STUDENT DISCIPLINE

A. Code of Conduct
The Creighton University community is based on a Catholic, Jesuit tradition and is committed to supporting the intrinsic value of each human being. This tradition involves striving to create a human community influenced by the laws of justice and love, complete with respect and concern for all persons as children of God. The Creighton University community is dedicated to the promotion of values consistent with personal and academic excellence.

Choosing to join this community, whether as a student, faculty or staff obligates you to act in a manner that is consistent with these commitments. Joining the Creighton University community evidences your acceptance of these commitments and agreement to strive for their achievement. Commitment to living by these principles means that you will endeavor to:

1. Act with professional, academic, and personal integrity.
   Consistent with this principle is conduct in accord with the academic honesty policy of the University, other University policies that foster a human community of justice, respect, and concern, and the code of ethics of your foreseen profession. This principle challenges you to shape a personal code of positive values, to live a healthy, balanced lifestyle, and to discover and embrace the responsibilities of your freedom, intelligence, and intrinsic worth.

   Inconsistent with this principle are all forms of dishonesty, excuse-making, failure to take responsibility for your behavior, infidelity or disloyalty in personal relationships and violations of the code of ethics of your foreseen profession.

2. Respect and promote the dignity of all persons.
   Consistent with this principle is growing in understanding of different cultures and groups, resolving conflicts fairly, appreciating peoples' differences, and seeking truths and values essential to human life and community. This principle challenges you to refrain from actions that threaten or discourage the freedom, personal safety, and respect that all individuals deserve.

   Inconsistent with this principle are actions that compromise or demean the intrinsic worth of individuals or groups. All forms of racism, sexism, pornography, lewd behavior, harassment, discrimination, intimidation, taunting, insult, physical harm, and discrimination are inconsistent with this principle.

3. Respect the policies and procedures of the Creighton University community and the rights of its members both on and off campus, as well as the just laws of the civic community and the rights of its members.
   Consistent with this principle is the affirmative support for equal rights and opportunities for all members of the Creighton University community, realizing that you are a member of a larger community, with a responsibility to understand diverse societal issues, and being a responsible participant of the civic and Creighton community.

   Inconsistent with this principle are actions that are illegal and that violate another’s right to move about freely and securely, to live and learn in a community where members are secure in their property and person, to express themselves appropriately, and to enjoy privacy.

4. Support the personal, professional, academic, and vocational development of the members of the Creighton University Community.
Consistent with this principle are actions that are compassionate and considerate of the needs and well-being of others and that encourage the development of students’ moral, spiritual, intellectual, emotional, personal, and vocational abilities.

Inconsistent with this principle are actions that are insensitive, inhospitable, spiteful, or which unjustly or arbitrarily inhibit another’s ability to securely pursue goals in accord with the development of their abilities.

This Code of Conduct applies to all Creighton University students. All members of the Creighton University community are obligated to promote actions consistent with these principles, and to appropriately confront, challenge, and respond to actions that are inconsistent with this code.

B. Purpose of University Discipline
The education process at Creighton University is founded on Christian ideals and is committed to intellectual growth, the search for truth, and the development of such attributes as integrity, human dignity, and the concern for others. Creighton University is committed to a fundamentally fair process.

The regulations set forth in this handbook and in other official University bulletins are essential to the University’s educational purpose and the promotion of community life. The major emphasis of this disciplinary system is the education and development of the student and the protection of the rights of other members of the University community.

C. Obligations of a Student
By voluntary entrance into the Creighton University community, the student assumes obligations of performance and behavior, both on and off campus, reasonably imposed by the institution. These obligations are in addition to those imposed on all citizens by the civil and criminal law.

D. Inherent Authority
The standards and procedures set forth in this document are those the University normally applies to disciplinary matters. The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus and community. This includes the right to suspend or expel, or request the withdrawal of a student at any time, with or without specific charge or hearing subject only to the student’s right to request the Provost to review the academic or academic-related disciplinary matters, and the student’s right to request the Vice Provost for Student Life to review nonacademic misconduct disciplinary matters, as the case may be.

E. Student Discipline Procedures
All University students are members of both a particular college or school and the social body of all University students. With this in mind, the authority for adjudication of student disciplinary matters is delegated in two ways:

First, the Dean of the particular school or college and his or her staff has full authority regarding all academic and academic-related disciplinary matters and penalties with respect thereto. This is subject only to the provisions of this Handbook relating to appeals of such matters after the Dean has imposed a serious penalty (i.e., expulsion from the University, suspension or a request for withdrawal).

Second, the University Committee on Student Discipline has authority regarding nonacademic disciplinary matters where it is anticipated that a student infraction may result in disciplinary probation, withdrawal, suspension and/or expulsion, except in matters that involve allegations of harassment or discrimination, which are addressed by the Sexual Violence, Harassment, Discrimination and
**Grievances Policy #2.1.25.** An administrative hearing panel has authority regarding nonacademic disciplinary matters where it is anticipated that a student infraction may result in a warning or disciplinary reprimand, except in matters that involve allegations of harassment or discrimination, which are addressed by the Sexual Violence, Harassment, Discrimination and Grievances Policy #2.1.25. This is subject only to the right of the student to appeal decisions of these committees as stated in the appeals process provided in this Handbook.

**F. Academic Honesty Policy**

A student who engages in any of the following acts of academic or academic-related misconduct is subject to disciplinary procedures and sanctions as determined by the school or college in which he or she is enrolled. Academic or academic-related misconduct is defined to include but is not limited to:

1. Unauthorized collaboration or use of external information during examinations.
2. Plagiarizing or representing another's ideas as one's own.
3. Furnishing false academic information to the University.
4. Falsely obtaining, distributing, using, or receiving test materials.
5. Falsifying academic records.
6. Falsifying clinical reports or otherwise endangering the well-being of patients involved in the teaching process.
7. Misusing academic resources.
8. Defacing or tampering with library materials.
9. Obtaining or gaining unauthorized access to examinations or academic research materials.
10. Soliciting or offering unauthorized academic information or materials.
11. Improperly altering or inducing another to improperly alter any academic record.
12. Engaging in any conduct which is intended or reasonably likely to confer upon one’s self or another unfair advantage or benefit respecting an academic matter.

**G. Academic Disciplinary Procedures**

The school or college, in which the student is enrolled, in accordance with the procedures of the school or college of enrollment, handles matters of academic misconduct. However, school or college of enrollment procedures relating to academic and academic-related misconduct disciplinary matters shall conform to the provisions of this Handbook pertaining to such matters. Academic disciplinary procedures differ from school to school. If the school or college of enrollment imposes a serious penalty (i.e., expulsion from the University, suspension or a request for withdrawal), the student shall have the right to appeal to the University President, subject to the provisions outlined below.

With the consent of the Dean and the student, matters of academic and academic-related misconduct may be resolved informally and without right of appeal. Such informal resolution shall be reached by the accused student and a University administrator or faculty member designated by the Dean.

Pending resolution of the matter and any permitted appeal regarding the matter, the student's status as a student remains unaltered except in cases where there are reasons relating to the physical or emotional welfare of the student or of others, or reasons involving the safety of persons or property.

Sanctions or penalties established by the school or college of enrollment may include but are not limited to reprimand, repetition of an examination or assignment under a different format, reduction of grade for an assignment, examination or course (including assignment of a failing grade, and/or suspension or expulsion from a course), and probation. Serious penalties are expulsion from the University, suspension, and a request for withdrawal.

In academic or academic-related misconduct disciplinary cases, the following provisions shall govern
appeals:

An appeal shall be allowed from a decision of the Dean of the school or college of enrollment only if the Dean imposes a serious penalty (i.e., expulsion from the University, suspension, or a request for withdrawal).

In such cases, the affected student has the right to appeal to the University President; however, if the standards applicable to the accreditation of the school or college of enrollment require that the school or college have final authority for academic or academic related disciplinary matters, then an appeal to the University President regarding any such matter shall be heard only at the discretion of the University President.

Both the “Intent to Appeal” form, available from the Dean and written appeal shall be delivered by the student to the office of the University President. The student shall also deliver copies thereof to the office of the Dean of the school or college of enrollment.

In all other respects, such appeals shall be governed by the provisions, time limitations, grounds for appeal, and other conditions, limitations and procedures stated in the “Appeal Process”, “Grounds for Appeal”, and “Sanctions” sections under “Non-Academic Disciplinary Procedures.”

