



CREIGHTON UNIVERSITY

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# ANNUAL SECURITY AND FIRE SAFETY REPORT

FALL 2020

# MESSAGE FROM THE PRESIDENT OF CREIGHTON



**REV. DANIEL S. HENDRICKSON, SJ, PHD**  
PRESIDENT, CREIGHTON UNIVERSITY

As a leading Jesuit, Catholic university, Creighton is committed to providing a safe, welcoming, and supportive environment where talented students, faculty, and staff from diverse backgrounds can share ideas and beliefs, explore new knowledge, and grow intellectually, personally, and spiritually. Our reputation for educational excellence attracts students, visitors, and leading scholars from across the nation and globe.

At Creighton, we believe that upholding safety and security is a collective responsibility. This report represents that collaborative spirit, having been prepared by a comprehensive team from various areas of the University—including the Division of Student Life, Office of Equity and Inclusion, Violence Intervention and Prevention Center, General Counsel, Athletics Compliance, and Department of Public Safety. Not only does this report comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, it is an important part of our ongoing efforts to inform you about safety programs and services and outline steps you can take to maintain your safety and security and that of others. Information and personal awareness are powerful tools for ensuring your safety on and off Creighton's campus.

I encourage you to spend time reviewing the contents of this booklet. If you have any questions about this report, please contact our Department of Public Safety at [CreightonDPS@creighton.edu](mailto:CreightonDPS@creighton.edu).

A handwritten signature in black ink, appearing to read "Daniel Hendrickson". The signature is stylized and cursive, written over a light blue background.



## Campus Safety and Security

Creighton University's Annual Security and Fire Safety Report is published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Violence Against Women Act. This federal law seeks to make college campuses safer through the disclosure of such information, and to assist applicants in making enrollment or employment decisions based upon that criteria. This report includes statistics of reported crimes from the previous three years. The report provides information regarding institutional policies surrounding alcohol and other drug use, crime prevention, the reporting of crimes, and internal and external referral resources. The Clery Act promotes transparency and ongoing communication about campus crimes and other threats to health and safety and empowers members to take a more active role in their own safety and security.

The Department of Public Safety (DPS) is charged to prepare and disseminate the University's Annual Security and Fire Safety Report (ASR) by October 1 each year; however, due to the unprecedented impact of COVID-19, the Department of Education has extended the timeline for this year's report to December 31, 2020. Preparation of the ASR requires multiple ongoing and annual efforts involving DPS, other University departments and outside law enforcement agencies. This effort includes gathering of crime statistics concerning reports of crimes prepared by those identified in the law as campus security authorities and local law enforcement agencies and reconciling those statistics with DPS statistics to avoid duplicate reporting. Preparation of the ASR also requires a review of University policies and procedures concerning campus safety and disclosure of those policies and procedures in this report.

Creighton University is committed to providing a safe and secure environment for our students, faculty, staff and visitors. We realize that college campuses are not isolated from criminal activity or fire safety hazards, and we recognize the need to share that information with all members of the campus community. We encourage all members of this community to develop their own personal safety plans, and we strive to partner with Creighton students, faculty and staff members to assist us in providing the highest level of safety and security. Please read this report carefully and use the information to help us to maintain a safe and secure environment for yourself and others on campus. On behalf of Creighton University, we are pleased to present this year's report.



**MICHAEL D. REINER, CPP**  
ASSISTANT VICE PRESIDENT, PUBLIC SAFETY



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# Creighton University

Founded in 1878, Creighton University is one of 27 Jesuit colleges and universities in the United States. The University is well known for its outstanding interdisciplinary and comprehensive educational programs taught in the Jesuit tradition of educating the whole person—academically, spiritually and socially. With 8,900 students, no other university of its size in the country offers the broad array of undergraduate, professional and graduate programs that Creighton offers.

Creighton's nine schools and colleges deliver powerful education in the arts and sciences, law, business, and the health sciences including dentistry, medicine, nursing, pharmacy, occupational and physical therapy, public health and emergency medical services.

Select health sciences programs are also offered in Grand Island, Nebraska; Anchorage, Alaska; Denver, Colorado; and Phoenix, Arizona, where an unprecedented partnership is helping to make Creighton the largest Catholic health sciences educator in the country.

Creighton is based in Omaha, Nebraska, a thriving city with a metro area population of nearly 1 million. Several Fortune 500 companies call Omaha home, providing opportunities for quality internships for students and jobs for graduates.

## PHOENIX CAMPUS

The Creighton University Health Sciences – Phoenix Campus is expected to be completed in 2021, and will eventually serve nearly 900 Creighton students in nursing, pharmacy, physical therapy, occupational therapy and physician assistant programs, as well as students in a four-year medical program. The Creighton University Arizona Health Education Alliance, which includes Creighton, Dignity Health St. Joseph's Hospital and Medical Center, Valleywise Health, and District Medical Group, Inc., is one of the state's largest providers of Graduate Medical Education.

## MISSION

Creighton is a Catholic and Jesuit comprehensive university committed to excellence in its selected undergraduate, graduate and professional programs.

As Catholic, Creighton is dedicated to the pursuit of truth in all its forms and is guided by the living tradition of the Catholic Church.

As Jesuit, Creighton participates in the tradition of the Society of Jesus, which provides an integrating vision of the world that arises out of a knowledge and love of Jesus Christ.

As comprehensive, Creighton's education embraces several colleges and professional schools and is directed to the intellectual, social, spiritual, physical and recreational aspects of students' lives and to the promotion of justice.

Creighton exists for students and learning. Members of the Creighton community are challenged to reflect on transcendent values, including their relationship with God, in an atmosphere of freedom of inquiry, belief and religious worship. Service to others, the importance of family life, the inalienable worth of each individual and appreciation of ethnic and cultural diversity are core values of Creighton.

Creighton faculty members conduct research to enhance teaching, to contribute to the betterment of society, and to discover new knowledge. Faculty and staff stimulate critical and creative thinking and provide ethical perspectives for dealing with an increasingly complex world.



# Creighton University Department of Public Safety

Under the guidance of Executive Vice President Jan Madsen and Assistant Vice President of Public Safety Michael Reiner, the Department of Public Safety (DPS) is responsible for campus safety and security on Creighton's main campus. DPS operates 24 hours per day, seven days per week, from our headquarters facility at 2222 Burt St.

The Department of Public Safety is an internal security force with officers available on campus 24 hours per day. Public Safety protects and serves the Creighton community through proactive patrolling, rapid response, community outreach, security technology and safe transportation services. Public Safety seeks to ensure that all members of the community can live, learn, work and play in a safe and secure environment. Although Public Safety is not a law enforcement agency with formal powers of arrest, officers are given authority to detain person(s) suspected of criminal activity under Nebraska State Statute §29-402, "Arrest by a Person not an Officer." In this instance, Public Safety officers will notify local law enforcement authorities, without delay, and transfer custody to that agency. Public Safety officers also receive a variety of specialized training, including cardiopulmonary resuscitation (CPR) and basic first aid, use of firearms, verbal de-escalation, self-defense, active assailant and Campus Security Authority (CSA) responsibilities. While there is no formal agreement at this time, Public Safety maintains a close working relationship with the Omaha Police Department as well as the Douglas County Sheriff's Office and the Nebraska State Patrol.

## SECURITY AND ACCESS TO CAMPUS FACILITIES

Individual security measures for the nine residence halls differ slightly, but most use Resident Advisors (RAs) or trained desk workers at the main entrance to monitor access and assist 24 hours per day. All residence halls use electronic card access systems to control entry to the building. Individual residence hall rooms in eight of the nine residence halls are secured with a high-security lock system using keys that cannot be easily duplicated. Davis Square uses electronic card access for entry to individual apartments. Tight key-control procedures enhance the integrity of this system.

Electronic card access systems are used in most buildings on campus, including residential halls, student centers, athletic and recreational facilities, academic and administrative buildings and parking garages. These electronic access systems afford an extra measure of security in their flexibility and control. For buildings without card access, a key distribution system is in place to tightly regulate who has access to the buildings.

Specific operational hours of campus facilities depend on the buildings' intended use, security considerations and environmental factors. When buildings are operational, Public Safety Officers patrol on a regular basis.

Over 500 surveillance cameras monitor and record activity across the campus and serve as visible deterrents to crime.



Cameras assist in the department's ability to proactively monitor activity across campus. Video recordings are stored for 60 days to assist with any potential investigations.

The maintenance of campus facilities and infrastructure plays a complementary role in the campus security plan. The maintenance staff attends to University buildings and grounds with a concern for safety and security. Shrubbery, trees and other vegetation on campus are trimmed on a routine basis. Upon the discovery of irregular conditions, such as broken windows, faulty locks, burned-out lights or other hazards, Public Safety officers, Student Life staff or any other members of the University are encouraged to notify Facilities Management. The staff responds promptly to make repairs affecting safety and security.

## CRIME PREVENTION AND SECURITY AWARENESS

A full-time crime prevention and community outreach officer works as a liaison between Public Safety and the Creighton community and develops programs and delivers presentations designed to inform campus members about the threat of crime and the prevention resources available. These efforts are intended to encourage Creighton affiliates to notice, interpret and act in terms of crime prevention and security awareness.

Creative programs can be designed to fit individual or group needs such as:

- Self-defense courses or individual safety plans
- General safety courses to inform the campus community about the threat of crime in an urban environment and ways individuals can work to prevent crime to keep themselves and others safe
- Peace of Mind (POM) personal safety device training
- Overview of the services and responsibilities of Public Safety
- Green Dot bystander training in collaboration with the VIP Center

Crime prevention and security awareness are conducted at least annually. Some of the programs are continuously conducted as needed throughout the year. Student Life offers a wide variety of programs and services to enhance the quality of campus life and promote safe and secure on-campus accommodations. Residence halls are staffed by professional, live-in resident directors (RDs). Each facility is also served by several live-in RAs. At least one professional staff member is always on duty. The president of the University resides in one of the residence halls, and each hall, except Opus and Davis, is served by a live-in chaplain. Also, each residence hall has a specific DPS Officer assigned to build relationships and encourage reporting.



There are 29 blue light emergency phones located strategically throughout the Omaha campus, particularly in parking lots. The phones are connected to DPS's 24-hour emergency dispatch and identify the phone location if the caller is unable to speak. These phones may also be used to report suspicious activity or crimes.

Faculty, staff and students may purchase the Peace of Mind (POM), a personal mobile safety device, as an enhancement to our campus safety environment. This Bluetooth-enabled device pairs with a smartphone app to allow any user on campus to immediately summon assistance to an exact geographic location. When activated with three clicks of a button, the device places an emergency phone call to either the campus Public Safety dispatcher or to the local 911 dispatcher. It also transmits the user's exact geolocation and personal profile to the campus Public Safety dispatcher. This device eliminates the need to carry a phone in hand, to remove gloves or to unlock the phone to make a call. Learn more at: [creighton.edu/executivevicepresident/publicsafety/pom](http://creighton.edu/executivevicepresident/publicsafety/pom).

The Bluejay Shuttle service provides students and University employees with safe and convenient transportation to most sites on campus up to 20 hours a day. Riders may track the location of shuttle vehicles via the web and smart phone app. Two buses, the east shuttle and the west shuttle, run concurrently to link all corners of the campus with most destinations in between. A third shuttle provides service to commuters parking along the Burt Street corridor. A free campus taxi service, the JayRide, operates between 11 p.m. and 2 a.m. Drivers serve in an additional security capacity as they maintain communication and inform DPS of any observed security and safety concerns. For detailed schedule information see: [creighton.edu/executivevicepresident/shuttleservices](http://creighton.edu/executivevicepresident/shuttleservices).

During times when the Bluejay Shuttle and JayRide are out of service, DPS can provide transportation upon request.

## HOW TO REPORT A CRIME

A crime can be reported by contacting the Public Safety Dispatcher at **402.280.2911** (emergencies) or **402.280.2104** (non-emergencies). The Public Safety phone numbers are listed in all campus directories, often affixed to campus phones, and the campus blue light emergency phones use an auto dialer to reach the Public Safety office. Campus Emergency Procedures with appropriate phone numbers and emergency instructions have been distributed throughout the University and are available upon request.

Creighton community members are encouraged to promptly and accurately report all incidents to Public Safety, regardless of how minor the crime might seem. Officers respond quickly 24/7 to meet the victim, take a report, investigate the incident and provide aid. There is no formal agreement or written memoranda of understanding between Creighton and the Omaha Police Department on the investigation of alleged criminal offenses on campus; however, community members may choose to report criminal incidents to the Omaha Police Department or other local law enforcement agency. If the victim elects to or is unable to make such a report, Public Safety officers will make every effort to encourage or assist the victim in reporting these incidents to the Omaha Police Department either by direct contact with the victim, if the crime is of a serious nature, or referral to the non-emergency/minor crimes

Telephone Report Squad at 402.444.4877. If a crime occurs at one of Creighton's non-campus locations, reports will be made with the agency with jurisdiction over the property. A significant network of University and external support services is also available to all victims.

The University provides the option for victims or witnesses to report crimes on a voluntary and confidential basis for inclusion in the annual disclosure of campus crime statistics. When confidential reporting is not available, every effort will be made to protect the confidentiality of victims and witnesses should they so desire. There is no formal policy for pastoral or professional counselors to inform the people they are counseling of the existence of such procedures. For more information on confidential or anonymous reporting, please see reporting procedures beginning on page 29.

The University requires all faculty and staff to report incidents of harassment, discrimination, sexual and/or relationship misconduct to the Office of Equity and Inclusion. Student employees, in the administration of their job duties, are also considered mandatory reporters. All individuals in the state of Nebraska are mandatory reporters of child abuse and neglect. Reports of suspected child abuse and neglect must be made to local authorities or the Nebraska Child Abuse and Neglect Hotline at 800.652.1999 or [dhhs.ne.gov/Pages/Child-Abuse.aspx](https://dhhs.ne.gov/Pages/Child-Abuse.aspx).

Public Safety does not actively patrol or monitor the activity of non-campus properties or the activities of student organizations at non-campus locations, however; they do have a close working relationship with the Omaha Police Department and other local agencies in monitoring these areas. If unlawful behavior by students or staff is detected at one of these locations, this information is shared with Public Safety and the University either directly or by request.

## EMERGENCY RESPONSE AND EVACUATION

Information that would warrant an emergency notification or a timely warning to the community should be reported to Public Safety at 402.280.2911. Emergency notifications and timely warnings are intended to aid in keeping the campus community safe and healthy.

In July 2020, the University published a new University Policy 2.1.34, *Emergency Operations Planning*, replacing 2.1.20, *Crisis Plan*. This policy re-organized campus emergency operations under the direction of the Critical Incident Response Team (CIRT). The President has delegated authority to the CIRT to direct immediate actions in response to any physical, cyber or reputational threats to the University. The new policy also created the University Preparedness Committee (UPC). The UPC is chartered to develop protocols, standards, procedures and organizational structures that will ensure Creighton University is a secure and resilient campus, with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risks. Emergency preparedness resources for the campus are available on the Public Safety website at [creighton.edu/executivevicepresident/publicsafety/emergencyinformation](https://creighton.edu/executivevicepresident/publicsafety/emergencyinformation).

Campus emergency procedures provide specific, concise guidance to community members for a variety of events, including bomb threats, chemical spills, crimes, fires and medical and weather emergencies. This information is accessible and can be downloaded at: [creighton.edu/fileadmin/user/AdminFinance/PublicSafety/docs/CampusStickerFINAL.pdf](https://creighton.edu/fileadmin/user/AdminFinance/PublicSafety/docs/CampusStickerFINAL.pdf). One element of the University's Crisis Response Plan involves emergency response and evacuation, which outlines the steps that will be taken to alert community members to active threats, so they may take immediate measures to mitigate their exposure to such events.

## CreightonAlert NOTIFICATION SYSTEM

CreightonAlert is a multimodal system which allows the University to immediately notify the campus community with timely information about emergencies, dangerous situations, or other safety and security concerns using voice, email and/or text messaging. Student cell phone numbers are automatically added to text messaging via CreightonAlert and reaches each faculty, staff and student email account. More detailed information is available about this system and community members are urged to enroll in CreightonAlert at: [creighton.edu/CUAlert](https://creighton.edu/CUAlert).

There are two types of CreightonAlerts specifically designed to alert the Creighton community of safety threats that meet the criteria of the Clery Act: Emergency Notifications and Timely Warnings. For non-emergency or general safety information, Campus Safety Bulletins will be issued.

### Emergency Notifications

Emergency notifications are CreightonAlerts issued by the Department of Public Safety to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving the immediate threat or ongoing risk to the health and safety of the Creighton community currently on campus. Public Safety officials will utilize the emergency notification system to broadcast pertinent information via voice, email and text messaging to provide details on an appropriate response. Public Safety officials will continue to broadcast updates as they become available. Situations that may trigger an emergency notification include armed intruders/active shooters, bomb threats, civil unrest, fires, chemical/hazmat spills, severe weather incidents or the outbreak of a serious illness.

Public Safety officers are typically the initial emergency responders on campus. Upon the report of a possible emergency or potentially dangerous situation, Public Safety officers will be dispatched to the scene to investigate. Public Safety officers will assess the credibility of the threat, examine the available information from outside sources or personal observation, and determine if the event being investigated is ongoing and poses an immediate, active threat to the community. If so, the responding officer will request the activation of an emergency notification. A decision to activate an emergency notification will typically be made through a request by the assistant vice president, Public Safety, or his designee, to the Critical Incident Response Team (CIRT). The CIRT's role is to direct immediate actions in response to any threats to the University. If the incident is of a time sensitive nature, the Public Safety shift supervisor is given the authority to activate an emergency notification prior to the notification of the CIRT.



Depending on the nature of the incident, the Omaha Police, Omaha Fire and Rescue or other external agencies may be requested upon confirmation of the emergency by Public Safety. Once these external resources have been notified, they will have jurisdiction and take control of the situation.

Upon confirmation that a significant emergency or dangerous situation threatens the well-being of community members, the CIRT leader or the Public Safety supervisor will, without delay, and taking into account the safety of the community, determine the content of the notice and initiate an emergency notification to make all campus members aware of the nature and location of the event. Public Safety dispatchers are prepared to send out a prefabricated message to facilitate a rapid distribution of the communication. The content of the messages, drafted by the CIRT, involve a tornado warning alert, a hazardous material spill alert, a bomb threat alert, a structure fire alert, a dangerous person alert, a shooting alert, an assault alert, a robbery alert, a general nonspecific disturbance alert, University closing notifications due to inclement weather and finally, a test, an all-clear and a disregard message alert. These messages can be adjusted to fit the characteristics of each incident, or they can be developed if a situation occurs that is not included in the prefabricated messages.

CreightonAlerts will consider the safety of the community at large as well as the potentially negative impact of false reports. There may also be occasions when a CreightonAlert emergency notification may not be issued if, in the professional judgment of Public Safety authorities, it would compromise efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency at hand. It is important to note that the CreightonAlert is rapid, but not immediate. During major events, cell phone towers, campus phone switches, and internet service can be overloaded and disrupted, causing notification delays.

Due to Creighton's small size, emergency notifications will not be segmented to individual areas of campus. If it is believed a campus incident is a threat to the general public in the area, Public Safety will contact the city's municipal emergency services or the local utility companies. Creighton's Public Relations will also contact local media.

CreightonAlerts are, by design and necessity, brief and to the point. After the emergency or crisis has passed, the Department of Public Safety or University Communications and Marketing will typically provide follow-up communication with more detail.

### Timely Warnings

Under certain circumstances, serious incidents occur that require the campus community be alerted in a timely manner that will aid in the prevention of similar incidents. Timely Warnings are CreightonAlerts issued by the Department of Public Safety to make community members aware of serious crimes or incidents that have occurred or may occur on campus or other Creighton property, but do not rise to an emergency notification. Public Safety officials will use timely warnings to broadcast pertinent information and appropriate response via voice, email and text messaging. All Clery crimes and potentially serious non-criminal incidents reported to Public Safety or other campus security authorities, either by community members or outside law enforcement agencies, are evaluated on a case-by-case basis to determine if these events pose a continuing, but not necessarily immediate, threat to the welfare of the Creighton community. These crimes include crimes against persons, such

as robbery, assault, sexual assault, and, crimes against property such as burglary and auto theft. Serious non-criminal incidents include suspicious person(s) or vehicle(s) on campus, potentially dangerous animal, or a medical emergency.

### Campus Safety Bulletins

At times, general safety and security events occur that do not pose a continuing or immediate threat to the campus community; however, knowledge of such events would benefit campus members. Should such an event occur, a Campus Safety Bulletin will be issued via a campus-wide email to provide awareness so community members may take appropriate action. Events that may result in a Campus Safety Bulletin include: a large police response to an incident occurring near campus, a fire or other EMS event occurring near campus, or potential weather-related information.

## EMERGENCY DRILLS AND TESTING

Each year, the University will conduct at least one announced campus-wide emergency response/evacuation drill. This event is scheduled to occur during the spring semester in conjunction with the Nation Weather Service's Severe Weather Awareness Week. In Nebraska, this mock tornado drill typically occurs at 10 a.m. on the Wednesday of the last full week of March. During the week prior to the drill, a campus-wide notification will be sent providing specific details about the drill and general information on Campus Emergency Procedures.

On the selected date, Douglas County's civil defense sirens will be activated. Once activated, the Department of Public Safety will initiate an emergency notification via CreightonAlert, and community members are expected to evacuate to the designated tornado shelter areas. This campus-wide event will interrupt classes and other normally scheduled activities. Instructors are told to stop class and direct students to the nearest storm shelter, and managers and supervisors are to do the same for their staff members. Students in residence halls will be directed to the designated storm shelter, and students on campus at large will be instructed to proceed to the nearest storm shelter. Each building on campus has signage with directions to the building's storm shelter. During the drill, observers monitor the movement of the participants in their designated area. Each observer has a checklist to document the length of the drill, determine knowledge of storm shelter locations, space available in the storm shelters, and answer any questions of the participants. These reports are then forwarded to the Department of Public Safety. After review of the reports, any changes or recommendations are addressed to better respond to community safety.

## MISSING STUDENTS NOTIFICATION POLICY

All institutions that receive federal funding and have a housing program must have a policy regarding missing student notification for students who reside in on-campus housing facilities, as well as procedures for notifying a person of the resident student's choice should that resident student go missing. This notification must be made within 24 hours of the institution learning that the student is missing.

All students who live in on-campus housing are affected by this policy. Certain additional conditions apply for those residential

students who are under the age of 18 (19 in Nebraska) and not emancipated at the time they are believed to be missing.

- On-campus housing means a residential facility for students that are located on the University's campus.
- Campus means any building or property owned or controlled by the University within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to the University's educational purposes, including residence halls.

## DESIGNATION OF MISSING PERSON CONTACT

During the annual contracting for residential space each residential student will be given the option to identify an individual whom the University will contact within 24 hours of the University being notified that the student has gone missing. The contact does not need to be the same as the student's regular emergency contact. Students may opt out of this provision.

Emergency contact information will be registered confidentially. This information will be retained in a confidential digital database, will only be accessible to authorized campus officials, and will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

## WHERE TO REPORT A MISSING STUDENT

If any person believes that a student is missing, they should immediately report this information to Public Safety at 402.280.2911 or 402.280.2104. Reports can also be made to the Office of Residence Life at 402.280.2717 or to the Division of Student Life at 402.280.2775. Students may also notify their resident director or resident advisor who will then notify Public Safety.

