

# Schiller International University



## 2022 ANNUAL SECURITY REPORT

### 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 Schiller International University ("University") with information on: the University's security arrangements, policies and procedures; 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 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 the Campus Director in cooperation with local law enforcement authorities and includes information provided by them as well as by the University's campus security authorities and various other elements of the University. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting Isabel Campbell, Calle Joaquin Costa 20, Madrid, Spain, 28002. The University 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.

## **General Safety and Security Policies**

### **Campus Security Personnel & Relationship with Local Law Enforcement**

The University does not have a campus security or police department.

While the University does not have any written agreements with local law enforcement agencies, it does maintain a close working relationship with local police.

### **Campus Security Authorities**

The University has designated certain officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as part of the University's annual report of crime statistics. The campus security authorities to whom the University would prefer that crimes be reported are listed below.

- Campus Director at 00 34 91 448 24 88
- Academic Advisor at 00 34 91 448 24 88
- Registrar's Office at 00 34 91 448 24 88

### **Reporting a Crime or Emergency**

The University encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the University, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

- All crimes occurring on or near University property should be reported immediately to the Campus Security Department. The number to contact is 00 34 91 448 24 88.
- If a crime is in progress or there is some other situation posing imminent danger, local law enforcement can be reached by dialing 911.
- Students, staff, and visitors should also report situations to one of the campus security authorities identified above. Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a University staff member will assist in making the report to police.
- Anonymous incident reports can also be made by contacting the Campus Director.

### **Confidential Reporting**

The University will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

Pursuant to the University's sexual misconduct policy, when an employee who is not a confidential resource becomes aware of alleged misconduct under that policy (including, but not limited to, 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 Coordinator. 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.

The University does not employ any pastoral or professional counselors and thus does not have procedures for these positions to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

## **Security of and Access to Campus Facilities**

All academic buildings are secured during the evenings and weekends. Access to the buildings is only allowed for faculty/staff members and students who are accompanied by faculty/staff members. .

Students and employees are asked to be alert and to not circumvent practices and procedures that are meant to preserve their safety and that of others.

- Do not prop doors open or allow strangers into campus buildings that have been secured.
- Do not give access codes to anyone who does not belong to the campus community.

Keys to the offices and classrooms on campus will be issued to employees only as needed and after receiving the proper authorization.

Employee and student identification cards may be used to verify the identity of persons suspected to be in campus facilities without permission.

## **Security Considerations in the Maintenance of Facilities**

The Campus Security Department works with the Facilities Department to identify maintenance issues on campus that may be safety hazards. Safety checks are completed to identify street or safety lights that are not functioning properly, or to determine if shrubs or other landscaping might need trimming. Maintenance personnel regularly check to ensure

there is adequate lighting on pathways and that egress lighting is working in hallways and stairwells.

### **Educational Programs Related to Security Awareness and Prevention of Criminal Activity**

The University seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

Information regarding security procedures and practices is posted in the Blackboard platform. The building fulfils all local safety regulations and these are signposted clearly.

New students receive information regarding the campus procedures and practices during the orientation sessions.

### **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.

### **Disclosure of the Outcome of a 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 the University against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the 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.

### **Drug and Alcohol Policy**

The University is committed to creating and maintaining an environment that is free of alcohol abuse. The University prohibits the possession, use, and sale of alcohol beverage on campus or as any part of the University's activities, unless it is done so in accordance with applicable University policies, and it also enforces Spain's underage drinking laws.

The University also enforces drug laws for the Kingdom of Spain. The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the University's activities. Violators of the University's policies or national laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

## **Federal Drug Laws** (updated 08.04.2022)

**Denial of Federal Benefits (21 U.S.C. § 862)** A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions, successful completion of a drug treatment program, including periodic testing, and appropriate community service, or any combination of the three.

**Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853)** Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

**Federal Drug Trafficking Penalties (21 U.S.C. § 841)** Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe.

In the case of a controlled substance in schedule I or schedule II, GHB, or flunitrazepam, a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (**21 U.S.C. § 860**) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

**Federal Drug Possession Penalties (21 U.S.C. § 844)** Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

## Drug and Alcohol State Laws

Category	Summary
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### Drug and Alcohol Abuse Prevention Program

The University has a drug and alcohol abuse and prevention program and conducts a biennial review of this program to evaluate its effectiveness. For more information, see below.