H. Non-Academic Student Conduct Policies

Any student who engages in any acts of non-academic misconduct, including but not limited to the following, is subject to University disciplinary action, as set forth in Non-Academic Disciplinary Procedures section of this Handbook (except when there is evidence that a student is in violation of the Sexual Violence, Harassment, Discrimination and Grievances Policy #2.1.25):

This list of violations, based off the Creighton University Code of Conduct, outlines specific actions which negatively impact the University community and for which students are subject to disciplinary action. All violations below are also prohibited off campus and may result in action by the University if the individuals or community’s safety and/or educational opportunities are jeopardized. Prohibited conduct includes, but is not limited to, the following violations:

Code of Conduct #1
Act with professional, academic, and personal integrity.

Code of Conduct #1.1. Conduct Unbecoming of a Creighton Student: Conduct on or off campus which reflects poorly on Creighton University, or other conduct prejudicial to the best interests of the University or other students.

Code of Conduct #1.2. Failure to Comply: Interfering or failing to comply with the directives of University officials acting in performance of their duties.

Code of Conduct #1.3. False Information: Intentionally furnishing false information to any member of the University.

Code of Conduct #1.4. False Report: Intentionally, negligently or recklessly making a false report of misconduct that results in the unneeded utilization of university resources.

Code of Conduct #1.5. Fake Identification: Using, possessing, or providing a driver's license or other identification with facts inconsistent with information maintained by the University is a violation of the student code of conduct.
Code of Conduct #1.6. **Fleeing Student:** Students who are at the scene of an incident where there is concern for students’ safety or where conduct violations may have occurred are expected to remain at the scene of the incident until they are released by responding University staff.

Code of Conduct #1.7. **Violating Sanctions:** Violating the terms of any disciplinary sanction imposed in accordance with the Student Code of Conduct.

Code of Conduct #1.8. **Forgery:** Forging, altering, or using any University document or any instrument of identification without proper authorization.

**Code of Conduct #2**
Respect and promote the dignity of all persons.

Code of Conduct #2.1. **Intoxication:** 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.

Code of Conduct #2.2. **Harassment:** Any form of harassment or discrimination is a violation of human dignity. The University strongly condemns any such harassment or discrimination. Whether verbal or physical, conduct of this sort violates another person’s rights and can create an intimidating, hostile, or offensive working or learning environment.

Harassment can include bullying, stalking, slurs, comments, rumors, jokes, innuendoes, cartoons, pranks, and other verbal or physical conduct and any other conduct or behavior deemed inappropriate by Creighton University. Allegations of harassment that are not acts of discriminatory harassment will be investigated according to the Non-Academic Misconduct Procedures.

**Bullying**
Being bullied or harassed means that someone is subjected to deliberate behavior which is hurtful, threatening or frightening and this behavior may be an isolated incident or repeated over time. Any behavior, which sets out to cause other people pain or unhappiness, may be regarded as bullying.

Bullying is not in the intention (e.g., just joking around) but in the perception of the behavior against another party.

Bullying or harassment can take many forms, and without limiting its forms may include:
- **Physical bullying** – any intentional and unwelcome use of physical contact or deliberate property damage. It includes fighting, pushing, interfering with another’s property by stealing, hiding, damaging or destroying.
- **Verbal bullying** – use of language to threaten or hurt. This includes name-calling, offensive language, putting people down, back stabbing, and making degrading comments about another’s family, religious, social or racial background.
- **Exclusion bullying** – leaving someone out on purpose to cause feelings of non-acceptance. It includes spreading malicious rumors, writing on posters/walls/books etc.
- **Extortion bullying** - use of threat or power to obtain favor or goods, e.g. bullying others to provide food, money, or schoolwork.
• **Racial/Religious bullying** – antagonism or prejudice directed towards someone on the basis of their race/religion.

• **Sexual Orientation bullying** – Homophobia, unwelcome and uninvited comments, attention, contact or behavior of a sexual nature that is found to be humiliating, offensive or intimidating.

• **Gesture bullying** – use of non-verbal signals to cause intimidation or fear.

• **Electronic bullying** – use of language or images to threaten and hurt by electronic means. (SMS text, emails, web sites, etc.) (See Fair, Responsible, and Acceptable Use for Electronic Resources).

• **Psychological bullying** – spreading rumors, excluding, stalking, dirty looks, hiding or damaging possessions.

Any other conduct that is intimidating, unwelcome or uninvited (e.g., “Just Joking” which can cause discomfort to others).

**Code of Conduct #2.3. Discriminatory Harassment:** Detrimental action based on an individual’s actual or perceived race, color, religion, sex, marital status, national origin, age, disability, citizenship, sexual orientation, veteran status, and any other groups protected by federal, state or local statutes that is so severe, persistent or pervasive that it unreasonably interferes with or limits an individual’s ability to participate in or benefit from the work or educational environment.

Examples of harassment include, but are not limited to, intimidation and humiliation as expressed by communications, threats, acts of violence, hatred, abuse of authority, or ill-will that assault an individual’s self-worth. Harassment of can include bullying, stalking, slurs, comments, rumors, jokes, innuendoes, cartoons, pranks and other verbal or physical conduct, and any other conduct or behavior deemed inappropriate by Creighton University.

**Code of Conduct #2.4. Sexual Violence:** Sexual misconduct offenses include the following:

• Non-consensual sexual intercourse or attempts to commit same

• Non-consensual sexual contact or attempts to commit same

• Sexual Exploitation
Definitions of sexual violence offenses:
- Non-consensual sexual intercourse is any sexual intercourse, however slight, with any object, by a man or a woman, upon a man or a woman that is without effective consent and/or by force.
- Intercourse includes:
  - Vaginal penetration by a penis, object, tongue or finger
  - Anal penetration by a penis, object, tongue, or finger
  - Oral copulation (mouth to genital contact or genital to mouth contact)
- Non-consensual sexual contact is any sexual touching, however slight, with any object, by a man or a woman upon a man or a woman that is without consent and/or by force.
- Sexual Contact includes:
  - Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts
  - Making another touch you or themselves with or on any of these body parts (breasts, buttocks, groin, or genitals)
  - Any intentional bodily contact in a sexual manner, though not involving contact with/off by breasts, buttocks, groin, genitals, mouth or other orifice.

Code of Conduct #2.5. Stalking: A behavior in which a student repeatedly engages in a course of conduct directed at another person and makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her family; where the threat is reasonably determined by the university to seriously alarm, torment, or terrorize the person, and where the threat is additionally determined by the university to serve no legitimate purpose.

Code of Conduct #2.6. Harm to Others: Intentionally or recklessly causing harm by any means to any person. This includes, but is not limited to, physical or verbal actions that can be reasonably determined by the university to have caused physical or emotional harm to another person.

Code of Conduct #2.7. Harm to Self: Intentionally or recklessly causing harm by any means to one’s self. This includes, but is not limited to, physical or verbal actions that can be reasonably determined by the university to have caused physical or emotional harm to one’s self.

Code of Conduct #2.8. Apprehension of Harm: Intentionally or recklessly causing the reasonable apprehension of physical or emotional harm to any person, including oneself.

Code of Conduct #2.9. Threat to Safety: Intentionally or recklessly threatening campus safety by making or indicating a threat (whether true or false) of fire, bombing, shooting, or other means of violence perpetrated upon the campus community and/or its individual members.

Code of Conduct #2.10. Hazing: Any action taken or situation created, whether on or off campus, intended to produce or which may foreseeably produce unusual or unnecessary mental or physical discomfort or pain, embarrassment, harassment, ridicule or risk of physical, mental or emotional harm or injury. Hazing also includes any action or situation which is intended to be or which may foreseeably be morally, physically, emotionally or mentally degrading to any individual, or which unnecessarily exposes any individual to any risk of physical, mental or emotional harm, injury or distress beyond the risks encountered in ordinary daily life, or which is intended to intimidate or has the effect of intimidating any individual to unwillingly or reluctantly engage in any activity, or which unreasonably interferes with scholastic activities or pursuits of any individual. The express or implied consent of the victim is not a defense to hazing. Apathy or acquiescence in the presence of hazing is also not allowed.
Code of Conduct #2. 11. **Failure to promote and respect the dignity of all persons**- actions that compromise or demean the intrinsic worth of individuals or groups. Actions by any person which do not reflect such respect for others are damaging to each member of the community and hence damaging to the Creighton community. Each member of the community should be free from interference, intimidation or disparagement in the work place, the classroom and the social, recreational and residential environment.

Code of Conduct #2.12. **Unauthorized Recording/Surveillance** - Capturing or recording audio, video, or photographic images of an individual in a location or under circumstances, in which that person has a reasonable expectation of privacy, including, but not limited to, shower/locker rooms, residence hall rooms, and restrooms, is prohibited. Also prohibited is the storing, sharing, and/or other distribution of such unauthorized surveillance/photography (no matter whether directly or indirectly obtained) by any means, electronic or non-electronic.