Important information to share includes:

1. Name of the missing student and the student's campus residence.
2. Name and contact information of the reporting person.
3. Relationship of the reporting person to the missing student.
4. Missing student's employer, if applicable and known.
5. When and where the student was last seen and under what circumstances.
6. Any information about the student's condition that may be helpful in determining the whereabouts of the student, such as:
  - Has the student been in good health or has otherwise been of any concern to the reporting person?
  - Did the student have any known travel plans or plans with others?
  - How often does the reporting person typically see or contact the missing student?
  - Has the reporting person received any recent emails or texts from the missing student?
  - Has the student been under any unusual pressures?

- Is there any reason to believe the student might be in danger?
- Has the reporting person contacted any law enforcement agency or the student's parents or guardians?

All missing student reports made to an office other than Public Safety will be immediately referred to Public Safety for investigation. The Director of Public Safety will notify the Critical Incident Response Team (CIRT) of the missing student report and update this group as the investigation progresses.

A University representative will attempt to contact the student by:

- Calling the student's personal cell phone on record
- Entering the student's campus residence room or apartment
- Reviewing access card activity
- Contacting faculty members and checking class attendance
- Contacting friends, roommates, employers, co-workers or other acquaintances
- Checking social media accounts for information

If Public Safety determines that the student has been missing for more than 24 hours, the emergency notification procedures outlined below will be initiated. If Public Safety is notified at any time prior to 24 hours, they may initiate the notification procedures as well.

## EMERGENCY NOTIFICATION PROCEDURES

If the resident student has been determined to be missing by Public Safety or local law enforcement, Creighton University will contact the student's emergency contact person within 24 hours of determining that the student is missing.

If a student is under the age of 18 (19 in Nebraska) and not emancipated, Creighton University will also notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any contact person the student has designated.

Creighton University will also notify local law enforcement within 24 hours of the determination that the student is missing, unless the law enforcement agency was the original entity that determined the student was missing.

## CLERY GEOGRAPHY PROPERTY DEFINITIONS AND MAPS

To understand crime statistics in context, it is helpful for the reader to understand the categories of geography defined by the Clery Act. For the purpose of collecting statistics for inclusion in this annual security report, Clery geography includes buildings and property that are part of the institution's campus (including a subset of on-campus student housing facilities), the institution's non-campus buildings or property, and public property within or immediately adjacent to and accessible from the campus. For the purposes of maintaining an institution's crime log, Clery geography also includes areas within the patrol jurisdiction of the campus public safety department.

**On-Campus:** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the property described above in this definition, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or other retail vendor). The Department of Education considers it reasonable to consider locations within one mile of campus borders as reasonably contiguous (on a case-by-case basis).

The following Omaha properties are also considered on-campus property:

CHI Health Creighton University Medical Center – University Campus – 2412 Cuming St.

Highlander Accelerator – 2112 N. 30th St.

The following Omaha properties are considered on-campus property only during the time they are leased by the University in direct support of the educational programs of the institution:

TD Ameritrade Park Omaha – 1200 Mike Fahey St.

CHI Health Center Omaha – 455 N. 10th St.

**On-Campus Student Housing Facility:** Any facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus.

Creighton has nine on-campus student housing facilities in Omaha: Davis, Deglman, Gallagher, Heider, Kenefick, Kiewit, McGloin, Opus and Swanson.

**Public Property:** All public property, including thoroughfares, streets, sidewalks and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**Non-Campus Buildings or Property:** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.

There are four primary categories of non-campus properties included in the Creighton University Annual Security Report:

Medical facilities where Creighton University professional students in the health sciences perform rotations:

- CHI Health Creighton University Medical Center – Bergan Campus – 7500 Mercy Road, Omaha, NE 68124
- Children's Physicians Clinics (with the exception of the University Campus location):
  - Embassy Park Clinic  
9202 W. Dodge Road, Suite 101, Omaha, NE 68114
  - Val Verde Clinic  
9801 Giles Road, Suite 1, La Vista, NE 68128
  - Dundee Clinic – 4825 Dodge St., Omaha, NE 68132

- Bellevue Clinic  
4802 Shannon Drive, Bellevue, NE 68133
- Spring Valley Clinic – 4224 S. 50th St., Omaha, NE 68117
- West Village Pointe Clinic  
110 N. 175th St., Omaha, NE 68118
- Council Bluffs Clinic  
1022 Woodbury Ave., Council Bluffs, IA 51503
- Gretna Clinic  
11856 Standing Stone Drive, Gretna, NE 68028

Athletic facilities more than 1 mile from the main campus where Creighton University athletic teams conduct practices:

- Creighton Boat Club Marina  
4434 N. 17th St., Carter Lake, IA 51510
- Oak Hills Country Club  
12325 Golfing Green Drive, Omaha, NE 68137
- Omaha Country Club  
6900 Country Club Road, Omaha, NE 68152
- The Field Club of Omaha  
3615 Woolworth Ave., Omaha, NE 68105
- Shoreline Golf Course  
210 Locust St., Carter Lake, IA 51510
- Koch Tennis Center at Tranquility  
12440 W. Maple Road, Omaha, NE 68164
- Hanscom Indoor Tennis Center  
3220 Ed Creighton Ave., Omaha, NE 68105
- Blackburn High School  
2606 Hamilton St., Omaha, NE 68131

Facilities used to support post-graduate service teaching programs:

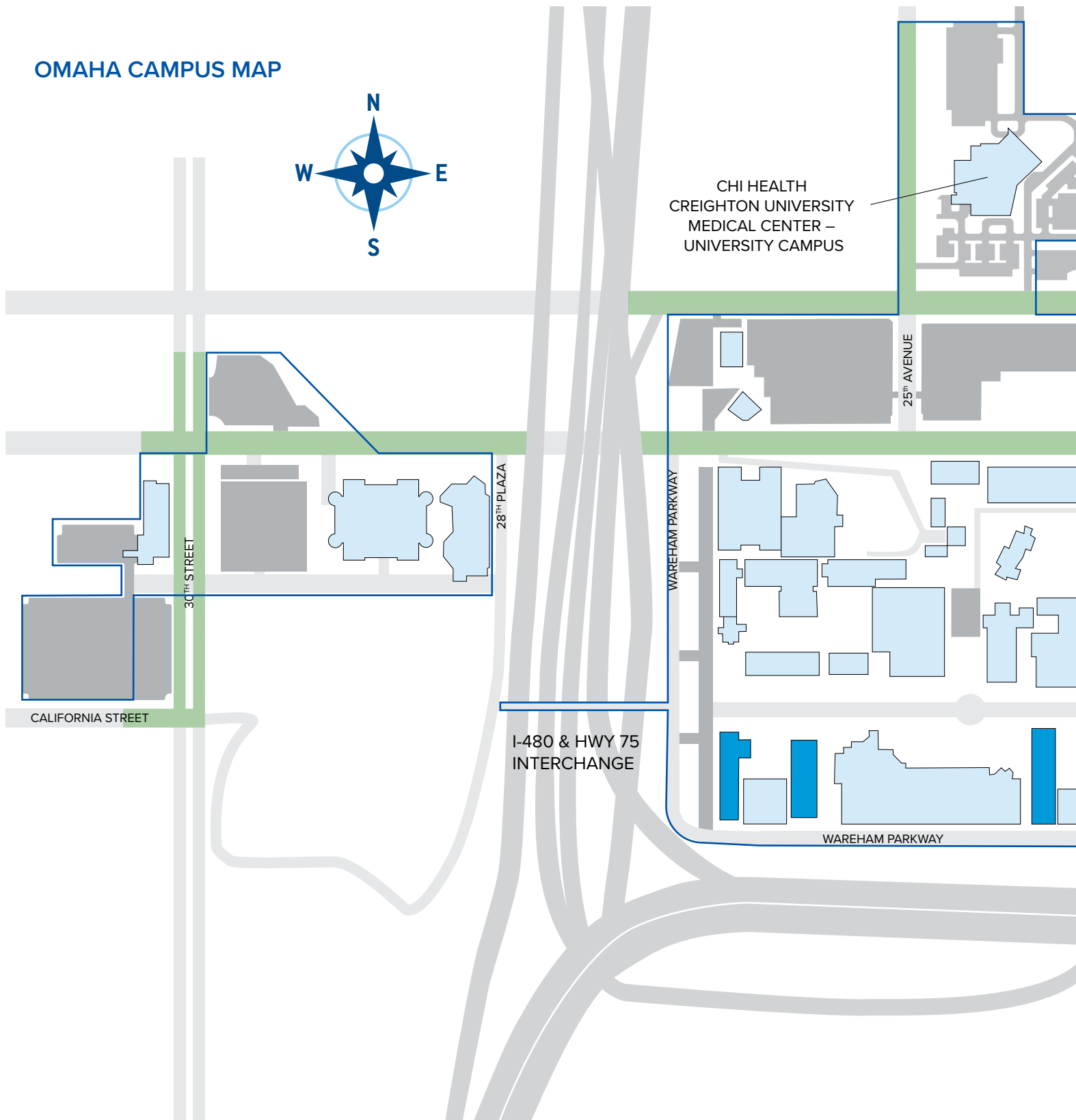
- Diocese of Sioux City  
3400 Jennings St., Sioux City, IA 51104
- St. Augustine Catholic High School  
8800 E. 22nd St., Tucson, AZ 85710
- St. Augustine Indian Mission  
1 Mission Road South, Winnebago, NE 68071
- St. John Paul II Parish  
3345 S. 10th St., Milwaukee, WI 53215
- St. Mary's Church – 5215 S. 36th St., Omaha, NE 68107
- St. Mary-St. Anthony Catholic Church, Casa Santa Rita  
632 Tauomee Ave., Kansas City, KS 66101

Hotels and other facilities used by Creighton University students during short-stay trips for activities when one or more of the following is true:

- It is a repeated visit to one location for overnight stay (the institution goes to the same location each year).
- It is an "away" trip (institutional trip of more than one night).
- It is an institutionally owned or controlled property abroad that is frequently used by students but does not fit the definition of a separate campus.

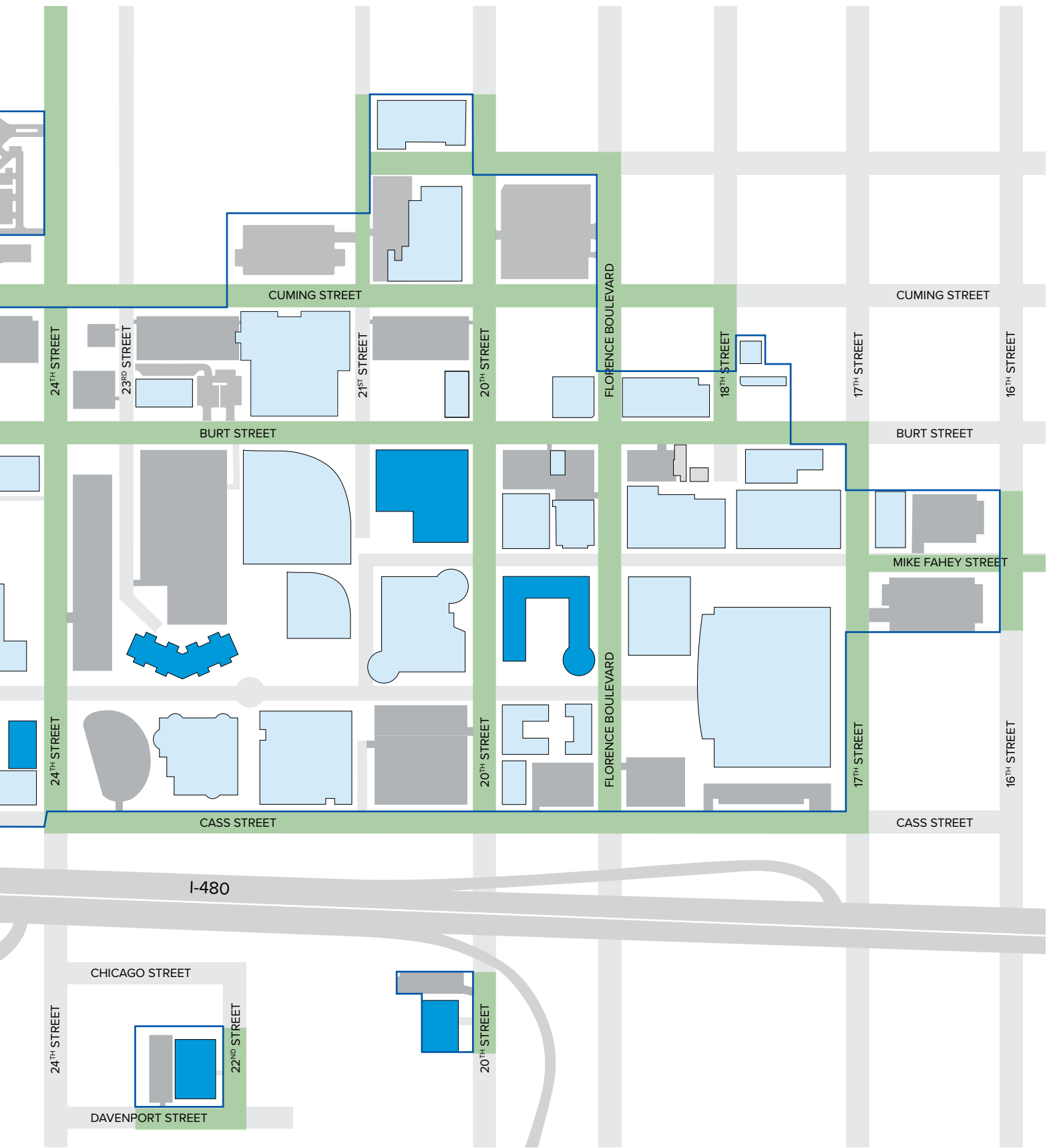


## OMAHA CAMPUS MAP



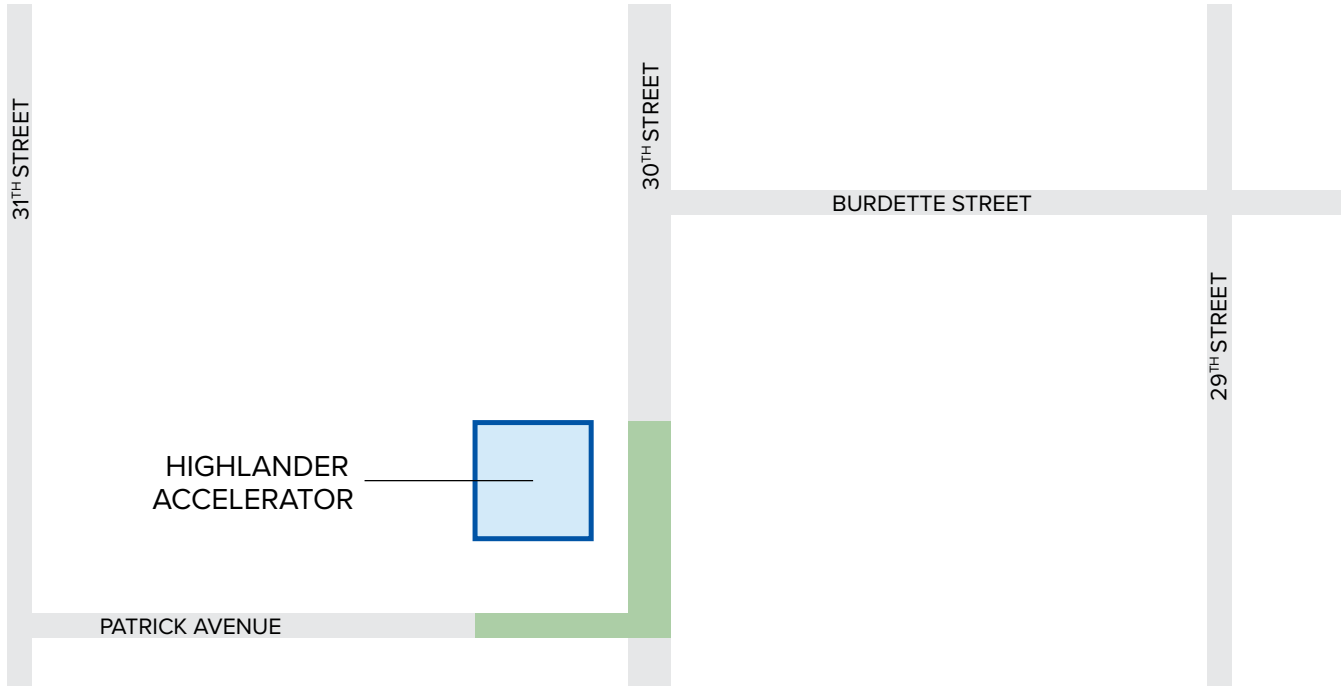
The jurisdiction of the Creighton University Department of Public Safety is limited to the private property outlined in blue on this map, with one exception:

CHI Health Creighton University Medical Center – University Campus is a privately owned medical clinic with its own security department. This property meets the Clery Act definition of on-campus property because it is contiguous to the main campus and the University has a written agreement for activities that directly support the institution’s educational purposes.



- On-Campus Student Housing Facilities
- Other On-Campus Buildings
- On-Campus Property Boundary
- Public Property
- Parking Lots

## HIGHLANDER ACCELERATOR MAP



## TD AMERITRADE PARK AND CHI HEALTH CENTER MAP

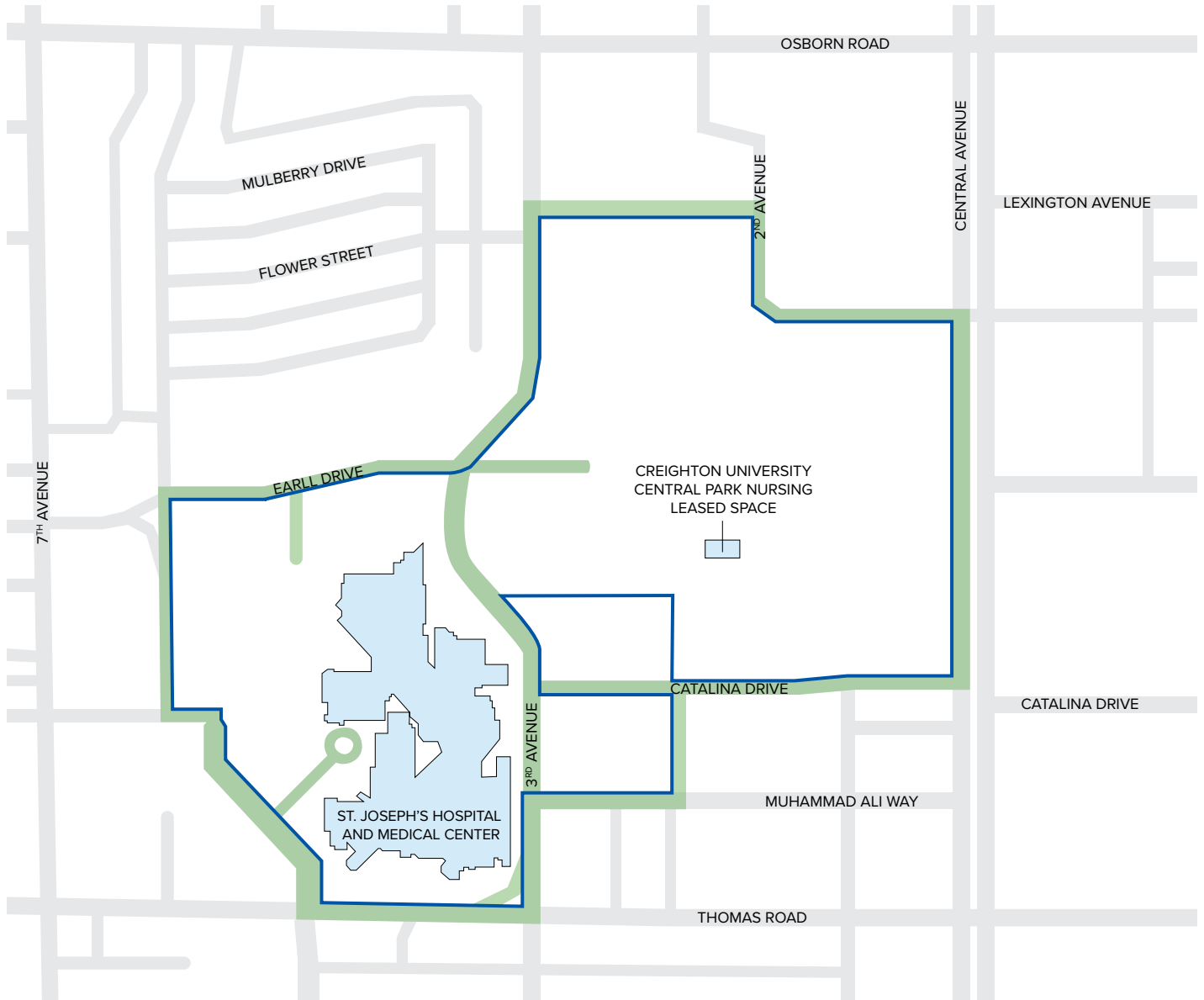


Highlander Accelerator is a community partnership where Creighton University has control of designated space for activities that directly support the educational purposes of the University. Because this facility is reasonably contiguous (within 1 mile) with the main campus, crimes reported at this property are included in the statistics as on-campus, all other areas.

TD Ameritrade Park and CHI Health Center Omaha are privately owned athletics facilities for which the University leases space for specific dates and times. Because these facilities are reasonably contiguous (within 1 mile) and directly support the educational purposes of the University, they meet the Clery Act definition of on-campus property during the dates defined by the lease. Crimes reported on dates that the University controlled these locations are included in the statistics as on-campus, all other areas.



## PHOENIX CAMPUS MAP



On-Campus Buildings
  On-Campus Property Boundary
  Public Property

**Separate Campus:** A location is a separate campus if the institution owns or controls the site, it is not reasonably geographically contiguous with the main campus, it has an organized program of study, and there is at least one person on site acting in an administrative capacity.

Creighton University has one separate campus in Phoenix, Arizona. The campus consists of leased space in the Central Park Mall at 3110 N. Central Ave., and space in Dignity Health St. Joseph's Hospital and Medical Center at 350 W. Thomas Road, as well as the adjacent parking lots of those facilities. The Central Park Mall lease began Oct. 15, 2018. Dignity Health St. Joseph's Hospital and Medical Center was used for the entire calendar year. Creighton University has no student housing facilities or non-campus property on the Phoenix campus.

Creighton University has no security jurisdiction at the Phoenix campus. Security is provided by the property owners, Central Park Mall and Dignity Health St. Joseph's Hospital and Medical Center, as well as local law enforcement (Phoenix Police Department). The leased space in Central Park Mall is controlled by electronic card swipe.

Employees and students at the Phoenix campus are subject to all laws, policies and procedures covered in this report for the main campus, with the exception of Nebraska state laws. Applicable Arizona state laws are included in the laws section of this report. Despite any provisions of Arizona state law, the possession, distribution and use of marijuana is prohibited on the Phoenix campus. Any differences for Arizona law will be highlighted.



# Campus Crime Classifications

The crime table lists the number of crimes reported over the past three calendar years to the Department of Public Safety and other campus security authorities for specific categories of Part I offenses. Crimes are classified according to the Uniform Crime Reporting (UCR) format, except for fondling, incest and statutory rape, which are classified according to the National Incident Based Reporting System (NIBRS). Crime definitions are provided below. The 12-month reporting periods begin Jan. 1 and end Dec. 31. In addition to campus security authorities, crime statistics for Creighton's Omaha and Phoenix campuses were received from the Omaha and Phoenix Police Departments. For non-campus properties, crime statistics were requested from the local law enforcement agency responsible for that jurisdiction.