- **Student alcohol/drug policy:**

In keeping with the mission of Schiller International University and the requirements of state and federal laws, the university has adopted the following policy to ensure a drug-free campus and workplace, to prevent the use of controlled substances, and to prevent the abuse of alcohol. The use of illegal drugs and the abuse of alcohol on the SIU campus or in facilities controlled by SIU are prohibited.

#### **Campus Drug Policy**

The university complies with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.

- The possession, use, manufacture, or distribution of any illegal drug is prohibited on property owned or controlled by the university.
- Reporting for work, attendance by a student at any class, or attendance by either a student or employee at any activity of the university under the influence of any controlled substance is prohibited.
- In addition, students are required to follow the Spanish legislation regarding drugs.

Violation of any of the prohibitions may result in immediate dismissal and/or criminal charges according to national, state and federal law.

- **Alcohol Policy**

Schiller encourages safe, responsible behavior toward alcohol. All students are personally responsible for their behavior, and all students should, consider themselves responsible for the safety of themselves and all fellow students.

The following policies are in place to support healthy decisions and encourage responsible behavior:

- The possession, use, consumption, manufacture, sale, or distribution of alcohol by anyone under the age of 18 is strictly prohibited and could result in both criminal charges in accordance to local law and university judicial proceedings in accordance with the student code of conduct.
- The minimum age for the purchase and consumption of alcohol in Spain is 18. the consumption of alcohol on public streets is forbidden. Spain also has some of Europe's most stringent drive/drive regulations. you can expect to be breathalysed if you are involved in any accident or incident. Fines and imprisonment can follow.

Madrid legislation on alcohol can be found at [Madrid local legislation on Alcohol](#)

- **Employee alcohol/drug policy:**

### **Alcohol Policy**

Schiller encourages safe, responsible behavior toward alcohol. All employees are personally responsible for their behavior..

The following policies are in place to support healthy decisions and encourage responsible behavior:

- Enforcing the Alcohol Policy
- The Campus Security Officials are not a police force and has no arrest authority. Campus Security Officials are authorized to contact local law enforcement to report violations of law. Campus Security Officials can also refer violations of National, Federal and State Law and university policy to the appropriate administrators for potential disciplinary action.

The minimum age for the purchase and consumption of alcohol in Spain is 18. The consumption of alcohol on public streets is forbidden. Spain also has some of Europe's most stringent drive/drive regulations. You can expect to be breathalysed if you are involved in any accident or incident. Fines and imprisonment can follow.

Madrid legislation on alcohol can be found at [Madrid local legislation on Alcohol](#)

## **Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

Consistent with applicable laws, the University prohibits dating violence, domestic violence, sexual assault, and stalking. The University's policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- Sexual Assault, Domestic Violence, Dating Violence and Stalking policy:

The following sections of this report discuss the University's educational programs to promote the awareness of dating violence, domestic 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 of one of these offenses, 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:**

The University conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the University prohibits the offenses of dating violence, domestic violence, sexual assault and

stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

## Crime Definitions

Crime Type	Definitions
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### University Definition of Consent

The University uses the following definition of consent in its sexual misconduct policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

Whoever offends against the sexual freedom of another person, using violence or intimidation, shall be punished for sexual assault with a sentence of imprisonment from one to five years. **Spain Criminal Code, Article 178**

When the sexual assault consists of vaginal, anal or oral penetration, or inserting body parts or objects into either of the former two orifices, the offender shall be convicted of rape with a sentence of imprisonment from six to twelve years. **Spain Criminal Code, Article 179**

The Age of Consent in Spain is **16 years old**. The age of consent is the minimum age at which an individual is considered legally old enough to consent to participation in sexual activity. Individuals aged 15 or younger in Spain are not legally able to consent to sexual activity, and such activity may result in prosecution for **statutory rape** or the equivalent local law.

Spain statutory rape law is violated when an individual has consensual sexual contact with a person under age 16. **Spain does not have a close-in-age exemption**. Close in age exemptions, commonly known as "Romeo and Juliet laws" in the [United States](#), are put in place to prevent the prosecution of individuals who engage in consensual sexual activity when both participants are significantly close in age to each other, and one or both partners are below the age of consent.