**Code of Conduct #3**
Respect the policies and procedures of the Creighton University community and the rights of its members both on and off campus, as well as the just laws of the civic community and the rights of its members.

**ALCOHOL**

Code of Conduct #3.1. **Unlawful Possession of Alcohol**: The unlawful possession of alcohol is prohibited. Students under the age of 21 are strictly prohibited from possessing alcohol. Possession is not only defined by the ownership of the alcohol, but also by having or controlling the alcohol; or by allowing alcohol to be possessed in a space over which one has control.

Code of Conduct #3.2. **Unlawful Consumption of Alcohol**: The unlawful consumption of alcohol is prohibited. Students under the age of 21 are strictly prohibited from consuming alcohol.

Code of Conduct #3.3. **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 contain 7% or more alcohol percentage by volume. Games, behaviors, or devices that promote the rapid consumption of alcohol are similarly prohibited.

Code of Conduct #3.4. **Procurement of Alcohol**: No person shall sell, give away, exchange, deliver, or permit the sale, gifting, or procurement of any alcohol to any person under the age of 21. The consumption of alcoholic beverages by residents and guests within residence hall rooms and apartment spaces is permitted only if all residents and/or guests of the suite or apartment are of legal drinking age.

Code of Conduct #3.5. **Misrepresentation of Age**: Misrepresenting one’s age to obtain, or attempt to obtain, alcohol when under the age of 21.

Code of Conduct #3.6. **Hosting Alcohol Use in the Residence Halls**: Hosting, sponsoring, or allowing an activity or event in the residence halls involving the use of alcoholic beverages by anyone under the legal drinking age.
Code of Conduct #3.7. **Alcoholic Container Collections:** Displaying, keeping, or collecting alcoholic beverage containers as decorations, trophies, or means to promote the consumption of alcohol.

**DRUGS**

Code of Conduct #3.8. **Selling/Distributing Illegal Drugs:** In accordance with federal, state, and local laws, the illegal use, possession, cultivation, sale, distribution or transfer of any drug, narcotic, or hallucinogenic substance is strictly prohibited.

Code of Conduct #3.9. **Unlawful possession of drugs and drug paraphernalia:** In accordance with federal as well as state and local laws, the illegal possession of drugs and drug paraphernalia is strictly prohibited. Possession is not only defined by the ownership of the drugs/drug paraphernalia, but also by having or controlling the drugs/drug paraphernalia; or by allowing drugs/drug paraphernalia to be possessed in a space over which one has control.

Code of Conduct #3.10. **Unlawful use of drugs and drug paraphernalia:** In accordance with federal as well as state and local laws, the illegal use of drugs and drug paraphernalia is strictly prohibited.

**COMMUNITY RESPONSIBILITIES**

Code of Conduct #3.11. **Violations of published or other existing University rules:** Violating published or otherwise existing University rules, regulations, or policies including but not limited to provisions of this Handbook, other University publications and residence hall rules and regulations.

Code of Conduct #3.12. **Violation of the Law:** Committing any unlawful or criminal act that violates city, state, or federal law.

Code of Conduct #3.13. **Fair, Responsible, and Acceptable Use Policy for Electronic Resources:** Using University electronic resources in the violation of city, state, federal, or international laws, rules, regulations, rulings; or to otherwise violate any University rules or policies.

Code of Conduct #3.14. **Possession of Stolen Property:** Knowingly taking or maintaining possession of stolen property.

Code of Conduct #3.15. **Theft:** Intentional and/or unauthorized taking of University property or the personal property of others, including goods, services and other valuables.

Code of Conduct #3.16. **Solicitation:** Soliciting or offering funds or favors to obtain or furnish unauthorized information, materials, goods, or services.

Code of Conduct #3.17. **Unlawful Gambling:** Gambling for money or other things of value on campus or at University-sponsored activities is prohibited except as permitted by law.

Code of Conduct #3.18. **Prohibited Consensual Sexual Conduct:** Any sexual activity which is not in accordance with the Judeo-Christian values of Creighton University and the specific doctrinal teachings of the Roman Catholic Church is prohibited. Sexual conduct offenses can include the following:
- Any actions deemed in direct defiance of the doctrinal teachings of the Roman Catholic Church.
- Consensual Sexual Intercourse
- Consensual Sexual Contact
- Co-habitation – evidence that a resident student has allowed another person the permission to live in his or her on-campus housing without the written consent of the Department of Residential Life.

**SAFETY**

Code of Conduct #3.19. **Telephone Misuse:** Phone calls or recorded messages that threaten, harass, or otherwise bother any person are not allowed. Illegally tampering with voice mail boxes/cable wire will result in serious disciplinary action. Those making prank calls of any nature may be subject to disciplinary action, including but not limited to, the loss of telephone service.

Code of Conduct #3.20. **Misuse of Keys:** Unauthorized possession, use, or fabrication of University keys.

Code of Conduct #3.21. **Possession of Perceived Weapons:** The possession of objects perceived to inflict harm (i.e. toy guns, etc.).

Code of Conduct #3.22. **Use of Perceived Weapons:** The use of objects perceived to inflict harm (i.e. toy guns, etc.).

Code of Conduct #3.23. **Open Flame:** 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. No open flames may be used in the residence halls, including cigarettes, lighters, pipes, etc.

Code of Conduct #3.24. **Explosives:** The use, possession, or manufacturing of fireworks, explosives, or any other substances designed to cause injury to others, damage property, or interfere with University activities.

Code of Conduct #3.25. **Disregard for Safety of Self or Others:** Intentionally or recklessly damaging or misusing security or fire safety equipment, or failure to follow safety directives from the University, including the failure to abide by safety directives from University officials during fire alarms, safety drills, and civil defense alarms in university buildings and university property. This also includes throwing, dropping, or causing any object to fall from building.

Code of Conduct #3.26. **Unauthorized Entry:** Trespass or unauthorized entry into any building, space, or facility.

**Code of Conduct #4**

Support the personal, professional, academic, and vocational development of the members of the Creighton University community.

Code of Conduct #4.1. **Allowing violations to occur:** Knowingly, freely, or negligently allowing violations of University rules and regulations to take place.
Code of Conduct #4.2. **Presence of Alcohol:** Students under the age of 21 shall not be in the presence of alcohol in the residence halls.

Code of Conduct #4.3. **Presence of Drugs:** Knowledgeable association/presence in an environment where illegal substances are being used constitutes grounds for disciplinary action.

Code of Conduct #4.4. **Weapons:** Using, possessing, or storing any weapon on University property. A weapon is defined as any object or substance designed to inflict a wound, cause injury to, or incapacitate another individual. This includes, but is not limited to: all firearms; BB, potato and pellet guns; knives (with blades three and one-half inches or more in length); or other weapons or dangerous objects such as arrows, axes, machetes, nun chucks, throwing stars.

Code of Conduct #4.5. **Arson:** Intentionally setting and/or fueling a fire.

Code of Conduct #4.6. **Vandalism:** Intentionally, negligently, or recklessly destroying, damaging or defacing the property of others.

Code of Conduct #4.7. **Freedom of Expression:** Intentionally or substantially interfering with others freedom of expression.

Code of Conduct #4.8. **University Activities:** Intentionally or recklessly interfering with University sponsored activities.

Code of Conduct #4.9. **Tobacco Use:** Tobacco use (cigarettes, cigars, smokeless tobacco, etc.), is prohibited in all areas of campus (including residence halls) at Creighton University.

Code of Conduct #4.10. **Pets:** For health and safety reasons, cats, dogs, birds, and other animals are prohibited in residence hall rooms and apartments. The two allowable exceptions are fish in small aquariums (under 10 gallons) and service animals belonging to those that have a documented disability. No pets will be allowed to remain in the hall when the halls are closed. Students violating the pet policy will be charged for any removal and/or cleaning costs incurred because of their pet.

Code of Conduct #4.11. **Unsanitary Conditions:** Failure to sanitarily maintain one’s self or the physical environment of the Creighton University campus including, but not limited to: a lack of personal hygiene, failure to properly clean a living space, littering, or improperly disposing of garbage.

Code of Conduct #4.12. **Residence Hall Visitation:** Between the hours of 9:00 PM and 9:00 AM daily, any non-resident guest entering Deglman, Gallagher, Heider, Kenefick, Kiewit, McGloin, or Swanson Halls must be approved, leave a valid picture identification card at the residence hall front desk, and be signed in by a student living in that residence hall. Non-resident guests entering Davis or Opus Halls must be met by their host at the point of entry and escorted by their host at all times while within the building. If a guest is meeting with multiple people within Davis or Opus Hall, the guest must be escorted between rooms by a resident.