## UNIFORM CRIME REPORTING (UCR) DEFINITIONS

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

**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, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**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.

**Robbery – Firearm:** Use of any firearm as a weapon or employed as a means of force to threaten the victim or put the victim in fear.

**Robbery – Knife or Cutting Instrument:** Use of a knife, broken bottle, razor, ice pick or other cutting or stabbing instrument as a weapon or as a means of force to threaten the victim or put the victim in fear.

**Robbery – Other Dangerous Weapon:** Use of a club, acid, explosive, brass knuckles, mace, pepper spray or other dangerous weapon or its use is threatened.

**Robbery – Strong Arm:** Muggings and similar offenses in which personal weapons such as hands, arms, feet, fists, and teeth are used, or use is threatened to deprive the victim possessions.

**Aggravated Assault:** An unlawful attack by one person upon another for inflicting severe or aggravated bodily injury. This type of assault usually is accompanied using a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious personal injury if the crime were successfully completed.

**Aggravated Assault – Firearm:** All assaults in which a firearm of any type is used or threatened to be used.

- Revolvers, automatic pistols, shotguns, zip guns, rifles, etc. are included in this category.

**Aggravated Assault – Knife or Cutting Instrument:** Assaults wherein weapons such as knives, razors, hatchets, axes, cleavers, scissors, glass, broken bottles and ice picks are used as cutting or stabbing objects or their use is threatened.

**Aggravated Assault – Other Dangerous Weapon:** Assaults resulting from the use or threatened use of any object as a weapon in which serious injury does or could result.

- Weapons in this category include, but are not limited to, mace, pepper spray, clubs, bricks, jack handles, tire irons, bottles or other blunt instruments used to club or beat victims.
- Also includes attacks by explosives, acid, lye, poison, scalding, burnings, etc.

**Aggravated Assault – Hands, Fists, Feet, etc.:** Attacks using persona; weapons (hands, fists, feet, etc.) which result in serious or aggravated injury.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft.

**Forcible Entry:** All offenses where force of any kind is used to unlawfully enter a structure for committing a theft or felony. This includes the use of tools; breaking or forcing windows, doors, transoms, or ventilators; cutting screens, walls, or roofs; and, where known, using master keys, picks, unauthorized keys, celluloid, a mechanical contrivance such as a pass or skeleton key, or any device that leaves no outward mark but forces a lock. Include concealment inside a building followed by exiting the structure.

**Unlawful Entry – No Force:** The entry of a structure by use of an unlocked door or window. Element of trespass to the structure is essential in this category, which includes thefts from open garages, open warehouses, open or unlocked dwellings (such as residence hall rooms), and open or unlocked common basement areas where entry is achieved by someone other than the tenant who has lawful access.

**Attempted Forcible Entry:** Situations where a forcible entry burglary is attempted but not completed.



**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. Motor vehicle theft includes all cases where autos, trucks/buses, and other vehicles (snowmobiles, motorcycles, motor scooters, trail bikes, mopeds, golf carts, all-terrain vehicles and motorized wheelchairs), are taken by persons not having lawful access or consent even though the vehicles are later recovered—including joyriding.

**Arson:** 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.

**Hate Crimes:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. Larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property are only reported if motivated by bias as determined by one of the bias categories.

**Bias Categories under the Clery Act:** Disability, ethnicity, gender, gender identity, race, religion, national origin and sexual orientation.

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or facial hair; facial features, etc., generally transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
- **Gender:** A preformed negative opinion or attitude toward a person or a group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be lesbian, gay, bisexual or transgender person but may be perceived as such.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholic, Jews, Protestants, atheists.
- **Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person’s physical, romantic and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual and heterosexual (straight) individuals.
- **Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to a grouping

based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.

- **National Origin:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived county of origin. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

## HATE CRIMES

Hate or bias-related crimes are not separate and distinct from crimes already reported in the overall campus crime statistics. Rather, they reflect only those criminal offenses which were determined through investigation to be motivated by the bias of the offender. If the facts of the case indicated that the victim was intentionally selected because of the victim’s actual or perceived race, gender, gender identity, religion, sexual orientation, disability, national origin or ethnicity, the incident is then also classified as a hate crime. Hate crime statistics will be maintained under UCR guidelines to include, not only murder/non-negligent manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson, but also larceny/theft, simple assault, intimidation, and destruction, damage, or vandalism of property, which are not reflected in the overall campus crime statistics.

In 2017, three cases of vandalism were categorized as hate crimes. All three cases occurred on campus. One case occurred in a student housing facility (sexual orientation bias). One case occurred on campus—all other areas (racial bias) and one case occurred on campus—all other areas (gender bias). In 2018, one case of vandalism was categorized as a hate crime. The case occurred on campus in a student housing facility (racial bias). In 2019, one case of vandalism was categorized as a hate crime. The case occurred on campus in a student housing facility (religious bias).

## UNFOUNDED CRIMES

Public Safety will only include “unfounded” crimes, which are incidents that have been determined to be false or baseless, when a sworn or commissioned law enforcement agency has thoroughly investigated the report and made the determination the report was false or baseless. If a crime has been determined to be “unfounded,” Public Safety will maintain documentation as to why that determination was made.

There were zero unfounded crimes during the reporting years of 2017, 2018 or 2019.

# Campus Crime Statistics

## OMAHA CAMPUS

Crime Category	Number of Incidents Reported														
	On-Campus Student Housing Facilities			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense															
Rape	5	8	6	0	0	1	5	8	7	1	2	0	0	0	0
Fondling	0	2	1	0	0	0	0	2	1	0	1	2	0	0	1
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	2	0	0	0	0	0	2	0	0	0	0	0	0	0
Robbery	0	0	0	0	1	0	0	1	0	0	2	1	0	0	1
Aggravated Assault	2	0	0	1	0	1	3	0	1	0	1	0	0	0	0
Burglary	0	2	5	2	4	6	2	6	11	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	2	5	2	2	5	2	0	3	0	1	0	2
Arson	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0

## PHOENIX CAMPUS

Reporting for the Phoenix campus started in 2018. The Phoenix campus has no on-campus student housing facilities.

Crime Category	Number of Incidents Reported														
	On-Campus Student Housing Facilities			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
Murder/Non-Negligent Manslaughter	-	N/A	N/A	-	0	0	-	0	0	-	N/A	N/A	-	0	0
Manslaughter by Negligence	-	N/A	N/A	-	0	0	-	0	0	-	N/A	N/A	-	0	0
Sex Offense															
Rape	-	N/A	N/A	-	2	4	-	2	4	-	N/A	N/A	-	0	0
Fondling	-	N/A	N/A	-	1	0	-	1	0	-	N/A	N/A	-	0	0
Incest	-	N/A	N/A	-	0	0	-	0	0	-	N/A	N/A	-	0	0
Statutory Rape	-	N/A	N/A	-	0	0	-	0	0	-	N/A	N/A	-	0	0
Robbery	-	N/A	N/A	-	6	0	-	6	0	-	N/A	N/A	-	0	0
Aggravated Assault	-	N/A	N/A	-	7	0	-	7	0	-	N/A	N/A	-	1	2
Burglary	-	N/A	N/A	-	2	1	-	2	1	-	N/A	N/A	-	0	0
Motor Vehicle Theft	-	N/A	N/A	-	2	1	-	2	1	-	N/A	N/A	-	1	0
Arson	-	N/A	N/A	-	0	0	-	0	0	-	N/A	N/A	-	0	0

Photo taken prior to COVID-19 pandemic.



## Harassment, Discrimination, Sexual and Relationship Misconduct Prevention and Awareness Programming

Creighton University believes that each individual should be treated with respect and dignity and that any form of harassment, discrimination, sexual assault, domestic/dating violence or stalking is a violation of human dignity. The University condemns and prohibits these actions and will take all reasonable efforts to prevent such conduct and promptly address conduct found to be in violation of the law or Creighton's principles.

Creighton University prioritizes the safety of students, faculty and staff on campus and works diligently to reduce the risk of harassment, discrimination and/or sexual or relationship misconduct among members of the Creighton community. To further this endeavor, Creighton offers ongoing programming, education and campaigns geared toward violence prevention and awareness involving numerous offices on campus including: The Violence Intervention and Prevention (VIP) Center, Office of Equity and Inclusion (OEI), Student Counseling Services, Student and Residence Life, Greek Life, Athletics, Student Leadership and Involvement, and Public Safety.

**Educational programs, online trainings and presentations** are offered to raise awareness for all incoming students, faculty and staff, and are conducted during new student and new faculty/staff orientation as well as other times throughout the year. These programs aim to raise awareness, while also focusing on primary prevention, awareness programs and bystander intervention. These programs provide an overview of Nebraska laws as well as Creighton policies on sexual and relationship misconduct, including definitions and warning signs and a review of the definition of consent.

Each year, the OEI and VIP Center makes thousands of impressions on our students, employees and community members with prevention training. These training events take place at employee, student, and parent orientations, residence life and athletic training, and other ongoing prevention and

awareness campaigns and events, including poster and social media campaigns, Denim Day, fairs, exhibits, receptions, informal tabletop meetings, as well as Green Dot Bystander Intervention Training.

**Programs to prevent domestic/dating violence, sexual assault and stalking** are comprehensive, intentional and integrated programs, initiatives, strategies and campaigns intended to end domestic/dating violence, sexual assault and stalking that are: culturally relevant, inclusive, sustainable, responsive, research based, and considerate of environmental risks and protective factors.

**Primary prevention programs** are programs, initiatives and strategies intended to stop dating violence, domestic violence, sexual assault and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention and seek to change behavior and social norms in healthy and safe directions.

**Orientation Programs:** All new students, staff and faculty are required to complete training on Creighton University's Title IX Sexual Harassment Policy and Non-Discrimination Policy. These trainings are tailored for each incoming group and provide each participant the opportunity to reflect on various types of inter-personal violence, how to recognize warning signs, what resources are available on campus, and how to report a concern.

**Consent 101:** Consent 101 engaged peer-educators to start meaningful conversations with freshman students about consent. A team of two student peer-educators facilitate discussions regarding consent, boundaries and resources on how to be a supportive friend to those who have experienced sexual violence.

**Faculty/Staff Training:** These programs are intended to provide additional training for faculty and staff members within their roles in the university. These trainings are often position specific to ensure that topics are relevant for the work they do at the University.

**Student Training:** All students involved in New Student Orientation and Residential Life complete training through the Office of Equity and Inclusion and the Violence Intervention and Prevention (VIP) Center. These trainings include information on Creighton University's Title IX Sexual Harassment Policy and Non-Discrimination Policy, warning signs of interpersonal violence, how to provide support to students who have experienced inter-personal violence, confidential support available on-campus, and reporting options. Many of these trainings are interactive and scenario-based to provide student staff the opportunity to practice difficult conversations.

**Community Member Training:** The Nebraska Victim Assistance Academy is a five-day, 40-hour training academy with academic course credits. The courses and the Academy are tailored to the needs of Nebraska victims and those who serve them; including a comprehensive, academically based, fundamental education for all areas of victim advocacy.

**Health Care Presentations:** VIP Center staff presents information to health professions students regarding trauma-informed health care. These events include a presentation to nursing students about sexual assault examinations and a discussion with PA students.

**Awareness programs** are community-wide or audience-specific programs, initiatives and strategies that increase audience knowledge, and share information and resources to prevent violence, promote safety and reduce perpetration.

**Interpersonal Violence Presentations:** VIP Center staff hosts educational presentations regarding topics of interpersonal violence for all members of the Creighton community. Topics include human trafficking, healthy relationships, drug testing devices and prevention and interpersonal violence as an issue of social justice.

**Interpersonal Violence Programming Events:** The VIP Center hosts events throughout the year for students, staff, faculty and community members. The most notable events include Take Back the Night and What Were You Wearing? Take Back the Night is an annual event in which survivors of sexual and relationship violence share their stories of victimization, survival, and healing. Members of the Creighton community bear witness to the stories of their peers, classmates, professors and students. What Were You Wearing? is an event in which Creighton students, staff, and faculty anonymously submit their stories of sexual violence and a description of the clothes they were wearing at the time of their assault. The VIP Center staff recreates these outfits with the survivors' shared experiences in order to dispel the myth that clothing choices contribute to sexual violence.

**Bystander intervention** is a strategy of safe and positive options that may be carried out to prevent harm or intervene when there is a risk of domestic/dating violence, sexual assault or stalking through action on the part of someone who witnesses or has knowledge of these incidents. Bystander intervention includes recognizing situations of potential harm, understanding

institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

At Creighton University, Green Dot Bystander Intervention Training is a comprehensive bystander intervention strategy to reduce rates of violence and mobilize and empower all members of a given community by engaging witnesses to interrupt situations that are imminently or potentially high-risk for violence. Creighton's VIP Center offers presentations, trainings and programs on Green Dot throughout the year.

**Risk reduction** is actions and strategies designed to decrease perpetration and bystander inaction, increase empowerment for victims in order to promote safety, and help individuals and communities address conditions that facilitate violence. Risk reduction actions or strategies can decrease the likelihood that an incident of sexual and/or relationship misconduct can occur. Risk reduction promotes safety and helps individuals and communities address conditions that facilitate violence. According to the CDC, risk reduction includes promoting social norms that protect against violence, teaching skills to prevent sexual violence, and creating protective environments. Examples of risk reduction include being active in supporting a safe and respectful community, discouraging rape jokes or those with sexist language, situational awareness, and encouraging people to step forward and say something if they see or hear something that make you uncomfortable.

**Green Dot Bystander Training:** Green Dot is an evidence-based, bystander intervention training program offered to all members of the Creighton community. In this training, participants learn about different types of interpersonal violence, warning signs, and safe methods of intervention. Green Dot empowers individuals to engage in changing our culture of violence by teaching skills on how to safely intervene when another person is at risk. Green Dot believes in the collaborative impact of each person's small actions. No one has to do everything, but everyone can do something! Throughout the training, participants will learn techniques in promoting positive social norms, de-escalation, making presence known, speaking up, preventative measures, and using a "buddy".

**Escalation Training:** Escalation is a 40-minute film that follows the progression of an unhealthy relationship. A discussion is held following the film focused on warning signs and ways to intervene if someone is concerned about a loved one's relationship.

**VIP Center Promo Events:** Throughout the year, the VIP Center staff markets the resources, prevention education and programming offered by the office. These promo events include hosting giveaways and self-care events before midterms and final exams.

**FSL Events:** VIP Center staff were included in the Fraternity and Sorority Life (FSL) Risk Roundtable to discuss warning signs of potential harm, how to support a friend who has experienced harm, reporting options and processes, as well as resources and support available on campus. This partnership was to ensure that the FSL community knows how to access advocacy and reporting on-campus.



**Ongoing prevention and awareness campaigns** are active and passive programs offered throughout the academic year by the VIP Center, the OEI and other campus partners that have a goal of educating the campus community on issues of sexual and relationship misconduct.

**Tabling:** VIP Center staff hosts tables at various involvement fairs and high-traffic areas around campus. Information about the VIP Center and its services is distributed to students, staff and faculty.

**Social Media:** The VIP Center uses therapy dogs as part of their social media strategy. They share affirmations, self-care ideas, information about healthy relationships, and how to support friends who have experienced interpersonal violence.

**Fundraisers:** Throughout the year, the VIP Center holds fundraisers through “percent nights” at restaurants. Proceeds from these fundraisers are put toward hosting major events such as Take Back the Night.

## CREIGHTON UNIVERSITY TITLE IX SEXUAL HARASSMENT AND NON-DISCRIMINATION POLICY STATEMENTS

### Amnesty

Creighton University encourages the reporting of harassment, discrimination, sexual misconduct, relationship misconduct and retaliation. Creighton recognizes that students may be hesitant to report such conduct or to participate in resolution processes if they have consumed alcohol when they are not 21 years of age, used illegal drugs, or otherwise violated the University’s alcohol or drug policies at a time relevant to the incident.

To encourage reporting and participation in the process, the University will not take disciplinary action under its alcohol or drug policies against a student who discloses illegal alcohol or drug use in the context of reporting sexual misconduct directed against them or another person or participating in any related investigation or proceedings. However, the University reserves the right to require counseling, education or other preventative measures to help prevent alcohol or drug violations in the future.

This amnesty does not apply to more serious allegations or allegations that placed the health or safety of others at risk. This would include allegations such as physical abuse of another person or illicit drug distribution.

Amnesty under Creighton’s policies does not preclude or prevent action by police or other legal authorities.

**Students:** Sometimes, students are hesitant to assist others for fear that they may get in trouble themselves (for example, an underage student who has been drinking or using marijuana might hesitate to help an individual who has experienced sexual misconduct talk to their RA or residential life staff)

Creighton maintains a policy of amnesty for students who offer help to others in need. (While policy violations cannot be overlooked, Creighton may provide purely educational options with no official disciplinary finding, rather than punitive sanctions, to those who offer their assistance to others in need.)

**Employees:** Sometimes, employees are hesitant to report incidents of discriminatory harassment or retaliation they have experienced for fear that they may get in trouble themselves.

For example, an employee who has violated the Romantic or Intimate Relationships Policy and is then assaulted in the course of that relationship might hesitate to report the incident to Creighton officials.

Creighton may, at its discretion, offer employee complainants amnesty from such policy violations (typically more minor policy violations) related to the incident. Amnesty may also be granted to respondents and witnesses on a case-by-case basis.

### Consent

Consent is affirmative by definition. Consent is an *explicitly communicated* mutual agreement in which all parties make an *informed, voluntary* and *active* decision to engage in specific sexual activity. Consent is words or actions that a reasonable person in the perspective of the respondent would understand as agreement to engage in the sexual conduct at issue. It is the responsibility of any person wishing to engage in sexual activity with another person to determine the capacity of that potential sexual partner to provide consent.

**Explicitly communicated:** Consent must be communicated clearly, either verbally or non-verbally, through an outward demonstration signifying a person has freely chosen to engage in specific sexual activity. Consent cannot be inferred from the absence of a “no” and may not be inferred from silence, passivity, lack of resistance or lack of an active response (e.g., freezing or being physically unable to communicate).

**Informed:** This means that all individuals understand, are aware of, and agree to the “who” (same partners), “what” (same acts), “where” (same location), “when” (same time), and “how” (same way and under the same conditions) of the sexual activity. A person is not deemed to be informed if a sexual partner misrepresents or materially omits information about themselves or the situation to gain sexual access. Being informed includes, but is not limited to, an awareness of whether pictures and/or video are being taken and knowledge of a partner’s sexual health status (i.e., sexually transmitted infections). See also “sexual exploitation.”

**Voluntary:** This means that consent is freely given by all parties and cannot be the result of force, threats, intimidation, coercion or fraud.

**Active:** Consent must be present and ongoing throughout every sexual interaction. Consent to one activity does not imply consent to other acts, nor does a previous or ongoing intimate relationship indicate consent to other sexual acts. Consent can be revoked at any time. If there is confusion or ambiguity during a sexual interaction, it is essential that the participants stop the activity and clarify each party’s willingness to continue.

### Coercion

Direct or implied threat of force, violence, danger, hardship or retribution sufficient to persuade a reasonable person of ordinary susceptibility to perform an act which otherwise would not have been performed or acquiesce in an act to which one would otherwise not have submitted. Coercion can include unreasonable and sustained pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. A person’s words or conduct cannot amount to coercion for purposes of this policy unless they wrongfully impair the other’s freedom of will and ability to choose whether or not to engage in sexual activity.

## Discrimination

Any unfair distinction, treatment or detriment to an individual compared to others that is based upon an individual's actual or perceived status in a class protected by law or policy. The conduct must be severe or pervasive and objectively offensive so as to alter the conditions of the individual's employment or educational experience. Classes protected by law or policy include race, color, religion, sex, marital status, national origin, age, disability, citizenship, sexual orientation, gender identity, gender expression, veteran status and any other groups protected by federal, state or local statutes.

## Discriminatory Harassment

Unwelcome conduct based on an individual's actual or perceived status in a class protected by law or policy which is severe or pervasive and objectively offensive, creating a Hostile Environment. Classes protected by law or policy include race, color, religion, sex, marital status, national origin, age, disability, citizenship, sexual orientation, gender identity, gender expression, veteran status and any other groups protected by federal, state or local statutes.

## Force

The use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that is intended to overcome resistance or produce consent.

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

## Freedom of Expression and Academic Freedom

Creighton University is committed to the principles of free expression and academic freedom. As a Jesuit university, Creighton is also committed to creating and maintaining an environment that is safe, healthy and free of harassment and discrimination for all members of the campus community. Creighton affirms that these two legitimate interests can coexist. Creighton will construe and apply this policy consistent with the principles of academic freedom specified in the Faculty Handbook. In no case will a respondent be found to have committed sexual harassment based on expressive conduct that is protected by the principles of academic freedom specified in the Faculty Handbook.

## Hostile Environment

A hostile environment (Non-Discrimination Policy) exists when unwelcome conduct is determined by a reasonable person to be severe or pervasive and objectively offensive, limiting or effectively denying an individual's ability to access or benefit from the educational or workplace environment.

A hostile environment (Title IX Sexual Harassment Policy) exists when unwelcome conduct is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Creighton's education programs or activities.

In determining whether a reasonable person in the complainant's circumstances would find the work or educational environment to be hostile, the totality of the circumstances must be considered. A hostile environment is not determined solely

on the number of offensive incidents. A single, isolated incident may create a hostile environment if the incident is sufficiently severe (e.g., a single but extremely targeted, individualized and derogatory discriminatory statement.)

When harassment rises to the level of a hostile environment, the University may impose sanctions on the respondent through application of the complaint resolution process set forth below.

The University will act to remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a hostile environment.

The University further reserves the right to address offensive conduct and/or harassment that does not rise to the level of a hostile environment or that is of a generic nature and not based on a protected status. Addressing such conduct will not result in the imposition of discipline under this policy, but may be addressed through conversation, remedial actions, education, collaborative discernment resolutions and/or other informal resolution mechanisms.

Creighton's policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include relevant, but controversial or sensitive subject matters protected by academic freedom that do not constitute discriminatory harassment.

## Incapacitation

A state where an individual cannot make an informed and rational decision to consent to engage in sexual contact because the individual lacks conscious knowledge of the nature of the act (e.g., to understand the "who, what, where, when, why or how" of the sexual interaction) and/or is physically or mentally helpless. An individual is also considered incapacitated, and therefore unable to give consent, when asleep, unconscious or otherwise unaware that sexual contact is occurring.

Incapacitation can only be found when the respondent knew or should have known that the complainant was incapacitated when viewed from the position of a sober, reasonable person. One's own intoxication is not an excuse for failure to recognize another person's incapacitation.

Incapacitation may result from the use of alcohol and/or other drugs; however, consumption of alcohol or other drugs, inebriation, or intoxication alone are insufficient to establish incapacitation. Incapacitation is beyond mere drunkenness or intoxication. The impact of alcohol or drugs varies from person to person, and evaluating incapacitation requires an assessment of how consumption of alcohol and/or drugs impacts an individual's:

- Decision-making ability
- Awareness of consequences
- Ability to make informed judgments
- Capacity to appreciate the nature or circumstances of the act.

