose each year statistical data on all fires that occurred in on-campus student housing facilities. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. However, there may be instances when a fire is extinguished quickly, and an alarm is not pulled or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact the following person: Director of Student Life at +43 7485 98678 4102. When making this notification provide as much information as possible about the location, date, time, and cause of the fire should be provided.

Plans for Future Improvements

The University rents the facilities of the Gaming Campus from the Kartause Hotel Restaurant enterprise. The Kartause Hotel has responsibility for the safety and maintenance of the facilities. At this time Franciscan-GC is not aware of any plans for future improvements related to fire safety.

Fire Statistics

Facility	Year	Number of Fires	Cause of Fire	Number of Deaths Related to Fire	Number of Injuries Related to the Fire Resulting in Treatment in a Medical Facility	Value of Property Damage Related to the Fire
Fraziskus Haus Kartause 1 A-3292 Gaming, Austria	2022	0	n/a	n/a	n/a	n/a
	2021	0	n/a	n/a	n/a	n/a
	2020	0	n/a	n/a	n/a	n/a
Santa Chiara Kartause 1 A-3292 Gaming, Austria	2022	0	n/a	n/a	n/a	n/a
	2021	0	n/a	n/a	n/a	n/a
	2020	0	n/a	n/a	n/a	n/a
Santa Maria Kartause 1 A- 3292 Gaming, Austria	2022	0	n/a	n/a	n/a	n/a
	2021	0	n/a	n/a	n/a	n/a
	2020	0	n/a	n/a	n/a	n/a
Samuel Hall Kartause 1 A- 3292 Gaming, Austria	2022	0	n/a	n/a	n/a	n/a
	2021	0	n/a	n/a	n/a	n/a
	2020	0	n/a	n/a	n/a	n/a

Fire Safety Definitions

- **Cause of Fire** – The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.
- **Fire** – Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.
- **Fire Drill** – A supervised practice of a mandatory evacuation of a building for a fire.
- **Fire-Related Injury** – Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, faculty, staff, visitors, firefighters, or any other individual.
- **Fire-Related Death** – Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire, or regarding a person who dies within one year of injuries sustained as a result of the fire.
- **Fire Safety System** – Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire, including: A Sprinkler or other fire extinguishing systems
 - a) Fire detection devices
 - b) Stand-alone smoke alarms

- c) Devices that alert one to the presence of a fire, such as horns, bells, or strobe lights
- d) Smoke-control and reduction mechanisms
- e) Fire doors and walls that reduce the spread of a fire.
- **Value of Property Damage** – The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including:
 - a) Contents damaged by fire
 - b) Related damages caused by smoke, water, and overhaul
 - c) Does not include indirect loss, such as business interruption