Guests of the opposite sex are never permitted to remain in a room or in a residential area between 1:00 AM and 9:00 AM on Mondays through Fridays. On Saturdays, Sundays, and holidays, guests of the opposite sex are never permitted to remain in a room or in a residential area between 3:00 AM and 9:00 AM. Any resident who would like to have a non-resident of the same sex remain in their room overnight must register them as an overnight guest with staff at each
residence hall’s front desk. A student may check in a maximum of two guests at a given time, and no guest is allowed to stay overnight for an extended period of time. Students or guests of the same sex or younger siblings of either sex under the age of 19 are permitted in a room after visitation hours providing the presence does not disrupt the normal activities of the roommate or other residents. Hosting residents must escort their guests at all times and will be held responsible for the conduct of their guests at all times. The University does not assume responsibility for personal accident, injury, or illness sustained or caused by residents or guests of residents.

Between 7:00 PM and 7:00 AM daily, residents must present their student identification card at the front desk to enter their own residence hall. Additionally, to enter another hall besides their own, resident students must leave their student identification card at the front desk and sign themselves in between 7:00 PM and 7:00 AM daily in Deglman, Gallagher, Heider, Kenefick, Kiewit, McGloin, or Swanson Halls. Resident guests entering Davis or Opus Halls must be met by their host at the point of entry and escorted by their host at all times while within the building.

Code of Conduct #4.13. Noise: Causing, exhibiting, or encouraging noisy or disruptive behavior which interferes with the personal or academic pursuits of others.

Students are responsible for all University policies. Students living in the residence halls are also responsible for policies stated in the Montserrat (an addendum of this Handbook).

I. Non-Academic Disciplinary Procedures

1. Preliminary Conferences - Where there is evidence that a student is in violation of a University nonacademic misconduct regulation (except when there is evidence that a student is in violation of the Sexual Violence, Harassment, Discrimination and Grievances Policy #2.1.25), the student will be given the opportunity to discuss the matter with the Vice Provost for Student Life (or his or her designee), before the case is referred to an Administrative Hearing Panel or the University Committee on Student Discipline (except when there is evidence that a student is in violation of the Sexual Violence, Harassment, Discrimination and Grievances Policy #2.1.25). If it is anticipated that the student's status, if found responsible of the alleged violation, may result in disciplinary probation, withdrawal, suspension and/or expulsion, the student's case is presented to the University Committee on Student Discipline. If it is anticipated that the student's status, if found responsible of the alleged violation, may result in a warning or a disciplinary reprimand, or disciplinary probation the student's case is presented to an Administrative Hearing Panel. A student will receive written notification of the alleged violation and a date by which the Preliminary Conference meeting must be held. If a student fails to schedule or attend their Preliminary Conference meeting, an administrative hearing may be held in the student's absence.

2. Right to Private Decision - The student may have his/her case decided by an appropriate administrator (including but not limited to the Vice Provost for Student Life, the Associate or Assistant Vice Provost for Student Life, Director, Senior Director or Assistant Director of Student Integrity, or Resident Director) when there is mutual consent between the student and the Vice Provost for Student Life or his/her designee. There is no appeal for this type of decision.

3. Hearings – In cases where a mutually agreeable decision cannot be made, the student will have his/her case decided by a hearing. A hearing may be a University Committee on Student Discipline hearing or an Administrative Hearing Panel.

4. Advisor-The student has the right to the assistance of an advisor, from within the University community, both in the preliminary conference and at the hearing of the University.
Committee on Student Discipline, the Integrity Council, or an Administrative Hearing Panel. Obtaining an advisor is the student’s responsibility. The student’s advisor may not be an attorney, except that an attorney employed by the Creighton University Law School may act as the advisor for a law student. Additionally, because of the potential of a conflict of interest, the Vice Provost for Student Life or his/her designee must approve any Student Life staff (including Resident Advisors) serving as an advisor to a student prior to the Student Life staff member’s involvement in the discipline process.

5. Parent Notification - If it is anticipated that a student infraction may result in disciplinary probation, withdrawal, suspension and/or expulsion, the student’s parent(s) may be notified if the student is a dependent of his/her parent (as defined by the federal government for income tax purposes). A student’s parent(s) may also be notified if it has been determined that a student under the age of 21 has committed a violation of the University policy on drugs and/or alcohol.

6. Temporary Disposition - Pending resolution of the matter and any permitted appeal regarding the matter, the student’s status as a student remains unaltered except in cases where there are reasons relating to the physical or emotional welfare of the student or of others, or reasons involving the safety of persons or property.

J. The University Committee on Student Discipline

1. Purpose - The purpose of this committee shall be to conduct hearings on alleged infractions of University rules and recommend sanctions for individual(s) or group violations to the Vice Provost for Student Life. The hearing is not a formal process such as a civil or criminal trial but an educational endeavor, which deals with alleged disruptive behavior. 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.

2. Membership - The Committee shall consist of the Vice Provost for Student Life or his/her designee, three faculty members, and three students. The Vice Provost for Student Life will appoint the chairperson of the Committee on a case-by-case basis from amongst the Committee. The faculty members shall be elected by the faculty for three-year terms at staggered intervals. These members shall be elected from at least two Schools or Colleges. The faculty shall elect six alternate members for three-year terms at staggered intervals. The students shall be selected by the Creighton Students Union for one academic year—one graduate or professional student, one male undergraduate student and one female undergraduate student. Six alternate students shall also be selected for one academic year—two graduate or professional students, two male undergraduate students, and two female undergraduate students.

When a regular member of the Committee is unable to serve, an alternate member shall be appointed by the Chair to fill the vacancy created.

3. Voting - A quorum of four (4) Committee members, with at least one committee member being a student, is required to hear cases. All issues, findings, or sanctions in a case will be decided by majority vote of the quorum. The Committee’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.

4. Conflict of Interest – If the case of any student is referred to the Committee with whom any member, including the Chair, of the Committee has an actual or perceived conflict of interest, that
Committee member may be asked by any member, including the Chair, or by any interested party in the case to excuse himself/herself from the proceedings in question, and/or that member, including the Chair, may ask to excuse himself/herself from the proceedings in question. Committee members who are excused in accordance with this section shall not have access to any of the materials for the case from which they are excused.

K. Procedures of Student Discipline Committee Hearings

The accused receives advance written notice of the charges, time, date, and place of the hearing typically within 72 hours of the hearing date/time. The accused and their advisor will be allowed the opportunity to review and respond to any materials or evidence that will be presented at the hearing.

In addition, the investigative report given to accused to review includes:

1. Summary of Investigation;
2. Reports submitted to Student Integrity (University or community reports);
3. Evidence or materials associated with investigation; and
4. Statement from accused and, if offered, the impact statement from complainant.

If there is a complainant associated with the incident, he or she may review materials and evidence that will be presented at the hearing 48 hours in advance and must review the materials and evidence only in the Student Life Suite. The materials and evidence must stay in the Student Life Suite and may not be photocopied or taken outside of the Suite.

The accused 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. The student should advise the chairperson of the Committee at least 24 hours prior to the hearing date if he/she will be accompanied by an advisor at the hearing. Attendance at disciplinary hearings will be limited to the student(s), his/her advisor, the University Conduct Officer investigating the alleged misconduct, chairperson and appointed members of the Committee. The student may bring one of his/her parents or a legal guardian to the hearing, and the student must advise the Conduct Officer at least 24 hours prior to the hearing date if he/she will be accompanied by a parent 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 committee members are allowed to be present during the Committee’s deliberations. The University Conduct Officer may be consulted by the Committee when considering sanctions.

The complainant and accused have the right to ask questions of each other, but the questions will be written in advance and reviewed by the chairperson of the Committee at least 24 hours in advance prior to the hearing date. If the accused or complainant has additional questions, it is up the discretion of the chairperson if further questions will be allowed during the hearing.

Any party to the proceedings may request the privilege of presenting witnesses. It is the responsibility of the complainant and accused to contact his/her witnesses and request their attendance at the hearing and notify the Conduct Officer at least 24 hours prior to the hearing date of the witnesses who will appear. The chairperson may also contact witnesses to appear before the Committee.

The Committee may ask questions of any witness.

The accused has the right to know the names and hear the statements of complainants and witnesses made to the Committee except in situations as described in Procedures Pertaining to Anonymity.
Written or oral statements regarding the alleged violation(s) may be submitted in advance or at the hearing by the accused, complainant, or witnesses about the circumstances or seriousness of the alleged violation(s).

