

CREIGHTON INTEGRITY COUNCIL

Purpose - The purpose of this council shall be to conduct hearings on alleged infractions of University rules and provide appropriate sanctions in matters involving nonacademic disciplinary matters where it is anticipated that a student infraction may result in a warning or disciplinary reprimand. The hearing is not a formal process such as a civil or criminal trial but an educational endeavor, which deals with alleged non-academic misconduct. Discipline in a university, by the very nature of the institution is educational, for that reason, formal rules of evidence shall not apply in disciplinary hearings.

Membership on the Creighton Integrity Council– Students in good academic and disciplinary standing are eligible to apply to be a member of the council. The council consists of four (4) to five (5) student members appointed by the Center for Student Integrity each time a matter will come before the council. Membership includes an apartment coordinator in Residence Life who serves as an advisor to the Board; and three (3) to four (4) undergraduate students who serve for a term of two years.

Voting - A quorum of three (3) Council members or two (2) members and the chairperson is required to hear cases. All issues, findings, or sanctions in a case will be decided by majority vote of the quorum. The Council's determination shall be made on the basis of whether it is more likely than not that the accused is responsible for committing the alleged offense.

Procedures of Council Hearings

1. The student receives advance written notice of the charges, time, date, and place of the hearing. The student will be allowed the opportunity to review and respond to any materials or evidence that will be presented at the hearing.
2. The student is advised prior to the hearing that he/she may bring another member of the University community with him/her as an advisor but that the student is expected to present the case in his/her own words. Attendance at 30 Updated August 20, 2008 disciplinary hearings will be limited to the student(s), his/her advisor, and appointed members of the Council, and their graduate advisor. The student may bring one of his/her parents or a legal guardian to the hearing, and the student should advise the Assistant Director of Student Life for Judicial Affairs in the Center for Student Integrity at least 24 hours prior to the hearing date if he/she will be accompanied by a parent a or a legal guardian at the hearing. The parent(s) or legal guardian may only observe at the hearing. They are not allowed to ask questions or make any comments. They are not permitted to act as the student's advisor, nor are they permitted to act as a witness for the student. Only council members are allowed to be present during the Council's deliberations.
3. Any party to the proceedings may request the privilege of presenting witnesses. It is the responsibility of the accuser and accused to contact his/her witnesses request their attendance at the hearing and notify the Assistant Director of Student Life for Judicial Affairs in the Center for Student Integrity at least 24 hours prior to the hearing date. The

Assistant Director of Student Life for Judicial Affairs in the Center for Student Integrity may also contact witnesses to appear before the Committee. The Council may ask questions of any witness.

1. The student accused has the right to know the names of and confront all witnesses except in situations as described in Procedures Pertaining to Anonymity.
2. Written or oral statements or positions regarding the alleged offense and/or recommendations for sanction regarding the alleged offense may be submitted in advance of or at the hearing by the student or by others having relevant information about the circumstances or seriousness of the alleged offense.

Procedures Pertaining to Anonymity

Anonymity will be granted a) when there is reasonable cause to believe that the physical or psychological welfare of the witness is in jeopardy; or b) the witness would be subject to harassment. Upon request of the witness, the Assistant Director of Student Life for Judicial Affairs will thoroughly investigate the incident and make a recommendation on the granting of anonymity, subject to the concurrence and approval of the Assistant Vice President of Student Life. Any statements of an anonymous witness will be given to the accused student prior to the hearing. The accused student may then challenge the statement and present questions to be answered by the anonymous person in a manner to be determined by Assistant Director of Student Life for Judicial Affairs.

Appeal Process from Decisions of the Integrity Council

A student who wishes to appeal the decision of the Integrity Council must file an —Intent to Appeal form in the Office of Student Services within one working day after learning the Council's decision. The student will then be permitted up to three working days to prepare and hand deliver a written appeal with the student's signature to the Assistant Vice-President of Student Life. Pending the response to the appeal, the student's status as a student will remain unaltered except in cases where there are reasons relating to the emotional or physical welfare of the student or of others, or reasons involving the safety of persons or property. The Assistant Vice President for Student Services will respond to the appeal in writing. The decision of the Assistant Vice President is final.

The appeal process described in the preceding paragraph, and the grounds for appeal described in the following paragraphs, shall also apply respecting nonacademic misconduct disciplinary matters initially handled by the Academic Dean of a professional school pursuant to delegation to such Dean by the Vice President for Student Services.

Grounds for Appeal

The student may appeal only on the following grounds:

- 1) Procedural due process
- 2) Absence of sufficient evidence to support the decision

3) Submission of new evidence.

PLEASE NOTE: The severity of the sanction is not considered an acceptable reason to appeal.

An appeal shall not be considered to have been filed properly or timely unless it is specific. Letters must be complete enough so that a personal appearance will not be necessary. A letter, which merely lists the grounds of appeal without concern for the individual case at hand, may be dismissed as frivolous.

Sanctions

Sanctions for violations of non-academic disciplinary regulations for students consist of:

Disciplinary Reprimand - The student is warned that his/her conduct is in violation of University rules and regulations and that further misconduct may be treated more severely.

Restitution - The student is 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 will 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.

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.

Referral for Prosecution - Where reasonable cause exists to believe a student has violated local, state or federal criminal laws — and especially where violations of laws relating to unlawful possession, use or distribution of illicit drugs or alcohol occurred on University property or in the course of any University activities — the matter may be referred to civil authorities for prosecution.

Other Sanctions - Other sanctions which are intended to engage the student in a positive learning experience related to the student's inappropriate behavior may be imposed by the University Committee on Student Discipline, Peer Review or Greek Standards Boards, or a hearing officer. These sanctions may include, but are not limited to, engaging in a campus or community service project, attending or presenting a program related to implications of the student's conduct, writing a paper, or engaging in some type of personal assessment or counseling.

In determining sanctions for violations of University rules and regulations, the sanctioning person or entity will consider such factors as present attitude; past record, both positive

and negative; the severity of the damage, injury, harm, or disruption done or the potential for such; the individual's honesty, cooperation, and willingness to make amends; and other factors deemed material. A sanction or a combination of sanctions from among those stated above may be imposed.