Because there is no close-in-age exemption in Spain, it is possible for two individuals both under the age of 16 who willingly engage in intercourse to both be prosecuted for statutory rape, although this is rare. Similarly, no protections are reserved for sexual relations in which one participant is a 15-year-old and the second is a 16 or 17 year old.

**Criminal Code, Article 180:** 1. The preceding conduct shall be punished with prison sentences of five to ten years for assaults pursuant to Article 178, and from twelve to fifteen years for those of Article 179, when any of the following circumstances concur: 1. When the violence or intimidation made are of a particularly degrading or humiliating nature; 2. When the acts are committed by joint action of two or more persons; 3. When the victim is especially vulnerable due to age, illness, handicap or circumstances, except for what is set forth in **Article 183**; 4. When, in order to execute the offence, the offender has availed himself of a superiority or relationship, due to being the ascendant, descendent or brother or sister, biological or adopted or in-law of the victim; 5. When the doer uses weapons or other equally dangerous means which may cause death or any of the injuries foreseen in Articles 149 and 150 of this Code, without prejudice to the relevant punishment for the death or injuries caused. 2. Should two or more of the above circumstances concur, the penalties foreseen in this Article shall be imposed in the upper half. (**Criminal Code, Article 180**)

### **Statutory Definition of Consent**



Sexual abuse: Whoever, without violence or intimidation and without there being consent, perpetrates acts against the sexual freedom or indemnity of another person, shall be convicted of sexual abuse, with a sentence of imprisonment from one to three years or a fine.

### ***Sex Offender Registry***

There is currently no Sex Offender Registry in Spain; however, there are plans to institute one in the future.

### ***Domestic Violence Organic law 1/2004 of 28 December***

In 2004 the Spanish parliament approved organic law 1/2004 of 28th December. The law is devised to combat domestic violence and comprises of many different measures aimed at rapid protection for victims or potential victims and swiftly punishing the aggressors.

**The Madrid Campus abides by both Title IX and Spanish legislation.**

### **SEXUAL HARRASEMENT GRIEVANCE POLICY AND PROCESS**

This information is publicly available in in the Employee Handbook, Catalog and website

Schiller International University will investigate and adjudicate formal complaints of harassment and sexual harassment using a grievance process that incorporates due process principles, treats all parties fairly, and reaches reliable responsibility determinations.

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo); or
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
3. Sexual assault (as defined in the Clery Act), rape, dating violence, domestic violence, or stalking.

### **Risk Reduction**

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.

- Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.
- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
- Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
- Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.

If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:

- Remember that you owe sexual respect to the other person.
- Don’t make assumptions about the other person’s consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent, stop immediately.
- Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
- Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also important to be aware of the warning signs of an abusive person. Some examples include: past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; “playful” use of force during sex; Jekyll-and-Hyde personality.

### *Bystander Intervention*

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

- Look out for those around you.
- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.

- If things get out of hand, don't hesitate to contact the police.

### Other Information Covered by the PPAP

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

### **Ongoing Prevention and Awareness Campaign:**

The University also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP, but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

### **PPAP and OPAC Programming Methods:**

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the University. Methods include, but are not limited to: presentations, online training modules, distribution of written materials, periodic email blasts, and guest speakers. A summary of this programming is provided below.

- New students receive education on the prevention of dating violence, domestic violence, sexual assault, and stalking through a presentation by the Office of Student Services and the Campus Security Department during orientation. All new employees are required to complete an online training module on these topics upon hire and are required to retake the online training each year..

### **Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking:**

If you are a victim of dating violence, domestic violence, sexual assault, or stalking, go to a safe place and call 112 or the Campus Security Department at 00 34914482488 . You may also contact the University's Title IX Coordinator at [icampbell@schiller.edu](mailto:icampbell@schiller.edu).

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 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 or disciplinary action or to obtain a protective order.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.

4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

### Preservation of Evidence & Forensic Examinations

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at Hospital de La Princesa, Calle Diego de Leon 62, Madrid Spain. Telephone 00 34 [915 20 22 00](tel:915202200).