No single factor is determinative of incapacitation. Some common signs that someone may be incapacitated include, but are not limited to, the following:

- Lack of control over physical movements; difficulty walking, stumbling, falling down; being unable to stand or walk without assistance
- Slurred speech or inability to communicate clearly

- Inability to focus or confusion about the circumstances
- Vomiting
- Unconsciousness or periods of unconsciousness; blackouts

### Sexual Harassment

Sexual Harassment includes the offenses of quid pro quo sexual harassment, hostile environment sexual harassment, sexual assault, domestic violence, dating violence, and stalking, as defined herein:

**Quid Pro Quo Sexual Harassment:** An employee of Creighton University conditions the provision of an aid, benefit or service of the University on an individual's participation in unwelcome sexual contact.

**Hostile Environment Sexual Harassment:** Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to Creighton's education programs or activities.

**Sexual Assault:** Includes the sex offenses of rape, sodomy, sexual assault with an object, fondling, incest and statutory rape.

**Rape:** Carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. There is "carnal knowledge" if there is the slightest penetration of the vagina or penis by the sexual organ of the other person. Attempted rape is included.

**Sodomy:** Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity, forcibly, and/or against that person's will (without consent) or not forcibly or against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

**Sexual Assault with an Object:** Using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia.

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

**Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Nebraska and/or Arizona law.

**Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent as defined by Nebraska and/or Arizona law. In Nebraska, the age of consent is 16 years of age. In Arizona, the age of consent is 18 years of age.

**Dating Violence:** Violence committed by a person:

- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- Where the existence of such a relationship will be determined based on a consideration of the following factors:
  - The length of the relationship;
  - The type of relationship; and
  - The frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Nebraska and/or Arizona, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Nebraska and/or Arizona.

**Stalking:** Engaging in a course of conduct directed at a specific person, that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

### Sexual Exploitation

Taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute sexual harassment under this policy. Examples include, but are not limited to:

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
- Invasion of sexual privacy
- Taking pictures, video or audio recording of another in a sexual act, or in any other sexually-related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of revenge pornography
- Prostituting another person
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the infection
- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity

- Misappropriation of another person’s identity on apps, websites or other venues designed for dating or sexual connections
- Forcing a person to take an action against that person’s will by threatening to show, post or share information, video, audio or an image that depicts the person’s nudity or sexual activity
- Knowingly soliciting a minor for sexual activity
- Engaging in sex trafficking
- Creation, possession or dissemination of child pornography

## FEDERAL LAWS RELATED TO TITLE IX AND SEXUAL HARASSMENT

Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

Title IX applies to institutions that receive federal financial assistance from U.S. Department of Education. Educational programs and activities that receive federal funds must operate in a nondiscriminatory manner. Some key issue areas in which recipients have Title IX obligations are: recruitment, admissions, and counseling; financial assistance; athletics; sex-based harassment; treatment of pregnant and parenting students; discipline; single-sex education; and employment. Title IX also protects from retaliation individuals who make or participate in a complaint regarding something covered by Title IX.

## VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA) DEFINITIONS

The Violence Against Women Reauthorization Act of 2013 (VAWA) requires that institutions report incidents of sexual assault, domestic and dating violence (also known as ‘intimate partner violence’) and stalking in its annual security report. Public concern over violence against women prompted the original passage and enactment of VAWA. As such, VAWA legislation and programs have historically emphasized women victims. More recently, however, there has been a focus on ensuring that the needs of all victims are met through provisions of VAWA programs.

The following includes federal law definitions that apply to the VAWA reporting requirement. However, in an effort to educate the Creighton community and provide awareness of local laws, VAWA also requires the definitions of Nebraska (and Arizona) state statutes be included as well.

**Dating Violence** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

## Violence Against Women Act (VAWA) Offenses

### OMAHA CAMPUS

Crime Category	Number of Incidents Reported														
	On-Campus Student Housing Facilities			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
Domestic Violence	0	0	0	0	1	0	0	1	0	0	1	0	0	0	0
Dating Violence	4	3	1	2	1	1	6	4	2	0	0	0	0	0	0
Stalking	2	5	4	2	6	12	4	11	16	0	1	2	0	0	0

### PHOENIX CAMPUS

Reporting for the Phoenix campus started in 2018. The Phoenix campus has no on-campus student housing facilities.

Crime Category	Number of Incidents Reported														
	On-Campus Student Housing Facilities			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
Domestic Violence	-	N/A	N/A	-	0	12	-	0	12	-	N/A	N/A	-	0	0
Dating Violence	-	N/A	N/A	-	0	0	-	0	0	-	N/A	N/A	-	0	0
Stalking	-	N/A	N/A	-	0	0	-	0	0	-	N/A	N/A	-	0	0



**Domestic Violence** is defined as a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

- Course of conduct: Two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens or communications to or about a person, or interferes with a person's property.
- Reasonable person: A reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress: Significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## NEBRASKA STATE LAWS: HARASSMENT, DISCRIMINATION, SEXUAL AND RELATIONSHIP MISCONDUCT

### Consent

1. Actor means a person accused of sexual assault;
2. Intimate parts means the genital area, groin, inner thighs, buttocks or breasts;
3. Past sexual behavior means sexual behavior other than the sexual behavior upon which the sexual assault is alleged;
4. Serious personal injury means great bodily injury or disfigurement, extreme mental anguish or mental trauma, pregnancy, disease or loss or impairment of a sexual or reproductive organ;
5. Sexual contact means the intentional touching of the victim's sexual or intimate parts or the intentional touching of the victim's clothing covering the immediate area of the victim's sexual or intimate parts. Sexual contact shall also mean the touching by the victim of the actor's sexual or intimate parts or the clothing covering the immediate area of the actor's sexual or intimate parts when such touching is intentionally caused by the actor. Sexual contact includes shall include only such conduct which can be reasonably construed as being for the purpose of sexual arousal or gratification of either party. Sexual contact shall also include the touching of a child with the actor's

sexual or intimate parts on any part of the child's body for purposes of sexual assault of a child;

6. Sexual penetration means sexual intercourse in its ordinary meaning, cunnilingus, fellatio, anal intercourse, or any intrusion, however slight, of any part of the actor's or victim's body or any object manipulated by the actor into the genital or anal openings of the victim's body which can be reasonably construed as being for nonmedical, or nonhealth, or nonlaw enforcement purposes. Sexual penetration shall not require emission of semen;
7. Victim means the person alleging to have been sexually assaulted;
8. Without consent means:
  - a. (i) The victim was compelled to submit due to the use of force or threat of force or coercion, or (ii) the victim expressed a lack of consent through words, or (iii) the victim expressed a lack of consent through conduct, or (iv) the consent, if any was actually given, was the result of the actor's deception as to the identity of the actor or the nature or purpose of the act on the part of the actor;
  - b. The victim need only resist, either verbally or physically, so as to make the victim's refusal to consent genuine and real and so as to reasonably make known to the actor the victim's refusal to consent; and
  - c. A victim need not resist verbally or physically where it would be useless or futile to do so; and
9. Force or threat of force means
  - a. the use of physical force which overcomes the victim's resistance or
  - b. the threat of physical force, express or implied, against the victim or a third person that places the victim in fear of death or in fear of serious personal injury to the victim or a third person where the victim reasonably believes that the actor has the present or future ability to execute the threat.

### Relationship Misconduct

**Domestic Abuse:** Abuse means the occurrence of one or more of the following acts between family or household members: attempting to cause or intentionally and knowingly causing bodily injury with or without a dangerous instrument; placing, by means of credible threat, another person in fear of bodily injury. For purposes of this subdivision, credible threat means a verbal or written threat, including a threat performed through the use of an electronic communication device, or a threat implied by a pattern of conduct or a combination of verbal, written or electronically communicated statements and conduct that is made by a person with the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for his or her safety or the safety of his or her family. It is not necessary to prove that the person making the threat had the intent to actually carry out the threat. The present incarceration of the person making the threat shall not prevent the threat from being deemed a credible threat under this section; or engaging in sexual contact or sexual penetration without consent. Family or household members includes spouses or former spouses, children, persons who are presently residing together or who have resided together in the past, persons who have a child in common whether or not they have been married or have lived together at any time,

other persons related by consanguinity or affinity, and persons who are presently involved in a dating relationship with each other or who have been involved in a dating relationship with each other.

For purposes of this subdivision, dating relationship means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement, but does not include a casual relationship or an ordinary association between persons in a business or social context.

**Domestic Assault:** A person commits the offense of domestic assault in the third degree if he or she: Intentionally and knowingly causes bodily injury to his or her intimate partner; threatens an intimate partner with imminent bodily injury; threatens an intimate partner in a menacing manner. For purposes of this section, intimate partner means a spouse; a former spouse; persons who have a child in common whether or not they have been married or lived together at any time; and persons who are or were involved in a dating relationship.

**Dating Violence:** Nebraska does not have a specific statute on dating violence. However, a dating relationship is included as a definition of “intimate partner” for the elements of Domestic Assault.

**Stalking:** Any person who willfully harasses another person or a family or household member of such person with the intent to injure, terrify, threaten or intimidate commits the offense of stalking.

#### Sex Offenses

- **Rape (Sexual Assault in the First Degree):** Any person who subjects another person to sexual penetration without the consent of the victim, who knew or should have known that the victim was mentally or physically incapable of resisting or appraising the nature of his or her conduct, or when the actor is 19 years of age or older and the victim is at least 12 but less than 16 years of age is guilty of sexual assault in the first degree.
- **Fondling (Sexual Assault in the second and third degree):** Any person who subjects another person to sexual contact without consent of the victim, or who knew or should have known that the victim was physically or mentally incapable of resisting or appraising the nature of his or her conduct is guilty of sexual assault in either the second degree or third degree.
- Sexual assault shall be in the second degree if the actor shall have caused serious personal injury to the victim.
- Sexual assault shall be in the third degree if the actor shall not have caused serious personal injury to the victim.
- **Statutory Rape:** Nebraska state law includes statutory rape within the elements of Sexual Assault in the First Degree: “Any person who subjects another person to sexual penetration when the actor is 19 years of age or older and the victim is at least 12 but less than 16 years of age is guilty of sexual assault in the first degree.”
- **Incest:** Any person who shall knowingly intermarry or engage in sexual penetration with any person who falls within the degrees of consanguinity or any person who engages in sexual penetration with his or her stepchild who is under 19 years of age commits incest.

*Sources: Nebraska Revised Statute 28-319. Sexual assault; first degree; penalty. Nebraska Revised Statute 28-320. Sexual assault; second or third degree; penalty. Nebraska Revised Statute 42-903. Nebraska Revised Statute 28-311.03. Stalking. Nebraska Revised Statute 28-323. Domestic assault; penalties. Laws 1977, LB 38, § 33; Laws 1978, LB 701, § 1; Laws 1984, LB 79, § 3; Laws 1985, LB 2, § 2; Laws 1995, LB 371, § 3; Laws 2004, LB943, § 4; Laws 2006, LB 1199, § 4; Laws 2009, LB97, § 11; Laws 2019, LB519, § 6. Laws 1977, LB 38, § 233; Laws 1994, LB 988, § 2; Laws 2009, LB63, § 9; Laws 2009, LB430, § 6; Laws 2017, LB558, § 1; Laws 2018, LB990, § 2.*

## ARIZONA STATE LAWS: HARASSMENT, DISCRIMINATION, SEXUAL AND RELATIONSHIP MISCONDUCT

**Without Consent:** Includes any of the following: the victim is coerced by the immediate use or threatened use of force against a person or property; the victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant; the victim is intentionally deceived as to the nature of the act; or the victim is intentionally deceived to erroneously believe that the person is the victim’s spouse.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Please note that Arizona’s domestic violence laws encompass the definition of dating violence.

**Domestic Violence:** Means any act that is a dangerous crime against children if any of the following applies:

1. The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household.
2. The victim and the defendant have a child in common.
3. The victim or the defendant is pregnant by the other party.
4. The victim is related to the defendant or the defendant’s spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister, or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law or sister-in-law.
5. The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.
6. The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. In Arizona, this includes dorm roommates.

**Incest:** Persons who are 18 or more years of age and are within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who knowingly intermarry with each other, or who knowingly commit fornication or adultery with each other.

**Interference With or Disruption of an Educational Institution:**

- A. A person commits interference with or disruption of an educational institution by doing any of the following:
7. Intentionally, knowingly or recklessly interfering with or disrupting the normal operations of an educational institution by either:
    - a. Threatening to cause physical injury to any employee or student of an educational institution or any person on the property of an educational institution.
    - b. Threatening to cause damage to any educational institution, the property of any educational institution or the property of any employee or student of an educational institution.
  8. Intentionally or knowingly entering or remaining on the property of any educational institution for the purpose of interfering with the lawful use of the property or in any manner as to deny or interfere with the lawful use of the property by others.
  9. Intentionally or knowingly refusing to obey a lawful order given pursuant to subsection C of this section.
- B. To constitute a violation of this section, the acts that are prohibited by subsection A, paragraph 1 of this section are not required to be directed at a specific individual, a specific educational institution or any specific property of an educational institution.
- C. The chief administrative officer of an educational institution or an officer or employee designated by the chief administrative officer to maintain order may order a person to leave the property of the educational institution if the officer or employee has reasonable grounds to believe either that:
1. Any person or persons are committing any act that interferes with or disrupts the lawful use of the property by others at the educational institution.
  2. Any person has entered on the property of an educational institution for the purpose of committing any act that interferes with or disrupts the lawful use of the property by others at the educational institution.

**Sexual Abuse:** A person commits sexual abuse by intentionally or knowingly engaging in sexual contact with any person who is 15 or more years of age without consent of that person or with any person who is under 15 years of age if the sexual contact involves only the female breast.

**Sexual Assault:** A person commits sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.

**Sexual Conduct with a Minor (Statutory Rape):** A person commits sexual conduct with a minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person who is under 18 years of age.

**Stalking:** A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct either:

1. Would cause a reasonable person to fear for the person's safety or the safety of that person's immediate family member and that person in fact fears for the person's safety or the safety of that person's immediate family member.
2. Would cause a reasonable person to fear death of that person or that person's immediate family member and that person in fact fears death of that person or that person's immediate family member.

Additional information on definitions for Arizona Revised Statute Sex Offenses may be found at:

[azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/13/01401.htm](https://www.azleg.gov/azleg/viewdocument/?docName=https://www.azleg.gov/ars/13/01401.htm).

*Sources: Section 13-705 or an offense prescribed in section 13-1102, 13-1103, 13-1104, 13-1105, 13-1201, 13-1202, 13-1203, 13-1204, 13-1302, 13-1303, 13-1304, 13-1406, 13-1425, 13-1502, 13-1503, 13-1504, 13-1602 or 13-2810, section 13-2904, subsection A, paragraph 1, 2, 3 or 6, section 13-2910, subsection A, paragraph 8 or 9, section 13-2911, section 13-2915, subsection A, paragraph 3 or section 13-2916, 13-2921, 13-2921.01, 13-2923, 13-3019, 13-3102, 13-3601.02 or 13-3623. Arizona Revised Statute § 13-1401. Arizona age of consent is 18 years old. Arizona Revised Statute § 13-1405.*

## SEX OFFENDER LAWS AND REGISTRIES

In accordance to the Campus Sex Crimes Prevention Act amendment of 2002, the Jeanne Clery Act amendment of 2000 and the Family Educational Rights and Privacy Act amendment of 2000, Creighton University is providing links to the Nebraska and Arizona State Sex Offender Registry. Federal law requires all sex offenders to register in their state of residence and provide notice to each institution of higher education at which the person is employed, carries a vocation (with or without compensation) or is a student.

Arizona Sex Offender registry:  
[azdps.gov/services/public/offender](https://azdps.gov/services/public/offender)

Nebraska Sex Offender registry: <https://sor.nebraska.gov>

In addition to the above notice, all sex offenders are required to deliver written notice, in-person in Omaha or via email from Arizona, of their status as a sex offender to Creighton University's Assistant Vice President of Public Safety, [michaelreiner@creighton.edu](mailto:michaelreiner@creighton.edu), no later than three (3) business days prior to their enrollment in, employment with, volunteering at or residence in Creighton University. Such notification may be disseminated by Creighton University to, and for the safety and well-being of, the Creighton community, and may be considered by Creighton for enrollment and discipline purposes.



## Creighton University Title IX Sexual Harassment Policy Statements

In accordance with its history, mission and credo, Creighton University believes that each individual should be treated with respect and dignity and that any form of sexual harassment is a violation of human dignity. For purposes of this policy, sexual harassment includes quid pro quo sexual harassment, hostile environment sexual harassment, sexual assault, domestic violence, dating violence, and stalking. The University condemns and prohibits these actions and will take all reasonable efforts to prevent such conduct and promptly address conduct found to be in violation of this policy.

Consistent with the University's Non Discrimination Notice, it is the policy of the University to provide a workplace and an educational environment, as well as other education programs and activities, that are free from discrimination, harassment and retaliation. To ensure compliance with federal and state laws and regulations, including the U.S. Department of Education's implementing regulations for Title IX of the Education Amendments of 1972 ("Title IX") (see *C.F.R. 106 et seq.*), and to affirm its commitment to promoting the goals of fairness and equity in all aspects of its educational programs and activities, Creighton University has developed internal policies and procedures that provide a prompt, fair and impartial process for those involved in an allegation of sexual harassment and/or retaliation.

Sexual harassment and retaliation are considered serious violations of University policy. Due to their serious nature, allegations of these types of violations are resolved under this policy and not through other disciplinary processes at the University (e.g., University Committee on Student Discipline, Faculty or Academic Council, Department of Human Resources). The full range of University discipline, including separation, termination, suspension and expulsion, may be imposed. For a complete list of potential institutional actions, please reference the Sanctions section later in this policy.

The purpose of this policy is:

- To communicate processes for investigating complaints in a manner that is fair, equitable and reasonably protects the privacy of individuals involved in situations of alleged harassment, discrimination, sexual misconduct, relationship misconduct and/or retaliation.
- To enable Creighton in its efforts to provide a workplace and educational environment, as well as other benefits, programs and activities, that are free from discrimination, harassment, sexual misconduct, relationship misconduct and retaliation.
- To enable Creighton in its efforts to protect those individuals who report or provide information related to alleged violations of this policy and all of those involved in the investigation or adjudication of this policy from retaliation of any kind.
- To promote compliance with federal and state civil rights laws, including but not limited to Title IX of the Education Amendments of 1972 ("Title IX") (see *C.F.R. § 106 et seq.*), Title VII of the Civil Rights Act of 1964 (*42 U.S.C. § 2000e et seq.*), the Violence Against Women Act of 1994, (see *42 U.S.C. § 13701 et seq.; reauthorized 34 U.S.C. § 12291*), and the Clery Act (see *20 U.S.C. § 1092*.)
- To set forth guidance for preventing sexual harassment and retaliation.
- To enable Creighton in its effort to take timely corrective action when sexual harassment and/or retaliation occur.
- To establish a consistent process for resolving complaints sexual harassment and/or retaliation in a fair and just manner.

### Scope of Policy

This policy applies to sexual harassment that occurs within the University's Education Programs or Activities and that is committed by an administrator, faculty member, staff member, student, contractor, guest or other member of the University community.



This policy does not apply to sexual harassment that occurs off campus, in a private setting and outside the scope of the University's education programs or activities; such misconduct may be prohibited by the Standards of Conduct if committed by a student, the Faculty Handbook if committed by a faculty member, or other University policies and standards if committed by an employee.

Creighton may also extend jurisdiction to off campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial University interest. A substantial Creighton interest includes:

- Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state or federal law;
- Any situation in which it is determined that the respondent poses an immediate threat to the physical health or safety of any student or other individual;
- Any situation that significantly impinges upon the rights, property or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational interests or mission of Creighton University.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in the University's education programs or activities, such as a study abroad program. Sexual harassment that occurs outside the geographic boundaries of the United States is governed by the Standards of Conduct if committed by a student, the Faculty Handbook if committed by a faculty member, or other University policies and standards if committed by an employee, including but not limited to the Creighton Romantic or Intimate Relationships Policy.

Incidents reported to the Office of Equity and Inclusion under this policy may, at times, also involve allegations of the Student Standards of Conduct or other University policies. To the extent that these alleged violations directly relate to the allegations under this Policy, they may be investigated and considered with a referral to the appropriate University office for follow-up.

If the respondent is unknown or is not a member of the Creighton community, the Title IX coordinator or their designee will assist the complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local law enforcement if the individual would like to file a police report. Even if the respondent is not a member of the Creighton community, supportive measures, remedies and resources may be accessible to the complainant by contacting the Title IX coordinator or the VIP Center.

All outside parties who conduct business with the University through affiliation and other agreements will be expected to comply with the policies and procedures of their employers and with this policy as specified by the terms of any contract or agreement between the University and such third party. The procedures below may be applied to incidents, to patterns and/or to the campus climate, all of which may be addressed and investigated in accordance with this policy.

## SPECIAL ADVICE FOR INDIVIDUALS REPORTING SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE OR STALKING

If you believe you are the victim of sexual assault, domestic violence or dating violence, get to safety and do everything possible to preserve evidence by making certain that the crime scene is not disturbed. Preservation of evidence may be necessary for proof of the crime or in obtaining a protection order. For those who believe that they are victims of sexual assault, domestic violence or dating violence, the University recommends the following:

- Get to a safe place as soon as possible.
- Try to preserve all physical evidence of the crime—avoid bathing, using the toilet, rinsing one's mouth or changing clothes. If it is necessary, put all clothing that was worn at the time of the incident in a paper bag, not a plastic one.
- Do not launder or discard bedding or otherwise clean the area where the assault occurred—preserve for law enforcement
- Preserve all forms of electronic communication that occurred before, during, or after the assault
- Contact law enforcement by calling 911.
- Get medical attention—all medical injuries are not immediately apparent. This will also help collect evidence that may be needed in case the individual decides to press charges. Local hospitals have evidence collection kits necessary for criminal prosecution should the victim wish to pursue charges. Take a full change of clothing, including shoes, for use after a medical examination.
- Contact a trusted person, such as a friend or family member, for support.
- Talk with a professional licensed counselor, University chaplain, or health care provider who can help explain options, give information and provide emotional support.
- Make a report to the Title IX coordinator.
- Explore this policy and avenues for resolution under the Title IX Grievance Process.

It is also important to take steps to preserve evidence in cases of stalking, to the extent such evidence exists. Such evidence is more likely to be in the form of letters, emails, text messages, electronic images, etc. rather than evidence of physical contact and violence. This type of non-physical evidence will also be useful in all types of sexual harassment investigations.

Once a report of sexual assault, domestic violence, dating violence or stalking is made, the victim has several options such as, but not limited to:

- obtaining supportive measures
- contacting parents or a relative
- seeking legal advice
- seeking personal counseling (always recommended)
- pursuing legal action against the perpetrator
- filing a Formal Complaint
- requesting that no further action be taken

The University's Department of Public Safety can assist individuals in obtaining a personal protection order ("PPO").

### Report the Incident

You may choose to proceed in whatever way you are most comfortable. Creighton University strongly encourages you to report incidents of sexual harassment, but you are not required to do so. Deciding whether to report an incident is a personal and often difficult decision. There are options available to you in this decision process. Creighton will offer you support in however you choose to move forward after an incident.

Creighton can respond to and investigate reports of sexual harassment at the same time as law enforcement. Creighton's process deals only with violations of University policy, not the law. The University can assist you in filing a report with law enforcement.

In promoting the best interests of the campus community and encouraging individuals to report to the Office of Equity and Inclusion, the University offers amnesty from minor policy or conduct violations related to the incident.

You may report an incident of sexual harassment at any time. The University does not have a time limit for when incidents must be reported. Please note, however, that Creighton's ability to investigate and gather information about a reported incident may be limited in cases of delayed reporting.

