News



Campus of Franciscan University of Steubenville in Steubenville, Ohio, is pictured Nov. 5, 2016 (Newscom/John Greim)



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Editor's note: *As #MeToo took off and the goal of making women safe from sexual assault became a movement, some noticed little action in the Catholic sphere. At least in the public Catholic sphere. But in quiet conversations, private Facebook pages, online forums and discreet email chains, Catholic women were discussing their experiences inside various Catholic institutions.*

As these discussions deepened, Catholic women discovered stories of assault, harassment and abuse were common, though rarely widely shared. Groups of alumni from Catholic colleges in particular found among themselves disturbing patterns that led them to question how committed their schools are to protecting young women.

As these women search for ways to hold their schools accountable, they've turned their focus to Title IX of the Education Amendments of 1972, the federal law that mandates procedures for handling complaints of sexual discrimination, harassment or violence.

One of those colleges is Franciscan University of Steubenville in Steubenville, Ohio. *Read about Christendom College here.*

Franciscan University of Steubenville in Steubenville, Ohio, bills itself as "passionately Catholic" and notes that it is one of just 22 "faithfully Catholic universities" in the United States, according to the Cardinal Newman Society, a Virginia-based group that monitors the "orthodoxy of U.S. Catholic colleges."

Franciscan University also accepts federal money in the form of loans and grants and is therefore required to follow Department of Education statutes including Title IX, the federal law that mandates procedures for handling complaints of sexual discrimination, harassment or violence.

On its website, Franciscan University outlines its anti-sexual harassment policies in detail: "Franciscan prohibits conduct which constitutes sexual misconduct such as sexual harassment, sexual assault and other forms of sexual violence, dating violence, domestic violence and stalking. ..."

Since 2015, the university has required each student and staff member to watch a 53-minute video about Title IX and the Violence Against Women Act of 1994.

That is the official line, but as current and former students share stories among themselves, they find anecdotal evidence that suggests the university's official commitment to preventing sexual assault and harassment may not measure up in practice.

Take that 53-minute video for instance. Brenan Pergi, the university's vice president of human resources and coordinator for Title IX, told the student newspaper, The Troubadour, that, "A lot of schools will focus their training on consent. … a different standard than we have here, which is why the training we had put together was custom-mixed to reflect our culture and our identity to the greatest extent."

Pergi noted that the training was "mandated by governmental, not academic, legislation." He acknowledged it was difficult to complete and called it "an inconvenience" for students and staff.

Initially, to demonstrate they had completed watching the online video, several students told NCR, the viewer had to take a quiz at the end. After pushback from the university community, now the video can simply run and the viewer selects "yes" or "no" at the end. When asked about the change, Pergi told NCR that "None of our training programs remain the same over time."

For the past several years, many women in Franciscan University alumni groups on Facebook have shared stories of their own experiences and those of friends during their time at the school. They also point to work produced by university professors and promoted on the official Facebook page of Franciscan University that they say calls into question the university's commitment.

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For example, in January an article by Stephen M. Krason, head of the university's political science department, was shared.

Krason's article, "What Sexual Harassment 'Crisis?' " appeared in Crisis Magazine. In it, he posits that failed-senatorial candidate Roy Moore was unfairly targeted and

that "a thirty-something man seeking the affections of teenaged girls [was] hardly an issue in the culture of that time and place." He also questioned the responsibility of women in their own harassment, asking, "don't women have to be attentive not to create situations that could open the door to it? For example, no one seems to see a problem with provocative dress by women."

Krason's claims in this piece are in keeping with his own decades of work at Franciscan University. Krason has a dress code in his course syllabi, and he "reserves the right to dismiss students from the classroom if their dress in a particular class is immodest or inappropriate."

The code focuses heavily on female dress. It states, "Students must avoid such apparel as: bared midriffs or short cut tops which expose midriffs or lower backs upon stretching or sitting, plunging or low necklines or necklines that expose cleavage (when bending over or when standing), cut-off or mesh or muscle shirts, tube tops, tank tops, halter tops, spaghetti strings or strapless and other clothing that fails to cover the shoulders or back, clothing that is not fully opaque or that inappropriately exposes parts of the body, very short shorts or skirts or dresses, pants with slits in their sides, or clothing which has off-color or suggestive messages on it."

According to the syllabus, that if violation of the dress code persists, Krason will "request the student be removed from his course."

Krason's Crisis piece also questioned whether victims of harassment and assault are fabricating claims to get attention and for monetary gain. The university Facebook page shared the article with a pull quote.

Comments on the posting were overwhelmingly critical. Some asked if the posting and pull quote indicated the university's endorsement of the article's contents.

Several comments that complained about the article and brought up allegations against the university and its handling of sexual harassment and assault cases were deleted. One commenter told about harassment suffered at the hands of tenured professor, whom she claimed threatened her if she reported him to the administration. The entire thread was eventually deleted.