Written or oral recommendations for sanction(s) regarding the alleged violation(s) may be submitted in advance or at the hearing by the accused or the complainant.

An audio recording will be made of each hearing solely for the Committee’s use during deliberations and for a possible appeal. No other recordings of the hearing are permitted.

For a detailed outline of the Committee’s process go to the Discipline Process.

L. Decisions of the Committee and Communicating the Decision

All decisions of the University Committee on Student Discipline are subject to review of the Vice Provost for Student Life. Once reviewed and communicated to the Vice Provost for Student Life, the Committee chairperson or an administrative officer of the University will provide the written decision to the student.
Administrative Follow-up after the Hearing
Every reasonable effort will be made for the Committee to reach its decision within 24 hours. After reaching its decision, the Committee records in writing its findings and sanctions. All members sign this document.

On the working day following the hearing the Committee chairperson will make every reasonable effort to communicate the Committee’s decision to the accused. The accused will be informed of the decision in a mandatory personal conference held with the chair or an administrative officer of the University. A decision letter from the University Committee on Student Discipline and Intent to Appeal form are provided to the accused at that time.

M. Procedures Pertaining to Anonymity in Hearings Before the Committee on Student Discipline
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 University Conduct Officer will thoroughly investigate the incident and make a recommendation on the granting of anonymity of the chairperson of the Committee. 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 the chairperson of the Committee.

N. Appeal Process for Decisions of the Committee on Student Discipline
A decision reached by the University Committee on Student Discipline may be appealed by the accused to the Vice Provost for Student Life. An appeal consists of a review of the written record and supporting documents based only on the grounds set forth below. Any written appeal that does not meet the grounds for appeal will not be considered. It is not the intent or purpose of the appeal process for the Vice Provost for Student Life to rehear the information that was presented to the University Committee on Student Discipline.

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

Grounds for Appeal
The student may appeal on the following grounds:
1. The decision made is arbitrary or capricious,
2. If the decision is clearly unsubstantiated by the evidence, or
3. If new information is presented that was not available during the course of the investigation.

Severity of Sanction
The severity of the sanction is not considered an acceptable reason to appeal.

Filing the Appeal
An appeal shall not be considered to have been filed properly or timely unless it is specific. Appeals must be sufficiently complete that a personal appearance will not be necessary. The appeal must state the grounds of appeal and concrete facts and statements supportive of the stated grounds of appeal.

Appeal Deadlines and Expectations
1. After receiving the decision of the University Committee on Student Discipline, the student will then be permitted up to five (5) working days to prepare and submit a written appeal. The written appeal must cite the specific ground(s) for appeal that the accused would like the Vice Provost for Student Life to consider and provide an explanation of why, based on these grounds, the decision of the Committee should be reviewed. Any supporting evidence or documentation that was not available at the time of the Committee hearing must be attached to the written appeal. The appeal must be in writing, signed and submitted to the Vice Provost for Student Life in person, by facsimile, or attached to an e-mail from the student’s official Creighton e-mail address.

2. Student Status during Appeal
Pending the response to the appeal, the accused’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. Students are not required to complete the sanctions given by the University Committee on Student Discipline until a final decision on the appeal is made by the Vice Provost for Student Life. Sanctions implemented before a student’s University Committee on Student Discipline hearing including, but not limited to: inherent authority suspension, contact restrictions and counseling recommendations are in effect between the decision of the University Committee on Student Discipline and the appeal period.

Considerations and Determination of the Appeal
Upon receiving a written appeal from a student, the Vice Provost for Student Life will review all materials available to the University Committee on Student Discipline. Student Integrity will provide the Vice Provost for Student Life with the case file which includes the investigative report, a copy of the University Committee of Student Discipline decision letter, the audio/video recording of the hearing (if any), work product of University representatives (including memoranda and notes that they might generate), and correspondence between University representatives.

Additionally the Vice Provost for Student Life may consider an impact statement from the complainant. If the complainant/victim submitted an impact statement to Student Integrity at the time the complaint was initiated, the impact statement will be provided to the Vice Provost for Student Life. Additionally, if the complainant has previously submitted an impact statement, Student Integrity will notify the complainant of the opportunity to submit a supplemental impact statement for consideration. If the complainant has not previously submitted an impact statement, Student Integrity will notify the complainant of the opportunity to submit an impact statement for consideration. The impact statement or supplemental statement must be submitted within five (5) working days upon notification of the opportunity. Complainant’s statement must be in writing, signed and delivered to the Vice Provost for Student Life in person, by facsimile or by e-mail using the complainant’s official Creighton e-mail address.

The Vice Provost for Student Life will review and consider all materials submitted as soon as reasonably possible.

Burden of Proof
The burden of proof rests on the accused who must establish by presenting clear and convincing evidence that the original process or decision was substantially flawed.

Actions
The following actions may be taken by the Vice Provost for Student Life:
- Affirm the finding of responsibility and the sanction imposed by the University Committee on Student Discipline;
• Affirm the finding of responsibility and amend the sanction(s); or
• Overturn the finding of the University Committee on Student Discipline.

The Vice Provost for Student Life will make a determination typically within five working days upon receiving the written appeal.

O. Administrative Hearings

1. Purpose
The purpose of this process 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 any sanction up to and including disciplinary probation. The administrative 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.

Administrative hearings will occur when a mutually agreeable decision cannot be made between the student and a hearing officer, but also in cases when the Senior Director of Student Integrity determines that an Administrative Hearing Panel is the best for the student and/or the community.

2. Membership
The Administrative Hearing Panel will be composed of one to three staff members (usually from the Division of Student Life) that have been trained to handle student conduct matters. At least one staff member in the administrative hearing must be a member of Student Integrity. The Senior Director of Student Integrity will appoint the members of each Administrative Hearing Panel.

3. Procedures of Administrative Hearing Panels
The accused receives advance written notice of the charges, time, date, and place of the hearing. The accused and their advisor will be allowed the opportunity to review and respond to any materials or evidence that will be presented at the hearing.

The complainant may review materials or evidence that will be presented at the hearing 24 hours in advance (or may waive that right) and must review the materials in the Vice Provost for Student Life Suite. The materials and evidence must stay in the Suite and may not be photocopied or taken outside of the Suite.

The accused 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. The student should advise the assigned Hearing Officer if he/she will be accompanied by an advisor at the hearing.

Attendance at disciplinary hearings will be limited to the student(s), his/her advisor, and the members of the Administrative Hearing Panel. The student may bring one of his/her parents or a legal guardian to the hearing, and the student should advise the assigned Hearing Officer at least 24 hours prior to the hearing date if he/she will be accompanied by a parent 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 members of the Administrative Hearing Panel are allowed to be present during the deliberations.
The complainant and accused have the right to ask questions of each other, but the questions will be written in advance and reviewed by the Hearing Officer at least 24 hours in advance prior to the hearing date. If the accused or accuser has additional questions, it is up the discretion of the Hearing Officer if further questions will be allowed during the hearing.

Any party to the proceedings may request the privilege of presenting witnesses. It is the responsibility of the complainant and accused to contact his/her witnesses and request their attendance at the hearing and notify the Hearing Officer at least 24 hours prior to the hearing date of the witnesses who will appear. The Hearing Officer may also contact witnesses to appear before the Administrative Hearing Panel.

Any decision made by the Administrative Hearing Panel that includes the sanction of suspension are subject to the approval of the Vice Provost for Student Life. Once approved, the Hearing Officer or an administrative officer of the University will give the written decision to the student.

4. Procedures Pertaining to Anonymity

Anonymity of witnesses 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 Student Integrity Hearing Officer will thoroughly investigate the incident and make a recommendation on the granting of anonymity, subject to the concurrence and approval of the Senior Director of Student Integrity. 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 Student Integrity.

5. Grounds for Appeal

The student may appeal on the following grounds

1. The decision made is arbitrary or capricious,
2. If the decision is clearly unsubstantiated by the evidence, or
3. If new information is presented that was not available during the course of the investigation.

Severity of Sanction
The severity of the sanction is not considered an acceptable reason to appeal.

Filing the 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.