Anyone who reports to University officials that they have been a victim of sexual harassment will be provided with a copy of the Title IX policy and a Resource Guide with information on rights and reporting. This guide provides you with the following information:

- Definitions related to sexual and relationship misconduct including consent
- How and to whom a report should be made
- Options such as seeking medical attention, access to confidential resources, contacting the Office of Equity and Inclusion (Title IX), assistance contacting law enforcement
- Procedure for requesting or changing protective and supportive measures available
- The importance of preserving evidence
- Medical resources available
- Privacy and confidentiality
- Mandatory reporter requirements
- Reporting options and anonymous reporting
- Investigation and resolution process
- Rights of the victim and institutions responsibility
- Campus and local resources

A full list of resources is available on pages 54–57 of this report.

**Law Enforcement:** All individuals have the right to report an incident to state or local law enforcement or prosecution authorities. A complainant may also decline notifying law enforcement authorities if they so choose. Reporting an incident to law enforcement or filing a criminal complaint does not preclude an individual from filing a complaint with the Office of Equity and Inclusion or vice versa. Complaints can be filed simultaneously with the University and law enforcement. If

you would like University assistance in filing a report with local authorities, please contact the VIP Center.

**Confidential Advocacy:** You may speak with a confidential advocate who will provide you with options and resources. The Violence Intervention and Prevention (VIP) Center provides free, confidential advocacy for students, faculty and staff. Confidential advocacy gives individuals a safe space to learn about all their options and resources, so they can make fully informed choices about what to do next. The VIP Center can assist in reviewing medical options and confidential advocates are able to accompany individuals to medical exams if individuals would like assistance and/or support. VIP is open Monday–Friday, 8 a.m.–4:30 p.m.; appointments or walk-ins are welcome. VIP Center personnel will not share your information with anyone unless you ask them to do so.

Lower Brandeis Hall, B04  
[vipcenter@creighton.edu](mailto:vipcenter@creighton.edu) | 402.280.3794

**Office of Equity and Inclusion:** If you would like to file a formal complaint of sexual harassment to the University, the executive director of the Office of Equity and Inclusion (OEI) oversees and responds to all reports of this type at Creighton University. Regardless of where the incident occurred or how you would like to proceed, OEI will provide you with a written resource guide. This guide will provide you with information about possible protective measures available which may include:

- contact restrictions,
- adjustments to on-campus living arrangements,
- adjustments to work environment and/or duties,
- adjustments to class schedules or Creighton activities,
- adjustments to academic requirements,
- campus escorts and/ or transportation arrangements,
- administrative separation from the University, or
- safety planning.

The guide will also provide you with an explanation of your rights and options as well as an explanation of the University's procedures for disciplinary action.

The guide will also provide you with a list of resources both within and outside of Creighton. These resources include information on counseling, mental health and health services, victim advocacy, legal assistance, visa and immigration assistance, financial aid, and law enforcement resources.

Creighton Hall 340 | [titleix@creighton.edu](mailto:titleix@creighton.edu) | 402.280.3189

**Anonymous Reporting:** While anonymous reports are accepted and will be reviewed by OEI, Creighton's ability to address alleged sexual and/or relationship misconduct reported by anonymous sources may be significantly limited. In cases where an individual reporting sexual harassment requests anonymity, the University will attempt to honor that request but, in some cases, may determine that the University needs to proceed with an investigation based on concern for the safety or well-being of the broader University community.

## PRESERVATION OF EVIDENCE AND MEDICAL CARE

If an individual has experienced an incident of sexual assault, dating violence, domestic violence or stalking, Creighton encourages the preservation of evidence in order to maintain options of reporting the incident or obtaining a protection order if an individual chooses to do so. Individuals are NOT required to make a report to local authorities to receive medical care and assistance. Creighton offers the following items for consideration:

- Electronic communications such as text messages, videos, pictures or social media content (or screenshots of such evidence if it is not directly connected to your device or accounts) may be important to preserve if you want to report the incident.
- It is important to preserve physical evidence that may include tissue and fluid samples, evidence of violence, sheets, towels, clothing, etc. You may choose to avoid washing, showering, urinating, brushing teeth, changing clothes, etc. until after being examined by a medical professional or at the hospital if possible. Because evidence of sexual or relationship misconduct can deteriorate quickly, you may choose to seek a medical exam as soon as possible. Evidence collection should be completed within 120 hours of an incident of sexual and/or relationship misconduct but fluids, hair samples and DNA can be collected for a long time thereafter. Even if you have washed, evidence can still be obtained. After 120 hours, it may still be helpful to receive medical attention, even if you are not trying to obtain evidence of sexual or relationship misconduct.
- If you suspect that you may have been drugged, inform medical personnel or law enforcement as soon as possible so they can attempt to collect potential evidence (e.g., from the drink, through urine or blood sample.)

### Hospital Emergency Department

Victims may choose to visit an Emergency Department (ED) at an area hospital for medical treatment or evidence preservation. Per Nebraska state law, the ED staff will notify law enforcement when an act of sexual assault is reported. While in the ED, the victim may be examined by a physician to evaluate any injuries and receive appropriate treatment. The victim may also receive a sexual assault examination by a nurse who is trained as a Sexual Assault Nurse Examiner (SANE). This exam may involve taking pictures of injuries, swabbing for evidence collection, and performing a pelvic exam. The victim has the authority to stop the exam at any point or ask any questions they might have. Victims will be treated for potential sexually transmitted infections and provided with options for follow-up care. An advocate may be present during the examination to provide support to the victim throughout the process.

If the victim is 18 years or older and has not experienced serious bodily injury, the victim may choose one of the following options for reporting to law enforcement. When choosing one of the following options, the ED staff will assist in the reporting to law enforcement if the victim so chooses. The options are as follows:

1. **Full Law Enforcement Report with Evidence Collection:** The victim wishes to report the crime to law enforcement, and is opting to have forensic treatment and forensic evidence collected

2. **Partial Report with Evidence Collection:** The victim wishes to have medical forensic treatment and forensic evidence collected; however, they may be undecided over whether to formally report the crime to law enforcement. The victim will have the option of participating in a partial report that will allow the collection of forensic evidence, the consent to submit such evidence for DNA testing, and to provide only their name to law enforcement.
3. **Anonymous Reporting with Evidence Collection:** Victims also have the right to have forensic treatment and forensic evidence collected without providing their name or any other personal information to law enforcement. The anonymous report ensures that the victim has the opportunity to preserve evidence, that would otherwise be destroyed, should they decide to report at a later time.

For details on Arizona's sexual assault response protocol, please see [maricopacountyattorney.org/DocumentCenter/View/514/Sexual-Assault-Protocol-2017-PDF](http://maricopacountyattorney.org/DocumentCenter/View/514/Sexual-Assault-Protocol-2017-PDF).

### How to Obtain Orders of Protection in Nebraska

A protection order is from a judge to protect people from abuse, sexual assault or harassment. For additional assistance please contact the local domestic violence or victim witness program in your area.

**A Domestic Abuse Protection Order** is for people who have been in close relationships (relatives, spouses or former spouses, people who have lived or are living together, etc.). It is granted because someone attempted, threatened, caused bodily injury or intimidated the other person by credible threat, or engaged in sexual contact or sexual penetration without consent.

The second type of protection order is a **Harassment Protection Order**. It does not depend upon relationships but requires a number of telephone or personal contacts that seriously terrify, threaten or intimidate the victim and serve no legitimate purpose.

The third type of protection order is a **Sexual Assault Protection Order**. It does not depend upon relationships and is granted because someone subjected or attempted to subject the other person to sexual contact or sexual penetration without consent.

Complete the forms found on the link below and give them to the district court clerk. The clerk cannot give you legal advice, if you need additional assistance please see "The Protection Order Form Guide." Once the forms are completed the clerk gives the forms to the judge. [supremecourt.nebraska.gov/self-help/protection-abuse/form-guide](http://supremecourt.nebraska.gov/self-help/protection-abuse/form-guide)

The order is not in effect until a sheriff or deputy gives a copy of it to the person from whom you are requesting protection. That person will be given a copy of all of the papers that you have filled out. However, you may request a confidential address if you are afraid to reveal it. The restrained person can ask the judge in writing for a hearing so that both sides can tell the judge their side of the story. You must appear for this hearing. If you do not appear, the judge will likely dismiss the protection order. If the judge sets a hearing, the clerk will let you know the time and date. It is important that the clerk know how to get in touch with you. Domestic abuse prevention agencies or victim witness agencies can help you plan to remain safe while making sure that the clerk can find you. Please contact your local program if you need assistance with this.

An “ex parte” protection order lasts until you go to court. At court, the judge decides if the protection order will be canceled or continued for one year. If the other party never asks for a hearing, then the protection order remains in effect for a year. A Sexual Assault or Domestic Abuse Protection Order may be renewed for 1 year, and yearly thereafter. The petitioner will need to file the Petition and Affidavit to Renew that states the reason(s) the renewal is being requested.

For more information on frequently asked questions regarding Nebraska protection orders: [supremecourt.nebraska.gov/selfhelp/protection-abuse/faq](http://supremecourt.nebraska.gov/selfhelp/protection-abuse/faq)

### How to Obtain Orders of Protection in Arizona

The purpose of a **Protective Order** is to restrain a person from committing an act of harassment or domestic violence against another person or persons. Requested petitions are typically seen by a judge and ruled on the same day. A protection order prohibits a person from coming near a home, work site, school, or other locations listed on the court order and provides you with legal recourse for one year if the person who is served violates the order. A protection order does not resolve landlord/tenant disputes, change custody or visitation orders, nor guarantee your safety.

An **Order of Protection** (A.R.S. 13-3602) is a court order to seek protection from a person you live with, now or in the past, or is an immediate family member.

An **Injunction Against Harassment** (A.R.S. 12-1809) is a court order to seek protection from a person other than someone you live with, a person with whom you have no relationship, or a current or former non-family member. Injunctions Against Harassment can be issued for individuals and workplaces.

To have an injunction granted or issued:

- The defendant must have committed acts of harassment in the last year.
- There must be at least two specific acts of harassment committed.

### The Process of Obtaining a Protective Order

1. Go to Protective Orders office on the 6th floor (Room 608) at the Phoenix Municipal Court.
2. Court staff will help you determine the correct Court action for your situation.
3. Complete the paperwork for the judge to review.
4. Once completed, you will meet with a judge to discuss your request.

Information Needed:

- Name, date of birth and address of the person you are seeking protection from
- Past or present court proceedings involving yourself and the person from whom you seek protection
- Address and phone number of the person where the Protective Order can be served

The Protective Order is valid for 1 year from the date of service or if the Protective Order is not served within one year, it automatically expires.

For more information regarding AZ protection orders: [phoenix.gov/court/protection-orders](http://phoenix.gov/court/protection-orders).

## OFF-CAMPUS CONFIDENTIAL ADVOCACY

### Nebraska

Individuals may contact the Women’s Center for Advancement (WCA) 24-hour Crisis Hotline at 402.345.7273 to speak with an advocate. The WCA will also send an advocate to area hospitals if an individual discloses that an incident of sexual assault has occurred. An advocate can explain hospital procedures, reporting procedures and provide information on follow-up and recovery after an act of sexual assault. An advocate can also sit with the individual and be present during an exam if an individual would like the advocate present. [wcaomaha.org](http://wcaomaha.org)

The Omaha-Douglas County Victim Assistance Program is a public service office established to assist victims of crime, including domestic violence. The Program’s location, close to the Courthouse and the Police Station establishes an efficient system of assistance between victim, community, and the criminal justice system. [countyattorney.douglascounty-ne.gov/victim-assistance](http://countyattorney.douglascounty-ne.gov/victim-assistance)

### Arizona

The Phoenix Family Advocacy Center provides confidential advocacy and support, safety planning, assistance filing protection orders, trauma-informed therapy referrals, and assistance and accompaniment in reporting to the Phoenix Police Department. They also provide forensic nurse exams on site. For a forensic exam without making a police report, call Honor Health at 480.312.6339.

Chrysalis offers comprehensive resources, confidential support, free information and accessible help. With each family, we listen, learn and adapt to meet the unique needs of those impacted by domestic violence. [noabuse.org](http://noabuse.org)

## FILING A COMPLAINT WITH AN OUTSIDE AGENCY

An individual has the right to file a complaint with outside enforcement agencies, including:

- United States Department of Education’s Office for Civil Rights (OCR) [ed.gov/about/offices/list/ocr/index.html](http://ed.gov/about/offices/list/ocr/index.html)
- Equal Employment Opportunity Commission (EEOC) [eeoc.gov](http://eeoc.gov)
- Nebraska Equal Opportunity Commission (NEOC) [neoc.nebraska.gov](http://neoc.nebraska.gov)
- Nebraska Department of Labor [dol.nebraska.gov](http://dol.nebraska.gov)
- State of Nebraska Judicial Branch [supremecourt.nebraska.gov/self-help/small-claims/filings-small-claims-case-nebraska](http://supremecourt.nebraska.gov/self-help/small-claims/filings-small-claims-case-nebraska)
- City of Omaha Office of Human Rights and Relations [humanrights.cityofomaha.org](http://humanrights.cityofomaha.org)
- Online Creighton Students [online.creighton.edu/resources/state-authorization](http://online.creighton.edu/resources/state-authorization)
- Arizona Equal Opportunity Commission [eo.azgovernor.gov/home](http://eo.azgovernor.gov/home)



- Arizona Department of Labor  
[azica.gov/divisions/labor-department](http://azica.gov/divisions/labor-department)
- Arizona Judicial Branch  
[azcourts.gov/Self-Service/CivilLaw](http://azcourts.gov/Self-Service/CivilLaw)
- Arizona State Board of Private Postsecondary Education  
[ppse.az.gov](http://ppse.az.gov)
- Phoenix District Office EEOC  
[eoc.gov/field/phoenix/index.cfm](http://eoc.gov/field/phoenix/index.cfm)

## DISCIPLINARY PROCESS

### How to File a Complaint

If you would like to formally or informally report an incident of sexual or relationship misconduct to the University, the Title IX coordinator in the OEI oversees and responds to all reports of this type at Creighton University. Regardless of when or where the incident occurred, any person may report to the Title IX coordinator using any of the following options:

- Report to the Title IX coordinator, a member of the Title IX staff, or an official with authority. Such a report may be made at any time (including during non-business hours) by using the telephone number, email address, office mailing address listed for the Title IX coordinator here:
 

Allison Taylor, MSEd  
Title IX Coordinator  
Executive Director, Office of Equity and Inclusion  
2500 California Plaza, Creighton Hall, Ste. 340  
Omaha, NE 68178  
402.280.4120 | [AllisonTaylor@creighton.edu](mailto:AllisonTaylor@creighton.edu)  
[creighton.edu/oei](http://creighton.edu/oei)
- Report Sexual Harassment online, using the reporting form posted at [creighton.edu/oei](http://creighton.edu/oei) or [creighton.edu/safety/tell-someone](http://creighton.edu/safety/tell-someone). Anonymous reports are accepted but can give rise to a need to investigate. Creighton University strives to provide supportive measures to all complainants, which is impossible with an anonymous report.

Report using the external Ethicspoint reporting hotline and/or webform at 855.256.0478 or [secure.ethicspoint.com/domain/media/en/gui/43718/](http://secure.ethicspoint.com/domain/media/en/gui/43718/)

If notice is submitted in a form that does not meet the standard for a Formal Complaint, the Title IX coordinator will contact the complainant to ensure that it is filed correctly.

The university will act on any report of violation of this policy that is received by the Title IX coordinator or any other official with authority by applying the proper procedure.

Upon receipt of a report to the Title IX coordinator or official with authority of an alleged violation of the policy, the Office of Equity and Inclusion will initiate a prompt initial assessment to determine the next steps which must be taken, including offering supportive measures and determining what process(es) may apply.

## FORMAL RESOLUTION PROCESS

Creighton University recognizes the importance of prompt, fair and impartial procedures for all members of the community involved in this process. Truth, integrity, and credibility are critical and distinctive principles of the University. Caring for the individual person can mean holding them accountable for their

actions, if those actions are a violation of this policy. Adherence to these procedures is essential for the efficient progress and for the preservation of the trust of the community.

Creighton University will investigate all reported incidents of harassment, discrimination, sexual/relationship misconduct and/or stalking after the OEI receives notice of a complaint. The OEI will ensure that the proceedings will be conducted in a prompt, fair and impartial manner. The proceedings will be completed within a reasonably prompt timeframe which allows for the extension of the timeframe for good cause with written notice of the delay and the reasons for the delay. The proceedings will be conducted in a manner that is consistent with Creighton's policies and is transparent to the complainant and the respondent, includes timely notice of meetings, and provides timely and equal access to all parties to any information that will be used during the disciplinary process. The proceedings will also be conducted by officials who do not have a conflict of interest or bias with the parties involved.

### Initial Assessment

Following the receipt of a report of an alleged violation of this policy, the Title IX coordinator, or a trained designee, will engage in an initial assessment to determine:

- Whether the conduct, as reported, falls or could fall within the scope of this policy
- Whether the conduct, as reported, constitutes or could constitute a violation of University policy against harassment, discrimination or sexual/relationship misconduct.

If the Title IX coordinator determines that the conduct reported does not fall within the scope of the policy, the Title IX coordinator will close the matter. If the Title IX coordinator determines that the conduct reported does fall within the scope of the policy, the Title IX coordinator will proceed to contact the complainant.

### Contacting the Complainant

If a report is not closed as a result of the initial assessment, and the complainant's identity is known, the Title IX coordinator will promptly contact the complainant to discuss the process for filing and pursuing a Formal Complaint. The complainant will be provided with a copy of the previously mentioned Resource Guide for Sexual and Relationship Misconduct. This guide will provide the complainant with information about options for filing complaints with the local law enforcement agency, possible protective measures, availability of resources within or outside of Creighton, your rights and options, and University disciplinary procedures.

If a complainant does not wish to file a Formal Complaint, the Title IX coordinator will determine whether a violence risk assessment indicates a compelling threat to the health and/or safety of the community. If so, then the Title IX coordinator will initiate a Formal Complaint independently.

If the complainant elects to take no action, they can change that decision if they decide to pursue a Formal Complaint at a later date.

### Notice of Investigation

After receiving a Formal Complaint alleging conduct that, if proven, would constitute a violation of this policy, the Title IX coordinator will issue a written Notice of Investigation to both the complainant and respondent. The complainant will be

given advance notice of when the Notice will be delivered to the respondent.

### Counter Claims and Retaliation

The University must ensure the grievance process is not abused for retaliatory purposes. Counterclaims are permitted; however, an initial assessment, as described above, will be conducted to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by a respondent made in good faith, without retaliatory intent, in will be permitted. Any reports of retaliation will be handled in the same manner as a formal complaint harassment, discrimination, sexual/relationship misconduct and stalking.

### Advisor of Choice

From the point a Formal Complaint is made, and until an investigation, adjudication, and appeal are complete, the complainant and respondent have the right to consult with an advisor of their choice throughout the investigative process and to be accompanied by that advisor to all meetings, interviews, and hearings that are part of the investigation, adjudication and appeal process. The role of the advisor is to provide support and assist the parties throughout the investigative process.

### Formal Resolution Process (FRP) Team

The FRP Team, consisting of faculty and staff members, is responsible for carrying out the Formal Resolution Process.

Members of the FRP Team are trained annually, and can serve in the following roles at the direction of the Title IX coordinator:

- To act as an advisor to the parties
- To facilitate informal resolution
- To perform or assist with an initial assessment
- To investigate complaints
- To serve as a hearing facilitator (process administrator without a decision-making role)
- To serve as a hearing board member or hearing chair regarding the complaint
- To serve as an appeal officer

The Title IX coordinator in consultation with the president appoints the FRP team members, which act with independence and impartiality. Members are appointed following an application process and interviews with the Title IX coordinator and members of the Title IX Advisory Committee, unless their role is designated by their title or position.

The Title IX coordinator, members of the Title IX staff, and FRP team members are trained and receive annual training which includes:

- The scope of Creighton's Title IX Sexual Harassment Policy and Procedures
- Understanding the crimes of domestic/dating violence, sexual assault and stalking
- How to conduct investigations and hearings that protect the safety of complainants, respondents, and witnesses and promote accountability
- Implicit Bias
- Disparate treatment and impact

- Reporting, confidentiality and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation specific remedies
- How to investigate in a thorough, reliable and impartial manner
- How to uphold fairness, equity and due process
- How to weigh evidence, conduct questioning and assess credibility
- Impartiality and objectivity
- How to render findings and generate clear, concise, evidence-based rationales
- How to apply definitions used by the recipient with respect to consent (or the absence or negation of consent) consistently and impartially

Specific training is also provided for appeal officers, advisors (who are Creighton employees) and chairs. All team members are required to attend these trainings annually. The materials used to train all members of the Team are posted on the OEI website at [creighton.edu/oei](http://creighton.edu/oei).

## INVESTIGATION

Although the length of each investigation may vary depending on the totality of the circumstances, the Office of Equity and Inclusion strives to conclude the investigative process within a reasonable timeframe of 30–45 days following transmittal of the written Notice of Investigation. This timeframe includes the investigator(s) conducting interviews, gathering evidence, affording the complainant and respondent the opportunity to respond to the evidence, completing the investigative report and determination of responsibility by the appropriate process.

The investigation allows the complainant and respondent the opportunity to present testimonial and other evidence that they believe is relevant to resolution of the allegations in the Formal Complaint. The Title IX coordinator will select at least one (1) but no more than two (2) investigators from the Formal Resolution Process (FRP) Team. The Title IX coordinator will screen for potential conflicts of interest and biases prior to selecting investigators.

After the written Notice of Investigation is transmitted to the parties, the investigator(s) selected by the Title IX coordinator will undertake an investigation to gather evidence relevant to the alleged misconduct. All investigations are thorough, reliable, impartial, prompt and fair. Investigations involve interviews with all available relevant parties and witnesses, obtaining available relevant evidence, and identifying sources of information as necessary. During the investigation, the investigator will provide an equal opportunity for the parties to be interviewed, to present witnesses (including fact and expert witnesses), and to present other inculpatory and exculpatory evidence.

All members of the Creighton community are encouraged and expected to fully cooperate with any investigation and resolution under this policy. University faculty and staff who fail to cooperate and/or participate will face discipline, up to and including termination. In the event a complainant refuses to participate in an investigation, the University may proceed as a reporting party. In the event a respondent refuses to participate,

the investigation will be completed despite the respondent's lack of participation and will be forwarded to the Hearing Board for a determination of responsibility. All parties and witnesses in the investigation are expected to cooperate and provide complete and truthful information.

The investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the investigator's notes, audio recorded, video recorded or transcribed.

Upon conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the investigator will transmit to each party and their advisor, in either electronic or hard copy form, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint.

### Investigation Report

After providing the complainant and respondent the opportunity to review the evidence gathered and to provide any written response, the investigator(s) will complete a written investigation report that fairly summarizes the various steps taken during the investigation, and summarizes the relevant evidence collected. The investigator will transmit a copy to the Decision Maker(s) along with the evidence gathered. The investigator will also transmit the investigation report to each party and their advisor, in either electronic or hard copy form.

## SELECTING AN ADJUDICATION PROCESS

After the complainant and respondent have received their investigation report, the Title IX coordinator will advise each person of the two different adjudication processes available: Informal resolution or Formal Resolution

### Informal Resolution

At any time after the parties are provided written notice of the Formal Complaint and before the completion of any appeal, the parties may voluntarily consent, with the Title IX coordinator's approval, to engage in mediation, facilitated resolution or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the parties.