Two days later, an apology was posted, claiming that "An article that had not been fully vetted was posted to our Facebook account earlier today. We want to thank

those who brought the problematic portions of the article to our attention here on Facebook and on Twitter. The article should not have been posted." After similar accusatory comments as those in the initial thread began accumulating on the apology, including several serious allegations against yet another professor, the apology post was also deleted.

A question of practices

Until March of this year, Marisa Bortz worked as a sexual assault advocate and prevention educator for ALIVE, Inc., which provides a 24-hour sexual assault crisis hotline, emergency shelter, hospital support for rape victims and legal advocacy for people in Jefferson County, Ohio. Since Franciscan University is in Jefferson County, students have access to the services of ALIVE, Inc., but according to Bortz, the university was reluctant to avail itself of these services.

> "Even the way they discuss sexual assault and harassment focuses on what the church teaches on premarital sex, modesty and avoiding situations that lead to sexual assault, as opposed to taking the report for what it is."
> —Marisa Bortz

"The best practice for prevention is in-person training, small groups, and ongoing discussions," said Bortz, an expert in sexual harassment and sexual assault on campus. But when she offered to make a presentation during student orientation, the university told her the schedule was too full.

The school's relationship with ALIVE, Inc., has improved over the last year, Bortz told NCR. ALIVE's contact information was added to the student handbook, and Franciscan University allowed ALIVE, Inc., to hold a week-long series of awareness events.

Still Bortz remains concerned.

Part of ALIVE's mandate is to advocate* for Title IX complainants through the investigation process, something that, Bortz says, the organization has not been a part of at Franciscan University, though it has worked with a few Franciscan University students privately. "A lot of [students] don't want to go to the school about their assault," Bortz said. "So they find us through our hotline."

Related: Christendom College alumni call for Title IX response to sexual assaults

#DisHonorRoll

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Bortz questions the manner in which Franciscan University handles sexual harassment and assault cases. "Everything at [Franciscan University] is talked about with a religious lens. Even the way they discuss sexual assault and harassment focuses on what the church teaches on premarital sex, modesty and avoiding situations that lead to sexual assault, as opposed to taking the report for what it is," she said.

Stories shared on Franciscan alumni Facebook groups seemed to illustrate Bortz's point. NCR talked to some of the women posting stories in private Facebook groups. NCR agreed not to use their names to protect their privacy and because some fear retaliation from the university.

Mary, a current graduate student, told NCR that over the course of a year, she and a number of other women had multiple complaints about a man in their department who asked "intimately personal questions," demonstrated pestering behavior and hugged women despite repeated and firm requests to stop the touching. Mary said her supervisor requested written documentation of negative interactions.

Mary and other women submitted a written complaint to John Pizzuti, director of Campus Safety and Compliance, and to Pergi, the school's human resources vice president in charge of Title IX. Neither Pizzuti nor Pergi asked to speak with the women, but one month later, they received a formal response from Pizzuti, stating that the university would be taking no further action.

"I have determined that there is no reasonable cause to believe that the University's Policy on Discrimination, Harassment, and Sexual Misconduct may have been violated by [name redacted] at this time," said the letter, a copy of which was shown to NCR.

"Instead of taking four female employees seriously, Brenan Pergi chalked an entire year of hostile working conditions up to a personality conflict," Mary said. The person

in question, remains at Franciscan University.

Violation of trust

Faculty members associated with the University's Veritas Center for Ethics in Public Life, which has the mission of bringing "faithful Catholic scholarly reflection to crucial ethical questions in contemporary culture," openly challenge Title IX guidelines. Krason, an associate director of the center, has written critically of Title IX regulation and sexual assault claims for the Veritas center's official blog, hosted on the university's official website, as well as outside publications.

Anne Hendershott, director of the Veritas center and a professor of sociology, refers to "the Title IX nightmare" and calls processes set up to deal with Title IX violations "kangaroo courts."

Writing for Catholic World Report, Hendershott asserts that the rights of the accused have been violated because of Title IX, and that "At Franciscan, there is an effort to help students avoid the kinds of situations that can lead to accusations of sexual assault by helping them learn to live lives of holiness."

When asked whether Hendershott's and Krason's comments reflect the view of Franciscan University, Pergi said that faculty members are committed to the teachings of the Catholic Church.

"If they are employed at FUS, they are asked to not engage personally in ways that violate the teachings of the church of the policies of the university," he said, insisting that they do not speak for the university on this matter, in spite of publishing on the university's official website. "Dr. Krason and Dr. Hendershott, our long-tenured faculty members, have not been asked to represent the University on Title IX."

But the stories shared in Franciscan University alumni Facebook groups reveal the failure of the university's strategies.