6. Appeal Deadlines and Expectations
a. After receiving a decision from the Administrative Hearing Panel, the student will then be permitted up to five (5) working days to prepare and submit a written appeal. The written appeal must cite the specific ground(s) for appeal that the accused would like the Vice Provost for Student Life or his/her designee to consider and provide an explanation of why, based on these grounds, the decision of the Administrative Hearing should be reviewed. Any supporting evidence or documentation that was not available at the time of the Administrative Panel Hearing must be attached to the written appeal. The appeal must be in writing, signed and submitted to the Vice
Provost for Student Life or his/her designee in person, by facsimile, or attached to an e mail from the student's official Creighton e-mail address.

b. Student Status during Appeal: Pending the response to the appeal, the accused'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. Students are not required to complete the sanctions given by the Administrative Hearing Panel until a final decision on the appeal is made by the Vice Provost for Student Life or his/her designee.

7. Considerations and Determination of the Appeal
The Vice Provost for Student Life or his/her designee will make a determination within five (5) working days upon receiving the written appeal. The Vice Provost for Student Life or his/her designee will provide a written notification of his/her determination to the appellant. The decision of the Vice Provost for Student Life or his/her designee is final.

Burden of Proof
The burden of proof rests on the appellant who must establish by presenting clear and convincing evidence that the original process or decision was substantially flawed.

Actions
The following actions may be taken by the Vice Provost for Student Life or his/her designee:
• Affirm the finding of responsibility and the sanction imposed by the Administrative Hearing Panel;
• Affirm the finding of responsibility and amend the sanction(s); or
• Overturn the finding of the Administrative Hearing Panel.

The Vice Provost for Student Life will make a determination within five (5) working days upon receiving the written appeal. The Vice Provost for Student Life or his/her designee will provide a written notification of his/her determination to the appellant. The decision of the Vice Provost for Student Life or his/her designee is final.

P. Creighton Integrity Council
1. 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.

2. 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 Student Integrity each time a matter will come before the council. Membership includes an apartment coordinator in Residential 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.

3. 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.
4. Procedures of Council Hearings
The accused receives advance written notice of the charges, time, date, and place of the hearing. The accused and their advisor will be allowed the opportunity to review and respond to any materials or evidence that will be presented at the hearing.

The complainant may review materials or evidence that will be presented at the hearing 48 hours in advance and must review the materials in the Student Life Suite. The materials and evidence must stay in the Student Life Suite and may not be photocopied or taken outside of the Suite.

The accused 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. The student should advise the chairperson of the Committee at least 24 hours prior to the hearing date if he/she will be accompanied by an advisor at the hearing. Attendance at disciplinary hearings will be limited to the student(s), his/her advisor, the Student Integrity conduct officer investigating the alleged misconduct, chairperson and appointed members of the Council. The student may bring one of his/her parents or a legal guardian to the hearing, and the student should advise the chairperson of the Council at least 24 hours prior to the hearing date if he/she will be accompanied by a parent 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 deliberations. Student Integrity may be consulted by the council when considering sanctions.

The complainant and accused have the right to ask questions of each other, but the questions will be written in advance and reviewed by the chairperson of the Committee at least 24 hours in advance prior to the hearing date. If the accused or accuser has additional questions, it is up the discretion of the chairperson if further questions will be allowed during the hearing.

Any party to the proceedings may request the privilege of presenting witnesses. It is the responsibility of the complainant and accused to contact his/her witnesses and request their attendance at the hearing and notify the chairperson of the Committee at least 24 hours prior to the hearing date of the witnesses who will appear. The chairperson may also contact witnesses to appear before the Committee.

5. Procedures Pertaining to Anonymity
Anonymity of witnesses 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, Student Integrity will thoroughly investigate the incident and make a recommendation on the granting of anonymity, subject to the concurrence and approval of the Vice Provost 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 Student Integrity.

6. Grounds for Appeal
The student may appeal on the following grounds:
1. A substantial deviation from the University’s procedure that impacts the outcome
2. Absence of sufficient evidence to support the decision
3. Submission of new evidence that was unavailable at the time of the hearing

Severity of Sanction - The severity of the sanction is not considered an acceptable reason to appeal.
Filing the 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.

7. Appeal Deadlines and Expectations
   a. Deadline for Intent to Appeal: If a student chooses to appeal an Integrity Council decision, he/she must submit Intent to Appeal within one (1) working day from the date of receiving the Integrity Council Decision Letter.
   b. Deadline for Written Appeal: The student will then be permitted up to three (3) working days to prepare and deliver a written appeal. The written appeal must cite the specific ground(s) for appeal that the accused would like the Senior Director of Student Integrity to consider and provide an explanation of why, based on these grounds, the decision of the Integrity Council should be reviewed. Any supporting evidence or documentation that was not available at the time of the Integrity Council hearing must be attached to the written appeal. The written and signed appeal must be submitted to the Senior Director of Student Integrity in person by facsimile or attached to an e-mail from the student’s official Creighton e-mail address.
   c. Student Status during Appeal: Pending the response to the appeal, the accused’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. Students are not required to complete the sanctions given by the Integrity Council until a final decision on the appeal is made by the Senior Director Student Integrity.

8. Considerations and Determination of the Appeal
   Upon receiving a written appeal from a student, the Senior Director of Student Integrity will review all materials available to the Integrity Council. The staff of Student Integrity will provide the Senior Director of Student Integrity with the case file which includes the investigative report, a copy of the Integrity Council investigative document, work product of University representatives (including memoranda and notes that they might generate) and correspondence between University representatives.

   Student Integrity will review and consider all materials submitted to it as soon as reasonably possible.

   Burden: The burden of proof rests on the accused who must establish by presenting clear and convincing evidence that the original process or decision was substantially flawed.

   Action: The following actions may be taken by the Senior Director of Student Integrity: affirm the finding of responsibility and the sanction imposed by the Integrity Council; affirm the finding of responsibility and amend the sanction(s); or overturn the finding of the Integrity Council.

   The Senior Director of Student Integrity will provide a written notification of his/her determination to the appellant. The decision of the Associate Vice Provost for Student Life is final.

Q. Harassment, Discrimination, Sexual and Relationship Misconduct- Formal and Informal Processes

1. Preliminary Inquiry:
   Upon receipt of a complaint, the Office of Equity and Inclusion will conduct a preliminary inquiry of the complaint to make a threshold assessment as to whether the complaint states facts sufficient to believe that a potential violation of the Policy or a potential violation of federal and/or state laws has
occurred. If the preliminary inquiry determines there are facts sufficient to believe a policy may have been violated, the inquiry will continue with the resolution process. If the preliminary inquiry does not find that there are facts sufficient to believe a policy may have been violated, the Office of Equity and Inclusion will notify the reporting party (and responding party if applicable) of this result, and no further action will be taken at that time. In this case, the reporting party retains the ability to provide further information and/or evidence regarding their complaint to the Office of Equity and Inclusion in the future. Should new information/evidence be provided to the Office of Equity and Inclusion after the threshold assessment process has been completed, the Office of Equity and Inclusion will revisit the original assessment to determine the impact the new information/evidence might have on the assessment’s determination. Sufficient facts for the sake of the threshold assessment would be credible information to support the complaint, even if that information is merely a credible witness or a victim’s statement. The Office of Equity and Inclusion will normally notify the reporting party in writing of the finding of the threshold assessment within five working days.

i. If the Preliminary Inquiry indicates that a potential violation of policy has occurred, the reporting party has the right to an informal or formal resolution process, except in cases of sexual violence or cases where the Office of Equity and Inclusion determines that a formal resolution is required. A formal resolution may be required in situations where the responding party’s behavior has an impact on individuals other than the reporting party or in situations where the complaint indicates an escalating pattern of harassment, discrimination, or sexual misconduct.

2. Informal Resolution:
Informal resolution is an alternative to the formal complaint resolution process. The Office of Equity and Inclusion will determine if informal resolution is appropriate, based on the willingness of the parties and the nature of the alleged conduct. Sanctions are generally not pursued as the result of an informal resolution process, though the parties may agree to appropriate remedies. The Office of Equity and Inclusion will keep records of any resolution that is reached, though the outcome of an informal resolution will not become part of a student, staff, or faculty member’s official disciplinary record with the University. The University reserves the right to cancel the informal resolution process if sufficient evidence suggests a formal investigation or other sanctions or remedies may be necessary and appropriate. It is not necessary to pursue informal resolution first in order to make a formal complaint, and anyone participating in informal resolution can stop that process at any time and request to continue through the formal process. The University does not require an individual to directly contact the person whose behavior is unwelcome. Mandatory reporters should always contact the Office of Equity and Inclusion prior to any attempt to resolve a complaint.

i. One-on-One Communication:
   a. If an individual seeking an informal resolution is comfortable dealing with the situation without direct involvement of a third party, the individual seeking an informal resolution can communicate directly with the person whose behavior is unwelcome.
   b. It is appropriate to use face-to-face communication only when the individual seeking the informal resolution does not feel threatened, there is no risk of physical harm and the individual seeking the informal resolution believes the other person will be receptive.
   c. Email/written correspondence is the preferred method of communication. If the individual seeking an informal resolution chooses to communicate face-to-face, they should also send an email summarizing the face-to-face interaction. Keep copies of any written communication.
   d. One-on-One Communication should include:
      1) A factual description of the incident(s) including a description of the unwelcome behavior, date, time, place, and the names of any witnesses.
2) A description of any consequences that the individual seeking an informal resolution has experienced due to the unwelcome behavior.