The specific manner of any informal resolution process will be determined by the parties and the Title IX coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX coordinator will transmit a written notice to the parties that:

- Describes the parameters and requirements of the informal resolution process to be utilized;
- Identifies the individual responsible for facilitating the informal resolution (who may be the Title IX coordinator, another University official, or a suitable third-party);
- Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a party's ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and
- Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained and/or shared.

After receiving the written notice specified in this paragraph, each party must voluntarily provide written consent to the Title IX coordinator, before the informal resolution may commence. During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended. If the parties reach a resolution through the informal resolution process, and the Title IX coordinator deems it reasonable, the agreed resolution will be submitted in writing to the parties for their signatures. Once the resolution is signed it becomes final and not subject to appeal. Absent any extensions, any informal resolution must be completed within 21 days. If a resolution is not reached within this time frame, a formal resolution will commence.

### Formal Resolution

The default process for adjudicating formal complaints is through a formal hearing process. The hearing process will be used to adjudicate all formal complaints unless both parties timely consent to informal resolution.

### Pre-Hearing

**Selection of a Hearing Board:** The Title IX coordinator will assign a three-member panel from the FRP Team, designating one as the hearing chair.

**Notice of Hearing:** Upon receipt of the investigative report, the involved parties will also receive a notice of hearing.

This notice provides information about the hearing process and requests or needs of the involved parties. Parties may also request remote options if they are unable to appear in person.

**Pre-Hearing Preparation:** At least five (5) days prior to the hearing, all parties will be given a list of the names of the hearing board. At this time, the involved parties can raise objections regarding hearing board members. All objections must be submitted in writing to the Title IX coordinator. If the Title IX coordinator concludes the objections support bias or conflict of interest, the hearing board member will be removed.

**Pre-Hearing Conference:** Prior to the hearing, the hearing chair will convene a pre-hearing conference with each party and/or their advisor(s) of choice to plan for the hearing. The Title IX coordinator, general counsel, and/or their designee may attend this conference and assist with determinations regarding relevance and admissibility of evidence, identification of witnesses, or any additional topics that may be relevant. At the conclusion of the pre-hearing conference, notices of attendance will be issued to all attendees, and any considerations regarding evidence will be addressed.

### Hearing

After the pre-hearing conference, the hearing board will convene and conduct a hearing pursuant to the University's hearing procedures not less than ten (10) business days after parties receive access to the investigation report. The hearing board will receive the complete case file at least five (5) business days prior to the hearing for their review. Any reasonable delay in scheduling a hearing will be communicated to the parties in writing. If possible, the hearing will be held on consecutive business days when it exceeds a full day.

At the hearing, the hearing board members have the authority to hear and make determinations on all allegations of harassment, discrimination and/or retaliation and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the discrimination, harassment and/or retaliations, even though those collateral allegations may not specifically fall within this policy.

The role of the hearing board is to review all statements and evidence presented in the investigative report, to determine credibility of parties through a live hearing with direct and cross examination, and make determinations on all allegations of harassment, discrimination, sexual/relationship misconduct and/or retaliation. If it is determined a respondent is in violation of this policy, the hearing board will determine appropriate sanctioning.

Hearings are considered Private University Proceedings. As such, they will be closed to any individuals not actively involved in the proceeding. Witnesses will only be permitted to be present for their own testimony. The complainant, respondent, and their respective advisors of choice are permitted to be present for the entirety of the hearing.

The University is not a court of law. Formal rules of evidence will not be in effect. Evidence that the hearing board believes is relevant and credible may be considered, including an individual's prior misconduct history where such conduct establishes evidence of a pattern or predatory behavior. The hearing chair will make all determinations regarding admission of evidence and testimony. The hearing chair may ask the hearing board to disregard evidence that is irrelevant, immaterial, lacking in credibility, or that is improperly prejudicial. The hearing chair will determine all questions of procedure and evidence. The chair may explore arguments regarding relevance with the advisor, at the discretion of the chair. The chair will state the decision on the record.

**Joint Hearings:** In hearings involving more than one respondent or in which two (2) or more complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly. However, the Title IX coordinator may permit the investigations and/or hearings pertinent to each respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each respondent with respect to each alleged policy violation.

**Testimony and Questioning:** All direct examinations will be conducted exclusively by the hearing board, and the advisors of choice for each party will conduct cross examinations. Anyone appearing at a hearing must answer questions for themselves, and advisors may not respond to questions on behalf of their advisees.

The investigator(s) will first present the investigative report and be subject to direct and cross-examination. Next the parties and witnesses will provide relevant evidence in turn. The hearing board will ask direct examination questions, then the advisors will be permitted to ask cross-examination questions.

In the event any party or witness refuses to attend the hearing or attends but refuses to submit to questioning by the advisors of choice, the statements of that party or witness whether given

during the investigation or during the hearing, will not be considered by the hearing officer in reaching a determination of responsibility. If only partial testimony is given, only that testimony will be considered. Hearing board members may not draw an inference solely from a party or witness' absence from the hearing or refusal to answer cross-examination or other questions.

### Standard of Evidence

The University utilizes a preponderance of the evidence standard to determine if the policy was violated. This standard means that the decision maker(s) will determine whether the evidence proves it is more likely than not that the alleged misconduct occurred. Throughout this process, the respondent is presumed "not responsible" for the reported misconduct unless and until the respondent is determined to be responsible for a policy violation which has been proven by a preponderance of the evidence.

### Deliberation and Decision-Making

After the hearing is complete, the hearing board will meet in a closed session to determine whether the standard of evidence has been met. A majority vote of the hearing board is required to make a finding. Deliberations will not be recorded. In making this determination, the hearing board will objectively evaluate all relevant evidence received at the hearing and ensure that any credibility determinations made are not based on a person's status as a complainant, respondent or witness.

If the hearing board determines that the respondent is responsible for one or more violations of University policy, it will then deliberate as to appropriate sanctioning. The hearing board will be permitted to consider prior policy violations in determining an appropriate sanction. The hearing board will also be permitted, at their discretion, to consider previously submitted impact statements upon a finding of responsibility. Parties will have an opportunity to review any impact statements submitted by the other party.

### Notice of Outcome

After deliberation, the hearing chair will draft a final determination letter which will be presented to the Title IX coordinator as well as the complainant and respondent within seven (7) days. The letter will provide a statement of, and rationale for, each allegation that constitutes a separate potential incident, including a determination regarding responsibility for each separate potential incident; specify findings of fact that support the determination, conclusions regarding the application of the relevant policy to facts at issue; a statement of and rationale for the result of each allegation to the extent the University is permitted to share such information.

The Title IX coordinator will then prepare a notice of outcome to accompany the final determination letter which will then be reviewed by a representative of the General Counsel's office. The Title IX coordinator will then share the written notice of outcome and final determination letter, which include the findings, rationale and any applicable sanctions with the complainant and respondent concurrently within five (5) business days of receiving the final determination letter. If there is a finding of responsibility, the letter will include any sanctions issued which the University is permitted to share as well as any remedies provided to the complainant.



The Notice of Outcome will include the following:

- Identification of the allegations potentially constituting sexual harassment made in the formal complaint
- A description of the procedural steps taken by the University upon receipt of the formal complaint Creighton University
- Whether the complainant will receive any ongoing support measures or other remedies as determined by the Title IX coordinator
- A statement regarding the rights of all parties to appeal, the process to initiate an appeal, and the grounds upon which an appeal will be considered
- Notice regarding when the results will be considered final
- If a person is the victim of a crime of violence or a non-forcible sex offense, the Title IX coordinator will upon written request, disclose the results of any disciplinary proceeding conducted by OEI against a student who is the alleged perpetrator of the offense. If the victim is deceased as a result of the offense, the next of kin shall be treated as the victim and provided with the disclosure

## Appeals

Either a complainant or a respondent may file an appeal to any Final Determination made by the hearing board or to the dismissal of a Formal Complaint. An appeal must be made in writing to the Title IX coordinator within seven (7) days from when the party receives notice of the dismissal or determination, or if the other party appeals, within three (3) days of the other party appealing, whichever is later. The appeal must specifically identify the determination and/or dismissal to be appealed, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks. In cases where the responding party is a student or faculty member, the appeal officer is the Provost or their designee. In cases where the responding party is a staff member, the appeal officer is the executive vice president or their designee.

Appeals are limited to the following grounds: procedural error, new evidence or information, and conflict of interest or bias affecting the outcome.

If the appeal officer confirms that the appeal is timely and that it invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the parties and their advisors, the Title IX coordinator, and when appropriate, the Investigators and/or original decision-makers. Within three (3) days, the appeal officer must send the other party notice that an appeal has been filed. The notice will inform the party of their right to respond to the appeal. The other party will receive access to a copy of the appeal in order to respond to it. They will have up to seven (7) days to submit a response to the appeal. The non-appealing party may at that time choose to raise an additional ground for appeal, which will be subject to the same initial review process. Upon receipt of the appeal response or at the conclusion of the seven (7) days, the appeal officer will promptly obtain from the Title IX coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal. Upon receipt of any opposition to an appeal, or after the time period for submission of an opposition has passed without one being filed, the appeal

officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale.

Although the length of each appeal will vary depending on the totality of the circumstances, the University strives to issue the appeal officer's written decision within twenty-one (21) days of an appeal being filed. This written decision will be forwarded simultaneously to the involved parties and represents the final decision.

No further review beyond the appeal is permitted.

## Withdrawal or Resignation While Charges are Pending

If a student respondent should withdraw permanently from the University or should an employee respondent resign with unresolved allegations pending, the resolution process ends, as Creighton no longer has disciplinary jurisdiction over these individuals. However, Creighton will continue to address and remedy any systemic issues, variables that may have contributed to alleged violation(s), and any ongoing effects of the alleged harassment, discrimination or sexual/relationship misconduct.

## CONFIDENTIALITY

Creighton University will make every effort to preserve the privacy of reports. Creighton will not share the identity of any individual who has made a report or Formal Complaint of Sexual Harassment or Retaliation under this policy, including any complainant, respondent or any witnesses. The University will protect the identity of persons involved in reports of harassment, discrimination sexual and/or relationship misconduct to the best of its ability. Public Safety and OEI will maintain the personal identifying information and will only share personally identifiable information with persons with a need-to-know, in order to investigate and respond to a report, or to deliver resources or protective measures.

Creighton will also maintain the confidentiality of its various records generated in response to reports and formal complaints, including, but not limited to, information concerning supportive measures, notices, investigation materials, adjudication records and appeal records. Notwithstanding the foregoing, the University may reveal the identity of any person or the contents of any record if permitted by the Family Educational Rights and Privacy Act (FERPA), *20 U.S.C. 1232g*; FERPA regulations, *34 CFR part 99*; or as required by law; or to carry out the purposes of *34 CFR Part 106*, including the conducting of any investigation, hearing or grievance proceeding arising under these policies and procedures.

While the University will maintain confidentiality, the University will not limit the ability of the parties to discuss the allegations at issue in a particular case. Parties are advised, however, that the manner in which they communicate or discuss a particular case may constitute sexual harassment or retaliation in certain circumstances and be subject to the processes specified in this policy.

Certain types of sexual harassment are considered crimes for which the University must disclose as crime statistics in its Annual Security Report that is provided to the campus community and available to the public. These disclosures will be made without including personally identifying information. Creighton University reserves the right to designate which

University officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to FERPA.

If a complainant would like the details of an incident to be kept confidential, confidential resources are available.

## SANCTIONS

If the Hearing Board determines that a respondent is responsible for violating this policy, the University reserves the right to impose sanctions, depending on the severity and/or pervasiveness of the violation. Each incident will be reviewed on an individual basis. The Hearing Board will, prior to issuing a written decision, consult with an appropriate University official with disciplinary authority over the respondent and with the Title IX coordinator, who will determine whether and to what extent ongoing support measures or other remedies will be provided to the complainant.

In determining appropriate sanction(s), the Hearing Board will consider the concerns and rights of both the complainant and respondent and must examine and consider a number of factors, including:

- level of risk or harm to the community
- the nature and seriousness of the offense
- the respondent's disciplinary history
- any apparent pattern of conduct, including previous violations of this policy
- the motivation underlying the respondent's behavior
- whether the respondent has accepted responsibility for the conduct
- the need for sanctions/responsive actions to bring an end to or prevent future occurrences of the discrimination, harassment and/or retaliation
- the need to remedy the effects of the discrimination, harassment and/or retaliation on the complainant and the community
- cooperation with the investigation
- any other mitigating, aggravating or compelling circumstances known to the Hearing Board at the time of decision

A sanction, or a combination of sanctions, listed below, may be imposed upon any member of the University community found to have violated this policy. The sanctions will be implemented as soon as feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of and may be in addition to other actions taken or sanctions imposed by external authorities.

### Sanctions for Responding Party – Student:

The following are sanctions that may be imposed upon students or organizations singly or in combination:

**Warning.** A formal statement that the behavior was unacceptable and a warning that further infractions of any University policy, procedure or directive will result in more severe sanctions/responsive actions.

**Behavioral Reprimand.** The student receives a written warning that his or her conduct was in violation of University rules and regulations and that continued misconduct may be treated more severely.

**Behavioral Probation.** A formal disciplinary status notifying a student that the behavior was in violation of the Harassment, Discrimination, Sexual and/or Relationship Misconduct Policy and/or the the University's Student Standards of Conduct. The student may be barred from participation in all or designated extra-curricular activities and may be subject to other sanctions as a result of this status. The student will be notified that any continued violations of University rules and regulations will in all likelihood result in suspension or expulsion.

**Education and/or Training.** A student may be required to participate in specific education and/or training courses based upon the outcome of the proceeding.

**Standards of Conduct.** The student may be barred from participation in all or designated extracurricular activities and may be subject to other sanctions as a result of this status. The student will be notified that any continued violations of University rules and regulations will in all likelihood result in suspension or expulsion.

**Suspension.** The separation of the student from the University for a specified period of time, measured in semesters. The student may not participate in or attend any University sponsored activity and may be barred from University premises. During the period of suspension from the University, a student normally may not advance toward a Creighton degree at another institution. Reinstatement after disciplinary suspension requires the approval of the Vice Provost for Student Life. Students who are suspended from Creighton University for nonacademic misconduct will have "Disciplinary Suspension" appear as a notation on their permanent academic record, including the official transcripts of the University.

**Expulsion.** The permanent separation of the student from the University. The student will be barred from University premises. Students who are expelled from Creighton University for nonacademic misconduct will have "Disciplinary Expulsion" appear as a notation on their permanent academic record, including the official transcripts of the University.

**Disciplinary Removal from University Residence Halls.** The student will be required to leave University residence halls and may forfeit any prepaid housing fees. The student will be barred from residence halls and will be notified that any further violations of University rules and regulations will, in all likelihood, result in suspension or expulsion.

**Denial of Access or Restriction of Access to a University Building or Facility.** The student will be denied access or allowed only restricted access to a specific building or facility for a stated period of time.

**Restitution.** The student may be required to make payment to the University, other persons, groups or organizations for damages that result from violations of conduct regulations.

**Service/Work Project.** The student may be assigned to complete a specified community service or work project as outlined in a community service/work agreement.

**Fines.** The student will be required to pay a specified monetary fine to the University within a specified period of time.

**Organizational Sanctions.** When the responding party is a student club or organization, sanctions may be imposed on the entire club or organization. Sanctions include the above listed items and additional sanctions specific to a student organization. For a complete list of additional organizational sanctions, please see the Creighton Student Handbook.

**Other Actions.** Other sanctions which are intended to engage the student in a positive learning experience related to the student's behavior may be imposed by the Office of Equity and Inclusion. Any such actions, other than those previously listed, will be included on future ASRs.

#### Sanctions for Responding Party – Faculty/Staff:

**Verbal Warning.** A verbal warning is a written record of a discussion between the Office of Equity and Inclusion and an employee. A verbal warning includes a summary of the corrective action required by the Office of Equity and Inclusion and a copy of this warning will be shared with the employee and other relevant parties, including but not limited to Human Resources, department chair, dean and/or the employee's supervisor.

**Formal Written Warning.** A written warning is used to document corrective action when a verbal warning has not helped to remedy the actions of an employee or where a verbal warning is not sufficient. A copy of this written warning will be shared with the employee and other relevant parties, including but not limited to Human Resources, department chair, dean and/or the employee's supervisor.

**Performance Improvement Plan.** The Office of Equity and Inclusion may require an employee to participate in a Performance Improvement Plan (PIP) not to exceed 90 days. Within the PIP, the employee must demonstrate a willingness and ability to meet and maintain established work performance and/or conduct requirements. At the end of the PIP, the employee will either be returned to regular employment status or terminated. If at any time during the PIP, the employee does not demonstrate significant and consistent improvement, the employee may be terminated before the conclusion of the PIP at the discretion of the University.

**Enhanced Supervision.** The employee may be required to submit to additional supervisory requirements, observation and/or performance reviews.

**Required Training or Education.** The employee may be required to complete training or participate in specific educational opportunities based on the findings of the resolution process. This includes in-person and online training and education.

**Loss of Merit Pay Increase.** The employee may be deemed ineligible for a merit pay increase for a period of time, as determined by the findings of the resolution process.

**Loss of Supervisory Responsibilities.** The employee may lose the ability to supervise other employees or students based on the findings of the resolution process. Loss of supervisory responsibilities may have the effect of changing an employee's job classification status.

**Restriction of Resources.** The employee may lose access to stipends, research, funding for research programs and/or professional development resources.

**Transfer.** The employee may be transferred to a different department, reassigned to a different project or team or placed under the supervision of a different supervisor.

**Demotion.** An employee may be demoted to a job classification status lower than their status at the start of the resolution process.

**Termination.** Termination is the permanent separation of the employee from the University.

**Other Actions.** Other sanctions which are intended to engage the employee in a positive learning experience related to the employee's behavior may be imposed by the Office of Equity and Inclusion. Any such actions, other than those previously listed, will be included on future ASRs.

Because we value *cura personalis*, "Care for the individual person," all members of the Creighton community are expected to respect each person as a child of God and treat each individual with dignity. Students, faculty and staff all have the right to work and learn in a respectful, non-discriminatory environment. Any form of discrimination or discriminatory harassment violates this principle and will not be tolerated by the University. The inalienable worth of each individual and appreciation of ethnic and cultural diversity are core values of Creighton. We seek to create and maintain an inclusive, welcoming environment by celebrating and protecting diversity.



# Alcohol and Other Drugs

## DRUG FREE SCHOOLS AND COMMUNITIES ACT

In 1989, the U.S. Congress passed the Drug Free Schools and Communities Act (DFSCA). This Act requires Creighton to adopt and implement a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees. The Clery Act requires a description of any drug or alcohol-abuse education programs within this report. The following information describes health risks, Creighton policies, legal sanctions and available assistance, as well as disciplinary sanctions that might be imposed. Creighton recognizes that it must go beyond simply informing students and their families about the legal consequences resulting from alcohol and drug use. Creighton's response must also address the social realities of our students while continuing to promote and educate students about the benefits of living a healthy lifestyle.

## ALCOHOL AND OTHER DRUGS PREVENTION AND AWARENESS

### Alcohol and the Body

Every person reacts differently to alcohol; some people are affected only slightly and others severely. Alcohol is a central nervous system depressant, which means the brain and spinal cord are affected and react more slowly when there is alcohol in a person's system. The more alcohol in the system, the more depressed is the central nervous system and the greater the effect. There are increased incidences of falls, accidents, vandalism, destruction of property, arguments, fights, sexual assault, other violence and risk-taking behavior, or death when a person is under the influence of alcohol. There is diminished performance for 24–72 hours after having had too much to drink because of the by-products produced from the metabolism of alcohol.

Some people are more susceptible to becoming addicted to alcohol than are others. This addiction is more likely to occur if a person drinks alcohol regularly at a young age (before 18) and/or if a parent, grandparent, aunt, uncle, brother or sister has a history of alcohol abuse. There is, as yet, no way to know for certain who is most susceptible to developing alcoholism or any other adverse health effects from alcohol.

### Creighton's Approach to Alcohol Education

Creighton's alcohol policies are straightforward and enforce state and federal law. The University's educational position, however, calls for a response to alcohol education that goes beyond legal consequences. At Creighton, we believe the response to alcohol education must also meet the health and well-being needs of our students, while also considering the decisions they may choose to make because of their need to socialize.

Creighton University expects its students to abandon high-risk drinking. To avoid binge drinking and its consequences, college students (and all people who drink) are advised to track the number of drinks they consume over a given period of time. That is why it is important to know exactly what counts as a drink.

In the United States, a standard drink is one that contains about 14 grams of pure alcohol, which is found in:

- 12 ounces of beer with 5% alcohol content
- 5 ounces of wine with 12% alcohol content
- 1.5 ounces of distilled spirits with 40% alcohol content

Many college alcohol problems are related to binge drinking. Binge drinking is a pattern of drinking that brings blood alcohol concentration (BAC) levels to 0.08 g/dL. This typically occurs after four drinks for women and five drinks for men—in about two hours. Binge drinking is a risk factor for sexual assault,



especially among young women in college settings. Each year, about 1 in 20 college women are sexually assaulted. Research suggests that there is an increase in the risk of rape or sexual assault when both the attacker and victim have used alcohol prior to the attack.

Drinking this way can pose serious health and safety risks, including car crashes, drunk-driving arrests, sexual assaults and injuries. Over the long term, frequent binge drinking can damage the liver and other organs.

Source: [niaaa.nih.gov/alcohol-health](http://niaaa.nih.gov/alcohol-health)

If a student is concerned about or suspected of drug and/or alcohol addiction, The University Student Counseling Services offers alcohol and drug assessments. A trained drug and alcohol counselor is available to focus on low level types of substance abuse or dual diagnosis problems. Student Counseling Services typically collaborates with available community resources for higher levels of assessment and treatment.

If an employee is concerned about or suspected of drug and/or alcohol addiction, Creighton University offers a free Employee Assistance Program (EAP). EAP provides professional counseling, information, and referral services to faculty, staff and their families. The program offers confidential consultation on a wide variety of personal, family and/or work-related problems that may contribute to high levels of stress and interfere with health and work performance. Through the employee's health insurance, the University offers both in-patient and out-patient substance abuse services.

#### Track to Recovery from Alcohol Abuse at Creighton (TRAAC)

Creighton has developed TRAAC to care for intoxicated students who could be in danger. TRAAC provides students with proper University support and, in cases where students are reasonably at risk, the appropriate medical attention from the University Campus Emergency Department (UCED).

TRAAC standard procedures:

1. A student is identified as potentially being intoxicated by demonstrating one or more of the following: impaired judgment, impaired reactions, decreased coordination, or unresponsiveness.
2. An assessment by Student Health Services (SHS) and field sobriety tests by the Department of Public Safety (DPS) are administered. The student is transported by DPS to UCED if determined appropriate by the SHS assessment.
3. A student with a blood alcohol content (BAC) equal to or above 0.15 will be transported to the UCED.
4. A student with a BAC below the 0.15 threshold may also be transported to the UCED because of other medical findings.
5. Parents are notified.
6. Student is seen in the UCED to determine if further medical care is needed.
7. If requested, DPS will transport the discharged student from the UCED to his or her residence hall at Creighton University. DPS will not transport the student to any other location.
8. If the student fails to comply with the TRAAC standard protocol the student may be immediately suspended or expelled from the University.

9. The incident is documented and referred for a Community Standards meeting (non-academic misconduct), which normally results in a student status of disciplinary probation with a \$100 alcohol intoxication fine; and additional educational sanctions.