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

### Security/Law Enforcement & How to Make a Police Report

- Campus Director - 00 34 91 448 2488
- Comisaria de Policia - Chamartin District Address: Av. de Pío XII, 48, 28016 Madrid  
Open 24 hours a day Telephone: 00 34 913 22 79 10
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.

### Information about Legal Protection Orders

#### **Legislation – SPAIN.**

**All residents of Spain are expected to abide by Spanish Law.**

#### ***Statutory Definition of Rape***

Whoever offends against the sexual freedom of another person, using violence or intimidation, shall be punished for sexual assault with a sentence of imprisonment from one to five years. **Spain Criminal Code, Article 178**

When the sexual assault consists of vaginal, anal or oral penetration, or inserting body parts or objects into either of the former two orifices, the offender shall be convicted of rape with a sentence of imprisonment from six to twelve years. **Spain Criminal Code, Article 179**

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### ***Sex Offender Registry***

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### ***Domestic Violence Organic law 1/2004 of 28 December***

In 2004 the Spanish parliament approved organic law 1/2004 of 28th December. The law is devised to combat domestic violence and comprises of many different measures aimed at rapid protection for victims or potential victims and swiftly punishing the aggressors.

The law has different targets:

1. Victim support. Creation of emergency telephone numbers with 100% availability giving the victims on the spot practical advice and psychological help. Creation of social centers for assistance of victims and their children. Free specialized juridical assistance, special economic assistance and employment help.
2. Legal measures. Creation of specialized tribunals with powers for immediate action. According to the magnitude of the problem the judge will dictate estrangement measures, arrest of the aggressor or deprivation of parental rights and child custody. Increased punishment for aggressors. Any domestic violence cases will be considered criminal.
3. Administrative measures. Creation of specialized corps of the Local police and the “Guardia Civil” with agents trained for dealing with domestic violence cases. Creation of the “Observatorio Nacional de Violencia sobre la Mujer” in charge of the statistical follow up, in order to analyze the effect of the new laws on Spanish society.
4. Education of Spanish society. Even though this law has been criticized it is considered one of the most advanced and radical legislations of this kind within the European Union.

## **Penalties**

Law 1/2004 increased the penalties and hardened the conditions for suspension of sentence. Additionally, any suspension of sentence will not prevent the perpetrator from undergoing a social rehabilitation program and psychological therapy. Resistance or lack of cooperation while in rehabilitation or therapy will mean the cancellation of the suspension and the full application of the sentence. A suspension of custody, patria potestad, and foster care will always be applied in cases where there are minors in the family.

The prison sentence can be turned into community work at the Judge’s discretion.

Physical aggressions with injuries will be punished with a prison sentence of 2 to 5 years, which will be heightened for:

- Usage of weapons or dangerous objects
- Premeditation or special cruelty
- If the victim is disabled or less than 12 years’ old
- If there is a sentimental relationship with the victim (even when not living in the same house).
- If the victim is especially vulnerable

Psychological aggression, mistreatment or any other physical aggression without injuries will be punished with prison sentences from 6 months to one year. The additional aggressions above will be taken into consideration.

Menace or coercion will be punished with prison sentences from 3 months to one year. A special aggravation of 50% of the sentence will be added if the crime was perpetrated in the presence of minors.

Other penalties for mild abuse which are not considered as a crime will be sentenced with fines.

### **Protection measures for the victims and their families**

Depending on the situation, the Judge will be able to apply estrangement measures and may order the victim or the perpetrator to leave the family domicile. The estrangement measures will be enforced with any means that will be deemed necessary including forcing perpetrators to wear GPS locator bracelets.

In exceptional cases the judge can instruct a public or private agency to find a temporary dwelling for the victim.

The Judge can decide to prevent any form of communication between perpetrator and victim.

Apart from the suspension of custody, patria potestad, and foster care, the judge can enforce the suspension of visits to children by the perpetrator.

In any case confidentiality will be of the utmost importance and victims will be allowed to change their names as a temporary or permanent measure.

### **What to do if you are a victim.**

If you are a victim, you should immediately call 016. The operators will be able to talk to you in Spanish, English or French and will give you practical and psychological assistance. The service is totally free and confidential and will not appear on telephone bills. For emergencies you should call The Guardia Civil 062 or the Police 091. If the Guardia Civil or the Police are intervening, they will immediately take measures to distance or arrest the aggressor.