3) A request for the unwelcome behavior to cease.

4) If the individual seeking an informal resolution does not feel comfortable with the one-on-one communication or if the individual seeking the informal resolution believes that the communication was not successful, the individual should consider other informal or formal procedures.

ii. Third Party Assistance. if an individual desires the assistance of a third party to attempt to resolve the situation informally, the individual may approach any one of the following resources:

   a. The Office of Equity and Inclusion
   b. Student Integrity (student)
   c. Human Resources (faculty and staff)
   d. The individual’s supervisor or the supervisor’s supervisor (faculty, staff & student employees)

All faculty, staff and students are strongly encouraged to report any actions or behaviors believed to be in violation of this policy. Allegations of harassment, discrimination, sexual and relationship misconduct that come to the attention of faculty and staff with supervisory or leadership responsibilities or responsibilities related to student welfare must be reported. See Mandatory Reporter Policy 2.1.26, for additional information.

If the situation is not able to be resolved informally or if the individual chooses not to engage in an informal resolution, the individual may initiate a formal complaint using the procedures below.

3. Formal Resolution:

   In all cases of an allegation of harassment, discrimination, sexual misconduct, relationship misconduct, and/or a grievance, the individual(s) making such allegation may choose to bypass the informal resolution options and to proceed to a formal resolution. In the event that an informal resolution of the allegation of harassment, discrimination, sexual misconduct, relationship misconduct, and/or grievance is not resolved to the satisfaction of the individual(s) making the allegation, the person(s) alleging such harassment, discrimination, sexual misconduct, relationship misconduct, and/or a grievance may submit a formal complaint to The Office of Equity and Inclusion.

   i. The complaint shall set forth in reasonably sufficient detail the nature of the alleged harassment, discrimination, sexual misconduct, relationship misconduct, and/or a grievance, the individual(s) against whom the complaint is made, the name(s) of any witnesses, and any available evidence or sources of evidence. See Online Reporting Form.

   ii. If there is the potential of a violation of the Harassment, Discrimination, Sexual and Relationship Misconduct Policy or violation of federal and state laws, the Office of Equity and Inclusion will assign an investigation team consisting of one or more trained investigators to conduct a prompt, thorough, and impartial investigation. This process starts with a Preliminary Inquiry (see Procedures, letter b).

   iii. If an investigative team is assigned, both the reporting party and responding party have the right to work with an advisor of their choice throughout the investigative process. Advisors are referred to as process navigators, as defined in Procedural Definitions within this policy.

   iv. The investigation team will objectively gather and consider relevant facts. The investigation team will ensure that statements of the reporting party, the responding party, and all witnesses are documented and that the investigation is conducted in a thorough, objective manner and is considerate of all of the parties involved. Incidents reported to the Office of
Equity and Inclusion under this Policy that involve students may, at times, include Student Code of Conduct violations. While these violations are separate from the Harassment, Discrimination, Sexual and Relationship Misconduct Policy, they may still be included within the Office of Equity and Inclusion investigation and addressed as a part of the investigation outcome.

a. For more information on how Code of Conduct violations will be addressed in this process, see number 4 in this section.

v. If any at point in the preliminary inquiry or investigative phase, the Office of Equity and Inclusion determines that there is a possible crime of sexual assault against a minor, the Office of Equity and Inclusion will report such matter to the appropriate law enforcement agency. The Office of Equity and Inclusion may report any other crimes that it has reason to believe may have been committed.

vi. Upon assignment to an investigative team, the investigation will normally be concluded within 30 working days. The reporting party and responding party will be notified in writing of any reasonable delays.

vii. The investigation will be private and confidential to the greatest extent possible. However, no member of the University's staff or faculty, or any student is promised strict or absolute confidentiality. The investigation team will submit a written investigative report, including the findings of the investigation and a recommendation for action, based on a preponderance of evidence, to the Executive Director for Equity and Inclusion. In consultation with the appropriate University authority, the Executive Director for Equity and Inclusion will make a decision on the action, if any, to be taken.

a. The appropriate University authority in matters involving complaints where the responding party is a student is the Vice Provost for Student Life.

b. The appropriate University authority in matters involving complaints where the responding party is a member of the faculty is the Dean of the College or School of the responding party.

c. The appropriate University authority in matters involving complaints where the responding party is a member of the staff is the Associate Vice President for Human Resources.

d. Additionally, the Executive Director for Equity and Inclusion may also consult other University officials in order to make a determination.

viii. In all cases of formal allegations of harassment, discrimination, sexual misconduct, relationship misconduct, and/or a grievance, a summary of the findings and recommendations shall be available for review by the reporting party, the responding party, and to the appropriate University authority.

ix. The Executive Director for Equity and Inclusion will accept or reject the findings and/or recommendations of the investigative report using a preponderance of evidence standard.

x. The Executive Director for Equity and Inclusion will communicate the decision to the reporting party, to the responding party and to the appropriate University authority within five working days. The University will take immediate and corrective action if appropriate.

4. Code of Conduct Violations Within an Office of Equity and Inclusion Case:

Incidents reported to the Office of Equity and Inclusion under the Harassment, Discrimination, Sexual and Relationship Misconduct Policy (2.1.25) may at times include Student Code of Conduct violations. While these violations are separate from the Harassment, Discrimination, Sexual and Relationship Misconduct Policy, they may still be included within the Office of Equity and Inclusion investigation and handled through one process.
In circumstances where a student victim is reporting a violation of the Harassment, Discrimination, Sexual and Relationship Misconduct Policy, they may not necessarily be charged with other Code of Conduct violations (See section EE. Sexual Violence, Amnesty in Reporting Sexual Violence, of the Student Handbook.)

a. Investigations involving possible violations of the Harassment, Discrimination, Sexual and Relationship Misconduct Policy and the Student Code of Conduct will be handled through one process.

b. A Notice of Investigation will come from the Office of Equity and Inclusion including the alleged violations of the Harassment, Discrimination, Sexual and Relationship Misconduct Policy. The notice will also inform the student of the possibility of Student Code of Conduct violations and will include an attachment with a copy of the Code of Conduct.

c. The investigation will follow procedures outlined in the Harassment, Discrimination, Sexual and Relationship Misconduct Policy and will result in an investigative report submitted to the Executive Director for The Office of Equity and Inclusion.

If investigators believe Code of Conduct violations are present in the investigation, they will inform the student that the information will be included in the final report, and shared with the Vice Provost for Student Life.

a. The Executive Director for the Office of Equity and Inclusion will make a decision regarding violations of the Harassment, Discrimination, Sexual and Relationship Misconduct Policy. Unless the student is granted amnesty as provided in the Student Handbook, the Vice Provost for Student Life will make a decision as the sole hearing officer regarding violations of the Student Code of Conduct. The Vice Provost for Student Life may consult with Student Integrity for recommendations regarding sanctions and assignments.

b. The Executive Director for the Office of Equity and Inclusion and the Vice Provost for Student Life have 5 working days after the investigative report is submitted in which to make a final decision. This decision will be communicated through a joint letter from both offices when Student Code of Conduct violations are present.

**Appeals will follow the procedures outlined in the Harassment, Discrimination, Sexual and Relationship Misconduct Policy and will be submitted in writing to the Office of the Provost.

5. Sanctions:

The University reserves the right to impose differing sanctions, depending on the severity and/or pervasiveness of the violation. In determining sanctions, the University will consider the concerns and rights of both the reporting party and the responding party. In determining the appropriate sanction(s), the University must examine and consider a number of factors, including, but not limited to: 1) level of risk or harm to the community; 2) the nature and seriousness of the offense; 3) apparent pattern of conduct including previous violations of this policy 4) motivation underlying the responding party’s behavior; 5) cooperation with the investigation. The following sanctions may be imposed upon any member of the University community found to have violated this Policy:

Note: Sanctions will be implemented immediately following the decision of the Executive Director and will be in effect during the appeal period.