Take Annie, who after a night out fell asleep in a friend's van in the spring of 2007. She woke up to having a male friend on top of her. "He had removed my pants and shirt and was fondling my breasts," she said. He pinned her down and raped her, holding his hand over her mouth to muffle her screams. When Annie confided in friend what had happened, the friend went to Fr. David Morrier, then-coordinator of

Household Life and campus ministry. "Father Morrier encouraged me to seek therapy, which I did. He did not encourage me to go to the police or file any kind of report." Instead, Annie says, "He told me my behavior was compromising and encouraged me to go to confession."

Then Morrier, without her permission, confronted the assailant. Annie said that Morrier not only violated her confidence but also put her in jeopardy. As a result, Annie's case was never reported to any authority, and her alleged rapist faced no consequences.



DisHonorRoll is made possible through a grant from the Media Consortium.

Jennifer was raped in February 2008, by a man she had started a conversation with at a gas station off campus. She reported her assault to then-Director of Student Life, Catherine Heck, who took her to the hospital. According to Jennifer, Heck insisted that she "call your parents or I'll call myself." Heck then told all of the resident assistants in Jennifer's dorm what had happened and to keep an eye on her. Jennifer said she felt violated again, "I had RAs coming up to me and apologizing for what I'd gone through."

Her attacker eventually served 30 days in jail after pleading to a lesser charge, but Jennifer slipped into a deep depression. "I could barely function and needed others to make decisions for me. I developed panic attacks, anxiety attacks, PTSD, and more."

During her sophomore year in 2005, Margaret was assaulted in the bathroom of an off campus apartment during a spring formal party by a 23-year-old upperclassman. She reported the incident, but was re-traumatized by the process.

"I had to tell my story several times to different faculty members and a review board made up entirely of men," Margaret said. "They asked me why I was drinking in the first place, what my dress looked like, and if I had any other encounters with [the male student] before this happened."

The review board decided that Margaret had put herself in the situation, and that there was no proof this was not a consensual encounter. The male student was ultimately expelled for other reasons, but Margaret was targeted by his friends who demanded she take back her report. "I was the girl who reported one of the more popular and charming guys on campus and got him expelled," she says, "That was the narrative."

According to Dr. Ann Olivarius, senior partner at McAllister Olivarius, a law firm which specializes in employee rights, family law, and Title IX enforcement in higher education, the guidelines of Title IX allow panels to ask whatever questions they feel are relevant. "However, if I were representing a client and this happened, I would ask, 'Why is that important?' I have never heard a panel ask the man what he was wearing."

Olivarius said such a question indicates that the standard of behavior for women is different than the standard for men. "The question's intent is to relieve the man of responsibility," she said.

Danger of victim-blaming

Placing the onus on the victim appears to be a pattern. In 2011 after the designated driver who was supposed to see her safely home assaulted her, Maria del Mar Villar-Villar went to the student life office to file a report. Villar-Villar says that when she reported the assailant's name to the receptionist, she replied, "Oh him? I know him, he's such a nice guy!" Even so, Villar-Villar filed the report. "The receptionist also pressured me to at least admit that it was my fault for getting drunk," she said. "And the same thing happened when I went to visit one of the school's counselors." Villar-Villar's official complaint was never answered.

One professor tried to address how the university addresses sexual assault.

Rebecca Bratten Weiss worked as an adjunct professor of English at Franciscan University from 2006-2017. In summer of 2017, Bratten Weiss' contract with Franciscan University was not renewed because, she said she was told, some of her scholarly activities and written statements online were not in keeping with the university mission statement.

As an adjunct, Bratten Weiss said, "My only job protection was the consistently high evaluations from students, and the appreciation of my department head, who was

always professional and scholarly."

Bratten Weiss told NCR that several years ago a student "confided in me that she had been assaulted, and that when she tried to report it, she was told it was an exaggeration and that she had actually asked for it."

"Another student who was raped had been threatened with expulsion if she told anyone her story," Bratten Weiss said. This didn't surprise her, she said, since several of her LGBTQ students had also been threatened with expulsion if there were found engaging in homosexual activities.

Since Bratten Weiss did not have tenure and her contract was renewable on a yearly basis, she was wary of making waves. However, after discussions with other alumni, she felt that cover up of sexual assault was an ongoing problem that needed to be addressed.

She communicated with several alumni, drafted a letter of concern and in the spring of 2014 worked with them to initiate a letter writing campaign. "Nothing ever came from it," Bratten Weiss said. The one official response was a letter signed by Pergi that said the university was committed to following Title IX regulations and outlined the stated policy.

* ***Correction:*** *An earlier version of this story incorrectly stated that ALIVE, Inc., does Title IX investigations. To clarify, Title IX investigations are the responsibility of the university. ALIVE, Inc., can act as an advocate for students who file Title IX complaints and accompany them through the process. These services are voluntary to the students.*

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