### **Available Victim Services:**

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

*The Campus Director/Title IX Coordinator can refer victims of crimes either to the Spanish support services or to specialist English-speaking support services.*

- 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 Coordinator can assist in facilitating this conversation if desired. The Madrid Campus financial aid officer can be contacted at: BTorres@schiller.edu

### *Spanish & Local Resources*

- Hospital La Princesa, Calle Diego de Leon., 62 Tel 915 202200
- Sinews Multilingual Therapy Institute - <https://www.sinews.es>
- Madrid Police Department at **112 or go direct to a Police Station, (Comisaria**
- Call 016 (emergency phone ). The operators will be able to talk to you in Spanish, English or French and will give you practical and psychological assistance

### *National Resources*

- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network (RAINN): <https://www.rainn.org/>
- US Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>
- National Sexual Violence Resource Center: <http://www.nsvrc.org/>



- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>
- Immigration Advocates Network: <https://www.immigrationadvocates.org/>

### **Accommodations and Protective Measures:**

The University will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the University is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests for accommodations or protective measures should be made to the Title IX Coordinator at [icampbell@schiller.edu](mailto:icampbell@schiller.edu) and the Title IX Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

The university does not have the authority to issue or enforce legally mandated protective orders but will assist the victim of sexual assault, domestic violence, dating violence, and/or stalking in applying for and obtaining such an order from the local court system. Campus Security Officers will remain vigilant and assist in reporting violations of protective orders.

The university is obligated to offer reasonable interim measures that are used to protect the safety and well-being of alleged victims of a crime. Campus Directors will ensure students receive written notification of all their rights and options, regardless of whether a student chooses to report the incident Campus Security or to Law Enforcement Officers. This written notification will describe options for, available assistance in and how to request changes to academic, living, transportation and working situations or other protective measures. The university will make such accommodations or provide such protective measures if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the incident to Campus Security or local law enforcement.

A victim may also request that the alleged respondent's campus privileges be temporarily suspended (temporary suspension) until the investigation and judicial process is complete. This request can be filed with the Campus Director and if reasonable, action will be taken promptly.

Protective measures and accommodations will remain confidential to the fullest extent possible.

The Campus Director is responsible for overseeing these measures and that they are applied appropriately to ensure the safety and well-being of the victim.

When determining 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 allegations

- 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., civil protection orders).

The University will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the University's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the University in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the University will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

### **Procedures for Disciplinary Action:**

Reports of sexual assaults, domestic violence, dating violence, and stalking are taken seriously by the university. Investigations and judicial proceedings are conducted in a prompt, fair, and impartial manner. Any student who is charged with rape, acquaintance rape, or other sex offense, forcible or non-forcible, may be subject to disciplinary action by the University in accordance with campus disciplinary procedures. Violations of this nature are considered especially heinous and are handled by the university's Rules Committee.

The Rules Committee comprises the Campus Director who acts as Chair and votes only to break ties, two professional or faculty members Campus Director, and a designated Student Government Representative. .

The University's campus disciplinary procedures are separate and apart from criminal proceedings. Each process may impose sanctions independently. A student may be subject to suspension during the pendency of the investigation and disciplinary proceedings as deemed necessary and appropriate by the University.

The alleged perpetrator will be given 24-hours' notice to appear, unless there is an emergency or other extenuating circumstance. The hearing may be held in absentia if the alleged perpetrator(s) fail to appear.

The complainant will be advised of the date, time, and location of the hearing. The complainant may attend the hearing to make his or her statement in person and may bring a support person with them if they so choose. The complainant may also submit a written statement. All efforts will be made to protect confidentiality and the safety and well-being of the victim.

The Rules Committee will decide "Responsible" or "Not Responsible" and may assign sanctions. An individual found responsible for sexual assault may be subject to disciplinary sanctions including, but not limited to, , probation, suspension, expulsion, or dismissal. If the Board finds the alleged perpetrator is "Not Responsible," the incident will be dismissed. The decision will be placed in the Rules Committee files.

An organization or individual found to have aided or abetted a sexual assault may face the same sanctions. Non-students may be banned from campus. A person found responsible for bringing a false accusation of sexual assault against another member of the campus community may be subject to disciplinary action including, but not limited to, loss of, probation, suspension, expulsion, or dismissal.