#### Alcohol Intervention Education

In response to concerns that students who have been to the TRAAC face severe and long-lasting disciplinary consequences, the Office of Community Standards and Wellbeing (OCSW) has developed an online module program. This program is an option for students who are compliant with University officials during the documentation of their TRAAC incident. Any student who is in failure to comply during an incident is not eligible for the program. Any student who has previously been to TRAAC is not eligible for the program. For more information, contact the OCSW.

#### Good Samaritan Provision

As a part of their responsibility to others, students are expected to immediately report conduct or activity that poses a danger to the community or its members. This is most important in medical emergencies due to alcohol use. Students should not hesitate to seek help because of fear of disciplinary action.

The welfare of everyone in this community is paramount, and Creighton University encourages students to offer healing and assistance to others in need even under the effects of alcohol. In most cases, the help-seeker will not be held responsible with a policy violation under Creighton's Code of Conduct. The help-seeker must actively seek medical assistance, give his or her name to the University official and must remain cooperative at the scene.

In such cases where a help-seeker would be present, the following actions will take place:

The help-seeker will be documented and titled with the term "help-seeker" next to his or her name in the report (as reported by the RA, RD, DPS or other University officials whom the help-seeker sought out).

The help-seeker will meet with Office of Community Standards and Wellbeing to discuss the situation that occurred. At this point, the OCSW staff member will determine the severity of the incident that took place. In most cases the help-seeker will not be held responsible, however, in the case of other policy violations (vandalism, sexual assault, violence, etc.) the student may be held to different standards and practices when outside the scope of this policy.

The risks of being a help-seeker include:

- Potential for documentation of policy violation.
- Potential to go through the TRAAC program.
- Potential for other repercussions as deemed appropriate by OCSW when outside the scope of this policy.

The risks of NOT being a help-seeker include:

- Lack of adequate medical assistance when needed.
- Risk of medical emergencies.
- Potential for University violations and documentation.
- Potential for many other risks in relation to severe alcohol-intoxication incidents.

## Drug Use – Health Effects

Every person reacts differently to drugs; some people are affected only slightly and others are severely affected. There is no completely safe drug. Illicit drugs can be harmful to health for two reasons: the effect of the drug itself and the effect of by-products, which result from processing the illicit drug.

Almost all illicit drugs are used to change a person's mood, or the way s/he feels. Any drug that changes mood does so by affecting the central nervous system and changing its ability to react normally. For example, stimulants make the central nervous system overactive while narcotics and depressants decrease its ability to react.

Illicit drugs also carry a high risk of psychological or physical dependence, i.e., the user starts to count on the drug to regulate his/her mood and is unable to perform routine activities without using the drug. When the body develops tolerance for and dependence on a drug, then physical dependence (addiction) is the result. The body is unable to function without an adequate supply of the drug and will have withdrawal symptoms when the supply is not adequate. Withdrawal may be as minor as discomfort (headache, restlessness and irritability) or result in major symptoms such as grand mal seizures, coma and death.

There is no certain way to know who is most likely to develop dependence, but it is known that people who have developed dependence on alcohol or have family members who are dependent on alcohol or drugs are at greater risk. Those who are frequently depressed, have suicidal thoughts, hallucinations or delusions should avoid street drugs because using them could make the illness worse, or cause a relapse.

### Marijuana 101: Drug Use/Possession Course

In response to concerns that students who have been through the Community Standards process for drug use multiple times without effective sanctioning, the Office of Community Standards and Wellbeing has researched and found a course to continue the education of students and foster critical thinking skills. In alignment with the Jesuit values and tenants of *cura personalis*, *magis* and the Creighton Student Credo, this program was researched with the intent of growth of the whole person. After an incident involving the possession/use of illegal substances, it is important to see the students as individuals, and this process aims to lead all its members in discovering and embracing the challenging responsibilities of their intelligence, choices and future. We believe this program is a valuable tool to combat attitudes and choices concerning drug use and, more specifically, marijuana use.

## CLERY ACT ALCOHOL, OTHER DRUGS AND WEAPONS DEFINITIONS

### Arrests and Referrals for Disciplinary Action

Under the Clery Act, institutions must also report arrests and referrals for disciplinary action for liquor law violations, drug abuse violations and weapons law violations:

- Arrest: Persons processed by arrest, citation or summons.
- Referred for Campus Disciplinary Action: The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

**Liquor Law Violations:** Creighton University will enforce the laws of the State of Nebraska pertaining to the possession, consumption, sale, or transfer of alcoholic beverages by or to any person under the age of 21. This means that it is both unlawful and a violation of the alcohol policy for persons under 21 years of age to possess or consume alcoholic beverages on campus, or to be present at gatherings where alcohol is present. It is also unlawful, and a violation of the alcohol policy, for anyone, regardless of age, to sell or in any way provide alcohol to persons under the age of 21.

**Drug Abuse Violations:** Creighton University will enforce federal laws as well as the laws of the State of Nebraska pertaining to the unlawful possession, use, manufacture, distribution or delivery of controlled substances and other illegal drugs. This means that it is both unlawful and a violation of the University's drug policy for anyone to be in possession of, using, growing/manufacturing, distributing or delivering a controlled substance or other illegal drug.

**Weapons Violations:** Creighton University will enforce federal and as well as the laws of the State of Nebraska pertaining to the possession of unlawful weapons or explosives on campus. This means that it is unlawful and a violation of the University's weapons policy for anyone on campus to possess or carry, openly or concealed, any firearm, knife, brass or iron knuckles, or any other weapon or explosive device capable of causing death or serious bodily injury.

## CREIGHTON UNIVERSITY ALCOHOL, OTHER DRUGS, AND WEAPONS POLICIES

### Alcohol

Creighton University defines misuse or abuse of alcohol as:

"Any alcohol or drug-related behavior that adversely affects or strains a person's life in regard to: physical health; feelings of self-esteem; personal or family relationships; the campus community and its members; educational and occupational goals; or standing in regard to local, state or federal laws. Students regardless of age are held accountable to this policy if they come to the attention of University officials."

The National Institute on Alcohol Abuse and Alcoholism defines binge drinking as: "A pattern of drinking that brings a person's blood alcohol concentration (BAC) to 0.08 grams percent or above. This typically happens when men consume five or more drinks, and when women consume four or more drinks, in about two hours."

The University is committed to developing and sustaining University-wide health norms to prevent problems related to drinking, providing resources for intervention and assistance, and maintaining a safe environment free of coercion for those who choose not to drink.

Thus, it is the position of Creighton University to promote informed choices about the responsible use of alcohol on its campus by all members of the community. Since it is important that people be aware of their responsibilities and University expectations, the following guidelines are set forth.

## On-Campus Alcohol Use

1. Prior approval must be obtained from the Vice Provost for Student Life (or his/her designee) for any activity where alcohol is present. It will be necessary to complete and adhere to an alcohol contract obtainable from the Student Leadership and Involvement Center.
2. Any sponsoring organization or group that serves alcohol at its events must use trained servers from University Dining Service. Students must present a valid ID and their student ID.
3. Sponsoring organizations or groups assume responsibility for their social events. This responsibility includes ensuring that only those of legal drinking age possess and/or consume alcoholic beverages; refusing to serve people who appear, act or behave in an intoxicated manner; providing sufficient quantities of non-alcoholic beverages as dictated by the event and the crowd; and, finally, providing sufficient quantities of food throughout the event. In addition, the group has the responsibility of restricting alcohol to the designated area.
4. Advertisement for any event on campus shall be in good taste and conform to the posting policy. Those events involving alcohol shall conform to the "Creighton University Guidelines for Promotion of Events Where Alcohol Will Be Served."
5. Public advertising or open access to social events where alcoholic beverages are being served are not in the best interest of the sponsoring group or of Creighton University. Therefore, any event open to the general public will not be given permission to serve alcohol.
6. For those on-campus social events where students are present and alcoholic beverages are being served, Public Safety personnel shall be notified of the event by the sponsoring group or organization to determine whether or not an officer should be present. The sponsoring group is responsible for any expenses that might result.
7. Alcohol use of any kind may not be used in the freshman and sophomore halls. Residents of the apartments (Opus Hall and Davis Square), if of legal drinking age, may possess alcohol within the confines of their room or apartment, but may not use/consume it when minors are present.
8. Irresponsible Alcohol Use: Students living in the residence halls and student organizations shall not possess irresponsible amounts of alcohol, nor should they provide irresponsible amounts of alcohol to members, residents or guests of legal drinking age. Alcohol is only to be used in a responsible manner by individuals over the age of 21. Large amounts of alcoholic beverages are prohibited in the residence halls and at events a reasonable outsider would associate with student organizations. This includes, but is not limited to: kegs, handles of liquor and boxed wine(s), along with beer that contains 7% or more alcohol percentage by volume. Games, behaviors or devices that promote the rapid consumption of alcohol are similarly prohibited.
9. Consuming or possessing open containers of alcoholic beverages is prohibited in hallways, bathrooms, stairwells, general lounges, lobbies, study rooms and all public areas.

## Off-Campus Alcohol Use

1. Student organizations holding off-campus events where alcohol is present are responsible for full compliance with the appropriate state law. In those rare cases where a student organization would fail to accept or assume responsibility, the officers of the organization will be held accountable for behavior of their members and their invited guests.
2. Fraternity/Sorority organizations governed by Interfraternity and Panhellenic Councils have implemented specific alcohol guidelines that must be adhered to by all fraternity and sorority organizations.

## Additional Alcohol Policies

1. For all University events at which alcohol is served, the host of the event (either Creighton or a faculty or staff member, as the case may be), must make available nonalcoholic beverages in addition to the alcoholic beverages. Creighton desires to encourage the responsible use of alcohol at all such events and making alternative beverages available supports this goal.
2. For all University events at which alcohol is served, the person or persons serving the alcohol are required to make identification checks of any person who may be underage to prevent any underage drinking. Diligent checking of identification is Creighton's only means of ensuring compliance with state law.
3. The University strongly encourages all of its employees to use alcohol responsibly at all times, but particularly at University events because of the damage which may be done to Creighton's reputation, and the poor example it sets for other employees and for students. Creighton desires to achieve a community where moderation, safety and individual accountability for those who choose to drink are the norm.
4. It is the responsibility of individual supervisors to communicate this policy to their employees. In addition, supervisors may have to counsel employees whose behavior indicates a lack of awareness of this policy. If any employee of the University does not adhere to this policy because of irresponsible drinking or, if such a person acts as a host of an event and fails to demand identification of all persons who may possibly be underage, discipline action outlined in the Progressive Discipline Policy may be administered by the employee's supervisor according to his/her discretion.

## Violations

Creighton students and employees are subject to the same local and state laws that govern all citizens of Nebraska pertaining to the unlawful possession, use, or distribution of alcohol on campus property or as part of campus activities.

1. Violations of the Alcohol Policy will be referred to the Office of Community Standards and Wellbeing for the appropriate action.
2. Violations of the policy will be subject to the possibility of:
  - a. suspension of the organization's alcohol use privileges;
  - b. fines;

- c. suspension of University approval for the sponsoring organization or group;
  - d. other University disciplinary action up to and including expulsion or termination.
3. The University's disposition of individual cases does not preclude the prosecution for alcohol related violations under local or state laws.

#### Guidelines for the Promotion of Events Where Alcohol Will be Served

1. Marketing programs specifically targeted for students on campus must conform to the Creighton University code of student conduct and must avoid demeaning sexual, racial or other discriminatory references.
2. Promotion materials must neither encourage any form of alcohol abuse nor make reference to the amount of alcoholic beverage (such as the number of beer kegs available or expressions like "all you can drink.")
3. Alcoholic beverages (such as kegs or cases of beer) must not be provided as free awards to individual students or campus organizations.
4. No uncontrolled sampling as part of campus marketing programs shall be permitted and no sampling, or other promotional activities, shall include "drinking contests."
5. Where controlled sampling is allowed by law and institutional policy, it must be limited as to time and quantity. Principles of good hosting must be observed including availability of alternative beverages, food and planned programs. The consumption of alcohol must not be the sole purpose of any promotional activity.
6. Promotional activities must not be associated with otherwise existing campus events or programs without the prior knowledge and consent of the Office of the Vice Provost of Student Life.
7. Display or availability of promotional materials must follow the poster policy developed by Creighton University. All marketing programs must have educational value and subscribe to the philosophy of responsible and legal use of the products represented. All promotional materials will include the following language "Alcohol will only be available to those of age and with proper photo identification."
8. Alcohol advertising on campus or in institutional media, including that which promotes events as well as product advertising, must not portray drinking as a solution to personal or academic problems of students or as necessary to social, sexual or academic success.
9. Advertising and other promotional campus activities must not associate the consumption of alcohol with the performance of tasks that require skilled reactions such as the operation of motor vehicles or machinery.
10. Local off-campus promotional activities, primarily directed to students, must be developed in cooperation with the vice provost for Student Life.

#### Other Drugs

As an academic institution, Creighton University's goal is to alleviate the problem of illegal drug use, preferably in a manner that educates rather than punishes. However, Creighton community members are subject to the same local, state and federal laws that govern all citizens, including those laws that concern the use, sale and possession of drugs. Therefore, persons engaging in such illegal actions will be subject to disciplinary procedure up to and including suspension and expulsion. Individuals cannot be protected by the University from the possible additional legal consequences of their acts.

The University policy concerning illegal drugs is as follows:

Creighton University considers the use, possession, cultivation, sale, distribution or transfer of any unlawful drug, including marijuana, unacceptable behavior that is incompatible with the educational goals of the University.

Students are considered to be responsible adult citizens, and as such, are subject to civil law. In accordance with federal as well as state and local laws, the illegal use, possession, cultivation, sale, distribution or transfer of any drug, narcotic, or hallucinogenic substance including marijuana is strictly prohibited on University property.

Knowledgeable association in an environment where illegal substances are being used constitutes grounds for disciplinary action.

Misconduct resulting from the illegal possession, consumption, sale or transfer of drugs or narcotics renders the person subject to action ranging from rehabilitation, probation, dismissal from the residence halls, and up to and including suspension, expulsion or termination from the University. The University disposition of individual cases does not preclude the prosecution for drug related offenses under state or federal law.

The University's disposition of individual cases does not preclude criminal prosecution in accordance with federal and/or state laws. Due process guaranteeing fundamental fairness, as determined by the University community, shall be adhered to in the treatment of these matters.

*See also: Creighton University Policy 2.2.15 on Drug and Alcohol Use which complies with the Drug-Free Schools and Communities Act.*

#### Weapons Possession

All faculty, staff, students and all other persons are prohibited from carrying a weapon, of any kind, onto Creighton property or into any Creighton facility. This prohibition includes concealed handguns that are legally carried under state law. Violations of this policy will result in University sanctions and, if applicable, criminal sanctions as well. Creighton defines a weapon as any object or substance designed to inflict a wound, cause injury or incapacitate, including all firearms, BB, potato and pellet guns, knives with blades three and one-half inches or more in length, or any other device, instrument, material or substance, whether animate or inanimate, which in the manner it is used or intended to be used is capable of producing death or serious bodily injury.

Public Safety maintains a locker for the safe storage of hunting equipment and firearms.



## STATE LAWS: ALCOHOL, OTHER DRUGS AND WEAPONS

### Nebraska

#### Alcohol

No person shall sell, give away, dispose of, exchange or deliver, or permit that sale, gift, or procuring of any alcoholic liquors, to any person under the age of 21. Any person violating this law is guilty of a Class I misdemeanor. No one under the age of 21 shall obtain, or attempt to obtain, alcoholic liquor by misrepresentation of age. Any person violating this law is guilty of a Class III misdemeanor.

- a. No one under the age of 21 may sell or dispense or have in his or her possession or physical control any alcoholic liquor in any tavern or in any other place including public streets, alleys, roads, highways or inside any vehicle. Any person violating this law is guilty of a Class III misdemeanor.
- b. Any person who knowingly manufactures, creates, alters any form of identification for the purpose of sale or delivery of such form of identification to a person under the age of 21 shall be guilty of a Class I misdemeanor. Forms of identification are defined as any card, paper or legal document that may be used to establish the age of the person named thereon for the purpose of purchasing alcoholic liquors.

#### Controlled Substances

- a. It is unlawful to knowingly or intentionally:
  - i. Manufacture distribute, deliver, dispense or possess with intent to manufacture, distribute, deliver or dispense a controlled substance; or
  - ii. to create, distribute or possess with intent to distribute a counterfeit controlled substance.
- b. Any person who violates subsection (1) with respect to cocaine or any mixture or substance containing a detectable amount of cocaine in a quantity of:
  - i. At least 28 grams but less than 140 grams shall be guilty of a Class IC felony;
  - ii. At least 10 grams but less than 28 grams shall be guilty of a Class ID felony.
- c. Any person knowingly or intentionally possessing marijuana weighing more than one ounce but not more than one pound shall be guilty of a Class III misdemeanor.
- d. Any person knowingly or intentionally possessing marijuana weighing more than one pound shall be guilty of a Class IV felony.
- e. Any person knowingly or intentionally possessing marijuana weighing one ounce or less shall:
  - i. For the first offense, be guilty of an infraction, receive a citation, be fined \$300 and may be assigned to a drug abuse course;
  - ii. For the second offense, be guilty of a Class IV misdemeanor, receive a citation and be fined \$400 and may be imprisoned not to exceed 5 days;
  - iii. For the third and all subsequent offenses, be guilty of a Class IIIA misdemeanor, receive a citation, be fined \$500 and be imprisoned for not more than 7 days.

It is unlawful for any person to be under the influence of any controlled substance for a purpose other than the treatment of a sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings. In a prosecution under Nebraska's controlled substance laws, it is not necessary for the state to prove that the respondent was under the influence of any specific controlled substance, but it shall be sufficient for a conviction for the state to prove that the respondent was under the influence of some controlled substance by proving that the respondent manifested physical and physiological symptoms or reactions caused by the use of any controlled substance. Any person who violates this section shall be guilty of a Class III misdemeanor.

#### Good Samaritan of Nebraska Underage Drinking Law

Law that encourages minors to call 911 when they suspect an alcohol overdose without fear of receiving an MIP (minor in possession). A revised version of the law, protecting both the intoxicated minor and the caller went into effect. In order not to receive a MIP, the caller should: make a good faith request for emergency medical assistance, remain on the scene until law enforcement and/or medical personnel arrive, and cooperate with officials.

#### Weapons

Any person who possesses a firearm in a school, on school grounds, in a school-owned vehicle, or at a school-sponsored activity or athletic event is guilty of the offense of unlawful possession of a firearm at a school, a class IV felony. *Nebraska §28-1204.4*

Any person who carries a weapon or weapons concealed on or about his or her person, such as a handgun, a knife, brass or iron knuckles, or any other deadly weapon, commits the offense of carrying a concealed weapon, a class I misdemeanor. *Nebraska §28-1202*

- Firearm (handgun, machine gun, short rifle, short shotgun) means any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive or frame or receiver of any such weapon;
- Knife means: (a) Any dagger, dirk, knife or stiletto with a blade over three and one-half inches in length and which, in the manner it is used or intended to be used, is capable of producing death or serious bodily injury; or (b) Any other dangerous instrument which is capable of inflicting cutting, stabbing, or tearing wounds and which, in the manner it is used or intended to be used, is capable of producing death or serious bodily injury;
- Knuckles and brass or iron knuckles mean any instrument that consists of finger rings or guards made of a hard substance and that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

### Arizona

#### Alcohol

*Arizona Revised Statute 4-101* defines the legal age for the consumption of alcoholic beverages in the State of Arizona as 21 years of age.

For more information on Arizona's liquor laws, please see [azliquor.gov/assets/documents/Title%204%20Law%20Book/2019\\_Title4Book.pdf](http://azliquor.gov/assets/documents/Title%204%20Law%20Book/2019_Title4Book.pdf).

## Illegal Drugs

Definitions, criminal offenses and associated penalties involving illegal drugs can be found in Chapters 34 and 34.1 of Title 13 of the Arizona Revised Statutes. Each drug offense in Chapters 34 and 34.1 lists the corresponding penalty for the offense.

## Good Samaritan

*Arizona Revised Statute 36-2263* protects individuals from criminal prosecution when they attempt to help others in good faith without hope or expectation of reward. The Good Samaritan law applies when administering aid to a person who suffers a personal injury or medical event in a public place or when intervening on behalf of an individual suffering from a drug overdose.

Arizona's Good Samaritan law protects individuals who perform cardiopulmonary resuscitation (CPR) or who use automated external defibrillator devices to revive an individual who falls unconscious in a public place.

The Arizona Department of Health Services has increased distribution of anti-overdose drugs like Naloxone to help curb the number of opioid-related overdose deaths. The Good Samaritan law prevents individuals from suffering criminal prosecution for drug offenses when they seek out Naloxone for someone suffering from an opioid overdose or when they report an opioid overdose to the authorities.

## Weapons

Under *ARS 13-3101*, a "deadly weapon" means anything that is designed for lethal use. A person commits misconduct involving weapons by knowingly: Carrying a deadly weapon except a pocket knife concealed on his person or within his immediate control in or on a means of transportation. The term certainly includes a firearm, but does not specifically include knives. "Firearm" means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive. Firearm does not include a firearm in permanently inoperable condition. Knives are generally regarded as tools. However, knife carriers must obey laws that governing concealed weapons or that prohibit them from certain places (including courtrooms and other government buildings). *ARS 13-3120* regulates knives in the State of Arizona and expressly prohibits local governments from regulating, among other things, their possession, transport or use. "Knife" means a cutting instrument and includes a sharpened or pointed blade.

## Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances

Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	First Offense: Not less than 10 yrs., or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.  Second Offense: Not less than 20 yrs., or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	First Offense: Not less than 5 yrs., or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.  Second Offense: Not less than 10 yrs., or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50 million if other than an individual.
Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.  Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Hashish More than 10 kilograms	
Hashish Oil More than 1 kilogram	
Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants	First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.  Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish 10 kilograms or less	
Hashish Oil 1 kilogram or less	

## Federal Trafficking Penalties for Schedules I, II, III, IV, and V *(except Marijuana)*

Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	<p>First Offense: Not less than 5 yrs., and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. Or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual</p> <p>Second Offense: Not less than 10 yrs., and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	Cocaine 5 kilograms or more mixture	<p>First Offense: Not less than 10 yrs., and not more than life. If death or serious bodily injury, not less than 20 yrs. Or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p>Second Offense: Not less than 20 yrs., and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p>2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	

	Penalty
Any Amount Of Other Schedule I & II Substances	First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. Or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.
Any Drug Product Containing Gamma Hydroxybutyric Acid	Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.
Flunitrazepam (Schedule IV) 1 Gram	
Any Amount Of Other Schedule III Drugs	<p>First Offense: Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p>Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p>
Any Amount Of Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)	<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>
Any Amount Of All Schedule V Drugs	<p>First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p>Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>

## Alcohol, Drug and Weapons Arrests

The following tables list the number of arrests over the past three years for three categories of Part II Uniform Crime Reporting (UCR) Offenses.

### OMAHA CAMPUS

Crime Category	Number of Arrests														
	On-Campus Student Housing Facilities			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	3	1	0	0	0
Drug Law Violations	4	4	4	0	1	9	4	5	13	0	10	7	0	0	0
Liquor Law Violations	0	0	0	0	2	1	0	2	1	0	1	0	0	0	1

### PHOENIX CAMPUS

Reporting for the Phoenix campus started in 2018. The Phoenix campus has no on-campus student housing facilities.