Sanctions for Responding Party- Student:
A. Disciplinary Reprimand
A. Disciplinary Probation
B. Suspension
C. Expulsion
D. Withholding Diploma
E. Withholding Degree
F. Transcript Notation
G. Organizational Sanctions
H. Other Actions

6. Appeal Procedures:

a. The reporting party or responding party may appeal the decision made by the Executive Director for Equity and Inclusion and/or the Vice Provost for Student Life for one or more of the following grounds:
   1. The decision made is arbitrary or capricious,
   2. If the decision is clearly unsubstantiated by the evidence, or
   3. If new information is presented that was not available during the course of the investigation.

b. The written appeal must be filed within five (5) working days after receiving the written decision to the Provost, who will review all appeals involving complaints where the respondent is a student or a faculty member.

c. The final determination will be made by the Provost using a preponderance of evidence standard within five (5) working days upon receiving the written appeal.

d. The decision will be communicated to the complainant, respondent, the Executive Director for Equity and Inclusion and the Vice Provost for Student Life, and shall be considered final.

R. Greek Standards Board

The Greek Standards Board is approved by the Vice Provost for Student Life and may be granted authority to adjudicate specific types of cases involving Greek organizations. The Board is advised by the Fraternity and Sorority Life Advisor and the Assistant Director of Student Integrity. For hearings, quorum will consist of five voting members with representatives from Panhellenic Council chapters, Interfraternity Council chapters, and representatives from multicultural Greek organizations (only if applications are received from these organizations), the Vice President of Judicial Affairs for the Interfraternity Council, and the Vice President of Judicial Affairs for the Panhellenic Council. The board may hear certain disciplinary cases involving Greek organizations at the request of the Advisor(s) and with the approval of the Senior Director of Student Integrity in lieu of a Private Decision. The Greek organization retains the right of a Preliminary Conference meeting in advance of a hearing before the Greek Standards Board.

In the case of violations specific to either the Panhellenic or Interfraternity Council recruitment processes, the makeup for that board will consist of members of the Greek Standards Board who are representing their respective councils. All other violations will have boards made up of both councils.

1. Appeal Procedures for Greek Standards Board

Grounds for Appeal - An organization may appeal on the following grounds:
- The decision made is arbitrary or capricious,
- If the decision is clearly unsubstantiated by the evidence, or
- If new information is presented that was not available during the course of the investigation.
Severity of Sanction - The severity of the sanction is not considered an acceptable reason to appeal.

Filing the 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.

2. Appeal Deadlines and Expectations

After receiving the decision of the Greek Standards Board, the organization will then be permitted up to five (5) working days to prepare and submit a written appeal. The written appeal must cite the specific ground(s) for appeal that the accused would like the Vice Provost for Student Life to consider and provide an explanation of why, based on these grounds, the decision of the Board should be reviewed. Any supporting evidence or documentation that was not available at the time of the Board hearing must be attached to the written appeal. The appeal must be in writing, signed by the president, and submitted to the Vice Provost for Student Life in person, by facsimile, or attached to an e-mail from the student’s official Creighton e-mail address.

Organization’s Status During Appeal: Pending the response to the appeal, the accused organization as a registered organization 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. Organizations are not required to complete the sanctions given by the Greek Standards Board until a final decision on the appeal is made by the Vice Provost for Student Life.

3. Considerations and Determination of the Appeal

Upon receiving a written appeal from a student, the Vice Provost for Student Life or his/her designee will review all materials available to the Greek Standards Board. Student Integrity will provide the Vice Provost for Student Life or his/her designee with the case file, which includes the investigative report, a copy of the Greek Standards Board investigative document. Work product of University representatives (including memoranda and notes that they might generate) and correspondence between University representatives.

The Vice Provost for Student Life or his/her designee will review and consider all materials submitted as soon as reasonably possible.

Burden: The burden of proof rests on the accused organization who must establish by presenting clear and convincing evidence that the original process or decision was substantially flawed.

Action: The following actions may be taken by the Vice Provost for Student Life or his/her designee: affirm the finding of responsibility and the sanction imposed by the Greek Standards Board; affirm the finding of responsibility and amend the sanction(s); or overturn the finding of the Greek Standards Board.

The Vice Provost for Student Life or his/her designee will provide written notification of his/her determination to the organization. The decision of the Senior Director of Student Integrity is final.

5. Sanctions

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

1. Expulsion - The permanent separation of the student from the University. The student will be barred from University premises.
2. **Suspension** - The separation of the student from the University for a specified period of time. The student may not participate in any University sponsored activity and may be barred from University premises. During the period of his/her 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.

3. **Deferred Suspension** - The postponement of a suspension, separation of the student from the University for a specific period of time, in order for a student to complete the current semester he/she is enrolled. The student may continue to attend classes but may not participate in other University sponsored activities. Additionally, he/she will be notified that any further violations of University rules and regulations will result in immediate suspension.

4. **Disciplinary Removal from University Residence Halls** - The student will be required to leave University residence halls and will forfeit any prepaid housing fees. A notice will be placed in the file and will remain part of the disciplinary file until one year following graduation. 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.

5. **Disciplinary Probation** - The student will be served notice that his/her behavior violates the University's Code of Conduct. He/she may be barred from participation in all or designated co-curricular activities and may be subject to other sanctions. He/she will be notified that any further violations of University rules and regulations will in all likelihood result in suspension or expulsion.

6. **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.

7. **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.

8. **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.

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

10. **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.

11. **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 authorities for prosecution.

12. **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, the Integrity Council, Greek Standards Boards, or a conduct 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.

**Sanctions for violations of non-academic disciplinary regulations for student organizations consist of:**

1. **Expulsion** - The permanent separation of the student organization from the University. The student organization will be barred from University premises.
2. **Suspension** - The separation of the student organization from the University for a specified period of time. The student organization may not participate in any University sponsored activity, will not be considered a University registered organization, may not receive University funds, and may be barred from University premises. Reinstatement after disciplinary suspension requires the approval of the Vice Provost for Student Life.

3. **Disciplinary Probation** - The student organization will be served notice that its behavior violates the University’s Code of Conduct. The organization may be barred from participation in all or designated co-curricular activities and may be subject to other sanctions. The organization will be notified that any further violations of University rules and regulations will in all likelihood result in suspension or expulsion.

4. **Social Probation** – The student organization will be served notice that the behavior of its membership violates the University’s Code of Conduct. The group is restricted from planning and/or participating in social activities and may be subject to other sanctions. The organization will be notified that any further violations of University rules and regulations will in all likelihood result in the suspension or expulsion of the organization.

5. **Disciplinary Reprimand** - The student organization is warned that its conduct is in violation of University rules and regulations and that further misconduct may be treated more severely.

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

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

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

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

10. **Referral for Prosecution** - Where reasonable cause exists to believe a student organization 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 authorities for prosecution.

11. **Alcohol Restriction** – The student organization is to have only alcohol free social events (including, but not limited to, member education events, retreats, member development events, date parties, formals, and social events) during the specified time period. Any violations that involve alcohol that result out of an event that is to be alcohol free will be considered to be in violation of this Alcohol Restriction sanction.

12. **Other Sanctions** - Other sanctions which are intended to engage the student organization in a positive learning experience related to the organization’s inappropriate behavior may be imposed by the University Committee on Student Discipline, Integrity Council, 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 organization’s conduct, or review of the organization’s membership.

In determining sanctions for violations of University rules and regulations, the sanctioning person or entity will consider such factors as attitude of the organization’s officers; past record, both positive and negative; the severity of the damage, injury, harm, or disruption done or the potential for such; the organization’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.

**T. Retention of Disciplinary Record and Record Check**

1. All Disciplinary Records are maintained in the Office of the Vice Provost for Student Life. When an incident report is generated for an alleged violation of the Student Code of Conduct, the result is a
disciplinary file is opened in the name of the accused student. If the student is found not responsible for the charges, the file will be marked no action, no record, and shall not constitute a disciplinary record. The files of students found responsible for charges against them, with sanctions less than suspension or expulsion, will generally be maintained in the Office of the Vice Provost for Student Life for seven (7) years from the calendar year of record, after which they are destroyed. Records of cases in which suspension or expulsion from the University occur, are kept for indefinitely. As a part of FERPA all disciplinary records are confidential and may not be disclosed in whole or in part except as provided by law or by the written authorization of the student, under legal compulsion, or where the safety of other persons may be involved. Disciplinary records are maintained separate from the student's academic record but are part of the student's educational record.

2. Students with inquiries about their Creighton University discipline history should make a written request to Student Integrity. A written summary will be provided to the student within ten (10) business days. Students requesting to view their discipline records must follow the procedures outlined in the Confidentiality of Records section of the Handbook (pages 5-7). You may also request a summary of your history by visiting the Student Integrity website.