The Chairperson of the Judicial Board, the Title IX coordinator, and the Director of Campus Safety and Security will receive training on an annual basis on how to officiate including investigation techniques and how to remain fair and impartial during the hearing

### **Rights of the Parties in an Institutional Proceeding:**

During the course of the process 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 the 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 the definition of sexual harassment; the scope of the University's education programs and activities; how to conduct investigations, hearings, and appeals and informal resolutions (as applicable); 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. The University provides regular training on Title IX to all its employees.
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 .
5. 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 the University May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses:**

Following a final determination in the institution’s disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include: warning; reprimand; probation; restitution; fine; loss of privileges; housing probation; suspension or expulsion/termination; restriction on eligibility to represent the University at any official function or in any intercollegiate competition. If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. An employee may be suspended for any length of time determined appropriate by the Director of Human Resources. Following a suspension, the individual will be required to meet with the Dean of Students (student) or Director of Human Resources (employee) to discuss re-entry and expectations going forward.

In addition, the University can make available to the victim a range of protective measures. They include: forbidding the accused from entering the victim’s residence hall and from communicating with the victim, other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, changes in working situations, etc.

### **Publicly Available Recordkeeping:**

The University will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the University to the extent permitted by law.

### **Victims to Receive Written Notification of Rights:**

When a student or employee reports to the University that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University 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:**

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the University of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Campus Director at Campus Director. State registry of sex offender information may be accessed at the following link:N/A

## **Timely Warnings and Emergency Response**

### *Timely Warnings*

In the event of criminal activity occurring either on campus or off campus that in the judgment of the The Campus Director constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples of such situations may include a sexual assault or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- The Campus Director, 91 4482488

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

### *Emergency Response*

The University 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: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The University has communicated with local police requesting their cooperation in informing the University about situations reported to them that may warrant an emergency response.

Students, staff and visitors are encouraged to notify the The Campus Director at The Campus Director of any emergency or potentially dangerous situation.

The Campus Director 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.

Once the emergency is confirmed and based on its nature, the Campus Director will consult with other appropriate University officials to determine the appropriate segment or segments of the University community to be notified.

The Campus Director 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 the institution's response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other University departments may be involved in the confirmation process.

The Campus Director will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed later in this section, depending on the nature of the threat and the segment of the campus community being threatened.

At the direction of the Campus Director, the University's Front Desk will notify 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.

#### Methods for Issuing Timely Warnings and Emergency Notifications

The method(s) listed below may be utilized when the University issues a timely warning or emergency notification to the campus community.

<b>Method</b>	<b>Sign Up Instructions</b>
Blackboard Platform	All students & Faculty automatically registered
Email	All students & Faculty automatically registered
Visit to classrooms/alarm	Not applicable

#### Testing & Documentation

The University tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, at various times the Emergency Management Team will meet to train and test and evaluate the University's emergency response plan.

The The Campus Director 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, the University will distribute to its students and employees information to remind them of the University's emergency response and evacuation procedures.

### **Crime Statistics**

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

Crime	On Campus			Non Campus			Public Property		
	2021	2020	2019	2021	2020	2019	2021	2020	2019
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
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
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Robbery	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
Arrest - Liquor Law Violation	0	0	0	0	0	0	0	0	0
Arrest - Drug Abuse Violation	0	0	0	0	0	0	0	0	0
Arrest - Weapon Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Liquor Law Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Drug Abuse Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Weapon Violation	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	0

\* The University does not have on-campus student housing facilities.

#### **Hate crimes:**

2021: No hate crimes reported.

2020: No hate crimes reported.

2019: No hate crimes reported.

#### **Crimes unfounded by the University:**

2021: 0 unfounded crimes.

2020: 0 unfounded crimes.

2019: 0 unfounded crimes.

#### **Statistics for unfounded crimes provided by law enforcement agencies:**

2021: 0 unfounded crimes.

2020: 0 unfounded crimes.

2019: 0 unfounded crimes.

#### **Data from law enforcement agencies:**

- The University was provided with some crime data from law enforcement agencies for which it cannot be determined whether any of the statistics apply to or include the University's Clery Geography.
- Certain law enforcement agencies did not comply with the University's request for crime statistics.