Crime Category	Number of Arrests														
	On-Campus Student Housing Facilities			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
Weapons Law Violations	-	N/A	N/A	-	0	5	-	0	5	-	N/A	N/A	-	0	0
Drug Law Violations	-	N/A	N/A	-	0	5	-	0	5	-	N/A	N/A	-	0	0
Liquor Law Violations	-	N/A	N/A	-	0	1	-	0	1	-	N/A	N/A	-	0	0

## Alcohol, Drug and Weapons Disciplinary Referrals

The following tables list the number of disciplinary referrals over the past three years for three categories of Part II Uniform Crime Reporting (UCR) Offenses. Campus disciplinary actions are defined as any student or employee referred to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

### OMAHA CAMPUS

Crime Category	Number of Referrals														
	On-Campus Student Housing Facilities			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	95	85	52	12	16	2	107	101	54	0	5	0	0	0	0
Liquor Law Violations	201	413	281	16	19	14	217	432	295	5	13	23	0	0	0

### PHOENIX CAMPUS

Reporting for the Phoenix campus started in 2018. The Phoenix campus has no on-campus student housing facilities.

Crime Category	Number of Referrals														
	On-Campus Student Housing Facilities			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
Weapons Law Violations	-	N/A	N/A	-	0	0	-	0	0	-	N/A	N/A	-	0	0
Drug Law Violations	-	N/A	N/A	-	0	0	-	0	0	-	N/A	N/A	-	0	0
Liquor Law Violations	-	N/A	N/A	-	0	0	-	0	0	-	N/A	N/A	-	0	0



# Annual Fire Safety Report

At Creighton University the Division of Student Life houses up to 2,515 students in nine residence halls: Davis, Deglman, Gallagher, Heider, Kenefick, Kiewit, McGloin, Opus and Swanson. All residence halls have building fire alarm systems that report to a central alarm monitoring station in DPS. All fire extinguishers are located and spaced in accordance with fire code. Creighton has a collaborative working relationship with the Omaha Fire Department (OFD).

The Department of Public Safety maintains a campus daily fire log available for review by the public. In the event of a fire on campus, this log contains information on the nature, date reported, date occurred, time, and location of the event. For purposes of the Higher Education Opportunity Act, a fire is defined as “any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.” Creighton is a tobacco-free campus; smoking is prohibited in the residence halls or on any campus property. Because of the significant risk of fire and the inability to contain scents to a given room, anything with an open flame is prohibited in the residence halls and apartments. This includes flammable and/or excessively fragrant materials such as candles (whether lit or unlit), incense, and potpourri pots, cigarettes, lighters, pipes, live Christmas trees and wreaths, lighters, open-coiled appliances and halogen lamps, etc.

## FIRE SAFETY EDUCATION AND TRAINING PROGRAMS

Creighton promotes campus fire safety on an ongoing basis through various safety education and training programs. Resident advisors receive general fire safety and fire extinguisher training during fall training. Residence hall staff receive orientation of their roles during a fire or fire drill. A minimum of two unannounced fire drills are held in each of the nine residence halls during the year with the assistance of the OFD. When the alarm is activated, all occupants are required to exit the building and congregate at a point at least 100 feet from the building and are to remain there until OFD gives the “all clear.” Additional fire safety training is offered to the students at events, such as, Wellfest. Intentional fire safety awareness and prevention marketing are provided during Fire Prevention Month each October.

## PROCEDURES IN CASE OF FIRE

At the beginning of each semester, resident advisors explain emergency procedures and provide information to residents on the location of exit stairwells, fire extinguishers and alarm pull stations. Residents are directed to evacuate the residence hall any time the building fire alarm sounds. Students who are or become mobility impaired are asked to notify their resident director, so they can receive additional emergency procedure information and instructions. A list of mobility-impaired residents is kept at the front desk of each residence hall for use by emergency responders in the event of an evacuation. Emergency preparedness resources for the campus are available on the Public Safety website at [creighton.edu/executivevicepresident/publicsafety/emergencyinformation](http://creighton.edu/executivevicepresident/publicsafety/emergencyinformation). More fire safety information can be found in the Fire Safety Handbook at [creighton.edu/firesafety](http://creighton.edu/firesafety).

In the event of fire or smoke, students and employees should follow these procedures:

- If flame or smoke is detected, activate a fire alarm pull station.
- Evacuate the building.
- Contact Public Safety at 402.280.2911 and provide all information requested.
- If a student or employee finds evidence of a fire that is no longer actively burning or smoking, they should notify Public Safety, a resident advisor, or resident director.

## PROCEDURES FOR STUDENT HOUSING EVACUATION

During evacuation:

- Go to the nearest exit.
- DO NOT use the elevator.
- Keep low to the floor if smoke is present.
- Once outside, keep away from the building and listen for information about where to gather in the event that a census of building occupants is needed.
- Do not re-enter until an all clear is announced by authorized staff.

When evacuation is not possible:

- As you leave your room to enter a hallway or stairwell, feel the door knob before opening your door.
- If the knob is hot, do not open the door. Remain in the room.
- If heat or heavy smoke prevents your evacuation, close the door and remain in your room.
- Seal the door with wet towels. Hang a white object (towel or sheet) out the window to attract attention.
- Do not leave the window open all the way.
- Call Public Safety at 402.280.2911 to report your status. Wait for help to arrive.

## FUTURE FIRE SAFETY INITIATIVES

Creighton University continually strives to improve campus fire safety. All new building construction and renovations are completed in accordance with applicable fire codes. Opportunities for improvements in building fire alarm systems and fire safety improvements are routinely considered for existing structures. The University does not intend to install a sprinkler system in Gallagher Hall because it is scheduled for demolition in 2022 and will be replaced by a new residence hall. The new residence hall will include smoke and heat detectors, sprinkler system and a voice evacuation fire panel.

## Fire Safety Prevention Information

	Number of Beds	Fire Alarm System	Make and Model	Sprinkler System Type	Number of Fire Drills* (2019)
Davis Square 706 N. 20th St.	260	GamewellFCI	E3 Series	Wet with backflow	1
Degelman Hall 2403 California St.	160	Simplex	4020	Wet with backflow	1
Gallagher Hall 2619 California St.	195	GamewellFCI	7100 Series	None	1
Heider Hall 302 N. 22nd St.	200	GamewellFCI	7100 Series	Wet and dry with backflow	1
Kenefick Hall 320 N. 20th St.	200	GamewellFCI	7100 Series	Wet and dry with backflow	1
Kiewit Hall 2615 California St.	486	IPF Series Intelligent Fire Control	AsBuilt	Wet with backflow	1
McGloin Hall 2208 California St.	274	Simplex	4020	Wet with backflow	1
Opus Hall 615 N. 20th St.	283	GamewellFCI	E3 Series	Wet with backflow	1
Swanson Hall 2500 Cass St.	457	IPF Series Intelligent Fire Control	AsBuilt	Wet with backflow	1

### All residence halls have:

- Smoke detectors
- Whole building fire alarms
- Strobe lights
- Manual pull stations
- Evacuation plans and placards

\* During the 2019 spring semester, the University was unable to conduct a fire drill due to long periods of inclement weather and the unavailability of the Omaha Fire Department required for the drill.

## Student Housing Facilities Summary of Fire Statistics

2017						
Facility and Address	Total Fires	Fire Number	Cause	Injuries	Deaths	Value of Damage
Davis Square (706 N. 20th St.)	0	0	N/A	0	0	N/A
Deglman Hall (2403 California St.)	0	0	N/A	0	0	N/A
Gallagher Hall (2619 California St.)	1	1	Intentional-trash fire	0	0	\$0.00
Heider Hall (302 N. 22nd St.)	0	0	N/A	0	0	N/A
Kenefick Hall (320 N. 20th St.)	0	0	N/A	0	0	N/A
Kiewit Hall (2615 California St.)	0	0	N/A	0	0	N/A
McGloin Hall (2208 California St.)	0	0	N/A	0	0	N/A
Opus Hall (615 N. 20th St.)	0	0	N/A	0	0	N/A
Swanson Hall (2500 Cass St.)	0	0	N/A	0	0	N/A

2018						
Facility and Address	Total Fires	Fire Number	Cause	Injuries	Deaths	Value of Damage
Davis Square (706 N. 20th St.)	0	0	N/A	0	0	N/A
Deglman Hall (2403 California St.)	0	0	N/A	0	0	N/A
Gallagher Hall (2619 California St.)	0	0	N/A	0	0	N/A
Heider Hall (302 N. 22nd St.)	0	0	N/A	0	0	N/A
Kenefick Hall (320 N. 20th St.)	0	0	N/A	0	0	N/A
Kiewit Hall (2615 California St.)	0	0	N/A	0	0	N/A
McGloin Hall (2208 California St.)	0	0	N/A	0	0	N/A
Opus Hall (615 N. 20th St.)	0	0	N/A	0	0	N/A
Swanson Hall (2500 Cass St.)	0	0	N/A	0	0	N/A



2019						
Facility and Address	Total Fires	Fire Number	Cause	Injuries	Deaths	Value of Damage
Davis Square (706 N. 20th St.)	0	0	N/A	0	0	N/A
Degelman Hall (2403 California St.)	0	0	N/A	0	0	N/A
Gallagher Hall (2619 California St.)	0	0	N/A	0	0	N/A
Heider Hall (302 N. 22nd St.)	0	0	N/A	0	0	N/A
Kenefick Hall (320 N. 20th St.)	0	0	N/A	0	0	N/A
Kiewit Hall (2615 California St.)	0	0	N/A	0	0	N/A
McGloin Hall (2208 California St.)	0	0	N/A	0	0	N/A
Opus Hall (615 N. 20th St.)	0	0	N/A	0	0	N/A
Swanson Hall (2500 Cass St.)	0	0	N/A	0	0	N/A



# Resources

## CREIGHTON UNIVERSITY RESOURCES

### Athletics Department

Len Gordy, *Diversity and Inclusion Officer*  
[lengordy@creighton.edu](mailto:lengordy@creighton.edu) | 402.280.2438

Lisa Chipps, *Associate Athletic Director for Academics/  
Senior Woman Administrator*  
Championship Center, 218  
[lbchipps@creighton.edu](mailto:lbchipps@creighton.edu) | 402.280.5832

### Campus Ministry

[creighton.edu/ministry/campusministry](http://creighton.edu/ministry/campusministry)  
402.280.2779

### Department of Public Safety

[creighton.edu/executivevicepresident/publicsafety](http://creighton.edu/executivevicepresident/publicsafety)

Emergency line: 402.280.2911  
Non-emergency line: 402.280.2104  
Community Outreach Officer: 402.280.1805  
Shuttle Services: 402.280.2396  
[creighton.edu/executivevicepresident/shuttleservices](http://creighton.edu/executivevicepresident/shuttleservices)

### Division of Student Life

[studentlife.creighton.edu](http://studentlife.creighton.edu)  
402.280.2775

### Employee Assistance Program (faculty/staff)

[creighton.edu/hr/employeeresources/eap](http://creighton.edu/hr/employeeresources/eap)  
800.424.4831

**EthicsPoint** is a third-party hotline service to provide a simple way to report activities, anonymously if you prefer, that may involve serious misconduct, violations of laws and regulations, or Creighton University policy.

[secure.ethicspoint.com/domain/media/en/gui/43718](http://secure.ethicspoint.com/domain/media/en/gui/43718)  
855.256.0478

### Facilities Management

[creighton.edu/executivevicepresident/facilities](http://creighton.edu/executivevicepresident/facilities)  
402.280.2780

### Financial Aid

[creighton.edu/financialaid](http://creighton.edu/financialaid)  
800.282.5835

### Human Resources

[creighton.edu/hr](http://creighton.edu/hr)  
Beth Thomas, *Senior Director of Human Resources*  
[beththomas@creighton.edu](mailto:beththomas@creighton.edu) | 402.280.1405

### Immigration and Refugee Clinic

[law.creighton.edu/clinics/immigrant-and-refugee-clinic](http://law.creighton.edu/clinics/immigrant-and-refugee-clinic)  
855.307.6730

**Jesuits** are confidential only during the Rite of Confession; otherwise they are mandatory reporters under Title IX and encouraged to report crimes with nonidentifiable information under the Clery Act.

### Office of Community Standards and Wellbeing (OCSW)

[studentlife.creighton.edu/community/standards-conduct](http://studentlife.creighton.edu/community/standards-conduct)  
402.280.2775

### Office of Equity and Inclusion (OEI)

The Office of Equity and Inclusion oversees all reports of and investigations into alleged sexual or relationship misconduct involving faculty, staff or students.  
[creighton.edu/oei](http://creighton.edu/oei)

Allison Taylor, *Executive Director and Title IX Coordinator*  
Creighton Hall, 340  
[allisontaylor@creighton.edu](mailto:allisontaylor@creighton.edu) | 402.280.3189

Ellie Rohr, JD, *Senior Investigator*  
Creighton Hall, 340  
[ellierohr@creighton.edu](mailto:ellierohr@creighton.edu) | 402.280.1797

Deputy Title IX Coordinators:  
Desiree Nownes, *Senior Director for Community Standards and Wellbeing*  
Creighton Hall, 224  
[desireenownes@creighton.edu](mailto:desireenownes@creighton.edu) | 402.280.2775

Lisa Chipps, *Associate Athletic Director for Academics/  
Senior Woman Administrator*  
Championship Center, 218  
[lbchipps@creighton.edu](mailto:lbchipps@creighton.edu) | 402.280.5832

### CHI Health Student Care Clinic

2412 Cuming St.  
[studentlife.creighton.edu/wellness/health-and-counseling/chi-student-care-clinic](http://studentlife.creighton.edu/wellness/health-and-counseling/chi-student-care-clinic)  
402.280.2735

### Student Counseling Services

Confidential resource  
Markoe Hall  
[studentlife.creighton.edu/wellness/health-and-counseling/student-counseling-services](http://studentlife.creighton.edu/wellness/health-and-counseling/student-counseling-services)  
402.280.2735

### Violence Intervention and Prevention (VIP) Center

VIP Center staff are not considered mandatory reporters under Title IX but are considered Campus Security Authorities under the Clery Act.

[creighton.edu/vip](http://creighton.edu/vip)  
Meredith Lierk, *Associate Director for Violence Intervention and Prevention*  
Lower Brandeis Hall, B04  
[meredithlierk@creighton.edu](mailto:meredithlierk@creighton.edu) | 402.280.3794

Abbey Collins, *Assistant Director for Violence Intervention and Prevention*  
Lower Brandeis Hall, B04  
[abbeycollins@creighton.edu](mailto:abbeycollins@creighton.edu) | 402.280.3794

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## COMMUNITY RESOURCES – NEBRASKA

### Advocacy Resources:

#### **Catholic Charities**

3300 N. 60th St., Omaha, NE 68104  
24/7 crisis hotline: 402.558.5700  
Business line: 402.554.0520  
[ccomaha.org/program-and-services/domestic-violence](http://ccomaha.org/program-and-services/domestic-violence)

#### **Women's Center for Advancement**

3801 Harney Street, Omaha, NE 68131  
Monday–Friday, 8 a.m.–5 p.m.  
24/7 Crisis Hotline: 402.345.7273  
Business line: 402.345.6555  
[wcaomaha.org/contact-us](http://wcaomaha.org/contact-us)

### Emergency Department Resources:

#### **CHI Health Creighton University**

**Medical Center – Bergan Mercy**  
7500 Mercy Road, Omaha, NE 68124  
Emergency Center: 402.398.6161  
[chihealth.com/chi-health-creighton-university-medical-center](http://chihealth.com/chi-health-creighton-university-medical-center)

#### **CHI Health Creighton University**

**Medical Center – University Campus**  
2412 Cuming St., Omaha, NE 68178  
402.449.4000  
[chihealth.com/en/location-search/cumcuc.html](http://chihealth.com/en/location-search/cumcuc.html)

#### **Methodist Hospital**

8303 Dodge St., Omaha, NE 68114  
707 N. 190th Plaza, Omaha, NE 68022  
24-hour help line: 402.354.4424  
[bestcare.org/methodist-hospital](http://bestcare.org/methodist-hospital)

#### **University of Nebraska Medical Center**

4378 Dewey Ave., Omaha, NE 68105  
Emergency Center: 402.552.2000  
[unmc.edu](http://unmc.edu)

### Immigration and Refugee Resources:

[immigrationadvocates.org/nonprofit/legaldirectory/search?state=NE](http://immigrationadvocates.org/nonprofit/legaldirectory/search?state=NE)

### Legal Aid Resources:

#### **Legal Aid of Nebraska**

402.348.1069  
[legalaidofnebraska.org](http://legalaidofnebraska.org)

#### **Access Nebraska**

800.383.4278  
[nebraskaccess.ne.gov/legalaid.asp](http://nebraskaccess.ne.gov/legalaid.asp)

### Mental Health Resources:

[dhhs.ne.gov/Pages/Behavioral-Health.aspx](http://dhhs.ne.gov/Pages/Behavioral-Health.aspx)

### Local Law Enforcement Resources:

#### **Douglas County Law Enforcement Center**

3601 N. 156th St., Omaha, NE 68116 | 402.444.6641  
[omahasheriff.org](http://omahasheriff.org)

#### **Omaha Police Department**

Emergency/requiring immediate police response: 911  
Non-emergency: 402.444.5600  
[police.cityofomaha.org](http://police.cityofomaha.org)

### Substance Abuse Resources:

#### **Nebraska Department of Health and Human Services Treatment and Recovery**

[dhhs.ne.gov/Pages/Addiction-Treatment-and-Recovery.aspx](http://dhhs.ne.gov/Pages/Addiction-Treatment-and-Recovery.aspx)

# Resources *continued*

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## COMMUNITY RESOURCES – ARIZONA

### Advocacy Resources:

#### **Phoenix Family Advocacy Center**

Confidential advocacy and support  
2120 N. Central Ave. #250, Phoenix, AZ 85004  
602.534.2120

#### **Chrysalis**

2055 W. Northern Ave., Phoenix, AZ 85021  
24/7 crisis line: 602.944.4999  
Business line: 602.955.9059  
[noabuse.org](http://noabuse.org)

### Emergency Department Resources:

#### **Banner University Medical Center**

1111 E. McDowell Road, Phoenix, AZ 85006  
602.839.2000  
[bannerhealth.com/services/emergency](http://bannerhealth.com/services/emergency)

#### **Valleywise Health** (formerly Maricopa Integrated Health System)

2601 E. Roosevelt St., Phoenix, AZ 85008  
602.344.5411  
[valleywisehealth.org](http://valleywisehealth.org)

#### **St. Joseph's Hospital and Medical Center**

350 W. Thomas Road, Phoenix, AZ 85013  
888.656.6982  
[locations.dignityhealth.org/emergency-room-st-joseph-s-hospital-and-medical-center-phoenix-az](http://locations.dignityhealth.org/emergency-room-st-joseph-s-hospital-and-medical-center-phoenix-az)

### Immigration and Refugee Resources:

[immigrationadvocates.org/nonprofit/legaldirectory/search?state=AZ](http://immigrationadvocates.org/nonprofit/legaldirectory/search?state=AZ)

### Legal Aid Resources:

#### **Community Legal Services, Inc. Central Phoenix Office**

602.258.3434 and 800.852.9075 (Toll-Free)  
[clsaz.org](http://clsaz.org)

#### **Chicanos Por Law Causa, Inc. (CPLC)**

602.257.0700  
[cplc.org](http://cplc.org)

#### **Catholic Charities Community Services (Phoenix Office)**

602.997.6105 ext. 0 (Programs and Services)  
[catholiccharitiesaz.org](http://catholiccharitiesaz.org)

### Mental Health Resources:

[dcs.az.gov/services/prevention-and-family-support/behavioral-health-services](http://dcs.az.gov/services/prevention-and-family-support/behavioral-health-services)

### Local Law Enforcement Resources:

#### **Maricopa County Sheriff's Department**

5500 W. Jackson, Phoenix, AZ 85003  
602.876.1000  
[mcso.org](http://mcso.org)

#### **Phoenix Police Department**

Emergency/requiring immediate police response: 911  
Non-emergency: 602.262.6151  
[phoenix.gov/police](http://phoenix.gov/police)

### Substance Abuse Resources:

#### **Arizona Substance Use Disorders**

[211arizona.org/substance-use-disorder](http://211arizona.org/substance-use-disorder)

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## 24-HOUR HOTLINES

### **The National Domestic Violence Hotline**

800.799.SAFE (7233)

[thehotline.org](http://thehotline.org)

### **The National Suicide Prevention Lifeline**

800.273.TALK (8255)

### **Crisis Text Line**

Text HOME to 741741 from anywhere in the United States, anytime, about any type of crisis. A live, trained Crisis Counselor receives the text and responds, all from a secure online platform. Find out more about how it works at [crisistextline.org](http://crisistextline.org)

### **Suicide Prevention for LGBTQ Youth**

#### **through the Trevor Project:**

- The Trevor Lifeline is a 24/7 suicide hotline: 866.4.U.TREVOR (866.488.7386)
- TrevorChat: Online instant messaging available 7 days a week, 3–10 p.m. ET (Noon–7 p.m. PT)
- TrevorText: Confidential and secure resource that provides live help for LGBTQ youth with a trained specialist, over text messages. Text TREVOR to 202.304.1200 (available 7 days a week, 3–10 p.m. ET, Noon–7 p.m. PT)

### **Veterans' Suicide Prevention Lifeline**

800.273.TALK (800.273.8255)

### **SAMHSA Treatment Referral Hotline (Substance Abuse)**

800.662.HELP (800.662.4357)

### **National Sexual Assault Hotline**

800.656.HOPE (800.656.4673)

### **Loveisrespect (National Dating Abuse Helpline)**

Call 866.331.9474 (TTY: 866.331.8453). Text LOVEIS to 22522

You'll receive a response from a peer advocate prompting you for your question. Go ahead and text your comment or question and we will reply.

## INFORMATIONAL RESOURCES

### **Clery Center**

[clerycenter.org](http://clerycenter.org)

### **Federal Student Aid**

[studentaid.ed.gov/sa/fafsa](http://studentaid.ed.gov/sa/fafsa)

### **Know Your IX**

[knowyourix.org](http://knowyourix.org)

### **Office of Civil Rights (U.S. Department of Education)**

The Office of Civil Rights within the U.S. Department of Education oversees and responds to all complaints of harassment or discrimination under Title IX.

[OCR@ed.gov](mailto:OCR@ed.gov) | 800.421.3481

[ed.gov/about/offices/list/ocr/index.html](http://ed.gov/about/offices/list/ocr/index.html)

### **RAINN (Rape, Abuse, and Incest National Network)**

[rainn.org](http://rainn.org)

### **Victim Connect**

[victimconnect.org](http://victimconnect.org)

[chat.victimsofcrime.org/victim-connect](http://chat.victimsofcrime.org/victim-connect)

855.484.2846

*NOTE: The Annual Security and Fire Safety Report is prepared by the Assistant Vice President of Public Safety and Clery Compliance Officer with input from the Senior Director of the Office of Community Standards and Wellbeing; the Executive Director for the Office of Equity and Inclusion; the Director of Environmental Health and Safety; and other campus security authorities. Additionally, the University collects crime statistics from the Omaha and Phoenix Police Departments for campus property and from various other local law enforcement agencies for non-campus properties where the University had institutional control for a specific time period, as defined by the Clery Act. If you have any questions about this report or the safety environment of Creighton University, please contact the Department of Public Safety.*









**FOR MORE INFORMATION:**

*CreightonDPS@creighton.edu* | 402.280.2104

*creighton.edu/publicsafety*

Creighton  
UNIVERSITY

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Public Safety